

MIAMI BEACH

PLANNING DEPARTMENT

Staff Report & Recommendation

Planning Board

DATE: November 4, 2025

TO: Chairperson and Members
Planning Board

FROM: Thomas R. Mooney, AICP
Planning Director



SUBJECT: PB24-0715, **1800, 1810 & 1818 Michigan Avenue and 1039 18th Street – Lot Split.**

Progress report due to code violations and non-compliance with the conditions of approval.

RECOMMENDATION

Hear testimony from the applicant and the public and continue the progress report to the January 6, 2026 Planning Board meeting.

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 platted lots, into four 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.

September 9, 2025: The Planning Board discussed and continued the progress report to a date certain of November 4, 2025.

September 16, 2025: The Historic Preservation Board reviewed and approved a Certificate of Appropriateness for the substantial demolition of the existing home located at 1800 Michigan Avenue, the construction of an attached addition, one or more waivers and variances from the required lot coverage and open space requirements (HPB24-0641).

STAFF ANALYSIS

The following violations for the subject property have been issued:

1. **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. **ZV2025-05979**, 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.

UPDATE

On September 9, 2025 the Planning Board discussed and continued the subject progress report to a date certain of November 4, 2025. Since the September Planning Board meeting, on September 16, 2025, the applicant received Historic Preservation Board (HPB) approval for a Certificate of Appropriateness for the retention and restoration of the garage portion of the existing home and the construction of an attached 2-story addition (HPB24-0641). The following condition was imposed as part of the HPB Order:

Condition I.C.4: In accordance with Section 7.5.1.6 of the Land Development Regulations, the applicant shall comply with the minimum fencing and landscaping

requirements. A building permit for fencing shall be issued within 90 calendar days of this approval and installation shall occur no later than 120 calendar days after this approval.

As such, the applicant must obtain a building permit for the required fencing and landscaping by December 15, 2025.

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.

Due to the specific timeframes outlined in the HPB Order for compliance, staff recommends that this progress report be continued to the January 6, 2026 meeting. Staff will monitor the building permit activity and if the applicant fails to comply with the HPB Order and/or take affirmative measures to install the required fencing and landscaping, the Board can consider initiating revocation and modification proceedings. Additionally, if compliance is not achieved within the 90-day period noted above, the applicant would be required return to the HPB to request a modification of this condition.

STAFF RECOMMENDATION

Staff recommends that the Board hear testimony from the applicant and the public and continue the progress report to the January 6, 2026 Planning Board meeting.