

## PLAN CORRECTIONS REPORT (DRB26-1167)

Application Intake and Plan review Version:

2 Date Received: 04/22/2026 Date Completed: 05-11-26

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### 1. DRB - Planning Review - Not Required

Rogelio Madan Ph: email: RogelioMadan@miamibeachfl.gov

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### 2. DRB - Planning Review - Fail

Alejandro Garavito - email: [AlejandroGaravito@miamibeachfl.gov](mailto:AlejandroGaravito@miamibeachfl.gov)

#### 2. ARCHITECTURAL REPRESENTATION

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

**R: INFORMATION HAS BEEN ADDED TO FRONT COVER SHEET.**

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

**R: DRAWINGS HAVE BEEN DATED, SIGNED AND SEALED.**

c. 05/01/26: As requested before, Provide the zoning data and flood plain management data for the approved permit after page A-1 (Page 16 on the plan set 1). Without this, the application cannot move forward. // 02/26/26: Approved A-0.1 site plan: separate the zoning information, flood plan management data, lot coverage diagram, retaining wall details to a separate page. Rotate the site plan 90 degrees and enlarge it on a new page. Turn off all clouds and deltas.

**R: ZONING TABLE HAS BEEN ADDED AFTER PAGE A-1 (PAGE 16 ON PRESENTATION) WITH ALL THE REQUESTED INFORMATION. SITE PLAN HAS BEEN ROTATED AND CORRECTED TO ONLY SHOW PERTINENT INFORMATION.**

d. 05/01/26: Provide the zoning data and flood plain management data for the proposed plan after page A-1 (page 18 on the plan set 1) **the zoning data shall coordinate with LOI**, plans and other documents. Provide Future Crown of the road value in NGVD and Future Adjusted Grade. Without this, the application cannot move forward. // 02/26/26: Proposed plans should have a big red text as "Proposed"; For proposed A-0.1, do the same, separate the zoning info, data chart and details to a different page, rotate and enlarge the site plan. The proposed site plan must show the carport structure location with the proposed setbacks. Turn on clouds or highlight the proposed changes, provide notes to clarify what is being changed.

**R: ZONING DATA SHEET HAS BEEN PROVIDED TO THE PRESENTATION PACKAGE. SITE PLAN HAS BEEN CORRECTED AND ROTATED, PARKING STRUCTURE HAS BEEN INCLUDED AND PROPOSED SETBACKS ARE NOW BEING DISPLAYED. REVISION CLOUDS HAVE BEEN ADDED SHOWING EACH SOLICITED VARIANCE AND ALSO TAGGED WITH RESPECTIVE VARIANCE NUMBER.**

e. OK.

f. OK.

g. 05/01/26: Comment not addressed: The proposed site/plan ground floor plan shall show clearly the garage structure with the proposed front and interior side set back. provide proposed steps/walkway width, show 3rd San Marino Terrace, Provide driveway widths outside the property and inside the property, label all the variances and waivers that are being proposed on this plan. (i.e. variance 1, 2.1, 2.2 etc.), make sure dimensions and text are legible// 02/26/26: Proposed Site plan A-0.1: Provide the location of the carport structure and the proposed setbacks dimensions, the property lines shall be clearly identified.

**R: ALL REQUESTED ITEMS HAVE BEEN ADDRESSED, REFER TO SHEET A1.00 SITE PLAN.**

h. 05/01/26: West fence facing San Marino Drive plans: A01/ page14 set 1: Add the description of this request to the notes as a first note in larger font (see comment 1m).

**R: DESCRIPTION OF REQUEST FOR APPROVAL OF A NEW PROPOSED FENCE HAS BEEN ADDED TO THE TOP OF THE NOTES ON SHEET.**

i. 05/01/26: The elevation shown on page A-03 (page 15) shows incorrect datums and notes. Provide Future Crown of the road (6.06 NGVD), Future Adjusted Grade (8.03 NGVD). Elevation of the walkway. Provide a 4 Feet dimension and datum (12.03 NGVD) above Future adjusted Grade and a dashed line across the elevation at this level to show the area above this line that is requesting the DRB waiver. In addition, show a 7 Feet dimension and datum (15.03 NGVD) from Future adjusted grade to show the maximum height permitted. The fence cannot exceed this height unless an additional variance is requested.

**R: THE FENCE HEIGHT DOES NOT SURPASS THE MAXIMUM HEIGHT (7' ABOVE FUTURE ADJUSTED GRADE = 15.03' NGVD). THE PROPOSED FENCE STAYS 4' ABOVE THE WEST P.L. LEVEL. AND AFTER 23'-6" IT TURNS TO THE SOUTH-EAST GOING INTO THE PROPERTY, GOING UP WITH THE GRADING OF THE SIDE YARD MAINTAINING THE SAME 4' HEIGHT ABOVE GRADING. DATUMS AND NOTES HAVE BEEN REVISED AND NOW THE REQUESTED INFORMATION IS BEING DISPLAYED ON SHEET A1.11 WEST FENCE ELEVATIONS.**

j. 05/01/26: Provide a detail of this fence (West side) on a separate page (you can use ID-06 from previous submittal or similar).

**R: ALL DETAILS HAVE BEEN ADDED ON A SEPARATE SHEET. REFER TO SHEET A1.12.**

k. 05/01/26: Proposed Fence variance 2.1: A07/page 6 plan set 2: add the revised description for this request on the notes, use a large font. (See comment 1n) place this first below the drawing. revise Future Crown of the Road value, provide Future Adjusted Grade value. Revise height subject to City approval value per previous comments. Remove line: "height subject to city approval at 4'-1 1/2". Include DRB waiver request for the proposed design that does not provide open pickets with a minimum space of 3 inches above 4 feet in height measured from Future Adjusted Grade. Remove text related to the southeast façade (solid walls) this will be part of variance 2.2 (fences on the required rear yard).

**R: ALL REQUESTED INFORMATION HAS BEEN CORRECTED AND IT'S NOW BEING DISPLAYED ON SHEET A2.00. VARIANCE 2.1 HAS BEEN DISCARDED, THE HEIGHT OF THE FENCE WILL NOT SURPASS THE MAXIMUM HEIGHT OF 7' ABOVE FUTURE ADJUSTED GRADE (+15.03' NGVD). THERE WILL BE, HOWEVER, THE REQUEST OF A WAIVER TO ALLOW THE FULL HEIGHT OF THE FENCE TO BE SOLID ON THE FINAL 18'-5" OF FENCE ON THE NORTH SIDE OF THE EAST FENCE. AS SHOWN ON PLANS.**

l. 05/01/26: Page A08, A09 Elevations: Provide Future Crown of the Road (6.06 NGVD), Future Adjusted Grade (8.03 NGVD). Provide a 4 Feet dimension and datum (12.03 NGVD) above Future adjusted Grade and a dashed line across the elevation at this level to show the area above this line that is requesting the DRB waiver. In addition, show a 7 Feet dimension and datum (15.03 NGVD) from Future adjusted grade to show the maximum height permitted. Revise height dimension for the variance request. Datum shown at +4.74 NGVD is not the Future Crown of the Road; This should be the Existing Crown of the Road (verify this datum). This property does not have an existing sidewalk; therefore, fences located on the required front yard and side facing street yards are measured from this level (Existing Crown of road). This only apply for the portion of the east fence located at the first 30FT from the front property line.

**R: ALL ELEVATIONS AND DATUMS HAVE BEEN CORRECTED AND NOW SHOW THE CORRECT NUMBERS. VARIANCE 2.1 HAS BEEN DISCARDED, THE HEIGHT OF THE FENCE WILL NOT SURPASS THE MAXIMUM HEIGHT OF 7' ABOVE FUTURE ADJUSTED GRADE (+15.03' NGVD). THERE WILL BE, HOWEVER, THE REQUEST OF A WAIVER TO ALLOW THE FULL HEIGHT OF THE FENCE TO BE SOLID ON THE FINAL 18'-5" OF FENCE ON THE NORTH SIDE OF THE EAST FENCE. AS SHOWN ON PLANS.**

m. 05/01/26: Provide a detail of this fence (East side) on a separate page. Provide a detail for module D and module C (mesh fence) you can use ID-27 from previous submittal or similar.

**R: DETAILS HAVE BEEN ADDED TO A NEW CREATED SHEET UNDER NUMBER A2.10.**

n. 05/01/26: Proposed Fence variance 2.2: A-13/page11 plan set 2. add the revised description for this request on the notes, use a large font. (See comment 1ff). Provide/revise Future Crown of the Road, Future Adjusted Grade values. Provide a 4 Feet dimension and datum (12.03 NGVD) above Future adjusted Grade and a dashed line across the section elevation at this level to show the area above this line that is requesting the DRB Waiver. In addition, show a 7 Feet dimension and datum (15.03 NGVD) from Future adjusted grade to show the maximum height permitted. And show/revise the height dimension for the variance request. Erase text "Side interior yard" and "7 as measured from grade", erase: Height subject to City approval 4'-1 1/2", erase text related to east façade as this request is for the fences on the required rear yard (that includes the northeast portion of the wall/fence), revise Future Adjusted grade calculations per previous comments.

**R: ALL ELEVATIONS AND DATUMS HAVE BEEN CORRECTED, A DESCRIPTION HAS BEEN ADDED TO THE SHEET THAT CONTAINS ALL THE INFORMATION ABOUT THE NORTH FENCE (REAR YARD FENCE). REFER TO SHEET A3.00.**

o. 05/01/26: Variance 1 roof deck plans (A-03 page 19 on PDF set 1): The previously approved plan shall indicate the approved setbacks from the outer walls, provide legible dimensions for this.

**R: NEW SHEET A4.00 HAS BEEN CREATED AND DISPLAYS THE REQUESTED INFORMATION.**

p. 05/01/26: Variance 3, page A-01, page 12 on set 2: Revise title to: "proposed covered parking structure" enlarge text and dimensions. provide required interior side setback 7'-6" to replace rear setback 5' min text. include the word "propose side interior setback" to the 5'-4" dimension. Provide required front setback 30' to replace side, facing a street setback 18" min text. include the word "propose front yard setback" to the 1'-6" dimension. Remove maximum carport size text and dimension (as mentioned before, this is not a carport per our code). Remove text: "PROPOSED REVISION: EXTEND CARPORT ROOF OVERHANG 6" (INCHES) ON INDICATED SIDES. STRUCTURE TO REMAIN WITHIN REQUIRED ZONING SETBACKS". Remove red text: "proposed 2' roof overhang extension on each side." Remove red text: "side, facing a street setback 18" minimum". What you are showing on these plans is what you are proposing and requesting a variance for, additional future revisions may require you to go the board again. Provide green color around the proposed driveway outside the property line. Revise elevation drawing page A-02 page 28 in set two per these comments.

**R: COVERED PARKING STRUCTURE SHEET HAS BEEN CREATED UNDER SHEET NUMBER A5.00. DISPLAYING ALL THE REQUESTED INFORMATION AND CORRECTING ALL NOTES.**

q. 05/01/26: Variance 4, page 01, page 16 on set 2: provide the width dimensions of the steps, highlight the widest dimension proposed. And provide on a large font text the maximum width for steps and walkways is 44" (3'-8").

**R: PROPOSED WALKWAY IS NOW BEING SHOWN WITH THE REQUESTED INFORMATION ON SHEET A6.00.**

r. 05/01/26: Variance 5, page A-01, page 20 on set 2: Provide driveway width dimension inside the property line. Move chart to show all the paved area. Remove cloud text as the driveway is all the area including what is inside the property line, this proposal and required variance shows a wider driveway within the property than what was approved by the building permit and previous DRB approval. Revise the green color areas outside the property line that is not a driveway. Revise the chart dimension of the proposed

width within the property line. Please note that the 20 Feet driveway shown on the approved master permit was approved incorrectly.

**R: A NEW SHEET UNDER NUMBER A7.00 HAS BEEN CREATED DISPLAYING ALL THE REQUESTED INFORMATION.**

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Please provide a narrative response to the comments listed below. Provide page location if applicable.

## 1. APPLICATION COMPLETENESS

a. 05/01/26: The plans are still difficult to review and understand, the plans are not set up properly to 11x17; When printed, there are wide margins that make the plans smaller, the plans are illegible and are not numbered in a consistent way. There are many pages with the same number and there are pages not numbered. This makes the review difficult. Revise, text, dimensions and provide proper page numbering. // 02/26/26: The application is insufficient. The materials submitted are difficult to review and do not follow the guidelines provided to the applicant during the pre-application meetings or the required checklist. Please schedule a meeting with staff before re-submitting to review the materials that must be included. In the meantime, address the preliminary comments provided below. This application must be re-submitted for the next available first submittal (see calendar).

**R: PLANS CORRECTED TO 11 X 17. EVERYTHING CORRECTED AND REVISED. APPLICATION CORRECTED INCLUDING ALL THE PAGES**

b. 05/01/26: Application: **The number of variances differ from LOI, please revise.** // 02/26/26 Application: summary of request: add "Variance request" for #2, #3, #4 and #5 (see comments below).

- c. OK.
- d. OK.
- e. OK.
- f. OK.
- g. OK.
- h. OK.
- i. OK.
- j. OK.

k. LOI: Material list: There are some materials missing on the list. i.e., north and south elevations: black aluminum railing, proposed green tint glass rail, front door material. Make sure all the materials per elevation are listed on this chart. For the DRB hearing, proposed material samples will be required. List where architectural modifications are proposed: i.e., second-floor windows headers are proposed to be lower on all elevations. North elevation second floor/roof open architectural detail is proposed to be solid. Etc.

LOI - page 2: 1- Request for modification finished exterior finishes and include "architectural modifications": List all the previously approved DRB finishes per façade (east, west, north, south) in one column and the new finish material that is going to be replaced with; Provide location (i.e., railing, window frame etc.). For the architectural modifications, provide a list with all the changes (i.e., rectangular walking path to organic shape walking path at front yard to link entrance to carport area. etc.).

l. OK.

m. 05/01/26: LOI: West fence – DRB Waiver: After our meeting on 3/26/26, It was determined that the west fence requires a DRB Waiver for the proposed design that does not provide open pickets with a minimum space of 3 inches above 4 feet in height measured from Future Adjusted Grade. Future Adjusted Grade is the midpoint elevation between Future Crown of the Road (per Public Works email is: 4.5 NAVD = 6.06 NGVD) and Base flood elevation plus MINIMUM free board (BFE+1) = 10.00 NGVD) per zoning data on the previous submittal (Zubillaga plans, revise these datums and confirm). Then, the Future Adjusted Grade is: 8.03 NGVD. Revise LOI description on page 2 and coordinate with Zoning Data and plans. (See comments below) // 02/26/26: LOI: 3 Request for fence height variance (west elevation): provide City code section related to this variance (Section 7.2.2.3.b.12.H.) Provide where the fences are measured from on this side of the property.

n. 05/01/26: LOI 2.1. Variance fence interior side yard (east side), revise code section (7.2.2.3.b.12.H), Title and description: Maximum allowable height is 15.03' or 15'- 0 3/8" NGVD, the deficiency is 0'-11 5/8" which is the height variance request. In addition to this, this east fence requires a DRB Waiver request for the proposed design that does not provide open pickets with a minimum spaces of 3 inches above 4 feet in height measured from Future Adjusted Grade (this includes the mesh fence panels), Include this and see comments below.

02/26/26: LOI: 4- Request for fence height variance (east elevation): provide City code section related to this variance (Section 7.2.2.3.b.12.H. Provide where the fences are measured from on this side of the property. If this is only to have a solid wall above 4 feet this will not be a variance, it will be a DRB design approval. See comments below regarding east fence.

o. 05/01/26: LOI 3. Revise code section (7.2.2.3.b.1) and rename title to: "3. Variance requests for front yard and interior side yard setbacks for the main structure to allow the construction of a covered parking structure". Remove A. allowed measurements. Keep B. proposed. Revise also the description on page 10 of the LOI // 02/26/26: LOI: Variance for the main structure front and side setbacks to allow the construction of a carport structure. This is not an administrative variance, (this variance is approved by the DRB board not by Planning staff). Correct this and provide the City Code section.

- p. OK.
- q. OK.
- r. OK.

s. 05/01/26: revise numbering/format of Sea level rise criteria f to l. // 02/26/26: 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.

t. 05/01/26: LOI: the responses to the Variance hardship criteria are insufficient. Provide responses related to the expansion of the roof deck, the height variance for fences and walls, the steps/walkway on the side yard facing the street, the driveway width can be joined with the carport request. Without this the application cannot move forward. // 02/26/26: For variance request, the applicant shall respond to Section 2.8.3 of the City Resiliency Code for each Variance.

- u. OK.
- v. OK.
- w. OK.
- x. OK.
- y. OK.
- z. OK.

aa. Plans should be formatted to 11x17 size. Please print one set and revise the text, dimensions, and scales (or graphic scales) for better legibility.

bb. Files cannot exceed 25 KB, divide the plan set in 2 or more sets if required.

- cc. OK.
- dd. OK.
- ee. OK.

ff. 05/01/26: LOI 2.2: rename title to: "Variance Fence required rear, North and Northeast side". Revise: Measured from Future Adjusted Grade. Revise NGVD values per previous comments, revise allowed height for a solid wall (12.03 NGVD), maximum height for an open fence (15.03 NGVD), DRB Waiver request to allow a solid wall to this height at 15.03 NGVD and the proposed height variance is 0'-11 5/8" to 16.00 NGVD. Proposed maximum height of solid wall is 7'-11 5/8" (16' NGVD not 16').

gg. 05/01/26: LOI/plans: Please note that a Variance and a DRB waiver are different things. The LOI and plans shall include all variances and DRB waivers requested. LOI: include on the first page third paragraph that DRB Waivers are being requested and list the DRB waivers on the related variance where is requested.

hh. 05/01/26: LOI: 4 Variance: provide code section (7.2.2.3.b.12.N.XI) and revise A. allowed: Which is 44" maximum wide not 60".

ii. 05/01/26: LOI: 5 Variance: Revise title to: "Variance for the maximum Driveway width and driveway required front setback", provide code section (7.2.2.3.b.12.G). As proposed, the driveway will require these two variances request. The required front setback for a driveway is 5 feet, the portions of the driveway that are wider than 20 FT inside the property line will need this variance unless you provide a 5 feet setback from the front property line for these areas. There is no side setback variance required since the required interior side setback is 4 feet and per plans you are providing 5'-4" on the required side yard. Revise proposed width within the property. this seems to be wider per plans.

jj. 05/01/26: LOI: Revise and coordinate the information from pages 2 and 3. With pages 9 to 11.

kk. 05/01/26: LOI variance 1: Roof: clarify and include that this is the west side setback to the outer exterior wall. Page 10: this is not to reduce the side yard setback, the roof setbacks are related to each side of the exterior outer walls (see code section).

ll. 05/01/26: Move the site dimension plan A-0.3. Page 15 set 2 after the approved master permit plan 1st floor plan located at page A-1; page 17 set 1, this is part of the building permit plans.

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#### 05/01/26: Staff First Submittal II Comments

#### Design Review Board

Final Submittal & Formal Submittal (CSS): 05/10  
Notice to proceed issued: 05/21  
Agenda finalized & all fees paid by: 05/26  
Tentative DRB meeting agenda date: 07/09

#### Draft Notice:

DRB26-1167 AKA DRB22-0833, 301 W SAN MARINO DR: An application has been filed requesting modifications to a previously approved Design Review Approval for the construction of a new two-story residence including variances to reduce the required setbacks for a roof deck. Specifically, the applicant is requesting variances to further reduce the required setbacks for a roof deck, to exceed the height and openings requirements for fences, to reduce the required front and interior side setbacks to allow the construction of a covered parking structure, to exceed the maximum walkways and step width to allow wider steps on the required side yard facing the street and to reduce the required front setback and exceed the maximum width for the proposed driveway including one or more waivers. for an existing residence under construction.

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#### 4. Notes

a. All variances and waivers have been identified in the LOI. 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.

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

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

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### **3. DRB- Planning Admin Review • Freitas Gabriela**

COMMENTS ISSUED BY 04/27/26 - Please have the following comments corrected/submitted by Final Submittal.

Comment

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.

**R: CORRECTED**

COMMENTS ISSUED BY 04/27/26 - Please have the following comments corrected/submitted by Final Submittal.

Comment

Email owners mail labels in Excel.

**R: EMAIL SENT**

COMMENTS ISSUED BY 04/27/26 - Please have the following comments corrected/submitted by Final Submittal.

Comment

Incomplete submittal (missing pages) - Submit signed and notarized application, including all pages.

**R: SUBMITTED**

COMMENTS ISSUED BY 04/27/26 - Please have the following comments corrected/submitted by Final Submittal.

Comment

Page 1 of Application: Property Information – Please attach Legal Description as “Exhibit A”.

**R: EXHIBIT A HAS BEEN ATTACHED**

COMMENTS ISSUED BY 04/27/26 - Please have the following comments corrected/submitted by Final Submittal.

(Missing page) Page 5 of Application: All members representing or speaking on behalf of the owner/applicant must be granted Power of Attorney from owner — Submit signed and notarized affidavit per speaker.

**R; PAGE INCLUDED AND NOTARIZED**

COMMENTS ISSUED BY 04/27/26 - Please have the following comments corrected/submitted by Final Submittal.

Comment

(Missing page) Page 8 of Application: Compensated Lobbyist: All members representing or speaking on behalf of the owner/ applicant must be registered as a lobbyist with the City Clerk.

**R; THERE ARE NONE**

COMMENTS ISSUED BY 04/27/26 - Please have the following comments corrected/submitted by Final Submittal.

Comment

(Missing pages) Page 7 of Application: Incomplete Disclosure – Trustee: Disclosure must name and include percentage of ownership of the entity or person who owns the trust and all beneficiaries.

**R; IS NOT A TRUST**

COMMENTS ISSUED BY 04/27/26 - Please have the following comments corrected/submitted by Final Submittal.

Comment

(Missing page) Page 8 of Application: Submit signed and notarized Applicant Affidavit.

**R: SIGNED**

#### **4. LUB - Planning Landscape Review - Pass**

Philip Byrnes - email: [philipbyrnes@miamibeachfl.gov](mailto:philipbyrnes@miamibeachfl.gov)