

MIAMIBEACH

PLANNING DEPARTMENT

Staff Report & Recommendation

PLANNING BOARD

TO: Chairperson and Members
Planning Board

DATE: June 10, 2025

FROM: Thomas R. Mooney, AICP
Planning Director



For TRM

SUBJECT: **PB25-0754. 1601 West 24th Street– Single Family Home - Lot Split.**

An application has been filed requesting a division of land/lot split to divide the existing site comprised of two platted lots, into two individual buildable parcels, pursuant to Chapter 2, Article V, Section 2.5.4 of the Miami Beach Resiliency Code.

RECOMMENDATION:

Approval with conditions.

EXISTING STRUCTURES/SITE:

The subject application includes an existing single-family home that was constructed in 1937 on Lot 4, and designed by noted Miami Beach architect Carlos Schoeppl. At some point after the home's construction, the western 69' of lot 5 was added to the site. The combined site is approximately 22,202 square feet. The applicant is proposing to split the lot, with a new building site created with the portion of the lot that is comprised of lot 5.

ZONING / SITE DATA:

Legal Description:

Folio No. 02-3228-001-1420

Lot 4 and the west 69' of lot 5, Block 3-D of Sunset Islands, 3rd Revision Plat, as recorded in Plat Book 40, Page 8, of the Public Records of Miami-Dade County, Florida.

Zoning: RS-3 Single-Family Residential District

Future Land Use: Single Family Residential Category (RS)

Current Lot Size: 25,202 SF

Proposed Lot Sizes: Lot 4: 13,126 SF
West 69' of Lot 5: 12,076 SF

Proposed Lot Width: Lot 4: 75 FT
Lot 5: 69 FT

REVIEW CRITERIA:

Pursuant to Section 2.5.4.2 of the Resiliency Code, in reviewing an application for the division of lot and lot split, the Planning Board shall apply the following criteria:

1. **Whether the lots that would be created are divided in such a manner that they are in compliance with the regulations of these land development regulations.**

Consistent – The minimum lot size for the RS-3 district is 10,000 SF and the minimum lot width is 50 feet. The two proposed lots exceed these standards.

2. **Whether the building site that would be created would be equal to or larger than the majority of the existing building sites, or the most common existing lot size, and of the same character as the surrounding area.**

Consistent – The average lot size is 14,851 SF and the most common lot size is 13,125 SF within the study area. The proposed lots are 12,076 SF and 13,126 SF, which are consistent with the development pattern of the area.

3. **Whether the scale of any proposed new construction is compatible with the as-built character of the surrounding area, or creates adverse impacts on the surrounding area; and if so, how the adverse impacts will be mitigated. To determine whether this criterion is satisfied, the applicant shall submit massing and scale studies reflecting structures and uses that would be permitted under the land development regulations as a result of the proposed lot split, even if the applicant presently has no specific plans for construction.**

Consistent – As proposed, the new single story home on Lot 5, with a unit size of 3,522 SF (29.2%), and lot coverage of 29.2%, is well below the maximum permitted.

4. **Whether the building site that would be created would result in existing structures becoming nonconforming as they relate to setbacks and other applicable regulations of these land development regulations, and how the resulting nonconformities will be mitigated.**

Consistent – The accessory structures that are currently constructed across the proposed lot boundaries, will be demolished.

5. **Whether the building site that would be created would be free of encroachments from abutting buildable sites.**

Consistent – There will be no encroachments from abutting sites and the new sites will be free from encroachments.

6. **Whether the proposed lot split adversely affects architecturally significant or historic homes, and if so, how the adverse effects will be mitigated. The board shall have the authority to require the full or partial retention of structures constructed prior to 1942 and determined by the planning director or designee to be architecturally significant under subsection 7.2.7.4.a.**

Consistent – The existing home on lot 4, constructed in 1937, is proposed to remain.

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

See below.

COMPLIANCE WITH SEA LEVEL RISE AND RESILIENCY REVIEW CRITERIA

Section 7.1.2.4 of the Resiliency Code 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 – The applicant has indicated that a recycling or salvage plan will be provided at the building permit phase.

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

Satisfied – The applicant has indicated that all windows will be hurricane proof impact windows.

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

Satisfied – The applicant has indicated that where feasible, passive cooling systems will be provided.

4. Resilient landscaping (salt tolerant, highly water-absorbent, native or Florida friendly plants) shall be provided in accordance with Chapter 4 in Land Development Regulations.

Satisfied – The applicant has indicated that where resilient, Florida-friendly landscaping will be provided.

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 – The applicant indicated that the adopted sea level rise projections and land elevations of the subject and surrounding properties were taken into account.

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 3 additional feet in height.

Satisfied – The applicant indicated that proposed designs will be adaptable to the raising of the public right-of-way and adjacent land.

7. **As applicable to all new construction, all critical mechanical and electrical systems shall be located above base flood elevation. All redevelopment projects shall, whenever practicable and economically reasonable, include the relocation of all critical mechanical and electrical systems to a location above base flood elevation.**

Satisfied – The applicant indicated that all critical mechanical and electrical systems will be located above the base flood elevation.

8. **Existing buildings shall, wherever reasonably feasible and economically appropriate, be elevated up to the base flood elevation, plus City of Miami Beach Freeboard.**

Satisfied – The encroaching structure will be demolished. The existing home, to remain, will not be elevated

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 in the General Ordinances.**

Satisfied – There will be no habitable space below the design flood elevation in the proposed new construction.

10. **As applicable to all new construction, stormwater retention systems shall be provided.**

Satisfied – The applicant indicated that stormwater retention systems will be provided as required.

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

Satisfied – The applicant indicated that cool and porous pavements will be utilized. Any new homes require the approval of the DRB at which point the resiliency criteria will be addressed in greater detail.

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

Satisfied – The applicant indicated that the potential for the heat island effect will be minimized with landscaping, and open spaces.

ANALYSIS:

The RS-3 residential single-family zoning district requires a minimum lot area of 10,000 square feet and a minimum lot width of 50 feet. The proposed parcels exceed these minimum lot area and lot width requirements.

The tables in the section below summarize the statistical data of similar properties in the surrounding area. The source of the data is the Miami Dade County Property Appraiser's Office.

As a point of information, the Property Appraiser’s Office adjusts the size of structures by increasing or adjusting the stated square footage for outdoor covered areas such as loggias, covered patios, etc. and for non-air-conditioned garages. As per the City’s definitions, these items are generally excluded from unit size calculations. In the Data Analysis below, the adjusted unit size percentage is the percentage unit size of the existing home using the adjusted square footage from the Property Appraiser’s office. Staff has included a “20% allowance” column, to take into consideration a reasonable accommodation for future renovations and additions for existing homes. It should be noted that because the property appraiser does include a certain percentage of covered areas and garage area as unit size, the numbers are typically inflated when compared to the city’s permit records. This is especially true for new homes, which generally tend to have more covered outdoor areas.

Area Analysis Data:

Surrounding Sites Summary:

Statistic	Year Built	Unit Size (SF)	Lot Size (SF)	Unit Size %	Unit Size + 20% Allowance (SF)*	Unit Size + 20% Allowance %
Average	1968	6,515	14,861	44%	6,863	47%
Median	1943	5,778	13,125	43%	6,562	50%
Max	2021	14,017	27,300	58%	13,650	50%
Min	1931	3,263	10,500	25%	4,348	30%
First Quartile	1937	5,342	13,125	39%	6,369	33%
Third Quartile	2004	6,853	15,750	51%	6,619	50%
Mode	2021	N/A	13,125	N/A	N/A	NA%

Analysis Parcels Data:

ADDRESS	YEAR BUILT	UNIT SIZE (SF)	LOT SIZE (SF)	Unit Size %	Unit Size + 20% Allowance (SF)*	Unit Size + 20% Allowance %
1405 W 24th St	2019	6950	13275	52%	6,638	50%
1415 W 24th St	2021	5250**	10500	50%	5,250	50%
1431 W 24th St	2002	5867	15750	37%	7,040	45%

1441 W 24th St	1931	5688	13125	43%	6,562	50%
1501 W 24th St	1939	5254	13125	40%	6,305	48%
1525 W 24th St	2005	14017	27300	51%	13,650	50%
1601 W 24th St	1937	6236	25200	25%	7,483	30%
1611 W 24th St	1938	5606	13125	43%	6,562	50%
1621 W 24th St	1938	5617	13125	43%	6,562	50%
1717 W 24th St		0	15894	0%	-	0%
1727 W 24th St		0	15894	0%	-	0%
1745 W 24th St		0	13125	0%	-	0%
1775 W 24th St	1946	3623	13125	28%	4,348	33%
1821 W 24th St	1936	7674	13125	58%	6,563	50%
1825 W 24th St	2021	6562**	13125	50%	6,562	50%
1833 W 24th St	1986	7876	13125	60%	6,563	50%
1839 W 24th St	1936	4994	13122	38%	5,993	46%

*The 20% allowance was added to the adjusted square footage only up to the maximum unit size of 50%.

** Numbers corrected based upon permit data as county data was exceedingly high

Summary of Data Analysis:

- The analysis area consists of RS-3 waterfront lots along the north side of W 24th Street, excluding vacant sites
- The vacant sites were only analyzed for lot area.
- There are 17 lots in the analysis area, including the applicant's parcels.
- All parcels range in size from 10,500 SF to 27,300 SF.
- The average lot size is 14,861 SF. The median lot size is 13,125 SF. The proposed parcels will largely be consistent with the average and median lot sizes.
- The average adjusted unit size is 6,515 square feet (44% of lot area).
- Current homes range from a unit size of 3,623 SF (28% of lot area) to 14,017 SF (50% of lot area).
- Factoring a reasonable assumption of future additions to existing homes of 20% of the current adjusted size, the average home unit size increases to 6,863 SF (47% of lot area).
- The applicant is proposing maximum a unit sizes of 3,522 SF (29.2%), and lot coverage of 29.2%.

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The owner of the largest lot within the study area, 1525 W 24th Street, is the contract purchaser for the new lot that will be created by the proposed lot split. As proposed, the new single-story structure complies with the minimum requirements to be considered a single family home, although it is has been designed as an accessory structure to the primary residence located at 1515 W 24th Street, with the 'front' of the home facing the adjacent lot. Because of this, the new structure is well below the maximum unit size and lot coverage that may be permitted. The new home will be required to be reviewed and approved by the Design Review Board, where design modifications will likely be required as the current plans depict a street elevation with 2 garage doors and no other openings facing the street.

STAFF RECOMMENDATION:

In view of the foregoing analysis, staff recommends that the application be approved subject to the conditions enumerated in the attached Draft Order.

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

PROPERTY: 1601 West 24th Street

FILE NO. PB25-0754

IN RE: An application for division of land/lot split to divide the existing site comprised of two platted lots, into two individual buildable parcels, pursuant to Chapter 2, Article V, Section 2.5.4 of the Miami Beach Resiliency Code.

LEGAL DESCRIPTION: Folio No. 02-3228-001-1420

Lot 4 and the west 69' of lot 5, Block 3-D of Sunset Islands, 3rd Revision Plat, as recorded in Plat Book 40, Page 8, of the Public Records of Miami-Dade County, Florida

MEETING DATE: June 10, 2025

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

The applicant, Patrick Dovigi, requested a Division of Land/Lot Split, pursuant to Chapter 2, Article V, Section 2.5.4 of the Miami Beach Resiliency Code, to divide the existing site comprised of two platted lots, into two individual buildable parcels.

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 Resiliency Code, subject to the following conditions, to which the Applicant has agreed:
 - 1. The modifications authorized to Lot 4 and the western 69 feet of Lot 5 by this lot split application, shall comply with the following:
 - a. The subject lots shall not be subdivided any further.
 - b. The building parcels created by this lot split shall be as depicted on the signed and sealed surveys by John Ibarra & Associates, Inc, dated 3-14-2025.

- c. Design Review Board review and approval shall be required for any new home on Lot 5.
- d. Design Review Board review and approval shall be required for any new structure on Lot 4 that is a result of the substantial or total demolition of the existing home.
- e. 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.
- f. 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.
- g. The maximum unit size for Lot 5 shall be limited to 50% of the lot area and the maximum lot coverage shall be limited to 30% of the lot area, per Section 7.2.2.3 of the Resiliency Code, as may be revised from time to time.
- h. If the existing home on lot 4 is substantially or totally demolished, the maximum unit size shall be limited to 50% of the lot area and the maximum lot coverage shall be limited to 30% of the lot area, per Section 7.2.2.3 of the Resiliency Code, as may be revised from time to time.

Otherwise, provided that the existing home is formally classified as architecturally significant, and the home is substantially retained, the property may take advantage of the zoning incentives outlined in Section 7.2.2.4 of the Resiliency Code.

- i. 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 a 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.
 - 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.
- 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.
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.

