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VIA ELECTRONIC SUBMITTAL & HAND DELIVERY

October 12, 2021

Michael Belush, Chief of Planning and Zoning
Planning Department
City of Miami Beach
1700 Convention Center Drive, 2nd Floor
Miami Beach, Florida 33139

RE: DRB21-0742 – Design Review Approval for New Single-Family
Residence at 6431 Pine Tree Drive Circle, Miami Beach

Dear Mr. Belush:

This law firm represents Michael Herman (the "Applicant"), owner of the property located at 6431 Pine Tree Circle, (the "Property") in the City of Miami Beach (the "City"). The Applicant intends to build a new, Mediterranean revival-style single-family home that will complement the existing neighborhood context. This serves as the required letter of intent in connection with a request to the Design Review Board ("DRB") for design review approval of a new home to replace an existing pre-1942 two-story residence. including waivers for side yard open space and height.

Property Description. The Property is located on the northeast side of Pine Tree Drive Circle facing Allison Island to the east. The Miami-Dade County Property Appraiser's Office identifies the Property with Folio No. 02-3211-013-0040. The Property is approximately 20,815 square feet in size and consists of a single platted lot within the Beach View Addition Subdivision recorded in Plat Book 34, page 62 of the Public Records of Miami-Dade County. The Property has a unique frontage condition whereby the northern portion of the Property does not front Pine Tree Drive Circle, but rather fronts the heavily landscaped driveway entrance of the neighboring property to the north at 6455 Pine Tree Drive Circle.

The existing home is located in an extremely low-lying area of the City, with a grade elevation of only 3.50' NGVD, and the finished floor elevation of the existing home is only 6.75' NGVD. The City's

minimum required yard elevations are 6.56' NGVD and the minimum finished floor elevation of new construction is 9' NGVD for this area. The low elevation of Pine Tree Circle and low elevation of the existing home make it highly vulnerable to damaging flooding. In addition, the existing home is nonconforming with respect to its front two-story setback and southern interior side yard setback, with the two-story portion at the front of the home at a 20' setback where 30' is required, and a portion of the south elevation encroaching approximately 1'-11" into the south side yard.

The Property is located within the RS-3, Single Family Residential Zoning District, and not located in a local or national historic district. It should be noted that, the neighboring property to the north is a vacant undeveloped site that is approximately 27,860 square feet in size. Further, the surrounding neighborhood contains varying sizes and styles of single-family homes.

Development History. According to the Building Card, on file with the City and included in application materials, the existing home was constructed in 1935. Notably, however, microfilm records indicate that the existing home has been altered substantially over time. Specifically, in 1970 a second-story addition added bedrooms that altered the original design of the north elevation. Further, in 2006, the entire northern elevation of the existing home was extended, an exterior spiral staircase was added, and two accessory structures were constructed in the rear yard. Lastly, in 2007, modifications were made to the fountain and garden area at the southwest portion of the Property. These changes have significantly altered the design and character of the original design.

Proposed Home. The Applicant proposes to construct an elegant two-story residence that incorporates design elements of the existing home and fits within the existing neighborhood context. At the front, the Applicant proposes a central driveway with a two-car garage that faces internal to the Property on the south, and a one-story gym/storage structure on the north, which will be partially obstructed by the landscaping for the private driveway entrance of the neighboring property. The second level of the garage structure on the south side of the driveway serves as guest quarters, however the entrance to the proposed home where the majority of massing is located is setback approximately 56'. The additional front setback creates an inviting and open front yard and entrance sequence for the centrally situated proposed home.

As a homage to the abundant keystone pavers featured in the front yard of the existing home, the entrance of the proposed home features keystone cladding that wraps around the entire first level of the home, and carried forward to the façade of the storage/gym structure on the northside of the driveway. The keystone cladded first level

results in attractive facades with movement and architectural interest featuring materials that are historically associated with the City. The keystone is carried up to the second level with keystone trim around balconies, windows, and doors to create a cohesive and attractive design.

The centrally located, two-story elevations on the north and south provide a variety of doors, windows, and recessed courtyards that break up the mass of the proposed home. Towards the rear of the Property, the central portion of the main home is stepped back to create a large rear courtyard flanked on either side by doors, windows, and exterior terraces. The U-shaped rear of the proposed home mirrors the U-shape created by the garage and gym structure in the front yard, resulting in a clean and symmetrical design. The rear yard includes a keystone clad accessory pool cabana structure, swimming pool, and dock.

The design complies with the City of Miami Beach Code of Ordinances (the "Code") requirements with regard to setbacks, unit size, lot coverage, and open space. This ensures minimal impact on the abutting neighbors. The Applicant proposes a two-story front setback of 30' only with respect to the two-story garage/guest quarters, with the massing of the main home setback more than 56' from the front property line. Further, the proposed rear setback is 40'-4" which is greater than the minimum required 27'-1" required rear setback. The proposed unit size is approximately 10,058 square feet (48.37%) where 10,408 square feet (50%) is the maximum, and proposed lot coverage is 29.9% where a 30% maximum is permitted. Further, the proposed home provides 58.12% of the front yard as open space where 50% is required, and provides 72.1% of the rear yard as open space where 70% is required. To address chronic flooding and sea level rise, the applicant proposes a finished floor elevation of 9' NGVD, utilizing 1' of freeboard, which is a substantial improvement from the existing finished floor elevation of 6.75' NGVD (2.25' below minimum required flood elevation of 9' NGVD).

Lastly, the proposed home will be lushly landscaped with native and drought tolerant vegetation that complements the design. The overall design sufficiently addresses the intent of the Code with the main massing centrally located and a variety of architectural articulations and materials, along with extensive plantings. Notably, the Applicant is not seeking any variances of the Code.

Cost Estimate. The estimated cost of constructing the proposed home is approximately \$3,800,000.00.

Waiver Requests. The Applicant respectfully requests Design Review Board approval of the following waivers:

1. To waive the additional required open space of the two-story north side elevation located parallel to the north side property line exceeding 50% of the lot depth or 60 feet pursuant to Code Section 142-106(2)(d); and
2. To permit an increased height up 31' for the sloped roof of the main residence only as would be permitted in the RS-2 District pursuant to Code Section 142-105(b)(1).

Additional Open Space. Notably, the south elevation of the proposed home provides a fully compliant additional open space courtyard with 230 square feet of additional open space (1.1% of lot area) within a court yard that is greater than 8' deep located towards the east end of the south elevation. Thus, the requested waiver is only for the north elevation. The intent of the Code is to reduce the scale and massing of the second story portion of homes against the neighboring properties. The north elevation complies with the intent of the Code by providing multiple shifts of volume and mass that create approximately 111 square feet of additional open space, as well as utilizing architectural features and materials to break up the mass of the north elevation.

Along the north elevation, there are two recessed spaces. The first recessed space on the north elevation is located towards the west end of the north elevation and features 48 square feet of open space as well as a pergola that is 50% open to the sky. The second recessed area is situated towards the east end of the north elevation and provides 63 square feet of additional open space. In addition, the mass of the north elevation is broken up by symmetrically distributed fenestration on the ground level, a balcony at the second level, and architectural elements such as keystone cladding, and keystone cornice and trim at the top of the one-story gym/storage structure. The proposed design provides substantial movement, variation of materials, and overall interest such that it effectively breaks of the mass of the northern elevation and reduces the scale of the home.

As mentioned, the north elevation faces a currently vacant site that is over 27,000 square feet in size and features two waterfront frontages. Consequently, the thoughtfully designed north elevation of the proposed home will not impact the property to the north, which can be developed with a substantially larger home that is setback significantly from the Property. Notwithstanding the development potential of the abutting property to the north, the proposed home features significant setbacks to ensure the home is centrally located on the lot, which avoids any impacts to views of the abutting neighbors.

Height. It is important to note that the Property consists of a single platted lot that is 20,815 square feet in size, which is over 2.0 times the size of the minimum RS-3 lot size and exceeds the minimum lot size for RS-2 zoned properties by over 2,800 square feet. Both RS-1 and RS-2 allow a 31' maximum height for sloped roof homes. Since the Property exceeds the minimum lot area of properties in the RS-2 District, the Property lends itself to a 31' maximum height for sloped roofs. The requested waiver of 4' additional feet of height only applies to the central portion of the proposed home, which is substantially setback from the public frontages. The storage/garage and guest suite structures towards the front of the Property are well below their maximum permitted heights. On the south side, the portion of the proposed home requested to be 31' in height is setback further from the south property line to minimize impacts on the abutting neighbor to the south. On the north side, the neighboring property is a very large vacant corner lot with two water front frontages. Thus, any home developed on that site will be oriented towards the waterfront frontages and away from the proposed home, and the 31' requested height will not impact views of that property in any way.

Further, the Applicant proposes to actively address sea level rise and construct the proposed finished floor of the new home at base flood elevation plus one (1) foot of freeboard. The existing home is located well below base flood elevation at only 6.75' NGVD, which is 2.25' below the minimum required finished floor elevation under today's regulations and, therefore, at serious risk of flooding. The Applicant is looking to maximize the longevity and resiliency for the newly designed home, while retaining characteristics of the existing home within the proposed design. Overall, the proposed height is sensitive and compatible with the surrounding homes. Accordingly, the proposed home and associated waiver requests are consistent with the City's Design Review Criteria.

Sea Level Rise and Resiliency Criteria. The new home advances the sea level rise and resiliency criteria in Section 133-50(a) of the 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 will be provided at permitting.

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

Hurricane proof impact windows will be provided.

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.

All 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 the first floor of the home to the base flood elevation of 8' NGVD and 1' of freeboard.

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 ensures that the home is adaptable to the raising of public rights-of-ways and adjacent land 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 habitable space is located below base floor elevation.

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 a number of shaded open spaces and non-air-conditioned shaded living spaces to strategically minimize the potential for heat island effects on site. The Applicant is also providing significant plantings on the site to provide shade and reduce heat island effects.

Conclusion. Granting this design review application, with associated waivers, will permit the development of a beautiful and resilient single-family home that will be compatible with the surrounding homes and neighborhood. The modern take on a classic design provides a centrally focused massing, a variety of openings, and the opportunity for lush landscaping throughout the site. Additionally, the home complies with unit size, lot coverage, required setbacks, and open space, ensuring a minimal impact on abutting neighbors.

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

cc: Michael Herman
Nicholas Rodriguez, Esq.