



200 S. Biscayne Boulevard
Suite 300, Miami, FL 33131

www.brzoninglaw.com

305.377.6231 office

305.377.6222 fax

mlarkin@brzoninglaw.com

VIA ELECTRONIC MAIL

July 13, 2025

Rogelio A. Madan, Development & Resiliency Officer
City of Miami Beach
1700 Convention Center Drive, 2nd Floor
Miami Beach, Florida 33139

Re: Letter of Intent – Design Review Approval for the
Property Located at 50 W Di Lido Drive

Dear Mr. Madan,

This law firm represents KC PROPERTY HOLDINGS LAND TRUST (the "Applicant"), owner of the property located at 50 W. Di Lido Drive (the "Property") within the City of Miami Beach (the "City"). Please allow this letter to serve as the letter of intent in connection with Design Review Board ("DRB") approval of a waiver for three (3) feet of additional height on a new two-story single-family home.

Property Description. The Property is an irregular shaped waterfront lot located on West side of Di Lido Island. See Figure 1, Aerial, below. The Miami-Dade County Property Appraiser identifies the Property with Folio No. 02-3232-011-0110. See Exhibit A, Property Appraiser Summary Report. The Property is platted as Lots 13 and 14, Block I, DI LIDO ISLAND, as recorded in Plat Book 8, Page 36 of the Public Records of Miami-Dade County, Florida. The size of the overall Property is approximately 21,973 square feet (0.50 acres) according to a survey prepared by John Ibarra & Associates, Inc., dated December 18, 2024, and included in the application materials. The Property contained a two-story single-family home that was built in 1931 with a finished floor elevation of 9.97'. The structure was recently demolished pursuant to Building Permit No. BR2510253. The Property is located within the RS-3 Single-Family Residential zoning district.



Figure 1, Aerial

Project Description. The Applicant proposes a modern two-story residence with an attached one-story garage (the "Project"). The home focuses on the pedestrian experience with the entrance centrally located. The garage is perpendicular to the frontage, minimizing its impact and highlighting the ornate and Zen-like details of the front entrance. The Project includes multiple water features, to add movement and soften angled architectural features.

The proposed home features resilient design elements that advance the sea level rise and resiliency criteria in the Miami Beach Resiliency Code (the "Code"). Particularly, the Applicant proposes the main structure to have a finished floor elevation at twelve (12) feet NGVD, which includes three (3) feet of freeboard to address future sea level rise.

The proposed home complies with the Code requirements for unit size, lot coverage, setbacks, and open space. The proposed home provides the required side setbacks of twelve (12) feet on the north and eighteen (18) feet on the south. The intent is to push the massing closer to the thirty (30) foot platted public space abutting the Property. However, the design fully achieves balance and harmony in the composition. The north two-story elevation also strategically utilizes open areas and water elements,

providing visual breathing room and engaging multiple senses. The Project also satisfies the twenty (20) foot front setback for the one-story portion, and exceeds the front setback of the two-story portion by providing fifty-seven (57) feet. The home also exceeds the minimum required rear setback of twenty-seven (27) feet by providing thirty-four (34) feet.

Design Review. The overall design sufficiently addresses the intent of the Resiliency Code with a variety of architectural articulations and materials, lush landscaping, and sensitive setbacks and additional open space. The Project satisfies the criteria pursuant to Section 2.5.3.1 of the Code, as follows:

a. The existing and proposed conditions of the lot, including but not necessarily limited to topography, vegetation, trees, drainage, and waterways.

This is an existing, oversized, waterfront lot. The minimum lot size for properties in the RS-3 District is 10,000 square feet, and the Property is approximately 21,973 square feet. The Property is located on the southwest side of Di Lido Island with views of Biscayne Bay. The Property is well manicured with shrubs and a variety of palm species.

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 Property is currently vacant.

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 architectural plans submitted with the application materials include a zoning data table, site plan, elevations, and multiple diagrams for open space, lot coverage, and the waiver request, to confirm compliance with the requirements for the underlying zoning district.

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 Project is a beautiful, new single-family home, with high quality materials. The architectural and landscape plans included in the submitted application materials provide a clear depiction of the color, design, selection of landscape materials and architectural elements of exterior building surfaces.

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 all pertinent master plans.

The Project is in conformity with the intent of the Resiliency Code and standards of the RS-3 development regulations.

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 new home is sensitivity to and compatible with the surrounding properties. The home is a unique modern style of design with high quality finishes. The resilient design will enhance the street and the waterfront frontages.

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 layout of the main home with increased second story and rear setbacks minimizes potential impact on adjacent neighbors. The Project provides an efficient arrangement with separate pedestrian and vehicle entries. The Applicant has paid particular attention to safety, crime prevention, and fire

protection with the proposed home within the existing single-family neighborhood.

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 Project includes separated pedestrian and vehicular entries that are clearly defined. This will ensure minimal interference with traffic flow on Di Lido Island. Maneuverability is differentiated by materiality of the pavers and grass. Additionally, parking is efficiently contained within the garage.

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 Applicant will provide sufficient lighting to ensure safe movement of persons and vehicles within the site and for security purposes. The Applicant agrees to minimize glare and reflection, if any, on adjacent properties consistent with the City's Code of Ordinances.

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

Included in the application materials are architectural and landscape plans with sufficient details relating to the proposed landscape and paving materials. The proposed landscape will be lush, with a variety of species.

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 Project includes multiple landscape buffer layers and large setbacks to ensure that the headlights of vehicles, noise, and light are adequately shielded from public view, adjacent properties, and pedestrian areas.

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 home has an orientation and massing that is sensitive to and compatible with the surrounding area. The garage door is perpendicular to the right of way, minimizing its visual impact. Also, the two-story front portion and rear setbacks are greater than the minimum required. The two-story elevation parallel to the south is setback eighteen (18) feet and the length of the elevation is less than sixty (60) feet. Additionally, there is a thirty (30) feet wide platted open space between the Property and the north neighbor, creating further buffer.

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 Project is a new single-family home. Parking is integrated into the proposed garage.

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

The rooftop is appropriately and fully integrated into the design of the new home. The elevator bulkhead and trellis are consistent with the materiality of entire home.

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).

The Property is currently vacant. No additions to existing improvements are proposed.

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.

Portions of the Project fronting the street include an architecturally appropriate amount of transparency. The connected one-story garage is located twenty (20) feet from the front property line. The garage door is located perpendicular to the street. To add transparency and interest the design includes a horizontal window long the garage. On the west side of the garage, leading to the front door, is an intricate waterfall. This softens the solid massing, changes focus, and provides a sensory and welcoming experience.

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 for this single-family home.

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.

Not applicable for this single-family home.

s. The structure and site comply with the sea level rise and resiliency review criteria in Chapter 7, Article I, as applicable.

Confirmed. The structure and site comply with the sea level rise and resiliency review criteria in Chapter 7, Article I, as applicable and described further below.

Height Waiver Request. The Applicant requests DRB approval of a three (3) foot height waiver pursuant to Section 7.2.2.3(b) of the Code, to allow for a twenty-seven (27) feet height where twenty-four (24) feet is permitted for a flat roof in the RS-3. The Property features extensive landscaping that will buffer the new home from the

surrounding properties. In addition to the visual barrier created by the proposed landscaping, the proposed home is amply set back from the adjacent homes. The minimum required side setbacks are twelve (12) feet. In this case, the Project provides eighteen (18) feet on the south, and the two-story portion parallel to the side property line is less than sixty (60) feet in length. Also, north of the Property is a thirty (30) foot wide, platted public space, which together with the twelve (12) feet of setback allows the two-story home to be forty-two (42) feet from the abutting neighbor.

Additionally, the lot size exceeds the minimum permitted of a RS-2 zoned lot. Specifically, the minimum required lot size of an RS-3 zoned lot is 10,000 square feet, and the minimum required lot size of an RS-2 zoned lot is 18,000 square feet. As noted, the Property is 21,973 square feet. In the RS-2 zoning district twenty-eight (28) feet of height is permitted for a flat roof as of right. Additionally, in the RS-3 zoning district a new home, with an understory could be constructed at twenty-eight (28) feet of height and include an additional three (3) feet of freeboard. Meaning, a home in this district could be constructed four (4) additional feet taller than the proposed home. For these reasons, the Property can adequately accommodate a slightly larger scale of twenty-seven (27) feet in height while being consistent with the surrounding neighborhood.

Sea Level Rise and Resiliency Criteria. The new home advances the sea level rise and resiliency criteria in Section 7.1.2.4 of the Code, as follows:

1. A recycling or salvage plan for partial or total demolition shall be provided.

A recycling and salvage plan for demolition of the existing home will be provided at permitting.

2. Windows that are proposed to be replaced shall be hurricane proof impact windows.

Hurricane proof impact windows will be provided.

3. Where feasible and appropriate, passive cooling systems, such as operable windows, shall be provided.

The Applicant will provide, where feasible, passive cooling systems.

4. Whether resilient landscaping (salt tolerant, highly water-absorbent, native or Florida friendly plants) will be provided.

All landscaping will be Florida friendly and resilient.

5. Whether 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, including a study of land elevation and elevation of surrounding properties were considered.

The Applicant is proactively addressing seal level rise projections by raising the first floor of the home to the base flood elevation of nine (9) feet NGVD and three (3) feet of freeboard.

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.

The new home is adaptable to the raising of public rights-of-ways and adjacent land in the future.

7. Where feasible and appropriate. All critical mechanical and electrical systems are located above base flood elevation.

All mechanical and electrical systems will be located above base flood elevation.

8. Existing buildings shall be, where reasonably feasible and appropriate, elevated to the base flood elevation.

The proposed home is entirely new construction located well-above base flood elevation.

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.

No habitable space is located below base floor elevation.

10. Where feasible and appropriate, water retention systems shall be provided.

Where feasible, water retention systems will be provided.

11. Cool pavement materials or porous pavement materials shall be utilized.

Cool pavement materials or porous pavement materials will be utilized where possible.

12. The design of each project shall minimize the potential for heat island effects on-site.

The proposed design provides large open spaces and non-air-conditioned shaded living spaces to strategically minimize the potential for heat island effects on site.

Conclusion. Granting the approval of this design review application with the additional height will permit the development of this high-quality, modern home. Given the oversized size of the lot and its waterfront location, we believe the modest increase in height is both contextually appropriate and minimally impactful. If you have any questions or comments, please give me a call at (305) 377-6231.

Sincerely,



Michael W. Larkin

Cc: Emily K. Balter, Esq.



EXHIBIT A

PROPERTY APPRAISER OF MIAMI-DADE COUNTY

Summary Report

Generated On: 06/21/2025

PROPERTY INFORMATION	
Folio	02-3232-011-0110
Property Address	50 W DI LIDO DR MIAMI BEACH, FL 33139-1171
Owner	KEVIN PLOTKIN ESQ TRS , KC PROPERTY HOLDINGS LAND TRUST
Mailing Address	2500 HOLLYWOOD BLVD 202 HOLLYWOOD, FL 33020
Primary Zone	0800 SGL FAMILY - 1701-1900 SQ
Primary Land Use	0101 RESIDENTIAL - SINGLE FAMILY : 1 UNIT
Beds / Baths /Half	4 / 4 / 0
Floors	2
Living Units	1
Actual Area	6,053 Sq.Ft
Living Area	5,304 Sq.Ft
Adjusted Area	5,163 Sq.Ft
Lot Size	21,000 Sq.Ft
Year Built	Multiple (See Building Info.)



ASSESSMENT INFORMATION			
Year	2025	2024	2023
Land Value	\$18,900,000	\$18,900,000	\$18,900,000
Building Value	\$2,664,108	\$720,395	\$684,871
Extra Feature Value	\$45,539	\$45,819	\$46,151
Market Value	\$21,609,647	\$19,666,214	\$19,631,022
Assessed Value	\$21,609,647	\$12,186,004	\$11,078,186

BENEFITS INFORMATION				
Benefit	Type	2025	2024	2023
Non-Homestead Cap	Assessment Reduction		\$7,480,210	\$8,552,836

Note: Not all benefits are applicable to all Taxable Values (i.e. County, School Board, City, Regional).

SHORT LEGAL DESCRIPTION
DI LIDO ISLAND PB 8-36
LOT 13 & LOT 14 & 8FT STRIP
CONTIG TO SAME ON BAY BLK 1
LOT SIZE 120.000 X 175

TAXABLE VALUE INFORMATION			
Year	2025	2024	2023
COUNTY			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$21,609,647	\$12,186,004	\$11,078,186
SCHOOL BOARD			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$21,609,647	\$19,666,214	\$19,631,022
CITY			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$21,609,647	\$12,186,004	\$11,078,186
REGIONAL			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$21,609,647	\$12,186,004	\$11,078,186

SALES INFORMATION			
Previous Sale	Price	OR Book-Page	Qualification Description
11/18/2024	\$27,500,000	34505-4296	Qual by exam of deed
02/29/2016	\$100	31995-1890	Partial interest
02/29/2016	\$100	31995-1888	Partial interest
02/29/2016	\$100	31995-1886	Partial interest

The Property Appraiser is continually editing and updating the tax roll. This website may not reflect the most current information on record. The Property Appraiser and Miami-Dade County assumes no liability, see full disclaimer and User Agreement at <http://www.miamidadegov/info/disclaimer.asp>