

**Response to Comments**

To:	Miami Beach Planning Department	Date:	September 17, 2018
From:	<b>cube<sup>2</sup></b> (architecture+design), inc.	Project Name:	Nadler Residence
Subject:	<b>DRB - Response to Comments</b>	Project No:	2016-63

City of Miami Beach Planning Department  
City Hall Building – 2<sup>nd</sup> Floor  
201 Westward Drive  
Miami Springs, FL 33012

RE: Nadler Residence  
1040 West 47<sup>th</sup> Street  
Miami Beach, FL 33139

DRB Application Number: **DRB18-0331**

Our response to all comments are both graphic (drawings) as well as written. This 8.5 x 11 inch format shall constitute our written response along with those of our consultants. Comments have been formatted along with the response immediately below the City's comment.

**Submittal Intake Version: 1 Date Received: 08/20/2018 Date Completed: 08/31/2018**

1. DRB Admin Review - Fail Monique Fons Ph: email: MoniqueFons@miamibeachfl.gov

Comments: Comments Issued 8/31/18

1) Certified Letter:

a. Must state that the ownership list, radius map and mailing labels are a complete and accurate representation of the real property.

b. The letter must also include a count of all National and International properties.

2) Radius Map:

a. Must highlight the subject property and indicate all properties within a 375 foot radius of the subject property parameter line.

3) Must provide list of names and addresses of all property owners:

a) One document with a list of names and addresses (Owners List)

b) Another document with Mailing Labels including Names and Addresses.

-Legal Description must be attached as "Exhibit A"

The following fees are outstanding and will be invoiced by the Notice to Proceed deadline September 17, 2018. All fees must be paid

by September 19, 2018:

1. Advertisement - \$1,500

2. Board Order Recording - \$100

3. Posting - \$100

4. Courier - \$70

5. Mail Label Fee (\$4 per mailing label) - \$ pending labels

6. Application for DRB Approval – (Tentative) 50 cents p/ SqFt - \$

7. Variance – (Tentative) \$500 p/ variance

Total Outstanding Balance = \$ pending labels

In addition to the fees, the following shall be provided to the Department no later than the Final CAP and Paper submittal deadline

September 7, 2018 before 12 p.m.

- One (1) original application (Proper signed and notarized affidavits and Disclosures must be provided).

- One (1) original Letter of Intent.

- One (1) original set of architectural plans signed, sealed and dated.

- One (1) original signed, sealed and dated Survey.

- Two (2) sets of Mailing labels must be provided including Letter certifying the labels, radius map, gummed labels, and Labels CD done with the proper Excel format specified by the Planning Department.

- Any additional information/documents provided (i.e. traffic studies, concurrency, etc., etc.).

- 14 collated sets including copies of all the above: application form, letter of intent, plans, survey and any additional information/documents provided.

- A CD/DVD containing a digital version of the documents and plans submitted. The CD must be in the proper format specified by the Planning Department (Each document must be less than 15MB).

NOTE: Please make sure you identify the final submittal by the file number at time of drop off.

Should you have any questions, please feel free to contact me.

[moniquefons@miamibeachfl.gov](mailto:moniquefons@miamibeachfl.gov)

**\*\*ALL THE ITEMS LISTED ABOVE ARE INCLUDED IN THE REVISED SUBMITTAL ATTACHED.**

**\*\* ALL FEES STIPULATED ABOVE WILL BE PAID AS REQUIRED. HOMEOWNER USES HOUSE ON PROPERTY AS PRIMARY RESIDENCE AND DECLARES HOMESTEAD EXEMPTION.**

2. DRB Plan Review - Fail James Murphy Ph: email: [jamesmurphy@miamibeachfl.gov](mailto:jamesmurphy@miamibeachfl.gov)

Comments: General Correction

PLANNING DEPARTMENT

Staff First Submittal Review Comments Design Review Board

SUBJECT: DRB18-0331 | 1030 West 47th Street

Comments Issued: 08/31/18 | 08/22/18 JGM

Final CAP/PAPER Submittal: 1:00 PM on 09/07

Notice to Proceed: 09/17/18

Tentative Board Meeting Date: 11/06/18

PERTINENT INFO

The CAP and Paper Final submittal deadline is 1:00 PM on 09/07/18 for the NOVEMBER 06, 2018 meeting.

- o Fifteen (15) 11x17 drawing sets (in color) labeled Final Submittal, including one (1) original set of 11x17 architectural plans dated, signed and sealed.

- o A cd/dvd containing a digital version of the documents and plans submitted. The CD must be in the proper format specified by the Planning Department.

**\*\*ALL 15 REQUESTED SETS ARE ATTACHED AS REQUIRED. CD IS INCLUDED AS REQUIRED.**

- All other associated fees due 09/19/18

DRAFT NOTICE:

DRB18-0331 1030 W 47th Street. The applicant, Michael Nadler, is requesting Design Review Approval for the partial demolition and

renovation of a pre-1942 architecturally significant residence including variances to reduce the interior side and sum of the side setbacks

1. APPLICATION COMMENTS

- a. Verify applicant name – **MICHAEL NADLER**
- b. Add variances to letter of intent and explain reason for each under Hardship criteria. Add permit # to LOI – **REVISED AS PER COMMENT.**

2. DEFICIENCIES IN ARCHITECTURAL PRESENTATION

- a. Applicant is encouraged to provide rendered images of proposal to abutting properties.
- b. Survey not legible in set of plans. **REVISED AS PER COMMENT.**
- c. Survey missing noted CMB Grade measured at cl of West 47th Street. Survey missing lot area.
- d. 03-A Remove sheet. Add sheet of CITY Zoning legend. **REVISED AS PER COMMENT.**
- e. 03-B Remove sheet **REVISED AS PER COMMENT.**
- f. 04 Remove unnecessary annotations, add red, dashed setback lines **REVISED AS PER COMMENT.**
- g. 05 Remove. **REVISED AS PER COMMENT.**
- h. 06 LOT COVERAGE/UNIT SIZE. Ghost floor plan inside colored areas. Missing EXISTING LOT COVERAGE Diagram. New lot coverage diagram must include front courtyard entry area towards calculation. Depict existing SF and % and Proposed SF and % **REVISED AS PER COMMENT.**
- i. 07 SITE PLAN. Remove unnecessary dimensions, and labeling. Reduce to same scale as sheet 04. Graphically represent NEW walls and RETAINED walls with setback distances **REVISED AS PER COMMENT.**
- j. ADD DEMOLITION PLAN - **REVISED AS PER COMMENT.**
- k. 010 Roof plan, add elevation heights **REVISED AS PER COMMENT.**
- l. 11 and 12 Elevations to one per sheet, show PLS, show keyplan where elevation is taken, Include height of all elements, measure from standard elevation datum marks (CMB Grade, Adjusted Grade, BFE, FFE, 30" above Adjusted Grade). Include overall height. Enlarge dimensions. Add height of cabana to top of roof (not midpoint) measured from Adjusted grade. **REVISED AS PER COMMENT.**  
ADD existing elevations with demolition graphically shown on each corresponding elevation sheet. Correct font of elevation datum marks - **REVISED AS PER COMMENT.**
- m. 13 and 14 and 15 Correct font of elevation datum marks - **REVISED AS PER COMMENT.**
- n. 15-18 Add material palette legend. **REVISED AS PER COMMENT.**
- o. MISSING YARD SECTION DIAGRAMS: Enlarged Sections of all required yard setbacks that show all proposed elements, encroachments, projections, slabs and elevations of equipment in required yards to demonstrate compliance with 142-1132; include in yard diagrams/sections property lines, setback lines, and setbacks and height of all elements within, measure from standard elevation datum marks (CMB Grade, Adjusted Grade, BFE, FFE, 30" above Adjusted Grade). **REVISED AS PER COMMENT.**
- p. Demonstrate that area with height is less than 360 SF (5% of lot area) - **REVISED AS PER COMMENT.**
- q. Add grade calculations sheet
- r. Add "FINAL SUBMITTAL: NOV DRB" to front cover title for heightened clarity of reference for next deadline. **REVISED AS PER COMMENT.**
- s. Add narrative response sheet. **INCLUDED.**

3. ZONING/VARIANCE COMMENTS

- a. V #1 to retain and build upon nonconforming side setback of 4'9" - **REVISED AS PER COMMENT.**
- b. V #2 sum of side setback 15 required. 12'5" provided. - **REVISED AS PER COMMENT.**
- c. A minimum of 2 variances to reduce the required interior side and sum of the side setbacks are required. **REVISED AS PER COMMENT.**
- d. Missing mailing labels, copy of the checklist. **INCLUDED**
- e. Revise letter of intent to indicate type and number of variances requested. Explain in detail how the variances requested satisfy the criteria on Section 118-353 (d) of the City Code below. **REVISED AS PER COMMENT.**

That 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;

That the special conditions and circumstances do not result from the action of the applicant;

That granting the variance requested will not confer on the applicant any special privilege that is denied by this Ordinance to other lands, buildings, or structures in the same zoning district;

That literal interpretation of the provisions of this Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this Ordinance and would work unnecessary and undue hardship on the applicant;

That the variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure;

That the granting of the variance will be in harmony with the general intent and purpose of this Ordinance and that such variance will not be injurious to the area involved or otherwise detrimental to the public welfare; and

That 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. **REVISED AS PER COMMENT.**

f. Survey is not clear in electronic file or when printed in 11x17 format. Revise survey to show grade elevation and lot area. **REVISED AS PER COMMENT.**

g. Location of the property on the zoning map page 03-B is incorrect. **SHEET REMOVED PER EARLIER COMMENT**

h. Floor plan on page 09 shall have only overall dimensions of rooms and overall dimensions of the building footprint on all sides. Remove decimal dimensions and provide only foot and inch dimensions. Remove some of the notes that are unnecessary like room number, interior partition dimensions, glazing information, closet shelves, steps height, etc.- **REVISED AS PER COMMENT.**

i. Enlarge text on elevation drawings. - **REVISED AS PER COMMENT.**

j. The information showing the area of addition is not consistent. As the side setback on the east side is 7'-6" and the existing setback is 5.3', the entire area on the east side appears to be new. Revise information on page 06. - **REVISED AS PER COMMENT.**

k. Area of entry enclosed on 3 sides counts in lot coverage calculations. - **REVISED AS PER COMMENT.**

l. Roof overhang along the west side on the existing structure exceeds the maximum projection of 25% allowed. Revise drawings or request a variance. - **REVISED AS PER COMMENT.**

m. Provide a grading plan showing finished grade elevation in all required yards. – **ADDED.**

n. Indicate height elevation of pool and pool deck. **REVISED AS PER COMMENT.**

o. Provide demolition plans, existing floor plan and existing elevation drawings. **REVISED AS PER COMMENT.**

p. Provide a narrative responding to staff comments. **INCLUDED.**

#### 4. DESIGN/APPROPRIATENESS COMMENTS

a. Survey

b. In drawings set is illegible

c. Needs to be dated no more than 6 months from date of application

d. Survey must provide, and does not provide, lot area and grade per sec. 14-1 of City code (city sidewalk elevation at the centerline of the front of the property), and spot elevations.

e. Zoning Data Sheet – use attached City's Zoning Chart for single family homes.

f. General Plan comments:

- Include on all plan drawings (including zoning diagrams) setback lines (with noted dims) and graphically represent as red dashed lines

- Modify property line to a bold line type – not clear

- Turn-off layers to clean up graphic representation

g. Sheet 04 Site plan

- Show setbacks lines and associated dimension in a red dashed line.

- Enhance property line (bold line?).

h. Missing demolition plan showing extent of partial demolition

i. Sheet 8 Open Space

- Show hatching for both front and rear yards.
- Correct text for rear yard total – currently reads as front yard total.

j. Sheet 9 – Graphically improve by turning off unnecessary layers, also it is labeled as off-site parking – rename to First / Ground Floor Plan.

k. General Comments for ALL Elevation and Section Sheets:

- Include property lines and setback lines
- Increase elevation text.
- Include, on both sides of elevations, the following elevation datum: Grade, BFE (Base Flood Elevation), Adjusted Grade, FFE (BFE+Freeboard being applied to project), Top of Roof slab, Mid-point of sloped roof.
- Building height(s) dimensions from First Floor / BFE + Freeboard.

l. Missing demolition plan

- Tower / central volume is noted as 20'-6" in height (as measured from the first floor), whereas 1 story structures can have a maximum height of 18'-0"; it is not an allowable height encroachment, refer to sec. 142-105 (7) Height Exceptions.

m. Missing yard section diagrams

n. Missing height of fence(s)

## 5. LANDSCAPE COMMENTS

a. Landscape drawings to be signed and sealed by a Florida Licensed Landscape Architect.

These comments have been provided as a preliminary review of the documents and plans submitted and are subject to additions and/or deletions pending further review.

**\*\* ALL ITEMS REQUESTED ABOVE WERE EITHER REVISED AS PER COMMENT OR ADDED.**

3. DRB Plan Review - Fail Fernanda Sotelo Ph: email: [FernandaSotelo@miamibeachfl.gov](mailto:FernandaSotelo@miamibeachfl.gov)

Comments: Refer to JGM Comments

4. DRB Zoning Review - Fail Irina Villegas Ph: email: [ivillegas@miamibeachfl.gov](mailto:ivillegas@miamibeachfl.gov)

Comments: Comments issued on August 31.

Documents that do not require revisions do not need to be uploaded again to CAP at final submittal.

1. A minimum of 2 variances to reduce the required interior side and sum of the side setbacks are required.
2. Missing mailing labels, copy of the checklist.
3. Revise letter of intent to indicate type and number of variances requested. Explain in detail how the variances requested satisfy the criteria on Section 118-353 (d) of the City Code below.
  - That 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;
  - That the special conditions and circumstances do not result from the action of the applicant;
  - That granting the variance requested will not confer on the applicant any special privilege that is denied by this Ordinance to other lands, buildings, or structures in the same zoning district;
  - That literal interpretation of the provisions of this Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this Ordinance and would work unnecessary and undue hardship on the applicant;
  - That the variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure;
  - That the granting of the variance will be in harmony with the general intent and purpose of this Ordinance and that such variance will not be injurious to the area involved or otherwise detrimental to the public welfare; and

- That 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.
- 4. Survey is not clear in electronic file or when printed in 11x17 format. Revise survey to show grade elevation and lot area.
- 5. Location of the property on the zoning map page 03-B is incorrect.
- 6. Floor plan on page 09 shall have only overall dimensions of rooms and overall dimensions of the building footprint on all sides. Remove decimal dimensions and provide only foot and inch dimensions. Remove some of the notes that are unnecessary like room number, interior partition dimensions, glazing information, closet shelves, steps height, etc.
- 7. Enlarge text on elevation drawings.
- 8. The information showing the area of addition is not consistent. As the side setback on the east side is 7'-6" and the existing setback is 5.3', the entire area on the east side appears to be new. Revise information on page 06.
- 9. Area of entry enclosed on 3 sides counts in lot coverage calculations.
- 10. Roof overhang along the west side on the existing structure exceeds the maximum projection of 25% allowed. Revise drawings or request a variance.
- 11. Provide a grading plan showing finished grade elevation in all required yards.
- 12. Indicate height elevation of pool and pool deck.
- 13. Provide demolition plans, existing floor plan and existing elevation drawings.
- 14. Provide a narrative responding to staff comments.

**\*\* ALL ITEMS REQUESTED ABOVE WERE EITHER REVISED AS PER COMMENT OR ADDED.**

5. Planning Landscape Review - Fail Enrique Nunez Ph: email: [EnriqueNunez@miamibeachfl.gov](mailto:EnriqueNunez@miamibeachfl.gov)

Comments: 1. In order to confirm existing site conditions, provide a Tree Survey prepared by a Professional Land Surveyor listing the common names, sizes, and locations of existing trees and palms that are a minimum of ten feet in height and 3 inches in diameter (DBH) for trees and a minimum of 4 inches in diameter (DBH) for palms.

2. Street trees are applicable (3 street trees are required). If unable to plant the street trees within the right-of-way, then plant the required street trees within 7 feet of the front property line on private property.

3. Total trees required: 10

4. Required Shrubs: 120

**\*\* ALL ITEMS REQUESTED ABOVE WERE EITHER REVISED AS PER COMMENT OR ADDED. SEE ATTACHED LANDSCAPE PLANS.**