

Dear Members of the Board of Adjustment,

We, the Buttacavoli Family, respectfully submit this letter to explain our intention to renovate our home and request a variance to accommodate necessary changes.

**Subject Property Legal Description:** Single-Family Home at 5451 Alton Rd, Miami Beach, FL 33140 La Gorce Golf Subdivision PB 14-43, Lot 2, Block 13

**Background:** The home was built in 1948 with a total square footage and living space of 2,072 sqft. The Buttacavoli Family purchased the home in November 1980. We renovated in 1999, adding 802 sqft, which included 396 sqft of living space and a one-car garage. Our home is currently occupied by Michael Buttacavoli, his wife (Allison Buttacavoli), and their son (Winston).

**Flooding Issues:** Our home is directly behind the 10th hole of La Gorce Country Club (La Gorce CC). During the golf course renovation in 1993, a low retention area was added between the 10th fairway and the back of our home. This area was designed to drain water into the lakes of the golf course and eventually into Indian Creek Waterway and Biscayne Bay. However, during high tide or heavy rainfall, the water does not drain. This causes severe flooding on the golf course. Alton Road also floods and spills into our property. This flooding has repeatedly damaged our home, particularly the north and south sides. Water enters the north crawlspace of the house, exits through the south crawl space and runs onto Alton Road. Water stays in the crawl space for several days and sometimes weeks. This has resulted in damage to the wood floor trusses and the wood floors.

Alton Road is a State of Florida (FDOT) property. There are designs to renovate the road which include the replacements of the storm drains with a 10' diameter pipe. This is designed to accommodate the storm water on Alton Rd and neighboring streets. Currently the project is scheduled for the year 2035.

**Damage Documentation:** Water from LaGorce CC and Alton Rd has led to knee-deep levels in front of our home and inside the garage. Significant flooding is also present in the backyard and side setbacks. This continuous water damage necessitated the replacement of floor trusses and floors in the living room, bedrooms, bathroom, and hallway in 2016. Despite these repairs, persistent flooding continues to weaken the structure and affect our safety. We have a documented claim with our insurance company detailing this extensive damage, supported by several photos and videos of the flooding.

**Lifestyle Changes and Need for Renovation:** Post-COVID-19, our lifestyle has shifted significantly, with both parents working from home. This change demands additional secluded spaces for professional activities, which are essential for privacy during work-related tasks. Michael Buttacavoli, a Touring Golf Professional, practices and prepares for tournaments at LaGorce Country Club. He is also a realtor and works from his home when not at showings. Allison has a remote job that involves daily Zoom calls. Their jobs require them to work in different spaces to avoid interrupting each other's calls.

Miami Beach homes were designed for those living only during the winter homes on the island. Today many families live on the island year-round, requiring larger closets, kitchens and storage areas.

Families living on the golf course utilize personal golf carts to visit and play on the course. These carts are best stored in a garage with the related equipment (clubs). This is preferable to storing the cart in the backyard or in backyard sheds.

**Cost Estimate:** We estimate the cost to be about \$2,500,000.

**Grant and Architectural Plans:** We applied for and received the City of Miami Beach's Private Property Adaptation Program (PPA) matching grant in response to these challenges. This grant is awarded to homes most affected by flooding. Our property received a recommendation to elevate the structure as a primary mitigation strategy. We met with our architect, Elizabeth Camargo, to develop a plan that aligns with the City of Miami Beach's recommendations. Given our significant investment in sustainability, we want to protect our home from flooding while retaining its value. Since elevating the home was the primary recommended mitigation strategy, we considered two options: 1) maintaining the sidewalls and renovating the entire interior or 2) demolishing the home and building new construction. After consulting with several contractors to determine the costs and resources needed for both options, we found no significant cost advantage to demolishing versus raising and renovating. There is a property tax advantage when a home is renovated versus new construction. Therefore, we decided to elevate and renovate. As long-time homeowners in Miami Beach with a homestead exemption, we do not see the need to build new construction and incur significant property tax ramifications. Following the City's primary mitigation strategy for flooding, which is beyond our control, already incurs a substantial cost. Building new construction would dramatically increase the tax value, adding a further financial burden to our sustainability efforts.

**Variance Request:** To achieve these objectives, we need the following variances:

- 1) A variance for lot coverage. After renovation, our current lot coverage will increase by 1.1% or 112 sqft. The variance will allow the extra depth of the garage for a vehicle, a golf cart to be kept inside a garage instead of in a backyard shed, and the lifestyle changes where families live and work from home.

Summary of Area Tabulation:

- Lot coverage allowed: 2,310 sqft (30%)
  - Existing lot coverage: 2,847 sqft (37.3%)
  - Proposed lot coverage: 2,959 sqft (38.4%)
- 2) The renovation will not demolish the side walls of the existing home on the ground floor. The existing home has a setback on the SW corner of 5.97', NW corner of 5.22', SE

corner of 7.93' and NE corner of 5.32'. The renovation includes a second floor with the same side yard setback as the existing first floor of the home.

With a lot width of 60ft and the required sum of the side yards to be 25% of the lot width, the required sum of the side yards is 15 ft. Even though we are retaining the side walls for this renovation, the Planning Department is recommending that we request a variance for the first and second floor side setbacks. This will allow for the sum of the side yards to be less than the required 15 ft.

The proposed sum of the side yards on the East side is 13.25' (5.32' NE Corner + 7.93' SE Corner). The proposed sum of the side yards on the West side is 11.19' (5.22' NW Corner + 5.97' SW Corner). These proposed numbers are the same as the existing side yard setbacks on the first floor and would remain the same for both floors with the renovation. There are other homes on the street that did similar renovations and were able to retain their side setbacks.

- 3) The design of the home has a unit size of 3,987sqft (51.8%), while maximum allowed unit size is 3,851sqft (50%).

The variance of an additional 136sqft or 1.8 % is mostly attributed to square footage of the staircase (74sqft), which is being counted twice. It is counted for unit size on both floors.

- 4) On August 7, 1998, the Board of Adjustment approved a variance (File No. 2651) to waive 3' of the minimum required front yard setback in order to construct a garage. The planning department is requiring that this previously approved variance be approved at this time.

**Design Decisions:** While renovating our home, we are committed to being respectful of our neighbors throughout the design process. We have decided to create a mechanical room. This mechanical room will reduce the noise and the visibility from equipment typically placed on the side setback or on the roof of other homes. By housing some equipment within the mechanical room, we avoid the negative impact on our neighbors when having several pieces of equipment on the side yards or the roof. The visibility and noise from equipment is a common issue in several other homes. It also becomes an issue for the homes that have the golf course as an additional neighbor.

#### **Response to Resiliency Code 7.1.2.4 - Sea Level Rise and Resiliency Criteria:**

*A. A recycling or salvage plan for partial or total demolition shall be provided.*

- Yes, the plan will be provided at the time of building permit application for the demolition.

*B. Windows that are proposed to be replaced shall be hurricane proof impact windows.*

- Yes

*C. Where feasible and appropriate, passive cooling systems, such as operable windows, shall be provided.*

- Yes

*D. Resilient landscaping (salt tolerant, highly water-absorbent, native, or Florida-friendly plants) shall be provided, in accordance with chapter 4 in Land Development Regulations.*

- Yes

*E. The project applicant shall consider the adopted sea level rise projections in the Southeast Florida Regional Climate Action Plan, as may be revised from time-to-time by the Southeast Florida Regional Climate Change Compact. The applicant shall also specifically study the land elevation of the subject property and the elevation of surrounding properties.*

- Yes

*F. The ground floor, driveways, and garage ramping for new construction shall be adaptable to the raising of public rights-of-way and adjacent land, and shall provide sufficient height and space to ensure that the entry ways and exits can be modified to accommodate a higher street height of up to 3 additional feet in height.*

- N/A - we will comply with FDOTs planned elevation of the road, but this is a renovation and not new construction.

*G. As applicable to all new construction, all critical mechanical and electrical systems shall be located above base flood elevation. All redevelopment projects shall, whenever practicable and economically reasonable, include the relocation of all critical mechanical and electrical systems to a location above base flood elevation.*

- N/A - it will be, but this is a renovation and not new construction.

*H. Existing buildings shall, wherever reasonably feasible and economically appropriate, be elevated up to base flood elevation, plus City of Miami Beach Freeboard.*

- Yes, the house will be at BFE + 2'

*I. When habitable space is located below the base flood elevation plus City of Miami Beach Freeboard, wet or dry flood proofing systems will be provided in accordance with chapter 54 in General Ordinances.*

- No habitable space will be below base flood elevation

*J. As applicable to all new construction, stormwater retention systems shall be provided.*

- N/A - we will be doing this, but this is a renovation and not new construction.

*K. Cool pavement materials or porous pavement materials shall be utilized.*

- Yes

*L. The design of each project shall minimize the potential for heat island effects on-site.*

- Yes

### **Response to Resiliency Code 2.8.3.1 - Variance Criteria**

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;*

- Yes

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

- Yes

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;*

- Yes

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;*

- Yes

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

- Yes

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;*

- Yes

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;*

- Yes

8. *The granting of the variance will result in a structure and site that complies with the sea level rise and resiliency review criteria in chapter 7, article I, as applicable.*

- Yes

**Conclusion:** These renovations are essential not only for our family's safety and quality of life, but also to enhance the overall value and sustainability of the property. We kindly request the Board's approval for the variances so that we can proceed with these crucial improvements. Thank you for considering our request. We are committed to working closely with the city to ensure our project aligns with community standards and environmental sustainability goals.

Sincerely,

*The Buttacavoli Family*