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VIA ELECTRONIC SUBMITTAL

September 8, 2020

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

Re: DRB20-0585 – Modification of DRB File Nos. DRB19-0445 and DRB20-0555 for Modest Alterations to Fenestration of Side Yard Elevations

Dear James:

This law firm represents 420 S Hibiscus Drive SFH LLC (the “Applicant”), the owner of the property located at 420 South Hibiscus Drive (the “Property”) in the City of Miami Beach (the “City”). The Applicant’s goal is to build a beautifully designed single-family home (the “Proposed Home”) on the Property in accordance with the approval of DRB19-0445 by the Design Review Board (“DRB”) on December 23, 2019, and DRB20-0555, on July 22, 2020. (the “DRB Orders”). The Applicant has already obtained a building permit for the Proposed Home and proposes a modest modification to the fenestration of the east side yard elevation. Please allow this letter to serve as the letter of intent in connection with modifying the DRB Orders.

Property Description. The Miami-Dade County Property Appraiser’s Office identifies the Property with Folio No. 02-3232-006-0210. See Exhibit A, Property Appraiser Report. The Property is an irregular-shaped waterfront lot, comprised of approximately 19,687 square feet. Located on Hibiscus Island in the RS-3, Single Family Residential Zoning District, the Property is surrounded with similar single-family homes. This residential area consists of two-story homes with pools, large yards, lush landscaping, and mature trees. The home located to the northeast of the Property is a newly built, modern single-family home.

Prior Approvals. The DRB approved the Proposed Home in accordance with plans entitled “420 South Hibiscus Design Review Board Final Submittal”, as designed by

DOMO Architecture + Design, signed, sealed and dated November 12, 2019, (the "Approved DRB Plans"). See Exhibit B, 2019 DRB Order. In addition, the Board approved of a minor variance to permit a one foot (1') increase in elevation for a portion of the rear yard. See Exhibit C, Legal Minutes from July 22, 2020 DRB Meeting.¹ Further, on June 3, 2020, the Applicant obtained Building Permit No. BR1903799 for the Proposed Home (the "Building Permit") and construction is underway. See Exhibit D, Building Permit.

Request. The Applicant seeks modest alterations to the fenestration of the east side yard elevation. Specifically, the Applicant seeks to add two (2) bay windows to the second story to allow more light into the second story of the Proposed Home. Currently, the approved design of the east elevation in this area only provides a few narrow windows and leaves substantial wall space with minimal architectural treatment or relief. Further, the previously-approved letterbox windows are small and do not allow much light to enter the home.

The proposed Bay windows add architectural relief and allow increased light to enter the home by creating larger openings. The proposed bay windows are located at the second story slightly south of the midpoint of the east elevation, and adjacent to the northeast corner of the Proposed Home. Pursuant to Section 142-106(b)(13)(j) of the Code, bay windows are permitted to project into the required side yard for up to twenty-five percent (25%) of the required yard up to a maximum projection of six feet (6'). The proposed bay windows comply with the Code, as they project approximately 2' where approximately 3'-7" is permitted. It should be noted that, due to minor adjustments to the floor plan approved through the Building Permit, the addition of the proposed bay windows does not increase lot coverage, unit size, or second floor volume.

Sea Level Rise and Resiliency Criteria. The new home advances the sea level rise and resiliency criteria in Section 133-50(a) of the City Code, as follows:

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

A recycling and salvage plan for demolition of the existing home was already provided with the Building Permit.

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

The windows discussed herein are all hurricane proof impact windows.

¹ The DRB Order for DRB File No. 20-0555 has not yet been recorded. The legal minutes attached as Exhibit B demonstrate the approval of the variance on July 22, 2020.

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

The Applicant will provide, where feasible, passive cooling systems.

4. Whether resilient landscaping (salt tolerant, highly water-absorbent, native or Florida friendly plants) will be provided.

The landscaping will be Florida friendly and resilient.

5. Whether 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, including a study of land elevation and elevation of surrounding properties were considered.

The Applicant is proactively addressing sea level rise projections by raising portions of the rear yard to 16' NGVD and raising the first floor of the home to 16.50' 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.

The raised first-floor and rear yard ensure that the home is adaptable to the raising of public rights-of-ways and adjacent land and in the future.

7. Where feasible and appropriate. All critical mechanical and electrical systems are located above base flood elevation.

All mechanical and electrical systems will be located above base flood elevation.

8. Existing buildings shall be, where reasonably feasible and appropriate, elevated to the base flood elevation.

The proposed home is entirely new construction located well-above base flood elevation.

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.

No enclosed habitable space is located below base floor elevation. The understory is wet-flood proofed.

10. Where feasible and appropriate, water retention systems shall be provided.

Where feasible, water retention systems will be provided.

11. Cool pavement materials or porous pavement materials shall be utilized.

Cool pavement materials or porous pavement materials will be utilized where possible.

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

The proposed design provides wide, grassed open spaces, and non-air-conditioned shaded living spaces to strategically minimize the potential for heat island effects on site.

Further, the understory is in harmony with the Code by allowing the free flow of air and sunlight as a result of the two large understory openings to the rear yard beneath the pool and pool deck.

Conclusion. Granting the modest request will improve the design of the Proposed Home. The Applicant's goal remains to provide a home that respects the specific conditions of the Property and is consistent with the Code by providing a resilient design featuring varied architectural articulations that minimize impacts on neighboring properties. We look forward to your favorable review of the application. If you have any questions or comments in the interim, please give me a call at 305-377-6236.

Sincerely,



Matthew Amster

Attachments

cc: Michael W. Larkin, Esq.
Nicholas J. Rodriguez, Esq.