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## **VIA ELECTRONIC SUBMITTAL**

December 12, 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: **DRB22-0851** - Design Review Approval for the  
Property Located at 6455 Pine Tree Drive Circle, Miami  
Beach, Florida 33141

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Dear Mr. Belush:

This firm represents The Luce Del Sole Trust (the "Applicant"), the new owner of the property located at 6455 Pine Tree Drive Circle, (the "Property") in the City of Miami Beach (the "City"). The Applicant's goal is to build a beautifully designed single-family home with exceptional outdoor amenities, and seek an additional 4' of height. Please allow this letter to serve as the letter of intent in connection with a request to the Design Review Board ("DRB") for an additional 4' of height for new single-family home that has been previously permitted with the City of Miami Beach and is currently under construction.

Property Description. The Property is a waterfront lot comprised of approximately 32,328 SF. Uniquely, it has two corner conditions, located north of the right angle turn in Pine Tree Drive Circle and bordered by canals to the north and east. Further, it has an irregular shape, with a very narrow front corridor at the southwest corner with only 44' of frontage on Pine Tree Drive Circle, then broadening out approximately 25' to the north, non-parallel boundary lines and a rounded northeast corner at the intersection of the two canals. The Miami-Dade County Property Appraiser's Office identifies the Property with Folio No. 02-3211-013-0050. See Exhibit A, Property Appraiser Summary Report.

Located along Pine Tree Drive Circle in the RS-3, Single Family Residential Zoning District, the Property is surrounded with similar single-family homes. This residential area is predominately two-story homes with pools, roof decks, and lush landscaping.

The Property has been vacant for many years and is now under construction with a new 2-story single-family home pursuant to building permit no. BR2105528. The home is valued at approximately \$8,625,509. The new house is raised to +11' NGVD, which is 3' of freeboard for greater resiliency and complies with current codes.

Proposed Development. The Applicant proposes to continue construction and make modest refinements to the exquisitely designed, modern 2-story residence. The home features a welcoming front façade by locating a roundabout motor court with a large specimen tree at the front of the property, and setting the 2-story mass over 60' from the front property line, and over 27' from the rear property line. The Property is unique in shape with a small front entry, which the project utilizes by adding lush landscape so the house will have minimal visual impact on the street. Being a corner lot, the house was situated to open up to a large pool and pool deck that sits on the corner and has a paddle court at the west side and a 1-story accessory structure at the southeast corner, all of which helps center the house on the site far from all boundaries to create minimal impact on the adjacent and rear neighbors across the waterway.

Additionally, the perimeter of the home and perimeter of the Property will be lined with a variety of lush landscaping to highlight and frame the new home, while also providing appropriate privacy.

The project features a linear design, with accentuated banding highlighting the first and second floor proportions. In addition, the façade is proposed to receive metal and wood cladding for a high-quality finish.

Waiver Request. Notably, the Applicant does not seek any variances, but would like to seek an additional 4' of height as allowed in the RS-3 districts. The new home embraces the character of the surrounding neighborhood and complies with the Code requirements for allowable setbacks, unit size, and lot coverage. The height of the main home with a flat roof is being requested to be at 28', which is within the maximum permitted height for flat roof structures in the RS-3 district by waiver.

The main reason for the Code allowing the waiver request is that many RS-3 lots are larger than the minimum 10,000 SF and more akin to RS-2 and RS-1 lots, each of which

permit 28' height as of right. Here, the Property at 32,328 SF is substantially larger than both the minimum lot size of RS-2 (18,000 SF) and RS-1 (30,000 SF). In fact, it is 80% larger than the minimum size for RS-2. Further, the size of the proposed home is approximately 15,500 SF (47.9%), which is below the allowable 50%-unit size limit. The proposed lot coverage is within the 30%-maximum permitted at 28%. The main home and amenities all comply with the applicable required setbacks and the majority of the home, especially the second story, is significantly setback further. This ensures that the home is centrally located which minimizes any potential impacts on the neighboring lots.

Sea Level Rise and Resiliency Criteria. The new home advances the sea level rise and resiliency criteria in Section 133-50(a) of the City 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 homes has already been 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.**

In addition to preserving many specimen trees, the 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 proactively addresses sea level rise projections by raising the first floor of the home to 12' NGVD (BFE 8' + 3' 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, substantially setback from the street 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 wide, grassed open spaces, non-air-conditioned shaded living spaces, large overhangs to increase shading, minimal paving, and mature shade trees, to strategically minimize the potential for heat island effects on site.

Conclusion. The Applicant's goal is to develop their dream single-family home with beautiful architecture, compliant with the Code, and sensitive amenities that will be in harmony with the surrounding properties. The size of the Property, larger than both RS-2 and RS-1 minimums essentially means it can accommodate a total height of 28'. Based on this and due to significant centralization of the massing, granting the waiver will not have any adverse effect on the neighborhood.

We look forward to your favorable review of the application. If you have any questions or comments, please give me a call at (305) 377-6236.

Sincerely,



Matthew Amster

Attachment

cc: Kobi Karp  
Michael W. Larkin, Esq.

## **Exhibit A: Legal Description**

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF MIAMI-DADE, STATE OF FLORIDA, AS DESCRIBED AS FOLLOWS

LOT 5, BLOCK 1, OF THE SUBDIVISION OF LOT 1, BLOCK 1, OF A SUBDIVISION OF LOT 1, BLOCK 1, OF BEACH VIEW ADDITION, ACCORDING TO THE PLAT THEREOF, RECORDED IN FLAT 34, AT PAGE 62, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, WITH THE EXCEPTION OF THE PORTION OF SAID LOT DESCRIBED BY METERS AND BOUNDS AS FOLLOWS:

BEGINNING AT A CONCRETE MONUMENT SITUATED AT THE NORTHWEST CORNER OF LOT 4, BLOCK 1., OF A SUBDIVISION OF LOT 1, BLOCK 1, OF BEACH VIEW ADDITION, AS SAID LOT 4, BLOCK 1, IS RECORDED IN PLAT BOOK 34, PAGE 62, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA; RUN IN A NORTHERLY DIRECTION ALONG THE WESTERLY LINE OF SAID LOT 4 PRODUCED, A DISTANCE OF 25 FEET TO A POINT, THENCE RUN IN AN EASTERLY DIRECTION ALONG A LINE PARALLEL WITH AND 25 FEET DISTANT NORTHERLY FROM THE NORTHERLY LINE OF SAID LOT 4 A DISTANCE OF 175.4 FEET PLUS OR MINUS TO THE CONCRETE BULKHEAD ON THE WESTERLY SHORE OF INDIAN CREEK, THENCE RUN IN A SOUTHEASTERLY DIRECTION ALONG THE CONCRETE BULKHEAD ON THE WESTERLY SHORE OF INDIAN CREEK, A DISTANCE OF 25.1 FEET PLUS OR MINUS TO A POINT, THENCE RUN IN A WESTERLY DIRECTION ALONG THE NORTHERLY LINE OF SAID LOT 4 A DISTANCE OF 178.05 FEET TO THE POINT OF BEGINNING OF THE TRACT OF LAND HEREIN DESCRIBED.