

# MIAMIBEACH

## PLANNING DEPARTMENT

1700 Convention Center Drive, Miami Beach, Florida 33139; Tel: 305.673.7550; Web: [www.miamibeachfl.gov/planning](http://www.miamibeachfl.gov/planning)

### 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.

Application Information			
FILE NUMBER		Is the property the primary residence & homestead of the applicant/property owner? <input type="checkbox"/> Yes <input type="checkbox"/> No (if "Yes," provide office of the property appraiser summary report)	
<b>Board of Adjustment</b> <input type="checkbox"/> Variance from a provision of the Land Development Regulations <input type="checkbox"/> Appeal of an administrative decision <input type="checkbox"/> Modification of existing Board Order		<b>Design Review Board</b> <input type="checkbox"/> Design review approval <input type="checkbox"/> Variance <input type="checkbox"/> Modification of existing Board Order	
<b>Planning Board</b> <input type="checkbox"/> Conditional Use Permit <input type="checkbox"/> Lot Split <input type="checkbox"/> Amendment to the Land Development Regulations or Zoning Map <input type="checkbox"/> Amendment to the Comprehensive Plan or Future Land Use Map <input type="checkbox"/> Modification of existing Board Order		<b>Historic Preservation Board</b> <input type="checkbox"/> Certificate of Appropriateness for design <input type="checkbox"/> Certificate of Appropriateness for demolition <input type="checkbox"/> Historic District/Site Designation <input type="checkbox"/> Variance <input type="checkbox"/> Modification of existing Board Order	
<input type="checkbox"/> <b>Other:</b>			
Property Information – Please attach Legal Description as “Exhibit A”			
ADDRESS OF PROPERTY			
FOLIO NUMBER(S)			
Property Owner Information			
PROPERTY OWNER NAME			
ADDRESS		CITY	STATE      ZIPCODE
BUSINESS PHONE	CELL PHONE	EMAIL ADDRESS	
Applicant Information (if different than owner)			
APPLICANT NAME			
ADDRESS		CITY	STATE      ZIPCODE
BUSINESS PHONE	CELL PHONE	EMAIL ADDRESS	
Summary of Request			
PROVIDE A BRIEF SCOPE OF REQUEST			

<b>Project Information</b>			
Is there an existing building(s) on the site?		<input type="checkbox"/> Yes	<input type="checkbox"/> No
If previous answer is "Yes", is the building architecturally significant per sec. 142-108?		<input type="checkbox"/> Yes	<input type="checkbox"/> No
Does the project include interior or exterior demolition?		<input type="checkbox"/> Yes	<input type="checkbox"/> No
Provide the total floor area of the new construction.		SQ. FT.	
Provide the gross floor area of the new construction (including required parking and all usable area).		SQ. FT.	
<b>Party responsible for project design</b>			
NAME		<input type="checkbox"/> Architect <input type="checkbox"/> Contractor <input type="checkbox"/> Landscape Architect <input type="checkbox"/> Engineer <input type="checkbox"/> Tenant <input type="checkbox"/> Other _____	
ADDRESS		CITY	STATE      ZIPCODE
BUSINESS PHONE	CELL PHONE	EMAIL ADDRESS	
<b>Authorized Representative(s) Information (if applicable)</b>			
NAME		<input type="checkbox"/> Attorney <input type="checkbox"/> Contact <input type="checkbox"/> Agent <input type="checkbox"/> Other _____	
ADDRESS		CITY	STATE      ZIPCODE
BUSINESS PHONE	CELL PHONE	EMAIL ADDRESS	
NAME		<input type="checkbox"/> Attorney <input type="checkbox"/> Contact <input type="checkbox"/> Agent <input type="checkbox"/> Other _____	
ADDRESS		CITY	STATE      ZIPCODE
BUSINESS PHONE	CELL PHONE	EMAIL ADDRESS	
NAME		<input type="checkbox"/> Attorney <input type="checkbox"/> Contact <input type="checkbox"/> Agent <input type="checkbox"/> Other _____	
ADDRESS		CITY	STATE      ZIPCODE
BUSINESS PHONE	CELL PHONE	EMAIL ADDRESS	

**Please note the following information:**

- 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 fees. All checks are to be made payable to the "City of Miami Beach".
- All disclosures must be submitted in CMB Application format and be consistent with CMB Code Sub-part A Section 2-482(c):
  - (c) If the lobbyist represents a corporation, partnership or trust, the chief officer, partner or beneficiary shall also be identified. Without limiting the foregoing, the lobbyist shall also identify all persons holding, directly or indirectly, a five percent or more ownership interest in such corporation, partnership, or trust.
- 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 an application 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, engineers, landscape architects, 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.
- In accordance with Section 118-31. – Disclosure Requirement. Each person or entity requesting approval, relief or other action from the Planning Board, 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 service 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 forgoing 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 form 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**

Jeffrey P Krasnoff

**PRINT NAME**

11-12-19

**DATE SIGNED**

**Please read the following and acknowledge below:**


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☒ Owner of the subject property    ☐ Authorized representative


**SIGNATURE**

Terri L. Krasnoff

**PRINT NAME**

**DATE SIGNED**



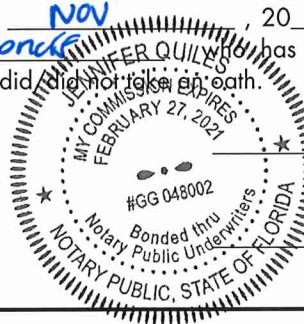
**OWNER AFFIDAVIT FOR INDIVIDUAL OWNER**STATE OF FloridaCOUNTY OF Dade

I, Jeffrey P. Krasnoff, 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 remove this notice after the date of the hearing.

[Signature]  
SIGNATURE

Sworn to and subscribed before me this 12 day of Nov, 2019. The foregoing instrument was acknowledged before me by Jeffrey Krasnoff who has produced \_\_\_\_\_ as identification and/or is personally known to me and who did/did not take an oath.

NOTARY SEAL OR STAMP

My Commission Expires: 2/27/21

[Signature]  
NOTARY PUBLIC  
Jennifer Quiles  
PRINT NAME

**ALTERNATE OWNER AFFIDAVIT FOR CORPORATION, PARTNERSHIP OR LIMITED LIABILITY COMPANY**

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

I, N/A, being first 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 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 my property for the sole purpose of posting a Notice of Public Hearing on my property, as required by law. (7) I am responsible for remove 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 \_\_\_\_\_, who has produced \_\_\_\_\_ as identification and/or is personally known to me and who did/did not take an oath.

NOTARY SEAL OR STAMP

My Commission Expires: \_\_\_\_\_

\_\_\_\_\_  
NOTARY PUBLIC

\_\_\_\_\_  
PRINT NAME

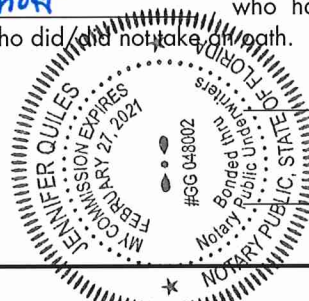
**OWNER AFFIDAVIT FOR INDIVIDUAL OWNER**STATE OF FloridaCOUNTY OF Dade

I, Terri L. Krasnoff, 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 remove this notice after the date of the hearing.

Terri L. Krasnoff  
SIGNATURE

Sworn to and subscribed before me this 12 day of NW, 2019. The foregoing instrument was acknowledged before me by Terri Krasnoff who has produced \_\_\_\_\_ as identification and/or is personally known to me and who did/did not take an oath.

NOTARY SEAL OR STAMP

My Commission Expires: 2/27/21

Jennifer Quiles  
NOTARY PUBLIC

PRINT NAME

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NOTARY SEAL OR STAMP

NOTARY PUBLIC

My Commission Expires: \_\_\_\_\_

PRINT NAME

**POWER OF ATTORNEY AFFIDAVIT**STATE OF FloridaCOUNTY OF Dade

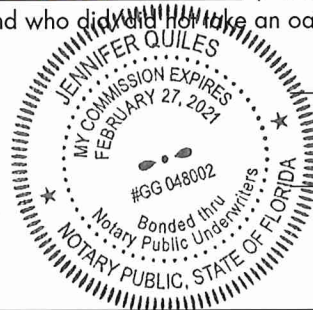

I, Jeffrey P. Krasnoff, being first duly sworn, depose and certify as follows: (1) I am the owner or representative of the owner of the real property that is the subject of this application. (2) I hereby authorize Bercow Radell Fernandez & Larkin to be my representative before the Design Review Board. (3) 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. (4) I am responsible for remove this notice after the date of the hearing.

**PRINT NAME (and Title, if applicable)**

**SIGNATURE**

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**NOTARY PUBLIC**  
Jennifer Quiles  
**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 contact purchasers are corporations, partnerships, limited liability companies, trusts, or other corporate entities, the applicant shall further disclose the identity of the individuals(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.

N/A**NAME****DATE OF CONTRACT**

NAME, ADDRESS AND OFFICE

% OF STOCK

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



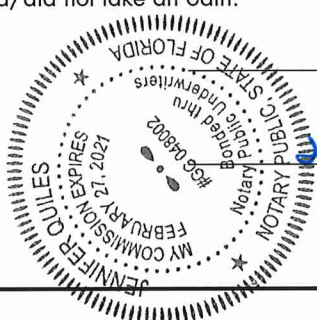
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NOTARY SEAL OR STAMP

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N/A**NAME****DATE OF CONTRACT**

NAME, ADDRESS AND OFFICE

% OF STOCK

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
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\_\_\_\_\_  
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 \_\_\_\_\_

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**DISCLOSURE OF INTEREST**  
**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.

<b>NAME OF CORPORATE ENTITY</b>	
NAME AND ADDRESS	% OF OWNERSHIP

<b>NAME OF CORPORATE ENTITY</b>	
NAME AND ADDRESS	% OF OWNERSHIP

If there are additional corporate owners, list such owners, including corporate name and the name, address and percentage of ownership of each additional owner, on a separate page.

**DISCLOSURE OF INTEREST**  
**TRUSTEE**

If the property that is the subject of the 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

**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
<u>Michael Larkin</u>	<u>200 South Biscayne Boulevard, Suite 850, Miami, FL</u>	<u>(305) 374-5300</u>
<u>Matthew Amster</u>	<u>200 South Biscayne Boulevard, Suite 850, Miami, FL</u>	<u>(305) 374-5300</u>
<u>Ralph Choeff</u>	<u>8424 Biscayne Blvd, Suite 201, Miami, FL</u>	<u>(305) 434-8338</u>

Additional names can be placed on a separate page attached to this application.

**APPLICANT HEREBY ACKNOWLEDGES AND AGREES THAT (1) AN 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 Florida

COUNTY OF Dade

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[Signature]  
SIGNATURE

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[Signature]  
NOTARY PUBLIC  
Jennifer Quiles  
PRINT NAME



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**APPLICANT AFFIDAVIT**

STATE OF Florida

COUNTY OF Dade

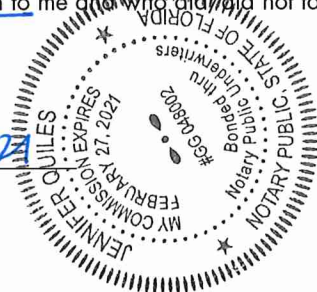
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NOTARY SEAL OR STAMP

My Commission Expires: 2/27/21



Jennifer Quiles  
NOTARY PUBLIC  
PRINT NAME

## Exhibit A

### Legal Description

Lot 16 & 17 & 8 Foot STRIP ADJACENT ON BAY, Block 3, OF RIVO ALTO AMENDED, according to the plat thereof, as recorded in Plat Book 7, at Page 74, of the Public Record of Miami-Dade County, Florida.

Property Address: 425-435 E RIVO ALTA DR, Miami Beach, FL 33139



# BERCOW RADELL FERNANDEZ & LARKIN

ZONING, LAND USE AND ENVIRONMENTAL LAW

DIRECT LINE: (305) 377-6236  
E-Mail: MAmster@BRZoningLaw.com

## VIA ELECTRONIC SUBMITTAL & HAND DELIVERY

December 9, 2019

James G. Murphy, Chief of Urban Design  
Planning Department  
City of Miami Beach  
1700 Convention Center Drive, 2<sup>nd</sup> Floor  
Miami Beach, Florida 33139

Re: DRB19-0485 – Design Review Board Approval for Property Located at 425-435 E  
Rivo Alto Drive, Miami Beach, Florida

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Dear James:

This firm represents Jeffrey and Terri Krasnoff, (the “Applicants”), the Applicants and owners of the properties located at 425-435 E Rivo Alto Drive (collectively the “Property”). Please consider this the Applicants’ letter of intent in support of a request for design review approval and two waivers, for the construction of a new two-story single-family residence to replace two existing pre-1942 residences.

Property. The Property is made up of two wedge-shaped waterfront lots comprised of approximately 13,382 square feet each. The Property is identified by Miami-Dade County Folio Nos. 02-3233-001-0510 and 02-3233-001-0500. Located on the north side of Rivo Alto Island and west of mainland Miami Beach, the Property is in the RS-3, Single Family Residential District. The Property fronts Biscayne Bay to the north, and East Rivo Alto Drive to the south. The surrounding neighborhood is comprised of a mix of 1- and 2-story single-family residences, including other double lot homes west of the Property.

Description of Proposed Development. The Applicants have chosen SAOTA as the design architect, an international firm based out of South Africa with unique, innovative projects spanning the entire globe, in collaboration with Choeff Levy Fischman Architecture and Design. The Applicants propose to construct an elegantly-designed, modern 2-story residence that features pigmented concrete with intricate screening designs, aluminum louvers framing terraces and the numerous large glass windows and doors that comprise the majority of the exterior of the home. The proposed home



welcomes the family and guests through a central main entrance up a prominent stair bracketed by water features with views of the internal staircase. The entrance is recessed from the rest of the frontage to provide architectural variety and minimize the sense of mass along the Property's primary frontage. A central corridor allows views through to the water way.

The home's street presence is significantly minimized with a 1-story side-facing garage on the north side and a 1-story guest suite on the south side. The 2-story portions are considerably pushed back towards the waterway. There is an expansive side yard in the east, including a secluded courtyard nestled between the 1- and 2-story portions with an entry into the home. The west side yard contains partially screened terraces at ground and second levels and an inset stair leading to a centrally located roof deck. At the rear of the Property, the 2-story volume on the east extends further than on the west allowing for an outdoor seating area covered by a pavilion attached to the home in the west. An open area in between the pavilion and 2-story portion essentially creates a courtyard at the center of the rear elevation. A pool at the center parallels the waterway, with a small beach area to the east.

The proposed home's design effectively maintains a low-scale, as it artfully breaks up the mass through expert movement of the volume. The 1-story portions at the front vary in position, with the garage at 30', the guest suite at approximately 60' and the grand entrance in the middle recessed even further. The 2-story portions are narrow and well-articulated with terraces and screening. The large courtyard on the east elevation, and the outdoor pool deck at the west elevation provide additional reduction of the massing. The design of the exterior walls of all the elevations contain a variety of recessed areas and terraces, and feature various materials and colors that breakup the façades along all sides of the home. Therefore, this unique design reduces the perception of mass and scale of the home, while still providing adequate living space for the Applicants' family.

For resiliency and flood protection, the Applicants are utilizing 3' feet of freeboard, yet has designed the home to be centrally located on the Property with appropriate yard elevations and plentiful landscaping to be sensitive to the adjacent homes and surrounding neighborhood.

Notably, the Applicants are preserving a large existing Strangler Fig, moving it from the west elevation to the east in the front yard. The main reason for the relocation is that during a recent storm, a large portion of the tree toppled over threatening to damage the existing home and the neighbor's home, which has a small side yard setback. This current location would continue to be a danger to the neighbor's home and the Applicants' proposed home.

The proposed new home complies with the City of Miami Beach Code (the "Code") requirements for unit size, lot coverage, setbacks, and open space. The size of the proposed home is approximately 13,596 square feet (49.3% of the lot size), with a lot coverage of 29.75%. The proposed home satisfies the 30' front setback, which is only to the 1-story garage, with extensive additional setbacks to the other front 1-story portions and very generous setbacks to the 2-story portions. The majority of the home also exceeds the rear setback of the approximately 26'-10". Further, the side yards comply with the Code and are quite large, 15'-4" in the east and 23'-0" in the west, due to the double-lot.

Waiver Requests. In order to create a modestly-sized home that meets the specific familial needs of the Applicants on this particular Property, the proposed home requires waiver requests as follows:

1. Height waiver pursuant to Code Section 142-105(b)(1), to permit 26 feet of height where 24' is required.
2. Second floor volume waiver pursuant to Code Section 142-105(b)(4)c, to permit 75.8% second floor volume where 70% maximum preferred.
3. Waiver of additional open space for the length of the two-story elevation along the north side pursuant to Code Section 142-106(2)(d) to permit an elevation longer than 60 feet.

*Height Waiver.* Although the Property is zoned RS-3, which requires a minimum lot area of 10,000 square feet, the Property's size is more analogous to RS-1 and RS-2 zoned properties that have minimum lot areas of 30,000 square feet and 18,000 square feet, respectively. In fact, at over 27,000 square feet, the Property is more than two and a half times the size of the minimum RS-3 zoned lot, and its lot area is more comparable to RS-1 zoned properties, which permit a height of 28' for flat roofs without a waiver. Further, as described above the siting of the home provides for generous front and side setbacks, and extensive landscaping that will buffer the new home from the neighboring properties. As such, the Property can accommodate a larger scale than typically-sized RS-3 zoned lots. Specifically, the Property can adequately accommodate the slightly larger scale of 26' in height, which is not the maximum, while being consistent with the surrounding neighborhood, where notably the two adjacent properties also contain 2-story homes.

*Second floor volume waiver.* The intent of the second floor area volume requirement is to reduce the scale and massing of 2-story homes in the single-family zoning districts. The Applicants' design very effectively addresses the intent of the Code in the unique shape of the design. The recessed main entrance bookended by the garage and guest suite, each only 1-story, centralize the 2-story portions. The expansive open space and

secluded courtyard in the east, and the 1-story pavilion at the west, with the courtyard in the middle of the rear elevation further reduce the impact of the second floor. Moreover, the multiple changes in plane along all elevations, especially with larger than required front and rear setbacks, abundant glass and various materials all provide visual breaks to the massing of the home. In addition, the purposeful placement of the lush landscaping at ground level and the terraces will screen the home from the neighbors and street frontage. Therefore, the entire design significantly reduces the size of the home and matches the character of the neighborhood, which notably includes a number of other homes that have significantly-sized second floors, including ones designed with large unenclosed areas on the ground with second floors above. The intent of the Code will be accomplished and furthered by the proposed design.

*Additional Open Space Waiver for Two-story Elevation.* The intent of the Code for additional open space is to reduce the scale and massing of the second story portion of homes to no greater than 60' against the neighboring properties. The Applicants propose a slightly longer second story length of 65'-2". The design, within an irregular waterfront lot, adequately addresses the intent of the Code by incorporating many architectural features, including windows, balconies and a second floor terrace and greenspace in a conscious effort to reduce the home's scale and massing while realizing a design that is aesthetically pleasing.

Sea Level Rise and Resiliency Criteria. The proposed project advances the sea level rise and resiliency criteria in Section 133-50(a) as follows:

- (1) **A recycling or salvage plan for partial or total demolition shall be provided.**

The Applicants will provide a recycling or salvage plan during permitting.

- (2) **Windows that are proposed to be replaced shall be hurricane proof impact windows.**

The structure will have hurricane impact windows throughout the home.

- (3) **Where feasible and appropriate, passive cooling systems, such as operable windows, shall be provided.**

The proposed home provides abundant windows and doors such that passive cooling is feasible.

- (4) **Resilient landscaping (salt tolerant, highly water-absorbent, native or Florida friendly plants) shall be provided, in accordance with Chapter 126 of the City Code.**



The plan includes many native and Florida-friendly plants. The Applicant's landscape architect will work with the Planning Department to provide landscaping that is appropriate for the Property and the neighborhood, with native, salt-tolerant, and Florida-friendly plant species. The plantings for the proposed home will be highly water-absorbent to provide for both aesthetics and resilience.

- (5) **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.**

The Applicants have considered the adopted sea level rise projections and will utilize 3' of freeboard for a first floor at 13' NGVD.

- (6) **The ground floor, driveways, and garage ramping for new construction shall be adaptable to the raising of public rights-of-ways 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 up to three (3) additional feet in height.**

The Applicants intend to construct the proposed home close to the maximum elevation permitted by the Code such that it is adaptable to the raising of public rights-of-ways and adjacent land.

- (7) **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.**

Mechanical and electrical systems will be located above base flood elevation plus freeboard.

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

Not applicable as the existing buildings will be demolished, and the proposed home will be elevated up to base flood elevation plus the 3' of freeboard as permitted by the Code.

- (9) **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 of 54 of the City Code.**

Not applicable as the proposed home will not provide habitable space below base flood elevation.

- (10) **As applicable to all new construction, stormwater retention systems shall be provided.**

The Property will utilize appropriate stormwater retention systems and the Applicants will ensure appropriate drainage is provided for the extensive rooftop plantings.

- (11) **Cool pavement material or porous pavement materials shall be utilized.**

The Applicants propose appropriate materials for the driveway and walkways in the side yards.

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

The Applicants propose abundant landscaping at ground level and in planters on the second floor.

Conclusion. Granting this design review request and associated waivers will permit the development of a beautifully-designed modern single-family home for the Applicants' family that is sensitive to and compatible with the surrounding neighborhood. We look forward to your favorable review of the application. If you have any questions or comments, please contact me at 305-377-6236.

Sincerely,



Matthew Amster

cc: Michael W. Larkin, Esq.  
Robert Behar, Esq.

## BOARD APPLICATION CHECKLIST

A Pre-Application meeting must be scheduled via CAP to obtain a plan case number and for board staff review of all submittals.

Pre-Application meetings for applications that do not require a traffic study are scheduled on a first come-first served basis and must occur no later than five (5) business days prior to CAP First submittal.

Applications requiring a traffic study must meet with the Transportation Department and peer reviewer thirty (30) calendar days prior to the CAP First Submittal deadline to determine the methodology for the traffic impact study and obtain the Transportation Department's checklist. Fifteen (15) days prior to the First submittal the applicant must submit the traffic study via CAP. Seven (7) days prior to First submittal the Transportation Department/Peer Reviewer will provide first round of comments to the applicant. The applicant must address the comments and submit revised traffic study/plans by the CAP First Submittal deadline including a narrative responding to Transportation/Peer Reviewer comments.

**Incomplete, or submittals found to be insufficient will not be placed on a Board agenda.**

Property address: 425 / 435 E Rivo Alto Drive Board: DRB Date: 11/8/19

ITEM #	ITEM DESCRIPTION	REQUIRED
<b>CAP FIRST SUBMITTAL</b> <b>To be uploaded online (CAP) by the applicant before 12:00 pm by First submittal deadline.</b> <b>ALL PLANS MUST BE DIMENSIONED AND LEGIBLE. INCLUDE A GRAPHIC SCALE.</b>		
1	Application Fee and Peer review fees shall be paid after Pre-Application meeting and before the First submittal. It is the applicant's responsibility to make this payment, if an invoice is not generated by the CAP system, the applicant should contact staff prior to first submittal to be invoiced and make payment.	✓
a	Is the property the primary residence & homestead of the applicant/property owner? (If yes, provide office of the Property Appraiser Summary Report).	
2	Copy of signed and dated check list issued at Pre-Application meeting.	✓
3	Completed Board Application, Affidavits & Disclosures of Interest (original signatures).	✓
4	Signed and dated Letter of Intent. <b>Letter must outline application details and identify hardships if Variances are requested.</b> (see also Items # 42,43 and 44).	✓
5	Mailing Labels: Upload property owner's list and copy of original certified letter from provider. See #52 for submittal of Hard copy / originals of these items.	✓
6	Copies of all current or previously active Business Tax Receipts.	✓
7	School Concurrency Application for projects with a net increase in residential units (no SFH). Provide Planning Department - Miami Dade - School Concurrency Application for Transmittal	
8	Survey: Electronic version of original signed & sealed, dated no more than six months from date of application. Survey must provide: lot area, grade per Section 114-1 of the City Code. (If no sidewalk exists, provide the elevation of the crown of the road) and spot elevations.	✓
9	<b>Architectural Plans and Exhibits (must be 11"x 17")</b>	
a	Cover Sheet with bullet point scope of work, clearly labeled "First Submittal" and dated with First Submittal deadline date. <b>Include copies of previous recorded board orders, if applicable.</b>	✓



Property address: 425 / 435 E Rivo Alto Drive Board: DRB Date: 11/8/19

ITEM #	ITEM DESCRIPTION	REQUIRED
b	Copy of the original survey included in plan package. See No. 8 above for survey requirements	✓
c	All Applicable Zoning Information (Use Planning Department zoning data sheet format).	✓
d	Context Location Plan, Min 8.5"x11" Color Aerial 1/2 mile radius, identifying project and showing name of streets. (no Google images)	✓
e	Full legal description of the property if not included in survey (for lengthy legal descriptions, attach as a separate document - label clearly).	✓
f	Existing FAR Shaded Diagrams (Single Family Districts: Unit Size and Lot Coverage Shaded Diagrams), if applicable	✓
g	Proposed FAR Shaded Diagrams (Single Family Districts: Unit Size and Lot Coverage Shaded Diagrams), if applicable.	✓
h	Site Plan (fully dimensioned with setbacks, existing and proposed, including adjacent right-of-way widths).	✓
i	Current color photographs, dated, Min 4"x 6" of project site and existing structures (no Google images)	✓
j	Current, color photographs, dated, Min 4"x6" of interior space (no Google images)	
k	Current color photographs, dated, Min 4"x 6" of context, corner to corner, across the street and surrounding properties with a key directional plan (no Google images)	✓
l	Existing Conditions Drawings (Floor Plans & Elevations with dimensions). Number of seats, furniture layout if applicable	
m	Demolition Plans (Floor Plans & Elevations with dimensions)	✓
n	Proposed Floor Plans and Roof Plan, including mechanical equipment plan and section marks. Plans shall indicate location of all property lines and setbacks.	✓
o	Proposed Elevations, materials & finishes noted (showing grade, base flood elevation, heights in NGVD values and free board if applicable)	✓
p	Proposed Section Drawings	✓
q	Color Renderings (elevations and three dimensional perspective drawings).	✓
<b>10</b>	<b>Landscape Plans and Exhibits (must be 11"x 17")</b>	
a	Landscape Plan - street and onsite - identifying existing, proposed landscape material, lighting, irrigation, raised curbs, tree survey and tree disposition plan, as well as underground and overhead utilities when street trees are required.	✓
b	Hardscape Plan, i.e. paving materials, pattern, etc.	✓
11	Copy of original Building Permit Card, & Microfilm, if available.	✓
12	Copy of previously approved building permits (provide building permit number) and/or Board Orders.	
13	Existing and Proposed detailed topographic survey depicting existing spot grades (NAVD) as well as all underground/overhead utilities and easements/agreements with recording data. See Part 1 / Section 1 / A. Surveying & Mapping Standards and submittal Requirements of the Public Works Manual. <a href="http://www.miamibeachfl.gov/publicworks/engineering/engineeringmanual.aspx?id=12920">http://www.miamibeachfl.gov/publicworks/engineering/engineeringmanual.aspx?id=12920</a>	
14	Vacant/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 Dept.	



Property address: 425 / 435 E Rivo Alto Drive

Board: DRB

Date: 11/8/19

ITEM #	ITEM DESCRIPTION	REQUIRED
15	Historic Resources Report (This report shall include, but not be limited to, copy of the original Building Permit Card and subsequent modifications, Microfilm records, 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 and any other related information on the property.	
16	Contextual Elevation Line Drawings, corner to corner, across the street and surrounding properties (dated).	
17	Line of Sight studies.	
18	Structural Analysis of existing building including methodology for shoring and bracing.	
19	Proposed exterior and interior lighting plan, including photometric calculations.	
20	Exploded Axonometric Diagram (showing second floor in relationship to first floor).	
21	Neighborhood Context Study. (Planning will provide guidance if necessary for application.)	
22	Required yards open space calculations and shaded diagrams.	
23	Required yards section drawings.	✓
24	Variance and/or Waiver Diagram If applicable	✓
25	Schematic signage program	
26	Detailed sign(s) with dimensions and elevation drawings showing exact location.	
27	Elevation drawings showing area of building façade for sign calculation (Building ID signs).	
28	Daytime and nighttime renderings for illuminated signs.	
29	Floor Plan Indicating area where alcoholic beverages will be displayed.	
30	Survey showing width of the canal (Dimension shall be certified by a surveyor)	
31	Site Plan showing total projection of structures from seawall, location and dimension of all structures inclusive of dock, mooring piles, boat lift, etc.	
32	DERM recommendation/preliminary approval. Docks or any structures shall have approval stamp from DERM or other regulatory agency before submitting for a variance. A letter from DERM or other agency, explaining specific requirements for the project is recommended.	
33	Technical specifications of the boat lift and/ or boat, ship of vessel to be docked or moored.	
34	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.	
35	Scaled, signed, sealed and dated specific purpose survey (Alcohol License/Distance Separation) distance shown on survey with a straight line.	
36	Proposed Operational Plan: Include deliveries and trash pickup times, hours of operations, number of employees, security and restaurant menu (if applicable).	
37	Maneuvering plan for loading within the existing/proposed conditions, delivery and garbage trucks size (length and width).	
38	Traffic Study, Site plan(s) : Revised version and narrative addressing first round of comments from Transportation Department and peer review, provide a narrative. (See Transportation Department check list for requirements.)	
39	Sound Study report (Hard copy) with 1 CD.	
40	<b>Site Plan (Identify streets and alleys)</b>	
a	Identify: setbacks _____ Height _____ Drive aisle widths _____ Streets and sidewalks widths _____	

Property address: 425 / 435 E Rivo Alto Drive Board: DRB Date: 11/8/19

ITEM #	ITEM DESCRIPTION	REQUIRED
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_____	
h	Indicate any backflow preventer and FPL vault if applicable	
i	Indicate location of the area included in the application if applicable	
j	Preliminary on-street loading plan	
<b>41</b>	<b>Floor Plan (dimensioned)</b>	
a	Total floor area	
b	Identify # seats indoors_____ outdoors_____ seating in public right of way _____ Total_____	
c	Occupancy load indoors and outdoors per venue_____ Total when applicable_____	
<b>42</b>	<b>The letter of Intent shall include and respond to all sea level rise and resiliency review criteria per section 133-50 of the City Code.</b>	✓
<b>43</b>	<b>The Letter of Intent for Variances shall include and respond to all review guidelines in the code as follows:</b>	
a	Section 118-53 (d) of the City Code for each Variance.	
<b>44</b>	<b>The Letter of Intent for Planning Board shall include and respond to all review guidelines in the code as follows:</b>	
a	For Conditional Use -Section 118-192 (a)(1)-(7)	
b	CU - NIE and or outdoor Entertainment Establishments - Section 142-1362 (a)(1)-(9)	
c	CU - Mechanical Parking - Section 130-38 (3)(c)(i)(1)-(2) & (4)(a)-(k)	
d	CU - Structures over 50,000 SQ.FT. - Section 118-192 (b) (1)-(11)	
e	CU - Religious Institutions - Section 118-192 (c) (1)-(11)	
f	For Lot Splits - Section 118-321 (B) (1)-(6). Also see application instructions	
	<b>Notes: The applicant is responsible for checking above referenced sections of the Code. If not applicable write N/A</b>	
Other	2nd to first floor waiver	✓
Other	Height waiver	✓
Other	Open space waiver along interior side	✓

**\*\*ADDITIONAL INFORMATION AS MAY BE REQUIRED AT THE PRE-APPLICATION MEETING**

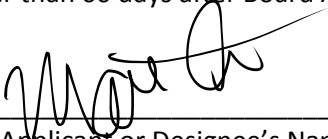


Property address: 425 / 435 E Rivo Alto Drive Board: DRB Date: 11/8/19

ITEM #	ITEM DESCRIPTION	REQUIRED
<b>FINAL SUBMITTAL (CAP &amp; PAPER)</b> <b>Plans should be clearly labeled "Final Submittal" and dated with Final Submittal deadline date. Final Submittal Documents must be uploaded to the CAP and hard copies must be submitted to the Planning Department prior to 12:00 P.M. on final submittal deadline. Staff will review and issue a notice to proceed or to continue submittal to a future meeting if the application is found incomplete.</b>		
45	Traffic Study, Site plan(s): This is the final traffic study including any modifications required to address comments from the City's Transportation Department. City's required permit by FDOT should be obtained prior to Final submittal (via CAP).	
	<b>PAPER FINAL SUBMITTAL:</b>	
46	Original application with all signed and notarized applicable affidavits and disclosures.	✓
47	Original of all applicable items.	✓
48	One (1) signed and sealed 11"X17" bound, collated set of all the required documents.	✓
49	14 collated copies of all required documents	✓
50	One (1) CD/DVD with electronic copy of entire final application package (plans, application, Letter of Intent, traffic/sound study, etc.) see CD/DVD formatting attached, for instructions.	✓
51	Traffic Study (Hard copy)	
52	Mailing Labels -2 sets of gummed labels and a CD including: Property owner's list and Original certified letter from provider.	✓

#### ADDITIONAL INFORMATION AND ACKNOWLEDGEMENTS

- A. Other information/documentation required for First submittal will be identified during Pre-Application meeting but may be modified based on further analysis.
- B. It is the responsibility of the applicant to confirm that documents submitted via CAP, Paper Submittal sets (14 copies), and electronic version on CD are consistent with each other and legible.
- C. Plan revisions and supplemental documentation will not be accepted after the Final Submittal deadline
- D. All documents required for Board applications must be submitted in an electronic format (PDF) via CD in the manner prescribed herein. The CD is considered the "Formal Submission", and must include the electronic version of all hard copy documents associated with the application. A new Updated CD will be required if any modifications are made before or after hearing. Failure to comply with the aforementioned may result in a rehearing before the applicable board at the applicant's expense.
- E. Please note that the applicant will be required to submit revised plans pursuant to applicable Board Conditions no later than 60 days after Board Approval. (If applicable)

  
 Applicant or Designee's Name

Matt Amster  
 Applicant or Designee's Signature

11/8/19  
 Date



Comments response narrative

Property Address: 425 East Rivo Alto Drive, Miami Beach, FL 33139

Plan Number: DRB-19-0485

### DRB Zoning Review

1. Provide a narrative responding to staff comments
  - a. Please see this sheet.
2. Revise lot area in all page. Survey indicates lot area = 26,765 SF. Zoning information and other pages show 27,554 SF. Revise plans and calculations.
  - a. Please see updated survey, measured to centre line of sea wall.
3. As discussed with Michael Belush, pavement on the NorthWest yard shall be reduced, as this is not a driveway leading to the garage. Considering minimum 18' inside garage plus 22'-0" for back up can remain, the rest of the area shall be setback a minimum of 7'-6" from the side property line.
  - a. 22' Back up outside garage, rest of the driveway has been reduced
4. Landscape Plan does not match floor plan.
  - a. Plans have been updated to now reflect the current architecture except Irrigation which will only require minor adjustments.
5. Hot Tub shall be removed from roof.
  - a. Hot tub clearly shown, does not violate height limit at 39'; hot tub to remain
6. Plans in general are very confusing. Remove elements at the ground level from roof plan and second floor plan. Clearly indicate railings, terraces and balconies. Alternative change the line weight to different levels.
  - a. Plans have been neaten as advised
7. Lines are missing in elevation drawings. Clearly increase line weight of walls, slabs, railings. Impossible to identify floating elements.
  - a. Elevations updated and floating elements addressed
8. Indicate length of the garage with only one floor or indicate front setback of the second floor over garage. Only the portion with one floor can be discounted in lot coverage.
  - a. 500SF of single story garage exists between setback and the second story above, this will be exempt from coverage
9. Callout section marks are illegible, and sections are not provided.
  - a. Sections and callouts enlarge to be legible, all unreferenced sections have been removed



10. Revise unit size, there are portions of the curved roof over the terrace at the rear and at the front entry that exceeds 10'-0" from the building walls. The discount does not apply to both walls that are perpendicular, but along one of the walls only, commonly the wall that will result in less area toward unit size can be considered. Indicate line of the roof on both floor plans for unit size calculations. Revise unit size at the front terrace and second floor at the rear. The trellis area does not count in unit size if it is 50% open.
  - a. Unit size has been revised, however we believe this should not count.
11. Revise diagram for developable width. It shall include the sum of the side setbacks. Minimum developable width is 114.7', based on 152.9' of lot width.
  - a. Developable lot width calculation on page A-1.0
12. A waiver for the length of two-story side elevations on the north side is required. Exceeds 60'-0".
  - a. Correct the length of the second story is 65' 2" but the habitable space is set back 4' from the side yard setback
13. Indicate height of parapet associated with roof deck. Maximum height is 3'-6" above the roof.
  - a. Indicated parapet height on the roof plans
14. Provide an enlarged plan and section details of the courtyard area on the south side.
  - a. Please see A-4.2 for Courtyard Section, A-4.5 for Courtyard Plan.
15. Parking area on the north side is not consistent on pages A-2.0 and A-2.4.
  - a. Corrected

## Plan Review

1. Deficiencies in Architectural Presentation
  - a. A-0.3 Add additional pages (2) of exterior existing houses (each house should have two pages with 4 color photos to a page) EX. Photo 3 should be facing house not water feature.
    - i. Additional pages have been added. See sheets A-0.3, 0.3b, 0.3c, 0.3d.
  - b. A-0.6 Improve. Relocate diagram to separate page to enlarge. Clearly show enclosed first floor axon (w/ adjacent SF #) and second floor axon (w/ adjacent SF #) for review.
    - i. Please see A-0.6a for enlarged diagram.
  - c. A-1.0 Unit size first floor. Add dimension of 10'-0" from building wall at rear covered terrace counts to confirm area exempt from first floor unit size as balcony is slatted roof.
    - i. Dimensions have been added. See A-1.0.

- d. A-2.3 Demonstrate roof plan area is 25% of floor below (5,853 SF). Remove Hot Tub from roof not an allowable height exception. Add roof elevation datum marks to all roof levels.
    - i. A-2.3. Note added SECOND FLOOR AREA 5,853 SF. Hot tub is at max building height of 39' – it remains. Roof datum marks have been added.
  - e. A-2.4, A-2.5, A-2.6. Control drawings, dimensions everywhere, over printing, multiple sections/ elevations marks at different scales.
    - i. Section and Elevation marks are now the same size.
  - f. A-3.0 Roof top projection printing error-fades away.
    - i. Printing error has been corrected and now the lines can be seen clearly. Please see A-3.0 as well as other elevation sheets.
  - g. Missing context elevation
    - i. Please see A-0.5. Context elevation is on the bottom of the sheet.
  - h. Missing neighborhood study, analysis of construction in the area.
    - i. Please see A-0.4 showing years of homes built and DRB File numbers.
  - i. Missing contour plan
    - i. A-2.0 – Spot Elevations have been added.
  - j. Provide a narrative responding to staff comments.
    - i. Please see this page.
  - k. Add, Final Submittal to front cover title for heightened clarity of reference for next deadline.
    - i. "Final Submittal" has been added to cover and index pages. See A-0.0 and A-0.1.
  - l. Final submittal drawings must be dated.
    - i. All drawings have been dated in the lower right hand corner.
2. Urban Forestry – No comments Yet
3. Design/ Appropriateness Comments
- a. Waiver #1 RS-3 Height: 2' Lot area 27,000SF – SUPPORTIVE.
  - b. Waiver #2 – 70% second floor ratio : SUPPORTIVE.
  - c. Walkways minimum 44"
  - d. Reduce driveway paving in NorthWest side yard – driveway to be staggered and reduced away from Property line further back it advances in site.
4. Admin Review
- a. Fees

5. DRB PLAN REVIEW

a. Repeated Comments

6. Landscape Comments

- a. The Landscape Plan is ment to frame the Architecture of the residence, while incorporating florida native plants, saving and relocating a manificent Speciman tree, and create micro-evironments surrounding the home to conserve energy and create comfort.

\*\*\*End of Comments\*\*\*