

# MIAMI BEACH

## PLANNING DEPARTMENT

### Staff Report & Recommendation

### Design Review Board

TO: DRB Chairperson and Members

DATE: April 04, 2017

FROM: Thomas R. Mooney, AICP  
Planning Director



SUBJECT: DRB17-0119 (aka DRB 23125)  
**609 East DiLido Drive – Single Family Residence**

The applicant, A Boy Named Sue LLC, is requesting modifications to a previously issued Design Review Approval for the construction of a new two-story single family home to replace an existing pre-1942 architecturally significant two-story home. Specifically, the applicant is requesting changes to the exterior materials and finishes. **(ITEM WAS APPROVED AT THE MARCH 03, 2015 MEETING)**

#### **RECOMMENDATION:**

Approval with conditions

#### **LEGAL DESCRIPTION:**

Lot 12 of Block 4 of DiLido Island, according to Plat thereof as recorded in Plat Book 8, Page 36 of the Public Records of Miami-Dade County, Florida.

#### **HISTORY:**

The application was approved by the Design Review Board on March 3, 2015 subject to the conditions set forth in the "Final Order". On October 06, 2015, the Design Review Board approved design modifications to the original approval—including the granting of two waivers. Since that time, new ownership is seeking to make some modifications to the exterior finishes and material selection of the building. The timeframe to obtain a Full Building Permit for the home has been extended as below, pursuant to a State Special Extension (Zika):

Original Approval Date: March 3, 2015

Order Expiration Date: September 3, 2016

Zika Emergency Date: June 22, 2017

(232 days=June 23, 2016 to August 19th to October 18, 2016 to December 15, 2016, to February 10, 2017)

+ 60 days New Order Expiration Date: **December 22, 2017**

#### **SITE DATA:**

Zoning: RS-3  
Future Land Use: RS  
Lot Size: 10,500 SF (60x175)  
Lot Coverage:  
Approved: 3,107 SF / **29.6%**  
Maximum: 3,150 SF / 30%

Unit size:  
Approved: 5,175 SF / **49.2%**  
Maximum: 5,250 SF / **50%**  
2<sup>nd</sup> Floor Volume to 1<sup>st</sup>: 80.3%\*

#### **\*DRB WAIVER GRANTED**

Grade: +6.31' NGVD  
Flood: +9.00' NGVD  
Difference: +2.69' NGVD  
Adjusted Grade: +7.65' NGVD

Height:  
Approved: 26'-0" flat roof\*  
Permitted: 24'-0" flat roof  
Maximum: 28'-0" flat roof

#### **\*DRB WAIVER GRANTED**

**Surrounding Properties:**

East: Biscayne Bay

North: Two-story 1948 residence

South: Two-story 1935 residence

West: Two-story 1939 residence

**THE PROJECT:**

The applicant has submitted plans entitled "140505-Di Lido Residence", as prepared by **R+O Studio** signed, sealed and dated February 21, 2017. The applicant is seeking modifications to the materials to be used on the exterior finishes. Originally approved with facades covered with differing porcelain tiles, the facades are now proposed to be clad in vertical ipe wood slats while other prominent features, including the garage, will be finished with a modern exposed concrete. The project otherwise has not seen any other substantial changes.

**COMPLIANCE WITH ZONING CODE:**

A preliminary review of the project indicates that the application, as proposed, appears to be consistent with the City Code. 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.  
**Satisfied**
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.  
**Satisfied**
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; the proposed changes to the exterior finishes and materials is an improvement.**
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.

**Satisfied**

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.

**Not applicable**

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.

**Not applicable**

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**

**STAFF ANALYSIS:**

Staff views the changes in exterior material finishes as an overall improvement to the design of the residence. The porcelain tiles are being replaced with a richer texture palette, with vertical ipe wood cladding and exposed concrete that offset one another well. The distribution of these finishes is balanced, and appropriately distributed on the street and bayside facades. Overall, staff is supportive of the proposed design changes and recommends approval.

**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/CAM

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**DESIGN REVIEW BOARD**  
**City of Miami Beach, Florida**

MEETING DATE: April 04, 2017

FILE NO: DRB16-0119 (a.k.a. DRB File No. 23125)

PROPERTY: 609 East DiLido Drive

APPLICANT: A Boy Named Sue LLC

LEGAL: Lot 12 of Block 4 of DiLido Island, according to Plat thereof as recorded in Plat Book 8, Page 36 of the Public Records of Miami-Dade County, Florida

IN RE: The Application requesting exterior modifications to a previously issued Design Review Approval for the construction of a new two-story single family home to replace an existing pre-1942 architecturally significant two-story home. Specifically, the applicant is requesting changes to the exterior materials and finishes..

**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 a 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 consistent with Design Review Criteria in Section 118-251 of the Miami Beach Code.
- C. The project would remain consistent with the criteria and requirements of section 118-251 if the following conditions are met:
  - 1. All of the original conditions of approval by this Board, as reflected in the Final Orders dated May 03, 2015, and October 06, 2015, pursuant to DRB File No. 23125, shall remain in effect except as modified herein.
  - 2. Revised elevation, site plan, and floor plan drawings for the proposed new home at 609 East DiLido Drive shall be submitted, at a minimum, such drawings shall incorporate the following:

- a. The final design details and color selection of the Ipe wood 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.
- b. 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.
- c. 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.
- d. 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.

**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.

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

- A. 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.
- B. The final building plans shall meet all other requirements of the Land Development Regulations of the City Code.
- C. The Final Order shall be recorded in the Public Records of Miami-Dade County, prior to the issuance of a Building Permit.
- D. 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.
- E. 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.
- F. The conditions of approval herein are binding on the applicant, the property's owners, operators, and all successors in interest and assigns.

G. Nothing in this order authorizes a violation of the 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 adopted by the Board, that the Application for Design Review approval is GRANTED for the above-referenced project subject to those certain conditions specified in Paragraph I, II, III of the Findings of Fact, to which the applicant has agreed.

PROVIDED, the applicant shall build substantially in accordance with the plans, entitled "140505-Di Lido Residence", as prepared by **R+O Studio** signed, sealed and dated February 21, 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 set forth in this Order. No building permit may be issued unless and until all 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 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 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 should 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

STATE OF FLORIDA           )  
  )SS  
COUNTY OF MIAMI-DADE    )

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_ by James G. Murphy, Chief of Urban Design, Planning Department, City of Miami Beach, Florida, a Florida Municipal Corporation, on behalf of the Corporation. He is personally known to me.

\_\_\_\_\_  
NOTARY PUBLIC  
Miami-Dade County, Florida  
My commission expires: \_\_\_\_\_

Approved As To Form:  
City Attorney's Office: \_\_\_\_\_ (                    )

Filed with the Clerk of the Design Review Board on \_\_\_\_\_ (                    )