

May 5th, 2024

**VIA ELECTRONIC AND HAND DELIVERY**

Ms Deborah Tackett  
Chief, Historic Preservation  
City of Miami Beach  
Planning Department  
1700 Convention Center Drive  
Second Floor  
Miami Beach, Florida 33139

Attention Deborah Tackett Planning Staff and members of the HPB

**Re: 1728 Lenox Avenue - Architect's Second Amended and Restated Letter of Intent  
Historic Preservation Board Application (File No. HPB24-0606)**

Dear Ms. Tackett:

This shall constitute the Second Amended and Restated Letter of Intent on behalf of Ricardo de la Vega (the "Applicant" and "Owner") in support of Application HPB24-0606 to the Historic Preservation Board for approval of the following amended and restated requests:

1. A variance to raise the necessary 1'-09" setback projections for both north and south yards, allowing the roof overhang to be 4'-5 3/8" for practical functionality.
2. A variance for the southeast side yard area, to increase the veranda by 4'-5 3/8" to be in line with roof overhang.
3. A variance for the Lot Area to increase the overall area by 2%.

The Applicant is the Owner of the property located at 1728 Lenox Avenue in Miami Beach, Florida (the "Property") and intends to make this his personal residence. The Property is located within the Palm View Local Historic District and is zoned Residential Performance Standard, medium density district (R-S4).

**Proposed Design**

The new home proposed on the Property is a 2-story tropical modern residence. The design incorporates a significant nod to tropical architecture with the use of deep roof overhangs, verandas and breeze-block walls as shading devices, to respond to climatic conditions of the Miami climate. The need for deep roof overhangs and the inclusion of external covered verandas as well as allowing for cross ventilation are some of the strategies to lessen heat gain and minimize the use of mechanical temperature control.

We have strategically utilized the overhang projection and continuous planters on the second level to break the visual plane between the first and second floors, minimizing the bulkiness of the latter. Additionally, employing dark materials will effectively camouflage the second level. We firmly believe that the overhang projection is integral to the project's aesthetic appeal and functionality as a sun-shading device, that will help attain a higher LEED Certification.

**Section 7.1.2.4(a)(1) Sea Level Rise and Resiliency Review Criteria**

The existing lot is vacant land, there is no demolition required, as such construction will be new and adhering to all codes under **Section 7.1.2.4(a)(1) of the City of Miami Beach Codes**. No variances are requested under these codes.

Lot Size: 7,500 square feet

Unit Size: 3,685 square feet (49%). No variance required.

Front Yard Area: 1,000 square feet. Pervious area 771sqf (77%). No variance required.

Rear Yard Area: 1,100 square feet. Pervious area provided 915 sqf (83%). No variance required.

Lot Coverage (footprint): 2,458 square feet (32%). Variance required.

Flood Zone: AE+8. Finished First Floor: +9'.00" NGVD. No variance required.

Residence Height: Finished First Floor to top of Roof: 31'-00". No variance required.

All Front, Rear and Side setbacks meet the code required distances for one story and two storey construction. The southeast veranda extends beyond the 7'6" setback requirement. A variance is required.

### Section 2.8.3 Variance Criteria

1. *The variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure;*
2. *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;*
3. *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;*

We are seeking a variance for the north and south first floor roof overhang. The overhang on the north and south elevations serves both practical and aesthetic purposes, providing sun-shading and enhancing the building's visual appeal. The standard setback for the overhang is 25% of 7'-6" (1'-9"), but we propose a setback of 4'-5"  $\frac{3}{8}$ , an additional 2'-8"  $\frac{3}{8}$ . Altering it to a narrower projection of 1'-9" would compromise both aspects.

Furthermore, we request a variance regarding the Lot Area. While the maximum allowable area is 2,250 sqf (30%), our proposed lot coverage is 2,458 sqf (32%). The additional 240 sqf is the extension of the outdoor veranda under the projected roof that incorporates a breeze-block screen for privacy and shade control. The remaining 68 sqf is due to the east overhang (1'-0") and west overhang (6"), beyond the permitted 5' from the building line. The southeast veranda setback request is to increase it's depth by 4'-5"  $\frac{3}{8}$ " to be in line with the roof overhang, creating a functional outdoor shaded space.

Being that no waiver is required for the above mentioned, the only waiver we are requesting is to increase the maximum allowed straight run along the length of the first-floor northern side elevation. The straight appearance of the wall along the first floor is never fully viewed from the side elevation due to the obtuse angle and the landscaping, and further, the overhang breaks up the plane between the first and second floors, minimizing the visual effect of the wall length. The second level wall elevation is less than 50% in length; therefore, it is consistent with the code.

Although these variances and waiver are substantial, we ask you to consider the project practically and holistically. These are the only variances and waiver requested.

We hope that you can approve the above and that the Project can move ahead.

Yours Sincerely



Ricardo de la Vega  
Owner / Architect