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VIA CSS & HAND DELIVERY

January 3, 2022

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

RE: **DRB21-0771** – Letter of Intent – Design Review of Proposed
New Single-Family Home Located at 4570-80 North Bay
Road, Miami Beach, Florida

Dear Mr. Belush:

This law firm represents MAG NBR LLC (the "Applicant") in their application for design review of a new single-family home located at 4570-4580 North Bay Road in the City of Miami Beach (the "City") and identified by Miami-Dade County Folio Nos. 02-3222-011-0170 ("4570 Parcel") and 02-3222-011-0160 ("4580 Parcel") (collectively the "Property"). Please consider this the Applicant's letter of intent in support of a request to the Design Review Board ("DRB") for design review and waiver for a new single-family home with an understory.

Property Description. The Property is made up of two waterfront parcels that combine for approximately 49,689 square feet (1.14 acres) in size. Currently, the 4580 Parcel is improved with a single-family residence built in 2007. The 4580 Parcel is vacant unimproved land. The Applicant intends to aggregate the individual parcels to develop the Property with one (1) new single-family residence.

With respect to land use and zoning, the Property is designated Single Family Residential ("RS") by the Future Land Use Map of the City's Comprehensive Plan, and is zoned single family residential ("RS-2").

Description of Proposed Development. The Applicant proposes to construct an elegantly-designed, contemporary 2-story residence with an understory (the "Proposed Home"). The Proposed Home features high quality material and well-articulated massing, and abundant landscaped open space. The design

includes several intricate water features that connect interior and exterior areas of the home, and a large open yard at the rear of the home. The massing of the proposed home is broken into three (3) separate volumes – a single story office and recreation room at the front of the Property, a centrally located two-story main home, and a vertically oriented two-story wing on the northside of the Property. Stone-clad architectural blades punctuate the Proposed Home's separate volumes and create movement and architectural interest. The front of the Proposed Home provides a large water feature and a green roof atop a single-story volume at its northwest corner. The design proposes a fully-compliant understory with parking, enclosed entrance hall, sculpture garden, and water feature that is linked to the first level with open volumes and a water wall. Overall the Proposed Home is masterfully designed to meet the needs of the Applicant's family while being consistent and compatible with the existing built context of North Bay Road.

The Proposed Home complies with the requirements of the RS-2 Zoning District with respect to lot coverage, unit size, setbacks, and elevation. Specifically, the Proposed Home provides:

- Height of 28' where 28' is permitted for flat roofs;
- Lot coverage of 28.9% (14,351 square feet) where 30% (14,910 square feet) is permitted;
- Unit size of 19,560 square feet (39.4%) where 24,850 square feet (50%) is permitted;
- Front Yard open space of 70.4% (2,846 square feet) where 70% is required; and
- Rear Yard open space of 70.5% (5,750 square feet) where 70% is required.

In addition, the Proposed Home features finished floor elevation of 13' NGVD, which is equivalent to BFE plus maximum freeboard (5'). This makes the Proposed Home more resilient to sea level rise and flooding.

Cost Evaluation. Construction of the Proposed Home is estimated to cost approximately \$14,408,000.00

Requests. To achieve the proposed home, the Applicant seeks the following requests from the DRB:

- 1) Design review of the proposed understory in accordance with Section 142-105(b)(4)(d) of the Code;
- 2) Waiver pursuant to Section 142-106(a)(2)(d) of the Code of requirement to provide fewer than 497 square feet (1% of lot area) of additional open space along the north side elevation.

Proposed Understory. The proposed understory makes the Proposed Home more resilient to flooding, while providing additional areas for covered parking, landscaping, recreation, and storage. The front of the proposed understory is open to the elements and adjacent to two water features and lush landscaping. The water features in conjunction with the understory will give the appearance that the home is floating behind the forecourt. The north side of the understory is utilized for a partially enclosed covered parking area connected to a private driveway that runs along the north side of the Property. The south side of the proposed understory provides a sculpture garden with an open volume to the first level interior of the Proposed Home, as well as water feature and water wall that seamlessly links the floating exterior courtyard on the southside of the Proposed Home to the understory

The proposed understory complies with Section 142-105(b)(4)(d) of the Code, as its uses are consistent with the uses permitted by the Code, such as parking, building access, a non-enclosed restroom, recreation, and storage. Further, the stair vestibule is located in close proximity to the center of the floor plan and is visually recessive such that it does not become a vertical extension of the exterior building elevation. Lastly, the sides of the understory are substantially open and there are appropriate links to the first level to allow the free flow of air and light throughout the area. Accordingly, the proposed understory is consistent with the intent and purpose of the Code and the City's Design Review Criteria.

Waiver Request. The Applicant respectfully requests Design Review Board approval of one (1) waiver for the north elevation in accordance with Section 142-106(a)(2)(d) of the Code. The proposed north elevation complies with the intent of the Code by providing two (2) recessed courtyard areas along the northern elevation that are at least 8' deep. The additional open space, while not meeting the required 1% of the lot area, meets the intent of the Code by providing a total of 293 square feet of additional open space within two (2) recessed courtyard areas.

The additional open space satisfies the intent of the Code because there are two breaks along the northern elevation of the Proposed Home, the open courtyards have a regular shape, are generally open to the sky from grade, and are at least 8' depth from the required side setback line. The first courtyard is located towards the front of the north elevation, is over 14' deep, and provides approximately 241 square feet of additional open space. The second courtyard is located towards the rear of the north elevation, is 8' deep, and provides approximately 52 square feet of additional open space. It should be noted that the majority of the massing of existing home to the north of the Property located at 4600 North Bay Road is located on the north side of that property. Thus, combination of recessed courtyards with approximately 293 square feet of additional open space, substantial fenestration, and a 25' side interior setback where only 20'-4" is required, breaks up the mass of the Proposed Home in a manner that ensures there is no impact on the neighboring property to the north.

Sea Level Rise and Resiliency Criteria. The proposed project advances the sea level rise and resiliency criteria in Section 133-50(a) as follows:

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

The Applicant will provide a recycling or salvage plan during permitting.

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

The Proposed Home will feature hurricane impact windows.

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

The design of the Proposed Home features multiple courtyards, and outdoor covered living area, and proposes to include operable windows where appropriate. Further, the abundant landscaping and permeable materials contribute to passive cooling, which represents a significant improvement from the existing condition.

(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.

The Applicant has worked with a landscape architect to provide landscaping that is appropriate for the Property, with plant species that are native, salt-tolerant, and Florida-friendly. The proposed plantings are appropriate for the area and specifically selected to increase flood resilience and improve stormwater drainage on the Property.

(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.

The Proposed Home features no residentially habitable space below base flood elevation. The finished floor elevation of 13' NGVD is equivalent to BFE plus maximum freeboard to provide flood and sea level rise protection.

(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 up to three (3) additional feet in height.

The driveways and garage are designed with future roadway elevation projects in mind. In addition, the increased Finished Floor Elevation of the Proposed Home from the existing condition makes the Property more adaptable to future road raising projects.

(7) As applicable to all new construction, all critical mechanical and electrical systems shall be located above base flood elevation. All redevelopment projects shall, whenever practicable and economically reasonable, include the relocation of all critical mechanical and electrical systems to a location above base flood elevation.

Proper precautions will be taken to ensure the critical mechanical and electrical systems are located above base flood elevation.

(8) Existing buildings shall, wherever reasonably feasible and economically appropriate, be elevated up to base flood elevation, plus City of Miami Beach Freeboard.

Not applicable, the existing homes were/will be lawfully demolished.

(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.

The design of the Proposed Home does not feature any habitable space below base flood elevation plus Freeboard.

(10) As applicable to all new construction, water retention systems shall be provided.

The Proposed Home will retain all stormwater on-site. Notably, the Proposed Home features permeable pavers in the front yard, which serves to allow natural percolation and reduce stormwater runoff.

(11) Cool pavement material or porous pavement materials shall be utilized.

The Applicant proposes a substantial increase in cool and/or porous pavement materials, including a 100% permeable driveway in the front yard.

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

The Applicant proposes a roof terrace with abundant landscaping and solar panels. All of these features serve to minimize heat island effect.

Conclusion. The Applicant's proposed design offers a beautifully designed modern home on a double lot in the RS-2 District. The Proposed Home complements the existing mosaic of architectural styles within the North Bay Road neighborhood, is consistent with the intent of the Code in all respects, and improves resilience of the Property. We therefore respectfully request your favorable review and recommendation. If you have any questions or comments, please call me at 305-377-6236.

Sincerely,



Matthew Amster

cc: Nicholas Rodriguez, Esq.