

# MIAMI BEACH

## PLANNING DEPARTMENT

1700 Convention Center Drive, Miami Beach, Florida 33139; Tel: 305.673.7550; Web: [www.miamibeachfl.gov/planning](http://www.miamibeachfl.gov/planning)

### LAND USE BOARD HEARING APPLICATION

The following application is submitted for review and consideration of the project described herein by the land use board selected below. A separate application must be completed for each board reviewing the proposed project.

Application Information			
FILE NUMBER DRB18-0325			
<input type="radio"/> <b>Board of Adjustment</b> <input type="checkbox"/> Variance from a provision of the Land Development Regulations <input type="checkbox"/> Appeal of an administrative decision		<input checked="" type="radio"/> <b>Design Review Board</b> <input checked="" type="checkbox"/> Design review approval <input type="checkbox"/> Variance	
<input type="radio"/> <b>Planning Board</b> <input type="checkbox"/> Conditional use permit <input type="checkbox"/> Lot split approval <input type="checkbox"/> Amendment to the Land Development Regulations or zoning map <input type="checkbox"/> Amendment to the Comprehensive Plan or future land use map		<input type="radio"/> <b>Historic Preservation Board</b> <input type="checkbox"/> Certificate of Appropriateness for design <input type="checkbox"/> Certificate of Appropriateness for demolition <input type="checkbox"/> Historic district/site designation <input type="checkbox"/> Variance	
<input type="checkbox"/> <b>Other:</b>			
Property Information - Please attach Legal Description as "Exhibit A"			
ADDRESS OF PROPERTY 15 E. San Marino Drive			
FOLIO NUMBER(S) 02-3232-003-0460			
Property Owner Information			
PROPERTY OWNER NAME 15 San Marino, LLC			
ADDRESS 60 E. 42ND ST., STE. 3200		CITY NEW YORK	STATE NY
ZIP CODE 10162			
BUSINESS PHONE 212-302-9867	CELL PHONE	EMAIL ADDRESS chris@heidnerlaw.com	
Applicant Information (if different than owner)			
APPLICANT NAME Same as Above			
ADDRESS		CITY	STATE
ZIP CODE			
BUSINESS PHONE	CELL PHONE	EMAIL ADDRESS	
Summary of Request			
PROVIDE A BRIEF SCOPE OF REQUEST New 2-story single-family home to replace existing home, including height waiver. See letter of intent for more details.			

<b>Project Information</b>			
Is there an existing building(s) on the site?		<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Does the project include interior or exterior demolition?		<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Provide the total floor area of the new construction.		6,169.85	SQ. FT.
Provide the gross floor area of the new construction (including required parking and all usable area).		6,668.6	SQ. FT.
<b>Party responsible for project design</b>			
NAME Matias Alem, BRG Studio, LLC		<input checked="" type="checkbox"/> Architect <input type="checkbox"/> Contractor <input type="checkbox"/> Landscape Architect <input type="checkbox"/> Engineer <input type="checkbox"/> Tenant <input type="checkbox"/> Other _____	
ADDRESS 605 Lincoln Rd St 302		CITY Miami Beach	STATE FL      ZIPCODE 33139
BUSINESS PHONE 305-397-8788	CELL PHONE	EMAIL ADDRESS accounts@brg.studio	
<b>Authorized Representative(s) Information (if applicable)</b>			
NAME Michael W. Larkin, Esq., Bercow Radell Fernandez & Larkin, PLLC		<input checked="" type="checkbox"/> Attorney <input type="checkbox"/> Contact <input type="checkbox"/> Agent <input type="checkbox"/> Other _____	
ADDRESS 200 S. Biscayne Blvd, Suite 850		CITY Miami	STATE FL      ZIPCODE 33131
BUSINESS PHONE (305) 374-5300	CELL PHONE	EMAIL ADDRESS mlarkin@brzoninglaw.com	
NAME Matthew Amster, Esq., Bercow Radell Fernandez & Larkin, PLLC.		<input checked="" type="checkbox"/> Attorney <input type="checkbox"/> Contact <input type="checkbox"/> Agent <input type="checkbox"/> Other _____	
ADDRESS 200 S. Biscayne Blvd, Suite 850		CITY Miami	STATE FL      ZIPCODE 33131
BUSINESS PHONE (305) 374-5300	CELL PHONE	EMAIL ADDRESS mamster@brzoninglaw.com	
NAME Emily Balter, Esq., Bercow Radell Fernandez & Larkin, PLLC.		<input checked="" type="checkbox"/> Attorney <input type="checkbox"/> Contact <input type="checkbox"/> Agent <input type="checkbox"/> Other _____	
ADDRESS 200 S. Biscayne Blvd, Suite 850		CITY Miami	STATE FL      ZIPCODE 33131
BUSINESS PHONE (305) 374-5300	CELL PHONE	EMAIL ADDRESS ebalter@brzoninglaw.com	

**Please note the following information:**

- A separate disclosure of interest form must be submitted with this application if the applicant or owner is a corporation, partnership, limited partnership or trustee.
- All applicable affidavits must be completed and the property owner must complete and sign the "Power of Attorney" portion of the affidavit if they will not be present at the hearing, or if other persons are speaking on their behalf.
- To request this material in alternate format, sign language interpreter (five-day notice is required), information on access for persons with disabilities, and accommodation to review any document or participate in any City sponsored proceedings, call 305.604.2489 and select (1) for English or (2) for Spanish, then option 6; TTY users may call via 711 (Florida Relay Service).

**Please read the following and acknowledge below:**

- Applications for any board hearing(s) will not be accepted without payment of the required fees. All checks are to be made payable to the "City of Miami Beach".
- Public records notice – All documentation submitted for this application is considered a public record subject to Chapter 119 of the Florida Statutes and shall be disclosed upon request.
- In accordance with the requirements of Section 2-482 of the code of the City of Miami Beach, any individual or group that will be compensated to speak or refrain from speaking in favor or against an application being presented before any of the City's land use boards, shall fully disclose, prior to the public hearing, that they have been, or will be compensated. Such parties include: architects, engineers, landscape architects, contractors, or other persons responsible for project design, as well as authorized representatives attorneys or agents and contact persons who are representing or appearing on behalf of a third party; such individuals must register with the City Clerk prior to the hearing.
- In accordance with Section 118-31. – Disclosure Requirement. Each person or entity requesting approval, relief or other action from the Planning Board, Design Review Board, Historic Preservation Board or the Board of Adjustment shall disclose, at the commencement (or continuance) of the public hearing(s), any consideration provided or committed, directly or on its behalf, for an agreement to support or withhold objection to the requested approval, relief or action, excluding from this requirement consideration for legal or design professional service rendered or to be rendered. The disclosure shall: (I) be in writing, (II) indicate to whom the consideration has been provided or committed, (III) generally describe the nature of the consideration, and (IV) be read into the record by the requesting person or entity prior to submission to the secretary/clerk of the respective board. Upon determination by the applicable board that the foregoing disclosure requirement was not timely satisfied by the person or entity requesting approval, relief or other action as provided above, then (I) the application or order, as applicable, shall immediately be deemed null and void without further force or effect, and (II) no application form said person or entity for the subject property shall be reviewed or considered by the applicable board(s) until expiration of a period of one year after the nullification of the application or order. It shall be unlawful to employ any device, scheme or artifice to circumvent the disclosure requirements of this section and such circumvention shall be deemed a violation of the disclosure requirements of this section.
- When the applicable board reaches a decision a final order will be issued stating the board's decision and any conditions imposed therein. The final order will be recorded with the Miami-Dade Clerk of Courts. The original board order shall remain on file with the City of Miami Beach Planning Department. Under no circumstances will a building permit be issued by the City of Miami Beach without a copy of the recorded final order being included and made a part of the plans submitted for a building permit.

The aforementioned is acknowledged by:

☐ Owner of the subject property    ☒ Authorized representative**SIGNATURE**

Christian Curtis, title here

**PRINT NAME**

8/16/18

**DATE SIGNED**

**OWNER AFFIDAVIT FOR INDIVIDUAL OWNER**

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

I, N/A, being first duly sworn, depose and certify as follows: (1) I am the owner of the property that is the subject of this application. (2) This application and all information submitted in support of this application, including sketches, data, and other supplementary materials, are true and correct to the best of my knowledge and belief. (3) I acknowledge and agree that, before this application may be publicly noticed and heard by a land development board, the application must be complete and all information submitted in support thereof must be accurate. (4) I also hereby authorize the City of Miami Beach to enter my property for the sole purpose of posting a Notice of Public Hearing on my property, as required by law. (5) I am responsible for remove this notice after the date of the hearing.

**SIGNATURE**

Sworn to and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_. The foregoing instrument was acknowledged before me by \_\_\_\_\_, who has produced \_\_\_\_\_ as identification and/or is personally known to me and who did/did not take an oath.

NOTARY SEAL OR STAMP

**NOTARY PUBLIC**

My Commission Expires: \_\_\_\_\_

**PRINT NAME****ALTERNATE OWNER AFFIDAVIT FOR CORPORATION, PARTNERSHIP OR LIMITED LIABILITY COMPANY**STATE OF NEW YORKCOUNTY OF NEW YORK

I, CHRISTIAN D. CURTIS, being first duly sworn, depose and certify as follows: (1) I am the V.P. (print title) of 15 San Marino, LLC (print name of corporate entity). (2) I am authorized to file this application on behalf of such entity. (3) This application and all information submitted in support of this application, including sketches, data, and other supplementary materials, are true and correct to the best of my knowledge and belief. (4) The corporate entity named herein is the owner of the property that is the subject of this application. (5) I acknowledge and agree that, before this application may be publicly noticed and heard by a land development board, the application must be complete and all information submitted in support thereof must be accurate. (6) I also hereby authorize the City of Miami Beach to enter my property for the sole purpose of posting a Notice of Public Hearing on my property, as required by law. (7) I am responsible for remove this notice after the date of the hearing.

**SIGNATURE**

Sworn to and subscribed before me this 16 day of AUGUST, 2018. The foregoing instrument was acknowledged before me by THALITA VILLELA, who has produced N/A as identification and/or is personally known to me and who did/did not take an oath.

NOTARY SEAL OR STAMP

**NOTARY PUBLIC**

My Commission Expires: \_\_\_\_\_

**PRINT NAME**

THALITA VILLELA  
Notary Public, State of New York  
Registration #01VI6333269  
Qualified In Queens County  
Commission Expires Nov. 16, 2019

**POWER OF ATTORNEY AFFIDAVIT**

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

I, \_\_\_\_\_, being first duly sworn, depose and certify as follows: (1) I am the owner or representative of the owner of the real property that is the subject of this application. (2) I hereby authorize \_\_\_\_\_ to be my representative before the Design Review Board. (3) I also hereby authorize the City of Miami Beach to enter my property for the sole purpose of posting a Notice of Public Hearing on my property, as required by law. (4) I am responsible for remove this notice after the date of the hearing.

**PRINT NAME (and Title, if applicable)****SIGNATURE**

Sworn to and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_. The foregoing instrument was acknowledged before me by \_\_\_\_\_, who has produced \_\_\_\_\_ as identification and/or is personally known to me and who did/did not take an oath.

NOTARY SEAL OR STAMP

**NOTARY PUBLIC**

My Commission Expires: \_\_\_\_\_

**PRINT NAME****CONTRACT FOR PURCHASE**

If the applicant is not the owner of the property, but the applicant is a party to a contract to purchase the property, whether or not such contract is contingent on this application, the applicant shall list the names of the contract purchasers below, including any and all principal officers, stockholders, beneficiaries or partners. If any of the contact purchasers are corporations, partnerships, limited liability companies, trusts, or other corporate entities, the applicant shall further disclose the identity of the individuals(s) (natural persons) having the ultimate ownership interest in the entity. If any contingency clause or contract terms involve additional individuals, corporations, partnerships, limited liability companies, trusts, or other corporate entities, list all individuals and/or corporate entities.

N/A

**NAME****DATE OF CONTRACT**

NAME, ADDRESS AND OFFICE

% OF STOCK

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In the event of any changes of ownership or changes in contracts for purchase, subsequent to the date that this application if filed, but prior to the date of a final public hearing, the applicant shall file a supplemental disclosure of interest.

filed, but prior to the date of a final public hearing, the applicant shall file a supplemental disclosure of interest.

**DISCLOSURE OF INTEREST**  
**CORPORATION, PARTNERSHIP OR LIMITED LIABILITY COMPANY**

If the property that is the subject of the application is owned or leased by a corporation, partnership or limited liability company, list ALL of the owners, shareholders, partners, managers and/or members, and the percentage of ownership held by each. If the owners consist of one or more corporations, partnerships, trusts, partnerships or other corporate entities, the applicant shall further disclose the identity of the individual(s) (natural persons) having the ultimate ownership interest in the entity.

NAME OF CORPORATE ENTITY	
NAME AND ADDRESS	% OF OWNERSHIP

NAME OF CORPORATE ENTITY	
NAME AND ADDRESS	% OF OWNERSHIP

If there are additional corporate owners, list such owners, including corporate name and the name, address and percentage of ownership of each additional owner, on a separate page.

**DISCLOSURE OF INTEREST**  
**TRUSTEE**

If the property that is the subject of the application is owned or leased by a trust, list any and all trustees and beneficiaries of the trust, and the percentage of interest held by each. If the owners consist of one or more corporations, partnerships, trusts, partnerships or other corporate entities, the applicant shall further disclose the identity of the individual(s) (natural persons) having the ultimate ownership interest in the entity.

<hr/>	
<b>TRUST NAME</b>	
NAME AND ADDRESS	% INTEREST
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**COMPENSATED LOBBYIST**

Pursuant to Section 2-482 of the Miami Beach City Code, all lobbyists shall, before engaging in any lobbying activities, register with the City Clerk. Please list below any and all persons or entities retained by the applicant to lobby City staff or any of the City's land development boards in support of this application.

NAME	ADDRESS	PHONE
Michael W. Larkin, Matthew Amster & Emily Balter	200 S. Biscayne Blvd, Suite 850	(305) 374-5300
Matias Alem	605 Lincoln Rd St 302	(305) 397-8788

Additional names can be placed on a separate page attached to this application.

**APPLICANT HEREBY ACKNOWLEDGES AND AGREES THAT (1) AN APPROVAL GRANTED BY A LAND DEVELOPMENT BOARD OF THE CITY SHALL BE SUBJECT TO ANY AND ALL CONDITIONS IMPOSED BY SUCH BOARD AND BY ANY OTHER BOARD HAVING JURISDICTION, AND (2) APPLICANT'S PROJECT SHALL COMPLY WITH THE CODE OF THE CITY OF MIAMI BEACH AND ALL OTHER APPLICABLE CITY, STATE AND FEDERAL LAWS.**

**APPLICANT AFFIDAVIT**

STATE OF NEW YORK

COUNTY OF NEW YORK

I, CHRISTIAN D. CURTIS, being first duly sworn, depose and certify as follows: (1) I am the applicant or representative of the applicant. (2) This application and all information submitted in support of this application, including sketches, data, and other supplementary materials, are true and correct to the best of my knowledge and belief.

C. Curtis

**SIGNATURE**

Sworn to and subscribed before me this 16<sup>th</sup> day of AUGUST, 2018. The foregoing instrument was acknowledged before me by CHRISTIAN CURTIS, who has produced N/A as identification and/or is personally known to me and who did/did not take an oath.

NOTARY SEAL OR STAMP

Thalita Villela

**NOTARY PUBLIC**

My Commission Expires: 11/16/2019

THALITA VILLELA

**PRINT NAME**

THALITA VILLELA  
Notary Public, State of New York  
Registration #01VI6333269  
Qualified In Queens County  
Commission Expires Nov. 16, 2019



Exhibit A

Legal Description

LEGAL DESCRIPTION:

LOT 2, BLOCK 4, OF SAN MARINO, A SUBDIVISION, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 9, PAGE 22, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, AND

A FIVE FOOT STRIP OF LAND CONTIGUOUS TO THE SOUTHERLY BOUNDARY OF LOT 2, BLOCK 4, OF SAN MARINO, AN ISLAND IN BISCAYNE BAY, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 9, PAGE 22, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, LYING BETWEEN THE SOUTHERLY EXTENSIONS OF THE EASTERLY BOUNDARY LINE AND THE WESTERLY BOUNDARY LINE OF SAID LOT 2, BLOCK 4, OF SAN MARINO, TOGETHER WITH ANY RIPARIAN RIGHTS AND WATER PRIVILEGES THAT MAY APPERTAIN THERETO. TOGETHER WITH ALL IMPROVEMENTS LOCATED THEREON.

## **Exhibit B - Supplemental Disclosure of Interests**

### **15 San Marino, LLC**

Equity Bank and Trust Bahamas Ltd. 100%

Equity Trust House, Caves Village, West Bay Street  
PO Box N-10697, Nassau, Bahamas

### **Disclosure of Interests in Equity Bank and Trust Bahamas Ltd.**

Equity Group International Ltd. 90%

Equity Trust House, Caves Village, West Bay Street  
PO Box N-10697, Nassau, Bahamas

Jerico Walls Ltd. 10%

Equity Trust House, Caves Village, West Bay Street  
PO Box N-10697, Nassau, Bahamas

### **Disclosure of Interests in Equity Group International Ltd.**

Lignum Holdings 2009 Ltd. 46%

Equity Trust House, Caves Village, West Bay Street  
PO Box N-10697, Nassau, Bahamas

Chronicles Services Ltd. 36%

Equity Trust House, Caves Village, West Bay Street  
PO Box N-10697, Nassau, Bahamas

DD & CCD Investments Ltd. 18%

Equity Trust House, Caves Village, West Bay Street  
PO Box N-10697, Nassau, Bahamas

### **Disclosure of Interests in Jerico Walls Ltd.**

Anthony Ferguson 100%

Equity Trust House, Caves Village, West Bay Street  
PO Box N-10697, Nassau, Bahamas

### **Disclosure of Interests in Lignum Holdings 2009 Ltd.**

Kim D. Thompson 100%

Equity Trust House, Caves Village, West Bay Street  
PO Box N-10697, Nassau, Bahamas

**Disclosure of Interests in Chronicles Services Ltd.**

Ivylyn B. Cassar 100%

Equity Trust House, Caves Village, West Bay Street  
PO Box N-10697, Nassau, Bahamas

**Disclosure of Interests in DD & CCD Investments Ltd.**

Dillion R. Dean 100%

Equity Trust House, Caves Village, West Bay Street  
PO Box N-10697, Nassau, Bahamas

Planning Department, 1700 Convention Center Drive 2<sup>nd</sup> Floor  
Miami Beach, Florida 33139, www.miamibeachfl.gov  
305.673.7550

Property address: 15 E San Marino Drive Board: DRB Date: 8/13/18

## BOARD APPLICATION CHECK LIST

A Pre-Application meeting must be scheduled via CAP to obtain a plan case number and for board staff review of all submittals.
Pre-Application meetings for applications that do not require a traffic study are scheduled on a first come-first served basis and must occur no later than five(5) business days prior to CAP First submittal.
Applications requiring a traffic study must meet with Planning, Transportation, and peer reviewer sixty (60) days* prior to First submittal deadline to determine the methodology for the traffic impact study. This meeting is considered the "Pre-Application meeting" and must be scheduled via CAP to obtain a plan case number for review and payment of fees. Thirty (30) days before First submittal, applicant must provide the traffic study via CAP (see Transportation Department's requirements check list). The Transportation Department/Peer Reviewer will submit first round of comments 15 days prior to First submittal. Applicant must address comments and submit revised traffic study/plans for CAP First submittal deadline.
<b>Incomplete, or submittals found to be insufficient will not be placed on a Board agenda.</b>

ITEM #	FIRST SUBMITTAL (VIA CAP) ** To be uploaded online (CAP) by the applicant before 5:00 pm by First submittal deadline. ALL PLANS MUST BE DIMENSIONED AND LEGIBLE. INCLUDE A GRAPHIC SCALE.	Required
1	Application Fee and Peer review fees shall be paid after Pre-Application meeting and before the First submittal. It is the applicant's responsibility to make this payment, if an invoice is not generated by the CAP system, the applicant should contact staff prior to first submittal to be invoiced and make payment.	✓
2	Copy of signed and dated check list issued at Pre-Application meeting.	✓
3	Completed Board Application, Affidavits & Disclosures of Interest (original signatures).	✓
4	Signed and dated Letter of Intent. <b>Letter must outline application details and identify hardships if Variances are requested.</b> (see also Items # 42,43 and 44).	✓
5	Mailing Labels: Upload property owner's list and copy of original certified letter from provider. See #52 for submittal of Hard copy / originals of these items.	✓
6	Copies of all current or previously active Business Tax Receipts.	
7	School Concurrency Application for projects with a net increase in residential units (no SFH). Provide Planning Department - Miami Dade - School Concurrency Application for Transmittal	
8	Survey: Electronic version of original signed & sealed, dated no more than six months from date of application. Survey must provide: lot area, grade per Section 114-1 of the City Code. (If no sidewalk exists, provide the elevation of the crown of the road) and spot elevations.	✓
9	<b>Architectural Plans and Exhibits (must be 11"x 17")</b>	✓
a	Cover Sheet with bullet point scope of work, clearly labeled "First Submittal" and dated with First Submittal deadline date. <b>Include copies of previous recorded board orders, if applicable.</b>	✓
b	Copy of the original survey included in plan package. See No. 8 above for survey requirements	✓
c	All Applicable Zoning Information (Use Planning Department zoning data sheet format).	✓
d	Context Location Plan, Min 8.5"x11" Color Aerial 1/2 mile radius, identifying project and showing name of streets. (no Google images)	✓
e	Full legal description of the property if not included in survey (for lengthy legal descriptions, attach as a separate document - label clearly).	✓
f	Existing FAR Shaded Diagrams (Single Family Districts: Unit Size and Lot Coverage Shaded Diagrams), if applicable	✓
g	Proposed FAR Shaded Diagrams(Single Family Districts: Unit Size and Lot Coverage Shaded Diagrams), if applicable.	✓
h	Site Plan (fully dimensioned with setbacks, existing and proposed, including adjacent right-of-way widths).	✓

\* 60 day lead time for projects including traffic studies is necessary to ensure completion of review and required corrections by Final submittal deadline. Applications cannot be scheduled without evaluated and corrected traffic studies.

Indicate N/A If Not Applicable

Initials: 

Planning Department, 1700 Convention Center Drive 2<sup>nd</sup> Floor  
Miami Beach, Florida 33139, [www.miamibeachfl.gov](http://www.miamibeachfl.gov)  
305.673.7550

**Property address:** 15 E San Marino Drive

i	Current color photographs, dated, Min 4"x 6" of project site and existing structures (no Google images)	✓
j	Current, color photographs, dated, Min 4"x6" of interior space (no Google images)	✓
k	Current color photographs, dated, Min 4"x 6" of context, corner to corner, across the street and surrounding properties with a key directional plan (no Google images)	✓
l	Existing Conditions Drawings (Floor Plans & Elevations with dimensions). Number of seats, furniture layout if applicable	✓
m	Demolition Plans (Floor Plans & Elevations with dimensions)	✓
n	Proposed Floor Plans and Roof Plan, including mechanical equipment plan and section marks. Plans shall indicate location of all property lines and setbacks. Include entry portion of lounge, to show need for canopy	✓
o	Proposed Elevations, materials & finishes noted (showing grade, base flood elevation, heights in NGVD values and free board if applicable)	✓
p	Proposed Section Drawings	✓
q	Color Renderings (elevations and three dimensional perspective drawings).	✓
10	<b>Landscape Plans and Exhibits (must be 11"x 17")</b>	✓
a	Landscape Plan - street and onsite - identifying existing, proposed landscape material, lighting, irrigation, raised curbs, tree survey and tree disposition plan, as well as underground and overhead utilities when street trees are required.	✓
b	Hardscape Plan, i.e. paving materials, pattern, etc.	✓
11	Copy of original Building Permit Card, & Microfilm, if available.	✓
12	Copy of previously approved building permits. (provide building permit number).	
13	Existing and Proposed detailed topographic survey depicting existing spot grades (NAVD) as well as all underground/overhead utilities and easements/agreements with recording data. See Part 1 / Section 1 / A. Surveying & Mapping Standards and submittal Requirements of the Public Works Manual. <a href="http://www.miamibeachfl.gov/publicworks/engineering/engineeringmanual.aspx?id=12920">http://www.miamibeachfl.gov/publicworks/engineering/engineeringmanual.aspx?id=12920</a>	
14	Vacant/Unoccupied structures or sites shall provide recent photographic evidence that the site and structure are secured and maintained. The applicant shall obtain and post a No Trespassing Sign from the City's Police Dept.	
15	Historic Resources Report (This report shall include, but not be limited to, copy of the original Building Permit Card and subsequent modifications, Microfilm records, existing condition analysis, photographic and written description of the history and evolution of the original building on the site, all available historic data including original plans, historic photographs and permit history of the structure and any other related information on the property.	
16	Contextual Elevation Line Drawings, corner to corner, across the street and surrounding properties (dated).	
17	Line of Sight studies.	
18	Structural Analysis of existing building including methodology for shoring and bracing.	
19	Proposed exterior and interior lighting plan, including photometric calculations.	
20	Exploded Axonometric Diagram (showing second floor in relationship to first floor).	✓
21	Neighborhood Context Study. (Planning will provide guidance if necessary for application.)	✓
22	Required yards open space calculations and shaded diagrams.	✓
23	Required yards section drawings.	✓
24	Variance and/or Waiver Diagram	✓
25	Schematic signage program	
26	Detailed sign(s) with dimensions and elevation drawings showing exact location.	
27	Elevation drawings showing area of building façade for sign calculation (Building ID signs).	
28	Daytime and nighttime renderings for illuminated signs.	

Indicate N/A If Not Applicable

Initials: 

Planning Department, 1700 Convention Center Drive 2<sup>nd</sup> Floor  
Miami Beach, Florida 33139, www.miamibeachfl.gov  
305.673.7550

**Property address:** 15 E San Marino Drive

29	Floor Plan Indicating area where alcoholic beverages will be displayed.	
30	Survey showing width of the canal (Dimension shall be certified by a surveyor)	
31	Site Plan showing total projection of structures from seawall, location and dimension of all structures inclusive of dock, mooring piles, boat lift, etc.	
32	DERM recommendation/preliminary approval. Docks or any structures shall have approval stamp from DERM or other regulatory agency before submitting for a variance. A letter from DERM or other agency, explaining specific requirements for the project is recommended.	
33	Technical specifications of the boat lift and/ or boat, ship of vessel to be docked or moored.	
34	Survey shall include spot elevations in rear yard and elevation points on the dune adjacent to the property. Provide highest elevation point on the due within the property. Erosion control line and Bulkhead line shall be indicated if present.	
35	Scaled, signed, sealed and dated specific purpose survey (Alcohol License/Distance Separation) distance shown on survey with a straight line.	
36	Proposed Operational Plan: Include deliveries and trash pickup times, hours of operations, number of employees, security and restaurant menu (if applicable).	
37	Maneuvering plan for loading within the existing/proposed conditions, delivery and garbage trucks size (length and width).	
38	Traffic Study, Site plan(s) : Revised version addressing first round of comments from Transportation Department and peer review. (See Transportation Department check list for requirements.)	
39	Sound Study report (Hard copy) with 1 CD.	
<b>40</b>	<b>Site Plan (Identify streets and alleys)</b>	
a	Identify: setbacks _____ Height _____ Drive aisle widths _____ Streets and sidewalks widths _____	
b	# parking spaces & dimensions _____ Loading spaces locations & dimensions _____	
c	# of bicycle parking spaces _____	
d	Interior and loading area location & dimensions _____	
e	Street level trash room location and dimensions _____	
f	Delivery route _____ Sanitation operation _____ Valet drop-off & pick-up _____ Valet route in and out _____	
g	Valet route to and from _____ auto-turn analysis for delivery and sanitation vehicles _____	
h	Indicate any backflow preventer and FPL vault if applicable	
i	Indicate location of the area included in the application if applicable	✓
j	Preliminary on-street loading plan	✓
<b>41</b>	<b>Floor Plan (dimensioned)</b>	
a	Total floor area	
b	Identify # seats indoors _____ outdoors _____ seating in public right of way _____ Total _____	
c	Occupancy load indoors and outdoors per venue _____ Total when applicable _____	
<b>42</b>	<b>The letter of Intent shall include and respond to all sea level rise and resiliency review criteria per section 133-50 of the City Code.</b>	
<b>43</b>	<b>The Letter of Intent for Variances shall include and respond to all review guidelines in the code as follows:</b>	✓
a	Section 118-353 (d) of the City Code for each Variance.	
<b>44</b>	<b>The Letter of Intent for Planning Board shall include and respond to all review guidelines in the code as follows:</b>	
a	For Conditional Use -Section 118-192 (a)(1)-(7)	
b	CU -Entertainment Establishments - Section 142-1362 (a)(1)-(9)	
c	CU - Mechanical Parking - Section 130-38 (3)(c )(i)(1)-(2) & (4)(a)-(k)	
d	CU - Structures over 50,000 SQ.FT. - Section 118-192 (b) (1)-(11)	
e	CU - Religious Institutions - Section 118-192 (c) (1)-(11)	

Indicate N/A If Not Applicable

Initials:   *PL*

Planning Department, 1700 Convention Center Drive 2<sup>nd</sup> Floor  
Miami Beach, Florida 33139, www.miamibeachfl.gov  
305.673.7550

**Property Address:** 15 E San Marino Drive

f	For Lot Splits - Section 118-321 (B) (1)-(6). Also see application instructions	
	<i>Notes: The applicant is responsible for checking above referenced sections of the Code. If not applicable write N/A</i>	

**\*\*ADDITIONAL INFORMATION AS MAY BE REQUIRED AT THE PRE-APPLICATION MEETING**

<b>ITEM #</b>	<b>FINAL SUBMITTAL (via CAP)</b> Revised and/or supplemented documents and drawings to address staff comments. Plans should be clearly labeled "Final Submittal" and dated with Final Submittal deadline date. Upload documents online (via CAP) before 5:00 pm on final submittal deadline. Staff will review and issue a notice to proceed to Paper Final submittal or to continue submittal to a future meeting if the application is found incomplete.	
45	Traffic Study, Site plan(s): This is the final traffic study including any modifications required to address comments from the City's Transportation Department. City's required permit by FDOT should be obtained prior to Final submittal (via CAP).	

ITEM #	PAPER FINAL SUBMITTAL:	Required
46	Original application with all signed and notarized applicable affidavits and disclosures.	✓
47	Original of all applicable items.	✓
48	One (1) signed and sealed 11"X17" bound, collated set of all the required documents.	✓
49	14 collated copies of all required documents	✓
50	One (1) CD/DVD with electronic copy of entire final application package (plans, application, Letter of Intent, traffic/sound study, etc.) see CD/DVD formatting attached, for instructions.	✓
51	Traffic Study (Hard copy)	
52	Mailing Labels -2 sets of gummed labels and a CD including: Property owner's list and Original certified letter from provider.	✓

**ADDITIONAL INFORMATION AND ACKNOWLEDGEMENTS**

- A. Other information/documentation required for First submittal will be identified during Pre-Application meeting but may be modified based on further analysis.
- B. It is the responsibility of the applicant to confirm that documents submitted via CAP, Paper Submittal sets (14 copies), and electronic version on CD are consistent with each other and legible.
- C. Plan revisions and supplemental documentation will not be accepted after the Final Submittal deadline
- D. All documents required for Board applications must be submitted in an electronic format (PDF) via CD in the manner prescribed herein. The CD is considered the "Formal Submission", and must include the electronic version of all hard copy documents associated with the application. A new Updated CD will be required if any modifications are made before or after hearing. Failure to comply with the aforementioned may result in a rehearing before the applicable board at the applicant's expense.
- E. Please note that the applicant will be required to submit revised plans pursuant to applicable Board Conditions no later than 60 days after Board Approval. (If applicable)



Applicant's or designee's signature

8/13/18

Date

Indicate N/A If Not Applicable

Initials: 

### **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.
- (2) Windows that are proposed to be replaced shall be hurricane proof impact windows.
- (3) Where feasible and appropriate, passive cooling systems, such as operable windows, shall be provided.
- (4) Whether resilient landscaping (salt tolerant, highly water-absorbent, native or Florida friendly plants) will be provided.
- (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.
- (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.
- (7) Where feasible and appropriate, all critical mechanical and electrical systems shall be located above base flood elevation.
- (8) Existing buildings shall be, where reasonably feasible and appropriate, elevated to the 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.
- (10) Where feasible and appropriate, water retention systems shall be provided.



# MIAMIBEACH

## PLANNING DEPARTMENT

1700 Convention Center Drive, Miami Beach, Florida 33139; Tel: 305.673.7550; Web: [www.miamibeachfl.gov/planning](http://www.miamibeachfl.gov/planning)

### DESIGN REVIEW BOARD CAP SUBMITTAL FILE NAMING

All PDF files must be named with the submittal deadline date and the type of document in the following format 'MM-DD-YYYY Document Name'. For example, if the deadline for first submittal is October 29, 2017 the file name would be '10-29-2017 Application'. Use this naming format for first and final CAP submittals. The uploaded file retains the name as it has been saved on your computer. The file name cannot be changed and the file cannot be deleted once it is uploaded.

Please use names for the most common types of files. If the document type is not listed below, please use a document name that clearly identifies the file.

Document Name	Description
Application	Completed Land Use Board Application form including Exhibit A
LOI	Letter of Intent
Checklist	Pre-application Checklist
Labels	Mailing Labels, List of Property Owners, Certified Letter and Map
BTR	Copies of Previous Business Tax Receipts
Survey	Recent Signed and Sealed Survey
Plans	Architectural Plans and Exhibits
Landscape	Landscaping Plans and Exhibits
Microfilm	Building Card and Microfilm
Traffic	Traffic Study
Sound	Sound Study

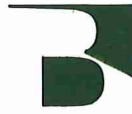
**All pages of a document must be uploaded in one PDF file. Do not upload individual pages of a document. Documents that have not been revised from first to final submittal do not have to be re-uploaded.**

## 2018 SCHEDULE OF LAND USE BOARD MEETINGS

All meetings are held in the Commission Chambers, Third Floor, Miami Beach City Hall unless otherwise noticed. Please note that only complete applications are scheduled for consideration by Land Use Boards and the number of applications placed on an agenda may not exceed 15 in order to allow sufficient time for the applicants to present, and the board to duly consider each item during the scheduled meeting. Complete applications will be scheduled for the next available agenda on a first come – first serve basis unless the applicant requests to be scheduled on a future agenda. The timeline represented herein may be extended if application is incomplete or submittals not made on a timely manner.

DESIGN REVIEW BOARD, BOARD OF ADJUSTMENT & HISTORIC PRESERVATION BOARD									
PRE-APP MEETING NO LATER THAN	NEW FILE FEE PAY-BY DATE	CAP FIRST SUBMITTAL	COMMENTS ISSUED	FINAL SUBMITTAL (CAP & PAPER)	NOTICE TO PROCEED ISSUED	AGENDA FINALIZED & ALL FEES MUST BE PAID BY	MEETING DATE		
							DRB	BOA	HPB
10/19/17	10/23/17	10/24/17	11/02/17	11/09/17	11/16/17	11/18/17	01/02/18	01/05/18	01/09/18
11/13/17	11/17/17	11/20/17	12/01/17	12/08/17	12/18/17	12/20/17	02/06	02/02	02/13
12/11/17	12/15/17	12/18/17	12/29/17	01/05/18	01/15/18	01/17/18	03/06	03/02	03/12
01/08/18	01/12/18	01/15/18	01/26/18	02/02	02/12	02/14	04/03	04/06	04/10
02/05	02/09	02/12	02/23	03/02	03/12	03/14	05/01	05/04	05/08
03/12	03/16	03/19	03/30	04/06	04/16	04/18	06/05	06/01	06/11
04/09	04/13	04/16	04/27	05/04	05/14	05/16	07/03	07/06	07/10
<b>AUGUST RECESS</b>									
06/11	06/15	06/18	06/29	07/06	07/16	07/18	09/04	09/07	09/17
07/09	07/13	07/16	07/27	08/03	08/13	08/15	10/02	10/05	10/09
08/13	08/17	08/20	08/31	09/07	09/17	09/19	11/06	11/02	11/09
09/10	09/14	09/17	09/28	10/05	10/15	10/17	12/04	12/07	12/11

PLANNING BOARD							
PRE-APP MEETING NO LATER THAN	NEW FILE FEE PAY-BY DATE	CAP FIRST SUBMITTAL	COMMENTS ISSUED	FINAL SUBMITTAL (CAP & PAPER)	NOTICE TO PROCEED ISSUED	AGENDA FINALIZED & ALL FEES MUST BE PAID BY	MEETING DATE
11/09/17	11/13/17	11/14/17	11/23/17	11/30/17	12/07/17	12/11/17	01/23/18
12/01/17	12/08/17	12/11/17	12/22/17	12/29/17	01/08/18	01/10/18	02/27
12/29/17	01/05/18	01/08/18	01/19/18	01/26/18	02/05/18	02/07/18	03/27
01/19	01/26	01/29	02/09	02/16	02/26	02/28	04/17
02/23	03/02	03/05	03/16	03/23	04/02	04/04	05/22
03/30	04/06	04/09	04/20	04/27	05/07	05/09	06/26
04/27	05/04	05/07	05/18	05/25	06/04	06/06	07/24
<b>AUGUST RECESS</b>							
06/29	07/06	07/09	07/20	07/27	08/06	08/08	09/25
07/27	08/03	08/06	08/17	08/24	09/03	09/05	10/23
08/31	09/07	09/10	09/21	09/28	10/08	10/10	11/27
09/21	09/28	10/01	10/12	10/19	10/29	10/31	12/18



# BERCOW RADELL FERNANDEZ & LARKIN

ZONING, LAND USE AND ENVIRONMENTAL LAW

DIRECT LINE: (305) 377-6236  
E-Mail: MAMster@brzoninglaw.com

## VIA ELECTRONIC SUBMITTAL AND HAND DELIVERY

September 7, 2018

James G. Murphy, Chief of Urban Design  
Planning Department  
City of Miami Beach  
1700 Convention Center Drive, 2<sup>nd</sup> Floor  
Miami Beach, Florida 33139

Re: DRB18-0325 – Design Review, Waiver and Variance Requests for the Property  
Located at 15 East San Marino Drive, Miami Beach, Florida

Dear James:

This law firm represents 15 San Marino, LLC (the “Applicant”), the owner of the property located at 15 East San Marino Drive (the “Property”). Please allow this letter to serve as the required letter of intent in connection with a request to the Design Review Board (“DRB”) for design review, waiver and variance requests for a single-family home on the Property.

The Property. The Property, identified by Miami-Dade County Folio No. 02-3232-003-0460, measures approximately 13,406 square feet (approximately 0.3 acres) and is located on the southern curve of San Marino Island. The Property fronts Biscayne Bay on the East and San Marino Drive on the West. The Property is located in the RS-3, Single-Family Residential Zoning District, where the surrounding area contains a mix of 1- and 2-story single-family homes. The Property is currently improved with a two-story single family residence of approximately 4,745 square feet. The existing structure is a pre-1942 architecturally significant home, built in 1938.

Description of Proposed Development. The proposed development for the Property will replace the existing home with a new two-story single family home. The proposed home will be similar to the existing structure with regards to scale, massing, and building orientation and siting. The overall lot coverage of the proposed new single-family home will be 24.9%, which is substantially within the limits set forth in Section 142-105 of the Code. The new single-family home proposed for the Property will be beautifully designed and lushly landscaped to complement the surrounding community.

Waiver Requests. The Applicant respectfully requests DRB approval of the following two waivers:

1. Height waiver pursuant to Code Section 142-105(b)(1) to allow for a maximum building height of 25'-6" where 24' is the maximum for flat roofs.
2. Elevator location waiver pursuant to Code Section 142-105(b)(7)(f) to allow for location of the rooftop elevator bulkhead towards the northern portion of the property.

*Height Waiver.* The requested waiver will allow for the new home on the Property to be consistent with the surrounding area, which allows for homes with sloped roofs up to 27 feet. The wedged-shaped lot, which is narrow at the street, presents a unique circumstance for accommodating a single-family home that best utilizes the layout of the Property while being compatible with the surrounding neighborhood. The waiver for 25'-6" height – only an additional 1'-6" – will allow the Property to accommodate more interior space for the home on the narrow, wedge-shaped lot, with the 2-story massing oriented towards the waterway. Despite the narrowness of the lot, the design affords greater than required side interior setbacks, thus pushing the height of the home further from the neighbors. In addition, at 13,406 square feet, the lot is significantly larger than the minimum size for an RS-3 lot and due to the larger size is somewhat akin to an RS-2 lot that as of right would accommodate a height up to 28'.

*Elevator Location Waiver.* The requested waiver will allow the proposed elevator bulkhead, which only has a footprint of 46.4 square feet, to be along the edge of a wall that is on the exterior of the single-family home in order to accommodate the reasonable circulation and access for the home. While the proposed elevator bulkhead is on the north wall, it is located above the exterior portion that forms a courtyard of ten feet in depth away from the main exterior wall fronting the northern property line, and that main wall is setback 10'-6" from the property line. As such, the elevator bulkhead is sufficiently setback to have a minimal visual impact on neighborhood view corridors from the public rights-of-way and waterways. In all other regards, the elevator bulkhead is located in the most centrally located position possible to allow for access to the rooftop deck from the

home; over 94 feet from the front, 79 feet from the rear and 53 feet from the south property lines.

Variance Request. The Applicant respectfully requests a variance to allow for an encroachment of the outdoor terraces and roof projection from 3'-1" to 12'-4" feet into the rear yard setback where only six (6) feet is allowed at ground level and for the roof projection in order to accommodate the home's design in light of the curved nature of the rear of the Property. In other words, the Applicant requests a rear yard setback variance ranging from 15'-5" to 23'-11 1/2", where 27' required for these open areas. Notably, the enclosed building wall complies and significantly exceeds the minimum 27' rear variance requirement.

*Satisfaction of Hardship Criteria.* The Applicant's request satisfies all hardship criteria as follows:

- (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;**

The Property is located on an irregularly-shaped lot with a narrow frontage on the west and curved waterfront on eastern rear. The narrow western portion of the lot creates a scenario requiring a driveway entry which leads to a garage not facing the street, which is situated before the primary home. The garage is setback further than required pursuant to the Code to adequately fit it into the narrower western portion of the Property along with the needed driveway circulation. As a result, the proposed home cannot be moved further west on the Property. This creates a special condition where the majority of the home needs to be pushed east towards the rear, thus resulting in the proposed structure with the outdoor portion of the second floor and rooftop deck projecting into the required rear yard.

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

The Property's irregularly-shaped lot, non-parallel side lot lines and narrower western front are existing conditions and do not result from the action of the Applicant. Nonetheless, the Applicant aims to abide by the intent of the Code by having a design with less square footage encroaching into the rear setback than what would otherwise be allowed by a 6-foot encroachment along the entirety of the structure – providing 437 square feet where 476 square feet would be permitted.

- (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;**

Most of the surrounding waterfront lots are narrow and irregularly-shaped. Granting the requested variance will enable the Applicant to construct the proposed rectilinear structure on the irregular-shaped lot with the curved waterfront. The Code allows other similarly situated property owners to seek similar variances to accommodate development and allow for the construction of certain features, especially on irregular lots. The Code generally permits encroachments of up to 6 feet into the required rear yard setback. While the proposed home provides for encroachment of up to 12'-4", the relation between the rectilinear building and curved rear property line result in a reducing encroachment as the property tracks north, to 3'-1". This results in a total area of encroachment of 437 square feet that is less than what would be provided by utilizing the full allotted 6 foot encroachment of 476 square feet permitted within the Code.

In addition, the Applicant could include one or more detached, enclosed accessory structures in the rear yard that could be closer to the rear property line than the proposed outdoor covered areas that are immediately adjacent to the main residence further from the water.

- (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;**

A literal interpretation of the provisions of these land development regulations would force the Applicant to build a smaller structure than what is allowed by the pertinent regulations and/or force the design to feature a sloped or rounded rear lacking the architectural articulations consistent with the proposed rectilinear style. The need for the variance is the result of the irregular shaped lot with a narrow western portion and a curved rear along the curve of San Marino Island. The variance will allow for the applicant to build a home on the Property in a manner similar to that enjoyed by all residents of San Marino Island located on the straight portion of the coastal line.

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

The requested variance is the minimum variance that would allow the rectilinear design of the structure to be accommodated on the irregular lot with a narrow western front. The entire mass of the home is pushed further east out of necessity due to the narrowed western portion; however, the home is very compact with only 24.9% lot coverage. Nonetheless, the Applicant is seeking the minimum variance by having a total area encroaching into the rear setback than what is generally allowed per Code (437 square feet versus 476 square feet). The area encroaching into the setback is entirely outdoor terrace area, with the entirety of the enclosed structure being within and even exceeding the prescribed setbacks. The proposed variance is the minimum needed to make possible the accommodation of the home on the curved rear of the Property. The proposed home meets all setback requirements from the street frontage and neighboring homes. The only variance requested is from the rear, which fronts the water along a curved property line.

- (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; and**

The residence will be in harmony with the surrounding properties, and aims to further the intent and purpose of the land development regulations. The home will be centrally located with a low-scale design, and the architectural design is sensitive to the neighbors. The proposed variance is consistent with the intent of the Code as the total area encroaching into the rear yard is less than what can be achieved with a consistent 6-foot encroachment in the rear along the entire structure, which is allowed by Code. The massing and design of the home will be in harmony with the surrounding area and will result in a beautiful addition to the neighborhood.

- (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 of adjustment voting on the applicant's request.**

The variance request is consistent with the City's comprehensive plan and does not reduce the levels of service as set forth in the plan.

Sea Level Rise and Resiliency Criteria. The proposed single-family homes resulting from the lot split will advance the sea level rise and resiliency criteria in Section 133-50(a) as follows:

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

The Applicant will provide a recycling or salvage plan during permitting.

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

The Applicant proposes hurricane impact windows.

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

Operable windows will be provided.

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

The Applicant will provide appropriate landscaping at the Property. Proposed species include native and Florida-friendly plants appropriate for the area, including salt tolerant species.

- (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 has considered the elevation of the right-of-way and surrounding properties, and plans to grade the front and side yards appropriately to remain compatible with the existing conditions, while slowly sloping-up as you get closer to the home in order to adapt to future raised elevations. The property will slope from the existing front yard elevation and gradually arrive at the first floor level. The Applicant will work with the Public Works Department to further address sea level rise projections with respect to the right-of-way connections.

- (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 Applicant has taken into consideration the raising of public rights-of-ways and has designed the proposed garage and home accordingly. The garage will be almost 1' above Base Flood Elevation (BFE) and the majority of the main home will utilize an additional 4.67' of freeboard to elevate the home. This will ensure a home that can adapt to raising of the front yard to address the future raising of the streets, without negative impact to the new structure.

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

Proper precautions will be taken to ensure the critical mechanical and electrical systems are located above BFE.

- (8) **Existing buildings shall be, where reasonably feasible and appropriate, elevated to the base flood elevation.**

This is not applicable as the Applicant proposes a new, resilient home above BFE that also utilizes freeboard.

- (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 wet or dry flood proofing will be necessary as all habitable space will be located above base flood elevation plus Freeboard.

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

At time of permitting, the Applicant will engage the services of a civil engineer to analyze and provide the subsurface drainage design. Accordingly, an appropriate water retention system will be provided.

James G. Murphy, Chief of Urban Design  
September 7, 2018  
Page 8 of 8

Conclusion. Granting this design review application and associated waivers and variance will permit the development of a beautifully-designed modern single-family home that is compatible with the surrounding neighborhood and resilient with respect to sea-level rise. 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 305-377-6236.

Sincerely,



Matthew Amster

cc: Michael W. Larkin, Esq.  
Gregory Fontela, Esq.