

**PLANNING BOARD  
CITY OF MIAMI BEACH, FLORIDA**

**PROPERTY:** 18 La Gorce Circle

**FILE NO.** PB24-0669

**IN RE:** An application for a division of land/lot split to divide the one existing site which is comprised of five (5+) platted lots, into two (2) individual buildable parcels, pursuant to Chapter 2, Article V, Section 2.5.4 of the Miami Beach Resiliency Code.

**LEGAL DESCRIPTION:** SEE EXHIBIT "A".

**MEETING DATE:** July 30, 2024

**DIVISION OF LAND/LOT SPLIT  
FINAL ORDER**

The applicant, M. Lee Pearce Living Trust dated December 22, 2000, as amended, requested a Division of Land/Lot Split, pursuant to Chapter 2, Article V, Section 2.5.4 of the Miami Beach Resiliency Code, to modify the existing property lines of the site comprised of two individual lots.

The City of Miami Beach Planning 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:

- A. 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 Planning Board "Division of Land/Division of Land/Lot Split" criteria in Chapter 2, Article V, Section 2.5.4 of the Miami Beach Resiliency Code.
- B. The project would remain consistent with the criteria and requirements of Chapter 2, Article V, Section 2.5.4 of the Miami Beach City Resiliency Code, subject to the subject to the following conditions, to which the Applicant has agreed:
  - 1. The two (2) lots created pursuant to this lot split application at 18 La Gorce Circle, shall comply with the following:
    - a. Design Review Board review and approval shall be required for any proposed new home on each lot.
    - b. The building parcels created by this lot split shall be as depicted on the signed and sealed surveys by J. Bonfill & Associates, Inc., dated April 29, 2024.
    - c. Individual underground utility, water, sewer, electric, telephone and cable connections, as well as the payment of any applicable impact and mobility fees, shall be the responsibility of the owners of each respective lot.

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- d. If required, the removal and replacement of all or portions of the sidewalk curb and gutter along all portions of each lot shall be the responsibility of the applicant.
  - e. Any proposed new home on each lot shall fully adhere to the review criteria and development regulations identified in Section 7.2.2.3 of the Miami Beach Resiliency Code, as may be revised from time to time.
  - f. Prior to the issuance of a Building Permit, a tree report prepared by a certified arborist for all of the existing trees on site shall be submitted for the review and evaluation of the CMB Urban Forester. Any trees identified to be in good health shall be retained or relocated if determined to be feasible by the CMB Urban Forester.
  - g. 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.
2. The applicant shall maintain the land clean and free from debris.
  3. The applicant and/or owner, for each lot created herein, both now and in the future, shall abide by all the documents and statements submitted with this application for Division of Land/Lot Split, as well as all conditions of this Order. The conditions of approval for this Lot Split are binding on the applicant, the property owners, and all successors in interest and assigns.
  4. The Planning Board shall maintain jurisdiction of this Lot Split approval. If deemed necessary, at the request of the Planning Director, the applicant shall provide a progress report to the Board. The Board reserves the right to modify the Lot Split approval at the time of a progress report in a non-substantive manner, to impose additional conditions to address problems and to determine the timing and need for future progress reports. This Lot Split is also subject to modification or revocation under Chapter 2, Article V, Section 2.5.4 of the Miami Beach Resiliency Code.
  5. The applicant and/or owner of each property shall resolve all outstanding violations and fines on each respective property, if any, prior to the issuance of a building permit for any home proposed.
  6. This 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.
  7. The executed Order for the Division of Land/Lot Split shall be recorded in the Public Records of Miami-Dade County, Florida, at the expense of the applicant.



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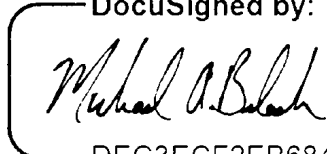
- 8. The Lot Split approval approved herein shall comply with all the aforementioned conditions of approval; non-compliance shall constitute a violation of the Miami Beach Resiliency Code and shall be subject to enforcement procedures set forth in Chapter 1, Article III, Section 1.3.8 of the Miami Beach Resiliency Code and such other enforcement procedures as are permitted by law. Any failure by the applicant to comply with the conditions of this Order shall also constitute a basis for consideration by the Planning Board for a revocation of this approval.
- 9. Nothing in this order authorizes a violation of the Miami Beach Resiliency Code or other applicable law, nor allows a relaxation of any requirement or standard set forth in the Miami Beach Resiliency 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 is adopted herein, including staff recommendations, as modified by the Planning Board that the Division of Land/Lot Split as requested and set forth above be GRANTED, subject to those certain conditions specified in Paragraph B of the Findings of Fact (Condition Nos. 1-9, inclusive) hereof, to which the applicant has agreed.

Dated 8/19/2024 | 5:38 PM EDT

PLANNING BOARD OF THE  
CITY OF MIAMI BEACH, FLORIDA

DocuSigned by:



BY: DEC3ECF2EB68404...

Michael Belush, AICP  
Planning and Design Officer  
for the Chairman

STATE ) OF FLORIDA  
COUNTY OF MIAMI-DADE )

The foregoing instrument was acknowledged before me this 21 day of August, 2024, by Michael Belush, Planning and Design Officer for the City of Miami Beach, Florida, a Florida Municipal Corporation, on behalf of the corporation. He is personally known to me.



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*Miriam Herrera*

[NOTARIAL SEAL]



Notary:

Print Name: *Miriam Herrera*

Notary Public, State of Florida

My Commission Expires: *12-16-27*

Commission Number: *HH 470768*

Approved As To Form:  
Legal Department

DocuSigned by:

*Nick Kalleg*

( 8/19/2024 | 12:45 PM EDT )

8D8CB88CCAB846C

Filed with the Clerk of the  
Planning Board on

DocuSigned by:

*Jessica Gonzalez*

( 8/20/2024 | 10:50 AM EDT )

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EXHIBIT "A"

July 30, 2024

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Page 5 of 5**Parcel 1:**

Lot 8, in Block 1, of LA GORCE ISLAND, according to the map or plat thereof, as recorded in Plat Book 34, Page(s) 83, of the Public Records of Miami-Dade County, Florida.

**Parcel 2:**

Lot 9 and the East 37.5 feet of Lot 10, in Block 1, LESS the West 12.5 feet of said East 37.5 feet of Lot 10, of LA GORCE ISLAND, according to the Plat thereof, recorded in Plat Book 34, at Page 83 of the Public Records of Miami-Dade County, Florida, the said 12.5 feet herein excepted being more particularly described as:

Commencing at a point where the dividing line between Lots 10 and 11, Block 1, LA GORCE ISLAND, intersects the Southerly line of LA GORCE CIRCLE, as shown on a plat entitled "LA GORCE ISLAND", recorded in Plat Book 34, at Page 83, of the Public Records of Miami-Dade County, Florida, run in an Easterly direction along the Southerly line of said La Gorce Circle, a distance of 62.5 feet to a point, said point being 37.5 feet West of the N.E. corner of said Lot 10 and the Point of Beginning of the parcel of land herein described; thence run Southerly parallel to and 37.5 feet Westerly from the Easterly boundary of said Lot 10 a distance of 202 feet more or less to the outside face of the concrete bulkhead also being the Southerly boundary of said Lot 10; thence run Easterly meandering the outside face of said concrete bulkhead a distance of 12.5 feet more or less to a point, said point being 25 feet West of the Southeast corner of said Lot 10; thence run Northerly parallel to the Easterly line of said Lot 10 a distance of 202 feet more or less to a point on the Southerly line of said La Gorce Circle, said point being 25 feet West of the N.E. corner of said Lot 10; thence run Westerly along the Southerly line of said La Gorce Circle a distance of 12.5 feet to the point of beginning.

**Parcel 3:**

The West 75 feet of Lot 10 and all of Lot 11, in Block 1, of LA GORCE ISLAND, according to the map or plat thereof, as recorded in Plat Book 34, Page(s) 83, of the Public Records of Miami-Dade County, Florida.

**Parcel 4:**

Lots 12, 12-A and 14, LESS the West 1/2 of Lot 14, in Block 1, of LA GORCE ISLAND, according to the map or plat thereof, as recorded in Plat Book 34, Page(s) 83, of the Public Records of Miami-Dade County, Florida.

THE ABOVE FOUR (4) PARCELS ALSO COLLECTIVELY DESCRIBED AS FOLLOWS:

All of Lots 8, 9, 10, 11, 12 and 12A; and Lot 14 Less the West 1/2 thereof, all in Block 1, of LA GORCE ISLAND, according to the map or plat thereof, as recorded in Plat Book 34, Page 83, of the Public Records of Miami-Dade County, Florida.

A small logo in the bottom right corner consisting of a square box with the letters "DS" at the top and stylized initials "JK" inside.