

June 11, 2018

To: Design Review Board Members and Planning Department Staff,

Re: Request for a Modification to a Design Review Board Approval, File #23165, for a New Residence Located at 122 W. Dilido Dr. Miami Beach, FL. 33139

Dear Board Members and Planning Staff,

The applicant is Travel Charter Business, LTD, the owner of the property located at 122 W. Dilido Dr. Let this letter serve as the Letter of Intent in support of the owner's request for a modification to the Design Review Board (DRB) approval for the construction of a new residence. The house is currently under construction, where the structural work is nearly completed.

The applicant is requesting a modification to the Design Review Board Approval, File #23165, to add an elevator with a 10' high bulkhead and a spiral stair. The proposed elevator hoistway and spiral stair will encroach in a required side courtyard and the applicant is requesting a waiver of the minimum courtyard requirements, per Sec. 142-106 (2)(d).

The applicant presented a similar application (DRB18-0244) before the DRB on June 5, 2018, where the DRB approved the addition of an active roof deck, and a spiral stair that encroached in the side courtyard, from 2nd floor to roof level only. The elevator as proposed in the previous application was not included as part of the approval.

The applicant is not satisfied with the outcome, primarily because he has a disabled father that would require an elevator for vertical circulation, and would like the DRB to reconsider the addition of the elevator in the side courtyard. There were a number of reasons why the DRB saw inappropriate to approve an elevator in a required side courtyard at the time they heard the last application, but we believe we have addressed those concerns in this attempt to have the DRB waive the requirement for the required courtyard. I believe that had we had the support from our neighbor, better understood our egress requirements, and presented a more compelling need for the elevator than an aesthetically pleasing convenience, the Board would have been more receptive to our previous attempt at an approval for the elevator.

The neighbor to the south, at 118 W Dilido Drive, had expressed opposition to the proposal, citing privacy issues. We've been communicating with the neighbor on the design so that he would be pleased with the final product and relieved of privacy concerns. As such, we've made the south wall of the elevator enclosure solid, to deny any view from the elevator into the neighbor's property. We've also clad the enclosure with wood, to provide a richer finish than a painted stucco surface, and allowed for ivy to grow over it, so that it blends better with the landscaping. We've sent our proposed changes to the neighbor but are still awaiting feedback. Upon confirming that the changes addressed his concerns to his satisfaction, he said he would also pledge his support for this application. We will follow up with Staff upon securing our neighbor's support.

Another concern with the previous application was that a ship's ladder was shown as a means of egress from the roof deck. The Board felt that it was not a proper means of egress and that another element, like a spiral stair, would be required to provide that means of egress, and that this element would impact the design such that it would need to be considered by DRB as part of the application. Though we argued that the Florida Building Code Residential does not spell out explicit requirements for egress from a roof deck, the Board did not appear convinced that the plan we submitted was compliant.

Since the meeting, we've been clarifying the code requirement for egress on a roof deck for a single-family residence with Miguel Anderson, a plans reviewer for the Building section on the Building Department in the City of Miami Beach. According to Mr. Anderson, a means of egress is required from the roof deck, neither an elevator nor a ship's ladder qualifies as a means of egress, and the minimum the code would allow for a means of egress is a spiral stair. The Board was correct to point out that our egress plan was not sufficient and that other provisions were required. As such, on the south side of the new elevator enclosure, we propose to mount a spiral stair that rises from the intermediate landing of the interior stair to the roof deck level. The spiral stair is designed in accordance with the building codes for

means of egress so that it would comply with egress requirements.

Finally, though not known at the time of the previous application, the applicant, who intends to live at this residence full-time upon completion, has a disabled father who will need an elevator to circulate around the house in his wheelchair. More than just a feature that is being added for its design and convenience value, the elevator will serve to provide access for those with disabilities. We hope the DRB would consider this upon evaluation of this application.

I ask for your support and vote in favor of the modification so that we implement in the field. We ask that the Board approve the application as submitted. Should you have any questions regarding the application, please do not hesitate to contact our office at the number listed below.

Sincerely,



Ralph Choeff