



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

August 4, 2024

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

RE: **HPB24-0615** Certificate of Appropriateness for a
Replacement Single-Family Home Located at
1818 Michigan Avenue, Miami Beach, Florida

Dear Ms. Tackett,

This firm represents IRRS 1818 Michigan LLC (the "Applicant"), owner of property located at 1818 Michigan Avenue (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 the design of a new single-family home and variances to replace a demolished home pursuant to Historic Preservation Board File No. HPB24-0613.

Property Description. The Property is an irregular shaped lot 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. 02-3234-004-0140. See Exhibit A, Property Appraiser Summary Report. The Property is located in the RS-4 Single Family Residential District and 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 notes that the Property had exceptional historical significance. The Property was designed by Schultze and Weaver in 1925. From 1930 to 1940, portrait painter Henry Salem Hubbell inhabited the Venetian-style canal-front home.

Proposed Project. The Applicant proposes to construct an exquisitely designed, two-story residence that is significantly inspired by the prior exceptional structure (the "Project"). Prior to demolition, the Applicant studied and documented what was left of the contributing structure and conducted extensive building record research. Important factors in the Palm View Historic District, such as massing, roof shape, rhythm of openings, and placement on the lot, have been deeply considered for the proposed new home. The purposeful location and layout of the home, with varying projections, cut-outs, window shapes, balconies, and overhangs, substantially mirrors the movement of the prior home. The Project's materiality will highlight the amazing architectural features and moments. The design includes removing the various additions throughout the years, based on aerial views, as well as a new garage in the front of the home, and pool and pool deck in the rear yard.

Compliance with Certificate of Appropriateness Criteria. The Project satisfies the applicable criteria for new construction in a local historic district. The design, scale, and massing of the new home more closely complies with the Palm View Historic District and remains sensitive to and compatible with the surrounding area, which contains similar newly constructed homes. Examination of architectural drawings for consistency with the certificate of appropriateness criteria includes aesthetics, appearances, 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 Project provides a beautiful new home that appropriately relates to the prior structure and the neighborhood.

Variance Requests. The Project substantially complies with the Single-Family Residential District standards. The requested variances are related to the irregular shape of the lot, the abutting canal, and the Applicant's goal to provide specific design features of the former picturesque home. Due to the Property's confining characteristics, the Applicant requests the following variances:

1. Section 7.2.2.3.b.1. to permit the main home front setback at 11'-10", the one-story garage at 5'-4", and elevated steps to the entrance at 0', when 30' is required for a new two-story single family home;
2. Section 7.2.2.3.b.1. to permit side setbacks for an accessory building, trellis and ornamental wall at 0', when a 15' side facing a waterway setback is required for accessory buildings;
3. Section 7.2.2.3.b.1. to permit sum of the side setbacks at 7'-11.5", when a 26.4' is required;
4. Section 7.2.2.3.b.1. to permit 43% lot coverage (4,212 square feet), when 30% is permitted (2,923 square feet); and
5. Section 7.2.2.3.b.1. to permit 37% (754 square feet) front yard pervious open space, when 50% (1,000 square feet) is required.

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;

There are special conditions and circumstances that exist which are peculiar to the land and buildings involved. The Property is an irregular, triangular shaped lot and immediately abuts the Collins Canal for over 200 feet. Additionally, the prior home was classified as contributing based on its original architect and prominent residents, and the design intent is to reimagine certain conditions and features of the prior home along the waterway. These circumstances are not applicable to any other lands or buildings.

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

The special circumstances, in this case, do not result from the actions of the Applicant. The Applicant is working to bring the Property into compliance and build a new home that incorporates the style and emotion of the prior contributing structure.

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 similar variances to accommodate sensitive development when neighbors are not impacted. The variances allow for the continuation of unique conditions that have existed since the prior home was originally constructed almost 100 years ago. The variances are not special privileges conferred to the Applicant, but are necessary based on the multiple confining conditions of the Property. The Code permits other similarly situated property owners to make similar requests to accommodate designs that contribute to the context of the neighborhood. Therefore, 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. The requested setback and lot coverage related variances will produce an enhanced design that is consistent with the character of the neighborhood and directly related to the prior contributing structure. The extreme triangular shape of the lot pushes the main massing towards the front and south of the Property. Therefore, strict compliance with the land development regulations would be an unnecessary and undue hardship on the Applicant.

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

The variances relate to the same special conditions that prevents strict compliance with the Code. Specifically, the variances all relate to the extreme triangular shape of the lot, the long side setback facing a canal, and the Applicant's goal to reimagine some of the iconic features of the prior contributing home. The encroachments are the minimum necessary to make reasonable use of the Property.

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; and

Granting of the variances will be in harmony with the general intent and purpose of these land development regulations and the Palm View Historic District. The Project is adequately addresses the sea level rise and resiliency criteria and is sensitive to the historic district. Granting of the variances is necessary to accomplish this goal. The variances will not be injurious to the area involved and will not be detrimental to the public welfare. The beautiful new home will improve the waterfront and the single-family neighborhood.

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 planning and zoning director may require applicants to submit documentation to support this requirement prior to the scheduling of a public hearing or any time prior to the board of adjustment voting on the applicant's request.

The purpose of the single-family residential district is to provide development opportunities for and to enhance the desirability and quality of existing and new single family residential development. The Project is consistent with this purpose. The Project

is also consistent with the intent of the Palm View Historic District to appropriately expand the City's design continuum.

Practical Difficulty. The exquisite design does the most possible to provide a functional and viable home. There are multiple practical difficulties that must be addressed in order to make practical use of the Property for a new single-family home, such as the extreme triangular shape of the lot, long canal frontage, and multiple design elements that are intended to honor the prior, iconic structure. The setback encroachments and slight increases in lot coverage follow or improve many of the prior encroachments, while also addressing sea level rise and resiliency.

The Project addresses the balance between authentic style of architecture of the and ensuring the new home meets the current Code regulations and living standards for the neighborhood.

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 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 sea 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. The Project incorporates passive design strategies, such as shading devises and natural ventilation, and significantly increases the vegetation on the Property.

Conclusion. Granting this Certificate of Appropriateness and variances will allow the development of a beautifully-designed, single-family home that will add much more value and safety to the surrounding neighborhood. The Project is 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.

Sincerely,



Michael Larkin

cc: Emily K. Balter, Esq.



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>