

# MIAMI BEACH

PLANNING DEPARTMENT  
Staff Report & Recommendation

Design Review Board

TO: DRB Chairperson and Members

DATE: September 10, 2021

FROM: Thomas R. Mooney, AICP  
Planning Director

SUBJECT: DRB21-0698  
**1745 West 24<sup>th</sup> Street**

An application has been filed requesting Design Review Approval for the construction of a new two-story residence, with an understory, and including one or more waivers, to replace an existing architecturally significant pre-1942 home.

## **RECOMMENDATION:**

Approval with conditions.

## **LEGAL DESCRIPTION:**

Survey of the East 2 inches of Lot 22, and all of Lot 23, Block 3H, of the Third Revised Plat of Sunset Islands, according to the plat thereof, as recorded in Plat Book 40 at Page 8, of the public records of Miami-Dade County, Florida.

## **SITE DATA:**

Zoning: RS-3  
Future Land Use: RS  
Lot Size: 13,154 SF  
Lot Coverage:  
Proposed: 3,932 SF / 29.9%  
Maximum: 3,946 SF / 30%  
Unit size:  
Proposed: 6,575 SF / 49.9%  
Maximum: 6,577 SF / 50%

## Height:

Proposed: 26'-0" flat roof from BFE +5'\*

**\*DRB WAIVER**

Maximum: 24'-0" flat roof

Grade: +4.37' NGVD

Base Flood Elevation: +8' NGVD

Adjusted Grade: +6.19' NGVD  
First Floor Elevation: +13' NGVD (BFE+5')

## **EXISTING PROPERTY:**

Year: 1937  
Architect: Robert M. Little  
First Floor Elevation: 7.53' NGVD  
Vacant: No  
Demolition: Total

## **SURROUNDING PROPERTIES:**

North: Canal  
South: One-story 1948 residence  
West: Two-story 1946 residence  
East: Two-story 1940 residence

## **THE PROJECT:**

The applicant has submitted plans entitled "Miami Beach Residence", as designed by **Preschel + Bassan Studio**, signed, sealed, and dated July 5, 2021.

The applicant is proposing to construct the residence above allowable 'understory' spaces instead of infilling with berms and tiered site work:

1. Understory area shall be subject to the review and approval of the Design Review Board in accordance with Section 142-105(b)(4)(e).

The applicant is requesting the following design waiver(s):

1. The height of the proposed structure is 28'-0" in accordance with Section 142-105(b); 28' as measured from BFE +3, or 11' NGVD.

**COMPLIANCE WITH ZONING CODE:**

A preliminary review of the project indicates that the application, as proposed, appears to be inconsistent with the following sections of the City Code:

- Subject to the review and approval of the Design Review Board the following may apply to the understory area(s): Understory area(s) shall be used only for open air activities, parking, building access, mechanical equipment, non-enclosed restrooms and storage.
- Section 142-105(b)(1) *Lot area, lot width, lot coverage, unit size, and building height requirements*. The lot area, lot width, lot coverage, and building height requirements for the RS-1, RS-2, RS-3, RS-4 single-family residential districts are as follows: **RS-3 May be increased up to 28 feet for flat roofs when approved by the DRB in accordance with the applicable design review criteria.**

The above noted comments shall not be considered final zoning review or approval. These and all zoning matters shall require final review and verification by the Zoning Administrator prior to the issuance of a Building Permit.

**COMPLIANCE WITH DESIGN REVIEW CRITERIA:**

Design Review encompasses the examination of architectural drawings for consistency with the criteria stated below with regard to the aesthetics, appearances, safety, and function of the structure or proposed structures in relation to the site, adjacent structures and surrounding community. Staff recommends that the following criteria are found to be satisfied, not satisfied or not applicable, as hereto indicated:

1. The existing and proposed conditions of the lot, including but not necessarily limited to topography, vegetation, trees, drainage, and waterways.  
**Satisfied**
2. The location of all existing and proposed buildings, drives, parking spaces, walkways, means of ingress and egress, drainage facilities, utility services, landscaping structures, signs, and lighting and screening devices.  
**Not Satisfied; the applicant is requesting a design waiver from the board, which may have a negative impact on the lower scaled homes of the immediate area.**
3. The dimensions of all buildings, structures, setbacks, parking spaces, floor area ratio, height, lot coverage and any other information that may be reasonably necessary to

determine compliance with the requirements of the underlying zoning district, and any applicable overlays, for a particular application or project.

**Not Satisfied; the applicant is requesting a design waiver from the board, which may have a negative impact on the lower scaled homes of the immediate area.**

4. The color, design, selection of landscape materials and architectural elements of Exterior Building surfaces and primary public interior areas for Developments requiring a Building Permit in areas of the City identified in section 118-252.

**Satisfied**

5. The proposed site plan, and the location, appearance and design of new and existing Buildings and Structures are in conformity with the standards of this Ordinance and other applicable ordinances, architectural and design guidelines as adopted and amended periodically by the Design Review Board and Historic Preservation Boards, and all pertinent master plans.

**Not Satisfied; the applicant is requesting a design waiver from the board, which may have a negative impact on the lower scaled homes of the immediate area.**

6. The proposed Structure, and/or additions or modifications to an existing structure, indicates a sensitivity to and is compatible with the environment and adjacent Structures, and enhances the appearance of the surrounding properties.

**Not Satisfied; the applicant is requesting a design waiver from the board, which may have a negative impact on the lower scaled homes of the immediate area.**

7. The design and layout of the proposed site plan, as well as all new and existing buildings shall be reviewed so as to provide an efficient arrangement of land uses. Particular attention shall be given to safety, crime prevention and fire protection, relationship to the surrounding neighborhood, impact on contiguous and adjacent Buildings and lands, pedestrian sight lines and view corridors.

**Satisfied**

8. Pedestrian and vehicular traffic movement within and adjacent to the site shall be reviewed to ensure that clearly defined, segregated pedestrian access to the site and all buildings is provided for and that all parking spaces are usable and are safely and conveniently arranged; pedestrian furniture and bike racks shall be considered. Access to the Site from adjacent roads shall be designed so as to interfere as little as possible with traffic flow on these roads and to permit vehicles a rapid and safe ingress and egress to the Site.

**Satisfied**

9. Lighting shall be reviewed to ensure safe movement of persons and vehicles and reflection on public property for security purposes and to minimize glare and reflection on adjacent properties. Lighting shall be reviewed to assure that it enhances the appearance of structures at night.

**Not Satisfied; a lighting plan has not been submitted.**

10. Landscape and paving materials shall be reviewed to ensure an adequate relationship with and enhancement of the overall Site Plan design.

**Satisfied**

11. Buffering materials shall be reviewed to ensure that headlights of vehicles, noise, and light from structures are adequately shielded from public view, adjacent properties and pedestrian areas.  
**Satisfied**
12. The proposed structure has an orientation and massing which is sensitive to and compatible with the building site and surrounding area and which creates or maintains important view corridor(s).  
**Not Satisfied; the applicant is requesting a design waiver from the board, which may have a negative impact on the lower scaled homes of the immediate area.**
13. The building has, where feasible, space in that part of the ground floor fronting a street or streets which is to be occupied for residential or commercial uses; likewise, the upper floors of the pedestal portion of the proposed building fronting a street, or streets shall have residential or commercial spaces, shall have the appearance of being a residential or commercial space or shall have an architectural treatment which shall buffer the appearance of the parking structure from the surrounding area and is integrated with the overall appearance of the project.  
**Satisfied**
14. The building shall have an appropriate and fully integrated rooftop architectural treatment which substantially screens all mechanical equipment, stairs and elevator towers.  
**Satisfied**
15. An addition on a building site shall be designed, sited and massed in a manner which is sensitive to and compatible with the existing improvement(s).  
**Not Applicable**
16. All portions of a project fronting a street or sidewalk shall incorporate an architecturally appropriate amount of transparency at the first level in order to achieve pedestrian compatibility and adequate visual interest.  
**Satisfied**
17. The location, design, screening and buffering of all required service bays, delivery bays, trash and refuse receptacles, as well as trash rooms shall be arranged so as to have a minimal impact on adjacent properties.  
**Not Applicable**
18. In addition to the foregoing criteria, subsection [118-]104(6)(t) of the city Code shall apply to the design review board's review of any proposal to place, construct, modify or maintain a wireless communications facility or other over the air radio transmission or radio reception facility in the public rights-of-way.  
**Not Applicable**

19. The structure and site complies with the sea level rise and resiliency review criteria in Chapter 133, Article II, as applicable.

**Not Satisfied; see below**

**COMPLIANCE WITH SEA LEVEL RISE AND RESILIENCY REVIEW CRITERIA**

Section 133-50(a) of the Land Development establishes review criteria for sea level rise and resiliency that must be considered as part of the review process for board orders. The following is an analysis of the request based upon these criteria:

1. A recycling or salvage plan for partial or total demolition shall be provided.  
**Not Satisfied; Applicant will provide a recycle/salvage plan for demolition at time of permitting.**
2. Windows that are proposed to be replaced shall be hurricane proof impact windows.  
**Satisfied**
3. Where feasible and appropriate, passive cooling systems, such as operable windows, shall be provided.  
**Satisfied**
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.  
**Satisfied**
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.  
**Satisfied**
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 of up to three (3) additional feet in height.  
**Satisfied**
7. In all new projects, all critical mechanical and electrical systems shall be located above base flood elevation. Due to flooding concerns, all redevelopment projects shall, whenever practicable, and economically reasonable, move all critical mechanical and electrical systems to a location above base flood elevation.  
**Satisfied**
8. Existing buildings shall be, where reasonably feasible and economically appropriate, elevated up to base flood elevation, plus City of Miami Beach Freeboard.  
**Not Applicable**

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**

10. In all new projects, water retention systems shall be provided.

**Satisfied**

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

**Satisfied**

12. The project design shall minimize the potential for a project causing a heat island effect on site.

**Not Satisfied**

### **ANALYSIS:**

#### **DESIGN REVIEW**

The applicant is requesting Design Review Approval for the construction of a new two-story residence on a waterfront parcel on the north side of Sunset Island 3 that will replace an existing pre-1942 architecturally significant home. The design floor elevation of the new residence is proposed at base flood elevation (8' NGVD) plus a free board +5', or +13.00' NGVD. In addition to requesting review of the design, the application is seeking one design waiver.

The applicant is requesting a waiver for the height of the residence. RS-3 zoned single-family properties can be designed with homes that have an overall height of 24'-0" for flat roof structures; such height may be increased up to four (4) additional feet through the design review board process. The allocation and distribution of this additional height is subject to DRB approval. The waiver is intended for large lots in the RS-3 districts that closely resemble lot sizes in the RS-1 (30,000 SF) and RS-2 (18,000 SF) zoning districts. The applicant is seeking an additional 2'-0" of height for the new two-story residence from BFE +5'-0", or 13' NGVD. Given that the subject site contains a lot area of 13,154 SF, and minimal lot width of 75', and the existing lower scale construction of the homes immediately abutting the site, staff is not supportive of the waiver.

The residence is designed in an elegant tropical modern style that features expansive roof overhangs, recessed wall planes and interesting screening elements and courts. Apart from the height waiver request, staff is supportive of the application and recommends approval with the conditions noted in the draft final order.

Also, in light of resident concerns regarding the number of single family construction projects within the Sunset Islands, additional conditions pertaining to minimum construction fence standards, as well as parking during the course of construction, have been included in the draft order.

**RECOMMENDATION:**

In view of the foregoing analysis, staff recommends the application be **approved with conditions**, subject to the conditions enumerated in the attached Draft Order, which address the inconsistencies with the aforementioned Design Review and Sea Level Rise criteria.