

# ZBA24-0167

## 5821 Pine Tree Drive



**TAG**  
ARCHITECTURE





# Property Location





# Variance Requests

- 1) Required side yard setback of 15', to permit
  - two-story guesthouse with a north side yard setback of 8'-8" and
  - one-story outdoor kitchen with a south side yard setback of 10'
- 2) Sum of the required side yard setbacks 25% of the lot width, 37'-8", to permit 12.38% of the lot width, 18'-8"



# Rear Yard





# Rear Yard





# Architecturally Significant

- Constructed in 1935 – “building remains characteristic of the eclectic style and its variations”
- Recognizable in the Mediterranean Revival Style of architecture
- Aerial photos show that “the massing of the home remains nearly intact”



## MIAMI BEACH

### PLANNING DEPARTMENT

#### Determination of Architectural Significance

July 16, 2024

Jason and Renee Greenberg  
5821 Pine Tree Drive  
Miami Beach, FL 33140

**Re: 5821 Pine Tree Drive, Miami Beach  
Request for a Determination of Architectural Significance  
DRB24-1035**

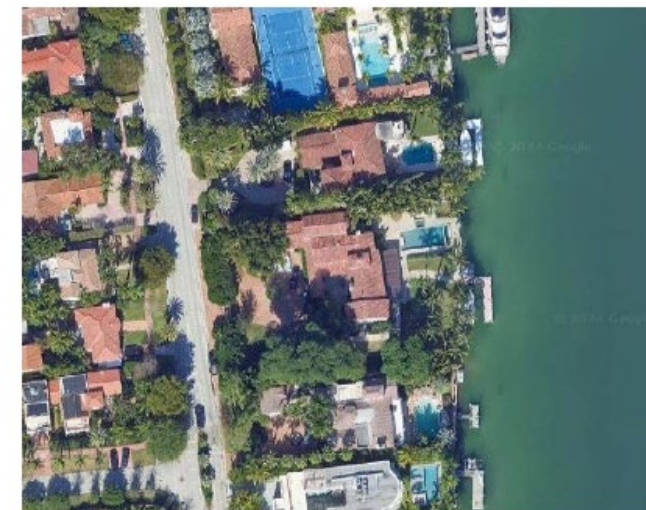
Dear Mr. and Mrs. Jason Greenberg,

Pursuant to your letter and receipt of all the required documentation received in completion on July 9, 2024, the Planning Department has evaluated the subject property at **5821 Pine Tree Drive** to determine whether the existing single-family residence is 'architecturally significant'. This evaluation was done in accordance with the criteria set forth within Section 7.2.2.4(a)(i) of the city's Land Development Regulations.

A comprehensive review of current site photos and all available aerial photographs of the subject residence from 1941 to the present was undertaken to determine the extent of alterations. The following is an analysis of each of the four criteria used to determine if the subject pre-1942 single-family home is 'architecturally significant':



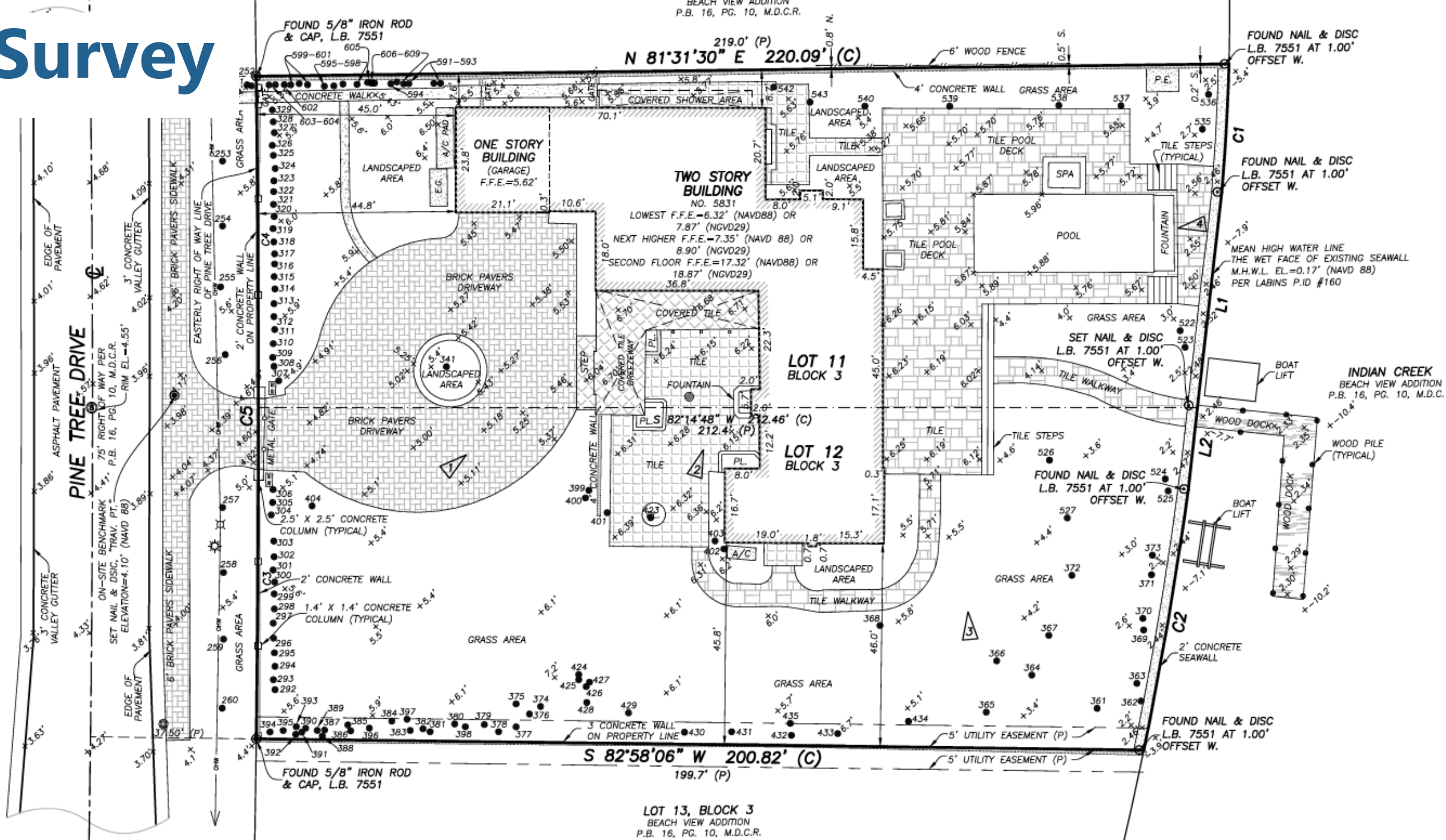
*Aerial 1941*



*Aerial 2024*

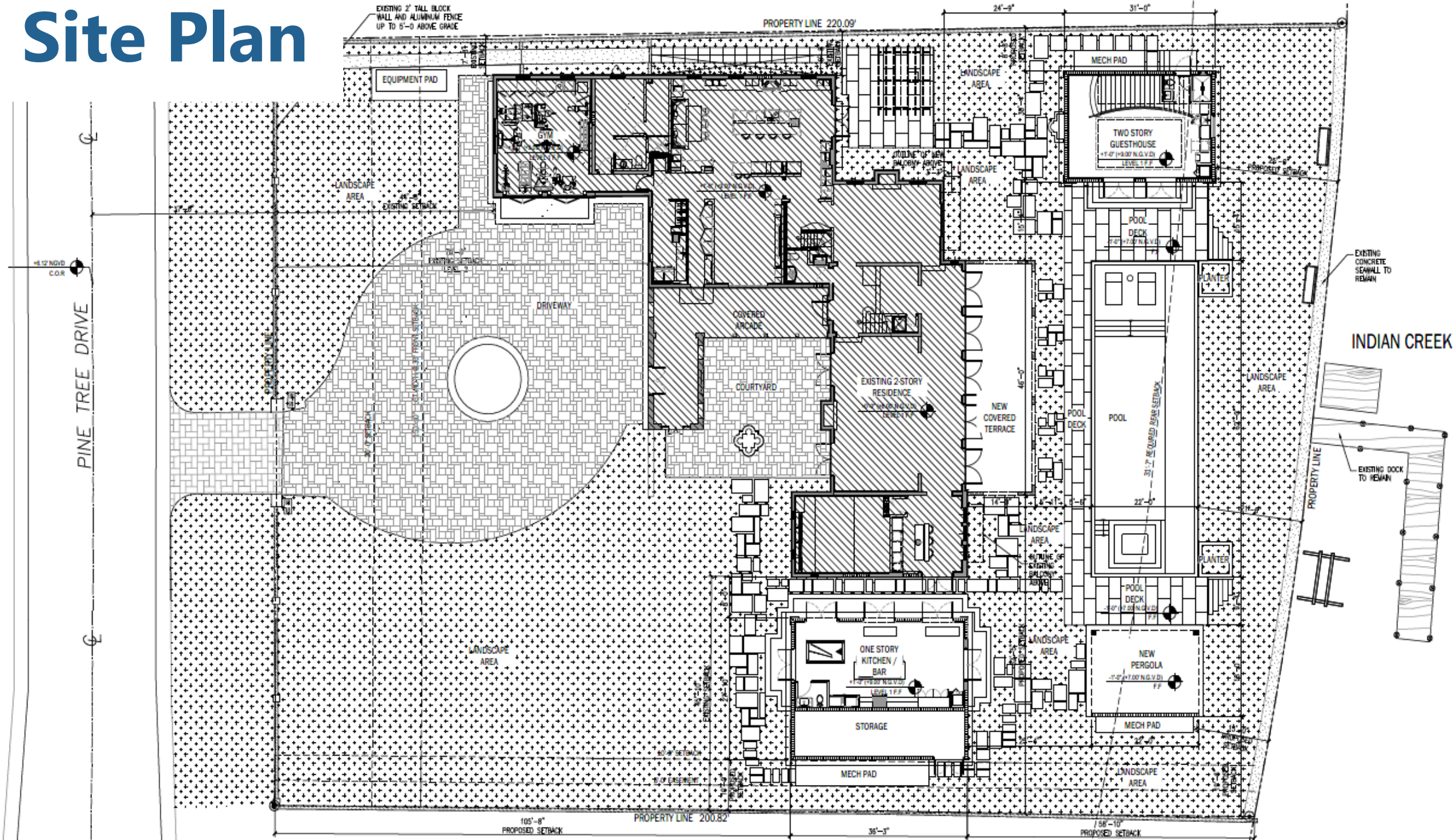


# Survey



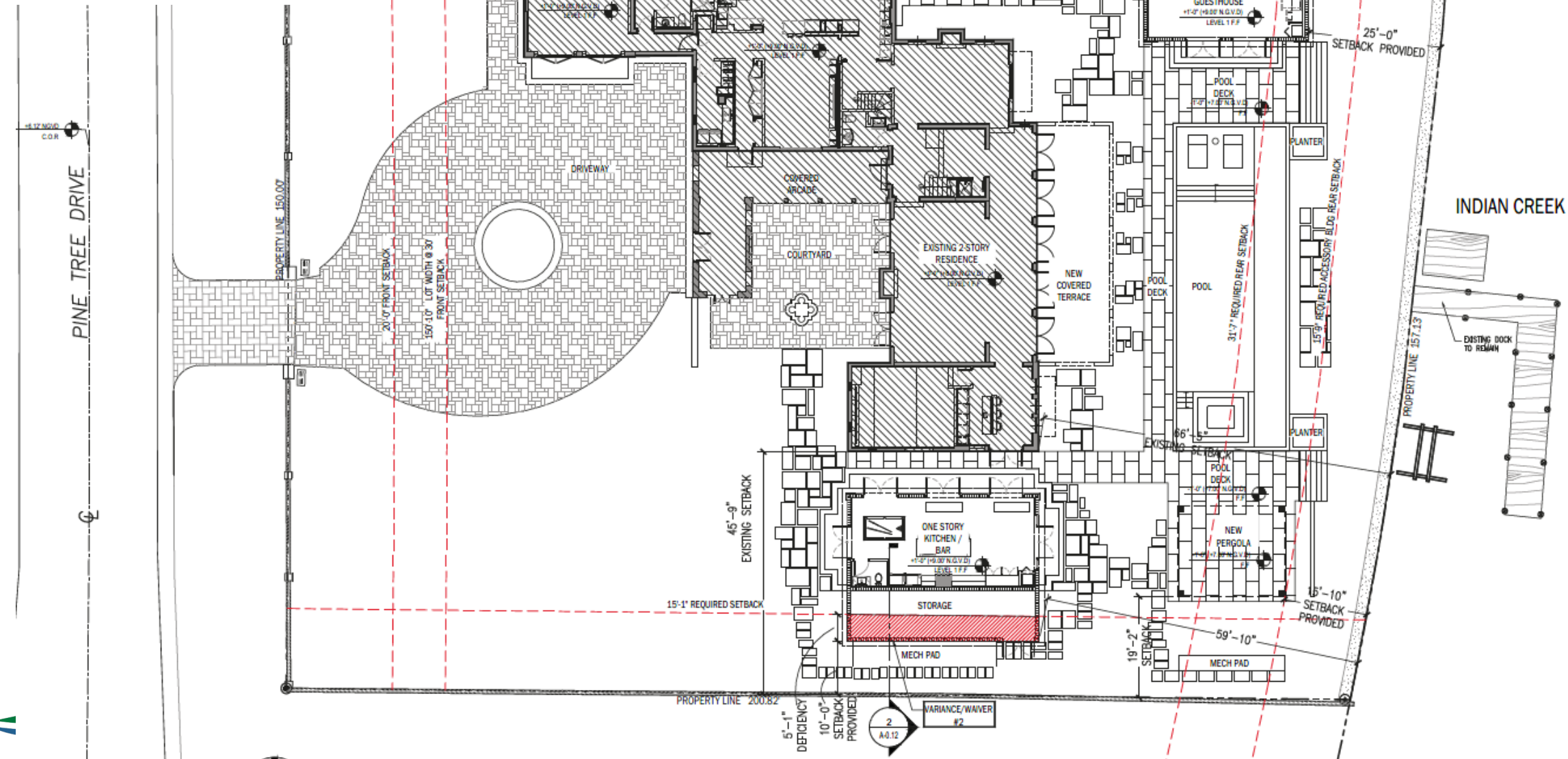


# Site Plan



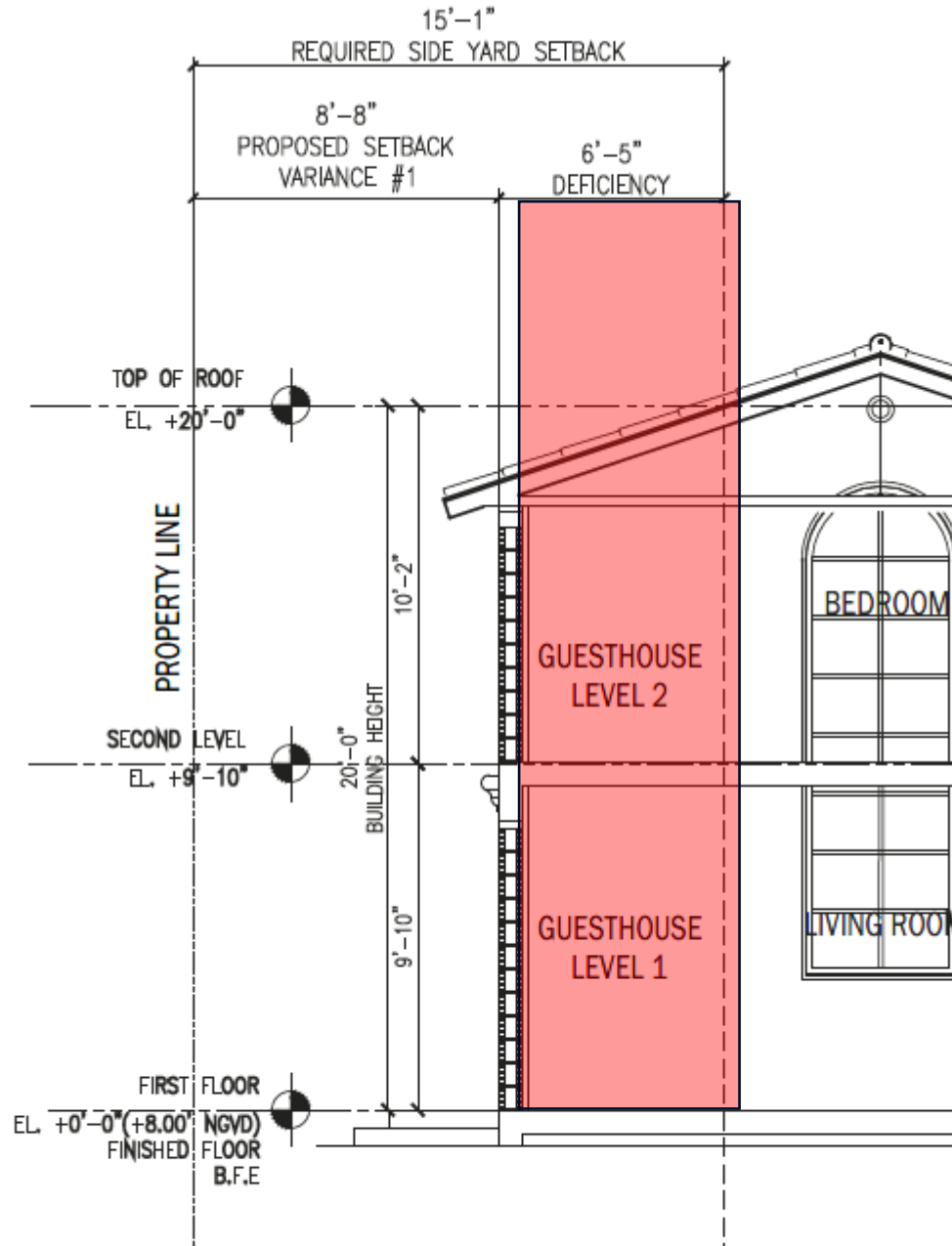
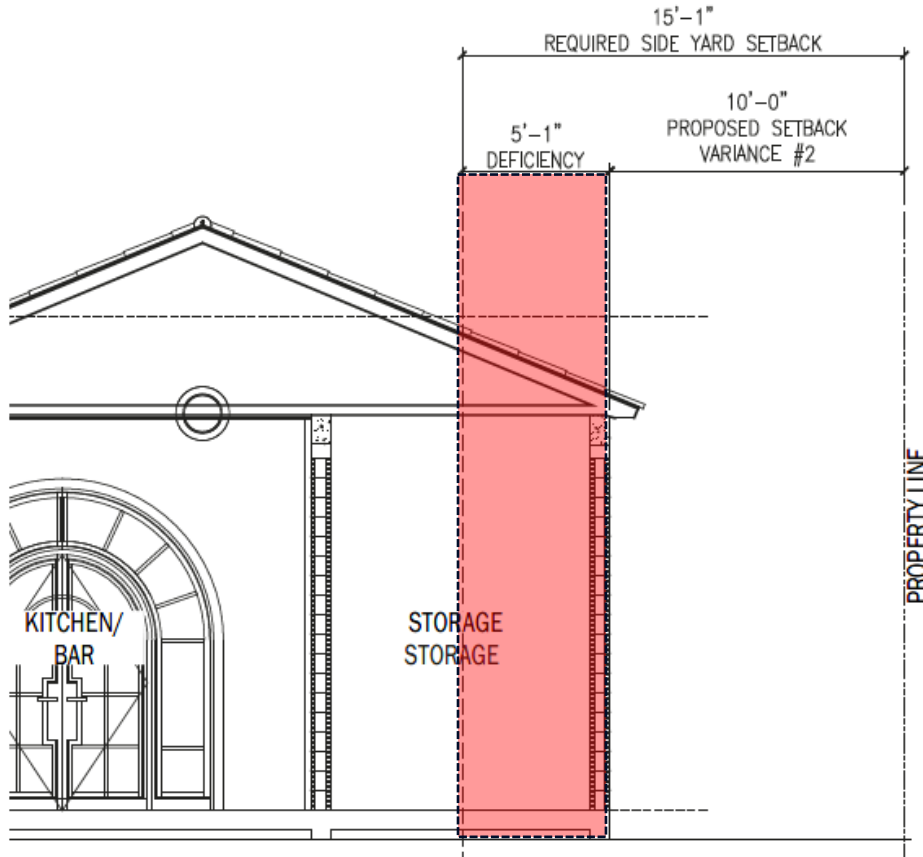


# Variance Diagram





# Variance Diagram



GUESTHOUSE ELEVATION DIAGRAM #1

## VARIANCE / WAIVER LIST

THE FOLLOWING ARE THE VARIANCES REQUESTED:

### VARIANCE #1-NORTH SIDE YARD:

REQUIRED SIDE YARD : 15'-1"  
SETBACKS

PROPOSED SETBACK: 8'-8"

DEFICIENCY: 6'-5"

-SEE NORTH YARD GUESTHOUSE ELEVATION DIAGRAM #1 ON THIS SHEET

### VARIANCE #2-SOUTH SIDE YARD:

REQUIRED SIDE YARD : 15'-1"  
SETBACKS

PROPOSED SETBACK: 10'-0"

DEFICIENCY: 5'-1"

-SEE SOUTH YARD GUESTHOUSE ELEVATION DIAGRAM #2 ON THIS SHEET

### VARIANCE #3-SUM OF SIDE YARDS:

MIN REQUIRED SUM OF  
SIDE YARD SETBACKS : 37'-8"  
(25% OF LOT WIDTH)

PROPOSED SUM OF  
SIDE YARDS: 18'-8"

DEFICIENCY: 19'-0"  
(12.6%)



# Variance Justifications

- Preservation of an architectural significant home
- Accessory structures permitted at 5' interior side setback if attached additions
- Minimum variances needed for double lot
  - Match the existing north setback
  - Maintaining front setback
  - Openness of rear yard and preserve waterfront views
- Below lot coverage and unit size



# Neighbor Support

Andrew Schultz	5835 PINE TREE DR
Tracey Hunter	5801 PINE TREE DR





# Thank You

Team available for  
Questions

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

[www.brzoninglaw.com](http://www.brzoninglaw.com)

305.374.5300 office  
305.377.6222 fax  
[Info@brzoninglaw.com](mailto:Info@brzoninglaw.com)



# Historic Records

BUILDING PERMITS: #47600 Addition of Pool 20' x 50' W. C. Gorman, architect: Polk Pools, Inc., contractor \$ 4 500 May 24, 1955

#52886 George Shell: Interior painting- \$250.00- March 27, 1957

#57667 The Keyes Co: For Sale Sign - \$5.00 - Oct. 23, 1958

#65087 Sears, Roebuck & Co.: 2 - 1 h.p. window unit air conditioners - June 12, 1961 (\$400.)

#71136 Owner, Robert Becker: Interior painting - \$800. - 2/24/64

#71243 Owner, Baker: Paint and repair wall - \$100. - 3/18/64

#71421 Sears Roebuck & Co.: 2 - 2 hp wall units air cond. - \$800. - 4/20/64

#71500 Morgen Plumbing Co.: Install kitchen cabinets - \$500. - 4/30/64

#07064-Keyes Co.-For Sale Sign-#815-3-26-75

#07563-Keyes Co.-For Sale Sign-7-8-75

#17067-Bill Tripp- Chain link fence 4 x 128-\$603.32-11-14-79

PLUMBING PERMITS: #37730 Stolpmann Plumbing: two gas heaters Jan. 16, 1956 OK, Rothman 1/16/1956

#38815 Giffen Industries, Inc.: One Solar Water Heater - 180 Gal. Tank: Dec. 12, 1956

#44247 Morgen Plumbing: 1 sink, replace, 1 dish washing machine, replace 4/30/64 (Eldg. Permit #71500)

#53431-Brooks American Sprinkler-repair lawn sprinkler system-2-18-76

OK, Meginniss 7/25/1956

ELECTRICAL PERMIT #44852 Tri City Electric Co. Inc: 2 Switch outlets, 2 light outlets, 2 fixtures, 1 center, 1 motor, June 21, 1955

#60883 C. J. Kay Elec. Co.: 6 fixtures, lamps; 2 motors, 2-5 hp; 1 appliance outlet; 1 cent. of dist. - 4/30/64

#65220 Landers Elect. Co.: 1 service-equip., violation 200 A (repull service wires) - 11/8/67

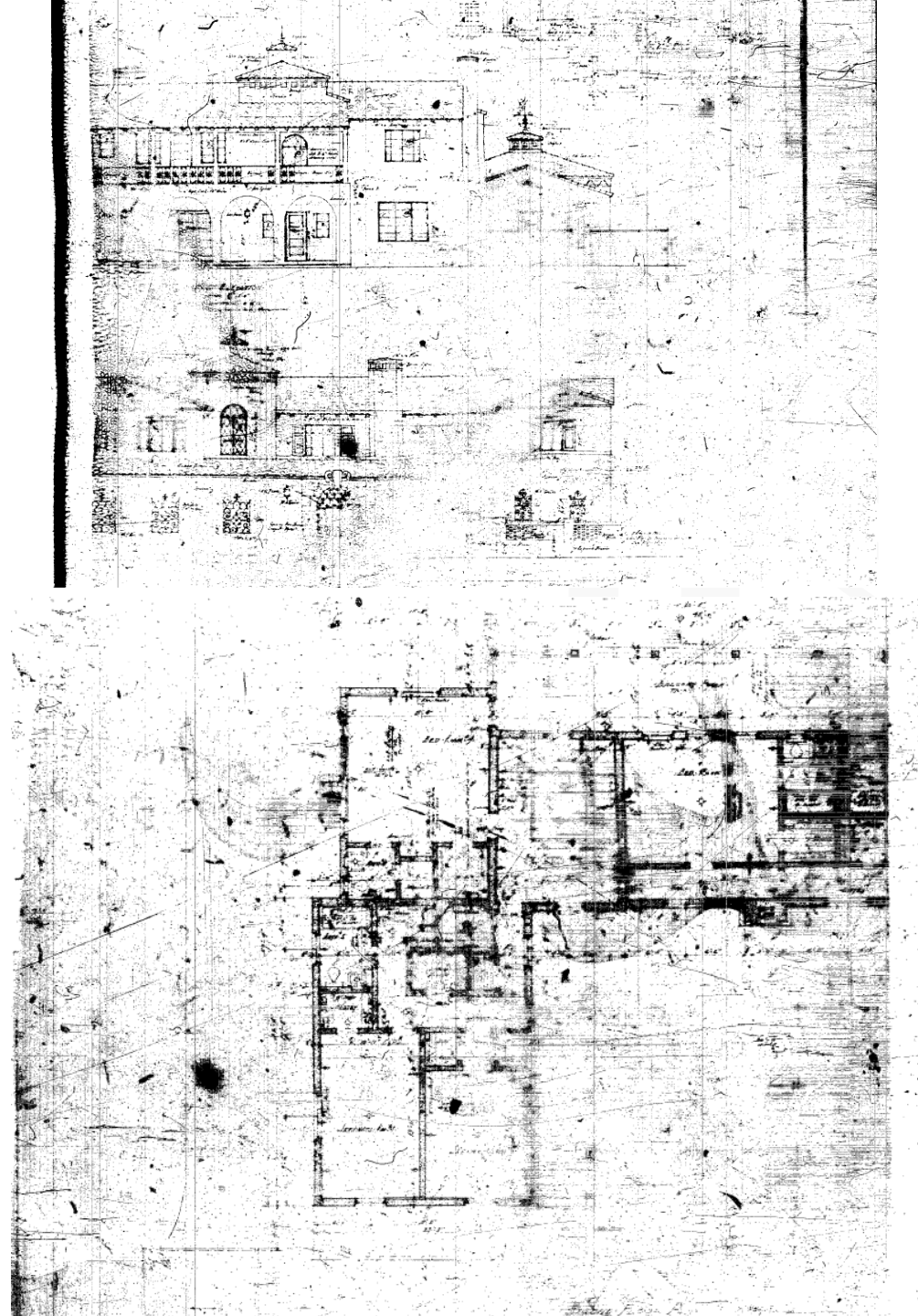
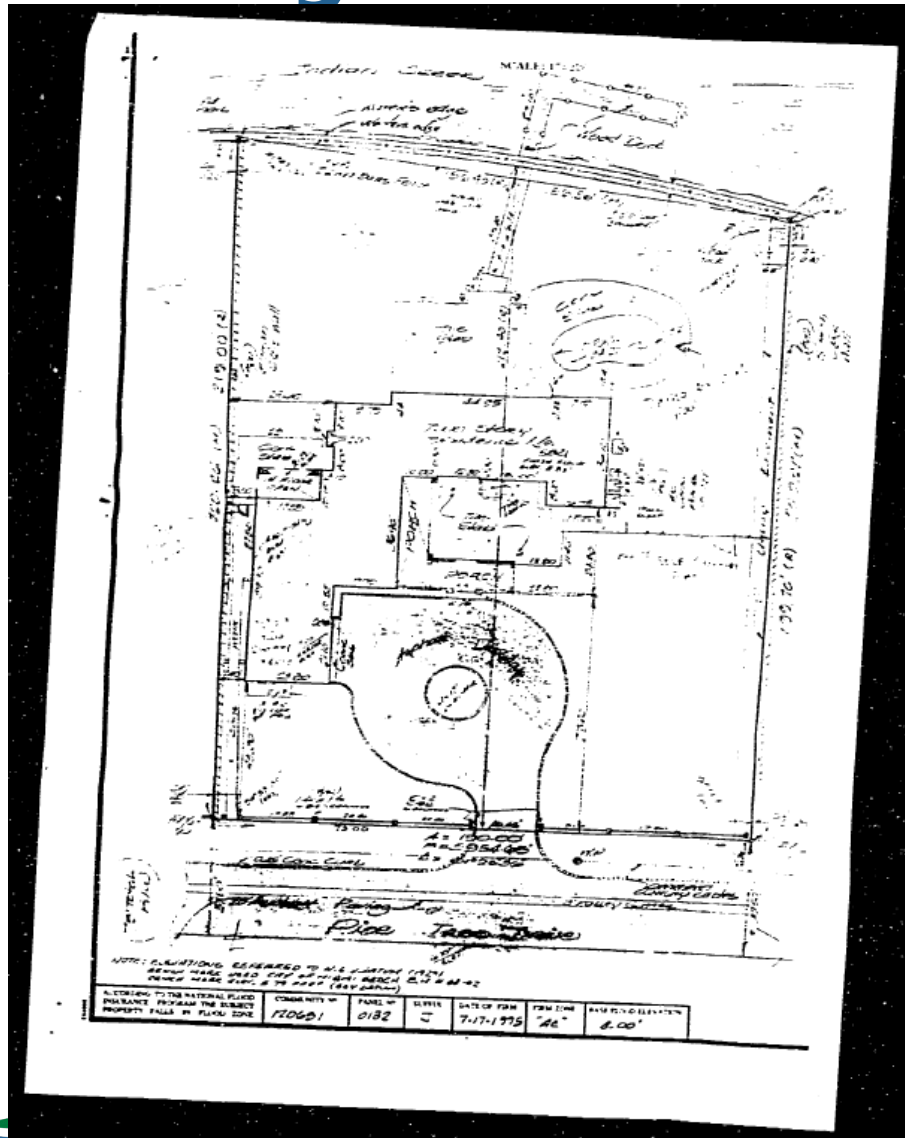


Owner	JAMES T. WILSON	Mailing Address	Permit No.	7220
Lot	11&12 Block 3	Subdivision	Beach View Addn No. 5821	Street Pinetree Dr. Date Aug. 13-1935
General Contractor	Berry & Son	Address	16206	5821
Architect	John & Coulton Skinner	Address		
Front 98	Depth 96	Height 26	Stories	Use Residence & Garage
Type of construction	conc. pile & Cement Blocks	Cost	\$32,000.00	Foundation concrete pile Roof Tile
Plumbing Contractor	Orr	# 8428	Address	Date Spt. 25-1935
No. fixtures	22	Gas 3	Rough approved by	Date
Plumbing Contractor			Address	Date
No. fixtures set			Final approved by	Date
Sewer connection	1	Septic tank	Make	Date
Electrical Contractor	Lowrey Electric Co.	5706	Address	Date Oct. 18-1935
No. outlets	Heaters 1	Stoves 1	Motors 2	Fans 2
Receptacles	101	9 space heaters		Temporary service
Rough approved by			Date	
Electrical Contractor	Lowry Electric Company	#6224	Address	Date Jan. 18-1936
No. fixtures set	40		Final approved by	Date
Date of service	January 22-1936			
Alterations or repairs	#8161: Wall and Dock; Berry & Son, contractor.	\$1,500.00	Date	Apr. 17-1936
# 19573 -	LeVigne -Repairs -	August 6, 1943		
Electrical # 20372...	Astor Electric :	1 motor...	July 20, 1944	
ELECTRICAL # 39378	Lyon Electric:	1 Motor,	May 11, 1953	OK, H. Rosser, 6-25-53
# 41247	Astor Electric Service, Inc:	1 Appliance outlet,	Jan. 19, 1954	

See over

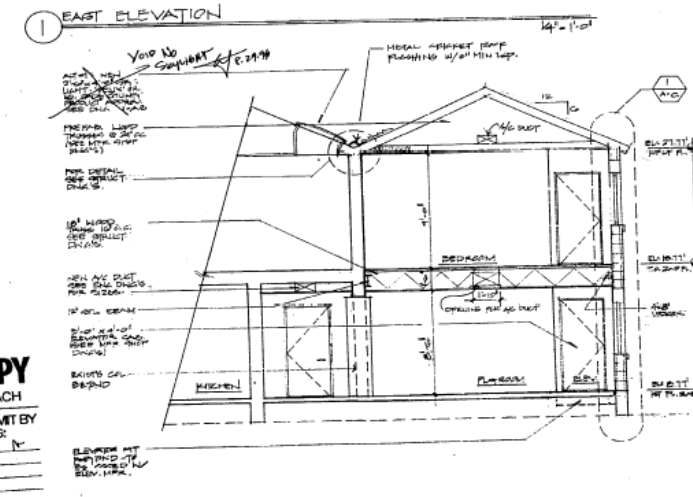
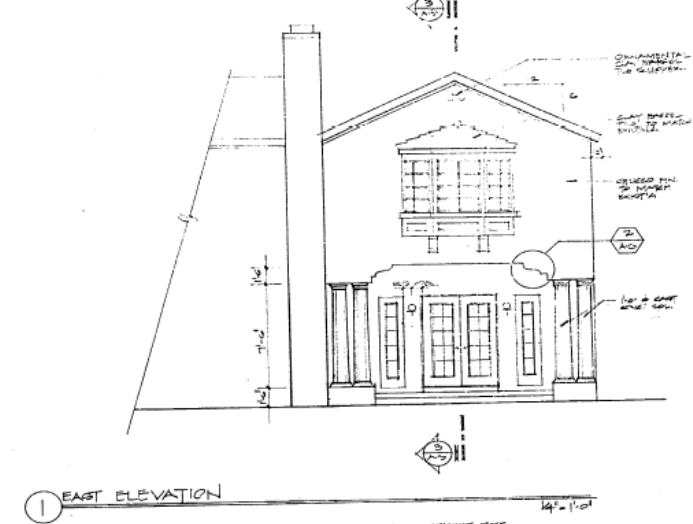
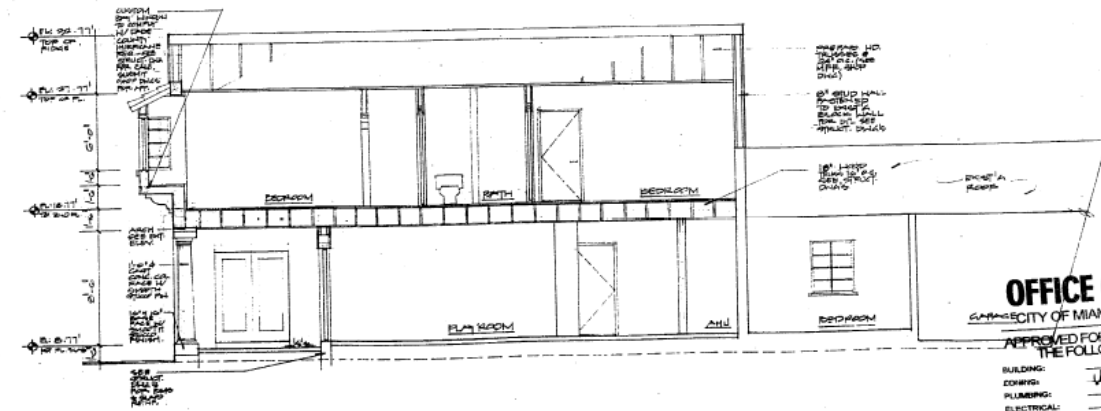
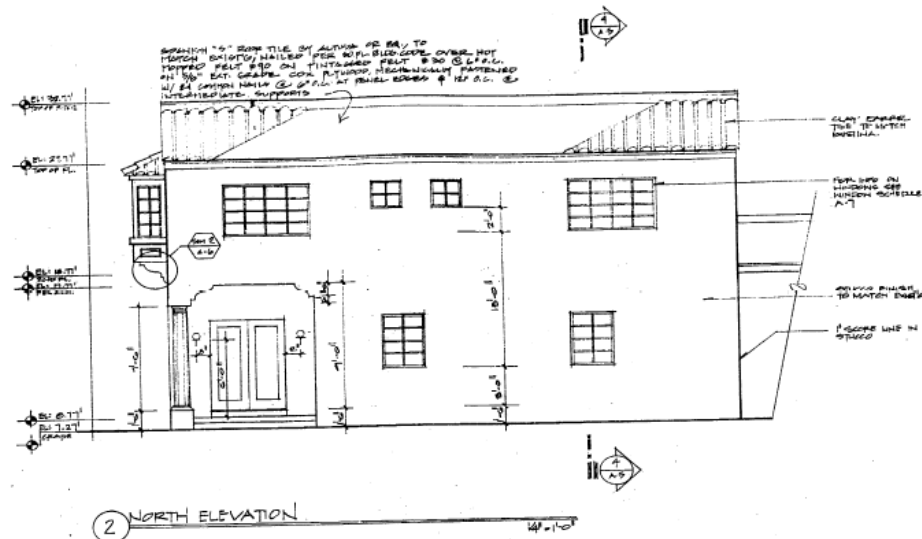


# Building Records





# Building Records Continued



GRAR & SINKOVIC ARCHITECT-AS-INTD  
MIAMI BEACH, FL 33131  
305.674.1323 FAX 305.674.1624

RENOVATION TO  
SHIVER RESIDENCE  
6801 PRINCE DRIVE MIAMI BCH.

DESIGN BY  
APPROVED  
REVISIONS  
DATE 7.26.90  
PROJECT 2.7.90

COPY NO.

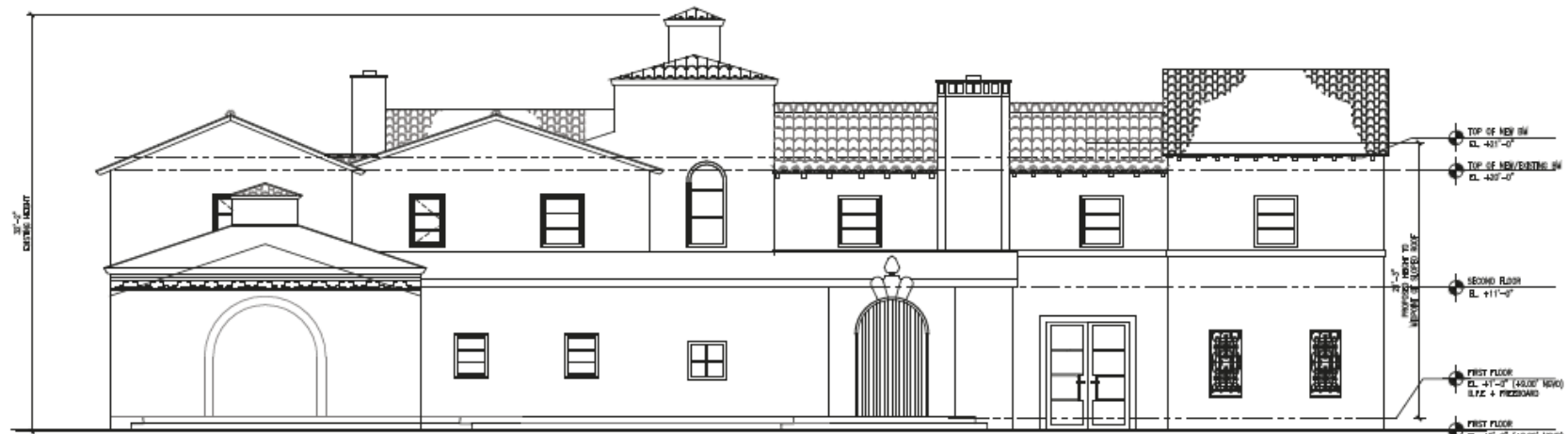


# Elevation East- West



EAST ELEVATION

3/16" = 1'-0"



WEST ELEVATION

3/16" = 1'-0"



ROOF TILES



STUCCO FINISH



EXISTING METAL RAILING



EXISTING WINDOWS  
ALL NEW FINISHES TO MATCH EXISTING FINISHES SHOWN ABOVE



# Elevation North South



SOUTH ELEVATION

3/16" = 1'-0"

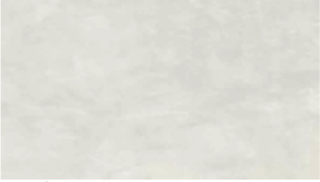


NORTH ELEVATION

3/16" = 1'-0"



ROOF TILES



STUCCO FINISH



EXISTING METAL RAILING



EXISTING WINDOWS

ALL NEW FINISHES TO MATCH EXISTING FINISHES SHOWN ABOVE



# Context Elevation—with neighbors

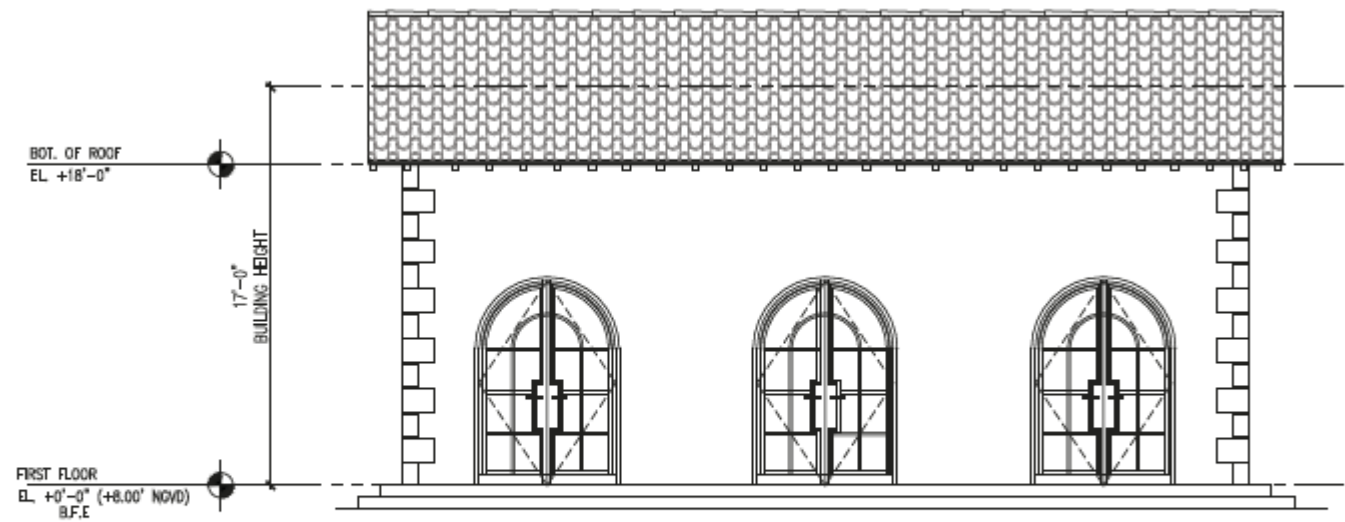


WEST ELEVATION W/ NEIGHBORING PROPERTIES

3/32" = 1'-0"

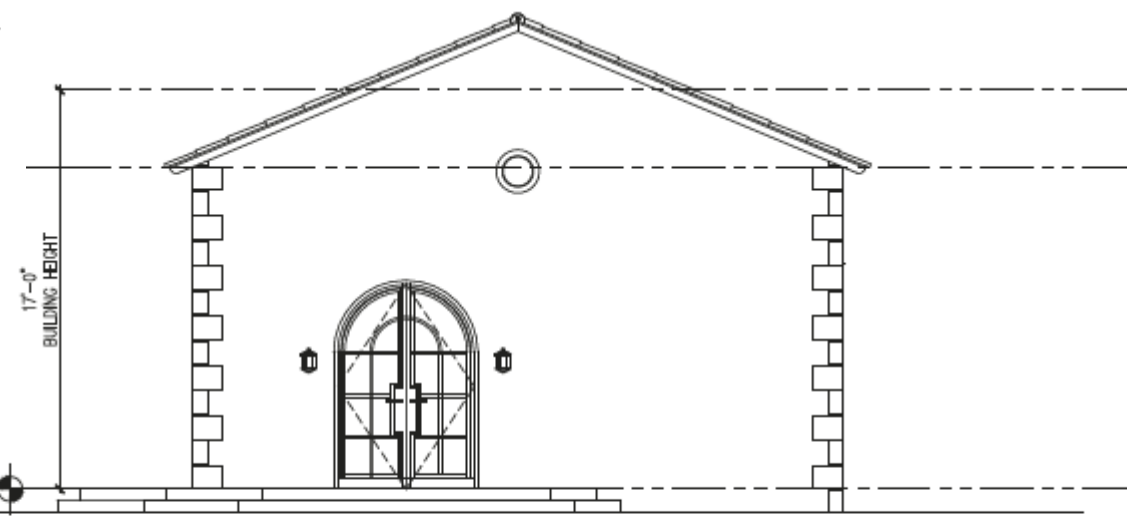


# Context Elevation—kitchen and bar



NORTH ELEVATION

3/16" = 1'-0"

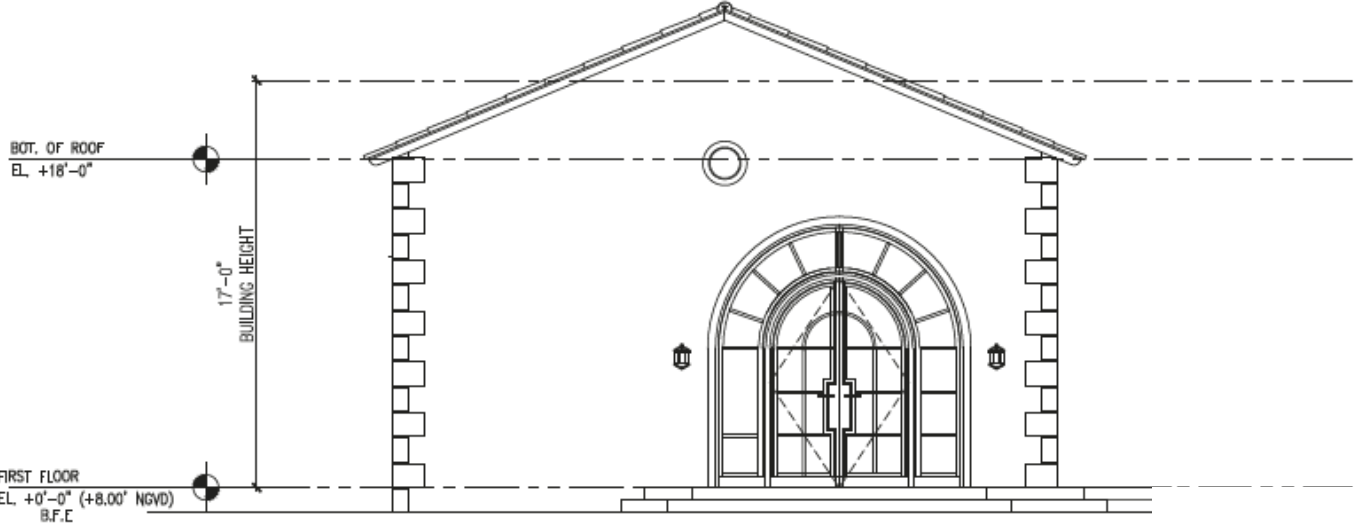


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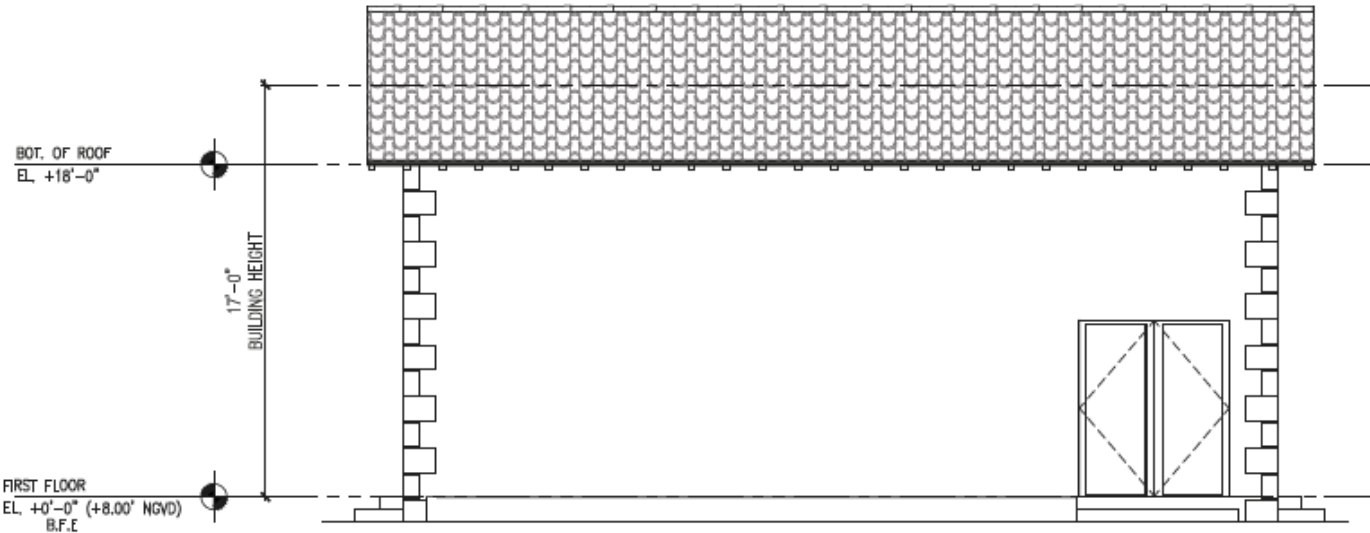


# Context Elevation—kitchen and bar



EAST ELEVATION

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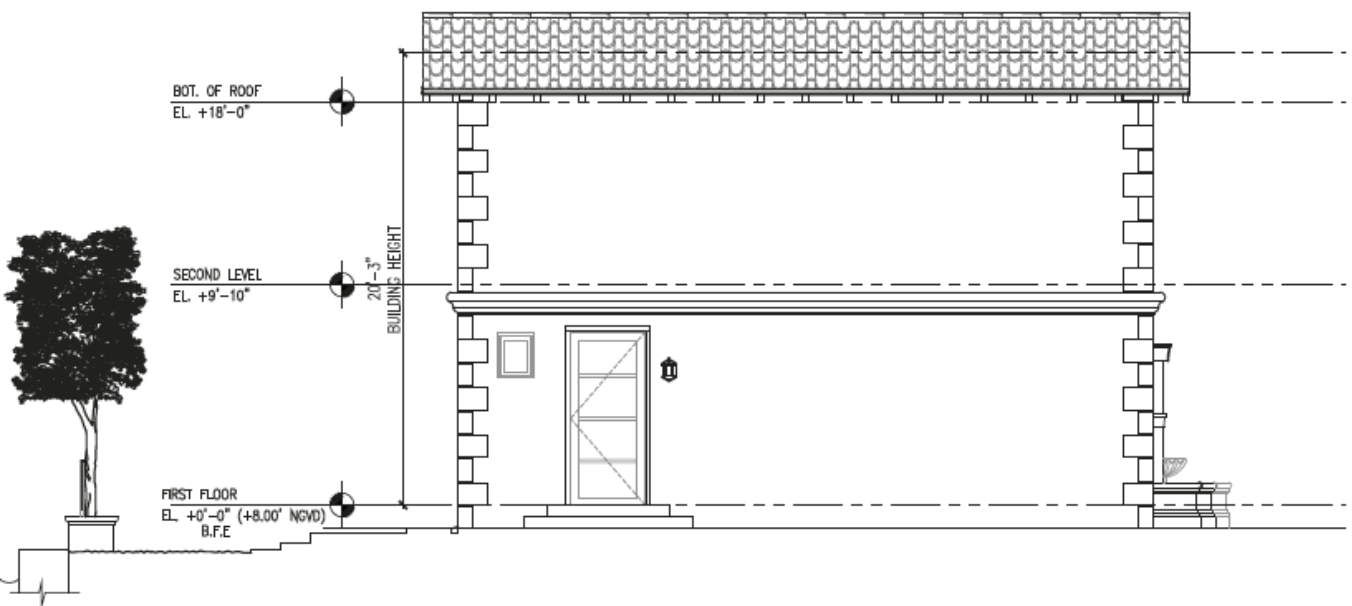


SOUTH ELEVATION

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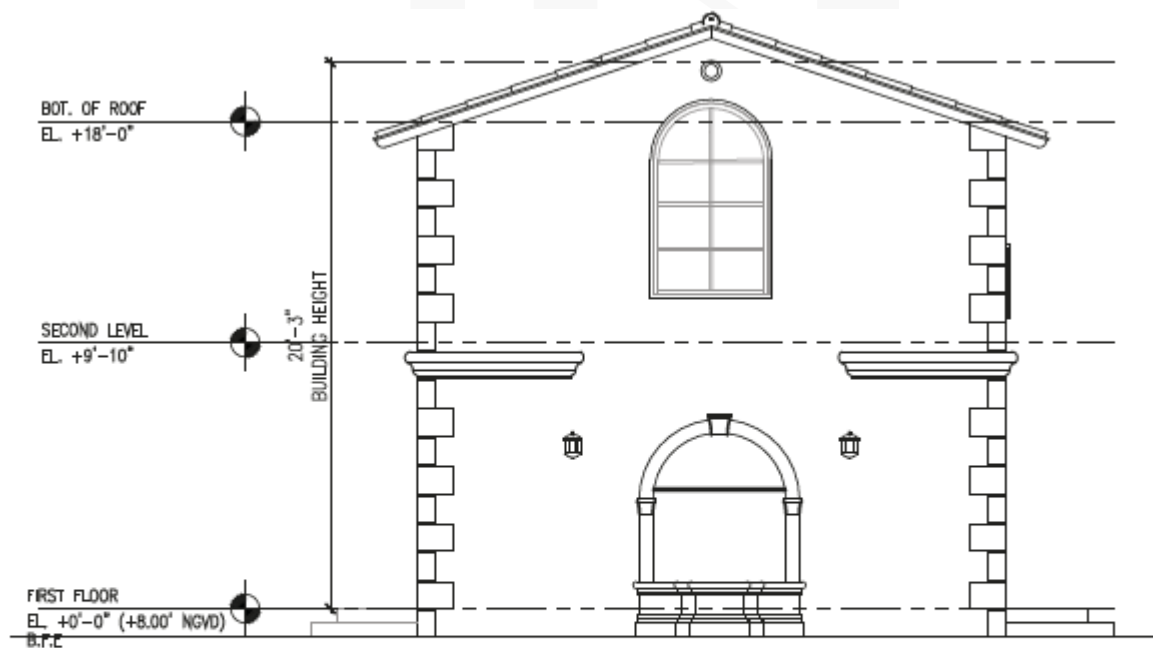


# Context Elevation—guest house



NORTH ELEVATION

3/16" = 1'-0"

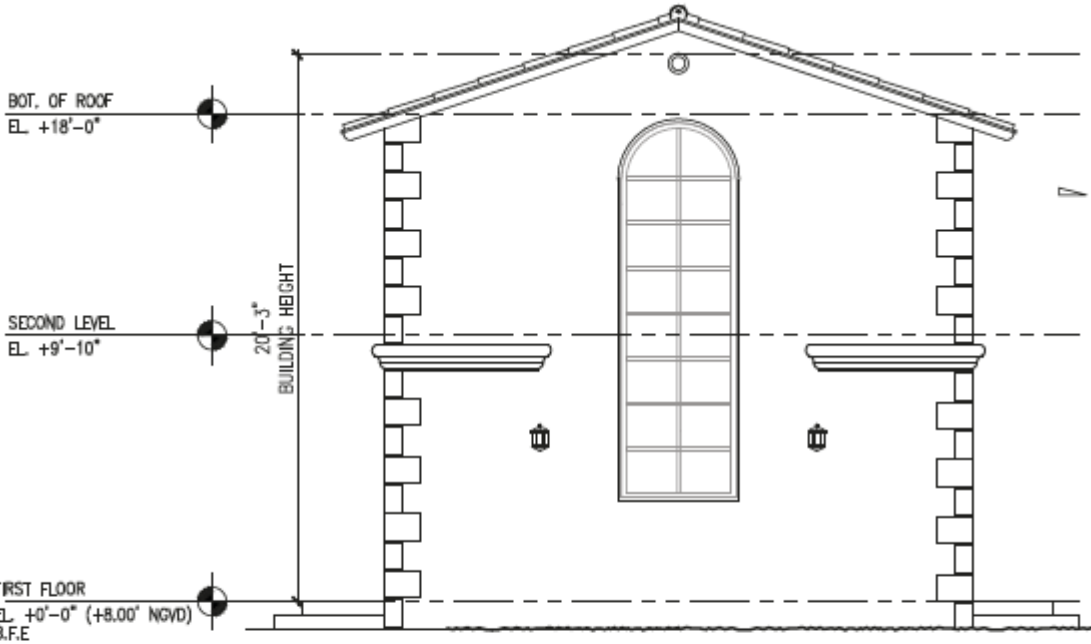


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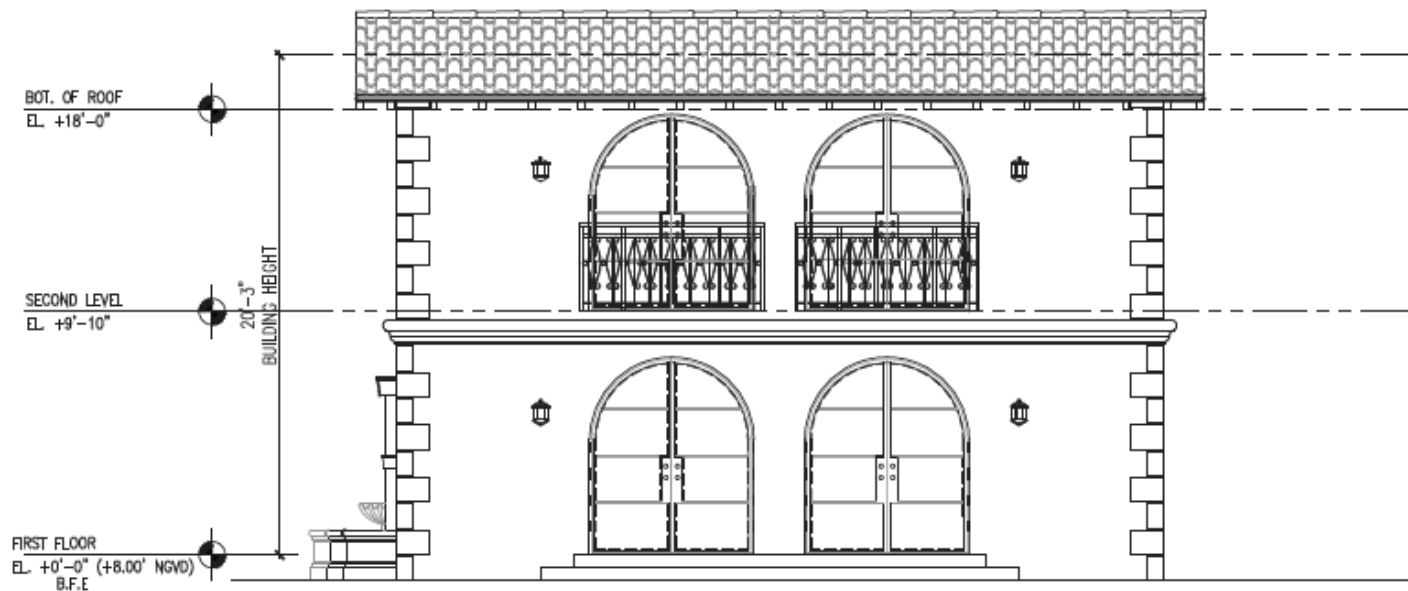


# Context Elevation—guest house



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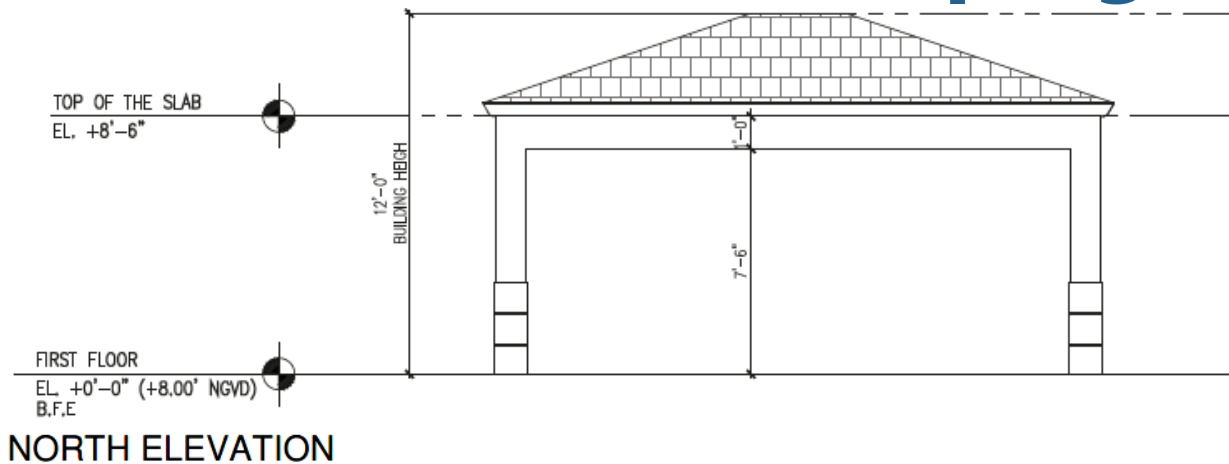


SOUTH ELEVATION

3/16" = 1'-0"

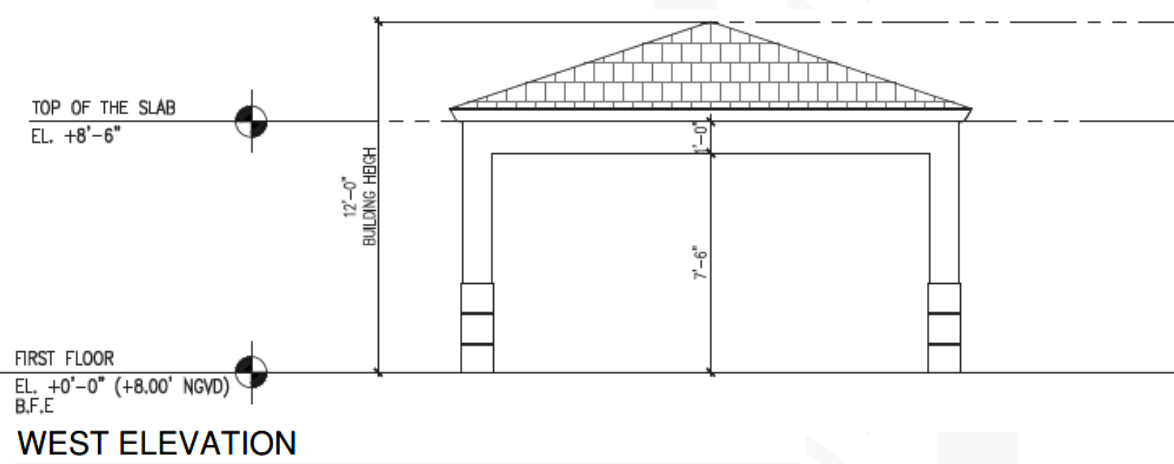


# Context Elevation—pergola



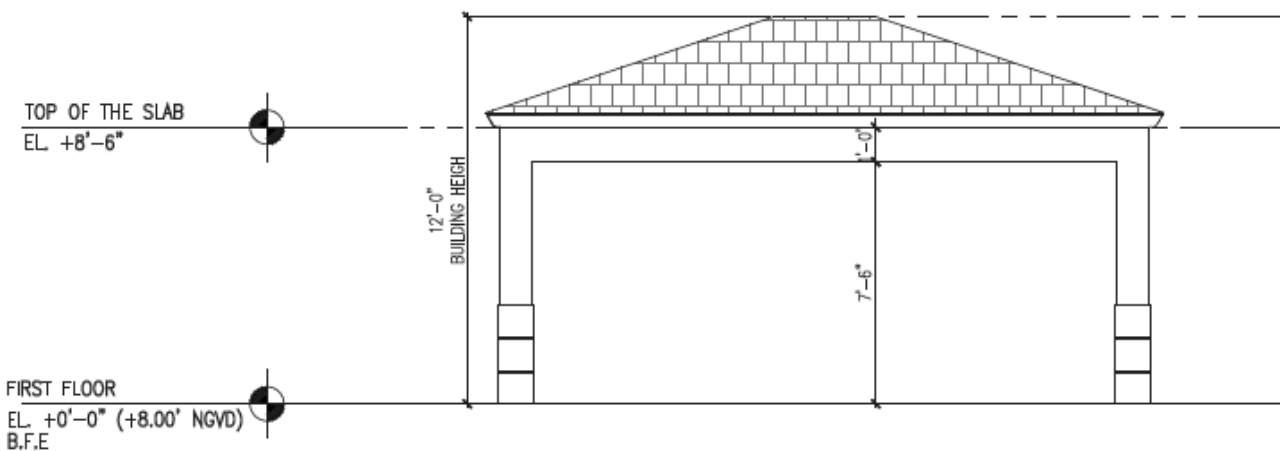
NORTH ELEVATION

3/16" = 1'-0"



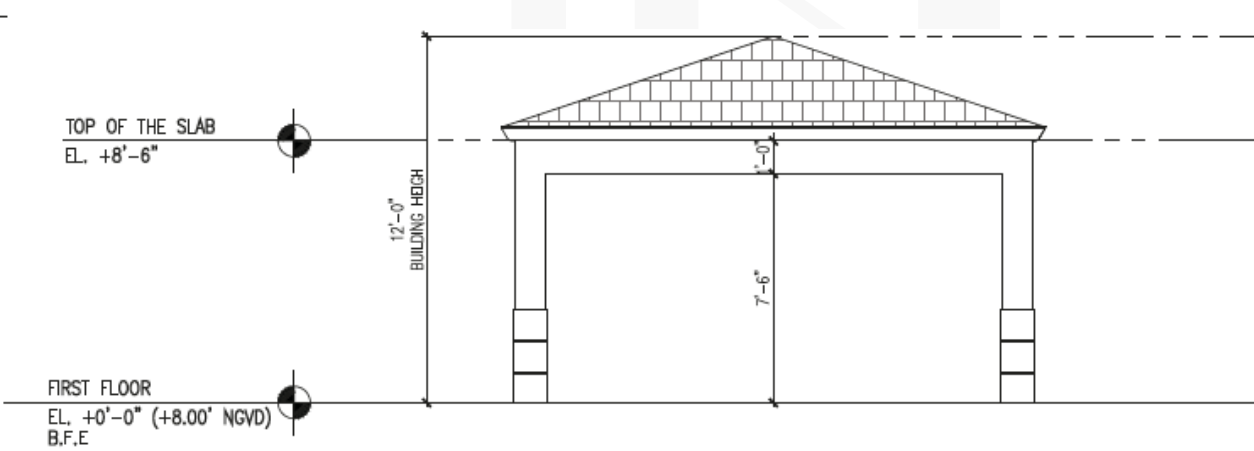
WEST ELEVATION

3/16" = 1'-0"



SOUTH ELEVATION

3/16" = 1'-0"



EAST ELEVATION

3/16" = 1'-0"

