

January 28, 2025

City Of Miami Beach  
Planning Department, Second Floor  
1700 Convention Center Way  
Miami Beach, FL 33139

Att: Mr. Tom Mooney, Mr. Rogelio Madan, Planning Staff, & DRB

RE: Architect's Letter of Intent & Review Comment Responses  
1520 Stillwater Drive  
Miami Beach, FL  
DRB24-1042

Planning Staff & DRB,

In regards to the above referenced project, we propose to demolish the existing one-story residence. We intend to construct a new two-story residence with an understory. The project will have (6) bedrooms, (6) bathrooms, and (2) 1/2 baths. The area of the proposed project will be 7,910 sq. ft. The construction cost estimate for this project is approximately \$3,164,000 based on a \$400 per sq. ft. cost estimate. The construction date of the existing residence on the project site to be demolished is 1952.

The applicant's proposal complies with sea level rise and resiliency review criteria, Section 7.1.2.4. The proposed project will include impact windows and exterior doors, the operable windows and open balconies provided serve as passive cooling systems, provide abundant weather resilient landscaping, the critical mechanical and electrical equipment will be located above the base flood elevation. See subsections below for further detail.

#### **Waiver Requests**

There are two waiver requests we are asking approval for as part of this submittal. The first is in reference to section 7.2.2.4.a.4.A.V, Courtyards. We are requesting to waive the courtyard required along the West side of the house. See sheet A-8.1 of the Architectural plan submittal for reference. The second waiver we are requesting is in reference to section 7.2.2.3.b.2.B.I. where for two story homes with an overall lot coverage of 25 percent (25%) or greater, the following additional requirement shall apply to the second floor (including any portion of the home above a height of 18 feet as measured from base flood elevation plus freeboard): At least 35 percent (35%) of the second floor along the front elevation shall be set back a minimum of 5 feet from the minimum required setback. We are also requesting a waiver for the wall and railings that are framing this floor.

#### **7.1.2.4 Sea Level Rise and Resiliency Review Criteria**

##### **a. Criteria**

The city's land use boards shall consider the following when making decisions within their jurisdiction, as applicable:

##### **1. Criteria for development orders**

- A. A recycling or salvage plan for partial or total demolition shall be provided. [See Architectural sheet A1.1 for demolition plan.](#)
- B. Windows that are proposed to be replaced shall be hurricane proof impact windows. [Windows and exterior doors to be](#)



- impact resistant. See notes provided on Architectural sheets.
- C. Where feasible and appropriate, passive cooling systems, such as operable windows, shall be provided. The operable windows and open balconies provided serve as passive cooling systems.
  - D. Resilient landscaping (salt tolerant, highly water-absorbent, native, or Florida-friendly plants) shall be provided, in accordance with chapter 4 in Land Development Regulations. Landscape has been designed in accordance with these regulations, see provided landscape plans.
  - E. The project applicant shall consider the 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. The applicant shall also specifically study the land elevation of the subject property and the elevation of surrounding properties. These items were addressed in the proposed design.
  - F. The ground floor, driveways, and garage ramping for new construction shall be adaptable to the raising of public rights-of-way and adjacent land, and shall provide sufficient height and space to ensure that the entry ways and exits can be modified to accommodate a higher street height of up to 3 additional feet in height. The elevated first floor with understory ensures that the proposed project is adaptable to the raising of public rights-of-ways and adjacent land in the future.
  - G. As applicable to all new construction, all critical mechanical and electrical systems shall be located above base flood elevation. All redevelopment projects shall, whenever practicable and economically reasonable, include the relocation of all critical mechanical and electrical systems to a location above base flood elevation. All mechanical and electrical systems will be located above base flood elevation.
  - H. Existing buildings shall, wherever reasonably feasible and economically appropriate, be elevated up to base flood elevation, plus City of Miami Beach Freeboard. N/A.
  - I. 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 54 in General Ordinances. N/A.
  - J. As applicable to all new construction, stormwater retention systems shall be provided. This has been provided by a Civil Engineer on this project, see sheets PD-1 and PD-2.
  - K. Cool pavement materials or porous pavement materials shall be utilized. See Landscape hardscape plan sheet LH-1.
  - L. The design of each project shall minimize the potential for heat island effects on-site. The project is specified to have a low albedo roof membrane, see sheet A-2.4 for note.

#### 2.5.3.1 Design review criteria

Design review encompasses the examination of architectural drawings for consistency with the criteria stated below, with regard to the aesthetics, appearance, safety, and function of any new or existing structure and physical attributes of the project in relation to the site, adjacent structures and surrounding community. The design review board and the



planning department shall review plans based upon the below stated criteria, criteria listed in neighborhood plans, if applicable, and applicable design guidelines. Recommendations of the planning department may include, but not be limited to, comments from the building department and the public works department.

- a. The existing and proposed conditions of the lot, including but not necessarily limited to topography, vegetation, trees, drainage, and waterways. [The proposed project is in compliance.](#)
- b. 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. [The proposed project is in compliance.](#)
- c. 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. [The proposed project is in compliance.](#)
- d. 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 [2.5.3.2](#). [The proposed project is in compliance.](#)
- e. 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 article and other applicable ordinances, architectural and design guidelines as adopted and amended periodically by the design review board and historic preservation board and all pertinent master plans. [The proposed project is in compliance.](#)
- f. The proposed structure, 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. [The proposed project is in compliance and is designed to be both resilient and compatible to the environment and adjacent structures and significantly enhances the appearance of the surrounding properties and neighborhood overall.](#)
- g. 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. The proposed project is in compliance. [The proposed project demonstrates an efficient use of the lot and pays particular attention 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.](#)
- h. 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 safety 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. [The proposed project is in compliance.](#)
- i. 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. The proposed project is in compliance. The project lighting has been designed to limit glare on adjacent properties.
- j. Landscape and paving materials shall be reviewed to ensure an adequate relationship with and enhancement of the overall site plan design. The proposed project is in compliance.
  - k. 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. The proposed project is in compliance.
  - l. 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). The proposed project is in compliance. The proposed project's orientation and massing consider the building site and surrounding area and are compatible.
  - m. 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. The proposed project is in compliance.
  - n. The building shall have an appropriate and fully integrated rooftop architectural treatment which substantially screens all mechanical equipment, stairs and elevator towers. The proposed project is in compliance.
  - o. 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). This criterion is not applicable to this application.
  - p. 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. The project is in compliance.
  - q. 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. The project is in compliance.
  - r. In addition to the foregoing criteria, section 104-6 (t) the General Ordinances 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. This criterion is not applicable to this application.
  - s. The structure and site comply with the sea level rise and resiliency review criteria in chapter 7, article I, as applicable. The proposed project does comply. Refer to Sea Level Rise and Resiliency Review Criteria subsection and responses that are part of this letter.

## Conclusion

The Modern design features a variety of beautiful and interesting architectural moments and lush landscaping. The home significantly complies with height, unit size, lot coverage, required setbacks, and understory limitations ensuring a minimal impact on abutting neighbors. The proposed understory also confirms the Owner's commitment to sustainability and resiliency. Lastly, the requested waiver and variance requests meets the



hardship criteria and practical difficulty standards provided in the Code. 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 305-662-1008.

#### **DRB Planning Staff Review Comments & Responses**

##### **1. APPLICATION COMPLETENESS**

- a. Include the cost of estimate under a separate cover or in the letter of intent. The cost estimate for construction is approximately \$3,164,000 as listed at the beginning of the Letter of Intent.
- b. LOI: provide construction date for the existing single-family home. The construction date of the existing home to be demolished on the project site is 1952 as listed in the Letter of Intent.
- c. Survey: Provide lot area. this shall coordinate with zoning data and plans information, without this the application cannot move forward. See revised submitted survey.
- d. The Letter of Intent shall include and respond to all sea level rise and resiliency review criteria per section 7.1.2.4 of the City Resiliency Code. Provide a subtitle, number questions as presented in the code A to L. See updated sub-section of Letter of Intent.
- e. The Letter of Intent for Design Review Board shall include and respond to all review criteria per section 2.5.3.1. Provide a subtitle, number questions as presented in the code a to s. See updated sub-section of Letter of Intent.
- f. Organize the plan set in the same sequence as the checklist items. For example, move renderings and elevation material at the end of the plan set. See revised submitted plan set.
- g. PDF page 6 and 7 are the same. Revise. Corrected, see revised submitted plan set.
- h. Provide the Landscape plans on a different PDF file. In addition to submitting Landscape as part of the DRB set, the landscape plans were submitted as a separate file and approved by Philip Bymes. We have removed the landscape from the revised DRB set. We are submitting a revised Landscape set reflecting the revisions to the Architecture
- i. Zoning Data: Use Planning Department zoning data sheet format. Check list item 11c. provide this on a separate page. You can find this at: <https://www.miamibeachfl.gov/city-hall/planning/planning-document-checklist/>. See sheet A0.2 for Zoning data.
- j. Provide a Context Location Plan, Min 8.5"X11" Color Aerial 1/2 mile radius, identifying project and showing name of streets. See sheet A0.3.
- k. Provide a contextual Elevation Line Drawings, corner to corner, across the street and surrounding properties (dated). Checklist Item 18. In this case, provide 3 houses on each side (E and W) and 7 houses across from the street. 1. Files cannot exceed 25 KB, divide the plan set in 2 or more sets if required. See sheet A6.2.
- m. For reference follow the link below and look at a recently approved application (DRB24-1045, 437 WEST 31 STREET). See LOI, plans and other documents submitted. Ok.

n. <https://miamibeachfl.primegov.com/Portal/Meeting?meetingTemplateId=4605>

##### **2. ARCHITECTURAL REPRESENTATION**

- a. Add "FINAL SUBMITTAL" and DRB File No. to front cover title for heightened clarity. See sheet A0.0.
- b. Final submittal drawings need to be DATED, SIGNED AND SEALED. See revised DRB set.
- c. All floor plans: Provide required setback lines in red and proposed setback dimensions. See sheets A2.1, A2.2, A2.3, & A2.4.
- d. Understory plan:
- e. Sections, elevations provide Future Crown of the Road value. See sheets A3.1, A3.2, A3.3, A3.4, & A4.1.





- f. Understory plan and first floor plan, for clarification show in dashed lines the enclosed floor above provide a label to this line. See sheet A2.1.
  - g. Lot coverage: separate; Provide diagrams and calculation to what is calculated on the first floor, second floor and roof plan (i.e projections) if applicable similar to the unit size diagrams. Provide subtotals and a total. See sheet A2.1. No projection exceeds 5'.
  - h. Lot coverage: The covered terraces on the first floor and second floor on the south side exceeding a projection of 5 feet shall be included in the lot coverage calculations, diagrams (provide setback dimension) revise calculations and design since you are already at 29.9%. No projections exceed 5'. See sheet A2.1.
  - i. Zoning Data: all information shall coordinate with plans and documents submitted. Ok.
3. DESIGN RECOMMENDATIONS
4. ZONING COMMENTS
- a. Proposed Height of 31 will be not supported by DRB on RS-4 zoning districts per recently approved ordinance. the height may need to be lowered to 28 FT. As discussed with Mr. Thomas Mooney, as this project was applied for 7/18/24 and the fee payment made 9/05/24, this height restriction should not apply since it was before the ordinance was approved.
  - b. Understory Plan: Remove the front door and East wall at the non AC foyer area that leads to the open staircase. Understory areas shall be designed and maintain to be free of obstructions and shall not be enclosed. See revised Architectural plan. Large opening provided on East wall. Front door to remain, but area is no longer enclosed.
  - c. Understory level: Demonstrate compliance with Section 7.2.2.3.b.6.A. understory area(s) below the lowest habitable floor can utilize non-supporting breakaway walls, open-wood lattice work, louvers or similar architectural treatments, provided they are open a minimum of 50 percent (50%) on each side. Provide detailed elevations/diagrams to demonstrate compliance. 50% on all sides of the understory shall be open.// Front elevation: remove door and wall next to the entrance foyer, the garage door needs to have openings to comply with this, it cannot be solid or the garage needs to be setback further if a solid door is going to be used.// West elevation: The enclosed pool bath, the wall behind the kitchen, wall behind generator and aluminum screen are not complying// east elevation: Aluminum screen should be open 50%. See revised elevations. BBQ and bar counter have been removed, Pool bath and outdoor shower have been recessed an additional 5' from first habitable floor façade towards the middle of the property, screened wall behind future generator slab has been removed, and the garage door has been removed and renamed to Carport.
  - d. Provide elevation details and material details for the walls around the bath and the aluminum screens. Provide detailed elevations/diagrams to demonstrate compliance. See elevation sheets A3.2 & A3.3.
  - e. 50% on all sides of the understory shall be open. For the front elevation the garage door needs to have openings to comply with this, it cannot be solid or the garage needs to be setback further if a solid door is going to be used. Provide diagram calculations for all the elevations to demonstrate compliance. See revised elevations. The enclosed pool bath, the wall behind the kitchen, wall behind generator and aluminum screen are not complying// east elevation: Aluminum screen should be open 50%. See revised elevations. BBQ and bar counter have been removed, Pool bath and outdoor shower have been recessed an additional 5' from first habitable floor façade towards the middle of the property, screened wall behind future generator slab has been removed, and the garage door has been removed and renamed to Carport.
  - f. The minimum elevation of the understory ground shall be constructed no lower than future crown of road as defined in chapter 54, of the city Code. Provide written confirmation from the Public Works Department that identifies



the future crown of the road. The elevation of the understory finish floor has been raised to +6'-10" NGVD/-11'-10" DATUM. See revised plan.

g. Understory edge. All allowable decking, gravel, pavers, non-supporting breakaway walls, open-wood lattice work, louvers or similar architectural treatments located in the understory area shall be set back a minimum of 5 feet from each side of the underneath of the walls of the first habitable floor above. Show the line of the perimeter walls of the first habitable floor above. The aluminum screens behind the generator and dining area needs to be setback 5 FT, provide dimension. Revise also pool deck floor on the sides, shower and pool bath. See revised Understory Plan on sheet A2.1.

h. Mechanical equipment on the required side yard shall be setback 5 FT, provide dimensions to the AC Compressors, pool equipment, generator slabs. See sheets A1.3 & A2.1.

i. Demonstrate compliance with 7.2.2.3.b.2.B.I. For two story homes with an overall lot coverage of 25 percent (25%) or greater, the following additional requirement shall apply to the second floor (including any portion of the home above a height of 18 feet as measured from base flood elevation plus freeboard): At least 35 percent (35%) of the second floor along the front elevation shall be set back a minimum of 5 feet from the minimum required setback. It seems that the wall and railings that are framing this floor are not complying, Provide calculations, setback dimensions from required setback. Otherwise you may request a waiver for this. We are requesting a waiver for this. See waiver section of the Letter of Intent.

j. The minimum yard elevation is future adjusted grade. Future adjusted grade means the midpoint elevation between the future crown of the road and the base flood elevation plus minimum freeboard for a lot or lots. Provide written confirmation from the Public Works Department that identifies the future crown of the road for further review of compliance the minimum yard elevation. See email from Mr. Aaron Osborne of the Public Works Department on September 17, 2024 at the back of this response section providing the future crown of road.

## 5. Notes

### a.

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. Ok.

#### Final 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 CSS 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
HRR	Historic Resources Report



Microfilm	Building Card and Microfilm
Traffic	Traffic Study
Sound	Sound Study

2. DRB - Planning Review - Not Required Rogelio Madan Ph: email:  
RogelioMadan@miamibeachfl.gov

3. DRB - Planning Admin Review - Fail Gabriela Freitas Ph: email:  
gabrielafras@miamicbeachfl.gov

All pages of a document must be uploaded in one PDF file. Do not upload individual pages of a document.

Comments: Page 1 of Application: Property Information - Please attach Legal Description as "Exhibit A".

All fees and paper submittal must be paid and delivered to the Planning Department at 1700 Convention Center Drive, 2nd Floor, Miami Beach, by 1:00 p.m. on the due date. Please consult the Land Use Board calendar for due dates. Delays in payment or delivery times/date will result in applications being moved to the next available hearing. The paper submittal shall consist of the final versions of the documents which were approved for this application and MUST be consistent with the electronic plans / documents reviewed and approved for which a Notice to Proceed was issued. Nothing can change between the Formal Submittal and the scheduled date of hearing. Each file document must be labeled by day of submittal and document name.

Submit Mailing Labels and Email owners mail labels in Excel.

---

Antonio E. Rodriguez, Architect  
Cad Studio Architecture Inc





FUTURE CROWN OF ROAD EMAIL PROVIDED BY PUBLIC WORKS DEPARTMENT

AT&T Yahoo Mail - RE: DRB24-1042 - Request of future C.O.R

<https://mail.yahoo.com/d/search/name=Aaron%2520Osborne&emailAd...>

RE: DRB24-1042 - Request of future C.O.R

From: Osborne, Aaron (aaronosborne@miamibeachfl.gov)  
To: cad@bellsouth.net  
Cc: RogelioMadan@miamibeachfl.gov  
Date: Tuesday, September 17, 2024 at 10:08 PM EDT

Hello Antonio,

- The future Crown of the Road elevation adjacent to 1520 Stillwater Drive, Miami Beach, is projected at 4.5 feet NAVD.

In 2020, the City Commission adopted a new road elevation strategy which considers sea level rise (SLR) projections and tidal flooding. Since the SLR projections vary with time, so are the proposed elevation of the roads. We are currently using the 2025 projected values (see Table 1 below), and thus the elevations of the roads at the edge of pavement for *non-state roads* like Stillwater Drive at the referenced address is projected to be approximately 4.2 feet NAVD (and 4.4 feet NAVD at the crown of the road for a typical two-lane road with 10-foot-wide lanes).

Table 1- Future Edge of Pavement Elevation (in feet NAVD) per Adopted Road Elevation Strategy

Project Start Date	2020	2025	2030	2035	2040
State Roads	4.8	5.2	5.7	6.2	6.7
Non-state Roads	3.9	4.2	4.5	4.9	5.3

Please note that the projected future road elevation is only a *target* and *can be adjusted* to ensure proper harmonization. Harmonization refers to the transition in elevations between the private property and the right of way, including the driveway and pedestrian access as well as the front and side yard transitions.

Based on the prioritization of projects (see attached map), the above subject property falls within the Biscayne Point A Neighborhood Improvement Project (NIP), and it is not expected to be raised within the next few years.

Feel free to contact me if you have any questions.

Best regards,

MIAMI BEACH

Aaron Osborne, *Project Engineer*  
PUBLIC WORKS DEPARTMENT, Engineering Division  
1700 Convention Center Drive, Miami Beach, FL 33139  
Tel: 305-673-7080 x 26110 / Fax: 305-673-7028  
[www.miamibeachfl.gov](http://www.miamibeachfl.gov)


**Public Works Department Mission**

We are a multi-disciplined department comprised of Operations, Engineering, Sanitation, and Greenspace Management divisions. Together, these divisions ensure the technologically advanced design, maintenance, functionality, delivery, and cleanliness of the City's water services and resources, roadways and greenways.

We place the utmost importance in valuing our employees and ensuring all are trained to be the most reliable, knowledgeable, environmentally-conscious and solutions-oriented professionals who provide for the City's stakeholder needs and concerns in an efficient and socially-responsible manner to foster a better, safer, and healthier community for all to live, work, and play.

**Public Works Department Vision**

To be the most proactive, innovative, and dependable network of highly knowledgeable professionals who are skilled in providing stakeholders optimal service and solutions to our community's most pressing infrastructure and environmental needs.

 Please do not print this e-mail unnecessarily

