

# MIAMIBEACH

## PLANNING DEPARTMENT

### Staff Report & Recommendation

### Historic Preservation Board

**TO:** Chairperson and Members  
Historic Preservation Board

**DATE:** April 14, 2026

**FROM:** Thomas R. Mooney, AICP  
Planning Director



For TRM

**SUBJECT:** **HPB26-0688, 230 Palm Avenue** — Certificate of Appropriateness for Renovation and Addition to a Designated Historic Single-Family Residence

An application has been filed requesting a Certificate of Appropriateness for the partial demolition and renovation of an individually designated historic single-family home, including additions and variances from the required side setbacks, and a recommendation from the Historic Preservation Board for a single-family ad valorem tax exemption for the proposed improvements.

### RECOMMENDATION

- Approval of the Certificate of Appropriateness with conditions.
- Approval of the Variance from the required street side setback.

Recommendation of approval of the Historic Single-Family Ad Valorem Tax Exemption Part 1, Pre-Construction Application to the City Commission.

### BACKGROUND

In 1999, a building permit was issued (B9903949) for the substantial renovation of the home by architect E.A. Callil. Notable modifications included the conversion of the original garage to a study, the removal of the gable roof structure above the garage and its replacement with a flat roof deck, and the vertical extension of the existing foyer creating a new entry tower feature along the front façade.

On October 18, 2022, the Historic Preservation Board reviewed and approved a request for the individual designation of the single-family property located at 230 Palm Avenue as a historic structure (File No. HPB22-0526).

### EXISTING STRUCTURE

	EXISTING	PROPOSED
<b>Architectural Style</b>	Mediterranean Revival / Art Deco Transitional	No change
<b>Year Built</b>	1938	No change
<b>Original Architect</b>	Harry O. Nelson	—
<b>Stories</b>	2	2 (no change)

<b>Roof Type / Material</b>	Hipped; clay barrel tile	Existing barrel tile retained; new shed roof (west); new TPO flat roof (2nd floor addition)
<b>Exterior Material</b>	Stucco over CBS construction	Stucco to match existing

**ZONING / SITE DATA**

<b>HPB File Number</b>	HPB26-0688
<b>Address</b>	230 Palm Avenue, Miami Beach, FL 33139
<b>Folio Number</b>	02-4205-002-0800
<b>Legal Description</b>	Riviera 1st & 2nd Addn AMD Lot 6 Less NWLY10FT & W1/2 Lot 7 BLK E 2 PB 32-37
<b>Owner</b>	Samuel Jacobson Irrevocable Trust FBO Michael Jacobson
<b>Applicant / Contact</b>	Michael Andrew Jacobson
<b>Zoning District</b>	RS-4, Single-Family Residential
<b>Future Land Use</b>	Single-Family Residential
<b>Historic Status</b>	Individually Designated Historic Site
<b>Historic District</b>	Palm Island Local Historic District
<b>Lot Area</b>	7,800 SF
<b>Lot Dimensions</b>	120'-0" × 71'-6" (approx.)
<b>Flood Zone / BFE</b>	AE — Base Flood Elevation +9' NGVD
<b>FFE (Finished Floor Elev.)</b>	+5.77' NGVD
<b>First Floor Area (A/C)</b>	Existing: 2,089 SF   Proposed: 2,336 SF
<b>Second Floor Area (A/C)</b>	Existing: 947 SF   Proposed: 1,368 SF
<b>Total A/C Area</b>	Existing: 3,036 SF   Proposed: 3,704 SF
<b>Lot Coverage (30% max / 2,340 SF)</b>	Existing: 2,107 SF (25.5%)   Proposed: 2,353 SF (28.5%) — Compliant
<b>Maximum Building Height</b>	27'-0" allowed   Existing: 23'-4"   Proposed: 23'-4" (no change)
<b>Estimated Project Cost</b>	\$723,615
<b>Plans Dated</b>	November 6, 2025

**SETBACKS**

Setback	Required	Existing	Proposed
Primary Front	30'-0"	25'-3"	25'-3"
Secondary Front / Street Side (S. Coconut Ln.)	15'-0"	13'-1"	6'-1" *
Rear	15'-0"	38'-1"	38'-1"
Side Interior (West)	10'-0"	0'-9" (nonconforming)	11'-9" (compliant)

\* Variance requested — see Variance Requests section below.

**VARIANCE REQUESTS**

#	Code Section	Required	Proposed	Deficiency
1	<b>Section 7.2.2.3(b)(1)</b> — Street Side Setback: (a) 1-story addition at 6'-1" following existing open terrace; (b) 2nd floor addition at 13'-1" following existing nonconforming 1st floor setback. Required: 15'-0" for both.	15'-0"	6'-1"	8'-11"

**HISTORIC SINGLE-FAMILY AD VALOREM TAX EXEMPTION**

On December 8, 2004, the City of Miami Beach enacted legislation that authorizes an exemption for its portion of ad valorem taxes for improvements to historically designated single-family homes (**Section 2.13.10** of the Land Development Regulations). This legislation allows for the City's portion of property taxes to be "frozen" at the rate they were assessed before qualifying improvements are made to an historic single-family home for a period of ten (10) years. The "freezing" is accomplished by removing from the assessment the incremental value added by the qualifying improvements. Only the incremental value of the qualifying improvements shall be "frozen" for the ten year period.

Qualifying improvements are the result of restoration, renovation, rehabilitation and/or compatible additions to an historic single-family property. In order for an improvement to qualify for an exemption, the improvement must be determined by the Historic Preservation Board and City Commission to be consistent with the Secretary of the Interior's Standards for Rehabilitation and the Certificate of Appropriateness Criteria in **Section 2.13.7(d)** of the Land Development Regulations. However, the Miami-Dade County Property Appraiser's Office will make the final determination of whether an improvement qualifies for an exemption.

The application for Historic Ad Valorem Tax Exemption is a two-step process. The "Part 1 — Preconstruction Application" is submitted to the Planning Department prior to any construction or demolition for an eligible single-family property. The "Part 2 — Review of Completed Work" is submitted to the Planning Department upon substantial completion of the project.

Upon submittal of a completed Part 1 — Preconstruction Application, the Planning Department will schedule the request for approval of Historic Ad Valorem Tax Exemption from the Historic Preservation Board at their next regularly scheduled meeting. The Board will review and make a recommendation to the City Commission to grant or deny an application for tax exemption.

The Planning Department will transmit the request for approval of Historic Ad Valorem Tax Exemption, together with the Part 1 — Preconstruction Application and the recommendations of the Historic Preservation Board and staff, for final consideration by the City Commission at a regularly scheduled meeting. A majority vote of the City Commission is required to approve an application for tax exemption.

For final approval of an Historic Ad Valorem Tax Exemption, the applicant must submit to the Planning Department the Part 2 — Review of Completed Work upon substantial completion of the project. A review will be conducted by Planning Department staff to determine whether or not

the completed improvements are in compliance with the work approved by the City Commission in the Part 1 — Preconstruction Application. To qualify for a tax exemption, the property owner is required to enter into a covenant or agreement with the City guaranteeing that the character of the property and its qualifying improvements will be maintained during the period that the exemption is granted.

### **FISCAL IMPACT**

According to the applicant, the estimated cost of the entire project and the value of the proposed qualifying improvements is \$723,615. The project is scheduled to commence in December 2026 and the estimated project completion date is January 2027.

Please note that the revenue implication calculation provided below is a rough approximation. It assumes that the Miami-Dade County Property Appraiser's Office will not reduce the actual square footage of the additions to adjusted square footage. It assumes that the City's millage rate, the building market value, as well as the existing building class and grade value will remain the same. It is also based solely on the estimated value of the qualifying improvements and not solely on any repairs to the historic residence.

The Miami-Dade County Property Appraiser's Office determined that the subject property has an adjusted square footage of 2,889 and a building value of \$1,051,596. The lot size is approximately 7,800 SF.

According to this information, the subject property has an effective building value per adjusted square foot of \$364, which is based upon its current building class and grade. According to the applicant, approximately 668 square feet of qualifying building additions will be added to the site. Therefore, the estimated value of the proposed increase in qualifying square footage only would be \$243,139. This figure does not include any other qualifying improvements that the County Tax Appraiser may determine to add value to the building. The County Tax Appraiser may determine certain improvements to the existing structure to be maintenance and therefore not adding building value to the property. In FY 2025/26, the adopted millage rate for the City of Miami Beach is 6.1481 (including debt service, subject to confirmation).

For the sole purpose of providing an estimated savings to the property owner (based solely on the square footage of qualifying additions), we will assume there will be no change in millage rate over the ten-year period in which the exemption is granted. When using the 6.1481 millage rate for FY 2025/26, the applicant will save annually approximately \$1,495 from Miami Beach's portion of property taxes. Again, this calculation is a rough estimate of the revenue implication to the City due to many variables.

### **THE PROJECT**

The applicant has submitted plans entitled "**Home Renovation and Addition, 230 Palm Ave, Miami Beach, FL 33139,**" Folio No. 0242050020800, dated November 6, 2025.

The proposed additions total approximately 2,419 square feet. The first-floor additions — a vented electrical room at the southwest corner (approx. 113 SF) and a kitchen expansion into the existing trellis-covered side patio (approx. 130 SF) — are located at the rear and secondary side of the property, minimizing visibility from the primary public right-of-way. The second-floor addition includes expansion of the master bedroom, walk-in closet, and master bath, and the enclosure of an existing open balcony on the east (Palm Avenue) elevation into the master bedroom, totaling approximately 1,583 SF of alteration.

### **COMPLIANCE WITH ZONING CODE**

A preliminary review of the project indicates that the application, as proposed, is generally consistent with the applicable sections of the City of Miami Beach Resiliency Code, subject to approval of the variance described below. No other variances are requested as part of this application.

### **CONSISTENCY WITH 2040 COMPREHENSIVE PLAN**

A preliminary review of the project indicates that the proposed single-family residential use is consistent with the Single-Family Residential Future Land Use designation applicable to the property on the Future Land Use Map of the 2040 Comprehensive Plan.

### **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.  
**To be Satisfied a 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.  
**Not Applicable**
- 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.  
**Not Applicable.**
- 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.

**Not Applicable**

- 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**
  - 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.

**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.

**To be reviewed at time of building permit.**

- 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 Applicable**

- 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.

**Not Applicable**

- I. All buildings shall have an appropriate and fully integrated rooftop architectural treatment which substantially screens all mechanical equipment, stairs and elevator towers.

**Not Applicable.**

- 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**

### **PRACTICAL DIFFICULTY AND HARDSHIP 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 indicate the following, as they relate to the requirements of **Section 2.8.3**, Miami Beach City Code:

- 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 this Ordinance to other lands, buildings, or structures in the same zoning district;
- That literal interpretation of the provisions of this Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this Ordinance 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 this Ordinance and that such variance will not be injurious to the area involved or otherwise detrimental to the public welfare; and
- 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.

### **ANALYSIS**

***Mediterranean Revival–Art Deco Transitional (Med-Deco)*** (circa late 1920s to mid-1930s)

Med-Deco in Miami Beach was a synthesis of Mediterranean Revival form and Art Deco decorative detail or vice versa. This unique hybrid style became a fascinating bridge between the “familiar” and the “new” as the allure of Art Deco found its way into the City’s architectural vocabulary. Clean stepped roof lines and crisp geometric detailing replaced scrolled parapets, bracketed cornices, and Classical features on structures of clear Mediterranean Revival form. Likewise, sloped barrel tile roofs rested gracefully on edifices with spectacular Art Deco entrances and facade treatments.

Some of the most celebrated architects in Miami Beach designed structures in this brief-lived but very significant style, including V. H. Nellenbogen, Henry Hohauser, Russell Pancoast, and T. Hunter Henderson. The predominant exterior material of Med-Deco was smooth stucco with raised or incised details. Featured stucco areas were often patterned or scored. Keystone, either natural or filled and colored, was frequently used to define special elements. Windows ranged from wooden and steel casement to wooden double-hung, and even large single windows in gracefully curved masonry openings.



*Front elevation drawing, Harry O. Nelson, 1938*

### **230 Palm Avenue**

The single-family residence at 230 Palm Avenue was built in 1938 and designed by prominent local architect Harry O. Nelson in the Mediterranean Revival–Art Deco Transitional style of architecture. The Building Permit Card (#9205) indicates that the original owner was Millico Investment Company and the cost of construction is listed as \$15,000.

Harry O. Nelson (1902–unknown) was born in Denmark in 1902 and came to the United States as an infant. In Miami in the 1920s he worked as a draftsman for architect August Geiger. He was especially gifted in the Art Deco style and left a legacy of very fine buildings in Miami Beach, dating from 1930 to 1950, including his own home at 6868 Harding Avenue. Some of his best-known work includes the Park Avenue Hotel (2216 Park Avenue), the Beacon Hotel (720 Ocean Drive), the Biarritz Hotel (1435 Collins Avenue), and the Broadmoor Hotel (7450 Ocean Terrace).

Staff has located two sheets of original building permit plans (#18801) consisting of all exterior elevations and floor plans. Based upon these plans, the home appears to have been built as a three-bedroom, three-bathroom, 2-story concrete block structure with an attached 1-car garage. In 1999, a building permit was issued (B9903949) for the substantial renovation of the home by architect E.A. Calil, including the conversion of the garage to a study, the removal of the gable roof structure above the garage and its replacement with a flat roof deck, and the vertical extension of the existing foyer to create a new entry tower feature along the front façade.

### **Variance Analysis**

The applicant is requesting the following variance:

1. A variance to reduce by a range of 1'-11" to 8'-11" the minimum required street side setback of 15'-0" in order to construct a first-floor addition at a setback of 6'-1" and a second-floor addition at a setback of 13'-1" on the S. Coconut Lane (west) elevation. Variance requested from:

**7.2.2.3(b)(1)** the City Code requires a minimum street side setback of 15'-0" for single-family residential structures in the RS-4 zoning district.

The variance is requested in connection with proposed additions on the S. Coconut Lane (west) elevation of the designated historic single-family residence. First, the applicant proposes a one-story addition at a setback of 6'-1", following the setback of an existing open terrace on the west side of the structure. Second, the applicant proposes a second-floor addition at a setback of 13'-1", following the existing nonconforming first-floor building wall of the historic structure. The existing first-floor setback of 13'-1" is itself a pre-existing nonconformity, established at the original construction of the residence in 1938, prior to the enactment of current setback regulations.

The 1938 residence is an individually designated historic structure. The proposed additions on the S. Coconut Lane elevation are designed to add a mechanical room to the first floor and to expand the master bedroom suite at the second floor. The location of the additions on the secondary street-side elevation is constrained by the pre-existing placement of the historic structure on the lot, the required setbacks on all other sides, and the Certificate of Appropriateness criteria, which favor locating new construction in positions that preserve the primary north facade of the historic structure. The one-story addition follows the setback of an existing open terrace, maintaining a continuous building line with existing site features. The second-floor addition follows the existing first-floor building wall, ensuring that new construction does not further encroach into the required secondary front setback beyond the existing nonconforming condition of the historic structure.

Staff finds that the pre-existing nonconforming setback conditions of the individually designated historic structure, specifically the 13'-1" first-floor setback from S. Coconut Lane and the 6'-1" open terrace setback, together with the constraints imposed by the lot configuration and the requirements of the Certificate of Appropriateness criteria, create practical difficulties that warrant the requested variances. The one-story addition at 6'-1" follows the line of the existing open terrace and does not encroach further into the secondary front setback than existing site features. The second-floor addition at 13'-1" follows the line of the existing first-floor building wall and represents the minimum setback consistent with the historic structure's placement on the lot. The proposed additions will not adversely impact the character of the Palm Island neighborhood. Staff is supportive of the variance request and recommends approval.

### **Ad Valorem Tax Exemption**

The Part 1 Pre-Construction Application describes qualifying improvements totaling \$723,615, encompassing exterior rehabilitation of the roof, stucco, windows, and doors; interior restoration of historic flooring, plaster ceilings, staircase, iron railings, and decorative trim; and landscape restoration of the perimeter wall, driveway, pool deck, and rear garden. Staff finds the property qualifies as an individually designated historic property and that the proposed qualifying improvements are consistent with the Secretary of the Interior's Standards for Rehabilitation.

Staff finds the proposed work to be consistent with the Certificate of Appropriateness criteria set forth in the Resiliency Code, the Secretary of the Interior's Standards for Rehabilitation, and the practical difficulty and hardship criteria required under the City Code. The proposal preserves and rehabilitates the individually designated historic structure while accommodating functional improvements compatible in scale, massing, and materials with the historic character of the residence and the Palm Island neighborhood context.

**RECOMMENDATION**

In view of the foregoing analysis, staff recommends the application be approved, including the conditions enumerated above, which address the Certificate of Appropriateness criteria, variance findings, and Historic Single-Family Ad Valorem Tax Exemption applicable to this project.

**HISTORIC PRESERVATION BOARD  
City of Miami Beach, Florida**

MEETING DATE: April 14, 2026

PROPERTY/FOLIO: 230 Palm Avenue / 02-4205-002-0800

FILE NO: HPB26-0688

APPLICANT: Michael Andrew Jacobson

IN RE: An application has been filed requesting a Certificate of Appropriateness for the partial demolition and renovation of an individually designated historic single-family residence, including additions and a variance from the required street side setback. The application also includes a request for a recommendation from the Historic Preservation Board for a Historic Single-Family Ad Valorem Tax Exemption for the proposed qualifying improvements.

LEGAL: Lot 13, Block 45, of the Orchard Subdivision No. 1, according to the plat thereof, as recorded in Plat Book 6, Page 111, 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 an individually designated historic single-family residence. The Historic Preservation Board approved the individual designation of the property at 230 Palm Avenue on October 18, 2022, pursuant to File No. HPB22-0526.
- 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 consistent with Certificate of Appropriateness Criteria in section 2.13.7(d)(ii)(2) of the Land Development Regulations.
  - 4. Is consistent with the Certificate of Appropriateness for Demolition 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:
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. All new impact windows and doors fronting Palm Avenue and S. Coconut Lane, shall replicate the muntin patterns, and proportions of the existing historic openings. Final window and door specifications shall be submitted for staff review and approval prior to the issuance of a building permit.
    - c. Mechanical equipment, including relocated AC units and pool equipment, shall be fully screened from public view. If any equipment is visible from the street following installation, a revision permit and physical screening shall be required, consistent with the notation on the plans.
  2. 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, subject to the review and approval of staff.

**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 variance was approved by the Board:

1. A variance from the minimum required street side setback of 15'-0" pursuant to Section 7.2.2.3(b)(1) of the Land Development Regulations: (a) to construct a one-story addition on the S. Coconut Lane elevation at a setback of 6'-1", following the setback of an existing open terrace; and (b) to construct a second-floor addition on the S. Coconut Lane elevation at a setback of 13'-1", following the existing nonconforming first-floor setback of the historic structure, where 15'-0" is required for one- and two-story additions.
- 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, Miami Beach City Code:

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 this Ordinance to other lands, buildings, or structures in the same zoning district.

That literal interpretation of the provisions of this Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this Ordinance 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 this Ordinance 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.

- 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, Miami Beach City Code, 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. 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 relocation of any tree shall be subject to the approval of the Environment & Sustainability Director and/or Urban Forester, as applicable.
- B. 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.
- C. 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.
- D. 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.
- E. The Final Order shall be recorded in the Public Records of Miami-Dade County, prior to the issuance of a Building Permit.
- F. 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.
- G. 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.
- H. The conditions of approval herein are binding on the applicant, the property's owners, operators, and all successors in interest and assigns.
- I. 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.
- J. 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.

#### **IV. Ad Valorem Tax Exemption**

- A. The applicant has submitted a Part 1 — Pre-Construction Application for a Historic Single-Family Ad Valorem Tax Exemption, pursuant to Section 2.13.10 of the City Code and Section 196.1997, Florida Statutes.
- B. The Board recommends approval of the Historic Single-Family Ad Valorem Tax Exemption to the Mayor and City Commission, subject to the following conditions:
  - 1. The Historic Single-Family Ad Valorem Tax Exemption is contingent upon

approval of the Certificate of Appropriateness for HPB26-0688. In the event the Certificate of Appropriateness is not approved or is modified in a manner that affects the qualifying improvements, this recommendation shall be subject to reconsideration.

2. Prior to the issuance of any building permit, the applicant shall execute a Preservation Covenant with the City of Miami Beach in accordance with Section 2.13.10 of the City Code, agreeing to maintain the character of the property and the qualifying improvements for the term of the exemption.
3. The applicant shall submit a Part 2 — Review of Completed Work application upon substantial completion of the approved improvements, including labeled after-photographs of the completed work consistent with the requirements of the Part 2 application form.

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 Paragraphs I, II, III, and IV of the Findings of Fact, to which the applicant has agreed.

PROVIDED, the applicant shall build substantially in accordance with the plans entitled “**Home Renovation and Addition, 230 Palm Ave, Miami Beach, FL 33139,**” Folio No. **0242050020800, dated November 6, 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

