

MIAMIBEACH
PLANNING DEPARTMENT
Staff Report & Recommendation

Historic Preservation Board

TO: Chairperson and Members
 Historic Preservation Board

DATE: May 12, 2026

FROM: Thomas R. Mooney, AICP
 Planning Director



SUBJECT: HPB25-0645, **235 Washington Avenue**

An application has been filed requesting a Certificate of Appropriateness for the total demolition of the existing 2-story structure, and its replacement with the construction of a new recreation field for the abutting, previously approved school, located at 251 Washington Avenue.

STAFF RECOMMENDATION

Approval of the Certificate of Appropriateness for demolition and for the proposed construction of a new interpretive façade element.
 Approval of the front setback variance.

EXISTING STRUCTURES	
Local Historic District:	Ocean Beach
Classification:	Contributing
Architect:	B. Kingston Hall
Construction Date:	1938

ZONING / SITE DATA

Folio:	02-4203-003-1070
Legal Description:	Lot 7, Block 95, of the Ocean Beach Addition No. 3 Subdivision, according to the plat thereof, recorded in Plat Book 2, Page 81 of the public records of Miami-Dade County, Florida.
Zoning:	RPS-3, Residential Performance Standard, Medium-High Density
Future Land Use:	RPS-3, Residential High Density Residential Performance Standard (R-PS-3)
Lot Size:	6,500 sq. ft.
Prior Use:	Hostel
Proposed Use:	Recreational open space and playground

THE PROJECT

The applicant has submitted plans entitled “235 Washington Avenue”, as prepared by Ryan Alderman Architect, dated January 11, 2026, along with supplemental concept images, submitted on April 3, 2026, and revised letter of intent, dated March 24, 2026.

COMPLIANCE WITH ZONING CODE

A preliminary review of the project indicates that the application appears to be consistent with the applicable provisions of the Land Development Regulations of the City Code (LDRs), 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 the proposed recreational use is **consistent** with the Future Land Use Map of the 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.
Not Satisfied
- B. Windows that are proposed to be replaced shall be hurricane proof impact windows.
Not Applicable
- 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.
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
- 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 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.

Not Applicable

- 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 Satisfied – See Staff Analysis

- 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.
- 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 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.
Partially Satisfied
The existing structure is designated as Contributing within the Ocean Beach Local Historic District, but it would not be difficult or costly to reproduce.

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

Satisfied

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

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

Satisfied

The retention of the buildings is critical to developing an understanding of an important Miami Beach architectural style.

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

Satisfied

The applicant is presenting plans for a recreational open space and playground as part of this application.

- 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 the total demolition of the existing building and the construction of a recreational playground for the adjacent Basecamp305 school. The existing 2-story structure located at 235 Washington Avenue, which is classified as contributing in the historic properties database, was constructed in 1938 and designed by architect B. Kingston Hall in the Art Deco style of architecture. Notable design features include a central bay with an aluminum double-leaf storefront door flanked by large, fixed metal windows with simulated muntins. Each outer bay contains a single-leaf entrance door and one fixed-light metal window, also with simulated muntins. A shallow eyebrow canopy caps the central bay, while the outer bays are covered by individual canopies set at a lower elevation than the central canopy.

The second level maintains a similar symmetrical arrangement, consisting of a central metal window positioned above the primary entrance and two metal windows on each side, all with simulated muntins. The central second-level window is framed by a painted concrete disk, while the flanking windows are visually tied together by four vertically stacked, painted concrete panels. These panels extend to the outer edges of the facade and wrap around the corners. Access to a covered walkway is provided at the south end of the front façade.

Request for Total Demolition

The existing building appears relatively intact and has undergone little exterior modification since construction. Permitted exterior work has been limited to windows, doors, signage, and minor

maintenance. Interior modifications have been more extensive.

The applicant submitted a structural condition assessment prepared by Youssef Hachem Consulting Engineering, dated December 19, 2025, which concludes that the structural materials are compromised and cannot support imposed loads, and recommends demolition. Based on this finding, retention of original materials or features does not appear feasible.



235 Washington Avenue, 2025 photograph

The replication of demolished structures is generally discouraged, and reconstruction has been considered in the past under extenuating circumstances. Where replication is determined to be appropriate, reconstruction is expected to closely reflect the original dimensions, scale and massing of the demolished structure. In this particular instance replicating the subject building, in a usable manner, would be very challenging as the first floor could not be used for any type of habitable use. Raising a replicated structure to meet current base flood elevation and freeboard requirements would result in a highly awkward building that does not properly reflect the scale, massing and design of the original structure.

Although the existing structure is classified as 'contributing' it contains only modest design details, and the replication of the structure is not recommended. Given the advanced state of structural decline, substantiated in the engineering report, staff is supportive of the request for total demolition.

New Recreational Playground

The applicant proposes replacing the existing structure with open space for student use. Proposed improvements include recreational open space, seating areas, hardscape, perimeter fencing, and landscaping. The perimeter includes a seven-foot aluminum picket fence with solid

aluminum gates, consistent with the adjacent school. The open space area is proposed to be surfaced with a pervious artificial turf system (TigerTurf Everglade Spring Pro), striped for two mini soccer fields.

Prior Board Discussion

This application was initially reviewed at the March 17, 2026 HPB meeting. Staff recommended approval of demolition, subject to a condition requiring an architectural expression recalling the mass and character of the original structure along Washington Avenue. Three options were discussed: (1) retain the existing facade in place using an exoskeleton support system; (2) demolish and reconstruct an identical or near-identical front facade; or (3) approve demolition conditioned on return of a modern interpretive design concept.

Board members expressed divergent views. Some members favored retaining the existing facade using an exoskeleton system, expressing the view that the structure could be saved. Others supported full demolition followed by reconstruction of the front facade, referencing prior precedent in Miami Beach. The Chair indicated that additional information about the final product was needed before demolition could be considered. The applicant indicated that facade retention was not feasible due to reinforced concrete electrical poles along the rear property line, which preclude conventional rear demolition access and require all staging to occur from Washington Avenue. A one-month continuance was granted to allow preparation of design documentation.

At the April 14, 2026 HPB meeting, the applicant presented a revised interpretive facade design consisting of open ceramic breeze blocks with fiber-reinforced concrete eyebrow projections, referencing the tripartite rhythm and horizontal articulation of the original structure. Some board members continued to question why the existing facade could not be retained as discussed at the March hearing and expressed ongoing skepticism regarding the applicant's stated demolition access constraints. The applicant's structural engineer reiterated that facade retention would require substantial structural intervention, including new foundation elements posing a risk of undermining the existing wall during excavation.

While board members provided general feedback supportive of the interpretive design concept and the use of breeze block materials, some members continued to express a preference for retention or reconstruction of the original facade. No formal vote was taken and the application was continued to the May 12, 2026 meeting to allow advertisement of the front setback variance.

May 2026 Update

The interpretive facade design presented at the April 14, 2026 hearing remains unchanged. The ceramic sunbreak units and fiber-reinforced concrete eyebrows reference the modular composition and horizontal articulation of the original facade while reading clearly as a contemporary installation. The degree of openness maintains visual permeability consistent with the recreational use of the site and avoids a blank masonry wall condition along Washington Avenue.

While some board members have previously expressed a preference for retention or reconstruction of the original facade, staff would not recommend this approach. In this regard, given the structural conditions documented in the engineering report and the access constraints described by the applicant, staff does not find the retention or reconstruction of the original facade to be feasible and maintains its recommendation in support of demolition and the proposed interpretive facade treatment.

The application is now before the Board for final action on the Certificate of Appropriateness for demolition, the Certificate of Appropriateness for the interpretive facade, and the front setback

variance.

VARIANCE ANALYSIS

The applicant is requesting the following variance:

1. A variance from Section 7.2.15(2)(g) of the Resiliency Code, in order to construct an interpretive façade structure with a zero (0') foot front setback, where five (5') feet is required.

The existing structure is located at the property line, with a front setback of zero feet. The proposed interpretive facade element is proposed at the same property line position, resulting in a proposed front setback of 0 feet where 5 feet is required. It is important to note that this is effectively a build-to line, as the required setback is 5 feet, and not a minimum setback of five feet, which is more typically the case with setback requirements.

The variance request arises directly from the construction option to incorporate a re-interpreted facade element along Washington Avenue as a condition of demolition approval. The need for the variance is therefore a consequence of the historic preservation objective itself, not a self-created hardship. Requiring the interpretive facade element to comply with the standard 5-foot setback would place it behind the established street wall, diminishing its effectiveness as a referential element and its contribution to the historic streetscape, which is the very outcome the condition was designed to avoid.

It is also relevant to note that the alternatives discussed at prior hearings, including partial retention of the existing facade or full reconstruction, would not require a variance, as they would involve continuation of the existing nonconforming setback condition rather than new construction. However, those alternatives may preclude the open recreational use of the site as proposed. The variance therefore enables an outcome that balances the historic preservation interest in maintaining the street wall character of the district with the open space use proposed for the remainder of the lot.

The variance is the minimum necessary to achieve this balance and no encroachment into the right-of-way is proposed. Granting the variance will not confer any special privilege on the applicant, is consistent with the established pattern of development along this block and is in harmony with the general intent and purpose of the Land Development Regulations and the Comprehensive Plan.

SUMMARY

The loss of a contributing structure is not taken lightly; however, given the advanced state of structural decline documented in the engineering report and the constraints precluding conventional demolition access, staff finds the request for total demolition to be supported by the record. The proposed interpretive facade element appropriately references the composition and horizontal articulation of the original facade while reading clearly as a contemporary installation, maintaining visual permeability along Washington Avenue consistent with the open recreational use of the site.

The front setback variance is the minimum necessary to maintain the element at the property line, consistent with the established street wall character of this block within the Ocean Beach Local Historic District, and staff finds the practical difficulty and hardship criteria of Section 2.8.3 of the Miami Beach City Code to be satisfied. Staff recommends approval of the application, subject to

the conditions contained in the draft order.

RECOMMENDATION

In view of the foregoing analysis, staff recommends **approval** of the Certificate of Appropriateness for demolition and for the proposed interpretive façade element, and **approval** of the front setback variance, in accordance with the attached draft order, which address any 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: May 12, 2026

PROPERTY/FOLIO: 235 Washington Avenue / 02-4203-003-1070

FILE NO: HPB25-0645

APPLICANT: John Marshall

IN RE: An application for a Certificate of Appropriateness for the total demolition of the existing 2story structure and its replacement with a new recreation field for the abutting, previously approved school located at 251 Washington Avenue, along with the construction of a new façade that recalls the original structure, including a front setback variance.

LEGAL: Lot 7, Block 95, of the Ocean Beach Addition No. 3 Subdivision, according to the plat thereof, recorded in Plat Book 2, Page 81 of the public records of Miami Dade County, Florida.

ORDER

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

I. Certificate of Appropriateness

- A. The subject site is located within the 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 not consistent with Sea Level Rise and Resiliency Review Criteria 'a' in Section 7.1.2.4(a)(1) of the Land Development Regulations.
 - 2. Is consistent with Certificate of Appropriateness Criteria in section 2.13.7(d)(ii)(1) of the Land Development Regulations.
 - 3. Is consistent with Certificate of Appropriateness Criteria in section 2.13.7(d)(ii)(2) of the Land Development Regulations.
 - 4. Is not consistent with Certificate of Appropriateness 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 site plan drawings for the proposed open space area shall be submitted to and approved by staff; at a minimum, such drawings shall incorporate the following:
 - a. A historical plaque shall be displayed at the front of the property, 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. The interpretive façade element shall be constructed in substantial conformance with the supplemental design drawings prepared by Ryan Alderman Architect, in a manner to be reviewed and approved by staff.
 - c. Final material selections, colors, and detailing of the ceramic breeze block units, fiber-reinforced concrete eyebrow elements, and structural framework shall be submitted to staff for review and approval prior to issuance of a building permit.
 - d. 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.
2. The Board's approval of the interpretive façade element shall run with the land and be recorded in the public record. Any future modification to or removal of the approved element shall require a new application for Certificate of Appropriateness review by the Historic Preservation 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 for any natural landscape areas, 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:
1. A variance from Section 7.2.15(2)(g) of the Resiliency Code, in order to construct an interpretive façade structure with a zero (0') foot front setback, where five (5') feet is required. (Variance Approved)

- 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.

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

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

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

IT IS HEREBY ORDERED, based upon the foregoing findings of fact, the evidence, information, testimony and materials presented at the public hearing, which are part of the record for this matter, and the staff report and analysis, which are adopted herein, including the staff recommendations, which were amended and adopted by the Board, that the application is GRANTED for the above-referenced project subject to those certain conditions specified in Paragraph I, II,III of the Findings of Fact, to which the applicant has agreed.

PROVIDED, the applicant shall build substantially in accordance with the plans entitled **“235 Washington Avenue”**, as prepared by **Ryan Alderman Architect**, dated **January 11, 2026**, along with supplemental concept images, submitted on **April 3, 2026**, and revised letter of intent, dated **March 24, 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 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

