

MIAMI BEACH

PLANNING DEPARTMENT

Staff Report & Recommendation

Design Review Board

TO: DRB Chairperson and Members

DATE: February 1, 2022

FROM: Thomas R. Mooney, AICP
Planning Director



SUBJECT: DRB21-0748
5661 Pine Tree Drive

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

RECOMMENDATION:

Approval of the design with conditions

LEGAL DESCRIPTION:

Lot 12, Block 1A, of Beach View according to the Plat thereof as recorded in the Plat Book 9, Page 158, of the Public Records of Miami-Dade County, Florida.

BACKGROUND:

At the January 4, 2022 meeting the application was continued to a date certain of February 1, 2022 due to the lack of a quorum.

SITE DATA:

Zoning: RS-3
Future Land Use: RS
Lot Size: 13,623 SF
Lot Coverage:
Proposed: 3,673 SF / 26.12%
Maximum: 4,086 SF / 30%
Unit size:
Proposed: 6,383 SF / 46.9%
Maximum: 6,811 SF / 50%
Height:
Proposed: **28'-0"** flat roof*
DRB WAIVER
Maximum: 24'-0" flat roof

Base Flood Elevation: +8.00' NGVD
Adjusted Grade: 6.125' NGVD
First Floor Elevation: +10' NGVD (BFE+2' FB)

EXISTING PROPERTY:

Year: 1934
Architect: Frank Wyatt Woods
Vacant: No

SURROUNDING PROPERTIES:

East: Indian Creek Canal
North: Two-Story 1935 residence
South: Two-Story 2004 residence
West: Two-Story 1931 residence

Grade: +4.25' NGVD

THE PROJECT:

The applicant has submitted plans entitled "Private Residence" as designed by **Kobi Karp Architecture and Interior Design, Inc.**, signed and sealed November 10, 2021.

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 +2, or 10' 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, in addition to the requested variance:

- 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.
Satisfied.
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 one design waiver from the Board.
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 one design waiver from the Board.
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 one design waiver from the Board.
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. However, the applicant is requesting one design waiver from the Board.
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 one design waiver from the Board.

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
A recycling plan shall be provided as part of the submittal for a demolition/building permit to the building department.
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 54 of the City Code.
Not Applicable
10. In all new projects, water retention systems shall be provided.
Satisfied; additional information will be required at the time of building permit

in order to demonstrate compliance.

11. Cool pavement materials or porous pavement materials shall be utilized.
Satisfied; additional information will be required at the time of building permit in order to demonstrate compliance.

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

Satisfied; additional information will be required at the time of building permit in order to demonstrate compliance.

STAFF ANALYSIS:

The applicant is proposing to construct a new two-story residence on a waterfront site. Additionally the application includes one design waiver.

The design waiver request is 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 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 4'-0" of height for the new two-story residence from BFE +2'-0", or 10' NGVD. The additional height has been allocated to the southern section of the home that is approximately 42% of the total roof area and which abuts a two-story 2013 residence with a height of 27'. The subject site has a lot area of 13,623 SF, exceeding the minimum lot area required for RS-3 lots by 3,623 SF, however, it is not close to the 18,000 SF minimum lot area for an RS-2 zoned site. While the proposed design is below the maximum lot coverage and unit size, staff finds that the request for a full 4' of height is not proportionate to the size of the lot and would be impactful on adjacent neighbors. As such staff recommends denial of the height waiver.

The residence has been designed in a contemporary style. The residence features a rich material palette that contrasts wood cladding with stone walls. White stucco banding with chamfered edges frames wood clad portions of the second floor. Staff is supportive of the design and recommends its approval with the noted recommendations.

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.