

ZBA24-0166

5473 North Bay Road



Property Location



Variance Request

- Pursuant to Section 7.2.2.4.a.4.A.VIII, where an architecturally significant single-family home is retained and preserved, the City permits an interior yard setback of 5'-0" for habitable additions.
- The Applicant requests a variance of Section 7.2.2.4.a.4.A.VIII to permit a 3'-0" interior side setback for a habitable addition when 5'-0" is permitted.

Architecturally Significant Designation

The residence received the Architecturally Significant Designation on June 28, 2024, from the Miami Beach Planning Department.

Based on the foregoing, the Planning Department has determined that the subject home meets the criteria in 7.2.2.4(a)(i) and, therefore, is 'architecturally significant'. In addition to the aforementioned criteria, the determination of architectural significance was based upon a combination of current site photos, as well as the evidence revealed in the aerial photographs and microfilms of all available plans.

An appeal of this determination may be made to the Board of Adjustment, in accordance with the procedures set forth in Section 2.2.4.7 of the Land Development Regulations.

If you wish to pursue significant additions or alterations to the subject structure or property, it may be eligible to utilize zoning incentives identified under Section 7.2.2.4(a)(iv) provided that the architecturally significant structure is substantially retained and preserved. Please contact Rogelio Madan, Development & Resiliency Officer, at 305-673-7550, in order to determine if such additions and/or alterations require Design Review Board approval or may be approved by Planning staff.

A new State Law (HB 423) went into effect on July 1, 2022. This new law pre-empts local jurisdictions from regulating the demolition of single-family homes with a lowest finished floor below BFE plus 1 foot. The only exception to this are homes designated historic prior to January 1, 2022.

If the lowest finished floor of the subject home is below Base Flood Elevation (BFE) plus one (1') foot, Design Review Board (DRB) review of a replacement home is no longer mandatory. DRB review would still be required for any new structure that includes an understory, or seeks a design waiver or variance.

If you have any further questions or concerns, please do not hesitate to contact either myself or Mr. Madan.

Sincerely,



Thomas R. Mooney, AICP
Planning Director

Historic Photos



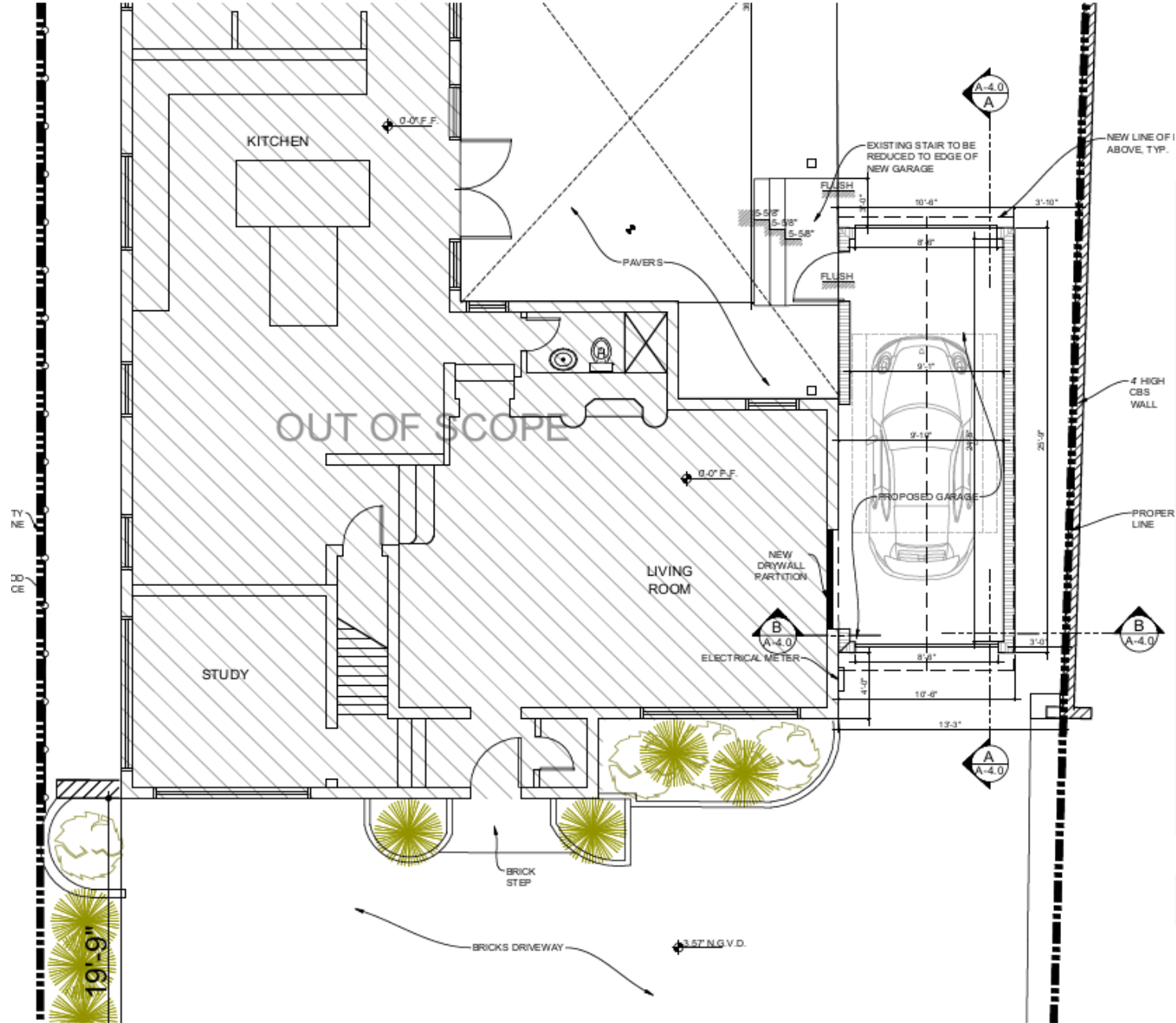
Aerial 1941







Photo 1953 (MDPLS)

Current Condition



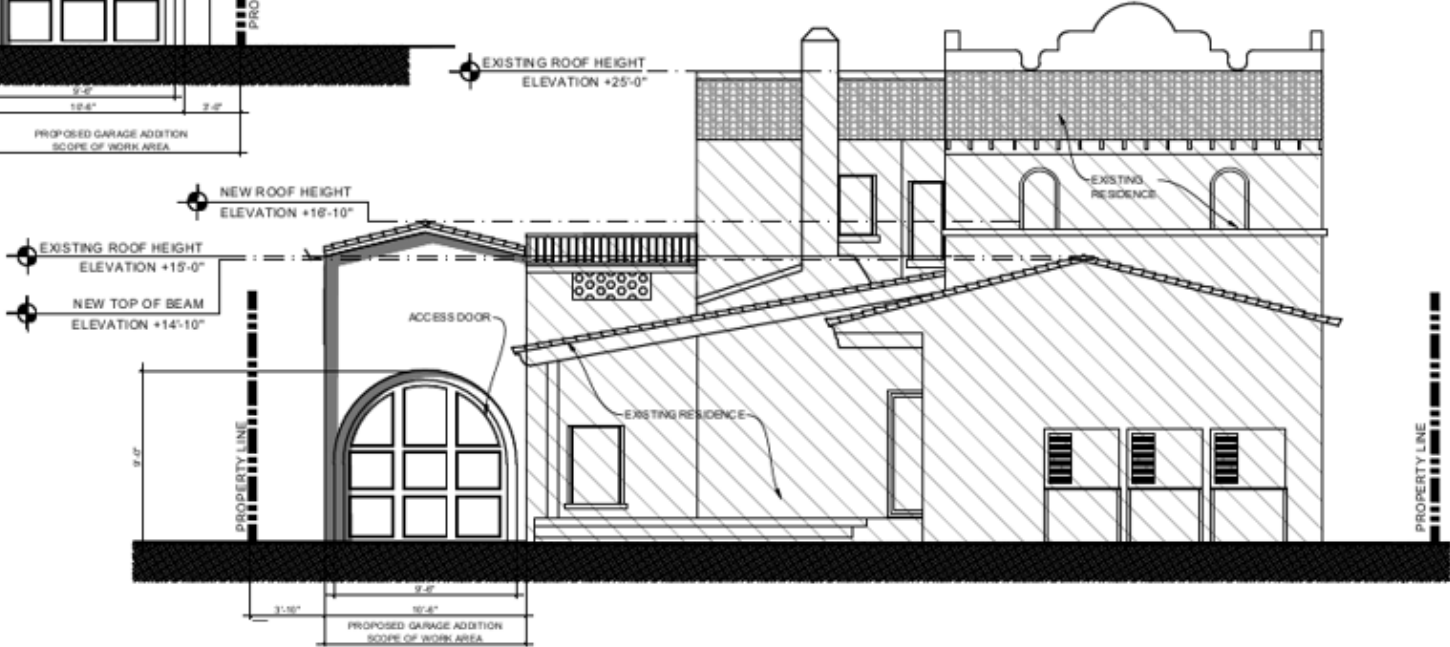


LEGEND	
	WALL AREA TO BE REMOVED
	EXISTING WALL
	NEW WALL (DRYWALL PARTITION)
	NEW CMU WALL

Proposed Elevation: West-East

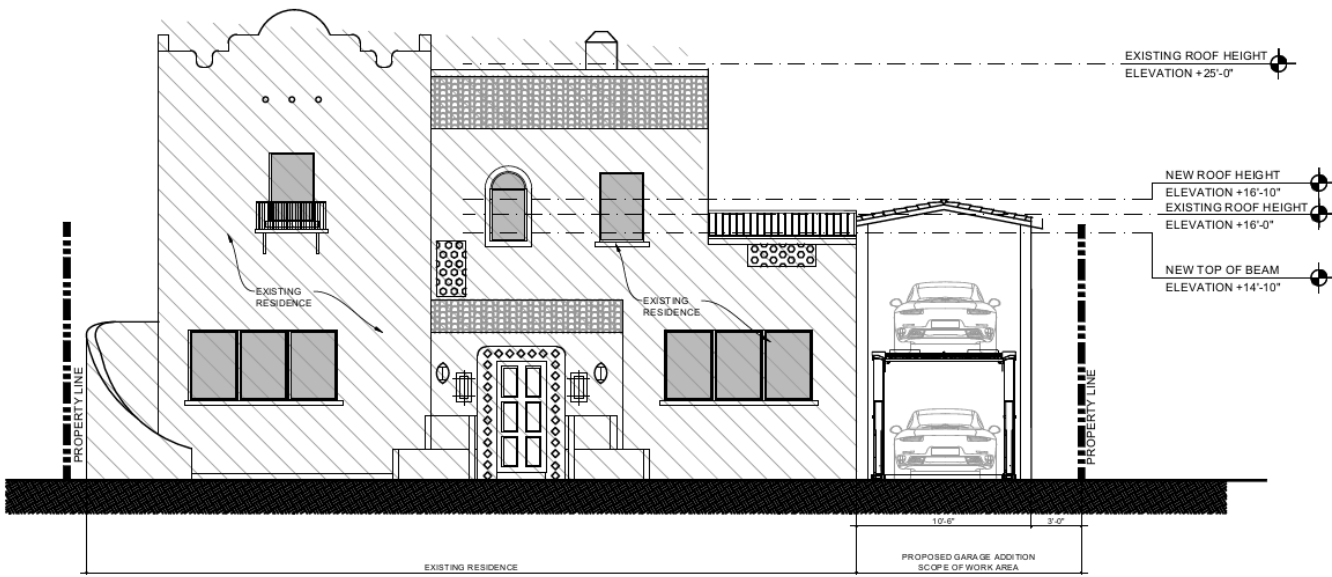


PROPOSED WEST ELEVATION
1/4" = 1'-0"



PROPOSED EAST ELEVATION
1/4" = 1'-0"

Proposed Sections



PROPOSED SECTION "B"



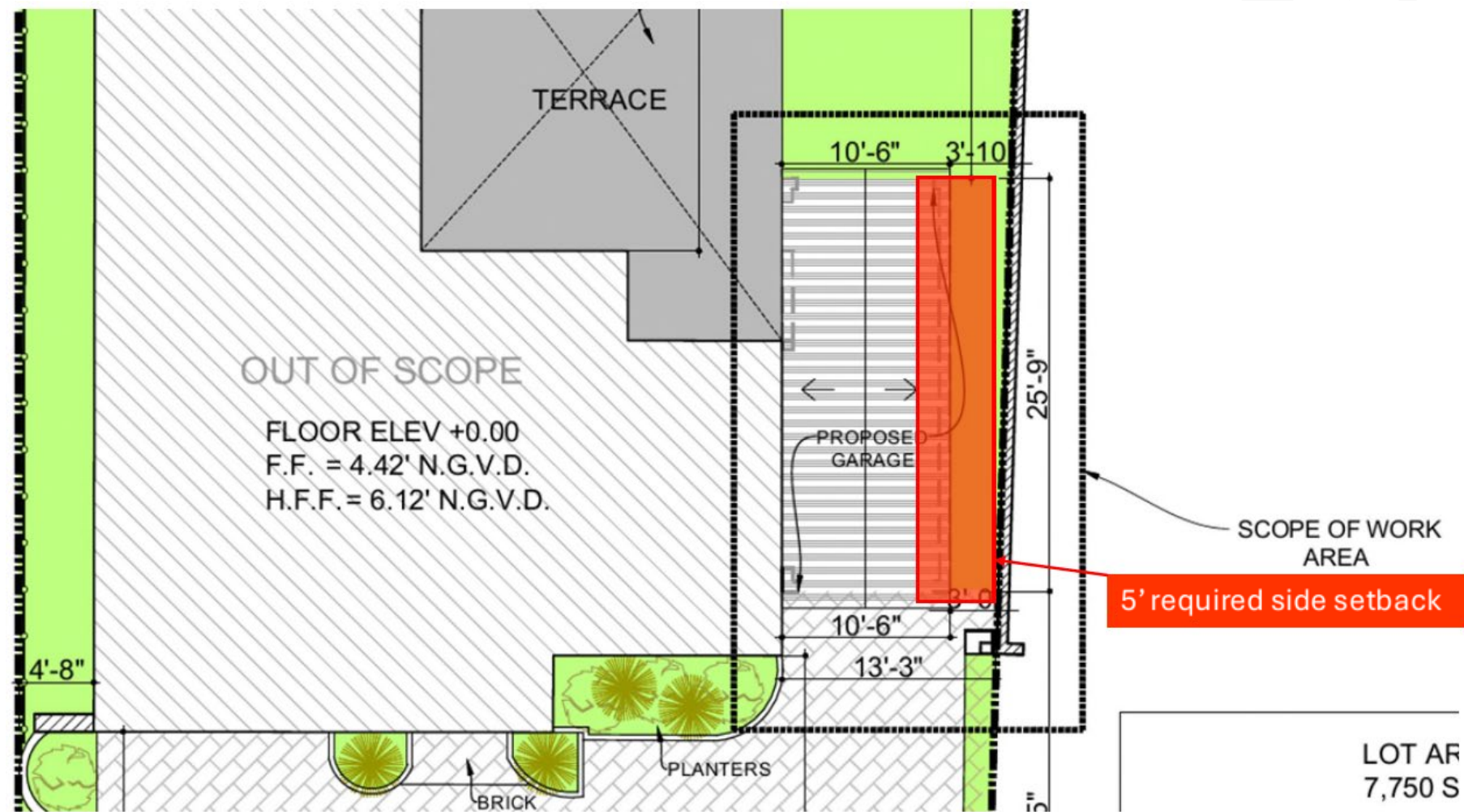
PROPOSED SECTION "A"

Variance Diagrams



5' required side setback

Variance Diagrams



Variance Justifications

- Narrow lot with existing, architecturally significant home
- Garage addition is a common and needed feature to protect vehicles:
 - Flooding
 - Heat
 - Security
- Minimum encroachment necessary. Efficient with stacker
- Minimizes vehicle clutter within the driveway

Neighbor Support

August 15, 2024

Board of Adjustment Members

c/o Rogelio Madan, Development & Resiliency Officer
Planning Department
City of Miami Beach
1700 Convention Center Drive, 2nd Floor
Miami Beach, Florida 33139

Re: **ZBA24-0166** –Variance for the Property Located at 5473 North Bay Road, Miami Beach
Letter of Support

Dear Board Members:

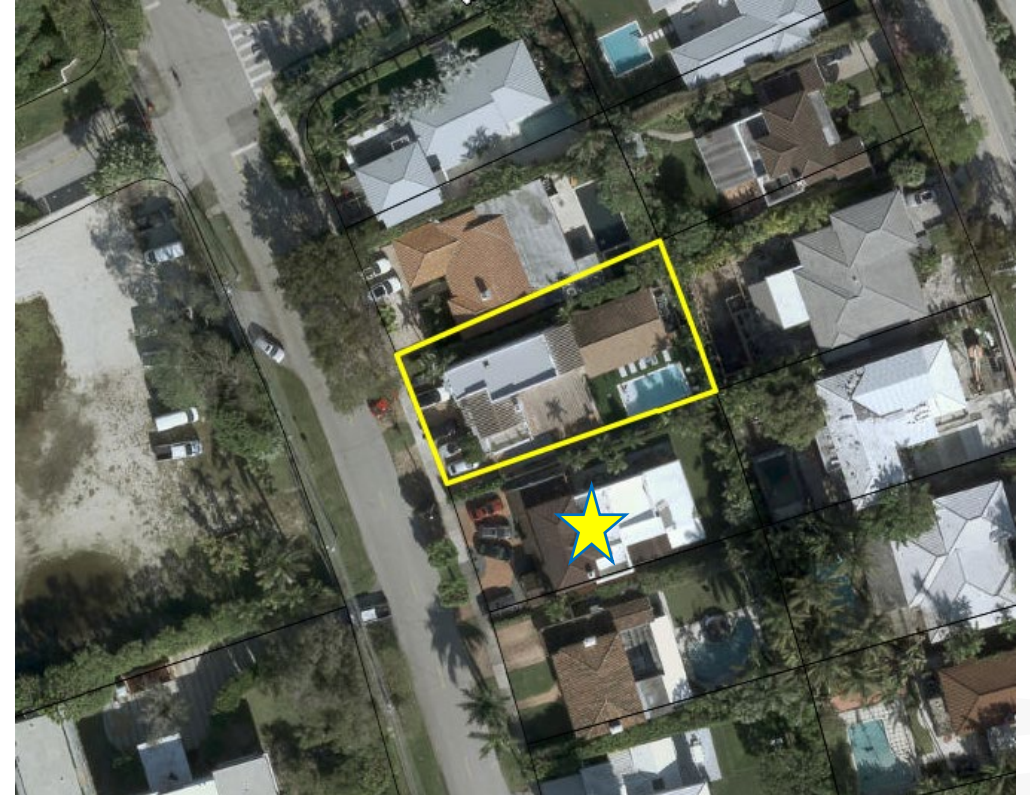
I am the owner of 5465 N bay Rd, Miami Beach FL, 33140 Miami Beach, Florida, which the abutting neighbor of the above-referenced property. I had the opportunity to speak with the applicant regarding the proposed variance for the garage addition. The existing home is beautiful and extremely well maintained. With increasing temperatures and street flooding, we understand that concern and need to park vehicles in a garage. The garage addition is a minor encroachment that I fully support.

Approval of the variance will permit the development of a compatible and resilient addition to an architecturally significant home.

Sincerely,


Signature

MANUEL ELGUARRESTA
Printed Name



Thank You

Team available for
Questions

200 S. Biscayne Boulevard
Suite 300, Miami, FL 33131

www.brzoninglaw.com

305.374.5300 office
305.377.6222 fax
Info@brzoninglaw.com

Proposed Elevation: South

