

MIAMI BEACH

PLANNING DEPARTMENT

Staff Report & Recommendation

Historic Preservation Board

DATE: September 16, 2025
TO: Chairperson and Members
Historic Preservation Board
FROM: Thomas R. Mooney, AICP
Planning Director
SUBJECT: HPB24-0641, **1800 Michigan Avenue.**



An application has been filed requesting a Certificate of Appropriateness for the total demolition of the existing single-family home and the construction of a new single-family home one or more waivers and variances from the required lot coverage and open space requirements.

STAFF RECOMMENDATION

Approval of the certificate of appropriateness and variances, with conditions.

BACKGROUND

On June 17, 2025, the Board continued the subject application to a date certain of July 8, 2025. On July 8, 2025, the Board reviewed and continued the subject application to a date certain of September 16, 2025.

EXISTING STRUCTURE

Local Historic District:	Palm View
Classification:	Contributing
Construction Date:	1935
Architect:	Carlos Schoepl & Arnold Southwell

ZONING / SITE DATA

Folio:	02-3234-004-0120
Legal Description:	Lot 1, Block 10, of the Palm View Subdivision, according to the plat thereof, recorded in Plat Book 6, Page 29 of the public records of Miami Dade County, Florida.
Zoning:	RS-4, Residential, single-family
Future Land Use Designation:	RS-4, Residential, single-family
Lot Size:	7,951 sq. ft. (30% Max Lot Coverage, 50% Max Unit Size)
Proposed Lot Coverage:	2,875 sq. ft. / 36.1% (2,385.3 sq. ft. max)
Proposed Unit Size:	3,711 sq. ft. / 46.6%
Proposed Height:	26'-0" as measured from base flood elevation + 2'-0" freeboard (10.00' NGVD)

THE PROJECT

The applicant has submitted plans entitled “Private Residence 1800 Michigan Avenue”, as prepared by Studio McG Architecture, dated July 24, 2025.

COMPLIANCE WITH ZONING CODE

A preliminary review of the project indicates that the application appears to be inconsistent with the following sections of the Land Development Regulations, in addition to the requested variances:

1. **Section 7.5.1.6:** The site has not been fenced in accordance with the requirements outlined in Section 7.5.1.6 of the Land Development Regulations.

This shall not be considered final zoning review or approval. These and all zoning matters shall require final review and verification by the Zoning Administrator prior to the issuance of a Building Permit.

CONSISTENCY WITH 2040 COMPREHENSIVE PLAN

A preliminary review of the project indicates that the proposed single-family residential use is **consistent** with the Future Land Use Map of the Comprehensive Plan.

VARIANCE CRITERIA

The applicant has submitted plans and documents with the application that satisfy Article 1, Section 2 of the Related Special Acts, allowing the granting of a variance if the Board finds that practical difficulties exist with respect to implementing the proposed project at the subject property.

The applicant has submitted plans and documents with the application that also indicate the following, as they relate to the requirements of Section 2.8.3(a) of the Land Development Regulations:

1. Special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same zoning district;
2. The special conditions and circumstances do not result from the action of the applicant;
3. Granting the variance requested will not confer on the applicant any special privilege that is denied by these land development regulations to other lands, buildings, or structures in the same zoning district;
4. Literal interpretation of the provisions of these land development regulations would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of these land development regulations and would work unnecessary and undue hardship on the applicant;
5. The variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure;

6. The granting of the variance will be in harmony with the general intent and purpose of these land development regulations and that such variance will not be injurious to the area involved or otherwise detrimental to the public welfare;
7. The granting of this request is consistent with the comprehensive plan and does not reduce the levels of service as set forth in the plan; and
8. The granting of the variance will result in a structure and site that complies with the sea level rise and resiliency review criteria in chapter 7, article I, as applicable.

COMPLIANCE WITH SEA LEVEL RISE AND RESILIENCY REVIEW CRITERIA

Section 7.1.2.4(a)(1) of the Land Development Regulations 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:

- A. A recycling or salvage plan for partial or total demolition shall be provided.
Not Satisfied
- B. Windows that are proposed to be replaced shall be hurricane proof impact windows.
Satisfied
- C. Where feasible and appropriate, passive cooling systems, such as operable windows, shall be provided.
Satisfied
- D. Resilient landscaping (salt tolerant, highly water-absorbent, native or Florida friendly plants) shall be provided, in accordance with Chapter 4 of the Land Development Regulations.
Satisfied
- E. 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
- F. 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 three (3) additional feet in height.
Satisfied
- G. In all new projects, all critical mechanical and electrical systems shall be located above base flood elevation. Due to flooding concerns, all redevelopment projects shall, whenever practicable, and economically reasonable, move all critical mechanical and electrical systems to a location above base flood elevation.
Satisfied

- H. Existing buildings shall be, where reasonably feasible and economically appropriate, elevated up to base flood elevation, plus City of Miami Beach Freeboard.
Not Applicable
- I. 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 General Ordinances.
Not Applicable
- J. In all new projects, water retention systems shall be provided.
Satisfied
- K. Cool pavement materials or porous pavement materials shall be utilized.
Satisfied
- L. The project design shall minimize the potential for a project causing a heat island effect on site.
Satisfied

COMPLIANCE WITH CERTIFICATE OF APPROPRIATENESS CRITERIA

A decision on an application for a certificate of appropriateness shall be based upon the following:

1. Evaluation of the compatibility of the physical alteration or improvement with surrounding properties and where applicable, compliance with the following criteria pursuant to section 2.13.7(d)(ii)(1) of the Land Development Regulations (it is recommended that the listed criteria be found Satisfied, Not Satisfied or Not Applicable, as so noted):
 - a. The Secretary of Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings as revised from time to time.
Partially Satisfied
The applicant is proposing to substantially demolish the existing contributing single-family home.
 - b. The Secretary of Interior's Standards for Reconstruction as may be amended from time to time.
Not Applicable
 - c. Other guidelines/policies/plans adopted or approved by resolution or ordinance by the city commission.
Satisfied
2. The examination of architectural drawings for consistency with the criteria pursuant to section 2.13.7(d)(ii)(2) of the Land Development Regulations and stated below, with regard to the aesthetics, appearances, compatibility, safety, and function of any new or existing structure, public interior space and physical attributes of the project in relation to the site, adjacent structures and properties, and surrounding community. The criteria referenced above are as follows (it is recommended that the listed criteria be found Satisfied, Not Satisfied or Not Applicable, as so noted):

- a. The location of all existing and proposed buildings, drives, parking spaces, walkways, means of ingress and egress, drainage facilities, utility services, landscaping structures, signs, and lighting and screening devices.
Satisfied
- b. The dimensions of all buildings, structures, setbacks, parking spaces, floor area ratio, height, lot coverage and any other information that may be reasonably necessary to determine compliance with the requirements of the underlying zoning district, and any applicable overlays, for a particular application or project.
Not Satisfied
See Compliance with Zoning Criteria section of this report.
- c. The color, design, surface finishes and selection of landscape materials and architectural elements of the exterior of all buildings and structures and primary public interior areas for developments requiring a building permit.
Satisfied
- d. The proposed structure, or additions to an existing structure are appropriate to and compatible with the environment and adjacent structures, and enhance the appearance of the surrounding properties, or the purposes for which the district was created.
Satisfied
- e. The design and layout of the proposed site plan, as well as all new and existing buildings and public interior spaces shall be reviewed so as to provide an efficient arrangement of land uses. Particular attention shall be given to safety, crime prevention and fire protection, relationship to the surrounding neighborhood, impact on preserving historic character of the neighborhood and district, contiguous and adjacent buildings and lands, pedestrian sight lines and view corridors.
Satisfied
- f. Pedestrian and vehicular traffic movement within and adjacent to the site shall be reviewed to ensure that clearly defined, segregated pedestrian access to the site and all buildings is provided for and that any driveways and parking spaces are usable, safely and conveniently arranged and have a minimal impact on pedestrian circulation throughout the site. Access to the site from adjacent roads shall be designed so as to interfere as little as possible with vehicular traffic flow on these roads and pedestrian movement onto and within the site, as well as permit both pedestrians and vehicles a safe ingress and egress to the site.
Satisfied
- g. Lighting shall be reviewed to ensure safe movement of persons and vehicles and reflection on public property for security purposes and to minimize glare and reflection on adjacent properties and consistent with a city master plan, where applicable.
Satisfied

- h. Landscape and paving materials shall be reviewed to ensure an adequate relationship with and enhancement of the overall site plan design.
Satisfied
- i. Buffering materials shall be reviewed to ensure that headlights of vehicles, noise, and light from structures are adequately shielded from public view, adjacent properties and pedestrian areas.
Satisfied
- j. Any proposed new structure shall have an orientation and massing which is sensitive to and compatible with the building site and surrounding area and which creates or maintains important view corridor(s).
Satisfied
- k. All buildings shall have, to the greatest extent possible, space in that part of the ground floor fronting a sidewalk, street or streets which is to be occupied for residential or commercial uses; likewise, the upper floors of the pedestal portion of the proposed building fronting a sidewalk street, or streets shall have residential or commercial spaces, or shall have the appearance of being a residential or commercial space or shall have an architectural treatment which shall buffer the appearance of a parking structure from the surrounding area and is integrated with the overall appearance of the project.
Satisfied
- l. All buildings shall have an appropriate and fully integrated rooftop architectural treatment which substantially screens all mechanical equipment, stairs and elevator towers.
Satisfied
- m. All portions of a project fronting a street or sidewalk shall incorporate an amount of transparency at the first level necessary to achieve pedestrian compatibility.
Satisfied
- n. The location, design, screening and buffering of all required service bays, delivery bays, trash and refuse receptacles, as well as trash rooms shall be arranged so as to have a minimal impact on adjacent properties.
Satisfied

CERTIFICATE OF APPROPRIATENESS FOR DEMOLITION EVALUATION CRITERIA

Section 2.13.7(d)(vi)(4) of the Land Development Regulations provides criteria by which the Historic Preservation Board evaluates requests for a Certificate of Appropriateness for Demolition. The following is an analysis of the request based upon these criteria:

- a. The building, structure, improvement, or site is of such design, craftsmanship, or material that it could be reproduced only with great difficulty or expense.
Satisfied
The building is of such design, craftsmanship, or material that it could be reproduced only with great difficulty and/or expense.

- b. The building, structure, improvement, or site is one of the last remaining examples of its kind in the neighborhood, the county, or the region, or is a distinctive example of an architectural or design style which contributes to the character of the district.

Satisfied

The existing building is a distinctive example of the Mediterranean Revival/Art Deco Transitional style of architecture which contributes to the district.

- c. Retention of the building, structure, improvement, landscape feature or site promotes the general welfare of the city by providing an opportunity for study of local history, architecture, and design, or by developing an understanding of the importance and value of a particular culture and heritage.

Satisfied

The applicant is proposing the partial retention of the building, which is critical to developing an understanding of an important Miami Beach architectural style.

- d. In the event an applicant or property owner proposes the total demolition of a contributing structure, historic structure or architecturally significant feature, there shall be definite plans presented to the board for the reuse of the property if the proposed demolition is approved and carried out.

Not Applicable

The applicant is not proposing the total demolition of a contributing structure.

- e. The county unsafe structures board has ordered the demolition of a structure without option.

Not Applicable

The Miami-Dade County Unsafe Structures Board has not ordered the demolition of the structure.

STAFF ANALYSIS

The existing 2-story single-family home was constructed in 1935 and designed by architects Carlos Schoepl & Arnold Southwell in the Mediterranean Revival/Art Deco Transitional style of architecture. The main 2-story volume of the home fronts 18th Street and features a recessed entry with a tile and keystone surround that incorporates side niches and shelves. To the east is a 1-story portion of the home which appears to have originally been a covered porch that has since been enclosed. The remainder of the home is 1-story with a 2-car garage located on the western portion of the property. The area between the garage and the 2-story main volume originally featured a covered loggia which opened on to an elevated patio with a low decorative wall.

This home is part of a larger assemblage of property with common ownership, comprised of four platted lots containing three homes, bounded by Michigan Avenue to the east, 18th Street to the south, Lenox Avenue to the west and Collins Canal to the north. Extensive unpermitted work was performed by the previous owners including numerous additions to the homes (located at 1800, 1810 & 1818 Michigan Avenue) and other improvements that resulted in the creation of one building site. On May 7, 2024, as a result of an Emergency Demolition Order issued by the City's Building Official, permits were issued for the total demolition of the homes located at 1810 & 1818 Michigan Avenue and the residences were subsequently demolished. On November 26, 2024, the Planning Board approved a lot split reestablishing the property as four individual building sites (PB24-0715). On December 17, 2024, the Historic Preservation Board reviewed and approved a

Certificate of Appropriateness for the after-the-fact demolition of the two homes as well as Certificates of Appropriateness for the construction of new replacement homes.



1800 Michigan Avenue, 1953 photograph



1800 Michigan Avenue, currently proposed design

Update

On July 8, 2025, the Historic Preservation Board reviewed and continued the subject application to a date certain of September 16, 2025, with direction to the applicant to explore the retention of

portions or all of the existing home. Since the July hearing, the applicant has submitted revised plans that include the following modifications:

- The Applicant is no longer requesting approval for the total demolition of the home and is currently proposing to retain and restore the original garage portion. Additionally, the applicant is requesting a waiver and two variances related to the retention of the garage.
- Between the garage and main 2-story portion of the home, a new 1-story loggia and bedroom is proposed to be introduced.

Staff is supportive of the revised design which includes the retention and restoration of the original garage. Further, the introduction of the loggia and raised terrace further reinforce the historic massing of the existing home. Staff does, however, have several recommendations regarding the proposed design as follows:

- First, staff recommends that the garage be restored to the greatest extent possible including the design of the garage doors and the reintroduction of the exposed rafters along 18th Street.
- Second, staff recommends refinement of the raised terrace portion of the home in front of the loggia, to better recall the original design, which may include rounded corners and the introduction of square cutouts.
- Third, staff recommends that the west elevation of the home be further developed including the continuation of the ground level façade treatment and the introduction of a window at the second level.
- Fourth, staff recommends that the retaining wall along the front and street side property lines be revised so that it does not exceed the heights of the front retaining walls at 1810 and 1818 Michigan Avenue.

Finally, staff would note that between March and June 2025, several violations were issued to the property owner by the City's Code Compliance and Building Departments. The violations include failure to secure window openings, failure to comply with the City's fencing requirements for vacant properties and non-compliance with property maintenance standards for the existing wood fence (ZV2025-05979, ZV2025-05763 & PM2025-08034). Staff has included a recommendation within the attached draft order that would require the property owner comply with the fencing requirements for vacant properties within 120 days of an approval of the subject application.

In summary, staff believes that the revised project, inclusive of the recommendations outlined above, results in a project that achieves a greater level of compatibility with the remaining portion of the contributing home and the surrounding historic district.

Waiver

The applicant is requesting a waiver to retain the non-conforming west setback for the portion of the garage to remain within the required rear yard. The thresholds for retaining non-conforming floor area, height, setbacks and parking credits are outlined in Section 2.12.8(b)(iv) of the City Code. If the Board finds that the criteria for the restoration of the Contributing portion of the

building, as outlined in Section 2.12.8(b)(iv)(2) of the Land Development Regulations below are satisfied, a waiver can be granted.

Section 2.12.8 Repair and/or rehabilitation of nonconforming buildings.

- * * *
- b. *More than 50% of the value of building. Nonconforming buildings which are repaired or rehabilitated by more than 50 percent of the value of the building as determined by the building official, shall be subject to the following conditions:*
- * * *
- iv. Development regulations for buildings located within a designated historic district or for an historic site:
- * * *
1. The existing structure's floor area, height, setbacks and any existing parking credits may remain, if the following portions of the building remain substantially intact, and are retained, preserved and restored:
 - a. At least 75 percent of the front and street side walls, exclusive of window openings;
 - b. For structures that are set back two or more feet from interior side property lines, at least 66 percent of the remaining interior side walls, exclusive of window openings; and
 - c. All architecturally significant public interiors.
 2. For the replication or restoration of contributing buildings, but not for noncontributing buildings, the historic preservation board may, at their discretion, waive the requirements of Section 2.12.8(b)(iv)(1) of the Land Development Regulations, and allow for the retention of the existing structure's floor area, height, setbacks or parking credits, if at least one of the following criteria is satisfied, as determined by the historic preservation board:
 - a. The structure is architecturally significant in terms of design, scale, or massing;
 - b. The structure embodies a distinctive style that is unique to Miami Beach or the historic district in which it is located;
 - c. The structure is associated with the life or events of significant persons in the City;
 - d. The structure represents the outstanding work of a master designer, architect or builder who contributed to our historical, aesthetic or architectural heritage;
 - e. The structure has yielded or is likely to yield information important in prehistory or history; or

- f. The structure is listed in the National Register of Historic Places.

Staff has found that Criteria a & b above are satisfied and recommends the Board approve the requested waiver.

VARIANCE ANALYSIS

The applicant is requesting the following variances:

1. A variance to exceed by 6.1% (489.7 sq. ft.) the maximum permitted lot coverage of 30% (2,385 sq. ft.) in order to provide a lot coverage of 36.1% (2,875 sq. ft.). Variance requested from:

Section 7.2.2.3 Development regulations (RS)

(b) The development regulations for the RS-1, RS-2, RS-3, RS-4 single-family residential districts are as follows:

(1) The FAR, density, lot area, lot width, lot coverage, unit size, setbacks, and building height requirements for the RS-1, RS-2, RS-3, RS-4 single-family residential districts are as follows:

DEVELOPMENT REGULATIONS TABLE (RS)

Maximum Lot Coverage for a 2-story Home (% of lot area): 30%

2. A variance to reduce by 18.25% (219 sq. ft.) the minimum required rear yard open space of 70% (840 sq. ft.) in order to provide a rear yard open space of 51.75% (621 sq. ft.). Variance requested from:

Section 7.2.2.3 Development regulations (RS)

(b) The development regulations for the RS-1, RS-2, RS-3, RS-4 single-family residential districts are as follows:

(1) The FAR, density, lot area, lot width, lot coverage, unit size, setbacks, and building height requirements for the RS-1, RS-2, RS-3, RS-4 single-family residential districts are as follows:

DEVELOPMENT REGULATIONS TABLE (RS)

(7) At least 70 percent (70%) of the required rear yard shall be sodded or landscaped pervious open space; the water portion of a swimming pool may count toward this requirement, when located above adjusted grade, the water portion of a swimming pool may count towards 50 percent of this requirement, provided adequate infrastructure is incorporated into the design of the pool to fully accommodate on-site stormwater retention.

Variance 1 is related to the proposed lot coverage. The Land Development Regulations of the City Code (LDRs) provide a maximum lot coverage of 30% of the lot area (2,385.3 square feet). As part of the project, the applicant is proposing to retain and restore the original garage portion of the home. While garages can sometimes be excluded from lot coverage, in this instance the existing 511 square foot garage does not meet the exclusion criteria outlined in the LDRs and therefore must be counted as lot coverage. If the garage was able to be excluded, the project would be below the maximum lot coverage.

Variance 2 is related to the required rear yard open space. The LDRs require a minimum of 70% landscaped open space within the required rear yard. Due to the retention of the existing garage and new driveway, the project does not comply with this requirement.

As both variance requests are directly related to the retention and restoration of the original garage portion of the contributing home, staff finds that there are practical difficulties warranting the granting of the variances. Staff does recommend however, that the driveway be redesigned to consist of 18" wheel strips and sod in lieu of the approximately 15'-0" x 22'-0" paved surface.

RECOMMENDATION

In view of the foregoing analysis, staff recommends that the request for a certificate of appropriateness and variances **approved**, subject to the conditions enumerated in the attached draft Order, which address the inconsistencies with the aforementioned Certificate of Appropriateness and practical difficulty and hardship criteria, as applicable.

HISTORIC PRESERVATION BOARD
City of Miami Beach, Florida

MEETING DATE: September 16, 2025

PROPERTY/FOLIO: 1800 Michigan Avenue / 02-3234-004-0120

FILE NO: HPB24-0641

APPLICANT: IRRS 1800 Michigan LLC

IN RE: An application has been filed requesting a Certificate of Appropriateness for the total demolition of the existing single-family home and the construction of a new single-family home one or more waivers and variances from the required lot coverage and open space requirements.

LEGAL: Lot 1, Block 10, of the Palm View Subdivision, according to the plat thereof, recorded in Plat Book 6, Page 29 of the public records of Miami Dade County, Florida.

ORDER

The City of Miami Beach Historic Preservation 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:

I. Certificate of Appropriateness

- A. The subject site is located within the Palm View Local Historic District.
- B. 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:
 - 1. Is not consistent with Sea Level Rise and Resiliency Review Criteria 'A' in section 7.1.2.4(a)(1) of the Land Development Regulations.
 - 2. Is consistent with Certificate of Appropriateness Criteria in section 2.13.7(d)(ii)(1) of the Land Development Regulations.
 - 3. Is not consistent with Certificate of Appropriateness Criteria 'b' in section 2.13.7(d)(ii)(2) of the Land Development Regulations.
 - 4. Is consistent with Certificate of Appropriateness Criteria in section 2.13.7(d)(vi)(4) of the Land Development Regulations.
- C. The project would be consistent with the criteria and requirements of sections 2.13.7(d) and 7.1.2.4(a) of Land Development Regulations if the following conditions are met:

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1. Revised elevation, site plan and floor plan drawings shall be submitted, and at a minimum, such drawings shall incorporate the following:
 - a. The garage portion of the home shall be retained and restored consistent with available historical documentation, to the greatest extent possible, in a manner to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or directions from the Board. At a minimum this shall include the garage doors and exposed rafters.
 - b. The west elevation of the home shall be further developed including the continuation of the ground level façade treatment and the introduction of a window at the second level, in a manner to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board.
 - c. The retaining wall along the front and street side property lines shall be revised so that it does not exceed the heights of the front retaining walls at 1810 and 1818 Michigan Avenue, in a manner to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board.
 - d. The raised terrace portion in front of the loggia (identified as a courtyard in the plans), shall be refined in a manner that more closely recalls the original design, in a manner to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or directions from the Board. This may include the introduction of rounded terrace corners and/or square cutouts.
 - e. A plaque or historic display describing the history of the home shall be provided and be placed on the site in a manner visible from the right of way, prior to the issuance of a Certificate of Occupancy for the building, in a manner to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board.
 - f. Final details of all exterior surface finishes and materials shall be submitted, in a manner to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board.
 - g. All roof-top fixtures, air-conditioning units and mechanical devices shall be clearly noted on a revised roof plan and elevation drawings and shall be screened from view, in a manner to be reviewed and approved by staff, consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board.
2. In accordance with Section 2.12.8(b)(iv)(2) of the Land Development Regulations, the requirement pertaining to the setbacks of the portion of the contributing structure to remain, is hereby waived.
3. In accordance with Section 7.2.2.3(b)(2)(B)(II) of the Land Development Regulations, the Board hereby forgoes the requirement to setback at least 50% of the second floor

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along a side elevation facing a street by a minimum of 5'-0".

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.
5. A revised landscape plan, prepared by a Professional Landscape Architect, registered in the State of Florida, and corresponding site plan, shall be submitted to and approved by staff. The species type, quantity, dimensions, spacing, location and overall height of all plant material shall be clearly delineated and subject to the review and approval of staff. At a minimum, such plan shall incorporate the following:
 - a. A fully automatic irrigation system with 100% coverage and an automatic rain sensor in order to render the system inoperative in the event of rain.
 - b. The project design shall minimize the potential for a project causing a heat island effect on site.
 - c. Cool pavement materials or porous pavement materials shall be utilized, if applicable.

In accordance with section 2.2.4.8(c) of the Land Development Regulations the applicant, the City Manager, Miami Design Preservation League, Dade Heritage Trust, or an affected person may appeal the Board's decision on a Certificate of Appropriateness to a special magistrate appointed by the City Commission.

II. Variance(s)

- A. The applicant filed an application with the Planning Department for the following variances which were either approved, approved with modifications or denied by the Board:

The following variances were approved by the Board:

1. A variance to exceed by 6.1% (489.7 sq. ft.) the maximum permitted lot coverage of 30% (2,385 sq. ft.) in order to provide a lot coverage of 36.1% (2,875 sq. ft.).
 2. A variance to reduce by 18.25% (219 sq. ft.) the minimum required rear yard open space of 70% (840 sq. ft.) in order to provide a rear yard open space of 51.75% (621 sq. ft.).
- B. The applicant has submitted plans and documents with the application that satisfy Article 1, Section 2 of the Related Special Acts, allowing the granting of a variance if the Board finds that practical difficulties exist with respect to implementing the proposed project at the subject property.

The applicant has submitted plans and documents with the application that indicate the following, as they relate to the requirements of section 2.8.3(a) of the Land Development Regulations:

That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same zoning district.

That the special conditions and circumstances do not result from the action of the applicant.

That granting the variance requested will not confer on the applicant any special privilege that is denied by these land development regulations to other lands, buildings, or structures in the same zoning district.

That literal interpretation of the provisions of these land development regulations would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of these land development regulations and would work unnecessary and undue hardship on the applicant.

That the variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure.

That the granting of the variance will be in harmony with the general intent and purpose of these land development regulations and that such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

That the granting of this request is consistent with the comprehensive plan and does not reduce the levels of service as set forth in the plan.

The granting of the variance will result in a structure and site that complies with the sea level rise and resiliency review criteria in chapter 7, article I, as applicable.

C. The Board finds that the application satisfies Article 1, Section 2 of the Related Special Acts and the requirements of section 2.8.3(a) of the Land Development Regulations, and hereby **approves** the requested variances and imposes the following conditions based on its authority in section 2.8.4 of the Land Development Regulations:

1. The driveway shall be redesigned to consist of 18" wheel strips and sod, in a manner to be reviewed and approved by staff.
2. Substantial modifications to the plans submitted and approved as part of the application, as determined by the Planning Director or designee, may require the applicant to return to the Board for approval of the modified plans, even if the modifications do not affect variances approved by the Board.

The decision of the Board regarding variances shall be final and there shall be no further review thereof except by resort to a court of competent jurisdiction by petition for writ of certiorari.

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III. General Terms and Conditions applying to both 'I. Certificate of Appropriateness' and 'II. Variances' noted above.

- A. The applicant agrees and shall be required to provide access to areas subject to this approval (not including private residences or hotel rooms) for inspection by the City (i.e.: Planning, Code Compliance, Building Department, Fire Safety), to ensure compliance with the plans approved by the Board and conditions of this order.
- B. The issuance of a building permit is contingent upon meeting Public School Concurrency requirements, if applicable. Applicant shall obtain a valid School Concurrency Determination Certificate (Certificate) issued by the Miami-Dade County Public Schools. The Certificate shall state the number of seats reserved at each school level. In the event sufficient seats are not available, a proportionate share mitigation plan shall be incorporated into a tri-party development agreement and duly executed. No building permit may be issued unless and until the applicant obtains a written finding from Miami-Dade County Public Schools that the applicant has satisfied school concurrency.
- C. The relocation of any tree shall be subject to the approval of the Environment & Sustainability Director and/or Urban Forester, as applicable.
- D. Where one or more parcels are unified for a single development, the property owner shall execute and record a unity of title or a covenant in lieu of unity of title, as may be applicable, in a form acceptable to the City Attorney.
- E. All applicable FPL transformers or vault rooms and backflow prevention devices shall be located within the main building setbacks with the exception of the valve (PIV) which may be visible and accessible from the street.
- F. 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.
- G. The Final Order shall be recorded in the Public Records of Miami-Dade County, prior to the issuance of a Building Permit.
- H. Satisfaction of all conditions is required for the Planning Department to give its approval on a Certificate of Occupancy; a Temporary Certificate of Occupancy or Partial Certificate of Occupancy may also be conditionally granted Planning Departmental approval.
- I. The Final 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.
- J. The conditions of approval herein are binding on the applicant, the property's owners, operators, and all successors in interest and assigns.

Meeting Date: September 16, 2025

- K. Nothing in this order authorizes a violation of the City Code or other applicable law, nor allows a relaxation of any requirement or standard set forth in the City Code.
- L. Upon the issuance of a final Certificate of Occupancy or Certificate of Completion, as applicable, the project approved herein shall be maintained in accordance with the plans approved by the board and shall be subject to all conditions of approval herein, unless otherwise modified by the Board. Failure to maintain shall result in the issuance of a Code Compliance citation, and continued failure to comply may result in revocation of the Certificate of Occupancy, Completion and Business Tax Receipt.

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 are adopted herein, including the staff recommendations, which were amended and adopted by the Board, that the application is GRANTED for the above-referenced project subject to those certain conditions specified in Paragraph I, II, III of the Findings of Fact, to which the applicant has agreed.

PROVIDED, the applicant shall build substantially in accordance with the plans entitled “**Private Residence 1800 Michigan Avenue**”, as prepared by **Studio McG Architecture**, dated **July 24, 2025**, as approved by the Historic Preservation Board, as determined by staff.

When requesting a building permit, the plans submitted to the Building Department for permit shall be consistent with the plans approved by the Board, modified in accordance with the conditions set forth in this Order. No building permit may be issued unless and until all conditions of approval that must be satisfied prior to permit issuance, as set forth in this Order, have been met.

The issuance of the approval does not relieve the applicant from obtaining all other required Municipal, County and/or State reviews and permits, including final zoning approval. If adequate handicapped access is not provided on the Board-approved plans, this approval does not mean that such handicapped access is not required. When requesting a building permit, the plans submitted to the Building Department for permit shall be consistent with the plans approved by the Board, modified in accordance with the conditions set forth in this Order.

If the Full Building Permit for the project is not issued within eighteen (18) months of the meeting date at which the original approval was granted, the application will expire and become null and void, unless the applicant makes an application to the Board for an extension of time, in accordance with the requirements and procedures of section 2.13.7 of the Land Development Regulations; the granting of any such extension of time shall be at the discretion of the Board. If the Full Building Permit for the project should expire for any reason (including but not limited to construction not commencing and continuing, with required inspections, in accordance with the applicable Building Code), the application will expire and become null and void.

In accordance with chapter 2 of the Land Development Regulations, the violation of any conditions and safeguards that are a part of this Order shall be deemed a violation of the land development regulations. Failure to comply with this Order shall subject the application to chapter 2 of the Land Development Regulations, for revocation or modification of the application.

Dated this _____ day of _____, 20__.

HISTORIC PRESERVATION BOARD
THE CITY OF MIAMI BEACH, FLORIDA

BY: _____
DEBORAH TACKETT
HISTORIC PRESERVATION & ARCHITECTURE OFFICER
FOR THE CHAIR

STATE OF FLORIDA)
)SS
COUNTY OF MIAMI-DADE)

The foregoing instrument was acknowledged before me this _____ day of _____ 20__ by Deborah Tackett, Historic Preservation & Architecture Officer, Planning Department, City of Miami Beach, Florida, a Florida Municipal Corporation, on behalf of the corporation. She is personally known to me.

NOTARY PUBLIC
Miami-Dade County, Florida
My commission expires: _____

Approved As To Form:
City Attorney's Office: _____ ()

Filed with the Clerk of the Historic Preservation Board on _____ ()