

MIAMI BEACH

PLANNING DEPARTMENT

Staff Report & Recommendation

PLANNING BOARD

TO: Chairperson and Members
Planning Board

DATE: September 9, 2025

FROM: Thomas R. Mooney, AICP
Planning Director

^{DS}


For TRM

SUBJECT: **PB24-0715. 1800 Michigan Ave – Lot Split.** Progress report due to code violations and non-compliance with the conditions of approval.

RECOMMENDATION

Review the issues of non-compliance and continue the progress report to a date certain of November 4, 2025

BACKGROUND

November 26, 2024: The Planning Board approved an application for a Division of Land / Lot Split, to divide one existing site, which is comprised of four (4) platted lots, into four (4) individual buildable parcels

August 8, 2025: The Planning Department sent a cure letter to the applicant, IRRS 1800 Michigan LLC, c/o Luis Quintana, in response to code citations issued to the property for failure to comply with the requirements for vacant and abandoned properties, and failure to comply with the requirements of the Planning Board order. The cure letter advised the applicant that a progress report was scheduled for September 9, 2025.

STAFF ANALYSIS

The following violations for the subject property are showing in the city's records as of this writing:

1. Case No. **ZV2025-05763** 3/5/2025

Ref: Failure to fence off vacant property

Vacant and abandoned properties in all districts Fence requirements shall apply to all vacant lots, lots containing a structure that is subject to a permit that has been abandoned or that has expired (for more than 30 days) and which structure is unfit for human habitation, and lots containing buildings unfit for human habitation. All fences required to be installed pursuant to this section shall be of permanent-quality construction, including concrete foundations.

1st offense

2. Case No. **ZV2025-0579** 5/19/2025

Ref: Failing to comply with design review board order. Unsecured windows and deteriorated wooden fence.
Resiliency Code Section 2.5.3.2 & 2.5.3.5 Failing to comply with your Design Review Board Order.
1st offense

The following conditions of approval contained in the Division of Land / Lot Split Final Order are applicable to the above noted violations:

3. The applicant and/or owner shall comply with the provisions of Section 58-299 of the city code, entitled 'Responsibility of owners of vacant buildings, vacant structures and vacant or unimproved lots'.
4. The applicant and/or owner shall comply with the provisions of Chapter 58, Article III, Division 4, of the city code, entitled 'Abandoned and Vacant Properties Registry.'
6. 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.
10. 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.

At the time of the progress report, in accordance with the provisions of Section 2.5.2.5 of the Land Development Regulations of the City Code (LDR's), the Planning Board may consider setting a public hearing for the purpose of examining the noncompliance issues and initiate modification/revocation proceedings. Based on substantial competent evidence, the board may consider revoking the approval, modifying the conditions thereof, or imposing additional or supplemental conditions.

STAFF RECOMMENDATION

Staff recommends that the Board hear testimony from the applicant and the public, and continue the progress report to November 4, 2025.

MIAMIBEACH

PLANNING DEPARTMENT

City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139

Tel: (305) 673-7550

August 6, 2025

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

IRRS 1800 Michigan LLC
c/o Luis J. Quintana
145 Almeria avenue
Coral Gables, FL 33134

Re: **PB24-0715 – 1800 Michigan Ave**

Dear Sir/Madam:

An application for a Division of Land / Lot Split, to divide one existing site, which is comprised of four (4) platted lots, into four (4) individual buildable parcels, was approved by the Planning Board on November 26, 2024. It has come to the Planning Department's attention that violations have been issued by the Code Compliance Department regarding the maintenance of the property. The following violations are showing in the city's records as of this writing:

1. Case No. **ZV2025-05763** 3/5/2025

Ref: Failure to fence off vacant property

Vacant and abandoned properties in all districts Fence requirements shall apply to all vacant lots, lots containing a structure that is subject to a permit that has been abandoned or that has expired (for more than 30 days) and which structure is unfit for human habitation, and lots containing buildings unfit for human habitation. All fences required to be installed pursuant to this section shall be of permanent-quality construction, including concrete foundations.

1st offense

2. Case No. **ZV2025-0579** 5/19/2025

Ref: Failing to comply with design review board order. Unsecured windows and deteriorated wooden fence.

Resiliency Code Section 2.5.3.2 & 2.5.3.5 Failing to comply with your Design Review Board Order.

1st offense

The following conditions of approval contained in the Division of Land / Lot Split Final Order are applicable to the above noted violations:

3. The applicant and/or owner shall comply with the provisions of Section 58-299 of the city code, entitled 'Responsibility of owners of vacant buildings, vacant structures and vacant or unimproved lots'.
4. The applicant and/or owner shall comply with the provisions of Chapter 58, Article III, Division 4, of the city code, entitled 'Abandoned and Vacant Properties Registry.'
6. 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.

10. 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.

In accordance with Condition No. 6 of the CUP, **you are requested to appear at the September 9, 2025 Planning Board hearing** for a verbal progress report.

Please be advised that at the time of the progress report, in accordance with the provisions of Section 2.5.2.5 of the Land Development Regulations of the City Code (LDR's), the Planning Board may consider setting a public hearing for the purpose of examining the noncompliance issues and initiate modification/revocation proceedings.

Should the Planning Board consider setting a public hearing for the purpose of examining the noncompliance issues noted herein, and initiate modification/revocation proceedings, this matter may be placed on the November 4, 2025 agenda of the Board as a modification/revocation hearing. If a future public hearing is set, the board may consider the issue of noncompliance and the possible modification or revocation of the approval. Based on substantial competent evidence, the board may consider revoking the approval, modifying the conditions thereof, or imposing additional or supplemental conditions.

If you have any questions, please do not hesitate to contact Michael Belush at (305) 673-7000 ext. 26258 or via email at MichaelBelush@MiamiBeachFL.gov.

Sincerely,

Thomas R. Mooney, AICP
Planning Director

TRMMB

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

PROPERTY: 1800, 1810, & 1818 Michigan Ave, and 1039 18th Street

FILE NO. PB24-0715

IN RE: An application for a division of land/lot split to divide the one existing site which is comprised of four (4) platted lots, into four (4) individual buildable parcels, pursuant to Chapter 2, Article V, Section 2.5.4 of the Miami Beach Resiliency Code.

LEGAL DESCRIPTION: Folio Nos. 02-3234-004-0140, 02-3234-004-0130, 02-3234-004-0120, 02-3234-004-0150

Lots 1, 2, 3, & 4, Block 10, of the Palm View Subdivision, according to the plat thereof, as recorded in Plat Book 6, Page 29, of the Public Records of Miami-Dade County, Florida.

MEETING DATE: November 26, 2024

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

IRRS LOT 1039 18TH LLC, IRRS 1800 MICHIGAN LLC, 1810 IRRS Holdings, LLC and IRRS 1818 Michigan LLC (collectively the applicants) requested a Division of Land/Lot Split, pursuant to Chapter 2, Article V, Section 2.5.4 of the Miami Beach Resiliency Code, divide the one existing site which is comprised of four (4) platted lots, into four (4) 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 the four (4) lots located at 1800, 1810, & 1818 Michigan Ave, and 1039 18th Street, by this lot split application, shall comply with the following:
 - a. The subject lots shall not be subdivided any further.

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- b. Historic Preservation Board review and approval shall be required for any new home on each of the lots.
 - c. The building parcels created by this lot split shall be as depicted on the original plat map.
 - d. 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.
 - e. 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.
 - f. The maximum unit size for each lot 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, unless a variance to increase the lot coverage of 1818 Michigan Avenue to 40% of the lot area is approved by the Historic Preservation Board to permit the reintroduction of specific design elements and features of the prior contributing home.
 - g. A building permit for any of the proposed new homes shall not be issued prior to the issuance of the permit for the repair/construction of the entirety of the sea wall associated with the combined properties.
 - h. 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.
 - i. 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 shall comply with the provisions of Section 58-299 of the city code, entitled 'Responsibility of owners of vacant buildings, vacant structures and vacant or unimproved lots'.



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4. The applicant and/or owner shall comply with the provisions of Chapter 58, Article III, Division 4, of the city code, entitled 'Abandoned and Vacant Properties Registry.'
5. 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.
6. 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.
7. 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.
8. 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.
9. 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.
10. 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.
11. 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.

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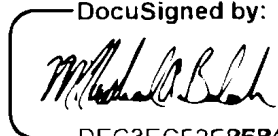
PB24-0715. 1800, 1810, & 1818 Michigan Ave, and 1039 18th Street

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 4/23/2025 | 12:23 PM EDT

PLANNING BOARD OF THE
CITY OF MIAMI BEACH, FLORIDA

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BY: DEC3ECE2E26B404
Michael A. Belush, AICP
Planning and Design Officer
For the Chair

STATE OF FLORIDA)
COUNTY OF MIAMI-DADE)

The foregoing instrument was acknowledged before me this 24 day of April, 2025, 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.




[NOTARIAL SEAL]

Miriam Herrera
Notary:
Print Name: Miriam Herrera
Notary Public, State of Florida
My Commission Expires: 12-16-27
Commission Number: HH470768

DocuSigned by:

Approved As To Form:
Legal Department

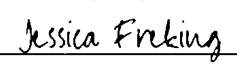


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