

MIAMI BEACH

PLANNING DEPARTMENT

Staff Report & Recommendation

Design Review Board

TO: DRB Chairperson and Members

DATE: June 7, 2022

FROM: Thomas R. Mooney, AICP
Planning Director



SUBJECT: DRB22-0811
16 West DiLido Drive

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

RECOMMENDATION:

Approval with conditions

LEGAL DESCRIPTION:

See "Exhibit A"

SITE DATA:

Zoning:	RS-3
Future Land Use:	RS
Lot Size:	17,780 SF
Lot Coverage:	
Proposed:	5,332 SF / 29.9%
Maximum:	5,334 SF / 30%
Unit size:	
Proposed:	8,769 SF / 46.2%
Maximum:	8,890 SF / 50%

Base Flood Elevation: +9.00' NGVD
Adjusted Grade: +7.765' NGVD
First Floor Elevation: +10.00' NGVD
(BFE+2' FB)

EXISTING STRUCTURE:

Year:	1941
Architect:	Unknown
Vacant:	No
Demolition:	Total

Height:
Proposed: **28'-0" flat roof ***
***DRB WAIVER**
Maximum: 24'-0" flat roof

Grade: +6.53' NGVD

SURROUNDING PROPERTIES:

East: Two-story 2013 residence
North: Two-story 1940 residence
South: Biscayne Bay
West: One-story 2004 residence

THE PROJECT:

The applicant has submitted plans entitled "Private Residence" as designed by **Kobi Karp Architecture and Interior Design, Inc.** signed, sealed, and dated April 8, 2022.

The applicant is proposing to construct a new two-story residence on a waterfront lot on the south end of DiLido Island to replace an existing two-story, pre-1942 architecturally significant residence.

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

1. A waiver to increase the maximum allowed height of 24'-0" to a height 28'-0", for a portion of a flat roof, pursuant to Section 142-105(b)(1) of the city code.
2. 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 Section 142-106(2)(d) of the city code.

COMPLIANCE WITH ZONING CODE:

A preliminary review of the project indicates that the application, as proposed, appears to be consistent with the following sections of the City Code, with the exception of the requested waivers.

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; See staff analysis. The applicant is requesting two design waivers 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.

Satisfied

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.

Satisfied.

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 site 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).

Satisfied; See staff analysis. The applicant is requesting two design waivers from the Board.

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.
Not Applicable
14. The building shall have an appropriate and fully integrated rooftop architectural treatment which substantially screens all mechanical equipment, stairs and elevator towers.
Not Applicable
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.
Not Applicable
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
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.
Not Satisfied
- (4) Whether resilient landscaping (salt tolerant, highly water-absorbent, native or Florida friendly plants) will be provided.
Satisfied
- (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.
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.
Satisfied
- (7) Where feasible and appropriate, all critical mechanical and electrical systems shall be located above base flood elevation.
Satisfied
- (8) Existing buildings shall be, where reasonably feasible and appropriate, elevated to the base flood elevation.
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.
- (10) In all new projects, water retention systems shall be provided.
Not 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
- (12) The project design shall minimize the potential for a project causing a heat island effect on site.
Satisfied; the project incorporates green roofs.

STAFF ANALYSIS:
DESIGN REVIEW

The applicant is proposing to construct a new two-story residence on a waterfront site at the southern end of DiLido Island that will replace an existing pre-1942 architecturally significant two-story home. The applicant is requesting two design waivers from the Board.

The design of the new residence is in a contemporary, Brutalist style of architecture that exhibits expansive wall planes of materiality with punctures of minimal glazing and openings. The residence features a rich material palette of warm stone contrasted against warm metal accents and dark stucco. The design also features vegetated roofs that soften the severity of the home's style. Overall, staff is supportive of the design yet does recommend the incorporation of fenestration on the street facing façade of the one story garage structure.

The first design waiver is for the length of the 2-story east side elevation. Two-story side elevations located parallel to a side property line shall not exceed 50 percent of the lot depth, or 60 feet, whichever is less, without incorporating additional open space, in excess of the minimum required side yard, directly adjacent to the required side yard. The additional open space shall be regular in shape, open to the sky from grade, and at least eight feet in depth, measured perpendicular from the minimum required side setback line. The square footage of the additional open space shall not be less than one percent of the lot area. The intent of this regulation shall be to break up long expanses of uninterrupted two-story volume at or near the required side yard setback line and exception from the minimum requirements of this provision may be granted only through design review board approval in accordance with the applicable design review criteria. While the subject elevation does provide an open space that is at least 1% of the lot area, per the Code's requirements, the proposed open space is not 50% landscaped, but rather composed of a reflecting pool with small landscaped pod in the center, and thus not complying with the strict requirements of the code. Staff is supportive of this waiver since the open space complies with the code in shape and area, successfully breaking up the two-story massing.

The second design waiver pertains to the height of the residence. The maximum building height in the RS-3 zoning district is 24'-0" for flat-roofed structures. However, in the RS-3 zoning district, the DRB may approve a building height of up to 28'-0" for flat roofs. The applicant is seeking a height waiver of 4'-0". The intent of the waiver is for lots in the RS-3 districts that closely resemble lot sizes in the RS-1 and RS-2 zoning districts. The subject site, 17,780 SF, is close to the minimum lot area size of RS-2 lots, which is 18,000SF. An RS-2 lot can, as a matter of right, construct a flat roof with a height of 28'-0". Given the size of the lot coupled with a large front setback of the second-floor massing and the design's successful attempt at planar movement along both interior side elevations at the second floor, staff is supportive of the requested 4'-0" height waiver as it finds that the increase in height should not negatively impact its surrounding neighbors.

In conclusion, staff is supportive of the overall design of the home and recommends approval with the noted modifications.

RECOMMENDATION:

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

“Exhibit A”

Legal Description:

Lot 9, Block 1, DI LIDO, an island in Biscayne Bay, as per Plat thereof recorded in Plat Book 8, Page 36, of the Public Records of Dade County, Florida; together with an eight (8) foot strip adjoining said lot, which eight (8) foot strip is bounded as follows: On the Southerly side by Biscayne Bay, on the Northerly side by the southerly line of Lot 9, Block 1, DI LIDO, on the Westerly side by the Westerly line of Lot 9, Block 1, DI LIDO, produced in a Southerly direction on the East by the Easterly line of Lot 9, Block 1, DI LIDO produced in a Southerly direction, AND ALSO the Westerly quarter of Lot 8 of Block 1, DI LIDO according to Plat Book 8, Page 36 of the Public Records of Dade County, Florida, described as follows:

Beginning at a point where the dividing line of lots 8 and 9, Block 1, DI LIDO intersects the Southerly line of West Di Lido Island Drive; thence in a Southwesterly direction along said dividing line of said Lots 8 and 9, to the Southwest corner of said Lot 8; thence Easterly along the Southerly line of said Lot 8 a distance of 25.989 feet to a point; thence Northerly along a line to 12.2445 feet Easterly from the point of beginning measured along the Southerly boundary of West Di Lido Island Drive thence Westerly along the Southerly line of West Di Lido Drive, a distance of 12.2445 feet to the point of beginning; and also that part of an eight (8) foot strip of land conveyed by the trustees of the Internal Improvement Fund to the Bay Biscayne Improvement Company by deed dated December 15, 1930 and recorded in Deed Book 1416, Page 77 of the Public Records of Dade County, Florida, which lies Southerly and continuous to the Southerly boundary line and between the Westerly and Easterly boundary lines of the above described property extended Southerly.