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## **VIA ELECTRONIC DELIVERY**

January 5, 2025

Rogelio A. Madan, AICP  
Development & Resiliency Officer  
Planning Department  
City of Miami Beach  
1700 Convention Center Drive, 2nd Floor  
Miami Beach, Florida 33139

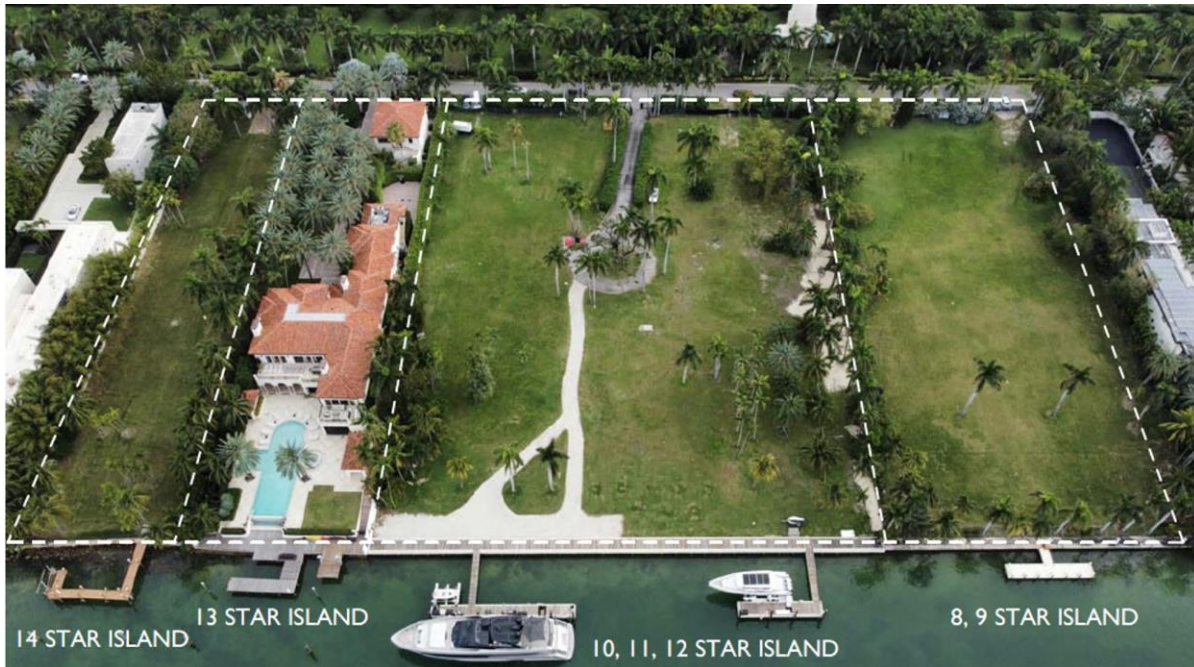
Re: **ZBA24-0171** – Application for Variances for Single-Family Home Located at 8-14 Star Island Drive, Miami Beach

Dear Mr. Madan:

This law firm represents Whitecaps Holdings LLC, 11 Star Island LLC, Fleetwood Star Holdings LLC, and 14 West Star LLC (collectively the "Applicant" and "Owner"), the Owner of the properties located at 8-14 Star Island Drive (collectively the "Property") within the City of Miami Beach (the "City"). Please allow this letter to serve as the letter of intent in connection with a request to the Board of Adjustment (BOA) for approval of variances for a proposed single-family residence (the "Project"). The variances are for lot aggregation, sum of the sides setback, building height and height exceptions, driveway width, and maximum yard elevation standards in the City's Resiliency Code (the "Code") associated with a new two-story home.

Property Description. The Property is situated on the west side of Star Island and is comprised of four (4) waterfront lots: 8-9 Star Island Drive, 10-12 Star Island Drive, 13 Star Island Drive, and 14 Star Island Drive. See Figure 1, Aerial, below. The Miami-Dade County Property Appraiser's Office identifies the parcels with Folio Nos. 02-4204-001-0080; 02-4204-001-0100; 02-4204-001-0110; 02-4204-001-0120; and 02-4204-001-0130. According to the Miami-Dade County Property Appraiser's Office, the Property is approximately 280,000 square feet (6.428 acres) in size. The

subject site is platted as all of Lots 8-14 of the Corrected Plat of Star Island subdivision, as recorded in Plat Book 31, Page 60, of the Public Records of Miami-Dade County (the "Plat"). Notably, due to historical development and as determined previously by the Planning Department, 8-9 Star Island Drive and 10-12 Star Island Drive are unified development sites, meaning they are each a lot for purposes of aggregation. See Exhibit A, Zoning Verification Letters. The Property is located within the RS-1 Single Family Residential District, and is not within any local or national historic district.



**Figure 1, Aerial**

Proposed Development. The Applicant proposes to construct a meticulously designed, modern two-story residence. Centrally located on the Property, the residence's architectural design effectively reduces massing to enhance visual appeal and blend in with the neighborhood. The estimated cost of the Project is \$100 million.

The Project includes a purposeful and innovative roof design where all mechanical equipment, skylights and a single chimney will be fully screened as part of the streamlined roof design that is an integral part of the overall design. A sloped screen hides all the rooftop elements and creates a sleek design. Further, a fabric screen will be placed horizontally over to top of all equipment areas. While not required, this completes the screening so none of the equipment will be viewable from any vantage point. Normally, the equipment is exposed on the roof and surrounded by metal screening that, along with elevator bulkheads for habitable roof decks, creates a haphazard profile of projecting features adding to the massing of the building – in essence providing a partial third floor.

None of the roofs here will have habitable roof decks so there are no elevator bulkheads. The sloped nature and uniformity of the screening system quite effectively reduces the scale thus completely eliminating the harsh rooftop appearance and any semblance of a third floor. A further benefit is that no mechanical equipment, while allowed, will be placed in the side yards, which could be as close as five (5) feet.

The success of the Project is further driven by generous setbacks, including 70' interior side setbacks, a 30' front setback to the guest building at the north and 144'-7" to the main residence, and a 52'-7" rear setback to a 1-story pavilion at the north and 130'-9" to the main residence. Extensive spacing between the three (3) buildings further ensures compatibility with the neighborhood. The Project will also include lush landscaping and manicured gardens with native plantings to further elevate the Property's aesthetic while providing privacy for neighboring properties. This development reflects a cohesive, modern design that aligns with the character of Star Island and enriches the architectural standards of the area.

*Resiliency and Sustainability.* The Applicant has a strong commitment to building a home that will be resilient for decades to come. The first floor will be at 12' NGVD, utilizing 2' of freeboard. The Property will have four (4) 50,000-gallon underground cisterns that combine for 200,000 gallons of capacity. Extensive land area is landscaped and large green roofs are located at the north end of the main residence and on the guest building and 1-story pavilion.

*Decorative Rooftop Screen and Building Height.* As detailed in the Variance Requests, because the Project implements an innovative rooftop screen, designed to reduce massing and effectively conceal mechanical equipment, the Applicant requires variance relief from the Code. Specifically, the height regulation relief sought encompasses the height of the (a) principal structure; (b) rooftop mechanical equipment; (c) skylights; and (d) chimney. Although these requests involve separate subsections in the Code, the relief sought is interconnected and necessary to comprehensively screen the Project's rooftop elements, while maintaining uniformity and cohesiveness.

Variance Requests. The Applicant seeks variances from the Code, including variances from the lot aggregation, sum of sides setback, building height and height exceptions, driveway width, and maximum yard elevation standards (collectively the "Variances" and "Variance Requests"), specifically as follows:

1. A variance of Code Section 7.2.2.3.b.4 to eliminate the lot aggregation requirements to combine the four (4) continuous lots (the "Lot Aggregation Variance").

2. A variance of Code Section 7.2.2.3.b.1 to allow 140' sum of sides setback, where 175' (25%) is required (the "Sum of Sides Variance").
3. A variance of Code Section to 7.2.2.3.b.1 to allow a 31' building height, where 28' is the maximum permitted.
4. A variance of Code Section 7.2.2.3.b.9.H to allow mechanical equipment at heights ranging from 7'to 8' above the point at which they emerge from the roof, where 5' is the maximum permitted.
5. A variance of Code Section 7.2.2.3.b.9.G to allow three (3) skylights 7' above the point at which they emerge from the roof, where 5' is the maximum permitted.
6. A variance of Code Section 7.2.2.3.b.9.A to allow a single chimney at 8' above the point at which it emerges from the roof, where 5' is the maximum permitted (collectively with nos. 3-5 the "Height Variances").
7. A variance of Code Section 7.2.2.3.b.12.G.III to allow width of 25' for two central driveways, where 18' is the maximum permitted (the "Driveway Variance").
8. A variance of Code Section 7.2.2.3.b.10.B. to maintain maximum yard elevation at 10' NGVD, if/when FEMA Flood Maps are formally adopted and the Base Flood Elevation reduces from 10' to 7.56' NGVD (the "Maximum Yard Elevation Variance").

*Lot Aggregation Variance.* Star Island is a very unique and isolated area of the City. All lots are zoned RS-1 and these are the largest single-family lots in the City. Many properties contain multiple platted lots and notably one development, 16 – 21 Star Island Drive contains numerous lots and a total lot area of 268,512 square feet. Portions of the Property have historically been unified development sites and overall it contains 280,000 square feet. Due to the unique characteristics of Star Island and the Project's innovative architectural design and extensive setbacks, the Applicant seeks a variance from Code Section 7.2.2.3.b.4's lot aggregation requirements. Despite the aggregation of four (4) lots, exceeding the Code's general allowance of no more than three (3) lots under specific configurations, the Applicant effectively achieves a functional and meaningful design for the single-family home befitting the neighborhood.

This Project continues the tradition of uniqueness, expansiveness, and proportionality of Star Island. The resulting signature architectural home will further

enhance the Island's reputation for extraordinary design and innovation. While seeking a variance of the requirements, the Project expressly follows the purpose and intent of limiting the number of lots in the Code by ensuring the home is centrally located and not massed close to the neighbors to impact privacy between properties. The Applicant has incorporated substantial setbacks of 70' on each side, 30' (guest building) to 144'-7" (main residence) at the front, and 52'-7" (pavilion) to 130'-9" (main residence) at the rear. Moreover, also following the intent of limiting the number of lots, the proposed home is substantially smaller than the maximum allowed with only 27% unit size where 50% allowed. In addition, the Applicant proposes an innovative decorative rooftop screen designed to reduce visual massing and effectively screen all rooftop elements. Collectively, these measures ensure a sensitive approach toward neighboring properties and foster harmonious development consistent with the intent of the Code.

*Sum of Sides Variance.* Due to the special circumstances and characteristics of the subject Property, the Applicant seeks a variance from the sum of sides setback requirements set forth in Code Section 7.2.2.3.b.1. The Code stipulates that each side be a minimum of 10% and shall combine to be at least 25% of lot width. Based on the Plat, the majority of the lots on the Island are 100 feet in width. The Property has a lot width of 700', which requires 70' for each side, which is quite large even for Star Island standards. The Project provides a sum of 140', 40% larger than a single platted lot on Star Island.

Strict adherence to the Code would require a 105' side setback on one side – an amount that is also greater than the width of a standard platted lot on Star Island. Such a requirement would unjustly render that lot entirely undevelopable, thereby infringing upon the Applicant's property rights. Conversely, the Applicant would have the right to, for example, construct a 75' wide house at 14 Star Island with only a 10' or 15' side setback. Providing 70' of open space ensures substantial buffering from the neighbor. To balance the Applicant's vision for development with the surrounding context, the Project proposes two 70-foot side setbacks, which are both reasonable and consistent with the scale of properties in the area. These setbacks allow for a well-designed and functional home, while also maintaining sensitivity to neighboring properties and aligning with the overall character of Star Island.

*Height Variances.* Due to the Project's streamlined rooftop design, the Applicant respectfully requests variances from Code Sections 7.2.2.3.b.1 and 7.2.2.3.b.9. The Applicant proposes a thoughtfully-engineered, decorative rooftop screen that is designed to the minimal extent necessary to conceal all rooftop elements from view. These elements include various types of mechanical equipment, a generator, skylights and a chimney. Through this design, the Project surpasses the Code's baseline requirements for

mechanical equipment screening, offering a more comprehensive and visually integrated screening than the Code prescribes. All rooftop mechanical equipment generator will be completely concealed from all vantage points. Positioning mechanical equipment above ground level on the rooftop bolsters resilience against sea-level rise, ensuring that essential systems remain protected. Further, by not locating any equipment in the side yards, which could be as close as five (5) feet, the Applicant ensures no visual or audible impacts to the neighbors and enhances privacy. The rooftop screen's refined and integral design harmonizes with the surrounding environment, improving the building's overall aesthetic quality and respecting the community's architectural standards. While this innovative approach requires additional height, the meticulously crafted elements introduce a visually compelling presence that enriches the structure's character and elevates its architectural identity and at the same time substantially reduces the massing of the residence and makes the added height practically imperceptible.

*Driveway Variance.* Due to the unique conditions of the Property and to provide appropriate access, the Applicant seeks a variance from the 18-foot maximum driveway width requirement set forth in Code Section 7.2.2.3.b.12.G.III. There are four (4) driveways, which is consistent with 1 per lot, and all are significantly spaced from each other. The two (2) on the north and south nearest the neighboring properties comply with 18' width. The two (2) near the center of the Property are wider to accommodate larger vehicles and provide the sense of arrival befitting the residence. Notably, the Code requires that combined driveway widths not exceed 30% of the lot width, and the proposed driveways comprise only 12.28% of the lot width, substantially below the threshold. Moreover, the Project features approximately 65.76% pervious open space in the front yard, exceeding the 50% requirement. This additional pervious area enhances stormwater drainage and strengthens the Property's overall resilience. Accordingly, the requested variance maintains compatibility with Code objectives while providing a balanced, sustainable development solution.

*Maximum Yard Elevation Variance.* Due to the Property's location and vulnerability to sea-level rise, the Applicant seeks a variance from Code Section 7.2.2.3.b.10.B. should new FEMA Flood Maps be formally adopted before the Applicant obtains a building permit for the Project and reduce Base Flood Elevation (BFE) from 10' to 7.56' NGVD. The current maximum elevation complies with existing FEMA standards, the City's vision of resiliency, and provides critical protection against flooding risks for the Property and the surrounding neighborhood. Maintaining the existing 10' NGVD elevation ensures the Property remains resilient and adequately prepared for future flood events. The reduction of the maximum yard elevation by almost 2.5 feet would expose the Property to heightened risks, undermining the home's ability to withstand anticipated climate

impacts. Preserving the established yard elevation upholds the intent of the Code to protect the well-being and property of residents while fostering responsible, adaptive development. The Maximum Yard Elevation Variance reflects a commitment to long-term safety and aligns with the City's priorities for resilient infrastructure planning.

*Satisfaction of Hardship Criteria.* The Variances requested satisfy the hardship criteria pursuant to Section 2.8.3.a. of the Code, as follows:

**1. Special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same zoning district.**

The Property, especially due to the historic unified development, is a unique four (4)-lot assemblage for a single cohesive development with extensive setbacks all around and the implementation of an innovative decorative rooftop screen. The Project's configuration allows for a centrally located residence with substantial setbacks – 70' on both the interior sides, 30' and 144'-7" at the front, and 52'-7" and 130'-9" at the rear. The architectural design thoughtfully distributes the massing to create visual interest, enhancing both functionality and neighborhood appeal. The decorative rooftop screen is designed to reduce visual massing and effectively screen all rooftop elements.

**2. The special conditions and circumstances do not result from the action of the applicant.**

The special conditions and special circumstances present at the Property are not the product of the Applicant's actions. The Applicant played no part in the historic development pattern. The aggregated four (4)-lot configuration and the incorporation of the innovative rooftop screen are conditions that are not adequately contemplated in the Code. The Variance Requests result from the Property's inherent characteristics and the Resiliency Code's limitations. The Applicant has proposed a thoughtful design focused on functionality in order to develop this unique site with an elegant, proportional, and resilient residence.

**3. Granting the variance requested will not confer on the applicant any special privilege that is denied by these land development regulations to other lands, buildings, or structures in the same zoning district.**

The Code allows other similarly situated property owners to seek variances to accommodate sensitive developments when neighbors are not impacted. The Project's design reduces visual massing, effectively screens all rooftop elements, and provides

substantial setbacks. Additionally, to allow for satisfactory drainage, the plan contemplates greater pervious open space than is required, as well as four (4) large cisterns. The Project provides generous setbacks all around, which alleviate concerns regarding the building's massing and rooftop design. The Variances will not confer a special privilege to the Applicant and, instead, are a necessity due to the Property's inherent characteristics and creative, streamlined rooftop design. The Code permits other property owners to make similar requests to accommodate designs that are compatible with the context of the neighborhood. Therefore, the granting of the Variances in this case will not confer any special privilege on the Applicant.

**4. Literal interpretation of the provisions of these land development regulations would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of these land development regulations and would work unnecessary and undue hardship on the applicant.**

A literal interpretation of the provisions of the land development regulations would deprive the Applicant rights enjoyed by other properties in the same zoning district, including the inability to develop an entire platted lot, since over 100 feet on one side would be undevelopable due to sum of the sides. The requested Variances enable the Project to deliver an elegantly designed single-family residence with generous setbacks, improved site access, and a resilient structure. Strict compliance with the Code would unreasonably deprive the Applicant of the ability to develop a usable, sophisticated, and resilient residence. The design provides sufficient buffering, breaks up massing, ensures resilience to sea-level rise and avoids adverse impacts on neighboring properties.

**5. The variance granted is the minimum variance that will make possible the reasonable use of the land, building, or structure.**

The Variances represent the minimum degree of relief necessary for the reasonable use of the Property. Without these Variances, the site could not be developed without infringing upon the Applicant's property rights and hindering the creation of a carefully designed, functional residence. Although the Applicant complies with the Code's 10% interior side yard standards of 70' on each side, the 25% sum of the sides requirement would demand an impractical 105-foot setback – exceeding even the standard 100-foot width of a platted lot on Star Island.

The Height Variances allow the rooftop decorative screen structure to project only as much as needed to conceal various mechanical equipment, generator, skylights and a chimney, while maintaining a refined, contextually appropriate and streamlined profile,



which is an improvement on the typical design with rooftop elements noticeably jutting above the roof. Only three (3) skylights are above the maximum and the Florida Building Code requires the chimney to be 3' clear of the structure for safety reasons. Notably, decorative structures on rooftops could be as high as 10' but the design only proposes 8'.

Similarly, the Driveway Variance provides a balanced, workable approach to site access and circulation. Even with the additional width, the driveways remain well below the 30% maximum at only 12% and preserve ample pervious area to improve stormwater management and resiliency. The Maximum Yard Elevation Variance ensures the Property's elevation remains compliant with FEMA's current standards and the City's resiliency efforts, offering critical protection against flooding risks. Reducing the permitted elevation would expose the Property to unnecessary vulnerabilities and undermine its resilience.

Each requested Variance is precisely calibrated to achieve a cohesive, sustainable, and context-sensitive development consistent with the Code's overall intent.

**6. The granting of the variance will be in harmony with the general intent and purpose of these land development regulations and that such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.**

The requested Variances align with the general intent and purpose of the land development regulations. The Project integrates seamlessly with the surrounding area and preserves Star Island's established character. Substantial setbacks, a rooftop screening system that reduces visual massing, and ample pervious open space ensure compliance with the intent of the Code. These features ensure the Variances will not be injurious to the neighborhood or detrimental to the public welfare. The Variances enable a balanced and resilient development that supports Star Island's aesthetic and environmental goals.

**7. The granting of this request is consistent with the comprehensive plan and does not reduce the levels of service as set forth in the plan.**

The granting of this request aligns with the comprehensive plan and maintains all levels of service established therein. The requested Variances are designed to support a development that is consistent with the comprehensive plan's goals and objectives, ensuring no adverse impacts on the levels of service provided to the community. The purpose of the RS-1 District is to protect and preserve the identity, image, environmental quality, privacy and character of single-family neighborhoods and to encourage new construction that is compatible with the established neighborhood context. This

Application achieves that purpose through the development of a home that harmonizes with Star Island's established character and context.

*Practical Difficulty.* There are multiple practical difficulties that must be addressed to make reasonable use of the Property, such as the Property's inherent conditions and unique development challenges. Strict compliance with the land development regulations would result in unreasonable setbacks and hinder the creation of a thoughtfully designed, functional residence. The Code's 25% sum of the sides requirement would impose a substantial hardship, requiring an unfeasible 105-foot side setback that exceeds the 100-foot width of a standard platted lot on Star Island. This restriction inhibits the exercise of property rights that would otherwise allow a 20,000 SF home at a 10' setback from the neighbor and notably the Project includes a generous 70' setback. The innovative design maximizes the potential for a functional and aesthetically pleasing Project. Height regulations create challenges in effectively concealing rooftop mechanical equipment from all vantage points. The decorative screen system projects minimally, 2' lower than it could be, and its sleek and uniform design effectively achieves more screening than most single-family homes, while preserving a refined and appropriate profile. The chimney height variance is limited to what is necessary to ensure safety. Driveway width standards present further hardships for site access and circulation, even though the proposed design remains well within the 30% threshold. The Maximum Yard Elevation Variance allows the Property to retain its flood protection in accordance with existing FEMA standards amid anticipated changes to elevation guidelines. Strict compliance with the land development regulations would prevent reasonable development and contradict the intent of the Code to encourage resilient, context-sensitive development that enhances the neighborhood.

Sea Level Rise and Resiliency Criteria. The new development advances the sea-level rise and resiliency criteria in Section 7.1.2.4.a of the Code, as follows:

**1. A recycling or salvage plan for partial or total demolition shall be provided.**

A recycling and salvage plan for demolition of the existing building will be provided at permitting.

**2. Windows that are proposed to be replaced shall be hurricane proof impact windows.**

Hurricane proof impact windows will be provided.

**3. Where feasible and appropriate, passive cooling systems, such as operable windows, shall be provided.**

The Applicant will provide, where feasible, passive cooling systems.

**4. Whether resilient landscaping (salt tolerant, highly water-absorbent, native or Florida friendly plants) will be provided.**

All landscaping will be Florida friendly and resilient.

**5. Whether 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, including a study of land elevation and elevation of surrounding properties were considered.**

The Applicant is proactively addressing sea-level rise projections. The ground floor for the development will be 12.0' NGVD.

**6. The ground floor, driveways, and garage ramping for new construction shall be adaptable to the raising of public rights-of-ways and adjacent land.**

The driveways and garage are designed with future roadway elevation projects in mind. As aforementioned, the ground floor for the development will be 12.0' NGVD.

**7. Where feasible and appropriate. All critical mechanical and electrical systems are located above base flood elevation.**

All mechanical and electrical systems will be located above base flood elevation.

**8. Existing buildings shall be, where reasonably feasible and appropriate, elevated to the base flood elevation.**

The proposed development is entirely new construction located above base flood elevation.

**9. 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.**

No habitable space is located below base floor elevation.

**10. Where feasible and appropriate, water retention systems shall be provided.**

The Applicant proposes substantial water retention systems through four (4) 50,000-gallon cisterns, and other stormwater retention measures will be provided.

**11. Cool pavement materials or porous pavement materials shall be utilized.**

Cool pavement materials or porous pavement materials will be utilized where possible.

**12. The design of each project shall minimize the potential for heat island effects on-site.**

The proposed design provides landscaped open spaces and numerous green roofs throughout to strategically minimize the potential for heat island effects on the site.

Conclusion. Granting this BOA application will permit the development of a compatible and resilient single-family home that will add value to the surrounding neighborhood. The Variances are minimal and necessary to address the unique conditions of the Property and a creative rooftop design. The Project's modern design features a variety of beautiful and interesting architectural moments, materials, and lush landscaping that enhance the overall character of the area. The decorative rooftop screen and substantial setbacks are purposefully sensitive to neighboring properties, ensuring the design integrates seamlessly into the Star Island community. Other than the requested Variances, the Project fully complies with all land development regulations, providing a thoughtful contribution to the neighborhood's built environment.

We look forward to your favorable review of the application. If you have any questions or comments in the interim, please give me a call at 305-377-6236.

Sincerely,



Matthew Amster

Attachment

cc: Michael Larkin, Esq.  
Roberto Alvarez, Esq.

# Exhibit A

## MIAMIBEACH

### PLANNING DEPARTMENT

City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139  
Tel: (305) 673-7550, Fax: (305) 673-7559

March 31, 2022

Zone0122-0851

Michael Larkin  
MLarkin@brzoninglaw.com

Subject: **Request for Zoning Verification**  
**8 Star Island Dr.**  
**Miami Beach, Florida**  
**Folio No. 02-4204-001-0080**

Dear Mr. Larkin,

This letter is in response to a request for a zoning verification letter regarding the status of the subject property, as a 'single unified building site'. The subject property is comprised of two (2) platted lots, Lots 8 & 9 of the Corrected Plat of Star Island, according to the Plat thereof as recorded in Plat Book 31, Page 60, of the Public Records of Miami-Dade County, Florida.

On, February 12, 2014, the city adopted Ordinance No. 2014-3835, which, among other things, placed limitations on the number of lots that may be aggregated in single family zoning districts. Zoning in progress became effective on September 24, 2013, when the Planning Board provided a positive recommendation for this Ordinance.

As it pertains to the subject lots, in 1990 a Building Permit (B9000417) was issued for the construction of a new single-family home in the middle of the two platted lots. The construction of this home was completed, and the home exists today.

The following are the applicable definitions pertaining to building site and lot, pursuant to section 114-1 of the City's Land Development Regulations:

*Building site means any improved lot, plot, or parcel of land where there may exist a main permitted structure and any accessory/auxiliary building or structure including, but not limited to, swimming pools, tennis courts, walls, fences, or any other improvement which was heretofore constructed on property containing one or more platted lots or portions thereof shall constitute one building site.*

*Lot means a parcel of land of at least sufficient size to meet minimum zoning requirements for use, minimum width, and area, and to provide such yards and other open spaces as are required in these land development regulations. Such lot shall have frontage on a public street, and may consist of:*

*(1) A single lot of record;*

*(2) A portion of a lot of record;*

*(3) A combination of complete lots of record, and portions of lots of record; or of portions of lots of record;*

*A parcel of land described by metes and bounds.*

*"Lot" includes the word "plot" or "parcel" or "tract" or "site."*

Platted Lots 8 and 9, of the corrected Plat of Star Island, were aggregated prior to the effective date of Ordinance 2014-3865. Based upon the foregoing, lots 8 and 9 are considered one building site and one lot.

Further, in accordance with Section 118-321 of the Land Development Regulations:

*'...No lot(s), plot(s) or parcel(s) of land, whether improved or unimproved or building site, as defined herein, designated by number, letter or other description in a plat of a subdivision, shall be further divided or split, for the purpose, whether immediate or future, of transfer of ownership or development, without prior review and approval by the planning board....'*

If we may be of further assistance, please do not hesitate to contact this department again.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Tom Mooney', with a stylized flourish extending to the right.

Thomas R. Mooney, AICP  
Planning Director

# MIAMI BEACH

## PLANNING DEPARTMENT

City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139

Tel: (305) 673-7550, Fax: (305) 673-7559

August 20, 2021

Michael W. Larkin  
Bercow Radell Fernandez Larkin & Tapanes  
200 S. Biscayne Boulevard, Suite 300  
Miami, FL 33131

**Subject: 10-12 Star Island Drive  
Miami Beach, FL  
Folio Nos. 02-4204-001-0100 & 02-4204-001-0110**

Dear Mr. Larkin:

This letter is in response to a notice to abandon a previously approved Lot Split and Design Review Board (DRB) approvals, as well as a Zoning Verification Request for a Unified Building Site for the subject property, dated May 28, 2021.

We have reviewed your notice of abandonment of the lot split approvals in your letter. The lot split was originally granted by the Planning Board on June 25, 2019 (file number PB18-0222). A modification to the lot split was approved on June 23, 2020 (file number PB20-0346). The abandonment of these orders is hereby acknowledged and accepted.

With the abandonment of the of the aforementioned lot split orders, the three individual lots revert to their status prior to the approval of the original lot split on June 25, 2019. Therefore, the three (3) 40,000 square foot lots revert to a unified 120,000 square foot lot.

Additionally, we have also reviewed your notice of abandonment of design review approval for a new two-story residence, including waivers and a variance for understory clearance on lot 10, which was granted by the DRB on July 15, 2020 (file number DRB20-0507). The abandonment of that approval is hereby acknowledged and accepted.

Please be advised that the subject property is currently zoned **RS-1, Single-Family Residential District**. In accordance with Section 142-102 of the Land Development Regulations of the Code of the City of Miami Beach, the main permitted use is single-family detached dwellings. As such, pursuant to the notice for abandonment of the lot split orders, only one (1) single-family detached dwelling may be built on the unified 120,000 square foot lot.

If we may be of further assistance, please do not hesitate to contact this department again.

Sincerely,



Thomas Mooney, AICP  
Planning Director

Zone0621-0723

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