

# MIAMI BEACH

**City of Miami Beach**, 1701 Meridian Avenue, Suite 300, Miami Beach, Florida 33139, [www.miamibeachfl.gov](http://www.miamibeachfl.gov)  
Office of Capital Improvement Projects  
Tel: 305.673.7071

4/3/2017

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

Re: 7251 Collins Avenue – New Restroom/Concession Facility Variance for Setback

Mr. Mooney,

The Office of Capital Improvement Projects is in the permitting process for a new Restroom/Concession facility at North Shore Park Youth Center. During the design process the Architect, Edward Berounsky set the bathroom 20' away from the property line on the north side.

The applicant "Office of Capital Improvement Projects" is requesting a variance on the setback of the side facing 73rd street. See Miami Beach Land Development Regulation 142-156(a).

**Variances.** In order to realize its development plan, the Applicant is hereby requesting the following variance:

1. A variance to allow the building to be setback at 20'-0" from the north property line where 30'-6" (8% of lot depth) is required.

**Code Standards.** The relevant listed standards in Section 118-353(d) are below and will be followed by a brief analysis. In general, these variances are minimal in nature and will have no impact on surrounding uses as the new restroom will be buffered from the street by the existing fence and landscaping.

- (1) special conditions exist that are peculiar to the applicant's land;

*This site is uniquely burdened by location, size and surroundings development. The phasing of the development will require the building to be located on the north-east corner of the playing field as close as possible to the property line to avoid encroaching into the existing playing fields.*

- (2) the special conditions were not created by the applicant;

*The Applicant did not create the special conditions inflicted by the property, including the unusual application of the Regulations to this unique situation.*

- (3) granting the requested variance would not confer upon the applicant special privileges;

*The approval of the requested variances will only serve to allow the Property to operate properly as approved.*

- (4) literal application of the City's standards would result in unnecessary and undue hardship;

*This Property is so uniquely impacted by the above-described issues that it would cause unnecessary hardship on the Applicant if the variances were not approved*

- (5) the variance would be the minimum necessary for a reasonable use of the land, building, or structure;

*The requested variance is minimal in nature and essentially invisible from surrounding properties. The variance has not been proposed in a manner that would lead to increased impacts on surrounding neighbors.*

- (6) the variance would be in harmony with the general intent of the City's regulation; and

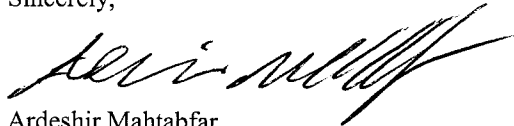
*The approval of the requested variance would permit the operation of an innovative and compatible development on this Property. The City's regulations are intended to promote compatible development throughout the City. The instant application seeks approval of a project that is compatible with its surroundings.*

- (7) the granting of the variance would be consistent with the City's comprehensive plan and does not reduce minimum levels of service established in the comprehensive plan;

*The requested variance will keep the development consistent with the Comprehensive plan and will not intensify the development of the land in a manner inconsistent with established level of service.*

**Conclusion.** The applicant is excited to bring this new development to the North Shore Park Youth Center Park. We look forward to your recommendation on this portion of our application. If you have any questions or comments do not hesitate to contact me at your convenience on my office number 305-673-7071 x 6590.

Sincerely,



Ardeshir Mahtabfar  
Capital Project Coordinator

Cc: Sabrina Baglieri, Sr. Capital Project Coordinator  
Humberto Cabanas, Division Director