

# 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



**SUBJECT:** HPB25-0679, 100 Lincoln Road-The Decoplage

An application has been filed requesting a Certificate of Appropriateness for the partial demolition of the existing portecochere and associated site and groundfloor construction, and for the renovation of the portecochere together with associated site and groundfloor improvements, including variances from the maximum encroachment into the rightofway, the maximum frontage allowed along a primary elevation, and the maximum height permitted for a porte-cochere

**RECOMMENDATION**

Approval of the Certificate of Appropriateness with conditions.  
Approval of Variances #1-3 with conditions.

**EXISTING STRUCTURE**

100 Lincoln Rd (The Decoplage)	
Local Historic District:	Ocean Drive/Collins Avenue
Classification:	Non-Contributing
Original Construction Date:	1965
Original Architect:	Melvin Grossman

**ZONING / SITE DATA**

<b>Property Address</b>	100 Lincoln Road
<b>Legal Description</b>	LOTS 6 TO 13 & RIPARIAN RIGHTS & BEGINNING N.E. CORNER OF LOT 9 NORTH 50 FEET AND EAST TO OCEAN HWM SOUTH 50 FEET WEST TO POINT OF BEGINNING, PLAT BLOCK 55, & PORT LYING EAST & ADJACENT WEST OF EROSION LINE, FISHERS 1ST SUBDIVISION OF ALTON BEACH, THE DECOPLAGE CONDO, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 105, PAGE 62, PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.
<b>Zoning</b>	RM-3, Residential Multi-Family, High Intensity
<b>Future Land Use Designation</b>	RM-3, Residential Multi-Family, High Intensity
<b>Folio Number</b>	02-3234-080-0001
<b>Lot Area</b>	126,845 SF *as indicated by applicant
<b>Lot Dimensions</b>	Width: 253.51'   Depth: North 590.43' / South: 584.42
<b>Existing Use</b>	Apartments

<b>Proposed Use</b>	Existing to remain
<b>Overlays / Special Districts</b>	Art Deco Mimo Commercial Character Overlay; Dune Preservation Overlay District; Miami Beach Architectural Historic District, Ocean Drive/ Collins Overlay District

### **THE PROJECT**

The applicant has submitted plans entitled “Decoplage-100 Lincoln Road”, as prepared by Kobi Karp Architecture & BGA Architects, dated February 6th, 2026.

### **COMPLIANCE WITH ZONING CODE**

A preliminary review of the project indicates that the application, as proposed, appears to be inconsistent with the following sections of the City Code (Variances requested for items 1-3).

#### Section 7.5.3.2.n.: *Porte-cochere.*

- *A porte-cochere shall be permitted to extend from an entrance door to the street line of any building except that porte-cocheres shall not be permitted in a townhome district. Where a sidewalk or curb exist, the porte-cochere may extend to within 18 inches of the sidewalk.*  
The proposed porte-cochere is projecting 1'-10" within the 18" setback of the sidewalk (Variance #1)
- *The porte-cochere shall not exceed 30 percent (30%) of building core frontage in width or;*  
The porte-cochere exceeds 41.2% of the building core frontage (Variance #2).
- *16 feet in height or be screened or enclosed in any manner.*  
The height of the porte-cochere is 22'-6" (Variance #3).

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 2025 COMPREHENSIVE PLAN**

A preliminary review of the project indicates that the proposed **apartment uses** are **consistent** with the Future Land Use Map of the Comprehensive Plan.

### **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.

#### **COMPLIANCE WITH SEA LEVEL RISE AND RESILIENCY REVIEW CRITERIA**

Section 7.1.2.4 of the Land Development establishes review criteria for sea level rise and resiliency that must be considered as part of the review process for board orders. The following is an analysis of the request based upon these criteria:

- A. A recycling or salvage plan for partial or total demolition shall be provided.  
**Not Satisfied-To be addressed as part 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 126 of the City Code.  
**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.  
**Not Applicable**
- 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-No new construction is proposed on site.**

- 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.  
**Not Applicable**
- 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 of the City Code.  
**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.  
**Not Applicable**
  - 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.

**Not Satisfied; a photometric plan shall be submitted at the 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.

**Not Applicable**

- 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**

- l. 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**

#### **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.

**Not Satisfied**

**The existing structure is non-contributing, and the design, craftsmanship, and material can be reproduced with no difficulty.**

- 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.

**Not Satisfied**

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

**Satisfied**

The building is being retained while the scope is limited to the porte-cochere and storefront.

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

**Not Applicable**

**The applicant is not proposing total demolition of a contributing structure, historic structure or architecturally significant feature.**

- 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.**

### **ANALYSIS**

The applicant has submitted a request for a Certificate of Appropriateness for the partial demolition of the existing porte-cochere, along with related site and ground-floor construction. The proposal further includes the renovation of the porte-cochere and associated site and ground-floor improvements. As part of this application, the applicant is seeking variances from the maximum permitted encroachment into the public right-of-way, the maximum allowable frontage along a primary elevation, and the maximum height permitted for a porte-cochere.

The subject property contains a non-contributing structure constructed in 1965 and designed by architect Melvin Grossman. The applicant proposes a remodel of the existing porte-cochere, located on the north side of the property along Lincoln Road, east of Collins Avenue. As part of the proposed scope of work, the existing porte-cochere, including support columns, will be stripped down to the bare structure, and portions of the existing ground floor wall will be demolished to accommodate the installation of a new storefront system. The building currently includes a porte-cochere that facilitates passenger pick-up and drop-off, and the proposed improvements are intended to enhance both its architectural expression and functional performance.

The redesigned porte-cochere introduces a contemporary canopy characterized by clean, linear forms compatible with the building's existing architectural language. Enhanced lighting is a key component of the design, including a 3-inch ultra-shallow field downlight and a ½-inch continuous LED reveal within the canopy, intended to improve nighttime visibility while maintaining a warm,

pedestrian-friendly ambiance consistent with the character of Lincoln Road. Additional material enhancements include Shellock Silver sand pavers within the driveway and ramp areas, TimberTech cladding throughout the structure, and Calgary floor tile at the fountain. The column cover system will utilize a stainless-steel finish, and the new storefront will consist of a metal frame with clear anodized aluminum and glass.

The primary concern staff has with the design is the absence of a dedicated pedestrian path connecting the main entrance to the public sidewalk. Staff recommends that the applicant incorporate a clearly defined pedestrian walkway extending from the public sidewalk to the building entrance, distinguished by a continuous change in paving material, color, or texture. The walkway shall be maintained at a consistent elevation, with all vehicular crossings designed to ramp up to meet the pedestrian grade rather than routing pedestrians downward to meet driveway grades. A raised or rolled curb treatment shall be provided along the walkway where it passes through the vehicular drop-off area to physically delineate pedestrian and vehicular zones. These measures are addressed through the condition recommended in the attached draft order.

Overall, the proposed redesign retains the function and general configuration of the existing porte-cochere while introducing contemporary elements appropriate for its highly visible location. The scale of the improvements is harmonious with the existing building and surrounding development along Lincoln Road. The project enhances weather protection at the pick-up and drop-off area without altering the roofline or structural proportions of the façade. Staff is supportive of the site improvements and finds that the proposed design will not have an adverse impact on the surrounding neighborhood.

### **VARIANCE ANALYSIS**

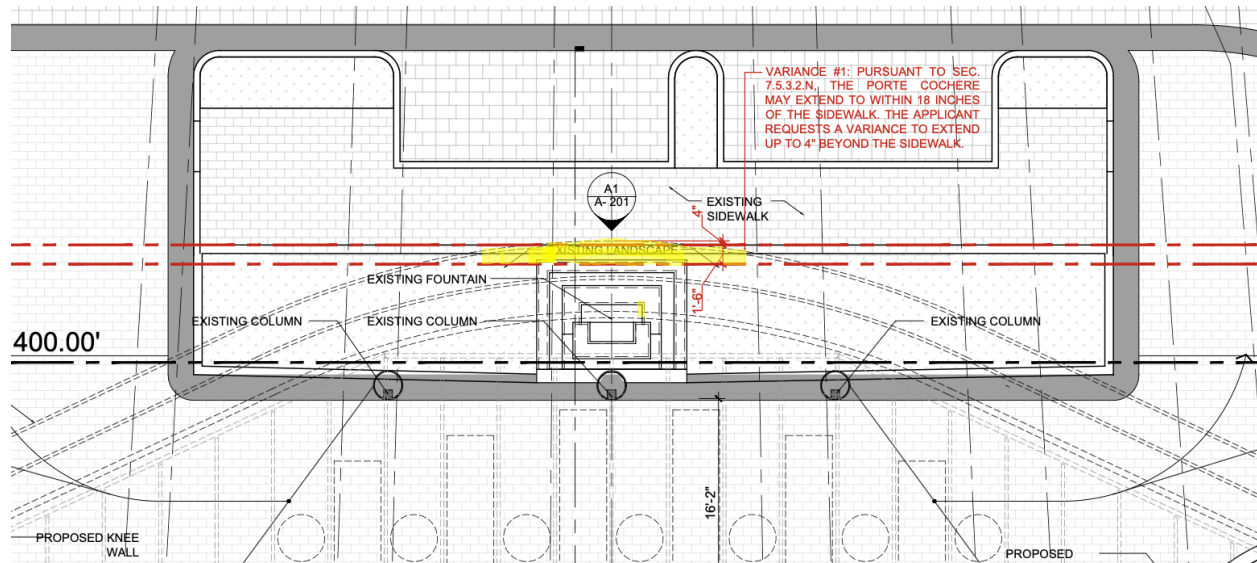
As part of this application, the following variances have been requested:

1. A variance to exceed 1'-10" of the maximum 18" setback from the sidewalk in order to construct a porte-cochere projecting 4" from the right-of-way.
2. A variance to exceed 11.6% of the maximum 30% width of the building core frontage in order to construct a porte-cochere at 41.6%.
3. A variance to exceed 6'-6" of the maximum 16' height in order to construct a porte-cochere at 22'-6".

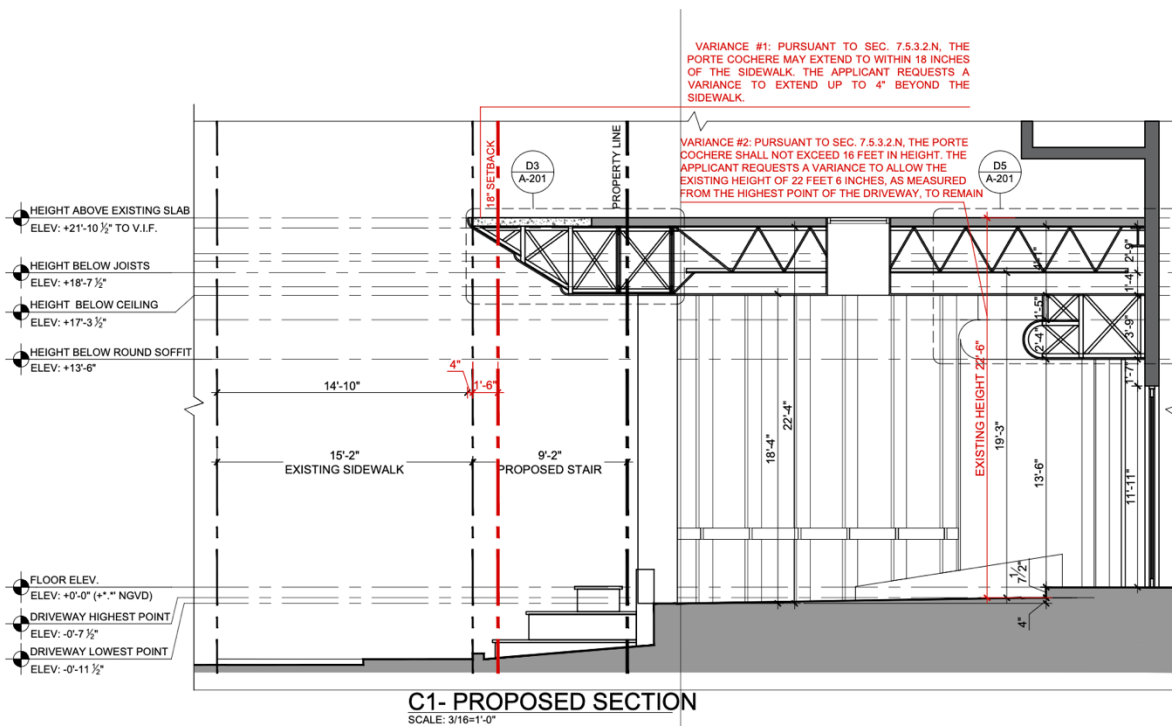
- Variances requested from:

#### ***7.5.3.2 Allowable encroachments within required yards for districts other than single-family districts***

*n. Porte-cochere. A porte-cochere shall be permitted to extend from an entrance door to the street line of any building except that porte-cocheres shall not be permitted in a townhome district. Where a sidewalk or curb exist, the porte-cochere may extend to within 18 inches of the sidewalk. The porte-cochere shall not exceed 30 percent (30%) of building core frontage in width or 16 feet in height or be screened or enclosed in any manner. It shall provide an unobstructed, clear space of not less than 9 feet between the grade and the underside of the roof of the porte-cochere.*



Note: The area highlighted in yellow in the above diagram represents the extent of Variance #1, which is for only a relatively small portion of the porte-cochere.



Note: The above section shows the partial extent of Variance #3 (called out by the applicant's plans as Variance #2), and its direct small extension of the existing canopy, maintaining the existing structure, and the current height of 22'-6\".

**Variance #1**

The applicant is requesting a variance in connection with the renovation of the existing porte-cochere and associated ground-floor and site improvements. Pursuant to the applicable regulations, a porte-cochere may extend from an entry door toward the street line; however,

where a sidewalk or curb is present, the structure is required to maintain a minimum setback of 18 inches from the sidewalk. The requested variance is associated with the retention of the existing structure, and the proposed serpentine stepped treatment along the edge of the porte-cochere. Due to the practical difficulties associated with the proposed renovation project and the minimal extent of the requested Variance #1, as shown in the highlighted diagram above, and its association with the retention of the existing structure, staff has no objection to the requested variance.

### **Variance #2**

The subject property has a building core frontage of approximately 466 feet, permitting a maximum porte-cochere width of 139.8 feet. The applicant proposes a width of approximately 192 feet, an overage of 52.2 feet, representing 41.6% of the building core frontage. The proposed width is necessary to align the porte-cochere with the existing primary entrance and established circulation patterns, which cannot be relocated without significant structural alteration.

Notably, the curvilinear form of the proposed canopy, projecting approximately 10 feet at the east and west ends and approximately 40 feet at the center, results in an overall footprint smaller than a code-compliant rectangular porte-cochere of the same permitted width would produce. The proposed design therefore provides a proportionally reduced coverage area despite the linear width exceedance.

The proposed porte-cochere enhances the streetscape by providing weather protection, shade, and a clearly defined point of entry, and better accommodates separation between vehicular and pedestrian circulation. The scale is consistent with the existing building massing, resulting in a cohesive architectural expression.

Staff finds that the variance arises from the unique characteristics of the property, including the established building footprint and entrance configuration, and that strict compliance would result in practical difficulty without corresponding public benefit. Approval will not be detrimental to public welfare and will result in an improved pedestrian experience along the frontage, including through the pedestrian walkway recommended by staff. Staff supports Variance #2.

### **Variance #3**

The applicant proposes to renovate and extend the existing porte-cochere to match its current nonconforming height of 22'-6", exceeding the 16'-0" maximum. The request does not introduce additional vertical massing beyond what currently exists; rather, it allows for the horizontal extension of an existing nonconforming condition, as illustrated in the section diagram above.

The elevation changes between the driveway, ramp, and finished floor require vertical clearance to safely accommodate vehicular access and pedestrian entry. Enforcement of the 16-foot limit would result in clearances incompatible with existing grading conditions and would restrict access for a range of vehicles, including service and emergency vehicles. The proposed height is the minimum necessary to address these conditions while maintaining safe and functional operations beneath the structure. Accordingly, staff is supportive of Variance #3.

Subject to the conditions outlined above and contained in the draft order, as well as the Board's determination that the applicable hardship and practical difficulty criteria are satisfied, staff does not object to approval of Variances #1, #2 and #3.

**RECOMMENDATION**

In view of the foregoing analysis, staff recommends the application be **approved** including variances #1- #3, subject to the conditions enumerated in the attached draft Order, which address the inconsistencies with the aforementioned Certificate of Appropriateness criteria and Hardship and Practical Difficulties criteria, as applicable.

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

MEETING DATE: April 14, 2026

PROPERTY/FOLIO: 100 Lincoln Road / 02-3234-080-0001

FILE NO: HPB25-0679

APPLICANT: The Decoplage Condominium Association Inc.

IN RE: An application for a Certificate of Appropriateness for the partial demolition of the existing porte-cochere and associated site and ground floor construction, and for the renovation of the porte-cochere together with associated site and ground floor improvements, including variances from the maximum encroachment into the right-of-way, the maximum frontage allowed along a primary elevation, and the maximum height permitted for a porte-cochere

LEGAL: Lots 6 To 13 & Riparian Rights & Beginning N.E. Corner Of Lot 9 North 50 Feet And East To Ocean Hwm South 50 Feet West To Point Of Beginning, Plat Block 55, & Port Lying East & Adjacent West Of Erosion Line, Fishers 1st Subdivision Of Alton Beach, The Decoplage Condo, According To The Plat Thereof As Recorded In Plat Book 105, Page 62, Public Records Of Miami-Dade County, Florida.

**ORDER**

The City of Miami Beach Historic Preservation Board makes the following FINDINGS OF FACT, based upon the evidence, information, testimony and materials presented at the public hearing and which are part of the record for this matter:

**I. Certificate of Appropriateness**

- A. The subject site is located within the Ocean Drive/Collins Avenue Local Historic District.
- B. Based on the plans and documents submitted with the application, testimony and information provided by the applicant, and the reasons set forth in the Planning Department Staff Report, the project as submitted:
  1. Is not consistent with criteria "A" in the Sea Level Rise and Resiliency Review Criteria in Section 7.1.2.4(a)(i) 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 'g' in section 2.13.7(d)(ii)(2) of the Land Development Regulations.

4. Is not consistent with Certificate of Appropriateness Criteria 'a', & 'b' in section 2.13.7(d)(ii)(3) 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. Prior to the issuance of a building permit, the applicant shall provide revised plans demonstrating a clearly defined, dedicated pedestrian walkway extending from the public sidewalk to the building entrance at the porte-cochere. The walkway shall be distinguished by a continuous change in paving material, color, or texture. The pedestrian path shall be maintained at a consistent elevation throughout, with all vehicular crossings designed to ramp up to meet the pedestrian grade. A raised or rolled curb treatment shall be provided along the walkway where it passes through the vehicular drop-off area to physically delineate pedestrian and vehicular circulation zones. The final design shall be subject to the review and approval of staff.
    - b. The porte-cochere height shall not exceed 22'-6" as measured from the highest point of the driveway, consistent with the existing nonconforming structure. No increase in height above the existing structure shall be permitted.
    - c. Final design and details of the Shellock Silver Sam Pavers, including a physical sample, shall be provided, in a manner to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board.
    - d. Final design and details of the Timber Tech cladding shall be provided, in a manner to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board.
    - e. Final design and details of the Calgary floor tiles shall be provided, in a manner to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board.
    - f. Final details of all exterior surface finishes and materials shall be submitted, in a manner to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board.

**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:

1. A variance to exceed 1'-10" of the maximum 18" setback from the sidewalk in order to construct a porte-cochere projecting 4" into the right-of-way.
  2. A variance to exceed the maximum 30% width of the building core frontage in order to construct a porte-cochere with an overall frontage of 41.6%.
  3. A variance to exceed the maximum porte-cochere height of 16', in order to renovate and add onto an existing porte-cochere at a height of 22'-6".
- 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.

- 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.**

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

- A. The applicant agrees and shall be required to provide access to areas subject to this approval for inspection by the City (i.e.: Planning, Code Compliance, Building Department, Fire Safety), to ensure compliance with the plans approved by the Board and conditions of this order.
- B. The issuance of a building permit is contingent upon meeting Public School Concurrency requirements, if applicable. Applicant shall obtain a valid School Concurrency Determination Certificate (Certificate) issued by the Miami-Dade County Public Schools. The Certificate shall state the number of seats reserved at each school level. In the event sufficient seats are not available, a proportionate share mitigation plan shall be incorporated into a tri-party development agreement and duly executed. No building permit may be issued unless and until the applicant obtains a written finding from Miami-Dade County Public Schools that the applicant has satisfied school concurrency.
- C. The relocation of any tree shall be subject to the approval of the Environment & Sustainability Director and/or Urban Forester, as applicable.
- D. The applicant shall comply with the electric vehicle parking requirements, pursuant to section 5.2.12 of the land development regulations, as applicable.
- E. 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.
- F. All applicable FPL transformers or vault rooms and backflow prevention devices shall be located within the building envelope with the exception of the valve (PIV) which may be visible and accessible from the street.
- G. 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.
- H. The Final Order shall be recorded in the Public Records of Miami-Dade County, prior to the issuance of a Building Permit.

- I. 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.
- J. 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.
- K. The conditions of approval herein are binding on the applicant, the property's owners, operators, and all successors in interest and assigns.
- L. 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.
- M. 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 **“Decoplage-100 Lincoln Road”**, as prepared by **Kobi Karp Architecture & BGA Architects**, dated **February 6th, 2026**, 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

