

# MIAMI BEACH

PLANNING DEPARTMENT

City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139

File No:	_____
Date:	_____
MCR No:	_____
Amount:	_____
Zoning Classification	_____
(For Staff Use Only)	

## STANDARD APPLICATION FORM DEVELOPMENT REVIEW BOARD HEARING

1. The below listed applicant wishes to appear before the following City Development Review Board for a scheduled public hearing: NOTE: This application form must be completed separately for each applicable Board hearing a matter.

- |   |  |
|---|--|
| <input type="checkbox"/> BOARD OF ADJUSTMENT            | <input type="checkbox"/> HISTORIC PRESERVATION BOARD |
| <input checked="" type="checkbox"/> DESIGN REVIEW BOARD | <input type="checkbox"/> PLANNING BOARD              |
| <input type="checkbox"/> FLOOD PLAIN MANAGEMENT BOARD   |  |

NOTE: Applications to the Board of Adjustment will not be heard until such time as the Design Review Board, Historic Preservation Board and/or the Planning Board have rendered decisions on the subject project.

2. THIS REQUEST IS FOR:

- a. ☒ A VARIANCE TO A PROVISION(S) OF THE LAND DEVELOPMENT REGULATIONS (ZONING) OF THE CODE
- b. ☐ AN APPEAL FROM AN ADMINISTRATIVE DECISION
- c. ☒ DESIGN REVIEW APPROVAL
- d. ☐ A CERTIFICATE OF APPROPRIATENESS FOR DESIGN
- e. ☐ A CERTIFICATE OF APPROPRIATENESS TO DEMOLISH A STRUCTURE
- f. ☐ A CONDITIONAL USE PERMIT
- g. ☐ A LOT SPLIT APPROVAL
- h. ☐ AN HISTORIC DISTRICT/SITE DESIGNATION
- i. ☐ AN AMENDMENT TO THE LAND DEVELOPMENT REGULATIONS OR ZONING MAP
- j. ☐ AN AMENDMENT TO THE COMPREHENSIVE PLAN OR FUTURE LAND USE MAP
- k. ☐ TO REHAB, TO ADD TO AND / OR EXPAND A SINGLE FAMILY HOME
- l. ☐ OTHER: \_\_\_\_\_

3. NAME & ADDRESS OF PROPERTY: PERISTERIS RESIDENCE. 2300 LAKE AVENUE. MIAMI BEACH, FLORIDA 33140

LEGAL DESCRIPTION: FOLIO: 02-3228-001-1380 THE SOUTH 65 FEET OF LOT 4, BLOCK 3C, "3RD REVISED PLAT OF SUNSET ISLANDS", ACCORDIING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 40, AT PAGE 8, OF THE PUBLIC RECORDS, OF MIAMI-DADE COUNTY, FLORIDA

4. NAME OF APPLICANT 2300 LAKE AVE, LLC

Note: If applicant is a corporation, partnership, limited partnership or trustee, a separate Disclosure of Interest Form (Pages 6-7) must be completed as part of this application.

900 Biscayne Blvd., Apt 5506

ADDRESS OF APPLICANT

MIAMI

CITY

FL

STATE

33139

ZIP

BUSINESS PHONE # 917-554-3125

CELL PHONE # 917-554-3125

E-mail address: athanasoulis@hotmail.com

5. NAME OF PROPERTY OWNER (IF DIFFERENT FROM #4, OTHERWISE, WRITE "SAME") SAME

*If the owner of the property is not the applicant and will not be present at the hearing, the Owner/Power of Attorney Affidavit (Page 4) must be filled out and signed by the property owner. In addition, if the property owner is a corporation, partnership, limited partnership or trustee, a separate Disclosure of Interest Form (Pages 6 - 7) must be completed.*

ADDRESS OF PROPERTY OWNER

CITY

STATE

ZIP

BUSINESS PHONE # \_\_\_\_\_ CELL PHONE # \_\_\_\_\_

E-mail address: \_\_\_\_\_

6. NAME OF ARCHITECT, LANDSCAPE ARCHITECT, ENGINEER, CONTRACTOR OR OTHER PERSON RESPONSIBLE FOR PROJECT DESIGN  
CMA Design Studio Inc. 232 Andalusia Ave. Ste 101 Coral Gables FL 33134

NAME (please circle one of the above) ADDRESS CITY STATE ZIP

BUSINESS PHONE # \_\_\_\_\_ CELL PHONE # \_\_\_\_\_

E-mail address: \_\_\_\_\_

7. NAME OF AUTHORIZED REPRESENTATIVE(S), ATTORNEY(S), OR AGENT(S) AND/OR CONTACT PERSON:

a. Cesar Molina 232 Andalusia Ave. Ste 101 Coral Gables FL 33134  
NAME ADDRESS CITY STATE ZIP

BUSINESS PHONE # 305-448-4200 CELL PHONE # 305-704-3459

E-mail address: cmolina@cmadsi.com

b. \_\_\_\_\_  
NAME ADDRESS CITY STATE ZIP

BUSINESS PHONE # \_\_\_\_\_ CELL PHONE # \_\_\_\_\_

E-mail address: \_\_\_\_\_

c. \_\_\_\_\_  
NAME ADDRESS CITY STATE ZIP

BUSINESS PHONE # \_\_\_\_\_ CELL PHONE # \_\_\_\_\_

E-mail address: \_\_\_\_\_

**NOTE: ALL ARCHITECTS, LANDSCAPE ARCHITECTS, ENGINEERS, CONTRACTORS OR OTHER PERSONS RESPONSIBLE FOR PROJECT DESIGN, AS WELL AS AUTHORIZED REPRESENTATIVE(S), ATTORNEY(S), OR AGENT(S) AND/OR CONTACT PERSONS, WHO ARE REPRESENTING OR APPEARING ON BEHALF OF A THIRD PARTY, UNLESS SOLELY APPEARING AS AN EXPERT WITNESS, ARE REQUIRED TO REGISTER AS A LOBBYIST WITH THE CLERK, PRIOR TO THE SUBMISSION OF AN APPLICATION.**

**8. SUMMARY OF PROPOSAL:**

Variance request to build on a non-conforming (size) lot with an existing residence.

2 Waiver requests for a proposed new 2 story residence

1) 70% floor ratio

2) Spiral Stair Case within Open Space requirement

9. IS THERE AN EXISTING BUILDING(S) ON THE SITE? YES ☒ NO ( )

10. WILL ALL OR ANY PORTION OF THE BUILDING(S) INTERIOR AND/OR EXTERIOR, BE DEMOLISHED? [ ] YES [ ] NO

11. TOTAL FLOOR AREA (FAR) OF NEW BUILDING (if applicable): 4,332 SQ. FT.

12. TOTAL GROSS FLOOR AREA OF NEW BUILDING (including required parking and all usable floor space) 2,156 SQ. FT.

13. TOTAL FEE: (to be completed by staff) \$ \_\_\_\_\_

**PLEASE NOTE THE FOLLOWING:**

- Applications for any Board hearing(s) will not be accepted without payment of the required fee. All checks are to be made payable to: "City of Miami Beach."
- *Public records notice:* all documentation, application forms, maps, drawings, photographs, letters and exhibits will become a part of the public record maintained by the City of Miami Beach Planning Department and shall under Florida Statute, be disclosed upon proper request to any person or entity.
- In accordance with the requirements of Section 2-482 of the Code of the City of Miami Beach, any individual or group (Lobbyist) that has been, or will be, compensated to either speak in favor or against a project being presented before any of the City's Development Review Boards, shall be fully disclosed prior to the public hearing. All such individuals and/or groups must register with the City Clerk prior to the hearing.
- In accordance with Section 118-31 of the Code of the City of Miami Beach, all applicants shall, prior to the public hearing, fully disclose any consideration provided or committed, directly or on its behalf, for an agreement to support or withhold objection to the requested approval, relief or action (exclusive of all legal or professional design services). Such disclosure shall:
  1. Be in writing.
  2. Indicate to whom the consideration has been provided or committed.
  3. Generally describe the nature of the consideration.
  4. Be read into the record by the requesting person or entity prior to submission to the secretary/clerk of the respective board.

*In the event the applicable development review board determines that the foregoing disclosure requirement was not timely satisfied by the person or entity requesting approval, relief or other action as provided above, then the application or order, as applicable, shall immediately be deemed null and void without further force or effect, and no application from said person or entity for the subject property shall be reviewed or considered by the applicable board(s) until expiration of a period of one year after the nullification of the application or order. It shall be unlawful to employ any device, scheme or artifice to circumvent the disclosure requirements of this section and such circumvention shall be deemed a violation of the disclosure requirements of this section.*

- When the applicable Boards reach a decision, a Final Order will be issued stating the Board's decision and any conditions imposed therein. The Final Order must be recorded in the Office of the Recorder of Miami-Dade County; the original shall remain on file with the board clerk/secretary. Under no circumstances will a building permit be issued by the City of Miami Beach without a copy of the recorded Final Order being tendered along with the construction plans.

To request this material in accessible format, sign language interpreters, information on access for persons with disabilities, and/or any accommodation to review any document or participate in any city-sponsored proceeding, please contact 305-604-2489 (voice) or 305-673-7218 (TTY) five days in advance to initiate your request. TTY users may also call 711 (Florida Relay Service).

**PLEASE COMPLETE ONE OR MORE OF THE FOLLOWING THREE AFFIDAVITS, AS APPLICABLE. NOTE: THE PROPERTY OWNER MUST FILL OUT AND SIGN THE "POWER OF ATTORNEY" PORTION IF THEY WILL NOT BE PRESENT AT THE HEARING, OR IS HAVING OTHER PERSONS SPEAK ON THEIR BEHALF.**



**OWNER AFFIDAVIT FOR INDIVIDUAL OWNER**

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

I, N/A, being first duly sworn, depose and say that I am the owner of the property described and which is the subject matter of the proposed hearing; that all the answers to the questions in this application and all sketches data and other supplementary matter attached to and made a part of the application are true and correct to the best of my knowledge and belief. I understand this application must be completed and accurate before a hearing can be advertised. I also hereby authorize the City of Miami Beach to enter my property for the sole purpose of posting a NOTICE OF PUBLIC HEARING on my property as required by law and I take the responsibility of removing this notice after the date of hearing.

N/A  
PRINT NAME

\_\_\_\_\_  
SIGNATURE

Sworn to and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_. The foregoing instrument was acknowledged before me by \_\_\_\_\_, who has produced \_\_\_\_\_ as identification and/or is personally known to me and who did/did not take an oath.

\_\_\_\_\_  
NOTARY PUBLIC

NOTARY SEAL OR STAMP

\_\_\_\_\_  
PRINT NAME

My Commission Expires:

**ALTERNATE OWNER AFFIDAVIT FOR  
CORPORATION or PARTNERSHIP**  
(Circle one)

STATE OF FLORIDA

COUNTY OF DADE

I, ALICIA THANASOULIS being duly sworn, depose and say that I am the MANAGER of 2300 LAKE AVE LLC and as such, have been authorized by such entity to file this application that all answers to the questions in the application and all sketches, data and other supplementary matter attached to and made a part of the application are true and correct to the best of our knowledge and belief; that the corporation is the owner/tenant of the property described herein and is the subject matter of the proposed hearing. We understand this application must be completed and accurate before a hearing can be advertised. I also hereby authorize the City of Miami Beach to enter the subject property for the sole purpose of posting a NOTICE OF PUBLIC HEARING on the property as required by law and I take the responsibility of removing this notice after the date of hearing.

X ALICIA C THANASOULIS  
PRINT NAME

X [Signature]  
SIGNATURE

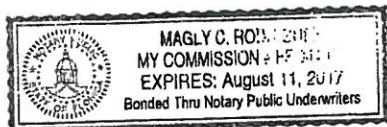
Sworn to and subscribed before me this 25th day of January, 2016. The foregoing instrument was acknowledged before me by Alicia Thanasoulis, Manager of 2300 LAKE AVE LLC on behalf of such entity, who has produced \_\_\_\_\_ as identification and/or is personally known to me and who did/did not take an oath.

NOTARY SEAL OR STAMP:

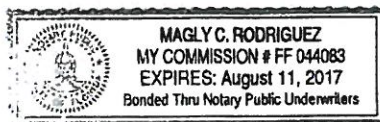
[Signature]  
NOTARY PUBLIC

\_\_\_\_\_  
PRINT NAME

My Commission Expires:



[Signature]  
Magly Rodriguez



**POWER OF ATTORNEY AFFIDAVIT**

STATE OF FLORIDA

COUNTY OF DADE

I, ALICIA THANASOULIS, being duly sworn and depose say that I am the owner or representative of the owner of the described real property and that I am aware of the nature and effect of the request for DESIGN REVIEW/VARIANCE APPROVAL relative to the subject property, which request is hereby made by me OR I am hereby authorizing CESAR MOLINA (CMA DESIGN STUDIO INC) to be my representative before the DESIGN REVIEW Board. I also hereby authorize the City of Miami Beach to enter the subject property for the sole purpose of posting a NOTICE OF PUBLIC HEARING on the property as required by law and I take the responsibility of removing this notice after the date of hearing.

X ALICIA C. THANASOULIS, MANAGER

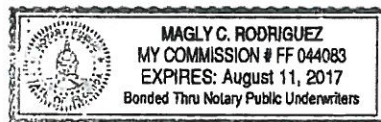
PRINT NAME (and Title, if applicable)

X [Signature]

SIGNATURE

Sworn to and subscribed before me this 29<sup>th</sup> day of January, 2016. The foregoing instrument was acknowledged before me by Alicia C. Thanasoulis as Manager of 2300 Laverne LLC who has produced Drivers License as identification and/or is personally known to me and who did/did not take an oath.

NOTARY SEAL OR STAMP



[Signature]

NOTARY PUBLIC

PRINT NAME

My Commission Expires:

**CONTRACT FOR PURCHASE**

If there is a CONTRACT FOR PURCHASE, whether contingent on this application or not, and whether the purchaser is a corporation, trustee or partnership, list the names of the contract purchasers below, including the principal officers, stockholders, beneficiaries or partners. Where the principal officers, stockholders, beneficiaries or partners consist of another corporation, trust, partnership or other similar entity, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the entity. If any contingency clause or contract terms involve additional individuals, corporations, partnerships or trusts, list all individuals and/or complete the appropriate disclosure clause above.\*

N/A

NAME

DATE OF CONTRACT

NAME, ADDRESS, AND OFFICE

% OF STOCK

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

For any changes of ownership or changes in contracts for purchase subsequent to the date of the application, but prior to the dates of final public hearing, a supplemental disclosure of interest shall be filed.

**CITY OF MIAMI BEACH  
DEVELOPMENT REVIEW BOARD APPLICATION**

**DISCLOSURE OF INTEREST**

**1. CORPORATION**

If the property which is the subject of the application is owned or leased by a CORPORATION, list ALL of the stockholders, and the percentage of stock owned by each. Where the stockholders consist of another corporation(s), trustee(s), partnership(s) or other similar entity, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the entity.\*

2300 LAKE AVE LLC  
CORPORATION NAME

NAME AND ADDRESS	% OF STOCK
ALICIA THANASOULIS	50
900 Biscayne Blvd., Apt. 5506 Miami, Florida 33139	
APOSTOLOS PERISTERIS	
900 Biscayne Blvd., Apt. 5506 Miami, Florida 33139	50

CORPORATION NAME

NAME AND ADDRESS	% OF STOCK

**IF THERE ARE ADDITIONAL CORPORATIONS, LIST OTHERS, INCLUDING CORP. NAME(S) AND EACH INDIVIDUAL STOCKHOLDER'S NAME, ADDRESS, OFFICE AND PERCENTAGE OF STOCK, ON A SEPARATE PAGE.**

**NOTE: Notarized signature required on page 8**

**CITY OF MIAMI BEACH  
DEVELOPMENT REVIEW BOARD APPLICATION**

**DISCLOSURE OF INTEREST**

**2. TRUSTEE**

If the property which is the subject of the application is owned or leased by a TRUSTEE, list the beneficiaries of the trust and the percentage of interest held by each. Where the beneficiary/beneficiaries consist of corporations(s), another trust(s), partnership(s) or other similar entity, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the entity.\*

N/A

TRUST NAME

NAME AND ADDRESS

% OF STOCK



**3. PARTNERSHIP/LIMITED PARTNERSHIP**

If the property which is the subject of the application is owned or leased by a PARTNERSHIP or LIMITED PARTNERSHIP, list the principals of the partnership, including general and limited partners. Where the partner(s) consist of another partnership(s), corporation(s), trust(s) or other similar entity, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the entity.\*

N/A

PARTNERSHIP or LIMITED PARTNERSHIP NAME

NAME AND ADDRESS

% OF STOCK



**NOTE: Notarized signature required on page 8**



#### 4. COMPENSATED LOBBYIST:

The City of Miami Beach Code sub-section 118-31 requires the disclosure of any individual or group which has been, or will be, compensated to either speak in favor of or against a project being presented before any of the City's Development Review Boards, or not to speak at all. Please list below all persons or entities encompassed by this section.

NAME	ADDRESS	PHONE #
a. Cesar Molina (CMA Design Studio Inc)   232 Andalusia Ave ste. 101   Coral Gables FL, 33134   305-448-4200		
b. _____		
c. _____		

Additional names can be placed on a separate page attached to this form.

\* Disclosure shall not be required of any entity, the equity interest in which are regularly traded on an established securities market in the United States or other country, or of any entity, the ownership interests of which are held in a limited partnership or other entity consisting of more than 5,000 separate interests and where no one person or entity holds more than a total of 5% of the ownership interests in the limited partnership or other entity.

APPLICANT HEREBY ACKNOWLEDGES THAT ANY APPROVAL GRANTED BY THE BOARD SO APPLIED TO, SHALL BE SUBJECT TO ANY AND ALL CONDITIONS IMPOSED BY SUCH BOARD AND BY ANY OTHER BOARD HAVING JURISDICTION, AND THAT THE PROJECT MUST ALSO COMPLY WITH THE CODE OF THE CITY OF MIAMI BEACH AND ALL OTHER APPLICABLE LAW.

#### APPLICANT AFFIDAVIT

STATE OF FLORIDA

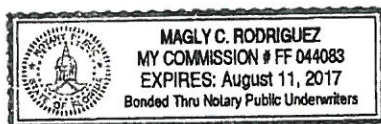
COUNTY OF DADE

I, Alicia Thanasoulis (2300 Lake Ave LLC), (list name of corporation and office designation as applicable) being first duly sworn, depose and say that I am the applicant, or the representative of the applicant, for the subject matter of the proposed hearing; that all the answers to the questions in this application and all sketches, data and other supplementary matter attached to and made a part of the application and the disclosure information listed on this application is a full disclosure of all parties of interest in this application are true and correct to the best of my knowledge and belief.

[Signature]  
SIGNATURE

Sworn to and subscribed before me this 25th day of January, 2016. The foregoing instrument was acknowledged before me by Alicia Thanasoulis, who has produced Drivers License as identification and/or is personally known to me and who did/did not take an oath.

NOTARY SEAL OR STAMP



[Signature]  
NOTARY PUBLIC

Magly Rodriguez  
PRINT NAME

My Commission Expires:





**BERCOW RADELL & FERNANDEZ**  
ZONING, LAND USE AND ENVIRONMENTAL LAW

DIRECT LINE: (305) 377-6236  
E-Mail: MAmster@brzoninglaw.com

**VIA HAND DELIVERY**

February 10, 2016

Thomas Mooney, Planning Director  
Planning Department  
City of Miami Beach  
1700 Convention Center Drive, 2<sup>nd</sup> Floor  
Miami Beach, Florida 33139

Re: Design Review and Variance Approval for the Property Located at 2300 Lake Avenue, Miami Beach, Florida

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Dear Tom:

This law firm represents 2300 Lake Avenue, LLC (the "Applicant"), the owner of the above-referenced property (the "Property"). Please consider this letter the Applicant's letter of intent in support of design review and variance approval by the Design Review Board ("DRB") for a single family home on the Property.

The Property. The Property is an 8,641 square foot dry lot located at the northwest corner of the intersection of Lake Avenue and W. 23 Street on Sunset Island 3 within the RS-3, Single Family Residential Zoning District. The lot is narrow and has a curved corner at the intersection that makes it an irregular shape. The Property is identified by Miami-Dade County Folio No. 02-3228-001-1380 and previously contained an approximately 2,800 square foot single family residence constructed in 1972.

Originally platted in 1937 as part of the Third Revised Plat of Sunset Islands with a lot width of 75 feet, around 1972 a distant predecessor owner of the Property and the adjacent property to the north at 1410 W. 24 Street conveyed only the southern 65 feet, leaving the northern 10 foot strip of the platted property to remain with the adjacent property to the north, 1410 W. 24 Street. For over 43 years, the Property has remained with the 65 foot width; although for zoning purposes the lot width at the 20 foot front setback line is 64.5 feet due to the curved corner.

Description of Proposed Development. The Applicant proposes to construct a new, two-story residence of approximately 4,038 square feet in size. The proposed home

will be constructed of stone and wood elements and accented by beautiful landscaping. The Applicant demolished the prior structure on the Property after the project was originally approved under Building Permit No. B1506587.

Vehicular access will be provided by two concrete paver driveways on both W. 23 Street and Lake Avenue that meet at a carport at the building's eastern elevation. The long and narrow footprint of the home is situated in the north portion of the lot, with a swimming pool along the length of the southern elevation of the home, which is enclosed between habitable living spaces that extend along either side of the pool.

Despite the substandard lot size, the proposed new home complies with all of the City of Miami Beach Code ("Code") requirements for unit size, lot coverage and height. The size of the proposed home is approximately 4,038 square feet (46.7% of the lot size), which is below the allowable 50% unit size limit. The lot coverage is below 25%, which is below the 30% allowed. The height of the home is 24 feet measured from Base Flood Elevation (BFE). The Applicant does not request any waiver.

Variance Request. Due to existing conditions of the Property, the Applicant requests a variance from Code Section 142-105(b)(1) in order to waive 1,359 square feet of the minimum required lot size of 10,000 square feet in the RS-3 zoning district in order to construct a new single family home on a lot containing only 8,641 square feet.

Satisfaction of Hardship Criteria. The Applicant's request satisfies all hardship criteria as follows:

- (1) **Special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same zoning district;**

Due to the conveyance of only 65 feet of the original platted lot, the Property has existed as a substandard lot size for approximately 43 years. The narrow lot with the curved corner, even as platted, is irregularly-shaped. Notably, the lot is sufficiently-sized to support a single-family home and has contained a home for all that time.

- (2) **The special conditions and circumstances do not result from the action of the applicant;**

The conveyance of land that created the substandard lot was done approximately 43 years ago by a different owner and the Property has been conveyed through many other owners over the years until the Applicant purchased the Property in 2013; forty years later. Therefore, the special condition and circumstances do not the result of any action taken by the Applicant.



- (3) Granting the variance requested will not confer on the applicant any special privilege that is denied by these land development regulations to other lands, buildings, or structures in the same zoning district;**

Granting the variance will allow the Applicant to build a single-family home on the Property, which is the same right of owners of single-family home lots. Without the variance, the Applicant cannot make reasonable use of the land and the size of the lot does not preclude development of a reasonable single-family home.

- (4) Literal interpretation of the provisions of these land development regulations would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of these land development regulations and would work unnecessary and undue hardship on the applicant;**

Redevelopment of the Property cannot be accomplished without the variance. A literal interpretation of the provisions of these land development regulations would work as an unnecessary and undue hardship on the Applicants because it would require the Property to remain vacant, as demolition of the previous home already occurred pursuant to approved building permits. Without the variance, the Applicant would be prevented from making reasonable use of the Property by having a single-family home on it.

- (5) The variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure;**

The request is the minimum variance necessary to address the substandard lot size. Without a minor accommodation, the Applicant will not be able to construct a home that is otherwise entirely compliant with development regulations and would not require review at public hearing if it were not for the substandard condition of the Property.

- (6) The granting of the variance will be in harmony with the general intent and purpose of these land development regulations and that such variance will not be injurious to the area involved or otherwise detrimental to the public welfare; and**

The Applicant has achieved a design that meets the challenges posed by the narrow lot while maintaining modest scale and massing of the home. It is the intent of the land development regulations not to deny property owners any use of their home that is normally enjoyed by similarly situated home owners. Granting the variance will

simply enable the Applicant to make use of its property, by constructing a new residence that is compliant with the Code, compatible with the area and not injurious to the surrounding neighborhood.

- (7) **The granting of this request is consistent with the comprehensive plan and does not reduce the levels of service as set forth in the plan.**

The variance request is consistent with the City's comprehensive plan as it will allow development a home on the Property and does not reduce the levels of service as set forth in the plan.

Practical Difficulty. In addition to the above hardship criteria, the substandard lot size and irregular shape due to the curved corner impose a practical difficulty on the Applicant by preventing development of any reasonable use on the Property. The Applicant cannot construct a single-family home on the Property without the variance, yet single-family lots in the City with around 8,000 square feet are able to accommodate homes and this Property contained a home for approximately 43 years.

Conclusion. The Applicant proposes a striking architectural design that makes the most out of the unfavorable lot conditions and complies with Code requirements despite being substandard. Approval of the variance will permit the development of a well-designed single-family home on the Property that will be compatible with the prevailing character of the existing single-family neighborhood. The variance is minor and stems from the substandard lot size that has existed since well before the Applicant owned the land. We look forward to your favorable review of the application. If you have any questions or comments, please give me a call at (305) 377-6236.

Sincerely,



Matthew Amster

cc: Mr. Apostolos Peristeris  
Ms. Alicia Thanasoulis  
Michael W. Larkin, Esq.