

MIAMIBEACH

PLANNING DEPARTMENT

Staff Report & Recommendation

PLANNING BOARD

TO: Chairperson and Members
Planning Board

DATE: September 9, 2025

FROM: Thomas R. Mooney, AICP
Planning Director



SUBJECT: **PB25-0759. 3500 Flamingo Drive– Single Family Home - Lot Split.**

An application has been filed requesting a division of land/lot split to divide the existing single 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 two-story single-family home that was constructed in 1934 on Lot 24 in the Flamingo Terrace subdivision. At some point after the home's construction, the western portion of lot 1 was added to the site. The combined site is approximately 31,357 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 1.

ZONING / SITE DATA:

Folio Nos.: 02-3226-002-0401 & 02-3226-3226-002-0400

Legal Description: See "Exhibit A"

Zoning: RS-3 Single-Family Residential District

Future Land Use: Single Family Residential Category (RS)

Current Lot Size: 31,357 SF

Proposed Lot Sizes: Lot 24: 16,856 SF
Lot 1: 14,500 SF

Proposed Lot Width: Lot 24: >100 FT
Lot 1: >100 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.**

Partially Consistent – The average lot size is 14,448 SF along Pine Tree Drive and 11,635 SF along Flamingo Drive within the study area. The proposed lots are 14,500 SF and 16,856 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 two-story single-family home on Lot 1 with a unit size of 5,470 SF (37.7%), and lot coverage of 3,594 SF (24.4%), 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 existing two-story residence on lot 24 will remain on site and the existing pool will be removed.

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 24, constructed in 1934, is proposed to be retained.

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 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.**

Not Satisfied –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 for Pine Tree Drive:

Statistic	Year Built	Unit Size (SF)	Lot Size (SF)	Unit Size %	Unit Size + 20% Allowance (SF)*	Unit Size + 20% Allowance %
Average	1941	4,264	14,448	31%	5,330	38%
Median	1935	4,003	12,690	32%	5,004	38%
Max	2020	8,490	29,742	49%	10,613	59%
Min	1925	2,310	9,000	16%	2,887	19%
First Quartile	1933	4,597	13,100	35%	5,516	42%
Third Quartile	1938	4,576	17,500	26%	5,492	31%
Mode	1935	3,417.6	17,500	34%	4,272	41%

Pine Tree Analysis Parcels Data:

ADDRESS	YEAR BUILT	UNIT SIZE (SF)	LOT SIZE (SF)	Unit Size %	Unit Size + 20% Allowance (SF)*	Unit Size + 20% Allowance %
3795 Pine Tree Dr	1934	5,356	18,113	30%	6,247	35%
3773 Pine Tree Dr	1931	2873.7	9,000	32%	3,449	38%
3759 Pine Tree Dr	1929	4,626.3	12,281	38%	5,551	45%
3745 Pine Tree Dr	1940	3,449.7	13,700	25%	4,140	30%
3725 Pine Tree Dr	1935	4,218	16,600	25%	5,062	30%
3711 Pine Tree Dr	1938	4,576.3	17,500	26%	5,492	31%
3701 Pine Tree Dr	1948	4,607.8	17,500	26%	5,530	32%
3559 Pine Tree Dr	1925	8,242.5	17,500	47%	9,890	57%
3545 Pine Tree Dr	1935	4,963	17,500	28%	5,956	34%
3529 Pine Tree Dr	1933	4,122	17,500	24%	4,946	28%

3325 Pine Tree Dr	1936	3,560	10,500	34%	4,272	41%
270 W 35 St	1958	2,406	10,650	23%	2,887	27%
266 W 35 St	1926	2,826	11,250	25%	3,391	30%
3301 Pine Tree Dr	1940	3,560	3,560	34%	4,272	41%
275 W 33 St	1951	2,406	11,250	23%	2,887	27%
265 W 33 St	1934	2,826	11,250	25%	3,391	30%
3165 Pine Tree Dr	1927	3,800	24,004	16%	4,560	19%
3145 Pine Tree Dr	2020	8,844	18,000	49%	10,613	59%
3125 Pine Tree Dr	1936	6,026	19,400	31%	7,231	37%
3115 Pine Tree Dr	1936	7,583	29,742	26%	9,100	31%
3009 Pine Tree Dr	2015	5,386	14,300	38%	6,463	45%
3001 Pine Tree Dr	1933	4,597	13,100	35%	5,516	42%
2887 Pine Tree Dr	1934	4,497	11,100	41%	5,396	49%
2875 Pine Tree Dr	1936	3,642	10,200	36%	4,370	43%
2861 Pine Tree Dr	1936	3,874	10,500	37%	4,649	44%
2837 Pine Tree Dr	1935	3,874	11,772	33%	4,649	39%
2815 Pine Tree Dr	1935	4,276	10,915	39%	5,131	47%
2801 Pine Tree Dr	1929	3,342	9,525	35%	4,010	42%

Surrounding Sites Summary for Flamingo Drive:

Statistic	Year Built	Unit Size (SF)	Lot Size (SF)	Unit Size %	Unit Size + 20% Allowance (SF)*	Unit Size + 20% Allowance %
Average	1941	3,832	11,748	32%	4,485	39%
Median	1939	3,943	10,728	33%	4,581	40%
Max	1981	5,372	25,050	52%	6,467	62%
Min	1925	0	6,350	0%	0	0%
First Quartile	1933	3,506	9,900	27%	4,008	32%
Third Quartile	1940	4,309	12,225	38%	4,980	45%
Mode	1935	3,506	9,877	38%	N/A	45%

ADDRESS	YEAR BUILT	UNIT SIZE (SF)	LOT SIZE (SF)	Unit Size %	Unit Size + 20% Allowance (SF)*	Unit Size + 20% Allowance %
3650 Flamingo Drive	1939	4283	15,150	28%	5,140	33%
3644 Flamingo Drive	1929	4,368	8,400	52%	5,192	62%
3630 Flamingo Drive	1929	5,372	12,209	44%	6,467	53%
3616 Flamingo Drive	1930	4,400	10,000	36%	4,276	43%
3606 Flamingo Drive	1940	4,122	10,054	41%	4,940	49%

3586 Flamingo Drive	1936	3,753	9,877	38%	4,560	46%
3580 Flamingo Drive	1931	3,519	9,920	35%	4,223	43%
3570 Flamingo Drive	1957	3,848	10,125	38%	4,602	45%
3556 Flamingo Drive	1935	3,762	9,900	38%	4,520	46%
3550 Flamingo Drive	1935	0	10,125	0%	0	0%
3542 Flamingo Drive	1947	4,309	9,900	34%	5,171	41%
3538 Flamingo Drive	1924	3,753	6,350	38%	4,514	46%
260 W 35 St	1981	3,610	12,500	30%	4,332	35%
254 W 35 th St	1940	3,506	9,877	27%	3,918	32%
3350 Flamingo Drive	1951	4,379	12,225	26%	3,079	31%
259 W 33 ST	1952	4,043	12,225	33%	4,852	40%
255 W 33 ST	1940	3,506	12,150	29%	4,208	35%
3330 Flamingo Drive	1933	4,379	10,000	44%	5,255	53%
3026 Flamingo Drive	1935	4,699	15,725	30%	5,638	36%
3012 Flamingo Drive	1933	4,150	12,825	32%	4,980	39%
2990 Flamingo Drive	1939	4,832	25,050	19%	5,798	23%
2970 Flamingo Drive	1971	4,047	17,655	23%	4,855	28%
2956 Flamingo Drive	1925	4,768	14,513	33%	5,722	39%
2940 Flamingo Drive	1936	3,310	8,014	41%	3,973	50%
2922 Flamingo Drive	1935	3,926	10,492	37%	4,712	45%
2912 Flamingo Drive	1951	3,231	10,139	32%	3,877	38%
2908 Flamingo Drive	1939	4,107	11,023	37%	4,928	45%
2900 Flamingo Drive	1939	3,506	11,800	30%	4,207	36%
2850 Flamingo Drive	1935	3,316	13,263	25%	4,008	30%
2840 Flamingo Drive	1951	2,163	10,964	20%	2,596	24%

*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 non-waterfront lots along the north side of W 35th Street
- The vacant sites were only analyzed for lot area.
- There are 58 lots in the analysis area, including the applicant's parcels.
- All parcels range in size from 6,350 SF to 29,972 SF.
- The average lot size for Pine Tree Drive is 14,448 SF whereas the average lot size for Flamingo Drive is 11,748 SF. The median lot size is 11,511 SF. The proposed parcels will largely be consistent with the average and median lot sizes.
- The average adjusted unit size is 4,264 SF along Pinetree Drive and 3,832 SF along Flamingo Drive.
- Current homes range from a unit size of 2,310 SF (16% of lot area) to 8,490 SF (49% 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 4,890 SF (47% of lot area).
- The applicant is proposing a maximum unit size of 5,470 SF (37.7%), and lot coverage of 24.2% for a new home on Lot 1.

Any new home on Lot 1 will be required to be reviewed and approved by the Design Review Board. Provided that the existing home on Lot 24 is substantially retained and preserved, the incentives afforded to architecturally significant homes would allow a lot coverage of up to 40% and unit size of up to 60%. Should the existing home on Lot 24 be substantially demolished, then any new construction would then require the review and approval of the Design Review Board.

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: 3500 Flamingo Drive

FILE NO. PB25-0759

IN RE: An application for a division of land/lot split to divide the existing single 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 Nos. 02-3226-002-0400 &
02-3226-002-0401

See "Exhibit A"

MEETING DATE: September 9, 2025

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

The applicant, 3500 Flamingo Drive, LLC., 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 1 and Lot 24 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 proposed site plan by The Hall Group LLC., dated 05-01-2025.

- c. Design Review Board review and approval shall be required for any new home on Lot 1.
 - d. Design Review Board review and approval shall be required for any new structure on Lot 24 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 1 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 24 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 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.

Dated _____

