

MIAMI BEACH

PLANNING DEPARTMENT, 1700 CONVENTION CENTER DRIVE, 2ND FLOOR
MIAMI BEACH, FLORIDA 33139, WWW.MIAMIBEACHFL.GOV
305-673-7550

LAND USE BOARD HEARING APPLICATION

THE FOLLOWING APPLICATION IS SUBMITTED FOR REVIEW AND CONSIDERATION OF THE PROJECT DESCRIBED HEREIN BY THE LAND USE BOARD SELECTED BELOW. A SEPARATE APPLICATION MUST BE COMPLETED FOR EACH BOARD REVIEWING THE PROPOSED PROJECT.

- BOARD OF ADJUSTMENT
 - VARIANCE FROM A PROVISION OF THE LAND DEVELOPMENT REGULATIONS
 - APPEAL OF AN ADMINISTRATIVE DECISION

- DESIGN REVIEW BOARD
 - DESIGN REVIEW APPROVAL
 - VARIANCE RELATED TO PROJECT BEING CONSIDERED OR APPROVED BY DRB.

- HISTORIC PRESERVATION BOARD
 - CERTIFICATE OF APPROPRIATENESS FOR DESIGN
 - CERTIFICATE OF APPROPRIATENESS TO DEMOLISH A STRUCTURE
 - HISTORIC DISTRICT / SITE DESIGNATION
 - VARIANCE RELATED TO PROJECT BEING CONSIDERED OR APPROVED BY HPB.

- PLANNING BOARD
 - CONDITIONAL USE PERMIT
 - LOT SPLIT APPROVAL
 - AMENDMENT TO THE LAND DEVELOPMENT REGULATIONS OR ZONING MAP
 - AMENDMENT TO THE COMPREHENSIVE PLAN OR FUTURE LAND USE MAP

- FLOOD PLAIN MANAGEMENT BOARD
 - FLOOD PLAIN WAIVER

- OTHER _____

SUBJECT PROPERTY ADDRESS:

2383 North Bay Road
Miami Beach, FL 33140

LEGAL DESCRIPTION: PLEASE ATTACH LEGAL DESCRIPTION AS "EXHIBIT A"

FOLIO NUMBER (S)

02-3227-008-0970

1. APPLICANT: OWNER OF THE SUBJECT PROPERTY TENANT ARCHITECT LANDSCAPE ARCHITECT
 ENGINEER CONTRACTOR OTHER _____

NAME Mark Balzli
ADDRESS 2383 North Bay Road, Miami Beach, FL 33140
BUSINESS PHONE 305 538-1765 CELL PHONE 305 285 7139
E-MAIL ADDRESS mark@balzli.net

OWNER IF DIFFERENT THAN APPLICANT:

NAME _____
ADDRESS _____
BUSINESS PHONE _____ CELL PHONE _____
E-MAIL ADDRESS _____

2. AUTHORIZED REPRESENTATIVE(S):

ATTORNEY:
NAME _____
ADDRESS _____
BUSINESS PHONE _____ CELL PHONE _____
E-MAIL ADDRESS _____

AGENT:
NAME _____
ADDRESS _____
BUSINESS PHONE _____ CELL PHONE _____
E-MAIL ADDRESS _____

CONTACT:
NAME _____
ADDRESS _____
BUSINESS PHONE _____ CELL PHONE _____
E-MAIL ADDRESS _____

3. PARTY RESPONSIBLE FOR PROJECT DESIGN:

ARCHITECT LANDSCAPE ARCHITECT ENGINEER CONTRACTOR OTHER: _____

NAME Edward A. Landers P.E
ADDRESS 7850 NW 146TH ST. #509, Miami Lakes, FL 33016
BUSINESS PHONE 786 357 1638 CELL PHONE 786 380 6850
E-MAIL ADDRESS rdsdraftingplan@yahoo.com

FILE NO. _____

4. SUMMARY OF APPLICATION -- PROVIDE BRIEF SCOPE OF PROJECT:

① Requesting waiver of the minimum minimum separation requirement between main and accessory structures in order to join main house to existing rear accessory structure with new addition of 176 sq ft.

② Requesting favors around Pool

- 4A. IS THERE AN EXISTING BUILDING(S) ON THE SITE YES NO
- 4B. DOES THE PROJECT INCLUDE INTERIOR OR EXTERIOR DEMOLITION YES NO
- 4C. PROVIDE THE TOTAL FLOOR AREA OF THE NEW BUILDING (IF APPLICABLE) 176 SQ. FT.
- 4D. PROVIDE THE TOTAL GROSS FLOOR AREA OF THE NEW BUILDING (INCLUDING REQUIRED PARKING AND ALL USEABLE FLOOR SPACE) 176 SQ. FT.

5. APPLICATION FEE (TO BE COMPLETED BY PLANNING STAFF) \$ _____

- A SEPARATE DISCLOSURE OF INTEREST FORM MUST BE SUBMITTED WITH THIS APPLICATION IF THE APPLICANT OR OWNER IS A CORPORATION, PARTNERSHIP, LIMITED PARTNERSHIP OR TRUSTEE.
- ALL APPLICABLE AFFIDAVITS MUST BE COMPLETED AND THE PROPERTY OWNER MUST COMPLETE AND SIGN THE "POWER OF ATTORNEY" PORTION OF THE AFFIDAVIT IF THEY WILL NOT BE PRESENT AT THE HEARING, OR IF OTHER PERSONS ARE SPEAKING ON THEIR BEHALF.
- TO REQUEST THIS MATERIAL IN ALTERNATE FORMAT, SIGN LANGUAGE INTERPRETER (FIVE-DAY NOTICE IS REQUIRED), INFORMATION ON ACCESS FOR PERSONS WITH DISABILITIES, AND ACCOMMODATION TO REVIEW ANY DOCUMENT OR PARTICIPATE IN ANY CITY-SPONSORED PROCEEDINGS, CALL 305.604.2489 AND SELECT (1) FOR ENGLISH OR (2) FOR SPANISH, THEN OPTION 6; TTY USERS MAY CALL VIA 711 (FLORIDA RELAY SERVICE).

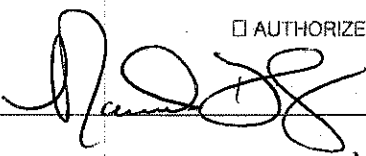
PLEASE READ THE FOLLOWING AND ACKNOWLEDGE BELOW:

- APPLICATIONS FOR ANY BOARD HEARING(S) WILL NOT BE ACCEPTED WITHOUT PAYMENT OF THE REQUIRED FEE. ALL CHECKS ARE TO BE MADE PAYABLE TO THE "CITY OF MIAMI BEACH".
- PUBLIC RECORDS NOTICE - ALL DOCUMENTATION, SUBMITTED FOR THIS APPLICATION IS CONSIDERED A PUBLIC RECORD SUBJECT TO CHAPTER 119 OF THE FLORIDA STATUTES AND SHALL BE DISCLOSED UPON REQUEST.
- IN ACCORDANCE WITH THE REQUIREMENTS OF SECTION 2-482 OF THE CODE OF THE CITY OF MIAMI BEACH, ANY INDIVIDUAL OR GROUP THAT WILL BE COMPENSATED TO SPEAK OR REFRAIN FROM SPEAKING IN FAVOR OR AGAINST A PROJECT BEING PRESENTED BEFORE ANY OF THE CITY'S LAND USE BOARDS, SHALL FULLY DISCLOSE, PRIOR TO THE PUBLIC HEARING, THAT THEY HAVE BEEN, OR WILL BE COMPENSATED. SUCH PARTIES INCLUDE: ARCHITECTS, LANDSCAPE ARCHITECTS, ENGINEERS, CONTRACTORS, OR OTHER PERSONS RESPONSIBLE FOR PROJECT DESIGN, AS WELL AS AUTHORIZED REPRESENTATIVES ATTORNEYS OR AGENTS AND CONTACT PERSONS WHO ARE REPRESENTING OR APPEARING ON BEHALF OF A THIRD PARTY; SUCH INDIVIDUALS MUST REGISTER WITH THE CITY CLERK PRIOR TO THE HEARING.

FILE NO. _____

- IN ACCORDANCE WITH SEC.118-31. - DISCLOSURE REQUIREMENT. EACH PERSON OR ENTITY REQUESTING APPROVAL, RELIEF OR OTHER ACTION FROM THE PLANNING BOARD, DESIGN REVIEW BOARD, HISTORIC PRESERVATION BOARD (INCLUDING THE JOINT DESIGN REVIEW BOARD/HISTORIC PRESERVATION BOARD), OR THE BOARD OF ADJUSTMENT SHALL DISCLOSE, AT THE COMMENCEMENT (OR CONTINUANCE) OF THE PUBLIC HEARING(S), 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, EXCLUDING FROM THIS REQUIREMENT CONSIDERATION FOR LEGAL OR DESIGN PROFESSIONAL SERVICES RENDERED OR TO BE RENDERED. THE DISCLOSURE SHALL: (i) BE IN WRITING, (ii) INDICATE TO WHOM THE CONSIDERATION HAS BEEN PROVIDED OR COMMITTED, (iii) GENERALLY DESCRIBE THE NATURE OF THE CONSIDERATION, AND (iv) BE READ INTO THE RECORD BY THE REQUESTING PERSON OR ENTITY PRIOR TO SUBMISSION TO THE SECRETARY/CLERK OF THE RESPECTIVE BOARD. UPON DETERMINATION BY THE APPLICABLE BOARD THAT THE FOREGOING DISCLOSURE REQUIREMENT WAS NOT TIMELY SATISFIED BY THE PERSON OR ENTITY REQUESTING APPROVAL, RELIEF OR OTHER ACTION AS PROVIDED ABOVE, THEN (i) THE APPLICATION OR ORDER, AS APPLICABLE, SHALL IMMEDIATELY BE DEEMED NULL AND VOID WITHOUT FURTHER FORCE OR EFFECT, AND (ii) 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 BOARD REACHES A DECISION A FINAL ORDER WILL BE ISSUED STATING THE BOARD'S DECISION AND ANY CONDITIONS IMPOSED THEREIN. THE FINAL ORDER WILL BE RECORDED WITH THE MIAMI-DADE CLERK OF COURTS. THE ORIGINAL BOARD ORDER SHALL REMAIN ON FILE WITH THE CITY OF MIAMI BEACH PLANNING DEPARTMENT. UNDER NO CIRCUMSTANCES WILL A BUILDING PERMIT BE ISSUED BY THE CITY OF MIAMI BEACH WITHOUT A COPY OF THE RECORDED FINAL ORDER BEING INCLUDED AND MADE A PART OF THE PLANS SUBMITTED FOR A BUILDING PERMIT.

THE AFOREMENTIONED IS ACKNOWLEDGED BY: OWNER OF THE SUBJECT PROPERTY
 AUTHORIZED REPRESENTATIVE

SIGNATURE: 

PRINT NAME: MARK D. Balzli

FILE NO. _____

OWNER AFFIDAVIT FOR INDIVIDUAL OWNER

STATE OF
COUNTY OF

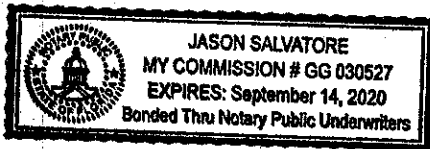
I, MARK Balzli, being first duly sworn, depose and certify as follows: (1) I am the owner of the property that is the subject of this application. (2) This application and all information submitted in support of this application, including sketches, data, and other supplementary materials, are true and correct to the best of my knowledge and belief. (3) I acknowledge and agree that, before this application may be publicly noticed and heard by a land development board, the application must be complete and all information submitted in support thereof must be accurate. (4) 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 (5) I am responsible for removing this notice after the date of the hearing.

[Handwritten Signature]

SIGNATURE

Sworn to and subscribed before me this 21 day of MARCH, 2017. The foregoing instrument was acknowledged before me by MARK BALZLI, who has produced FDL as identification and/or is personally known to me and who did/did not take an oath.

NOTARY SEAL OR STAMP



[Handwritten Signature]

NOTARY PUBLIC

My Commission Expires:

09-14-20

JASON SALVATORE

PRINT NAME

ALTERNATE OWNER AFFIDAVIT FOR CORPORATION, PARTNERSHIP, OR LIMITED LIABILITY COMPANY
(Circle one)

STATE OF
COUNTY OF

I, _____, being duly sworn, depose and certify as follows: (1) I am the _____ (print title) of _____ (print name of corporate entity). (2) I am authorized to file this application on behalf of such entity. (3) This application and all information submitted in support of this application, including sketches, data, and other supplementary materials, are true and correct to the best of my knowledge and belief. (4) The corporate entity named herein is the owner or tenant of the property that is the subject of this application. (5) I acknowledge and agree that, before this application may be publicly noticed and heard by a land development board, the application must be complete and all information submitted in support thereof must be accurate. (6) 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. (7) I am responsible for removing this notice after the date of the hearing.

SIGNATURE

Sworn to and subscribed before me this _____ day of _____, 20____. The foregoing instrument was acknowledged before me by _____ of _____, 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:

NOTARY PUBLIC

My Commission Expires:

PRINT NAME

FILE NO. _____

POWER OF ATTORNEY AFFIDAVIT

STATE OF
COUNTY OF

I, _____, being duly sworn and deposed, certify as follows: (1) I am the owner or representative of the owner of the real property that is the subject of this application. (2) I hereby authorize _____ to be my representative before the _____ Board. (3) 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. (4) I am responsible for removing this notice after the date of the hearing.

PRINT NAME (and Title, if applicable)

SIGNATURE

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

NOTARY SEAL OR STAMP

NOTARY PUBLIC

My Commission Expires

PRINT NAME

CONTRACT FOR PURCHASE

If the applicant is not the owner of the property, but the applicant is a party to a contract to purchase the property, whether or not such contract is contingent on this application, the applicant shall list the names of the contract purchasers below, including any and all principal officers, stockholders, beneficiaries, or partners. If any of the contract purchasers are corporations, partnerships, limited liability companies, trusts, or other corporate entities, the applicant shall further disclose 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, limited liability companies, trusts, or other corporate entities, list all individuals and/or corporate entities.*

NAME	DATE OF CONTRACT
NAME, ADDRESS, AND OFFICE	% OF STOCK
_____	_____
_____	_____
_____	_____

In the event of any changes of ownership or changes in contracts for purchase, subsequent to the date that this application is filed, but prior to the date of a final public hearing, the applicant shall file a supplemental disclosure of interest.

FILE NO. _____

CITY OF MIAMI BEACH
DEVELOPMENT REVIEW BOARD APPLICATION

DISCLOSURE OF INTEREST

1. CORPORATION, PARTNERSHIP, OR LIMITED LIABILITY COMPANY

If the property that is the subject of the application is owned or leased by a corporation, partnership, or limited liability company, list ALL of the owners, shareholders, partners, managers, and/or members, and the percentage of ownership held by each. If the owners consist of one or more corporations, partnerships, trusts, partnerships, or other corporate entities, the applicant shall further disclose the identity of the individual(s) (natural persons) having the ultimate ownership interest in the entity.*

NAME OF CORPORATE ENTITY	NAME AND ADDRESS	% OF OWNERSHIP

NAME OF CORPORATE ENTITY	NAME AND ADDRESS	% OF OWNERSHIP

IF THERE ARE ADDITIONAL CORPORATE OWNERS, LIST ALL SUCH OWNERS, INCLUDING CORPORATE NAMES AND THE NAME, ADDRESS, AND PERCENTAGE OF OWNERSHIP OF EACH ADDITIONAL OWNER, ON A SEPARATE PAGE.

NOTE: Notarized signature required on page 9

FILE NO. _____

CITY OF MIAMI BEACH
DEVELOPMENT REVIEW BOARD APPLICATION
DISCLOSURE OF INTEREST

2. TRUSTEE

If the property that is the subject of this application is owned or leased by a trust, list any and all trustees and beneficiaries of the trust, and the percentage of interest held by each. If the owners consist of one or more corporations, partnerships, trusts, partnerships, or other corporate entities, the applicant shall further disclose the identity of the individual(s) (natural persons) having the ultimate ownership interest in the entity.*

TRUST NAME

NAME AND ADDRESS

% INTEREST

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

NOTE: Notarized signature required on page 9

FILE NO. _____

3. COMPENSATED LOBBYIST:

Pursuant to Section 2-482 of the Miami Beach City Code, all lobbyists shall, before engaging in any lobbying activities, register with the City Clerk. Please list below any and all persons or entities retained by the applicant to lobby City staff or any of the City's land development boards in support of this application.

	NAME	ADDRESS	PHONE #
a.	_____	_____	_____
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 interests 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, where no one person or entity holds more than a total of 5% of the ownership interests in the entity.

APPLICANT HEREBY ACKNOWLEDGES AND AGREES THAT (1) ANY APPROVAL GRANTED BY A LAND DEVELOPMENT BOARD OF THE CITY SHALL BE SUBJECT TO ANY AND ALL CONDITIONS IMPOSED BY SUCH BOARD AND BY ANY OTHER BOARD HAVING JURISDICTION, AND (2) APPLICANT'S PROJECT SHALL COMPLY WITH THE CODE OF THE CITY OF MIAMI BEACH AND ALL OTHER APPLICABLE CITY, STATE, AND FEDERAL LAWS.

APPLICANT AFFIDAVIT

STATE OF _____
COUNTY OF _____

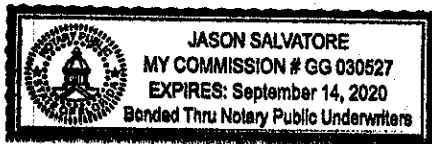
I, MARK Balzi, being first duly sworn, depose and certify as follows: (1) I am the applicant, or the representative of the applicant. (2) This application and all information submitted in support of this application, including disclosures, sketches, data, and other supplementary materials, are true and correct to the best of my knowledge and belief.

[Signature]
SIGNATURE

Sworn to and subscribed before me this 21 day of MARCH, 2017. 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.

FLDL

NOTARY SEAL OR STAMP



My Commission Expires:

09-14-20

[Signature]
NOTARY PUBLIC

JASON SALVATORE

PRINT NAME

FILE NO. _____

Exhibit A – Legal Description

2383 North Bay Road, Miami Beach

Lot 20, Block 13, of AMENDED PLAT OF SUNSET LAKE SUBDIVISION, according to the Plat thereof, as recorded in Plat Book 8, Page 52, of the Public Records of Miami-Dade County, Florida.

MARK D. BALZLI

**2383 North Bay Road
Miami Beach, FL 33140
Mark@Balzli.net
(305) 538-1765**

April 6, 2017

Board of Adjustment
Planning Department
City of Miami Beach
1700 Convention Center Drive
Miami Beach, FL 33139

Via: 1st Class mail and e-mail matt.maciag@am.jll.com

Re: 2383 North Bay Road - Application requesting
(1) Waiver of minimum distance separation requirement between main and accessory structures in order to join main house to existing rear accessory structure with new addition of 176 square feet;
(2) Waiver of side setback to allow pavers on south side of pool;
(3) Waiver of rear setback to allow pavers on east rear side of pool; and,
(4) Waiver green space requirements to allow pavers around pool.

Dear Members of the Board of Adjustment

My family and I have resided at 2383 North Bay Road for the past 21 years. Our home was originally built in 1926, boasting Miami Beach Building Permit # 1259. Other than adding a pool, we have kept the original character and footprint of the 1926 home. It is a beautiful example of early Miami Beach architecture in the single-story Spanish Mediterranean Bungalow style. The main house is quite small, in comparison to our neighbors, only 1,787 square feet and we would like a bit larger home. However, without tearing the original house down and building another, new, 2-story home, there is really no other way to add square footage, unless we join the main and accessory structures. The property originally contained a 516 sq. ft. accessory rear structure, which is actually below grade, and subject to floods. We hope to raise the accessory structure to the level of the main house and convert it into a pool house/game room with bathroom, and join to the main house, by adding a small breakfast room of 176 sq. ft. In this way, we can enlarge the home without destroying its original character.

Therefore, I am requesting:

- (1) waiver of 5 foot minimum distance separation requirement between main and accessory structures (Section 142-1132(a)(2)(d) Miami Beach Code) in order to join main house to existing rear accessory structure, with a new addition of 176 square feet;
- (2) waiver of side setback (Section 142-1133 (2) Miami Beach Code) to allow for upgrading the

pavers on the south side of the pool;

(3) waiver of rear setback (Section 142-1133 (1) Miami Beach Code) to allow for upgrading the pavers on the east rear side of the pool; and,

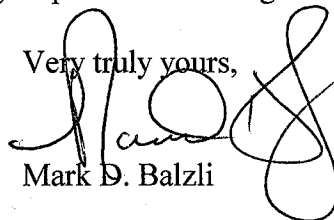
(4) waiver of rear green space requirements (Section 142-106(3) Miami Beach Code) to allow for upgrading the pavers around our pool.

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:
 - (1) The proposed addition and joining of the accessory and main structures will preserve the original 1926 home and keep the existing non-conforming side and rear setbacks for the existing rear accessory structure.
 - (2), (3) & (4) About 15 years ago, I added a permitted small 11' x 19' pool in the remaining space left in our tiny backyard. The position of the existing 1926 house and accessory structure, pushed so far back on the lot, did not leave much room at all in the backyard for a pool and even less room for any lounging area around the pool. I am requesting a 2nd variance for pavers around the pool, because the backyard is so tiny that there is no room for a pool deck for walking or pool furniture around the pool without waiving the side and rear pool deck set-backs and the rear green space requirements. The lack of special greenspace is mitigated by the fact that this small space is already heavily landscaped with an 18' ficus hedge along the south side setback and 4 mature foxtail palms and other plants along the east rear setback.
2. The special conditions and circumstances do not result from the action of the applicant:
 - (1) The house and rear accessory structures were built in 1926 by someone other than the applicant.
 - (2), (3) & (4) The original design and placement of the main and rear structures on the lot by the original builder, only left one small backyard area, barely big enough for a small pool and no area for pavers around the pool unless placed in the side and rear setback areas.
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:
 - (1) The overwhelming majority of other homes in our neighborhood are much larger even after our proposed addition. If we tore down this lovely old home, we would be permitted to build a much larger, taller home, with much less greenspace.
 - (2), (3) & (4) The other homes in our neighborhood all have the right to install pool decks around their pools. However, because of the placement of the structures, without this variance, I would not be able to do so.
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:
 - (1) If we had to comply with the literal interpretation of the building requirements, we would have to tear down both original structures in order to add square footage to the area of the house. We don't want to destroy the character of this beautiful old home.

- (2), (3) & (4) If we had to comply with the rear greenspace and setback requirements for pool decking on the rear and side, we would be partially deprived of enjoyment of the pool because we would be required to have landscaping up to the edge of the pool, with no area to walk around it or have furniture on 2 sides of the pool. Grass would not grow in this shady area surrounded by a large tall ficus hedge and beautiful foxtail palm trees.
5. The variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure:
 - (1) By allowing us to join the main and accessory house with a modest 176 sq. ft. additional room, we will be able to greatly enlarge the size of the main house and not disturb the existing footprint of the main house or the accessory structure. The original non-conforming setbacks of the accessory structure also will not be changed.
 - (2), (3) & (4) Reasonable use of the land would allow for being able to walk and lounge around all sides of the pool. Pavers installed on sand around the pool would allow this.
 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:
 - (1) By allowing us to add a small amount of square footage to this 1926 home and join it to its accessory structure, you will be preserving its style and character. Thus, you will be preserving and enhancing the unique historic character of the neighborhood. This would also harmonize the intent and purpose of the Miami Beach land development regulations.
 - (2), (3) & (4) The pavers around the pool are in the rear of the house surrounded by a tall ficus hedge and foxtail palm trees. They are not visible or detrimental to any other persons in the neighborhood. The purpose behind this green space requirement is to prevent properties from being crowded together and covered by buildings and hardscape, and to allow for proper drainage. The lack of landscape in the rear of my home is adequately mitigated by the extra landscaping in the front and on the sides of the main house, which far exceed the minimum setback requirements. My home set back 30 feet from the front lot line (minimum front setback is 20 feet), and set back 10.5 feet on the South side and between 8.4 and 18.4 feet on the North side, much more than the minimum 7.5 foot side setbacks. In addition, the pavers are installed over a sand base not concrete that allows for drainage. For these reasons granting of this variance would harmonize with the original intent and purpose of such green space requirements.
 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.
 - (1) 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.
 - (2), (3) & (4) 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 have watched sadly over the last 2 decades as many beautiful old homes on our street have fallen victim to progress, and were replaced by enormous, glittering, glass, steel and concrete mega-homes. Though we plan on living here for years to come, we hope that by making this a slightly larger and more livable home, future families, who may live here, will want to preserve it as we have, and also preserve the quickly disappearing original character of this beautiful neighborhood. Based upon the foregoing, we respectfully request that Board grant our variance requests.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Mark D. Balzli', written in a cursive style with a large loop at the end.

Mark D. Balzli

INVOICE (00056536)

BILLING CONTACT

Mark Balzi
Balzi & Associates
1688 Meridian Av, 400
Miami Beach, FL 33139

MIAMIBEACH

1700 Convention Center Drive
Miami Beach, Florida 33139
305.673.7000

INVOICE NUMBER	INVOICE DATE	INVOICE DUE DATE	INVOICE STATUS	INVOICE DESCRIPTION
00056536	04/17/2017	04/17/2017	Due	NONE

REFERENCE NUMBER	FEE NAME	TOTAL
ZBA17-0037	Advertisement	\$1,500.00
	Board Order Recording	\$100.00
	Courier (per package)	\$70.00
	Mail Notice Per Label	\$132.00
	Posting (per site)	\$100.00
	Variance (SF)	\$2,000.00
2383 Bay Rd Miami Beach, FL -331404260		SUB TOTAL
		\$3,902.00

TOTAL \$3,902.00

Any refund associated with this invoice will only be issued to the billing contact listed herein.

INVOICE (00055044)

BILLING CONTACT

Mark Balzi
Balzi & Associates
1688 Meridian Av, 400
Miami Beach, FL 33139

MIAMIBEACH

1700 Convention Center Drive
Miami Beach, Florida 33139
305.673.7000

INVOICE NUMBER	INVOICE DATE	INVOICE DUE DATE	INVOICE STATUS	INVOICE DESCRIPTION
00055044	04/04/2017	04/05/2017	Due	Application fee

REFERENCE NUMBER	FEE NAME	TOTAL
ZBA17-0037	New Application	\$2,500.00
2383 Bay Rd Miami Beach, FL -331404260		SUB TOTAL \$2,500.00

TOTAL **\$2,500.00**

Any refund associated with this invoice will only be issued to the billing contact listed herein.

MIAMI BEACH

Planning Department, 1700 Convention Center Drive
 Miami Beach, Florida 33139, www.miamibeachfl.gov
 305.673.7550

and 3/23/17
 Date: 10/25/16
 File: BOA

Address: 2383 N. Bay Road

VARIANCE APPLICATION CHECK LIST

A pre-application meeting must be scheduled with staff to review all submittals. Pre-application meetings are scheduled on a first come first serve basis and must occur no later than five (5) business days PRIOR to the First Submittal deadline. Incomplete or submittals found to be insufficient will not be placed on a Board agenda.

ITEM #	FIRST SUBMITTAL CHECK LIST	Required	Provided
	ALL PLANS MUST BE LEGIBLE AND DIMENSIONED.		
1	Make an appointment with Board Liaison at least 2 days in advance of the submittal deadline	X	
2	Two completed Board Application forms, Affidavits & Disclosures of interests (One with original signatures, and one copy)	X	
3	Check-list provided by staff indicating documents provided and signed by the applicant or representative.	X	
4	Copies of all current or previously active Business Tax Receipts		
5	Two letters of intent (One original, dated and signed letter and one copy). Letter of intent shall explain in detail how the request relates to each variance criteria on Section 118-353 (d) of the City Code.	X	
6	DERM recommendation/approval		
7	Application Fees	X	
8	Mailing Labels - 2 sets and a CD including: Property owner's list and Original certified letter from provider.	X	
9	School Concurrency Application, for projects with a net increase in residential units (no SFH)		
10	One original, dated, signed and sealed survey (dated no less than 6 months old at the time of application) including lot area and grade (If no sidewalk exists, provide a letter from Public Works, establishing grade).	X	
11	Provide two (2), 11"x17" collated set of plans, (one original, dated, signed and sealed and one copy) including the following:	X	
12	Cover Sheet with bullet point scope of work, clearly labeled "First Submittal" and dated with First Submittal deadline date	X	
13	All Applicable Zoning Information in the Planning Department format	X	
14	Location Plan-- Colored aerial showing name of streets and project site identified. <i>Google</i>	X	
15	Copy of original Survey (minimum 11x17)	X	
16	Full legal Description of the property if not included in survey (For lengthy legal descriptions, attached as a separate document if necessary)	X	
17	Existing FAR Shaded Diagrams (Single Family Districts: Unit Size and Lot Coverage Shaded Diagrams)	X	
18	Proposed FAR Shaded Diagrams (Single Family Districts: Unit Size and Lot Coverage Shaded Diagrams)	X	
19	Site Plan (fully dimensioned with setbacks, existing and proposed) Indicate location of the area included in the application if applicable.	X	
20	Current color photographs, dated, Min 4"x 6" of project site and existing structures (no Google images)	X	
21	Current, dated color photographs, min 4"x6" of interior space (no Google images)		
22	Current color photographs, dated, Min 4"x 6" of context, corner to corner, <u>across the street and surrounding properties with a key directional plan (no Google images)</u>	X	
23	Existing Conditions Drawings (Floor Plans & Elevations with dimensions). Number of seats, furniture and shelves if applicable		
24	Demolition Plans (Floor Plans & Elevations with dimensions)	X	
25	Proposed Floor Plans and Roof Plan, including mechanical equipment plan and section marks	X	

Indicate N/A If Not Applicable

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26	Proposed Elevations, materials & finishes noted (showing grade, base flood elevation, heights in NGVD values and free board if applicable) . Building height to be measured from flood elevation.	X	
27	Proposed Section Drawings	X	
28	Landscape Plan - street and onsite - identifying existing, proposed lanscape material, lighting, irrigation, raised curbs, tree survey and tree disposition plan	X	
28	Hardscape Plan, i.e. paving materials, pattern, etc.		
29	Required yards open space calculations and shaded diagrams	X	
ITEM #	FIRST SUBMITTAL ADDITIONAL INFORMATION AS MAY BE REQUIRED AT THE PRE APPLICATION MEETING	Required	Provided
30	Copy of original Building Permit Card, & Microfilm, if available		
31	Copy of previously approved building permits. (Provide Building Permit Number.)		
32	Copy of previous Recorded Final Orders		
33	Floor Plan shall indicate area where alcoholic beverages will be displayed.		
34	Color Renderings (elevations and three dimensional perspective drawings).		
35	Detailed sign(s) with dimensions and elevation drawings showing exact location.		
36	Elevation drawings showing area of building façade for sign calculation (Building ID signs)		
37	Daytime and Nighttime renderings for illuminated signs		
38	Proposed lighting plan, including photometric calculations		
39	Survey showing width of the canal (if applicable), Site Plan showing total projection of structures from seawall, location and dimension of all structures inclusive of dock, mooring piles, boat lift, etc.		
40	Proposed plans for a dock, or any marine structure shall have approval stamp from DERM or other applicable regulatory agency before submitting for a variance. A letter from DERM or other agency, explaining specific requirements for the project is recommended.		
41	Business hours of Operations & Restaurant menu if applicable		
42	Provide a complete operational plan for the building, including delivery and trash pickup times, sizes of delivery trucks (length & width), scheduling of various tenants and deliveries, garbage truck (length & width) information, store hours, number of employees. Provide maneuvering plan for loading within the existing/proposed conditions if applicable.		
43	Survey shall include spot elevations in rear yard and Elevation points on the Dune adjacent to the property. Provide highest elevation point on the Dune within the property. Erosion Control Line and Bulkhead Line shall be indicated if present		
44	Scaled, signed, sealed and dated specific purpose survey (Alcohol License/Distance Separation) distance shown on survey with a straight line.		
45	Vacant or Unoccupied structures or sites shall provide recent photographic evidence that the site and structure are secured and maintained. The applicant shall obtain and post a No Trespassing Sign from the City's Police Department		
46	Historic Resources Report (This report shall include, but shall not be limited to, copy of the original Building Permit Card and any subsequent evolution, Microfilm, existing condition analysis, photographic and written description of the history and evolution of the original building on the site, all available historic data including original plans, historic photographs and permit history of the structure)		
47	Contextual Elevation Line Drawings, corner to corner, across the street and surrounding properties (dated)		
48	Line of Sight studies		
49	Structural Analysis of existing building including methodology for shoring and bracing		

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50	Exploded Axonometric Diagram (showing second floor in relationship to first floor)		
51	Neighborhood Context Study		
52	Traffic Study (Hard copy) with 3 CDs, including calculations for peer review. Send digital version as an attachment via e mail to: Xfalconi@miamibeachfl.gov		
53	Sound Study report (Hard copy) with 1 CD		
54	Set of plans 24"x 36"		
55	Site Plan (Identify streets and alleys)		
a	Identify: setbacks _____ Height _____ Drive aisle widths _____ Streets and sidewalks widths _____		
b	# parking spaces & dimensions _____ Loading spaces locations & dimensions _____		
c	# of bicycle parking spaces _____		
d	Interior and loading area location & dimensions _____		
e	Street level trash room location and dimensions _____		
f	Delivery route _____ Sanitation operation _____ Valet drop-off & pick-up _____ Valet route in and out _____		
g	Valet route to and from _____ auto-turn analysis for delivery and sanitation vehicles _____		
56	Floor Plan (dimensioned)		
a	Total floor area		
a	Identify # seats indoors _____ outdoors _____ seating in public right of way _____ Total _____		
b	Occupancy load indoors and outdoors per venue _____ Total when applicable _____		
	In the Letter of Intent for Planning Board include and respond to all review guidelines in the code as follows:		
57	For Conditional Use - Section 118-192 (a)(1)-(7) + (b)(1)-(11)		
58	CU - Entertainment Establishments - Section 142-1362 (a)(1)-(9)		
59	CU - Mechanical Parking - Section 130-38 (3)(c)(i)(1)-(2) & (4)(a)-(k)		
60	CU - Structures over 50,000 SQ.FT. - Section 118-192(b) (1)-(11)		
61	CU - Religious Institutions - Section 118-192 (c) (1)-(11)		
	For Lot Splits - Section 118-321 (B) (1)-(6). Also see application instructions		
	Notes: The applicant is responsible for checking above referenced sections of the Code. If not applicable write N/A		
	Other information/documentation required for first submittal (to be identified during pre application meeting).		

ITEM #	FINAL SUBMITTAL CHECK LIST:	Required	Provided
62	One (1) signed and sealed 11"X17" unbound collated set of all the required documents , as revised and/or supplemented to address Staff comments. Plans should be clearly labeled "Final Submittal" and dated with Final Submittal deadline date. A CD with proper format of all documents and plans 11"X17" as a PDF compatible with Adobe 8.0 or higher at 300 DPI resolution.	X	
63	14 collated copies of all the above documents	X	
64	One (1) CD/DVD with electronic copy of all documents and final application package (plans, application, letter, etc.) . See details for CD/DVD formatting.	X	

NOTES:

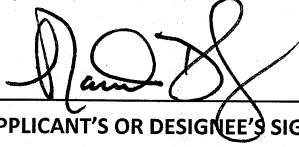
Is the responsibility of the applicant to make sure that the sets, 14 copies and electronic version on CD are consistent.

Plan revisions and supplemental documentation will not be accepted after the Final Submittal deadline

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ALL DOCUMENTS ARE TO BE PDF'D ON TO A MASTER DISK, WHICH DISK SHALL BE CONSIDERED THE OFFICIAL FILE COPY TO BE USED AT HEARING. ALL MODIFICATIONS, CORRECTIONS, OR ALTERATIONS MUST BE REFLECTED ON THE MASTER DISK. APPLICANT CERTIFIES COMPLIANCE WITH THE FOREGOING. FAILURE TO COMPLY MAY RESULT IN A REHEARING BEFORE THE APPLICABLE BOARD.

A handwritten signature in black ink, appearing to be "Sam" followed by a stylized flourish.

APPLICANT'S OR DESIGNEE'S SIGNATURE

10/25/16

DATE



public notification packages | lists of property owners within a specific radius + radius maps + mailing labels
www.rdrmiami.com | diana@rdrmiami.com | 305.498.1614

March 23, 2017

City of Miami Beach
Planning Department
1700 Convention Center Dr.
Miami Beach, FL 33139

Re: Property Owners List within 375 feet of:

SUBJECT: 2383 N Bay Road, Miami Beach, FL 33140

FOLIO NUMBER: 02-3227-008-0970

LEGAL DESCRIPTION: SUNSET LAKE SUB AMD PL PB 8-52 LOT 20 BLK 13

This is to certify that the attached ownership list, map and mailing labels are a complete and accurate representation of the real estate property and property owners within 375 feet radius of the external boundaries of the subject property listed above, including the subject property. This reflects the most current records on the file in Miami-Dade County Property Appraisers' Office.

Sincerely,

Rio Development Resources, LLC

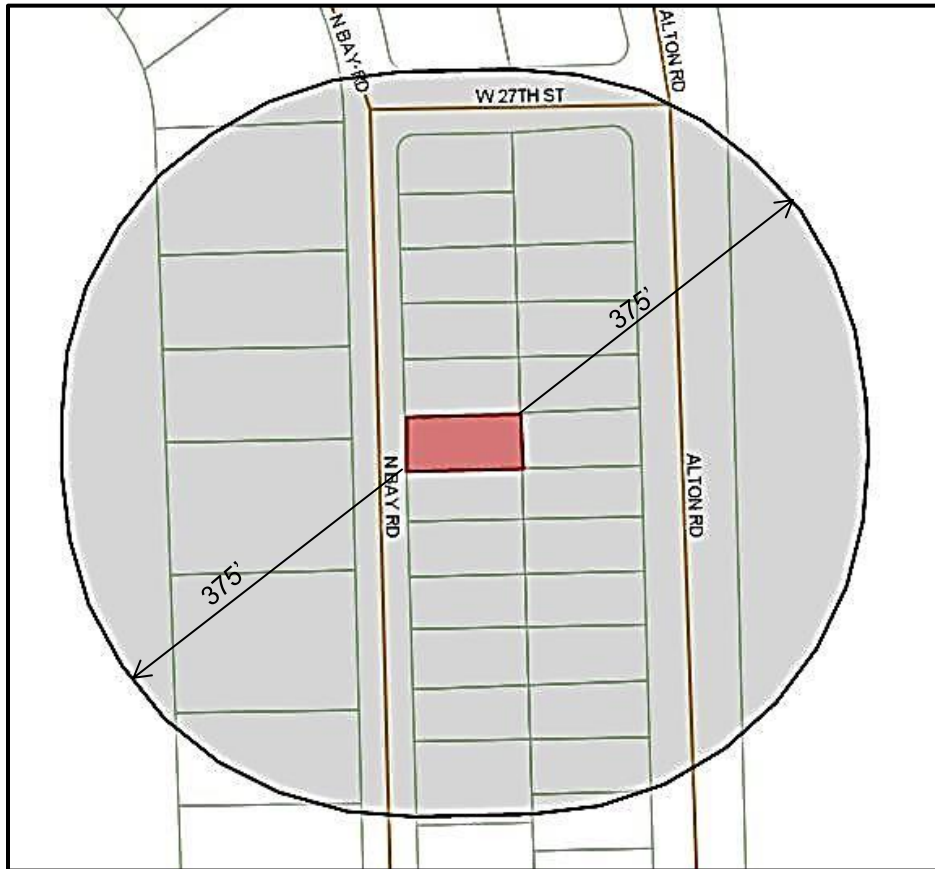
Diana B. Rio

Total number of property owners without repetition: **33**

Rio Development Resources, LLC ("RDR") has used its best efforts in collecting the information published in this report and the findings contained in the report are based solely and exclusively on information provided by you and information gathered from public records and that local government. By acceptance of this report, you agree to hold RDR harmless and indemnify RDR from any and all losses, damages, liabilities and expenses which can be claimed against RDR caused by or related to this report.

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375' RADIUS MAP



SUBJECT: 2383 N Bay Road, Miami Beach, FL 33140

FOLIO NUMBER: 02-3227-008-0970

LEGAL DESCRIPTION: SUNSET LAKE SUB AMD PL PB 8-52 LOT 20 BLK 13

Name	Address	City	State	Zip	Country
2354 ALTON LLC	1730 W 25 ST	MIAMI BEACH	FL	33140	USA
2372 MIAMI BEACH LLC	2372 ALTON RD	MIAMI BEACH	FL	33140	USA
AARON M KARLTON TRS 2344 NBR IRREVOCABLE TRUST	2344 N BAY RD	MIAMI BEACH	FL	33140	USA
ANTHONY PARKS	4459 SHERIDAN AVE	MIAMI BEACH	FL	33140-3142	USA
ARTUR SHEHU	2334 ALTON RD	MIAMI BEACH	FL	33140-4256	USA
BSS MIAMI LLC C/O JAWS CAPITAL	591 WEST PUTNAM AVE	GREENWICH	CT	06830	USA
CARLOS BELLAS &W OLGA A	2390 ALTON RD	MIAMI BEACH	FL	33140-4256	USA
CITY OF MIAMI BEACH	1700 CONVENTION CENTER DR	MIAMI BEACH	FL	33139	USA
DAVID KADKO TRS DAVID KADKO TRUST	2385 N BAY RD	MIAMI BEACH	FL	33140	USA
ELIZABETH BEATTIE	2355 N BAY RD	MIAMI BEACH	FL	33140-4260	USA
ESTEFANO ISAIAS	2324 NORTH BAY ROAD	MIAMI BEACH	FL	33140	USA
FDSR PARTICIPATION INC C/O JOSE MARIA CARNEIRO	1900 SW 3 AVE	MIAMI	FL	33129-1419	USA
GEORGE GUNDES	2410 ALTON RD	MIAMI BEACH	FL	33140	USA
GRACE MARIA RODRIGUEZ TRS GRACE MARIA RODRIGUEZ TRUST JULIETA RODRIGUEZ PEPPAS	601 ISLAND RD	MIAMI	FL	33137	USA
HAROLD GOLEN	2363 N BAY RD	MIAMI BEACH	FL	33140-4260	USA
J H COOK &W SANDRA	2410 NO BAY RD	MIAMI BEACH	FL	33140-4263	USA
JESUS CABARCOS JR	2413 N BAY RD	MIAMI BEACH	FL	33140-4262	USA
JIG FAMILY HOLDINGS LLLP	3158 NORTH BAY ROAD	MIAMI BEACH	FL	33140	USA
JOSE LUIS RODRIGUEZ &W LUISA C & GENESIS RODRIGUEZ JTRS	2655 N BAY RD	MIAMI BEACH	FL	33140-4272	USA
LESLY KERNISANT NICOLE BOSTICK	2333 N BAY RD	MIAMI BEACH	FL	33140	USA
LOUIS J PUIG CORINNE PUIG	2700 N BAY RD	MIAMI BEACH	FL	33140	USA
MARK DANIEL BALZLI	2383 N BAY RD	MIAMI BEACH	FL	33140-4260	USA
MICHAEL R HAMMON	2371 NORTH BAY RD	MIAMI BEACH	FL	33140	USA
MICHAEL TILSON THOMAS & JOSHUA M ROBISON	1745 BROADWAY 18TH FL	NEW YORK	NY	10019	USA
MYA 2016 LLC	235 LINCOLN RD STE 201	MIAMI BEACH	FL	33139	USA
NADIM ACHI &W MARLENE	2424 N BAY RD	MIAMI BEACH	FL	33140-4263	USA
ORLANDO BALSEIRO	2350 ALTON RD	MIAMI BEACH	FL	33140	USA
PEDRO J LOPEZ	2402 ALTON RD	MIAMI BEACH	FL	33140	USA
POPINA LLC	345 OCEAN DRIVE UNIT 803	MIAMI BEACH	FL	33139	USA
SIBILA FAMILY TRS JOSE A SIBILA ANTONIA SIBILA	2312 ALTON RD	MIAMI BEACH	FL	33140	USA
STUART E BROWNING	2318 N BAY RD	MIAMI BEACH	FL	33140-4261	USA
THOMAS SVANSTEDT	509 RESORT LN	PALM BEACH GARDENS	FL	33418	USA
TODD J FLORIN &W ALICE C	2401 N BAY RD	MIAMI BEACH	FL	33140-4262	USA

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