

MIAMI BEACH

PLANNING DEPARTMENT

Staff Report & Recommendation

Design Review Board

TO: DRB Chairperson and Members

DATE: September 05, 2017

FROM: Thomas R. Mooney, AICP
Planning Director

SUBJECT: DRB17-0159
1825 West 24th Street – Single Family Residence

The applicant, Bart Reines, is requesting Design Review Approval for the construction of a new single family two-story residence, including two design waivers (two-story side elevations without additional open space), to replace an existing two-story, single-family residence.

RECOMMENDATION:

Approval with conditions

LEGAL DESCRIPTION:

Lot 20, Block 3H, Sunset Islands No 3, according to Plat thereof as recorded in Plat Book 40, Page 8 of the Public Records of Miami-Dade County, Florida.

SITE DATA:

Zoning: RS-3
Future Land Use: RS
Lot Size: 13,125 SF (75x175)
Lot Coverage

Existing: 4,513 SF / 34%
Proposed: 3,241 SF / 24.7%
Maximum: 3,937.5 SF / 30%

Unit size:

Existing: 5,072 SF / 41%
Proposed: 6,390 SF / 48.6%
Maximum: 6,562.5 SF / 50%

2nd Floor Volume to 1st: **NA < 25%**

Height:

Proposed: 28'-0" skylight (4'-0" above main roof line)*
24'-0" main residence (measured above BFE+1')

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

Grade: +2.82' NGVD

Future Grade: +5.25' NGVD

Base Flood: +8.00' NGVD

Difference: 5.18'

Adjusted Grade: +5.41' NGVD

30" (+2.5') Above Grade: +7.91' NGVD
First Floor Elevation: +9.00' NGVD

Surrounding Properties

East: (2) two-story 1936 residence
North: Biscayne Bay
South: (2) two-story 1940 residence
West: (2) two-story 1986 residence

EXISTING STRUCTURE:

Year Constructed: 1950 (According to Miami-Dade property appraiser)
Architect: No record
Vacant: No
Demolition Proposed: Full

THE PROJECT:

The applicant has submitted plans entitled "1825 West 24th St Residence" as prepared by **Kobi Karp Architecture + Design**, signed, sealed, and dated July 14, 2017.

The applicant is proposing to construct a new contemporary two-story residence on the site that will replace an existing post-1942 two-story residence.

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

1. A two-story side elevation in excess of 60'-0" in length in accordance with Section 142-106(2)(d).
2. The height of the proposed skylight is **28'-0"** in accordance with Section 142-105(b).

COMPLIANCE WITH ZONING CODE:

A preliminary review of the project indicates that the application, as proposed, appears to be inconsistent with the following sections of the City Code, in addition to the requested variance:

1. Two-story side elevations located parallel to a side property line shall not exceed 50 percent of the lot depth, or 60'-0", 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 1% 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 this provision may be granted **through DRB approval** in accordance with the applicable design review criteria.
2. Skylight must be all glass in order to be considered a skylight OR in the alternative request an increase of height.

3. The maximum building height is 24'-0" for flat roofed structures and 27'-0" for sloped roofs. In the RS-3 zoning district, the DRB may approve a building height of up to 28'-0" for flat roofs and 31'-0" for sloped roofs, and exception from this provision may be granted through DRB approval in accordance with the applicable design review criteria. **The applicant is requesting a height of 28'-0" for portions of the second floor roofline (SKYLIGHT) which will require a waiver from the DRB.**
4. The rooftop trellis is not an allowable height exception in single family districts.
5. The diameter of the exterior spiral stair when covered must count towards unit size

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.
Not Satisfied; the applicant is requesting two design waivers from the Board.
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; 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.
Not Satisfied; the applicant is requesting two design waivers from the Board.

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.
Satisfied; a lighting plan has 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
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.

Satisfied

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.

Satisfied

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.

Not Satisfied

Sea Level Rise projections were not taken into account.

- (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.

Satisfied

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

Not Satisfied

STAFF ANALYSIS:

DESIGN REVIEW

The applicant is proposing a new two-story residence on the northern waterside of Sunset Island No. 3 to replace an existing two-story residence built in 1952. The applicant submitted an application for permit plans to the Building Department on 04/03/17, pursuant to BR1701111. On 04/04/17, the Planning Department reviewed the permit plans and consequentially denied the plans for several reasons, among them was noncompliance with Section 142-106(2)(d)—requiring two-story side elevations in excess of 60'-0" in length to design the required open space break in the massing. Design Review staff met with the client to verify the comments and offer design alternatives to the applicant. Upon consultation with the client, and neighbor outreach, the design team decided to submit an application for Design Review Board approval requesting the two design waivers instead of altering the plans to comport with the Code.

The house is designed in a contemporary style and contains approximately 6,390 SF of air

conditioned space, yielding a unit size of slightly less than 49% where 50% is the maximum allowed. The lot coverage is approximately 24.7% of the lot which is well below the 30% allowed; further, since the lot coverage footprint is below 25%, the design is not restricted to the 70% volumetric second floor limitation.

The applicant is requesting a waiver of the open space requirement for two-story elevations that exceed 60'-0" in length, along both sides (east and west) property lines. Regarding the waiver as it pertains to the west side, the entire two-story west elevation spans 73'-0" in length measured from vertical framing element to vertical framing element. The applicant is proposing a 13'x14' open space recess at the approximate halfway portion of the elevation. This 182 SF open space adheres to the minimum percentage of area, is 100% landscaped and is predominantly open to the sky. However, at the second level an exterior spiral stair with 3'-9" radius is suspended above leading to the roof deck. Therefore, the open space requirement does not meet the specific requirements for being "100% open to the sky". Additionally, to better transition to the interior of the ground level of home which is at finished floor of +9.00' NGVD, the landscaped open space has been elevated to 8.55' NGVD. Therefore, the open space requirement does not meet the specific requirements for being no higher than adjusted grade, or 7.91' in this case. As proposed, the resulting open space will still satisfy most of the criteria of the regulation and endeavor the intent of the ordinance since the designated open space successfully breaks up the massing of the two-story elevation.

Regarding the waiver as it pertains to the east (side) elevation the entire two-story east elevation spans 86'-8" in length measured from vertical framing element to vertical framing element (68'-1" from edge of enclosed second floor). The west elevation has been designed with two open framing elements that terminate the south and north building edge. The horizontal banding extends from column to column in an uninterrupted expanse. The architect has opened up both ends of the frame to limit the massing and have the frames serve as accent features to the elevation. Further, an additional recess that is open to the sky has been configured for the second floor between the master bathroom and master bedroom. This outdoor room is open to the sky, but screened from the neighbor by both a planter and slanted vertical privacy screens. Staff believes the east (side) facade is overly stark and would recommend the introduction of some additional architectural features, or changes in plane, or to continue some of the vertical detail articulation, as found at the double-story pool terrace wall, along the façade. This would further break up the two-story massing, and create more movement and architectural interest. Finally, the rooftop trellis is not an allowable height exception in single-family homes, and must be removed from the drawings. Staff is supportive of the design waiver(s) along both side property lines and maintains the approval will not have an adverse impact on the neighboring properties.

Regarding the waiver request as it pertains to the increase in height, a skylight is an allowable height exception in single family districts; provided that the skylights do not exceed five feet above the main roofline, and provided that the area of skylight(s) does not exceed 10% of the total roof area of the roof in which it is placed. In this design, the projecting elements have been configured with a square concrete roof with clerestory windows around to allow light into the enclosed floor below. Since a skylight is simply a window installed in a roof or ceiling, glass should be the defining material and area of the element. As proposed, the concrete roof with minimal clerestory fenestration was

determined to not be a 'skylight' and would need to be either redesigned with substantially more glass or removed entirely. However, since the subject property is zoned RS-3, the DRB may approve a building height of up to 28'-0" for flat roofs. The architect is seeking 4'-0" additional height for the two square concrete roof projections. One measures 7'-5"x7'-10" and the other measures 9'-4"x9'-10" and are both located centrally in the roof plan adjacent to the elevator. If they were constructed entirely of glass, the elements would be allowed to project 5'-0" above the main roof. Staff is supported of the height increase in both of these limited rooftop areas.

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 criteria.

TRM/JGM

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DESIGN REVIEW BOARD
City of Miami Beach, Florida

MEETING DATE: September 05, 2017

FILE NO: DRB17-0159

PROPERTY: **1825 West 24th Street**

APPLICANT: Bart Reines

LEGAL: Lot 20, Block 3H, Sunset Islands No 3, according to Plat thereof as recorded in Plat Book 40, Page 8 of the Public Records of Miami-Dade County, Florida.

IN RE: The Application for Design Review Approval for the construction of a new single family two-story residence, including two design waivers (two-story side elevations without additional open space), to replace an existing two-story, single-family residence.

ORDER

The City of Miami Beach Design Review Board makes the following FINDINGS OF FACT, based upon the evidence, information, testimony and materials presented at the public hearing and which are part of the record for this matter:

I. Design Review

- A. The Board has jurisdiction pursuant to Section 118-252(a) of the Miami Beach Code. The property is not located within a designated local historic district and is not an individually designated historic site.
- B. Based on the plans and documents submitted with the application, testimony and information provided by the applicant, and the reasons set forth in the Planning Department Staff Report, the project as submitted is inconsistent with Design Review Criteria 2, 3, and 5 in Section 118-251 of the Miami Beach Code.
- C. Based on the plans and documents submitted with the application, testimony and information provided by the applicant, and the reasons set forth in the Planning Department Staff Report, the project as submitted is inconsistent with Sea Level Rise Criteria 1, 5, 9, and 10 in Section 133-50(a) of the Miami Beach Code.
- D. The project would be consistent with the criteria and requirements of Section 118-251 and/ or Section 133-50(a) if the following conditions are met:
 - 1. Revised elevation, site plan, and floor plan drawings for the proposed new home at 1825 West 24th Street shall be submitted, at a minimum, such drawings shall incorporate the following:

- a. A recycling plan shall be provided as part of the submittal for a demolition/building permit to the building department, in a manner to be reviewed and approved by staff.
- b. The west side open space requirement shall be waived as proposed.
- c. The east side open space requirement shall be waived as proposed, provided the architect would recommend the introduce additional architectural features, or changes in plane, or to continue some of the vertical detail articulation, as found at the double-story pool terrace wall, along the façade in order to further break up the two-story massing, and create more movement and architectural interest, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
- d. The proposed increase in height (28'-0") shall be permitted as proposed; limited to the two skylights; while the maximum height of the two story structure shall be 24'-0" when measured from BFE + freeboard (1'-0").
- e. The final design details and color selection of the wood louvers finish shall be submitted, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
- f. The final design details and color selection of the horizontal gray stacked stone wall finish shall be submitted, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
- g. The final design details and color selection of the decorative slanted vertical privacy screens shall be submitted, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
- h. The final design details and color selection of the decorative "gray wood texture" material shall be submitted, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
- i. The proposed active habitable roof deck shall not exceed a combined deck area of 25% of the enclosed floor area immediately one floor below.
- j. Parapet walls or railings, only when associated with a habitable roof deck, are not to exceed three and one-half feet above the finished roof deck height, and shall be set back a minimum of 10'-0" from the perimeter of the enclosed floor below.
- k. Any proposed structure not permitted by Code as an allowable height exception shall be eliminated from the active roof deck area.

- l. Hardwired speakers shall not be permitted on the roof deck.
 - m. The final Design details of the exterior materials and finishes shall be submitted, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
 - n. A copy of all pages of the recorded Final Order shall be scanned into the plans submitted for building permit, and shall be located immediately after the front cover page of the permit plans.
 - o. Prior to the issuance of a Certificate of Occupancy, the project Architect shall verify, in writing, that the subject project has been constructed in accordance with the plans approved by the Planning Department for Building Permit.
- 2. A revised landscape plan, and corresponding site plan, shall be submitted to and approved by staff. The species, type, quantity, dimensions, spacing, location and overall height of all plant material shall be clearly delineated and subject to the review and approval of staff. At a minimum, such plan shall incorporate the following:
 - a. Prior to the issuance of a building permit, the applicant shall submit a tree protection plan for all trees to be retained on site. Such plan shall be subject to the review and approval of staff, and shall include, but not be limited to a sturdy tree protection fence installed at the dripline of the trees prior to any construction.
 - b. In order to identify, protect and preserve mature trees on site, which are suitable for retention and relocation, a Tree Report prepared by a Certified Tree Arborist shall be submitted for the mature trees on site.
 - c. Any tree identified to be in good overall condition shall be retained, and protected in their current location if they are not in conflict with the proposed home, or they shall be relocated on site, if determined feasible, subject to the review and approval of staff. A tree care and watering plan also prepared by a Certified Arborist shall be submitted prior to the issuance of a Building Permit or Tree Removal/Relocation Permit. Subsequent to any approved relocation, a monthly report prepared by a Certified Arborist shall be provided to staff describing the overall tree performance and adjustments to the maintenance plan in order to ensure survivability, such report shall continue for a period of 18 months unless determined otherwise by staff.
 - d. Existing trees to be retained on site shall be protected from all types of construction disturbance. Root cutting, storage of soil or construction materials, movement of heavy vehicles, change in drainage patterns, and wash of concrete or other materials shall be prohibited.

- e. The proposed and existing trees located within the swale shall be subject to the review and approval of Green Space and CIP.
- f. Street trees shall be required within the swale at the front of the property if not in conflict with existing utilities, in a manner to be reviewed and approved by the Public Works Department.
- g. Any existing plant material within the public right-of-way may be required to be removed, as the discretion of the Public Works Department.
- h. A fully automatic irrigation system with 100% coverage and an automatic rain sensor in order to render the system inoperative in the event of rain. Right-of-way areas shall also be incorporated as part of the irrigation system.
- i. The utilization of root barriers and/or Silva Cells, as applicable, shall be clearly delineated on the revised landscape plan.
- j. If technically feasible, all overhead utility lines adjacent to the subject property shall be placed underground.
- k. The applicant shall verify, prior to the issuance of a Building Permit, the exact location of all backflow preventers and all other related devices and fixtures. The location of backflow preventers, Siamese pipes or other related devices and fixtures, if any, and how they are screened with landscape material from the right-of-way, shall be clearly indicated on the site and landscape plans, and shall be subject to the review and approval of staff.
- l. The applicant shall verify, prior to the issuance of a Building Permit, the exact location of all applicable FPL transformers or vault rooms. The location of any exterior transformers and how they are screened with landscape material from the right of wall shall be clearly indicated on the site and landscape plans and shall be subject to the review and approval of staff.
- m. Prior to the issuance of a Certificate of Occupancy, the Landscape Architect or the project architect shall verify, in writing, that the project is consistent with the site and landscape plans approved by the Planning Department for Building Permit.

In accordance with Section 118-262, the applicant, or the city manager on behalf of the City Administration, or an affected person, Miami Design Preservation League or Dade Heritage Trust may seek review of any order of the Design Review Board by the City Commission, except that orders granting or denying a request for rehearing shall not be reviewed by the Commission.

II. Variance(s)

- A. No variance(s) were filed as part of this application.

The decision of the Board regarding variances shall be final and there shall be no further review thereof except by resort to a court of competent jurisdiction by petition for writ of certiorari.

III. General Terms and Conditions applying to both 'I. Design Review Approval and II. Variances' noted above.

- A. During Construction of the new home, the Applicant will maintain gravel at the front of the construction site within the first 15'-0" of the required front yard to mitigate disturbance of soil and mud by related personal vehicles existing and entering the site and with an eight foot (8'-0") high fence with a wind resistant green mesh material along the front of the property line. All construction materials, including dumpsters and portable toilets, shall be located behind the construction fence and not visible from the right-of-way. All construction vehicles shall either park on the private property or at alternate overflow parking sites with a shuttle service to and from the property. The Applicant shall ensure that the contractor(s) observe good construction practices and prevent construction materials and debris from impacting the right-of-way.
- B. A Construction Parking and Traffic Management Plan (CPTMP) shall be approved by the Parking Director pursuant to Chapter 106, Article II, Division 3 of the City Code, prior to the issuance of a Building Permit.
- C. The final building plans shall meet all other requirements of the Land Development Regulations of the City Code.
- D. The Final Order shall be recorded in the Public Records of Miami-Dade County, prior to the issuance of a Building Permit.
- E. Satisfaction of all conditions is required for the Planning Department to give its approval on a Certificate of Occupancy, a Temporary Certificate of Occupancy or Partial Certificate of Occupancy may also be conditionally granted Planning Departmental approval.
- F. The Final Order is not severable, and if any provision or condition hereof is held void or unconstitutional in a final decision by a court of competent jurisdiction, the order shall be returned to the Board for reconsideration as to whether the order meets the criteria for approval absent the stricken provision or condition, and/or it is appropriate to modify the remaining conditions or impose new conditions.
- G. The conditions of approval herein are binding on the applicant, the property's owners, operators, and all successors in interest and assigns.
- H. Nothing in this order authorizes a violation of City Code or other applicable law, nor allows a relaxation of any requirement or standard set forth in the City Code.

IT IS HEREBY ORDERED, based upon the foregoing findings of fact, the evidence, information testimony and materials presented at the public hearing, which are part of the record for this matter, and the staff report and analysis, which are adopted herein, including the staff

recommendations, which were amended and adopted by the Board, that the **application** is GRANTED for the above-referenced project subject to those certain conditions specified in Paragraph I, II, III of the Finding of Fact, to which the applicant has agreed.

PROVIDED, the applicant shall build substantially in accordance with the plans, entitled "1825 West 24th St Residence" as prepared by **Kobi Karp Architecture + Design**, signed, sealed, and dated July 14, 2017, and as approved by the Design Review Board, as determined by staff.

When requesting a building permit, the plans submitted to the Building Department for permit shall be consistent with the plans approved by the Board, modified in accordance with the conditions of approval that must be satisfied prior to permit issuance, as set forth in this Order, have been met.

The issuance of the approval does not relieve the applicant from obtaining all other required Municipal, County and/or State reviews and permits, including final zoning approval. If adequate handicapped access is not provided on the Board approved plans, this approval does not mean that such handicapped access is not required. When requesting Building permit, the plans submitted to the Building Department for permit shall be consistent with the plans approved by the Board, modified in accordance with the conditions set forth in this Order.

If the Full Building Permit for the project is not issued within eighteen (18) months of the meeting date at which the original approval was granted, the application will expire and become null and void, unless the applicant makes an application to the Board for an extension of time, in accordance with the requirements and procedures of Chapter 118 of the City Code, the granting of any such extension of time shall be at the discretion of the Board. If the Full Building Permit for the project shall expire for any reason (including but not limited to construction not commencing and continuing, with required inspections, in accordance with the applicable Building Code), the application will expire and become null and void.

In accordance with Chapter 118 of the City Code, the violation of any conditions and safeguards that are a part of this Order shall be deemed a violation of the land development regulations of the City Code. Failure to comply with this **Order** shall subject the application to Chapter 118 of the City Code, for revocation or modification of the application.

Dated this _____ day of _____, 20____.

DESIGN REVIEW BOARD
THE CITY OF MIAMI BEACH, FLORIDA

BY: _____
JAMES G. MURPHY
CHIEF OF URBAN DESIGN
FOR THE CHAIR

