

**VIA HAND DELIVERY****CITY OF MIAMI BEACH DESIGN REVIEW BOARD**

C/O JAMES MURPHY  
CITY OF MIAMI BEACH  
PLANING DEPARTMENT  
1700 CONVENTION CENTER DRIVE  
MIAMI BEACH, FLORIDA 33139

**LETTER OF INTENT:**

221 E DILIDO DR – 33139 – MIAMI BEACH FL

Dear Design Review Board Members;

**PROJECT AND DESIGN CONCEPT INTRODUCTION:**

We, Thirlwall Design as Designers and Tony Leon as Architect of Record in lieu of the owner of the land, Mrs. Myriam Yasmine Habour, wish to present to you the project of a single family house to be located at 221 E Dilido Dr. in the City of Miami Beach. The lot where the project is to be built is located on the Dilido Island on the easterly edge of the island with direct views towards the west side of Rivo Alto Island, Flagler Memorial Island and to the skyline of the buildings in South Pointe. Part of the RS-3 zoning tract, the lot has an existing two story residential structure that was built before 1942 which the proposed project calls for complete removal.

The design team and architect of record aimed to create a singular design with unique architectural features that will surely enhance the site surroundings both in aesthetical fruition and quality of the built environment. The proposed design will exceed the existing structure on site in it is architectural worth, building quality, adherence to the recommended base flood elevation and storm water retention guidelines.

The design concept derived from the notion of a structural spine from which the practical and day-to-day spaces are formed. A central spine that allows the segregation of social and private, functional and leisure areas located on either side of this central axis. Through this original idea, a volume split in two sides of a strong central axis; and the requirement of the code to fragment the total length of the building in sections of no more than 60'-0", which creates side courtyards that allow for ventilation, sun light and the resulting salubrity for the adjoining spaces; the final layout of the project arises. The courtyards follow the concept of a contrast of uses and experiences defined by their relative position to the spine; the north courtyard as a contemplative setting for the adjoining main walkway into the rear part of the house with the social spaces; the south courtyard as a reserved play space for the art and crafts room to take place next to it.

The intent of the design and the client is to create a unique architectural piece, which will afford quality in details, finishes and materials in all its aspects, placing a new focus point on the area for future development of the same nature in terms of design and financial commitment to detail and finishes.

**DESIGN WAVERS REQUESTED:**

The applicant requests three design waivers for the project:

1. A waiver to remove the required 70% ratio of physical volume of the second floor compared to the ground floor when the lot coverage exceeds 25% of the lot area, and allow for an 85.6% ratio instead. We are requesting this in light of the several double height spaces present in the design which cause a significant increase to the second floor volume without significant additional usable floor space beyond the original 70% portion of the second floor. The location of said double height spaces would not permit for any future attempts of increasing the unit size by adding further usable floor in place of the open space.
2. A waiver to exceed the 24' allowable height projection for flat roof buildings. As part of the design concept, the central axial wall should detach itself from the main building by extending 3'-0" in height compared to the other portions of the buildings, this wall is 0'-16" in width, completely unoccupiable and the height increase will only add to the architectural quality of the design.
3. A waiver to allow for a 2'-9" increase in grade level on the required south side courtyard. This would guarantee a more pleasant and integrated open space at the same height of the base flood elevation. This follows the spirit of the required open spaces regulation, in breaking extensive lengths of façades and creating quality open spaces that enrich not only the lot in question but also its adjacent neighbor, even better than by following the code requirement of keeping said courtyards in the elevation of the side yards.
4. A waiver to allow for a 2'-9" increase in grade level on portions of the required north side courtyard as well, with the same motivation and reasoning of the previous design waiver requested. In this case the design would even call for a further setback of the raise in elevation of said courtyard placing a water feature next to the main circulation of the house at the same elevation of the interior and also creating a larger buffer separating the side yard from the said water feature on the elevated portion of the side courtyard.

**VARIANCES REQUESTED:**

The applicant requests the two following variances:

1. A variance to permit an encroachment of the central axial wall into the front setback 3'-0".

The variance is requested from the following section of the City of Miami Beach, Florida, Code of Ordinances, Chapter 142, Art. II, Division 2, Sec. 142-106. - Setback requirements for a single-family detached dwelling. :

*"The setback requirements for a single-family detached dwelling in the RS-1, RS-2, RS-3, RS-4 single-family residential districts are as follows:*

- (1)Front yards: The minimum front yard setback requirement for these districts shall be 20 feet.*
- a. One-story structures may be located at the minimum front yard setback line.*
  - b. Two-story structures shall be set back a minimum of ten additional feet from the required front yard setback line."*

The northerly neighbor of the property contains a structure directly onto the street façade within the setback currently required by the Code, and which is taller than the current Code permits constituting a de facto 3rd floor in elevation. That structure's imposing height and positioning create a significant break in the transition of this neighborhood with our client's property serving as the only opportunity to correct that transition. The minimal variance requested will allow and create an aesthetic transition both with regard to the positioning of the structure on the lot which will promote design harmony in this neighborhood which is currently noticeably absent, thereby taking advantage of the unique characteristics of this site and avoiding the unnecessary perpetuation of disparate development resulting from strict adherence to these specific Code provisions.

The standards of review for a Variance, dictated by section 118-353(d) of the City's LDRs, determine that a Variance shall be approved upon demonstration of the following:

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:

THIS CONDITIONS IS SATISFIED, the northerly neighbor of the property has a taller structure directly onto the street façade constituting a de facto 3<sup>rd</sup> floor in elevation. The proposed design attempts to correct this imbalance of the street façade by having a central element higher than the permitted 24' height in the RS-3 zoning tract, which serves as transition in height from the northerly to the southerly neighboring properties. The encroachment onto the front setback serves as way to allow a harmonious transition in height through the central axial wall, without causing the same visual imbalance as the neighboring building.

2. The special conditions and circumstances do not result from the action of the applicant.

THIS CONDITION IS SATISFIED, as the imposing neighboring property is the sole cause for the imbalance in the street façade. The applicant seeks only to correct said imbalance.

3. Granting the variance 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.

THIS CONDITION IS SATISFIED, the variance request stems from the need to compensate over the increased height of the neighboring property. This denotes that the encroachment is not in itself a special privilege.

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.

THIS CONDITION IS SATISFIED, the hierarchy and status conveyed upon a more imposing façade in terms of substantial real estate value would create a disadvantage of the applicant's standing in relation to its northerly neighbor. The variance requested would provide due compensation of this hardship by allowing the proposed house to not be overshadowed by the adjoining building.

5. The variance requested is the minimum variance that will make possible the reasonable use of the land, building or structure.

THIS CONDITION IS SATISFIED, the requested encroachment for the central wall is behind the line of the 20'-0" setback for one story developments in the same zoning tract and projects only onto the setback for two story developments. The encroachment is only for a small section of the front façade and is only 16" in width.

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.

THIS CONDITION IS SATISFIED, the granting of the variance will allow for a more harmonious transition in for the 'street façade', and will in fact allow for a better contextualization of the design compared to what the original regulations suggest, by allowing the fascia of the building to come closer to the southerly neighbor in terms of frontal alignment while allowing for a step down transition from the northerly neighbor.

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 scheduling of a public hearing or anytime prior to the board voting on the applicant's request.

THIS CONDITION IS SATISFIED, the requested variances will allow redevelopment of the Property consistent with the comprehensive plan and will not reduce the levels of service.

**CONCLUSION:**

The applicant is requesting Design Review Board approval to demolish the existing pre 1942 home and construct a new one, with 1 minor variance and 4 design waivers. We respectfully request approval of the Application and look forward to working with the staff.

Sincerely,

James J. Wall, Principal at Thirlwall Design