

MIAMI BEACH

PLANNING DEPARTMENT

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

March 30, 2015

Michael Davalos
Fortune International Realty
2666 Brickell Avenue
Miami, FL 33129

Subject: Request for Zoning Verification
8505 Harding Avenue; Folio No. 02-3202-005-0650
8521 Harding Avenue; Folio No. 02-3202-005-0640
Miami Beach, Florida

Dear Mr. Davalos:

This letter is in response to a request for zoning confirmation for the subject properties.

Please be advised that the subject properties are currently zoned **RM - 1, Residential - Multi Family, Low Intensity**. This district is designed for low intensity, low rise, single and multi-family residences.

In accordance with Section 142-152 of the Land Use Regulations of the Code of the City of Miami Beach, the main permitted uses include: single-family detached dwelling; townhomes; apartments; hotels, for properties fronting Harding Avenue or Collins Avenue, from the City Line on the north, to 73rd Street on the south; and bed and breakfast inn (pursuant to article V, division 7 of this chapter).

A hotel use may be permitted at both properties because they are located south of the City Line and north of 73rd Street and have frontage on Harding Ave.

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

Sincerely,



Thomas R. Mooney, AICP
Planning Director

Subdivision II. RM-1 Residential Multifamily Low Intensity

Sec. 142-151. Purpose.

The RM-1 residential multifamily, low density district is designed for low intensity, low rise, single-family and multiple-family residences.

(Ord. No. 89-2665, § 6-2(A)(1), eff. 10-1-89; Ord. No. 92-2786, eff. 7-19-92)

Sec. 142-152. Main permitted uses.

The main permitted uses in the RM-1 residential multifamily, low density district are single-family detached dwelling; townhomes; apartments; hotels, for properties fronting Harding Avenue or Collins Avenue, from the City Line on the north, to 73rd Street on the south; and bed and breakfast inn (pursuant to article V, division 7 of this chapter).

(Ord. No. 89-2665, § 6-2(A)(2), eff. 10-1-89; Ord. No. 92-2786, eff. 7-19-92; Ord. No. 95-3020, eff. 11-4-95; Ord. No. 2000-3257, § 1, 7-12-00)

Sec. 142-153. Conditional uses.

The conditional uses in the RM-1 residential multifamily, low density district are adult congregate living facility; day care facility; nursing home; religious institutions; private and public institutions; schools; and commercial or noncommercial parking lots and garages.

(Ord. No. 89-2665, § 6-2(A)(3), eff. 10-1-89; Ord. No. 92-2786, eff. 7-19-92)

Sec. 142-154. Accessory uses.

The accessory uses in the RM-1 residential multifamily, low density district are as required in article IV, division 2 of this chapter.

(Ord. No. 89-2665, § 6-2(A)(4), eff. 10-1-89; Ord. No. 92-2786, eff. 7-19-92)

Sec. 142-155. Development regulations and area requirements.

(a) The development regulations in the RM-1 residential multifamily, low density district are as follows:

- (1) Max. FAR: 1.25; west side of Collins Avenue between 76th and 79th Streets—1.4.
- (2) Public and private institutions: Lot area equal to or less than 15,000 sq. ft.—1.25; lot area greater than 15,000 sq. ft.—1.4
- (3) In the Flamingo Park Local Historic District, the following shall apply:
 - a. Notwithstanding the provisions of section 142-1161 of these land development regulations, roof-top additions shall not be permitted on any contributing building and any stairwell or elevator bulkhead shall meet the line-of-sight requirements of section 142-1161, but not to exceed allowable building heights. The historic preservation board reserves the right to re-classify the contributing status of any structure in the district, prior to rendering a decision on any application that may contemplate a rooftop addition.
 - b. Ground level additions shall be detached and separated from the main structure(s) on the site by a distance of at least ten feet. The historic preservation board may, on a case-by-case basis, allow a ground level addition to attach to the rear of an existing structure that has a flat roof and parapet, provided such addition does not exceed the

- height of the existing structure and that the attachment does not result in the demolition, obscuring or removal of any significant architectural features and/or finishes from the existing structure.
- c. The height of any ground level addition to an existing structure, whether attached or detached, shall be limited to one story, not to exceed 12 feet above the height of the main roof of the existing structure. In the event the existing structure is two stories in height or higher, the proposed addition shall not exceed a total of three stories and 35 feet.
 - d. Ground level additions, whether attached or detached, shall follow the established lines of the interior side setbacks of the main existing structure on the site. For the first two floors of the addition, any non-conforming interior side setback may be extended, provided the minimum interior and/or street side setback is five feet; the third floor of the addition, if permitted, shall meet the minimum side yard requirements. Notwithstanding the foregoing, the historic preservation board may, on a case-by-case basis, allow ground level additions to exceed one side of the established interior side setbacks of the main existing structure on the site, provided the sum of the interior side setbacks is a minimum of 15 feet.
 - e. No more than two contiguous lots may be aggregated for development purposes.
 - f. For any new construction or additions, whether attached or detached, on multiple or aggregated lots, a minimum building separation of ten feet at the center of the aggregated lots shall be required. The historic preservation board may, on a case-by-case basis, allow for a connection in the rear of the property, provided the depth of such connection does not exceed 25 percent of the lot depth and that the connection does not contain any parking spaces.
 - g. Only those portions of a contributing building that were not part of the original structure on site, or that have not acquired any type of architectural significance, as determined by staff or the historic preservation board, may be proposed to be demolished.
 - h. For contributing buildings or properties, no building or structure shall be permitted within an existing historic courtyard. For purposes of this subsection, an historic courtyard shall be defined as a grade level space, open to the sky, which is enclosed on at least two sides by an existing building or structure on the same property and is an established architectural or historic component of the site or building design by virtue of significant features and/or finishes, including, but not limited to, paving patterns, fountains, terraces, walkways or landscaping.
 - i. Each level of new construction or additions, whether attached or detached, shall have a maximum floor to floor height of 12 feet. The historic preservation board may, on a case-by-case basis, waive the maximum floor to floor height requirement and allow for loft or mezzanine space within the allowable volume of the building, provided the total floor area of any such loft space or mezzanine does not exceed one-third the total floor area in that room or story in which the loft space or mezzanine occurs.
 - j. Stairwell bulkheads shall not be permitted to extend above the maximum building height.
 - k. Elevator bulkheads extending above the main roofline of a building shall be required to meet the line-of-sight requirements set forth in section 142-1161 herein and such line-of-sight requirement cannot be waived by the historic preservation board.
 - l. If an alley exists, no front curb cut shall be permitted. If no alley exists, any curb-cut required shall not exceed 12 feet in width.
 - m. No variances from these provisions shall be granted.

(b) The lot area, lot width, unit size and building height requirements for the RM-1 residential multifamily, low density district are as follows:

Minimum Lot Area (Square Feet)	Minimum Lot Width (Feet)	Minimum Unit Size (Square Feet)	Average Unit Size (Square Feet)	Maximum Building Height (Feet)	Maximum Number of Stories
5,600	50	New construction—550 Non-elderly and elderly low and moderate income housing: See section 142-1183 Rehabilitated buildings—400	New construction—800 Non-elderly and elderly low and moderate income housing: See section 142-1183 Rehabilitated buildings—550	Historic district—40 Flamingo Park Local Historic District—35 (except as provided in section 142-1161) Otherwise—50	Historic district—4 Flamingo Park Local Historic District—3 (except as provided in section 142-1161) Otherwise—5

(Ord. No. 89-2665, § 6-2(B), eff. 10-1-89; Ord. No. 92-2853, eff. 6-26-93; Ord. No. 94-2965, eff. 12-31-94; Ord. No. 97-3097, § 2, 10-8-97; Ord. No. 98-3107, § 1, 1-21-98; Ord. No. 98-3149, § 1, 11-4-98; Ord. No. 98-3150, § 1, 11-4-98; Ord. No. 2005-3483, § 2, 5-18-05; Ord. No. 2006-3515, § 1, 5-10-06; Ord. No. 2006-3540, § 1, 10-11-06; Ord. No. 2011-3744, § 4, 10-19-11)

Sec. 142-156. Setback requirements.

(a) The setback requirements for the RM-1 residential multifamily, low density district are as follows:

	Front	Side, Interior	Side, Facing a Street	Rear
At-grade parking lot on the same lot except where (c) below is applicable	20 feet	5 feet, or 5% of lot width, whichever is greater	5 feet, or 5% of lot width, whichever is greater	Non-oceanfront lots—5 feet Oceanfront lots—50 feet from bulkhead line
Subterranean	20 feet	5 feet, or 5% of lot width, whichever is greater (0 feet if lot width is 50 feet or less)	5 feet, or 5% of lot width, whichever is greater	Non-oceanfront lots—0 feet Oceanfront lots—50 feet from bulkhead line
Pedestal	20 feet Except lots A and 1—30 of the Amended Plat Indian Beach Corporation Subdivision and lots 231-237 of the Amended Plat of First Ocean Front	Sum of the side yards shall equal 16% of lot width Minimum—7.5 feet or 8% of lot width, whichever is greater	Sum of the side yards shall equal 16% of lot width Minimum—7.5 feet or 8% of lot width,	Non-oceanfront lots—10% of lot depth Oceanfront lots—20% of lot depth, 50 feet from the bulkhead line

	Subdivision—50 feet		whichever is greater	whichever is greater
Tower	20 feet + 1 foot for every 1 foot increase in height above 50 feet, to a maximum of 50 feet, then shall remain constant. Except lots A and 1—30 of the Amended Plat Indian Beach Corporation Subdivision and lots 231—237 of the Amended Plat of First Ocean Front Subdivision—50 feet	The required pedestal setback plus 0.10 of the height of the tower portion of the building. The total required setback shall not exceed 50 feet	Sum of the side yards shall equal 16% of the lot width Minimum—7.5 feet or 8% of lot width, whichever is greater	Non-oceanfront lots—15% of lot depth Oceanfront lots—25% of lot depth, 75 feet minimum from the bulkhead line whichever is greater

(b) In the RM-1, residential district, all floors of a building containing parking spaces shall incorporate the following:

- (1) Residential uses at the first level along every facade facing a street, sidewalk or waterway. For properties not having access to an alley, the required residential space shall accommodate entrance and exit drives.
- (2) Residential uses above the first level along every facade facing a waterway.
- (3) For properties less than 60 feet in width, the total amount of residential space at the first level along a street side shall be determined by the design review or historic preservation board, as applicable. All facades above the first level, facing a street or sidewalk, shall include a substantial portion of residential uses; the total amount of residential space shall be determined by the design review or historic preservation board, as applicable, based upon their respective criteria.

(c) In cases where the city commission approves after public hearing a public-private parking agreement for a neighborhood based upon an approved street improvement plan, the minimum front yard setback for parking subject to the agreement shall be zero feet. The street improvement plan must be approved by the design review board if outside an historic district, or the historic preservation board if inside an historic district.

(Ord. No. 89-2665, §§ 6-2(C), 6-5, eff. 10-1-89; Ord. No. 90-2722, eff. 11-21-90; Ord. No. 91-2767, eff. 11-2-91; Ord. No. 93-2885, eff. 11-27-93; Ord. No. 98-3108, § 2, 1-21-98; Ord. No. 2004-3464, § 1, 11-10-04; Ord. No. 2006-3510, § 2, 3-8-06)

Secs. 142-157—142-180. Reserved.

e an historic district.

Williams, Steven - Planning

From: MICHAEL DAVALOS <michaeldavalos@mac.com>
Sent: Tuesday, March 24, 2015 10:31 AM
To: Williams, Steven - Planning
Subject: Re: Zoning letter for 7451 Harding Avenue

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Zoning Letter

I feel like the worlds largest ignoramus.

I gave you the address for the property we are currently selling. I was so busy I gave you the wrong address and I didn't even realize it. My sincerest apologies. I will pass by today with another check to order another letter for the right property which is below.

I need the exact same thing but for
8505 Harding Avenue - F# 02-3202-005-0650 *RM-1*
8521 Harding Avenue - F# 02-3202-005-0640 *RM-1*

Please let me know if there is anything additional you need from me and what the costs would be since it's two folios. I actually can still use the other letter to give to the buyer for that other property so it is not a complete waste for the other one.

Michael Davalos, P.A.

Sales Director
REALTOR

(786) 295-9568

Fortune International Realty
2666 Brickell Avenue
Miami, FL 33129

Have you heard of NoBe House?

www.nobehouse.com

On Mar 24, 2015, at 9:20 AM, Williams, Steven - Planning
<StevenWilliams2@miamibeachfl.gov> wrote:

Please see below and attached.