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## **VIA ELECTRONIC SUBMITTAL**

July 7, 2024

Re: **DRB24-1026** – Narrative Responses to First Submittal  
Comments

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### **DRB PLANNING REVIEW**

Draft Notice: DRB24-1026 94 Palm Ave: An application has been filed requesting Design Review Approval for the construction a new two-story residence with an understory level, including one or more waivers, to replace an existing residence.

RESPONSE: *Please include in the draft notice, side and front setback variances to maintain the existing nonconforming structure at the northeast corner of the property.*

Please provide a narrative response to the comments listed below.

RESPONSE: *Please allow this to serve as narrative responses to first submittal comments.*

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

a. The file number, DRB24-1001, shall be noted in the land use board application.

RESPONSE: *The file number is DRB24-1026 and it is noted on the application form.*

b. The Letter of Intent shall respond to the design review criteria of sec. 2.5.3.1 of the Resiliency Code.

RESPONSE: *Included. Please see revised letter of intent.*

c. A Demolition Plans (Floor Plans & Elevations with dimensions) shall be provided in the architectural set.

RESPONSE: *Please see sheets D-004 and D-004.A.*

d. A variance and waiver diagram shall be included in the final submittal set.

RESPONSE: *Please see sheets D-028, D-029, D-030, D-031, D-031.a.*

## 2. ARCHITECTURAL REPRESENTATION

a. Include the cost of estimate under a separate cover or in the letter of intent.

RESPONSE: *Included. Please see revised letter of intent.*

b. Add "FINAL SUBMITTAL" and DRB File No. to front cover title for heightened clarity.

RESPONSE: *Please see cover sheet.*

c. Final submittal drawings need to be DATED, SIGNED AND SEALED.

RESPONSE: *Added. Please see architectural plans.*

## 3. DESIGN RECOMMENDATIONS

a. Along the north elevation, the painted smooth stucco (PS-01) and the exterior tile cladding (ST-01) consist of the same hatching and color in the elevations. If the finishes are different, it should reflect the correct color surface/texture as the material legend.

RESPONSE: *Refer to Elevation Sheets D-045 – D-048 for revised material legend. Refer to new rendered elevation sheets D-040 – D-043.*

b. The exterior tile cladding (small format, ST-03) consist of vertical tiles in the material legend whereas the elevations demonstrate horizontal tiles. The elevations should reflect the same tile pattern for further consistency.

RESPONSE: *Refer to Elevation Sheets D-045 – D-048 for revised material legend. Refer to new rendered elevation sheets D-040 – D-043.*

c. Please clarify if the aluminum cladding (WD-01) is a sustainable and eco-logical material.

RESPONSE: *Refer to elevation sheets D-045 and D-048 for revised material legend. Material WD-01 changed to solid hardwood.*

d. The mechanical screenings at the east elevation shall explore decorative screening options consisting of aluminum cladding.

RESPONSE: *See material legend for MS-01, aluminum mechanical screens.*

## 4. ZONING COMMENTS

a. All parking, including required parking, shall be provided within the understory area, and shall be clearly delineated by a different surface finish or bollards.

RESPONSE: *See sheet D-13 for dimensions of driveway areas and parking areas. Areas are differentiated with different colored surface.*

b. 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 for further review of compliance the minimum yard elevation.

RESPONSE: *Proposed understory elevation will be no lower than future crown of road. Please see written confirmation for the Department of Public Works attached.*

c. Staff would be supportive of the maximum building height of 31' from B.F.E., plus freeboard, provided that the understory has a clearance of ten feet from the future crown of the road to the underside of the first floor slab.

RESPONSE: *See modified section, Sheet D-051, for minimum 10' understory clearance measured from future crown of road to underside of the first floor slab.*

d. For zoning purposes, the lot depth is calculated from the front property line to the centerline of the seawall. Dimension the lot depth from the centerline of the seawall to the front property line for further review.

RESPONSE: *See diagram on sheet D-011 for dimension of lot depth to centerline of seawall.*

e. When the water portion of the pool is located at or below adjusted grade, the water portion of a swimming pool counts towards 100% of pervious area. However, when located above adjusted grade, the water portion of a swimming pool count towards 50 percent of this requirement. Include the elevation of the pool deck and pool coping to calculate rear yard open space calculation. Based on the elevation of the pool coping, only 50% of the water portion located within the rear yard can count towards the pervious open space requirement.

RESPONSE: *See sheet for D-027, top of pool coping and pool deck (7.64' NGVD) is located above adjusted grade (7.56' NGVD). Therefore, only 50% of pool has been counted towards open space.*

f. Two-story side elevations located parallel to a side property line shall not exceed 50 percent of the lot depth, or 60 feet, whichever is less, without incorporating additional open space, in excess of the minimum required side yard, directly adjacent to the required side yard. The second story side elevation on the east elevation shall comply with the design criteria of sec. 7.2.2.3.b.2.a.

RESPONSE: *See sheet D-031 for new Waiver request. Second level story is setback and additional 27'-2" from the setback and first level below provides 552 SF of open space.*

g. Roof decks shall not exceed 6 inches above the highest point of the proposed flat roof.

RESPONSE: *See sheet D-016 for roof deck elevation, maximum 6" height from roof has been removed.*

h. Storage areas are not an allowable height exception as per sec. 7.2.2.3.b.9. Please remove from the roof level plan.

RESPONSE: *See sheets D-016 and D-024 for removed storage area.*

i. 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.

RESPONSE: *See sheets D-016 and D-024 for removed storage area.*

j. The retaining wall within the front yard shall not exceed 30 inches above sidewalk elevation, or adjacent grade if no sidewalk is present.

RESPONSE: *See garden wall detail no. 1 on sheet D-054.*

k. At the property line, the maximum height of retaining walls shall not exceed 3 feet above sidewalk elevation, or adjacent grade if no sidewalk is present.

RESPONSE: *Proposed CMU wall to be 5' measured from grade.*

l. Building separation for accessory buildings shall be separated from the main home by a minimum of 5 feet, open to the sky with no overhead connections. This includes a minimum five feet separation from the upper roof of the accessory structure to the upper deck trellis (sheet D-014).

RESPONSE: *See sheet D-014 for 6'-4" dimension for building.*

m. The allowable height exceptions set forth in section 7.5.2 shall not apply to accessory buildings in single-family districts. The maximum building height for a one-story accessory structure is 12' from B.F.E., plus one foot of freeboard (no height exceptions).

RESPONSE: *See sheet D-014 for removed upper roof from accessory structure. 8" parapets above the 12' maximum height have been removed from roof within required rear yard.*

n. Driveways and parking areas that are open to the sky within any required yard shall be composed of porous pavement or shall have a high albedo surface consisting of a durable material or sealant, as defined in section 1.2.1 of this Code.

RESPONSE: *See sheet D-013 for general note added to driveways and parking materials.*

- o. The maximum width of all driveways at the front or side facing a street property line including access driveways from the Right of Way shall not exceed 30 percent (30%) of the lot width, and in no instance shall be less than 9 feet in width and greater than 18 feet in width. Please reduce the overall width of the driveway at the required front yard. Otherwise, a variance may be requested, and the letter of intent shall be revised to identify the request.

RESPONSE: *See sheet D-013 driveway has been reduced to a maximum 18' in width. Area adjacent to existing structure is made of porous material for maneuvering into garage.*

- p. Provide details of the outdoor shower for further review.

RESPONSE: *See sheet D-054 for outdoor shower design intent.*

- q. The crushed coquina shall be reduced to 44" in width.

RESPONSE: *See sheet D-013 for reduced width.*

- r. Provide a written narrative with responses upon the final submittal. 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.

RESPONSE: *Please allow this to serve as written responses to first submittal comments. Noted.*

## **PLANNING ADMIN REVIEW**

- Submit owners mail labels in Excel

RESPONSE: *Provided via email.*

- Page 6 of Application: Incomplete Disclosure – Please attach Exhibit "B" to application

RESPONSE: *Please see revised application form.*

- Page 7 of Application: Disclosure – Trustee: Please attach Exhibit "C" to application

RESPONSE: *Please see revised application form.*

- Electronic files cannot exceed 25M; the files can be divided in two or more files if necessary.

RESPONSE: *Noted.*

- 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.

RESPONSE: *Noted.*

- Submit signed and seal Architectural / Landscape Plans.

RESPONSE: *Provided.*

RE: 94 Palm - Future Crown of Road

Osborne, Aaron <AaronOsborne@miamibeachfl.gov>

Mon 6/10/2024 3:38 PM

To: Emilia Garcia <egarcia@borgesarchitects.com>

1 attachments (2 MB)

94 PALM AVE - BOUNDARY SURVEY - 20240314 - 03.14.24.pdf;

Emilia,

I see the confusion as this is a little tricky. For this site, I will use four points (6.14, 6.18, 6.40, & 6.33) from the survey. The FCOR which is the existing crown of road =  $(6.14 + 6.18 + 6.40 + 6.33) \div 4 = 6.26'$  NGVD

Feel free to contact me if you have any questions.

Best regards,

MIAMIBEACH

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.

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**From:** Emilia Garcia <egarcia@borgesarchitects.com>

**Sent:** Monday, June 10, 2024 3:22 PM

**To:** Osborne, Aaron <AaronOsborne@miamibeachfl.gov>

**Subject:** RE: 94 Palm - Future Crown of Road

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Noted.

Please confirm if this is the correct crown of road calculation:

$(6.67 + 6.86 + 6.89) / 3 = 6.80'$  NGVD

Best,

Emilia Garcia | Sr. Designer

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**From:** Osborne, Aaron <AaronOsborne@miamibeachfl.gov>

**Sent:** Monday, June 10, 2024 2:37 PM

**To:** Emilia Garcia <egarcia@borgesarchitects.com>

**Subject:** RE: 94 Palm - Future Crown of Road

Emilia,

Please see my email below which specifies the location of the crown of this road. By definition the crown of a road is the center line of the road which has a high or low point. The survey is telling you the high points. Also, the center of the lane is not the center line of the road.

Feel free to contact me if you have any questions.

Best regards,

# MIAMIBEACH

**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

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**From:** Emilia Garcia <[egarcia@borgesarchitects.com](mailto:egarcia@borgesarchitects.com)>  
**Sent:** Friday, June 7, 2024 10:40 AM  
**To:** Osborne, Aaron <[AaronOsborne@miamibeachfl.gov](mailto:AaronOsborne@miamibeachfl.gov)>  
**Subject:** RE: 94 Palm - Future Crown of Road

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Aaron,

Could you confirm that this is the correct crown of road calculation:  
 $(6.19+6.34+6.26)/3 = 6.26'$  NGVD

I'm attaching the survey again for reference.

Best,

Emilia Garcia | Sr. Designer

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**From:** Osborne, Aaron <[AaronOsborne@miamibeachfl.gov](mailto:AaronOsborne@miamibeachfl.gov)>  
**Sent:** Thursday, May 9, 2024 7:21 PM  
**To:** Emilia Garcia <[egarcia@borgesarchitects.com](mailto:egarcia@borgesarchitects.com)>  
**Subject:** Re: 94 Palm - Future Crown of Road

Hello Emilia,

The crown of the road will be on the opposite side of the lane closest to your property. Use an average of 3 points in your calculations.

Best regards,

# MIAMIBEACH



**Aaron Osborne, Project Engineer**

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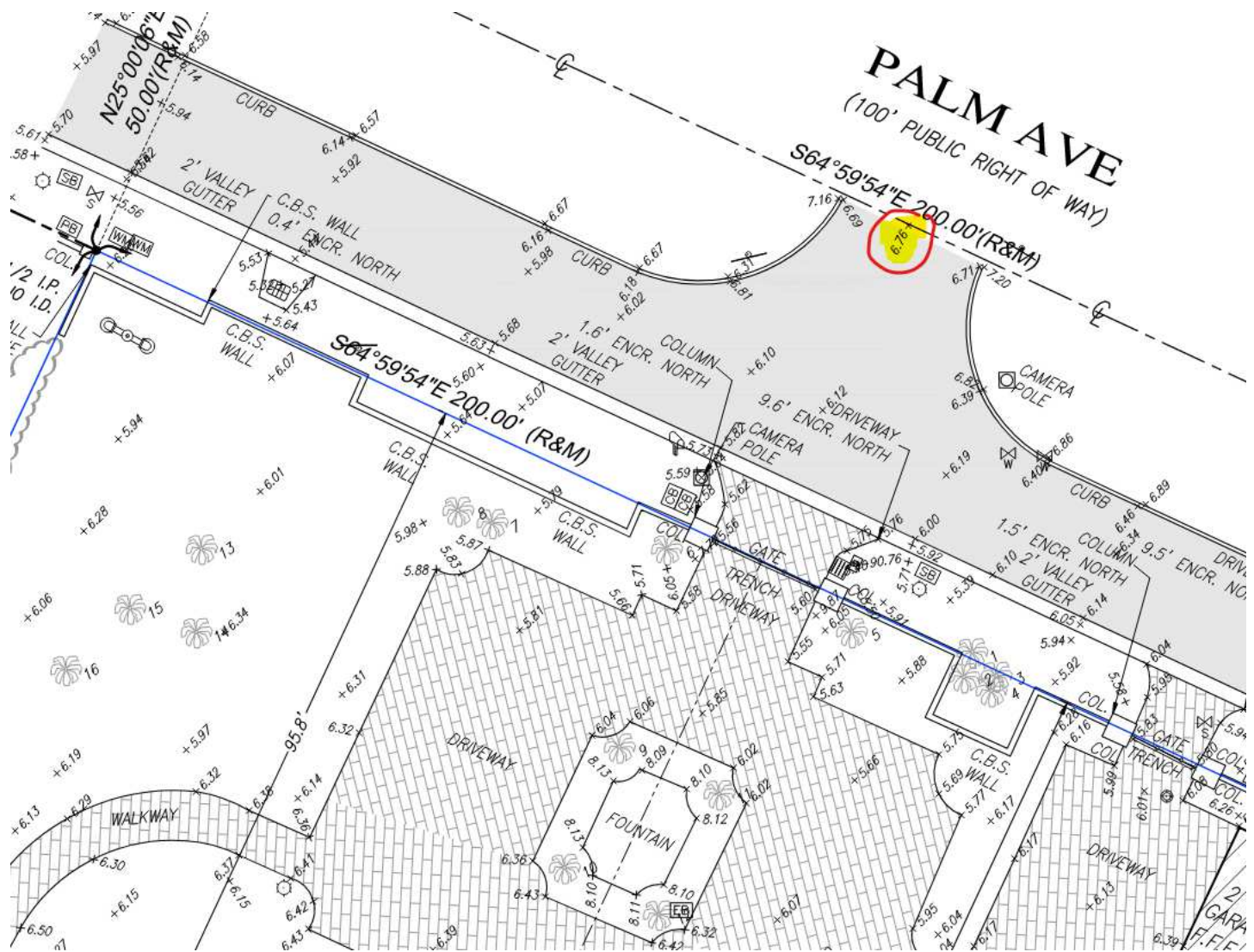
**From:** Emilia Garcia <[egarcia@borgesarchitects.com](mailto:egarcia@borgesarchitects.com)>  
**Sent:** Wednesday, May 8, 2024 5:27:19 PM  
**To:** Osborne, Aaron <[AaronOsborne@miamibeachfl.gov](mailto:AaronOsborne@miamibeachfl.gov)>  
**Subject:** Re: 94 Palm - Future Crown of Road

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Thank you for your response.

Would you consider the highlighted number below: 6.76' as the crown of road?



Best,

Emilia Garcia | Sr. Designer

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**From:** Osborne, Aaron <[AaronOsborne@miamibeachfl.gov](mailto:AaronOsborne@miamibeachfl.gov)>

**Sent:** Wednesday, May 8, 2024 5:11 PM

**To:** Emilia Garcia <[egarcia@borgesarchitects.com](mailto:egarcia@borgesarchitects.com)>

**Subject:** RE: 94 Palm - Future Crown of Road

Good afternoon Emilia,

The roads in Palm Island were raised already. Please use the existing crown of road for the Future Crown of Road.

Feel free to contact me if you have any questions.

Best regards,

# MIAMIBEACH

**Aaron Osborne**, *Project Engineer*

PUBLIC WORKS DEPARTMENT, Engineering Division

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**From:** Emilia Garcia <[egarcia@borgesarchitects.com](mailto:egarcia@borgesarchitects.com)>

**Sent:** Wednesday, May 8, 2024 2:53 PM

**To:** Osborne, Aaron <[AaronOsborne@miamibeachfl.gov](mailto:AaronOsborne@miamibeachfl.gov)>

**Subject:** Re: 94 Palm - Future Crown of Road

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Hello Aaron,

I'm following up on my request below.

Best,

Emilia Garcia | Sr. Designer

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**From:** Emilia Garcia  
**Sent:** Monday, May 6, 2024 4:58 PM  
**To:** [aaronosborne@miamibeachfl.gov](mailto:aaronosborne@miamibeachfl.gov) <[aaronosborne@miamibeachfl.gov](mailto:aaronosborne@miamibeachfl.gov)>  
**Subject:** 94 Palm - Future Crown of Road

Hello Aaron,

I'm the project designer for 94 PALM AVENUE.  
We are currently developing the site and we would like to request the elevation for the future crown of road.  
Please see survey attached.

Best,

Emilia Garcia | Sr. Designer



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