



200 S. Biscayne Boulevard
Suite 300, Miami, FL 33131

www.brzoninglaw.com

305.377.6236 office
305.377.6222 fax
MAmster@brzoninglaw.com

VIA ELECTRONIC MAIL

August 24, 2025

Michael Belush
Planning & Design Officer
City of Miami Beach
1700 Convention Center Drive, 2nd Floor
Miami Beach, Florida 33139

RE: **HPB25-0663** – Letter of Intent for a Certificate of Appropriateness for Partial Demolition and Design of a New Single-Family Residence located at 336 Meridian Avenue

Dear Mr. Belush:

This law firm represents Kindredfruit Properties, LLC (“Applicant”), owner of the property located at 336 Meridian Avenue (“Property”). Please allow this letter to serve as the letter of intent in connection with a request to the Historic Preservation Board (“HPB”) for a certificate of appropriateness (“COA”) for partial demolition and design of the proposed single-family residence including a variance for rear yard setback.

Property Description. The Property is located on the west side of Meridian Avenue, mid-block between 3rd Street and 4th Street, and abutting an alley on the west side. The Miami-Dade County Property Appraiser’s Office identifies the Property with tax Folio No. 02-4203-009-5160. The Property is approximately 7,000 square feet (0.16 acres) in size and improved with two (2) structures, including a two (2)-story multifamily building at the east (front) originally constructed in 1936, and a one (1)-story structure at the west (rear) built in 1948. Combined, the Property has five (5) residential units.

The Property is within the R-PS2, Residential Performance Standards District, Medium Density ("R-PS2") and in the Ocean Beach Historic District. The front building facing Meridian Avenue is classified as a contributing structure, while the rear building is identified as not classified. Notably, the historic façade fronting Meridian Avenue includes the prominent circular, key-hole-like, entrance feature. A gracious courtyard exists between the two (2) buildings, with approximately thirty-four feet (34') separating them at the north and forty-two (42') at the south.

The same block features condominiums to the north, south, east and west of the Property, with a single-family residence directly abutting the Property to the south. Along the alley, the vast majority of the existing buildings have very small rear setbacks, including many at only 2' and 4'.

Proposed Project. The Applicant requests approval of a COA to preserve the front and sides of the two (2)-story contributing building, which saves the significant circular entrance feature, and allow for the demolition of the remainder and the one (1)-story non-classified structure on the Property in order to construct a new three (3)-story single-family residence with an understory (the "Proposed Project").

The Applicant's goal is to preserve this historic front façade, while maintaining the original layout and character of the Property, including the courtyard experience between the existing buildings. For the latter, the new home has portions at the front and rear, with a central courtyard that only has a small enclosed area at the third floor along the north side of the home.

The preserved elements maintain the historic front entry portal setback approximately 15'-5" from the property line and will frame a new fifteen foot (15') deep garden courtyard. This results in a total setback of 30'-5" from the property line to the proposed new residence. Beyond this entry courtyard, a circular enclosed staircase, representative of the front key-hole like entrance, leads to the first floor. The enclosed staircase opens into an open-air courtyard that connects to both the living room and family room. Importantly, there is a substantial open area between the front and rear volumes of the home, thirty-two feet (32') at the north and forty feet (40') at the south, which is intentionally designed to capture the historic layout that exists today, preserving the Property's original character and spatial organization.

The second floor of the Proposed Project, setback 30'-5" from the property line includes guest living spaces located within the preserved elements of the contributing historic structure, as well as an office and library occupying the remainder of the floor to the west. The third floor features the primary living quarters along with the kitchen and dining room. Notably, the primary suite floats above the preserved portion of the historic structure, extending outward at an angle, cantilevering over the garden courtyard below. The Primary suite on the third floor is setback 15'-5" from the property line to align with the historic façade below and contains a balcony that extends to the front setback of five (5) feet.

To ensure the new construction remains visually secondary to the preserved façade, glass block materials are proposed for the front of the balcony and for the south and east elevations. This material will subtly mask the modern elements of the design and emphasize the historic façade. Additionally, the angled cantilever and underside of the balcony on the third floor will include a reflective finish that mirrors the courtyard below and highlights the lush landscaping along Meridian Avenue. Further, the existing large street trees at the front of and north and south of the Property will further screen views of the new construction. For pedestrians on both sides of the street, the preserved historic façade will remain the focus of attention. Overall, the design intentionally honors and preserves the historic front façade while discreetly integrating the new architectural elements.

To successfully integrate the preserved features with a functional and livable new home, the Applicant respectfully requests a rear yard setback variance. This approach balances historic preservation with thoughtful redevelopment, ensuring that the project honors the architectural heritage of the Property while allowing for a viable and respectful use of the site.

Variance Request. In order to establish the Proposed Project, the Applicant respectfully requests the following variance from Section 7.2.15.2.f. of the Miami Beach Resiliency Code ("Resiliency Code"):

- 1) Variance from Section 7.2.15.2.f. of the Resiliency Code to reduce the rear yard setback from ten percent (10%) of the lot depth, which equals fourteen feet (14'), to provide four feet (4').

Analysis. The Proposed Project complies with the codified hardship criteria under Section 2.8.3 of the Resiliency Code as follows:

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;

The Property contains a contributing structure featuring a distinctive circular portal entrance, which serves as a prominent and defining architectural element along Meridian Avenue. The Applicant is committed to preserving this historic entrance, along with the front façade, which is setback 15'-5" from the property line, and the exterior side walls. In order to sensitively integrate the Proposed Project while maintaining the historic integrity of these preserved elements, the Applicant proposes a 30'-5" front setback to the new building behind the preserved façade. Absent the preservation, new construction could be at 5', a 25'-5" difference. This additional setback will ensure the key-hole entrance and architectural frontage remain intact, while accommodating a new residence that is otherwise fully compliant with the Resiliency Code. The preservation of this unique architectural feature presents a special condition that is specific to this Property and not commonly found on other properties within the same zoning district, thereby justifying the requested relief.

2. The special conditions and circumstances do not result from the action of the applicant;

The location of the Property and the historical significance of the circular entranceway and the central courtyard did not result from any 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;

Other properties within the RPS-2 zoning district are permitted to develop single-family homes, townhomes, or apartment buildings consistent with the type and scale of the Proposed Project. Therefore, granting the requested variance will not

confer any special privilege upon the Applicant that is not equally available to other similarly situated properties under the applicable land development regulations. The variance simply allows the Applicant to develop the Property in a manner consistent with the intent of the Code while preserving important historic architectural features unique to the site.

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;

A literal interpretation of the rear setback requirement would prevent the Applicant from constructing a functional single-family residence, as otherwise permitted under the R-PS2 zoning regulations. The area in question is located at the rear of the Property, abutting an alley and outside of public view, making the requested reduction both reasonable and appropriate. Moreover, numerous properties along Meridian Court have been developed with similarly reduced rear setbacks, and denying this request would result in an inconsistent application of the regulations. Such a denial would impose an unnecessary and undue hardship on the Applicant by depriving them of the ability to reasonably utilize the Property in a manner consistent with both the character of the neighborhood and the intent of the zoning district.

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

The requested variance is minor in scope and intended solely to allow the construction of a functional single-family residence in a location that is hardly visible from the public realm. The Applicant seeks only the minimum relief necessary to ensure the full preservation of the architecturally significant entrance—an element that is both distinctive to the character of the existing contributing structure and consistent with the historic fabric of the neighborhood, and to maintain the historic layout of building volumes on the Property. This approach balances the goals of preservation with reasonable development rights and reflects a thoughtful and context-sensitive design.

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;

The granting of the variance in accordance with the proposed plan will be consistent with the intent and purpose of the land development regulations and will not be injurious to the public welfare. The historic view and setback will be maintained along the front, there will be a similar central courtyard, and the rear setback matches the majority of the neighborhood along the alley.

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

The granting of the variance is consistent with the comprehensive plan and does not impact levels of service. Further, the Proposed Project is for a single-family home, lower in density than a multifamily development, which is allowed, would provide.

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.

The Proposed Project complies with the applicable sea level rise criteria.

Practical Difficulty. The innovative design of the Proposed Project strikes a thoughtful balance between preserving architectural history and creating a functional, livable home. By retaining the historic front entry portal, and maintaining the central court layout between the buildings, the Applicant is taking meaningful steps to honor the Property's architectural heritage. However, the site presents multiple practical challenges that must be addressed to enable reasonable and practical use of the Property.

Given the front building's classification as contributing, any renovation or addition is subject to a heightened level of scrutiny. Strict preservation of the existing structure, which is many feet below base flood elevation would result in a functionally obsolete

home that fails to meet modern living standards and prone to regular flooding. Recognizing this, the Applicant proposes to preserve the most important architectural elements—specifically, the front façade and side walls—to create an outdoor courtyard while carefully integrating new construction that is respectful, discreet and resilient.

Such preservation provides significant challenges because the historic structure is already setback 15'-5" from the front property line and in order to preserve it in place and let it retain its separate presence, the new construction must be further set back. Notably, Adding to that the central courtyard means pushing the second volume back towards the rear alley. Ultimately, the Applicant's objective is to preserve the home to the greatest extent feasible, while ensuring it remains a viable and functional single-family residence.

Sea Level Rise and Resiliency Criteria. The new home advances the sea level rise and resiliency criteria in Section 7.1.2.4 of the Resiliency Code, as follows:

1. A recycling or salvage plan for partial or total demolition shall be provided.

A recycling and salvage plan for demolition of the existing home will be provided at permitting.

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

Hurricane proof impact windows will be provided.

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

The Applicant will provide, where feasible, passive cooling systems.

4. Whether resilient landscaping (salt tolerant, highly water-absorbent, native or Florida friendly plants) will be provided.

All landscaping will be Florida friendly and resilient.

5. Whether 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, including a study of land elevation and elevation of surrounding properties were considered.

The Applicant proactively addresses sea level rise projections by providing an understory that will ensure the home above will be resilient for the foreseeable future. The habitable first floor will be raised three feet (3') above maximum freeboard (BFE + 5') at approximately sixteen feet (16') NGVD.

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.

The elevated first floor with understory ensures that the home is very adaptable to the raising of public rights-of-ways and adjacent land in the future.

7. Where feasible and appropriate. All critical mechanical and electrical systems are located above base flood elevation.

All critical mechanical and electrical systems will be located above base flood elevation.

8. Existing buildings shall be, where reasonably feasible and appropriate, elevated to the base flood elevation.

The proposed home is entirely new construction located well-above base flood elevation.

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 of the City Code.

No habitable space is located below base flood elevation.

10. Where feasible and appropriate, water retention systems shall be provided.

Where feasible, water retention systems will be provided.

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

Cool pavement materials or porous pavement materials will be utilized where possible.

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

The proposed design provides large open spaces and non-air-conditioned shaded living spaces to strategically minimize the potential for heat island effects on site.

Conclusion. The Proposed Project is an important part of the revitalization of Miami Beach in the Ocean Beach Historic District. This is an opportunity to preserve the notable front façade while developing a signature project, worthy of its location and resilient. Accordingly, we respectfully request your favorable review and recommendation with respect to this Application. Should you have any questions or concerns, please do not hesitate to contact me.

Sincerely,



Matthew Amster

cc: Deborah Tackett, Historic Preservation & Architecture Officer
Michael Yanopoulos, Esq.