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December 12, 2014

Mr. Ron Acle
Zoning Hearings & Administrative Review
Miami-Dade County
111 NW 1st Street, 11th floor
Miami, Florida 33128

Re: **Three Lakes**
Substantial Compliance Determination
Letter of Intent



Dear Mr. Acle,

The purpose of this correspondence is to request a substantial compliance determination for the Three Lakes project. Pursuant to Miami-Dade County substantial compliance determination is required when a development plan is not sufficiently identical to the plan approved pursuant to a Zoning Hearing. During the building permit review process, the Zoning department reviewer commented that the architectural elevations were not consistent with the Zoning Hearing approved elevations. After careful review of the two different sets of plans with our architect it is clear that changes were made to the drawings between the Zoning Hearing approval and the building permit submittal. The purpose of this application is to update the plans found in the Zoning file to be consistent with those found in the building permit submittal. We've included the architecture, site plan and landscape plan within this request.

Architecture elevations for each building type, as well as the clubhouse and the three garage buildings have been provided. The architect has provided a letter that outlines all of the changes made to each of the plan sheets provided, including the site plan. We have also included markups of the elevations provided at the time of the Zoning Hearing indicating the changes that have been made since these drawings were approved. The majority of the changes have been made due to a change in style. The architecture was transitioned from a Santa Fe style to a more elegant Spanish Eclectic style. This transition served as a response to the neighborhood's compatibility concerns during the public hearing process. It is clear that the proposed elevations have been significantly improved since the Zoning Hearing. The elevations have more articulation and detailed components.

The landscape plan has also been included within this package. The park area on north side of the property has been modified to include more open lawn for the use of residents. Previous to this change there was no open lawn area available for the residents for outdoor activity. This change has also been reflected on the site plan.

All of the plans included herein are much more detailed drawings then the original drawings submitted to Planning and Zoning. They have been modified to address the current construction drawings submitted with the building permit, for the purpose of consistency. There may be other insignificant

changes to the drawings due to this exercise; however none of these changes were noted as relative to the Zoning code as indicated below.

§33-310.1(A)(I) Substantial Compliance With Previous Approval. *The director shall approve an application to modify or eliminate a condition or part thereof, or a restrictive covenant or part thereof, where it is demonstrated that the proposed modification or elimination will result in substantial compliance with the previous zoning action regarding a site plan, as demonstrated by all of the following:*

A. Development density and Intensity have not materially changed, in that:

1. *The number of buildings is not increased by more than 10%;*
No change.
2. *The number of stories is the same or fewer.*
No change.
3. *The height of the building(s) is the same or less;*
No change.
4. *The number of units is the same or fewer;*
No change.
5. *The lot coverage and floor area ratio are the same or less;*
No change.
6. *The number of bedrooms and corresponding parking spaces may be increased or decrease by as much as 10%, based on the entire plan, provided the plan complies with all other requirements of this subsection and of this chapter; and*
No change.
7. *Density of intensity (floor area ratio) may be transferred from one building to another or from stage of development to another, provided that the total floor area ratio is not changed.*
No change.



B. Design has not materially changed, in that:

1. The roadway patterns, particularly ingress-egress points, are in the same general location as shown on the original plans, and are no closer to the rear or interior side property lines than shown on the original plans;
No change.
2. The parking area is in the same general location and configuration;
No change.
3. The building setbacks are the same or greater distance from perimeter property lines, except that the building setbacks for detached single family development; zero lot line, row house, townhouse and

cluster development may also be decreased, provided that such decrease is limited such that the resulting setback distance will be the greater of either

- (a) The underlying zoning district regulations, or
- (b) Any condition or restrictive covenant regulating the setback for which a substantial compliance determination is sought;

No change.

- 4. The landscaped open space is in the same general location, is of the same or greater amount, and is configured in a manner that does not diminish a previously intended buffering effect;

The open space is in the same location but has been slightly modified in design to be a better amenity for the residents.

- 5. The proposed perimeter walls and/or fences are in the same general location and of a comparable type and design as previously approved;

No change.

- 6. Elevations and renderings of buildings have substantially similar architectural expressions as those shown on the approved plans;

The architecture was transitioned from a Santa Fe style to a more elegant Spanish Eclectic style. This transition served as a response to the neighborhood's compatibility concerns during the public hearing process. It is clear that the proposed elevations have been significantly improved since the Zoning Hearing.

- 7. Recreational facilities, if shown on plans approved by a prior zoning action, either remain the same or are converted from one recreational use to another;

No change.

- 8. If recreational facilities were not shown in the approved plans, they may be added, provided there no increase in lot coverage or decrease in required open space and such facilities are located internally within the proposed development.

No change.

- 9. If a variance for signage has been granted, the proposed sign(s) is no greater in size and is placed in the same general location on the site as approved by zoning action. An entrance sign location may be moved the same proportional distance as a relocated entrance drive;

No change.

- 10. The proposed changes do not have the effect of creating any noncompliance or nonconformity with the strict application of the zoning code that were not previously approved at public hearing, or of expanding the scope of existing variances, alternative site development options, or other approvals pursuant to alternative development standards such that they would differ to a greater degree from the strict application of the zoning code;

No change.

- 11. Additional out-parcels may be added where:

- (a) There is no increase in the project's total floor area ratio or lot coverage;
- (b) There is no reduction in the total amount of landscaped open space; and



Three Lakes
Substantial Compliance Determination
November 25, 2014

(c) Addition of the out-parcel does not result in noncompliance with any other provision of this subsection on any other portion of the subject property.

No change.

12. Reductions in the number of parking spaces on the site are permitted if sufficient parking spaces are provided to satisfy the requirements of this code.

No change.

C. The **slope of any lake** for which a modification is requested complies with §33-16 and all other applicable provisions of this code.

No change.

We look forward to working with staff through this substantial compliance determination request review process. If you should have any questions regarding the documents or plans provided herein please contact me directly at 561.832.1114.

Sincerely,

Alessandria Palmer
Entitlements Manager
The Richman Group of Florida

Cc: Beatriz Hernandez - MSA Architects

