

## Collins Avenue Additions – Ground Level and Rooftop

Chapter 142

\* \* \*

Article II – District Regulations

\* \* \*

Division 13 – Mixed Use Entertainment (MXE) District

\* \* \*

Sec. 142-545. - Development regulations.

The development regulations in the MXE mixed use entertainment district are as follows:

Maximum Floor Area Ratio	Minimum Lot Area (Square Feet)	Minimum Lot Width (Feet)	Minimum Unit Size (Square Feet)	Average Unit Size (Square Feet)	Maximum Building Height (Feet)
All uses—2.0 Except convention hotel development (as set forth in section 142-841)—3.5	N/A	N/A	Existing structures: Apartment units—400 Non-elderly and elderly low and moderate income housing—400 Workforce housing—400 Hotel units—in a local historic district/site—200 Otherwise: 15%: 300—335 85%: 335+ New construction: Apartment units—550	Existing structures: Apartment units—550 Hotel units—N/A New construction: Apartment units—800 Hotel units—N/A	Architectural district: Oceanfront—150 Non-oceanfront—50 (except as provided in section 142-1161) All other areas—75 (except as provided in section 142-1161) Notwithstanding the above, the design review board or historic preservation board, in accordance with the applicable review criteria, may allow up to an additional five feet of height, as measured from the base flood elevation plus maximum

			Hotel units: 15%: 300—335 85%: 335+. Hotel units within rooftop additions to contributing structures in a historic district and individually designated historic buildings—200.		freeboard, to the top of the second floor slab.
--	--	--	---	--	--

\* \* \*

#### Article IV. Supplementary Regulations

\* \* \*

#### Division 5 – Height Regulations

#### Sec. 142-1161. - Height regulation exceptions.

For all districts, except RS-1, 2, 3 and 4 (single-family residential districts).

\* \* \*

#### (d) Rooftop and ground level additions.

- (1) *Restrictions.* There shall be no rooftop additions to existing structures in the following areas: oceanfront lots within the Miami Beach Architectural District in the RM-3 or CD-3 zoning districts; non-oceanfront lots fronting Ocean Drive in the MXE zoning district. No variance from this provision shall be granted.
- (2) *Additional regulations.* Existing structures within an historic district shall only be permitted to have habitable one-story rooftop additions (whether attached or detached), with a maximum floor to ceiling height of 12 feet except as hereinafter provided. No variance from this provision shall be granted. The additions shall not be visible when viewed at eye level (5'—6" from grade) from the opposite side of the adjacent right-of-way; for corner properties, said additions shall also not be visible when viewed at eye level from the diagonal corner at the opposite side of the right-of-way and from the opposite side of the side street right-of-way. Notwithstanding the foregoing, the line-of-

sight requirement may be modified as deemed appropriate by the historic preservation board based upon the following criteria: (i) the addition enhances the architectural contextual balance of the surrounding area; (ii) the addition is appropriate to the scale and architecture of the existing building; (iii) the addition maintains the architectural character of the existing building in an appropriate manner; and (iv) the addition minimizes the impact of existing mechanical equipment or other rooftop elements.

(3) Collins Avenue regulations in the MXE district. Existing contributing structures on the east side of Collins Avenue, within the MXE district shall be permitted to have habitable rooftop and /or ground level additions (whether attached or detached), with a maximum interior floor to ceiling height of 12 feet per floor, in accordance with the following

a. The additions shall not be visible when viewed at eye level (5'—6" from grade) from the opposite side of the adjacent right-of-way; for corner properties, such additions shall also not be visible when viewed at eye level from the diagonal corner at the opposite side of the right-of-way and from the opposite side of the side street right-of-way. Notwithstanding the foregoing, the line-of-sight requirement may be modified as deemed appropriate by the historic preservation board based upon the following criteria: (i) the addition enhances the architectural contextual balance of the surrounding area; (ii) the addition is appropriate to the scale and architecture of the existing building; (iii) the addition maintains the architectural character of the existing building in an appropriate manner; and (iv) the addition minimizes the impact of new and existing mechanical equipment and/or other rooftop elements.

b. The maximum height of a building with any addition may exceed 50 feet, but shall not exceed 75 feet, in accordance with the following:

1. The main use on the property shall be hotel; residential and commercial uses shall not be permitted as a main use.

2. The property shall contain at least one contributing building. Any contributing building shall be renovated in accordance with the Secretary of Interior's Standards for Rehabilitation, including public interior spaces and all guest rooms.

3. The building shall have central air conditioning or flush-mounted wall units; however, no air conditioning equipment may face a street.

4. All non-impact resistant windows and doors and doors shall be replaced with impact resistant windows and doors.

5. Any proposed building height in excess of 50 feet shall be at the discretion of the historic preservation board and shall not be visible when viewed from the east side of Ocean Drive.

6. All additions proposed pursuant to this subsection shall be evaluated in accordance with the Certificate of Appropriateness criteria in chapter 118 of these land development regulations, as well as the following: (i) the addition enhances the architectural contextual balance of the surrounding area; (ii) the addition is appropriate to the scale and architecture of the existing building; (iii) the addition maintains the architectural character of the existing building in an appropriate manner; and (iv) the addition minimizes the impact of existing mechanical equipment or other rooftop elements.

5. There shall be no variances from this provision.