

VIA HAND DELIVERY

February 04, 2024

Thomas Mooney, Planning Director  
Planning Department  
City of Miami Beach  
1700 Convention Center Drive, 2nd Floor  
Miami Beach, Florida 33139

RE: Letter of Intent in Support of Design Review Approval for the Property at 230 N Hibiscus Drive, Miami Beach Florida

Dear Tom:

This architecture firm represents '230 North Hibiscus Drive LLC' (the "APPLICANT"), the owner of the above-referenced property (the "Property"). Please consider this the Applicant's letter of intent in support of Design Review Board ("DRB") approval for the construction of a new two story single-family home with understory on the Property.

This property sits on a rectangular shaped 76' wide by 125' deep corner lot. The adjacent lot to the south (112 W Palm Midway) contains a recent two story, flat roof home, and the property to the west (250 N Hibiscus Drive) contains a one story, sloped roof, home.

#### THE PROPERTY

The Property, identified by Miami-Dade County Folio No. 02-3232-005-0330, measures approximately 9,366 square feet and is located at the northwest corner of North Hibiscus Drive and Palm Midway on Hibiscus Island, Miami Beach. The Property is located in the RS-4, Single-Family Residential Zoning District, where the surrounding area contains a mix of 1- and 2-story single-family homes. There is currently a one story home built in 1945, with an addition added in 1959, located on the property to be demolished.

#### DESCRIPTION OF PROPOSED DEVELOPMENT

The Applicant proposes to improve the parcel with a residence of approximately 4,683 square feet in size. The builder has estimated the cost of construction to be \$1.6 million. The proposed 2-story home with understory will be designed in a contemporary minimalist style with an elegant color palette and complimentary materials of stone, wood finish exterior cladding, clear glazing, and bronze finish metallic elements. Lush landscaping and green roofs will surround and beautify the property, while providing privacy for the homeowner and neighboring properties.

The Applicant proposes a home with unique architectural style, while maintaining compatibility with the scale and massing of the existing neighborhood. Importantly, the proposed home complies with the City of Miami Beach Code lot coverage and unit size requirements. The proposed home contains a unit size of 50% and lot coverage of 30%.

WAIVER REQUEST

The applicant is not seeking waivers from the code:

VARIANCE REQUEST

The applicant seeks the following variances from the code:

**1) Understory Enclosure:** Pursuant to Subsection 142-105(b)(4)(e)(1) of the LDRs, subject to review and approval of the DRB, 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 . . . . However, understory area(s) below the lowest habitable floor can utilize non-supporting breakaway walls, open-wood lattice work, louvers or similar architectural treatments, provided they are open a minimum of 50 percent on each side."

The Applicant is requesting approval from the DRB to allow less than 50 percent for the rear facing side of the understory area to be open. This is to allow for the construction of an elevated pool and lawn terrace within the rear yard which is raised to Base Flood Elevation (10 NGVD) to allow for reasonable transition and access from the first floor elevation of the home (15 NGVD). The Applicant is requesting approval to reduce the open requirement to 44% for the rear facing elevation.

**2) Side Yard Facing a Street Open Space:** Pursuant to Subsection 142-106 (a)(2)b of the LDRs. "At least 50 percent of the required side yard area facing a street shall be sodded or landscaped pervious open space. With the exception of driveways and paths leading to the building, paving may not extend any closer than five feet to the front of the building."

The city is currently enforcing 70% open space for side yards facing a street. The Applicant is requesting approval from the DRB to allow less than 70 percent open space for the side yard facing the street. This is to allow for the construction of a circular drive at the minimum dimension necessary to accommodate a SUV. The Applicant is requesting 61% open space for the side yard facing the street.

In order to authorize the requested variances, the Design Review Board shall review the following criteria:

- 1) *Special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same zoning district;*

Special conditions exist wherein it is necessary to construct a circular drive in the side yard to keep vehicular circulation within the subject property. The proposed size of the circular drive is the minimum required for maneuverability. Special circumstances exist requiring for the reasonable transition and access from the elevated first floor of the home to the elevated pool and terrace in the rear yard.

- 2) *The special conditions and circumstances do not result from the action of the applicant;*

None of special conditions or circumstances are the result of the action of the Applicant.

- 3) *Granting the variance requested will not confer on the applicant any special privilege that is denied by these land development regulations to other lands, buildings, or structures in the same zoning district;*

Granting the requested variance will not confer any special privilege denied to others.

- 4) *Literal interpretation of the provisions of these land development regulations would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of these land development regulations and would work unnecessary and undue hardship on the applicant;*

The application of the land development regulations to this Property, without the relief requested, would impose unnecessary and undue hardship on the Applicant by imposing requirements typically applied to larger front yards.

- 5) *The variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure;*

The Applicant has sought the minimum variances necessary for the project and meets most of the requirements imposed on this property.

- 6) *The granting of the variance will be in harmony with the general intent and purpose of these land development regulations and that such variance will not be injurious to the area involved or otherwise detrimental to the public welfare;*

The granting of the requested variance will be in harmony with the general intent and purposes of the land development regulations and not injurious to the area or detrimental to the public welfare.

- 7) *The granting of this request is consistent with the comprehensive plan and does not reduce the levels of service as set forth in the plan. The planning and zoning director may require applicants to submit documentation to support this requirement prior to the scheduling of a public hearing or any time prior to the board voting on the applicant's request; and*

The granting of the requested variances is consistent with the comprehensive plan as it will allow for the construction of a single-family home on a property with a residential land use designation. The Project will replace existing residential structures and will not reduce applicable levels of service.

The granting of the variance will result in a structure and site that complies with the sea level rise and resiliency review criteria in chapter 133, article II, as applicable.

SEAL LEVEL RISE AND RESILIENCY CRITERIA – Section 133-50(a):

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

**A recycling or salvage plan for partial or total demolition will be provided under separate cover at the appropriate time in the development process.**

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

**All proposed windows will be hurricane proof impact windows.**

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

**Passive Cooling systems, including, but not limited to, operable windows, overhangs, and elevated structure, will be provided.**

(4) Whether resilient landscaping (salt tolerant, highly water-absorbent, native or Florida friendly plants) will be provided.

**Resilient and native landscaping has been incorporated into landscape design.**

(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.

**Adopted Sea level rise projections in the Southeast Florida Regional Climate Action Plan, including a study of land elevation and elevation of surrounding properties, were considered.**

(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 ground floor, driveways, and garage ramping are adaptable to the raising of public rights-of-ways and adjacent land. The streets on Hibiscus Island have been raised.**

(7) Where feasible and appropriate, all critical mechanical and electrical systems shall be located above base flood elevation.

**All critical mechanical and electrical systems are located above base flood elevation.**

(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.

**Wet or dry flood-proofing systems will be provided in accordance with Chapter 54 of the City Code for habitable space located below the base flood elevation plus City of Miami Beach Freeboard.**

(10) Where feasible and appropriate, water retention systems shall be provided.

**As noted above, wet or dry flood-proofing systems will be provided in accordance with Chapter 54 of the City Code for habitable space located below the base flood elevation plus City of Miami Beach Freeboard. Civil will shall provide for drainage and retention as required and appropriate.**

#### CONCLUSION

Approval of the proposed residence will permit development of a well-designed single-family home which will undoubtedly enhance the composition of the neighborhood. The Applicant proposes a contemporary design that demonstrates thoughtful consideration for the existing built context, including the height and proportions of the neighboring context. As the Applicant has taken careful measures to mitigate any negative impact of the proposed development, we respectfully request that you approve the proposed design. The proposed design captures the spirit of the land development regulations and will not result in negative impacts to the neighborhood. We look forward to your favorable review of the application. If you have any questions or comments, please contact me directly at (305) 674-8031.

Respectfully Submitted,



ROBERT MOEHRING  
Architect, Landscape Architect, LEED AP  
PRINCIPAL