

MIAMI BEACH

PLANNING DEPARTMENT

Staff Report & Recommendation

Design Review Board

TO: DRB Chairperson and Members

DATE: April 10, 2025

FROM: Thomas R. Mooney, AICP
Planning Director



SUBJECT: **DRB24-1030, 8,9,10 CENTURY LANE.**

An application has been filed requesting Design Review Approval for the construction of a new 5-story single-family home, including one or more waivers, and variances from the minimum required rear setback for a swimming pool, from the minimum required side street setback and from the maximum lot aggregation, to replace existing residences.

RECOMMENDATION:

Continue to the June 12, 2025 meeting.

HISTORY

On April 4, 2023 the Design Review Board (DRB) approved the following projects:

1. DRB22-0841 at 8 Century Lane, for the construction of a new 5-story single-family home, including one or more waivers, and variances to replace an existing single-story home.
2. DRB22-0847 at 10 Century Lane for the construction of a new 5-story single-family home, including one or more waivers, and variances to replace an existing single-story home.

Building permits for these projects have not been issued.

LEGAL DESCRIPTION: (See appendix "A")

SITE DATA:

Zoning:	RM-1 (Residential, Multifamily Low Intensity)
Future Land Use:	RM-1 (Residential, Multifamily Low Intensity)
Lot Size:	10,229 SF *As indicated on submitted survey
Proposed FAR:	12,787 SF / 1.25
Maximum FAR:	12,787 SF / 1.25
Proposed Height:	54'-11" from DFE (BFE+ Freeboard (5))
Maximum Height:	55'-0" from DFE (BFE+ Freeboard (5))
CMB Grade:	3.08 NGVD
Base Flood Elevation:	9' NGVD
Finished First Floor:	10' NGVD (BFE +1')

SURROUNDING PROPERTIES:

North	Two-story hotel "Standard Hotel and Spa"
East:	Two-story hotel "Standard Hotel and Spa"
South:	Five-story 2024 residence

West: Biscayne Bay

THE PROJECT:

The applicant has submitted plans entitled "ONE NEW 5-STORY SINGLE-FAMILY HOME IN RM-1 DISTRICT, AT 8, 9, & 10 CENTURY LN.", as prepared by Pravda Architecture / Design; signed, sealed and dated 02/02/25.

The applicant is proposing a new five-story single family home in the RM-1, Residential multifamily low intensity zoning district of Century Lane.

The applicant is requesting the following variance(s)

1. A variance to reduce by 3'-2" the minimum required rear setback of 7'-6" for a pool water's edge in order to construct at pool with a setback of 4'-4" from the rear setback.
2. A Variance to reduce by 3'-4" the minimum required side facing a street setback of 10'-0" in order to construct portion of the structure at 6'-8" from the side street setback.
3. A Variance to allow for a lot aggregation exceeding 1 lot for a total of 3 lots to develop the site where 2 lots are the maximum lot aggregation allowed.

The applicant is requesting the following waivers:

1. The lot coverage for lots equal or greater than 65 feet in width is 45%. The proposed lot coverage is 50%
2. A minimum height of 12 feet shall be provided, as measured from Base Flood Elevation plus minimum Freeboard to the underside of the first floor slab. The design review board may waive this height requirement by up to two feet, in accordance with the design review. The proposed height is 10'-0" from Base Flood Elevation plus minimum Freeboard.

PRACTICAL DIFFICULTY AND HARDSHIP CRITERIA:

The applicant has submitted plans and documents with the application that staff has concluded satisfy Article 1, Section 2 of the Related Special Acts.

Additionally, staff has concluded that the plans and documents submitted with the application comply with the following hardship criteria, as they relate to the requirements of Section 2.8.3 Miami Beach City Code.

- 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.
- The granting of the variance will result in a structure and site that complies with the sea level rise and resiliency review criteria in chapter 7, article I, as applicable.

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, SECTION 2.5.3.1:

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.
Satisfied; however, the applicant is requesting several variances
- 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.
Satisfied; however, the applicant is requesting several variances
- 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.

Not satisfied; the applicant is requesting several variances and two (2) design waivers from the Board.

- 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.

Satisfied

- 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.

Satisfied; however, the applicant is requesting several variances.

- 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.

Not Satisfied; however, staff is recommending modifications to improve the compatibility with adjacent structures.

- 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.

Satisfied

- 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.

Satisfied

- 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.

Not Satisfied; a lighting plan has not been submitted.

- j. Landscape and paving materials shall be reviewed to ensure an adequate relationship with and enhancement of the overall site plan design.

Satisfied

- 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.

Not Applicable

- 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).
Satisfied

- 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.
Satisfied

- n. The building shall have an appropriate and fully integrated rooftop architectural treatment which substantially screens all mechanical equipment, stairs and elevator towers.
Satisfied

- 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).
Not Applicable

- 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.
Not Applicable

- 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.
Not Applicable

- r. In addition to the foregoing criteria, subsection 118-104-6(t) of 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.
Not Applicable

- s. The structure and site comply with the sea level rise and resiliency review criteria in chapter 7, article I, as applicable.
Satisfied

COMPLIANCE WITH SEA LEVEL RISE AND RESILIENCY REVIEW CRITERIA

Section 7.1.2.4(a)(i) of the Land Development Regulations 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.
Satisfied; additional information will be required at the time of building permit in order to demonstrate compliance.
2. Windows that are proposed to be replaced shall be hurricane proof impact windows.
Satisfied
3. Where feasible and appropriate, passive cooling systems, such as operable windows, shall be provided.
Satisfied
4. Resilient landscaping (salt tolerant, highly water-absorbent, native or Florida friendly plants) shall be provided, in accordance with Chapter 4 of the Land Development Regulations.
Satisfied
5. 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.
Satisfied
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 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 three (3) additional feet in height.
Satisfied
7. In all new projects, all critical mechanical and electrical systems shall be located above base flood elevation. Due to flooding concerns, all redevelopment projects shall, whenever practicable, and economically reasonable, move all critical mechanical and electrical systems to a location above base flood elevation.
Satisfied
8. Existing buildings shall be, where reasonably feasible and economically appropriate, elevated up to base flood elevation, plus City of Miami Beach Freeboard.
Not Applicable
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.
Not Applicable
10. In all new projects, water retention systems shall be provided.
Satisfied; additional information will be required at the time of building permit in order to demonstrate compliance.
11. Cool pavement materials or porous pavement materials shall be utilized.
Satisfied

12. The project design shall minimize the potential for a project causing a heat island effect on site.

Satisfied

STAFF ANALYSIS:
DESIGN REVIEW

The north side of Belle Isle, including Century Lane, is zoned RM-1, Residential Multifamily Low-Intensity, with a maximum F.A.R. of 1.25 and maximum allowable building height of 55 feet when parking and/or non-habitable spaces are provided at the ground level. The south side of Belle Isle is zoned RM-2, Residential Multifamily, Medium Intensity, with a maximum F.A.R. of 2.0 and maximum building height of 60 feet to 140 feet, depending on the ground floor configuration and size of the lot.

The properties along Century Lane were originally developed with one-story single-family homes, all constructed as part of a residential development in 1941. The original bungalows remained largely intact until the mid-1990's, when a permit was issued for the construction of the 6-story 'Vistas' condominium, with 48 residential units and 71 parking spaces. The Vistas building was designed to the maximum FAR allowed at that time (~87,000 SF, 2.0 with bonuses). Six (6) homes on Century Lane were previously demolished to accommodate the construction of the Vistas project and six (6) individual properties remain on the northeast side of Century Lane

The applicant is proposing to aggregate three separate parcels (8, 9 & 10 Century Lane), each containing an individual home, to construct a new multi-story residence on the combined site. The center of the combined lot features a narrow section between the two larger developable areas on the north and south sides of the property, which contemplates a multi-level, enclosed bridge that connects the northern and southern sections of the home.

The east side of the ground floor of the proposed residence consists of an enclosed garage with a ramp and stairs leading up to the entry vestibule. From there an enclosed bridge, leads to the west side where the elevator and enclosed mechanical rooms are located. Further west, the ground floor features a roofed outdoor lounge area with a pool and a dock overlooking Biscayne Bay. The first enclosed habitable floor (second floor) has a finished floor elevation of 22'.7" NGVD. The east side of the home contains a staircase, lounge, gym, theatre, and a hot/cold plunge pool. The west side of the home, which is linked by the proposed bridges at each level, contains the elevator, bathroom, kitchen, living and dining room, and a balcony facing the bay. Floors three and four contain the sleeping quarters y, as well as an accessible rooftop with an outdoor kitchen and a covered communal area.

The residence is designed in a contemporary style with Brutalist influences, characterized by a strong rectangular form. Predominantly finished in smooth concrete, the residence features bands of glazing, some of which are partially covered by vertical wood slat louvers, breaking up the otherwise solid wall planes. Fluted, ribbed concrete is employed at the ground floor, site walls, and roof walls, adding texture and depth to the design. Beyond materiality, the architecture incorporates draping plants, green roofs, and voided spaces, which soften the structure and introduce dynamic movement and visual interest.

The applicant is also requesting two design waivers. The first waiver pertains to maximum lot coverage; the maximum lot coverage for the subject property is 45% and the proposed lot

coverage is 50%. Staff finds that the irregular shape of the property, with different lot width dimensions, justify this waiver request, provided that adequate mitigation is provided. The second waiver pertains to the minimum height to the underside of the first-floor slab, which is required to be 12'-0". The proposed height is 10'-0" and given that the first floor does not contain habitable spaces, staff is not opposed to the granting of this waiver.

Notwithstanding the advanced architectural design, staff has concerns with the overall massing of the residence, and its lack of sensitivity to and incompatibility with the adjacent homes along Century Lane. As proposed, the enclosed five-story connector bridge adds significant, unnecessary volume to the residence and site. When viewed in elevation from the east or west, the bridge connection results in the proposed residence appearing much larger and overwhelming, particularly in relation to the existing, smaller lots along the east side of Century Lane.

One of the reasons lot aggregations are limited to 2 lots on the north side of Belle Isle is to avoid this type of massing scheme. To address this massing issue, and mitigate the proposed aggregation of more than 2 lots, staff recommends the application be continued and that the following modifications be incorporated:

1. The enclosed connector bridges located on Levels 2 thru 5 shall be removed and independent vertical circulation elements shall be incorporated on the north and south sides of the residence. An enclosed walkway can be utilized at the ground level and an unenclosed, covered walkway can be proposed at the second level.
2. The enclosed staircase area on level 5 shall be setback an additional 5 feet to the east in order to provide additional volumetric relief.
3. Additional landscaping, including tall trees and low shrubs, shall be provided between the proposed house and the existing one-story house at 7 Century Lane. This landscaping should be placed in front of proposed walkway, ground-floor elevator, and utility room areas to provide appropriate screening and to soften the visual mass at this location.
4. An additional window shall be provided on the south elevation of the enclosed garage, similar to the round window located on the ground floor ramp to break up this wall and provide additional transparency.

These recommendations will enhance the appearance of proposed home in relation to the surrounding properties, while minimizing the imposing nature of the proposed home. Additionally, they will serve to mitigate the proposed maximum lot coverage waiver requested by the applicant.

VARIANCE(S) REVIEW

The applicant is requesting the following variance(s):

1. A variance to reduce by 3'-2" the minimum required rear setback of 7'-6" for a pool water's edge in order to construct at pool with a setback of 4'-4" from the rear setback.

- Variance requested from:

7.5.3.3 Swimming pools.

a.3. There shall be a minimum 7 feet and 6 inches setback from the rear property line to the water's edge of the swimming pool or to the waterline of the catch basin of an infinity edge pool.

The requested setback variance is limited to the rear pool setback and would impact the portion of the property on lot 8. Given the irregular shape and nonconforming size of the lot, providing an additional setback for the pool would represent a practical difficulty and hardship. As such, staff is not opposed to the granting of this variance, provided additional mitigation measures are included.

2. A Variance to reduce by 3'-4" the minimum required side facing a street setback of 10"-0" in order to construct portion of the structure at 6'-8" from the side street setback.

- Variance requested from:

7.2.4.3.a. DEVELOPMENT REGULATIONS (RM-1)

Side, Facing a Street Setback Ⓢ Lots equal or greater than 65 feet in width	
Subterranean	10 feet or 8% of lot width, whichever is greater, and sum of the side yards shall equal 16% of lot width
Pedestal	
Tower	

The proposed variance is for the portion of the lot where the connector bridges are located. Given the narrow width of this portion of the lot, the required setback could present a hardship. Notwithstanding, staff does have concerns with the impact of the connector bridges on the site and surrounding area. In order to mitigate the impact of this variance request, staff recommends that the enclosed connection be limited to the ground floor and an open-air crossing at the second floor, as described in the design review analysis.

3. A Variance to allow for a lot aggregation exceeding 1 lot for a total of 3 lots to develop the site where 2 lots are the maximum lot aggregation allowed.

- Variance requested from:

7.2.4.3 DEVELOPMENT REGULATIONS (RM-1)

f. Lot aggregation (RM-1)

No more than two (2) contiguous lots may be aggregated for development purposes, with the exception of projects classified as affordable and/or workforce housing.

The existing lot sizes are lower than the minimum lot size in the RM-1 zoning district (5,600 square feet) and the highly irregular shape of the proposed lot configuration could present practical difficulties in constructing a new residence. The proposed lot aggregation variance,

if granted, would result in a total combined lot size of 10,229 square feet, which is less than the combined size of two conforming 5,600 square foot lots (11,200 square feet).

Although there may be practical difficulties associated with developing the subject lots independently, staff has concerns with the proposed variance request associated with the current design scheme. As such, additional mitigation of this variance request, as more specifically noted in the design analysis, is necessary.

In summary, staff does not recommend approval of the requested variances at this time and instead recommends that the application be continued to a future date, to further develop the proposal in accordance with the recommendations herein.

RECOMMENDATION:

In view of the foregoing analysis, staff recommends the application be **continued to the June 12, 2025 meeting** so that the applicant can revise the proposal as detailed above.

Appendix A
Legal description

8 Century Lane

Lot 8, BELLE ISLE VILLAS, according to the map or Plat thereof, as recorded in Plat Book 42, at Page 92, of the Public Records of Miami-Dade County, Florida.

Containing 4,062 Square feet or 0.09 Acres, more or less, by calculation.

9 Century Lane

Lot 9, BELLE ISLE VILLAS, according to the map or Plat thereof, as recorded in Plat Book 42, at Page 92, of the Public Records of Miami-Dade County, Florida.

Containing 3,172 Square feet or 0.07 Acres, more or less, by calculation.

10 Century Lane

Lot 10, BELLE ISLE VILLAS, according to the map or Plat thereof, as recorded in Plat Book 42, at Page 92, of the Public Records of Miami-Dade County, Florida.

Containing 2,995 Square feet or 0.07 Acres, more or less, by calculation.

DESIGN REVIEW BOARD
City of Miami Beach, Florida

MEETING DATE: April 10, 2025

PROPERTY/FOLIO: **8,9,10 CENTURY LANE.**
02-3233-002-0080, 02-3233-002-0090 and 02-3233-002-0100 .

FILE NO: DRB24-1030

IN RE: An application has been filed requesting Design Review Approval for the construction of a new 5-story single-family home, including one or more waivers, and a variance to allow parking within the required front yard, to replace an existing single-story home.

LEGAL: (See appendix "A")

APPLICANT: MICHAEL A SAIGER, 9 CENTURY LANE LLC, & 10 CENTURY LN LLC

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 2.1.3.1 of the Miami Beach Code. The property is not located within a designated local historic district and is not an 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 2.5.3.1 of the Land Development Regulations..
- C. 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, consistent with Sea Level Rise Criteria in Section 7.1.2.4(a)(i) of the Land Development Regulations
- D. The project would be consistent with the criteria and requirements of Section 2.5.3.1 and/ or Section 7.1.2.4(a)(1) if the following conditions are met:
 1. Revised elevation, site plan, and floor plan drawings for the proposed new residence shall be submitted, at a minimum, such drawings shall incorporate the following:
 - a. The design waiver for the lot coverage which for lots equal or greater than 65 feet is 45%. The proposed lot coverage of 50% **Shall be** granted.

- b. The design waiver for a minimum height requirement of (12) feet, as measured from base flood elevation plus minimum freeboard to the underside of the first floor slab, **shall be** waived by 2'-0" feet.
 - c. Remove the covered bridges from Levels 02 to 05 and incorporate independent vertical circulation to each side of the home. An enclosed walkway can be utilized at the ground level and an unenclosed, covered walkway can be proposed at the second level, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
 - d. Setback the enclosed staircase area on level 05 an additional 5 feet to the east to provide additional volumetric relief in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
 - e. The south elevation of the enclosed garage shall be further refined to break up its massing and scale, which may include a window or similar treatment in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
 - f. The final details of the accoya wood slat screen (WS) louvers that accents the elevations 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.
 - g. The final details of the fluted ribbed concrete (FC) on the elevations 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.
 - h. The final details of the black aluminum screening (ML) proposed on the ground floor equipment and generator room at level 05 elevations 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.
 - i. The final design details of all exterior surface 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.
 - j. 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.
 - k. 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.
2. A revised landscape plan, prepared by a Professional Landscape Architect, registered in the State of Florida, and corresponding site plan, shall be submitted to and approved by staff. The species type, quantity, dimensions, spacing, location and overall height

of all plant material shall be clearly delineated and subject to the review and approval of staff. At a minimum, such plan shall incorporate the following:

- a. The applicant shall install additional landscaping, including tall tree species and low shrubs, between the proposed house and the existing one-story house at 7 Century Lane. This landscaping should be placed in front of the walkway, ground-floor elevator, and utility room areas to provide appropriate screening of these walls and to soften the visual mass at this location, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
- b. Prior to the issuance of a building permit, the applicant shall submit a tree protection plan for all trees to be retained on site. Such plan shall be subject to the review and approval of staff, and shall include, but not be limited to a sturdy tree protection fence installed at the dripline of the trees prior to any construction.
- c. A fully automatic irrigation system with 100% coverage and an automatic rain sensor will be required in order to render the system inoperative in the event of rain. Right-of-way areas shall also be incorporated as part of the irrigation system.
- d. The utilization of root barriers and/or Silva Cells, as applicable, shall be clearly delineated on the revised landscape plan.
- e. The applicant shall install street trees on all sides of the project consistent with the City's Street Tree Master Plan, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board, and root barriers shall be installed along the sidewalk in conjunction with structural soils.
- f. The applicant shall verify, prior to the issuance of a Building Permit, the exact location of all backflow prevention devices. Backflow prevention devices shall not be permitted within any required yard or any area fronting a street or sidewalk, unless otherwise permitted by the Land Development Regulations. The location of all backflow prevention devices, and how they are screened from the right-of-way, shall be clearly indicated on the site and landscape plans and shall be subject to the review and approval of staff. The applicant shall verify, prior to the issuance of a Building Permit, the exact location of all post-indicator valves (PIV), fire department connections (FDC) and all other related devices and fixtures, which shall be clearly indicated on the site and landscape plans.
- g. Prior to the issuance of a Certificate of Occupancy, the Landscape Architect for the project architect shall verify, in writing, that the project is consistent with the site and landscape plans approved by the Planning Department for Building Permit.

In accordance with section 2.2.4.8 of the Land Development Regulations, the applicant, the City Manager, Miami Design Preservation League, Dade Heritage Trust, or an affected person may appeal a decision of the design review board for design review approval only to the city commission, except that orders granting or denying a request for rehearing shall not be reviewed by the commission.

II. Variance(s)

- A. The applicant filed an application with the Planning Department for the following variance(s):
1. A variance to reduce by 3'-2" the minimum required rear setback of 7'-6" for a pool water's edge in order to construct at pool with a setback of 4'-4" from the rear setback.
 2. A Variance to reduce by 3'-4" the minimum required side facing a street setback of 10'-0" in order to construct portion of the structure at 6'-8" from the side street setback.
 3. A Variance to allow for a lot aggregation exceeding 1 lot for a total of 3 lots to develop the site where 2 lots are the maximum lot aggregation allowed.
- B. The applicant has submitted plans and documents with the application that satisfy Article 1, Section 2 of the Related Special Acts, allowing the granting of a variance if the Board finds that practical difficulties exist with respect to implementing the proposed project at the subject property.

Additionally, the Board has concluded that the plans and documents submitted with the application comply with the following hardship criteria, as they relate to the requirements of Section 2.8.3 of the Land Development Regulations:

- i. 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;
- ii. The special conditions and circumstances do not result from the action of the applicant;
- iii. 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;
- iv. 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;
- v. The variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure;
- vi. 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;
- vii. 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; and
- viii. The granting of the variance will result in a structure and site that complies with the

sea level rise and resiliency review criteria in chapter 7, article I, as applicable.

- C. The Board hereby **Approves** the Variance request(s), and imposes the following conditions based on its authority in Section 2.8.4 of the Miami Beach City Code:
1. Substantial modifications to the plans submitted and approved as part of the application, as determined by the Planning Director or designee, may require the applicant to return to the Board for approval of the modified plans, even if the modifications do not affect variances approved by the Board.

The decision of the Board regarding variances shall be final and there shall be no further review thereof except by resort to a court of competent jurisdiction by petition for writ of certiorari.

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

- A. All new construction over 7,000 square feet shall be required to be, at a minimum, certified as LEED Gold by USGBC. In lieu of achieving LEED Gold certification, properties can elect to pay a sustainability fee or post a bond, pursuant to Section 7.1.3.2 of the Land Development Regulations. This fee is set as a percentage of the cost of construction.
- B. Upon the issuance of a final Certificate of Occupancy or Certificate of Completion, as applicable, the project approved herein shall be maintained in accordance with the plans approved by the board and shall be subject to all conditions of approval herein, unless otherwise modified by the Board. Failure to maintain shall result in the issuance of a Code Compliance citation, and continued failure to comply may result in revocation of the Certificate of Occupancy, Completion and Business Tax Receipt.
- C. During construction work, the applicant shall maintain gravel at the front of the construction site within the first 15'-0" of the required front yard to mitigate disturbance of soil and mud by related personal vehicles exiting and entering the site. All construction materials, including dumpsters and portable toilets, shall be located behind the construction fence and not visible from the right-of-way.
- D. All construction vehicles shall either park on the private property or at alternate overflow parking sites with a shuttle service to and from the property. The applicant shall ensure that the contractor(s) observe good construction practices and prevent construction materials and debris from impacting the right-of-way.
- E. If applicable, 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.
- F. The applicant shall ensure that the contractor(s) observe good construction practices and prevent construction materials and debris from impacting the right-of-way.
- G. The contractor(s) shall ensure that the street and the swale directly abutting the construction site remains free of debris and refuse at all times; at a minimum, the contractor(s) shall inspect and clear the street and swale areas before leaving at the end

of each day.

- H. This order shall be enforced by the Building, Planning, Parking and Code Compliance Departments.
- I. A recycling/salvage plan shall be provided as part of the submittal for a demolition/building permit, in a manner to be reviewed and approved by staff.
- J. All applicable FPL transformers or vault rooms and backflow prevention devices shall be located within the building envelope with the exception of the valve (PIV) which may be visible and accessible from the street.
- K. 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.
- L. The Final Order shall be recorded in the Public Records of Miami-Dade County, prior to the issuance of a Building Permit.
- M. 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.
- N. 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.
- O. The conditions of approval herein are binding on the applicant, the property's owners, operators, and all successors in interest and assigns.
- P. 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 amended and adopted by the Board, that the **application** is GRANTED for the above-referenced project subject to those certain conditions specified in Paragraph I, II, III of the Finding of Fact, to which the applicant has agreed.

PROVIDED, the applicant shall build substantially in accordance with the revised plans entitled "ONE NEW 5-STORY SINGLE-FAMILY HOME IN RM-1 DISTRICT, AT 8, 9, & 10 CENTURY LN.", as prepared by **PRAVDA Architecture/Design** dated, signed and sealed February 2nd, , 2025, 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 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 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 shall 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 2 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 2 of the City Code, for revocation or modification of the application.

Dated _____.

DESIGN REVIEW BOARD
THE CITY OF MIAMI BEACH, FLORIDA

BY: _____
Rogelio A. Madan, AICP
Development & Resiliency Officer
For the Chair

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

The foregoing instrument was acknowledged before me this _____ day of _____ 20__ by Rogelio A. Madan, AICP, Development & Resiliency Officer of the City of Miami Beach, Florida, a Florida Municipal Corporation, on behalf of the Corporation. He is personally known to me.

{NOTARIAL SEAL}

Notary:
Print Name
Notary Public, State of Florida
My Commission Expires:
Commission Number:

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

Filed with the Clerk of the
Design Review Board on _____ ()

Appendix A
Legal description

8 Century Lane

Lot 8, BELLE ISLE VILLAS, according to the map or Plat thereof, as recorded in Plat Book 42, at Page 92, of the Public Records of Miami-Dade County, Florida.

Containing 4,062 Square feet or 0.09 Acres, more or less, by calculation.

9 Century Lane

Lot 9, BELLE ISLE VILLAS, according to the map or Plat thereof, as recorded in Plat Book 42, at Page 92, of the Public Records of Miami-Dade County, Florida.

Containing 3,172 Square feet or 0.07 Acres, more or less, by calculation.

10 Century Lane

Lot 10, BELLE ISLE VILLAS, according to the map or Plat thereof, as recorded in Plat Book 42, at Page 92, of the Public Records of Miami-Dade County, Florida.

Containing 2,995 Square feet or 0.07 Acres, more or less, by calculation.
