



200 S. Biscayne Boulevard
Suite 300, Miami, FL 33131

www.brzoninglaw.com

305.377.6231 office
305.377.6222 fax
mlarkin@brzoninglaw.com

VIA ELECTRONIC SUBMITTAL

April 14, 2024

Deborah Tackett, Historic Preservation & Architecture
Officer
Planning Department
City of Miami Beach
1700 Convention Center Drive, 2nd Floor
Miami Beach, Florida 33139

RE: **HPB24-0613** Certificate of Appropriateness for After-
the-Fact Demolition of the Properties Located at
1810 and 1818 Michigan Avenue, Miami Beach, Florida

Dear Ms. Tackett,

This firm represents 1810 IRRS HOLDINGS LLC and IRRS 1818 MICHIGAN LLC (collectively the "Applicant"), owner of properties located at 1810 and 1818 Michigan Avenue (collectively the "Property") in the City of Miami Beach (the "City"). Please consider this letter the Applicant's letter of intent in connection with a Certificate of Appropriateness for after-the-fact demolition of the multiple structures on the Property.

Property Description. The Property is located at the end of Michigan Avenue, north of the intersection with 18th Street, abutting the Collins Canal. The Miami-Dade County Property Appraiser identifies the Property with Folio Nos. 02-3234-004-0130 and 02-3234-004-0140. See Exhibit A, Property Appraiser Summary Reports. The Property is located in the RS-4 Single Family Residential District and the Palm View Historic District. According to the Miami Beach Historic Properties Database, the structures on the Property are classified as Contributing within the Palm View Historic District. See below Figure 1, Historic Properties Database Excerpt.



Figure 1, Historic Properties Database Excerpts

Palm View Historic District. Pursuant to the Palm View Historic District Designation Report (the "Report"), Palm View contains a rich and cohesive array of Miami Beach architecture. According to the Report, the historic district's designation does not require, recommend, or encourage reproductions of period architecture. Rather, appropriately expanding the City's design continuum is encouraged.

The Report specifically the Property as having exceptional historical significance. The northern structure on the Property, 1818 Michigan Avenue, was designed by Schultze and Weaver in 1925. From 1930 to 1940, portrait painter Henry Salem Hubbell inhabited the Venetian-style canal-front home. Hubbell's son was the president of a general contracting firm, Hubbell and Hubbell, which built the structure immediately south on the Property, 1810 Michigan Avenue.

Structures Condition. The Property has numerous building code violations and unsafe structure violations. Daily, police are called to the Property to remove homeless from attempting to break in and enter the Property. After many months of attempting to secure the Property, the terrible condition led to an emergency demolition order of the existing structures.

The Applicant retained YHC Engineering, structural engineering firm, to conduct a structural analysis of the structures and prepare a structure report (the "Structural Reports"), which are included in the application materials. The Structural Reports include detailed analysis and photos of the Property's condition. Based on the site visits and

review of the City and County's records, the structures have a significant amount of illegal, unpermitted, and non-compliant work, which cumulatively resulted in the dire condition of the Property.

Wood and Concrete. The structures are mostly wood construction. It is obvious from the exterior and interior of the structures that the roof has failed in multiple locations, and the moisture intrusion has caused severe and extensive damage. Based on the visual observation in the field by YCH Engineering, all the wood members of the building such as the roof, floor joists on all floors, and interior stud walls are in very poor and failing condition. Moreover, reinforcing rebars of the concrete members also are in poor condition. There are instances where the wood members collapse in the building and created hazardous conditions.

Portions of the structures that are made of concrete have cracking throughout. The cracking is visible both inside and outside of the structures. Additionally, the stucco is also cracking throughout. Previous repairs are also present that exhibit failure and re-cracking.

Foundation. The foundation of the structures is on unstable ground conditions. A portion of the structure is built over the canal seawall. The seawall has visibly shifted and is crumbling, causing the foundations to fail. Water continues to intrude under the building. Water is noted under the crawlspace access panels. The current foundations are inadequate, and cannot support any new addition or repairs based on the continuous water intrusion, and the lack of appropriate support.

Conclusion. According to the Structural Reports, all structural elements need to be replaced, rather than repaired based on the dire condition and failed reinforcements. It is necessary that the structures be demolished. The structural members, which are mainly wood are deteriorated and moisture damaged, mold stricken, and rotting. Therefore, there is no confidence that the replacement process will not damage the structure even more due to the poor connectivity between the members. Additionally, the structures cannot be repaired without the repair of the seawall, and the seawall cannot be repaired without the demolition of the structure over the seawall. As determined by YCH Engineering, the structures are in imminent danger of collapse without any lateral support system, proper design and construction, and current decay conditions of the structural members.

After-the-Fact Demolition. Pursuant to Section 2.13.1 of the City's Resiliency Code, the Historic Preservation Board ("HPB") must determine, on a case-by-case basis, whether the replication or replacement of an original contributing structure is warranted.

Replication. The City's policy is a presumption that a contributing building that is demolished without obtaining a certificate of appropriateness from the HPB must be replicated. Replication means the physical reconstruction, including all original dimensions in the original location, of a structure in totality, inclusive of the reproduction of primary facade dimensions and public area dimensions with appropriate historic materials whenever possible, original walls, window and door openings, exterior features and finishes, floor slab, floor plates, roofs and public interior spaces.

This presumption is applicable in the event a building permit for new construction or for repair or rehabilitation is issued, and demolition occurs for any reason, including, but not limited to, an order of the building official or the county unsafe structures board. The replication presumption may be rebutted, and the HPB board may allow for a new design, if it is established to the satisfaction of the HPB that any of the following criteria are satisfied:

1. A full replication or contemporary depiction is not required to understand and interpret a property's historic value (including the re-creation of missing components in a historic district or site);
2. Other properties with the same associative value have survived; or
3. Sufficient historical documentation does not exist to ensure an accurate reproduction.

In this case, all three criteria are satisfied, although only one is required to overcome the presumption for replication. Full replication is not necessary to understand the Property's historic value. Recreation of what exists today will not accurately provide any understanding of value based on the magnitude of additions, failed repairs, and modifications. Additionally, there are numerous contributing sites in the Palm View Historic District that more adequately provide the same or more close associative value. While there is a significant amount of photos and historic accounts of the Property, there are extremely limited plans on file with the City to permit a replication that would resemble the original structures. The architectural plans for new construction would contain significant gaps, eliminating any accuracy of the reproduced work.

Replacement. In the event the HPB does not require replication, the City's policy is a presumption that a contributing building demolished without obtaining a certificate

of appropriateness from the HPB, can only be replaced with a new structure that incorporates the same height, massing and square footage of the previous structure on site, not to exceed the floor area ratio (FAR) of the demolished structure. The new structure cannot exceed the maximum FAR and height permitted under the City Code, with no additional square footage added. This presumption applies in the event a building permit for new construction or for repair or rehabilitation is issued, and demolition occurs for any reason, including, but not limited to, an order of the building official or the county unsafe structures board.

Further, the presumption may be rebutted, and the HPB may allow for the addition of more square footage, where appropriate, not to exceed the maximum permitted under the City Code, if, to the satisfaction of the HPB, the following criteria have been satisfied:

1. The proposed new structure is consistent with the context and character of the immediate area; and
2. The property owner made a reasonable effort to regularly inspect and maintain the structure free of structural deficiencies and in compliance with the minimum maintenance standards of this Code.

Concurrent with this Application, the Applicant has filed two separate applications for Certificates of Appropriateness for design of replacement homes on the Property. The new structures are consistent with the context and character of original structures and the Palm View Historic District. The new homes will be consistent with the replacement standards of the Code.

Sea Level Rise and Resiliency Criteria. The Proposed Project advances the sea level rise and resiliency criteria in Section 7.1.2.4 of the Resiliency Code as follows:

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

A recycling and salvage plan for the demolition proposed will be provided at permitting.

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

New windows will be hurricane proof impact windows.

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 will proactively address seal level rise projections.

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 raised first-floor ensures that the future homes are adaptable to the raising of the abutting public canal, streets, and adjacent land in the future.

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.

Future development of the Property will be entirely new construction located well-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 will be located below base flood elevation.

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

Where feasible, water retention systems will be provided.

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

Cool pavement or porous pavement materials will be utilized where any new pavement is proposed.

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

Redevelopment of the Property will strategically minimize the potential for heat island effects on site.

Conclusion. Granting this Certificate of Appropriateness will resolve the hazardous condition for this single-family community, permit the development of a beautifully-designed, single-family homes that will add much more value and safety to the surrounding neighborhood. Future development of the Property will be sensitive to the unique aesthetic character of the area and respectful to the early origins of the Palm View Historic District.

Based on these reasons, the Applicant respectfully requests your favorable review and recommendation of this application. If you have any questions or comments in the interim, please give me a call at 305-377-6231.

Sincerely,



Michael Larkin

cc: Emily K. Balter, Esq.

EXHIBIT A



OFFICE OF THE PROPERTY APPRAISER

Summary Report

Generated On: 04/14/2024

PROPERTY INFORMATION	
Folio	02-3234-004-0140
Property Address	1818 MICHIGAN AVE MIAMI BEACH, FL 33139-2430
Owner	IRRS 1818 MICHIGAN LLC
Mailing Address	145 ALMERIA AVE CORAL GABLES, FL 33134
Primary Zone	0100 SINGLE FAMILY - GENERAL
Primary Land Use	0803 MULTIFAMILY 2-9 UNITS : MULTIFAMILY 3 OR MORE UNITS
Beds / Baths /Half	9 / 7 / 0
Floors	2
Living Units	7
Actual Area	
Living Area	
Adjusted Area	6,389 Sq.Ft
Lot Size	9,873 Sq.Ft
Year Built	Multiple (See Building Info.)

ASSESSMENT INFORMATION			
Year	2023	2022	2021
Land Value	\$1,678,500	\$1,293,363	\$1,086,030
Building Value	\$35,000	\$424,783	\$168,900
Extra Feature Value	\$0	\$0	\$0
Market Value	\$1,713,500	\$1,718,146	\$1,254,930
Assessed Value	\$1,518,465	\$1,380,423	\$1,254,930

BENEFITS INFORMATION				
Benefit	Type	2023	2022	2021
Non-Homestead Cap	Assessment Reduction	\$195,035	\$337,723	
Note: Not all benefits are applicable to all Taxable Values (i.e. County, School Board, City, Regional).				

SHORT LEGAL DESCRIPTION	
34 53 42	
PALM VIEW SUB PB 6-29	
LOT 3 LESS BEG SW COR TH N18.2FT	
NE ALG CANAL 9FT SE 25.83FT SW	
20.45FT TO POB BLK 10	



TAXABLE VALUE INFORMATION			
Year	2023	2022	2021
COUNTY			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$1,518,465	\$1,380,423	\$1,254,930
SCHOOL BOARD			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$1,713,500	\$1,718,146	\$1,254,930
CITY			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$1,518,465	\$1,380,423	\$1,254,930
REGIONAL			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$1,518,465	\$1,380,423	\$1,254,930

SALES INFORMATION			
Previous Sale	Price	OR Book-Page	Qualification Description
07/08/2021	\$100	32648-2151	Corrective, tax or QCD; min consideration
08/20/2020	\$100	32077-2040	Corrective, tax or QCD; min consideration
06/01/1994	\$0	16457-0707	Sales which are disqualified as a result of examination of the deed
02/01/1988	\$0	13614-2644	Sales which are disqualified as a result of examination of the deed

The Office of the Property Appraiser is continually editing and updating the tax roll. This website may not reflect the most current information on record. The Property Appraiser and Miami-Dade County assumes no liability, see full disclaimer and User Agreement at <http://www.miamidade.gov/info/disclaimer.asp>



OFFICE OF THE PROPERTY APPRAISER

Summary Report

Generated On: 04/14/2024

PROPERTY INFORMATION	
Folio	02-3234-004-0130
Property Address	1810 MICHIGAN AVE MIAMI BEACH, FL 33139-2419
Owner	1810 IRRS HOLDINGS LLC
Mailing Address	145 ALMERIA AVE CORAL GABLES, FL 33180
Primary Zone	0100 SINGLE FAMILY - GENERAL
Primary Land Use	0803 MULTIFAMILY 2-9 UNITS : MULTIFAMILY 3 OR MORE UNITS
Beds / Baths /Half	4 / 4 / 0
Floors	2
Living Units	4
Actual Area	7,571 Sq.Ft
Living Area	7,571 Sq.Ft
Adjusted Area	6,580 Sq.Ft
Lot Size	8,000 Sq.Ft
Year Built	Multiple (See Building Info.)

ASSESSMENT INFORMATION			
Year	2023	2022	2021
Land Value	\$1,320,000	\$1,048,000	\$880,000
Building Value	\$471,500	\$467,867	\$200,000
Extra Feature Value	\$3,500	\$4,113	\$4,152
Market Value	\$1,795,000	\$1,519,980	\$1,084,152
Assessed Value	\$1,114,050	\$1,020,817	\$935,825

BENEFITS INFORMATION				
Benefit	Type	2023	2022	2021
Save Our Homes Cap	Assessment Reduction	\$318,567	\$253,603	\$148,327
Non-Homestead Cap	Assessment Reduction	\$362,383	\$245,560	
Homestead	Exemption	\$25,000	\$25,000	\$25,000
Second Homestead	Exemption	\$25,000	\$25,000	\$25,000

Note: Not all benefits are applicable to all Taxable Values (i.e. County, School Board, City, Regional).

SHORT LEGAL DESCRIPTION	
34 53 42	
PALM VIEW SUB PB 6-29	
LOT 2 LESS W6FT OF S25FT ETC AS	
DESC IN DB 873-69 & 1428-224	
BLK 10	



TAXABLE VALUE INFORMATION			
Year	2023	2022	2021
COUNTY			
Exemption Value	\$50,000	\$50,000	\$50,000
Taxable Value	\$1,064,050	\$970,817	\$885,825
SCHOOL BOARD			
Exemption Value	\$25,000	\$25,000	\$25,000
Taxable Value	\$1,451,433	\$1,241,377	\$910,825
CITY			
Exemption Value	\$50,000	\$50,000	\$50,000
Taxable Value	\$1,064,050	\$970,817	\$885,825
REGIONAL			
Exemption Value	\$50,000	\$50,000	\$50,000
Taxable Value	\$1,064,050	\$970,817	\$885,825

SALES INFORMATION			
Previous Sale	Price	OR Book-Page	Qualification Description
07/21/2023	\$100	33853-1556	Corrective, tax or QCD; min consideration
07/21/2023	\$100	33853-1553	Corrective, tax or QCD; min consideration
07/08/2021	\$100	32648-2154	Corrective, tax or QCD; min consideration
04/08/2021	\$100	32460-2510	Corrective, tax or QCD; min consideration

The Office of the Property Appraiser is continually editing and updating the tax roll. This website may not reflect the most current information on record. The Property Appraiser and Miami-Dade County assumes no liability, see full disclaimer and User Agreement at <http://www.miamidade.gov/info/disclaimer.asp>