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## **VIA ELECTRONIC AND HARD-COPY SUBMITTAL**

November 22, 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: **REVISED DRB21-0722** – Design Review Approval for the  
Property Located at 1649 W 22 Street, Miami Beach, Florida

Dear Michael,

This law firm represents 164922 LLC (the "Applicant"), the owner of the property located at 1649 W 22 Street (the "Property") in the City of Miami Beach (the "City"). The Applicant intends to build a new, Tropical Modern style single-family home. Please allow this letter to serve as the letter of intent in connection with a request to the Design Review Board ("DRB") for design review with waivers for height and additional open space.

Property Description. The Property is a waterfront, pie-shaped lot located on Sunset Island 4. The Miami-Dade County Property Appraiser's Office identifies the Property with Folio No. 02-3228-001-1920. See Exhibit A, Property Appraiser Summary Report. According to the Property Appraiser, the home was constructed in 1988, with modifications in 1989. The dual frontage lot is approximately 21,497 square feet in size. The Property is located within the RS-3, Single Family Residential Zoning District. The island contains varying sized and styles of single-family homes.

Proposed Development. The Applicant proposes to construct an exquisitely designed, Tropical Modern two-story residence. The Applicants goal is to improve the existing conditions and provide a beautiful new home that will contribute to the architectural integrity of the island. The entrance features a mix of natural elements, such as a wood garage door perpendicular to the abutting road and a pond with floating steps leading to the main

entrance. The variety of elements and articulations continues to the side elevations and rear of the home. The pool is located closer to the home, preserving views of the Bay. The layout of the home follows the drastic pie-shape of the lot, and the two-story massing starts eight-four (84) feet from the public right of way and over twelve (12) feet from the abutting neighbors. Additionally, the modest roof deck is centrally located on the Property. The purposeful layout of the home, with varying projections, cut-outs, window shapes, and overhangs, ensures minimal impact on abutting neighbors and privacy for the residents.

The Applicant's design complies with the City of Miami Beach Code of Ordinances (the "Code") requirements for all setbacks, unit size, and lot coverage. This ensures minimal impact on the abutting neighbors. The Applicant proposes increased first and second level front setbacks of 33'-10.5" and 84'-0" respectively, which is significantly greater than the 20' and 40' required and the 80' of the previous home. Also, the proposed rear setback is 43'-5.5", which is significantly greater than the minimum required 34'-3" rear setback. The size of the proposed home is approximately 10,385 square feet (48% of the lot size), which is also below the allowable 50% unit size limit. The proposed lot coverage is within the 30% maximum permitted at approximately 28.3%.

Both side elevations contain a variety of additional open space moments with sufficient movement that effectively reduce the scale of the home. One important design element is the water feature that begins at the front entrance and wraps to the south side. The southeast side features an extremely unique 15' by 16' trellis covered cutout with a raised pond cascading into the wraparound water feature and space for a lush tree. The design also includes a solid side property wall, up to 7' above adjusted grade, in lieu of a 3" open pickets above a solid wall. The two-story elevation along the north is setback further from the front and rear, and features a variety of openings and overhangs to minimize the massing. In response to Planning Department recommendations, solid walls were introduced as pockets for the sliding glass doors for the waterfront façade at the ground floor lounge area and office and the second floor bedrooms. These additional design elements are both functional, break up the elevation, and add visual interest. The north also provides a juxtaposition of materials from the first story with concrete brush finishes and smooth stucco and second story with the light stained Ipe wood finishes, which purposefully adds contrast and interest.

The proposed landscape includes removal many of the non-shade palms in order to make way for twenty-eight (28) new trees. According to the arborist report, prepared by Alvey Tree Consulting and included in the application materials, there is only one tree and it is only in a fair condition with poorly attached shoot growth, and visible decay. The larger shade trees are strategically placed along the property lines and around the driveway to reduce the impacts of heat island effects.

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. The Applicant is not seeking any variances of the Code.

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

1. Code Section 142-106(2)(d), to waive the additional required open space of the two-story side elevations located parallel to a side property lines exceeding 50% of the lot depth or 60 feet; and
2. Code Section 142-105(b)(1), to permit an increased height up to 28' for a flat roof.

*Additional Open Space.* The intent of the Code is to reduce the scale and massing of the second story portion of homes against the neighboring properties. The proposed design provides substantial movement and interest along both elevations. There are significant moments of recess with water and landscaping elements. The design also takes advantage of a variety of natural materials to reduce the scale significantly. The lengths in between and on either side are sufficiently fragmented with windows and doors, as well as open balconies. Additionally, the layout of the home complies with the required side yard setbacks, yard open spaces, unit size, and lot coverage. Therefore, the intent of the Code is satisfied and the centrally located main home, with varying architectural interest in design and materials, has a minimal impact on the abutting neighbors.

In order to address the Planning Department's recommendation and mitigate the waiver request, the Applicant has further refined the northeast façade with several additional recesses and changing the materiality of the second floor from the first floor. Specifically, on the ground floor, a 4' recessed window was added between the garage and start of the two-story portion, and a towards the center of the two-story portion an additional 10' recessed window was added. At the second floor, three (3) additional windows were added, as well as wood cladding to differentiate the levels. This provides more significant movement and condenses the visual impact of the previously proposed facade.

*Height.* At 21,497 square feet in size, the Property is larger than the minimum size of a RS-2 zoned lot and close to the minimum size of a RS-1 zoned lot. Both RS-1 and RS-2 allow a 28' maximum building height. Therefore, the comparable lot size lends itself to the 28'. Significant portions of the elevations are stepped back and recessed, so that the additional height does not occur for the entire length of the home along the property lines. All massing is centrally located within the lot. There are significant front and rear setbacks (notably 84' and 43') for the 2-story portions to ensure the home is centrally located on the lot, which will preserve

views and minimize any potential impacts to the abutting neighbors. This is an improved condition from the side and front setbacks of the previous home. Additionally, the Applicant proposes to actively address sea level rise and construct the proposed finished floor of the new home at base flood elevation, plus two (2) feet of freeboard. The Applicant is looking to the longevity and resiliency of the newly designed home. The proposed height is sensitive and compatible with the surrounding properties.

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 9' NGVD and 2' 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 large open spaces and non-air-conditioned shaded living spaces to strategically minimize the potential for heat island effects on site.

Conclusion. Granting this design review application, with associated waivers, will permit the development of a compatible and resilient single-family home that will add value to the surrounding neighborhood. The Tropical Modern design features a variety of beautiful natural moments and lush landscaping. The home significantly complies with unit size, lot coverage, and required setbacks, ensuring a minimal impact on abutting neighbors. The Applicant has responded to design review comments and further refined and articulate the northeast and waterfront facades. This minimizes any potential impact of the waivers and adds visual interest.

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,

A handwritten signature in blue ink, appearing to read "Matthew", followed by a long horizontal line extending to the right.

Matthew Amster

Attachments

cc: Michael W. Larkin, Esq.  
Emily K. Balter, Esq.

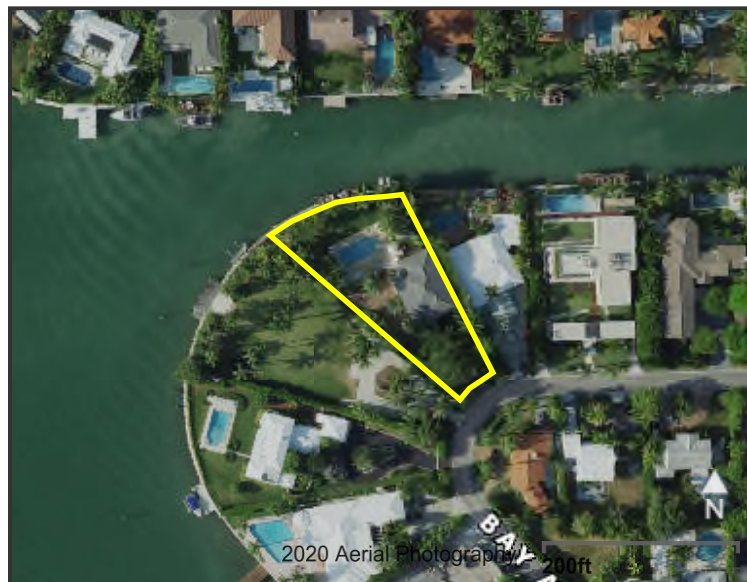


# OFFICE OF THE PROPERTY APPRAISER

## Summary Report

Generated On : 8/12/2021

Property Information	
<b>Folio:</b>	02-3228-001-1920
<b>Property Address:</b>	1649 W 22 ST Miami Beach, FL 33140-4512
<b>Owner</b>	164922 LLC
<b>Mailing Address</b>	196 BAY LN WATER MILL, NY 11976 USA
<b>PA Primary Zone</b>	0800 SGL FAMILY - 1701-1900 SQ
<b>Primary Land Use</b>	0101 RESIDENTIAL - SINGLE FAMILY : 1 UNIT
<b>Beds / Baths / Half</b>	4 / 3 / 1
<b>Floors</b>	3
<b>Living Units</b>	1
<b>Actual Area</b>	5,976 Sq.Ft
<b>Living Area</b>	4,287 Sq.Ft
<b>Adjusted Area</b>	4,537 Sq.Ft
<b>Lot Size</b>	19,812 Sq.Ft
<b>Year Built</b>	Multiple (See Building Info.)



Assessment Information			
Year	2021	2020	2019
<b>Land Value</b>	\$5,928,741	\$5,547,360	\$5,547,360
<b>Building Value</b>	\$388,756	\$391,573	\$394,886
<b>XF Value</b>	\$49,734	\$50,211	\$50,915
<b>Market Value</b>	\$6,367,231	\$5,989,144	\$5,993,161
<b>Assessed Value</b>	\$3,439,935	\$3,392,441	\$3,316,170

Benefits Information				
Benefit	Type	2021	2020	2019
<b>Save Our Homes Cap</b>	Assessment Reduction	\$2,927,296	\$2,596,703	\$2,676,991
<b>Homestead</b>	Exemption	\$25,000	\$25,000	\$25,000
<b>Second Homestead</b>	Exemption	\$25,000	\$25,000	\$25,000
Note: Not all benefits are applicable to all Taxable Values (i.e. County, School Board, City, Regional).				

Short Legal Description	
27-28-33-34 53 42 PB 40-8 SUNSET ISLANDS-ISLAND NO 4 LOT 23 BLK 4A LOT SIZE 19812 SQ FT OR 20450-4259 05 2002 1	

Taxable Value Information			
	2021	2020	2019
<b>County</b>			
Exemption Value	\$50,000	\$50,000	\$50,000
Taxable Value	\$3,389,935	\$3,342,441	\$3,266,170
<b>School Board</b>			
Exemption Value	\$25,000	\$25,000	\$25,000
Taxable Value	\$3,414,935	\$3,367,441	\$3,291,170
<b>City</b>			
Exemption Value	\$50,000	\$50,000	\$50,000
Taxable Value	\$3,389,935	\$3,342,441	\$3,266,170
<b>Regional</b>			
Exemption Value	\$50,000	\$50,000	\$50,000
Taxable Value	\$3,389,935	\$3,342,441	\$3,266,170

Sales Information			
Previous Sale	Price	OR Book-Page	Qualification Description
04/01/2021	\$13,412,500	32442-0420	Qual by exam of deed
07/26/2012	\$0	28389-0695	Corrective, tax or QCD; min consideration
07/26/2012	\$3,150,000	28205-1458	Qual by exam of deed
05/01/2002	\$2,900,000	20450-4259	Sales which are qualified

The Office of the Property Appraiser is continually editing and updating the tax roll. This website may not reflect the most current information on record. The Property Appraiser and Miami-Dade County assumes no liability, see full disclaimer and User Agreement at <http://www.miamidade.gov/info/disclaimer.asp>

Version: