

MIAMIBEACH

PLANNING DEPARTMENT

Staff Report & Recommendation

Historic Preservation Board

TO: Chairperson and Members
Historic Preservation Board

DATE: November 18, 2025

FROM: Thomas R. Mooney, AICP
Planning Director



DS For TRM

SUBJECT: HPB25-0663, **336 Meridian Avenue**

An application has been filed requesting a Certificate of Appropriateness for the total demolition of one structure, the substantial demolition of one structure, the construction of a single-family home and a variance from the minimum required setbacks.

STAFF RECOMMENDATION

Approval of the Certificate of Appropriateness.
Approval of the variance with modifications.

HISTORY:

On October 21, 2025, the application was continued to a date certain of November 18, 2025, in order to address the concerns expressed by the Board.

EXISTING SITE

Local Historic District:	Ocean Beach Historic District
Front 2-story building:	
Classification:	Contributing
Original Construction Date:	1936
Original Architect:	B. Kingston Hall
Rear single story building:	
Classification:	Not Classified
Original Construction Date:	1948
Original Architect:	A.L. Klingbeil

ZONING / SITE DATA

Folio:	02-4203-009-5160
Legal Description:	Lot 4, of Block 76, of Ocean Beach Addition No. 3, According to the Plat thereof, as recorded in Plat Book 2, Page 81, of the Public Records of Miami-Dade County.
Zoning:	R-PS2, Residential performance standard, medium low intensity
Future Land Use Designation:	R-PS2, Residential performance standard, medium low intensity

Lot Size:	7,000 SF (1.5 maximum FAR – 10,500 SF)
Existing FAR:	3,593 SF / 0.51
Proposed FAR:	8,955 / 1.28 FAR
Existing height:	~17 feet, as measured from BFE + 5 feet
Proposed Height:	40'-0" as measured from B.F.E. +5'-0" freeboard (13.00' NGVD)
Existing Use:	One and two-story residence
Proposed Use:	Single-family home

THE PROJECT

The applicant has submitted plans entitled "336 Meridian Avenue Residence – Revised Design", as prepared by Rene Gonzalez Architects, dated October 27, 2025.

COMPLIANCE WITH ZONING CODE

A preliminary review of the project indicates that the application appears to be consistent with the Land Development Regulations of the City Code, with the exception of the requested variance.

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 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)(i) 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.
To be satisfied at the time of building permit
- 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 may be amended from time to time.
Satisfied – The historic character of the property is maintained and its relationship with the street and surrounding neighborhood is preserved by adaptively utilizing the existing East, North, and South walls as largely exterior garden walls, with the new construction strategically placed within these exterior walls and complying with the higher elevation requirements for new habitable construction.
 - 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

The Secretary of Interior's Guidelines for Rehabilitation are intended as an aid to assist in applying the Secretary of Interior's Standards but are not binding on their own and are not meant to give case-specific advice or to address exceptions of unusual conditions.

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.
Satisfied
 - 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.
Not Satisfied; See Staff Analysis. The proposed glass balcony wall along the top level of the street front elevation, at the height shown, overwhelms the existing building and the overall street character.
 - 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).

Not Satisfied; See 2.d. above.

- 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.
Partially Satisfied
The existing 2-story structure is of such design, craftsmanship, or material that it could be reproduced only with great difficulty and/or expense. This is not the case for the rear single story building, which is proposed to be completely demolished

- 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.
Partially Satisfied
The existing 2-story structure is a distinctive example of the Art Deco style of architecture and contributes to the character of the district. The rear single story structure, proposed for demolition, is not a distinctive example of an architectural style.

- 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.
Partially Satisfied
The retention of the rear, non classified structure is not critical to developing an understanding of an important Miami Beach architectural style. The retention of the 2-story contributing building, is critical to the understanding of the city's architecture.

- 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
Total demolition proposed is for the rear single story structure which is not classified.

- 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 applicant is proposing to demolish the existing single-story structure at the rear of the site, which is not classified in the city's historic properties database, and retain the primary façade and the north and south walls of the existing 2-story structure fronting the street, which is classified as contributing.

The 2-story building was originally constructed in 1936 and designed by B. Kingston Hall, a distinguished local architect who maintained an office on Washington Avenue during the 1930s. Hall's architectural legacy remains well represented in Miami Beach, with more than twenty (20) of his buildings still extant, the majority of which are classified as contributing. In 1948, a detached rear addition was constructed, designed by architect A. L. Klingbeil. This modest addition is not considered historically significant and since it retains little to no architectural details, staff has no objection to its total demolition.

The structural report prepared by Optimus Structural Design LLC, dated July 15, 2025, noted several deficiencies in the existing 2-story structure, including severe deterioration of the wood flooring and joist framing at both the ground and second levels, primarily due to prolonged wood rot, water intrusion, and the advanced age of the structure. The report further notes that the existing building was not designed to withstand potential flooding conditions, with projected flood levels anticipated to rise several feet above the first-floor elevation. Such flooding would have a detrimental impact on the structural integrity of the building and render the property uninhabitable during flood events due to life safety concerns. The finished floor elevation of the structure is also located several feet below the minimum required for new construction. The report also notes the structural work required to retain the exterior walls and incorporate them into the proposed new construction.

The architect has put forth an innovative proposal, which maintains the historic street character of the property, by adaptively utilizing the existing east, north, and south walls of the existing 2-story building as largely exterior garden walls, with the new construction strategically placed within these exterior walls and complying with the higher elevation requirements for new habitable construction. Reflective of the historic site planning, a new courtyard will be maintained, open to the south, and central to the site. Please refer to the applicant's detailed letter of intent which explains the architect's design philosophy for the site.

Staff is highly supportive of the massing and contemporary design language of the new home, which incorporates variations in surface finishes and changes in plane along the side elevations. Further, the scale and massing of the proposed home, with the proposed courtyard, is more consistent with, and contextually sensitive to, the established neighborhood scale, as compared to more recently constructed buildings, such as 350 Meridian Ave, or the adjacent building at 344 Meridian Ave, constructed in 1974.

November 18, 2025 Update

As indicated by the applicant, in order to address the concerns expressed by the Board at the October 21, 2025 meeting, the following changes have been made:

1. Removed the projecting front balcony, resulting in the new construction aligning with the front setback above the historic building, each with a 15'-5" front setback.
2. Created a partial balcony on the third floor at the northeast corner of the building, which provides openness in that area.
3. Added windows in the front wall of the third floor that together with the inset balcony provide residential character for the front façade.
4. Reduced the reflectivity of the angled cantilever underneath the third floor above the historic structure

5. Provided a corten steel keyhole door at the entrance to the historic structure and a corten steel fence and gate at the front property line to address concerns regarding security and visibility.
6. Preserved the Christmas Palms along the north side of the Property and revised the landscaping plantings in the setback area accordingly
7. Increased the rear setback from 4' to 5' in accordance with staff's recommendation

Staff is supportive of the proposed changes, which address the concerns expressed by the Board, while retaining the architectural integrity of the new design.

VARIANCE ANALYSIS

The applicant is requesting the following variance (which has been modified with the most recent submittal to follow the recommendations of staff):

1. A variance to reduce 9' of the minimum required rear setback of 14' within the R-PS2 zoning district in order to construct a single-family residential building on a property with a 5' setback. Variance requested from:

Section 7.2.15.2(f) Residential Performance Standard Area Requirements (R-PS)

The development standards for residential performance standard districts are as follows:

Lot Occupation

R-PS2, Minimum rear setback: 10% of lot depth – Non-oceanfront lots

The applicant is requesting a reduction of 9' from the required 14' rear setback to achieve a reasonable and functional redevelopment of the property while preserving the significant historic elements that define the architectural character of the main building. The existing historic façade is currently setback 15'-5" from the front property line and to maintain the required 14-foot rear setback, the depth of the new livable area would be limited to approximately 110'-7".

The new construction features the preservation of the original central courtyard that extends approximately 32 feet along the north side (from the ground to the third level) and 40 feet along the south elevation. The preservation of this defining feature presents unique spatial challenges, as the historic façade is already situated well behind the front property line. To retain the façade and maintain the courtyard's spatial integrity, the new construction has been placed further back on the site, reducing the available buildable depth and encroaching into the required rear yard. Staff would also note that the proposed new home is approximately 1500 square feet less than the maximum allowed for the site.

The proposed design thoughtfully integrates new construction behind the preserved façade, retaining the historic front entry portal and courtyard layout. These are key elements that contribute to the property's architectural heritage and the overall design approach respects the original design intent and ensures the continued visibility and prominence of the contributing structure.

The existing conditions of the site also contain practical difficulties as the existing building sits several feet below base flood elevation, and strict adherence to the setback standards without allowing any flexibility would result in a functionally obsolete structure that does not meet contemporary flood resiliency standards or provide livable space consistent with modern expectations. The proposed design preserves the historic façade and side walls while integrating

a new, elevated structure and represents a balanced and resilient solution that aligns with both preservation and sustainability goals.

Additionally, the requested variance is consistent with the established development pattern for the neighborhood. Approximately 80% of properties along Meridian Court have been developed with similarly reduced rear setbacks reflecting a long-standing precedent in the neighborhood (refer to Architectural Sheet V-7). For these reasons, staff finds 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.

In summary, staff continues to be supportive of the proposed application to preserve the historic integrity of the site and achieve a functional redevelopment and recommends approval as noted below.

RECOMMENDATION

In view of the foregoing analysis, staff recommends that the request for a Certificate of Appropriateness and variance be **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: November 18, 2025

PROPERTY/FOLIO: 336 Meridian Avenue / 02-4203-009-5160

FILE NO: HPB25-0663

APPLICANT: Kindredfruit Properties, Llc

IN RE: An application has been filed requesting a Certificate of Appropriateness for the total demolition of one structure, the substantial demolition of one structure, the construction of a single-family home and a variance from the minimum required setbacks.

LEGAL: Lot 4, of Block 76, of Ocean Beach Addition No. 3, According to the Plat thereof, as recorded in Plat Book 2, Page 81, of the Public Records of Miami-Dade County.

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 Ocean Beach 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 consistent with Sea Level Rise and Resiliency Review Criteria 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 'd' & 'j' in section 2.13.7(d)(ii)(2) of the Land Development Regulations.
 - 4. Is consistent with Certificate of Appropriateness Criteria in 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:
 - 1. Revised elevation, site plan and floor plan drawings shall be submitted, and at a minimum, such drawings shall incorporate the following:

- a. 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.
 - b. An historic analysis of the existing structure, inclusive of a photographic and written description of the history and evolution of the original building on site, shall be submitted to and approved by staff, prior to the issuance of a Building Permit; such historic analysis shall be displayed prominently near Meridian Avenue, in a location to be determined by staff.
 - c. An identification marker of the proposed new structure or new addition to an existing structure, including the name of the design architect and year of construction, shall be required. The design, dimensions, material and location of such marker shall be no more than two (2) square feet in size, consist of a stainless steel, brushed aluminum or similar finish and utilize an arial font with routed out or engraved black letters.
 - d. 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.
3. 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 reduce 9' of the minimum required rear setback of 14' within the R-PS2 zoning district in order to construct a single-family residential building on a property with a five (5') setback.
- 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 variance(s) and imposes the following conditions based on its authority in section 2.8.4 of the Land Development Regulations:

1. 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.

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

- A. 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.
- B. The relocation of any tree shall be subject to the approval of the Environment & Sustainability Director and/or Urban Forester, as applicable.
- C. 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.
- D. 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.
- E. 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.
- F. The Final Order shall be recorded in the Public Records of Miami-Dade County, prior to the issuance of a Building Permit.
- G. 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.
- H. 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.

- I. The conditions of approval herein are binding on the applicant, the property's owners, operators, and all successors in interest and assigns.
- J. 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.
- K. 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 **“336 Meridian Avenue Residence – Revised Design,” as prepared by Rene Gonzalez Architects, dated October 27, 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.

