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VIA ELECTRONIC SUBMITTAL

May 8, 2023

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

Re: **RESUBMITTAL DRB22-0876** – Design Review for the
Property Located at 333 E. Rivo Alto Drive, Miami Beach

Dear Mr. Belush,

This law firm represents Kerin Peterson (the "Applicant"), the owner of the property located at 333 E. Rivo Alto Drive (the "Property") in the City of Miami Beach (the "City"). The Applicant intends to build a new Modern style single-family home. Please allow this letter to serve as the letter of intent in connection with a request to go before the Design Review Board ("DRB") for design review of the proposed new home with an understory. The Applicant went before the DRB in November of 2022. Based on the DRB's comments and recommendations, the Applicant has resubmitted adjusted drawings addressing the comments relating to overall massing and increasing openness of the understory.

Property Description. The Property is a waterfront, regular shaped lot located on Rivo Alto Island north of the Venetian Causeway. The Miami-Dade County Property Appraiser's Office identifies the Property with Folio No. 02-3233-001-0450. See Exhibit A, Property Appraiser Summary Report. The dual frontage lot is approximately 10,500 square feet in size. The Property is located within the RS-3, Single Family Residential Zoning District. Additionally, the Rivo Alto Island contains varying sized and styles of single-family homes.

According to the Property Appraiser, the existing home on the Property was constructed in 1938. The survey prepared by Alvarez, Aiguesvivies and Associated, Inc., and included in the application materials provides that the existing home was constructed at a finished floor elevation of 7.79', which is considerably lower than the Base Flood Elevation of 10'.

Proposed Development. The Applicant proposes to construct an exquisitely designed, Modern two-story residence with an understory (the "Project"). The Project cost estimate is approximately \$530,000.00. The Applicant's goal is to improve the sustainability and resiliency conditions of the Property and provide a beautiful new home that will contribute to the architectural integrity of the island. The front elevation skillfully mixes a variety of materials, including stucco, and decorative stone materials. The overhang at the front has been reduced in size, made more open, and raised. The garage entrance and steps to the main entrance are softened with a flat water feature. The variety of overhang elements, eyebrows, and articulations continues to the side elevations and rear of the home.

Both side elevations contain a variety of additional open space moments with sufficient movement that effectively reduce the scale of the home. The pool is located closer to the home with an open trellis on the pool deck, preserving views of the Bay. The Applicant is not proposed a raised dock. The Project includes a centrally located roof deck. The purposeful layout of the home, with varying projections, cut-outs, window shapes, and overhangs, and openness of the understory ensures minimal impact on the abutting residents.

The Applicant's design complies with the current City of Miami Beach Code of Ordinances (the "Code") requirements for all setbacks, height, unit size, lot coverage, and understories. This ensures minimal impact on the abutting neighbors. The Applicant proposes increased first and second level front setbacks. Also, the proposed rear setback is 50', which is significantly greater than the minimum required 26'-8" rear setback. The size of the proposed home is approximately 5,339 square feet (50% of the lot size), which complies with the allowable 50% unit size limit. The proposed lot coverage is also within the 30% maximum permitted.

Understory Request. As noted, the design of the Project includes an understory. The proposed non-airconditioned, understory area will be used for open air activities and parking, with an elevator and stairs to access the first floor located as close to the center of the floor plan. The understory complies with the unit size requirements provided in

the single-family home district land development regulations. This is a necessary design element to address sea level rise and resiliency.

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 design waivers or variances of the Code.

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 10' NGVD and 5' 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 elevated first-floor with understory 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. The Applicant considered the DRB's comments and recommendations. The Project is more articulated and compatible with the neighborhood. Granting this design review application will permit the development of a resilient single-family home that will add value to the surrounding neighborhood. The Modern design features a variety of beautiful and interesting architectural moments and lush landscaping. The home significantly complies with height, unit size, lot coverage, required setbacks, and understory limitations ensuring a minimal impact on abutting neighbors. The proposed understory also confirms the Applicant's commitment to sustainability and resiliency.

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 305-377-6231.

Sincerely,

A handwritten signature in blue ink, consisting of a stylized 'M' followed by a wavy line.

Michael W. Larkin

Attachments

cc: Matthew Amster, Esq.
Emily K. Balter, Esq.



OFFICE OF THE PROPERTY APPRAISER

EXHIBIT A

Summary Report

Generated On : 8/15/2022

Property Information	
Folio:	02-3233-001-0450
Property Address:	333 E RIVO ALTO DR Miami Beach, FL 33139-1249
Owner	DAVID A SIEGEL TRS DAVID A SIEGEL REVOCABLE TRUST
Mailing Address	333 RIVO ALTO DR MIAMI BEACH, FL 33139 USA
PA Primary Zone	0800 SGL FAMILY - 1701-1900 SQ
Primary Land Use	0101 RESIDENTIAL - SINGLE FAMILY : 1 UNIT
Beds / Baths / Half	5 / 3 / 0
Floors	2
Living Units	1
Actual Area	4,552 Sq.Ft
Living Area	3,767 Sq.Ft
Adjusted Area	3,695 Sq.Ft
Lot Size	10,500 Sq.Ft
Year Built	1938



Assessment Information			
Year	2022	2021	2020
Land Value	\$5,722,500	\$4,410,000	\$3,570,000
Building Value	\$534,297	\$387,975	\$391,208
XF Value	\$31,947	\$32,211	\$32,664
Market Value	\$6,288,744	\$4,830,186	\$3,993,872
Assessed Value	\$6,288,744	\$739,502	\$729,292

Benefits Information				
Benefit	Type	2022	2021	2020
Save Our Homes Cap	Assessment Reduction		\$4,090,684	\$3,264,580
Homestead	Exemption		\$25,000	\$25,000
Second Homestead	Exemption		\$25,000	\$25,000
Note: Not all benefits are applicable to all Taxable Values (i.e. County, School Board, City, Regional).				

Short Legal Description	
RIVO ALTO AMD PB 7-74	
LOT 11 &	
8FT STRIP ADJ ON BAY BLK 3	
AND PROP INT IN & TO COMMON	
ELEMENTS NOT DEDICATED TO PUBLIC	

Taxable Value Information			
	2022	2021	2020
County			
Exemption Value	\$0	\$50,000	\$50,000
Taxable Value	\$6,288,744	\$689,502	\$679,292
School Board			
Exemption Value	\$0	\$25,000	\$25,000
Taxable Value	\$6,288,744	\$714,502	\$704,292
City			
Exemption Value	\$0	\$50,000	\$50,000
Taxable Value	\$6,288,744	\$689,502	\$679,292
Regional			
Exemption Value	\$0	\$50,000	\$50,000
Taxable Value	\$6,288,744	\$689,502	\$679,292

Sales Information			
Previous Sale	Price	OR Book-Page	Qualification Description
08/20/2021	\$8,000,000	32714-3994	Unable to process sale due to deed errors
07/29/2021	\$100	32676-0258	Corrective, tax or QCD; min consideration
05/08/2015	\$100	29619-3144	Corrective, tax or QCD; min consideration
05/09/2013	\$100	28635-0419	Corrective, tax or QCD; min consideration