

# MIAMI BEACH

## PLANNING DEPARTMENT

Staff Report & Recommendation

Planning Board

DATE: February 3, 2026

TO: Chairperson and Members  
Planning Board

FROM: Thomas R. Mooney, AICP  
Planning Director



SUBJECT: PB24-0715, **1800, 1810 & 1818 Michigan Avenue and 1039 18<sup>th</sup> Street – Lot Split.**

Progress report due to code violations and non-compliance with the conditions of approval.

### **RECOMMENDATION**

Hear testimony from the applicant and the public and conclude the progress report.

### **BACKGROUND**

*November 26, 2024:* The Planning Board approved an application for a Division of Land / Lot Split, to divide one existing site, which is comprised of four platted lots, into four individual buildable parcels.

*August 8, 2025:* The Planning Department sent a cure letter to the applicant, IRRS 1800 Michigan LLC, c/o Luis Quintana, in response to code citations issued to the property for failure to comply with the requirements for vacant and abandoned properties, and failure to comply with the requirements of the Planning Board order. The cure letter advised the applicant that a progress report was scheduled for September 9, 2025.

*September 9, 2025:* The Planning Board discussed and continued the progress report to a date certain of November 4, 2025.

*September 16, 2025:* The Historic Preservation Board reviewed and approved a Certificate of Appropriateness for the substantial demolition of the existing home located at 1800 Michigan Avenue, the construction of an attached addition, one or more waivers and variances from the required lot coverage and open space requirements (HPB24-0641).

*November 4, 2025:* The Planning Board discussed and continued the progress report to a date certain of January 6, 2026, which was subsequently cancelled.

### **STAFF ANALYSIS**

The following violations for the subject property have been issued:

1. **ZV2025-05763, 3/5/2025**

Ref: Failure to fence off vacant property

Vacant and abandoned properties in all districts Fence requirements shall apply to all vacant lots, lots containing a structure that is subject to a permit that has been abandoned or that has expired (for more than 30 days) and which structure is unfit for human habitation, and lots containing buildings unfit for human habitation. All fences required to be installed pursuant to this section shall be of permanent-quality construction, including concrete foundations.

1st offense

2. **ZV2025-05979, 5/19/2025**

Ref: Failing to comply with design review board order. Unsecured windows and deteriorated wooden fence.

Resiliency Code Section 2.5.3.2 & 2.5.3.5 Failing to comply with your Design Review Board Order.

1st offense

The following conditions of approval contained in the Division of Land / Lot Split Final Order are applicable to the above noted violations:

3. The applicant and/or owner shall comply with the provisions of Section 58-299 of the city code, entitled 'Responsibility of owners of vacant buildings, vacant structures and vacant or unimproved lots'.
4. The applicant and/or owner shall comply with the provisions of Chapter 58, Article III, Division 4, of the city code, entitled 'Abandoned and Vacant Properties Registry.'
6. The Planning Board shall maintain jurisdiction of this Lot Split approval. If deemed necessary, at the request of the Planning Director, the applicant shall provide a progress report to the Board. The Board reserves the right to modify the Lot Split approval at the time of a progress report in a non-substantive manner, to impose additional conditions to address problems and to determine the timing and need for future progress reports. This Lot Split is also subject to modification or revocation under Chapter 2, Article V, Section 2.5.4 of the Miami Beach Resiliency Code.
10. The Lot Split approval approved herein shall comply with all the aforementioned conditions of approval; non-compliance shall constitute a violation of the Miami Beach Resiliency Code and shall be subject to enforcement procedures set forth in Chapter 1, Article III, Section 1.3.8 of the Miami Beach Resiliency Code and such other enforcement procedures as are permitted by law. Any failure by the applicant to comply with the conditions of this Order shall also constitute a basis for consideration by the Planning Board for a revocation of this approval.

On September 9, 2025 the Planning Board discussed and continued the subject progress report to a date certain of November 4, 2025. On September 16, 2025, the applicant received Historic Preservation Board (HPB) approval for a Certificate of Appropriateness for the retention and restoration of the garage portion of the existing home and the construction of an attached 2-story addition (HPB24-0641). The following condition was imposed as part of the HPB Order:

*Condition I.C.4: In accordance with Section 7.5.1.6 of the Land Development Regulations, the applicant shall comply with the minimum fencing and landscaping*

*requirements. A building permit for fencing shall be issued within 90 calendar days of this approval and installation shall occur no later than 120 calendar days after this approval.*

**UPDATE (February 3, 2026)**

On December 23, 2025, the applicant obtained a building permit for the required fencing (BR2511312), and the fencing has since been installed. Staff would note that at the time of the progress report, in accordance with the provisions of Section 2.5.2.5 of the Land Development Regulations of the City Code (LDR's), the Planning Board may consider setting a public hearing for the purpose of examining the noncompliance issues and initiate modification/revocation proceedings. Based on substantial competent evidence, the board may consider revoking approval, modifying the conditions thereof, or imposing additional or supplemental conditions.

As the required fencing has been installed and there do not appear to be any pending issues at the site, staff recommends that the progress report be concluded.

**STAFF RECOMMENDATION**

Staff recommends that the Board hear testimony from the applicant and the public and conclude the progress report.