

**PLANNING BOARD
CITY OF MIAMI BEACH, FLORIDA****PROPERTY:** 420 W 51st St**FILE NO:** PB21-0447, a.k.a. 1472**IN RE:** An application has been filed requesting modifications to a previously approved lot split. Specifically, the applicant is requesting modifications to the conditions of approval to modify the condition limiting the unit size to allow for permitting a new single-family home, pursuant to Chapter 118, Article VII of the City Code.**LEGAL****DESCRIPTION:** Lots 16 and 17, Block 31, LAKEVIEW SUBDIVISION PB 14-41 of the Public Records of Miami-Dade County, Florida.**MEETING DATE:** July 27, 2021 ~~February 27, 2021.~~**MODIFIED DIVISION OF LAND/LOT SPLIT
FINAL ORDER**

The applicant, Paul Bloch, filed an application with the Planning Department for modifications to a previously approved modified lot split order granted on February 27, 2001, pursuant to Article VII, "Division of Land/Lot Split" of the Land Development Regulations of the Code of the City of Miami Beach, Florida. Notice of the request was given as required by law and mailed out to owners of property within a distance of 375 feet of the exterior limits of the property, upon which the application was made. The original approval is attached as "Exhibit A" for reference. The conditions approved on April 7, 1988 are superseded as follows:

The Planning Board of the City of Miami Beach makes the following FINDINGS OF FACT, based upon the evidence, information, testimony and materials presented at the public hearing and which are part of the record for this matter:

That the lots that would be created are divided in such a manner that they are in compliance with the regulations of the land development regulations of the City code;

That the building site that would be created would be equal to the most common existing lot size, and of the same character as the surrounding area;

That the scale of any proposed new construction is compatible with the as-built character of the surrounding area;

That the building site that would be created is free of encroachments from abutting buildable sites;

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That the proposed lot split does not adversely affects architecturally significant or historic homes;

That the public health, safety, morals, and general welfare will not be adversely affected;

That necessary safeguards will be provided for the protection of surrounding property, persons, and neighborhood values if the following conditions are met.

IT IS THEREFORE ORDERED, based upon the foregoing findings of fact, the evidence, information, testimony and materials presented at the public hearing, which are part of the record for this matter, and the staff report and analysis, which is adopted herein, including the staff recommendations which were amended by the Board, that the Lot Split as requested and set forth above be GRANTED, subject to the following conditions to which the applicant has agreed:

1. The properties subject to this request for Division of Land/Lot Split shall not be subdivided any further.
2. All improvements (including accessory structure and walkways), except the tennis court and associated elements, which are presently existing on lot 17, and that portion of the existing dock that is sufficient to meet the required 7.5 feet side setback from lot 16, shall be removed or brought into compliance with the land development regulations at the time of issuance of a building permit for the construction of single-family dwelling on lot 17.
3. The single-family dwelling unit to be constructed on the building parcel created by this lot split on Lot 17 shall be limited to no more than 11,950 square feet of total unit size.
4. In the event a new residence is constructed on Lot 17, a minimum setback of fifteen (15) feet shall be maintained from the lot line of Lot 16.
5. No variances shall be permitted for new structures proposed to be constructed on either of the two resulting building parcels, except for variances related to retaining the tennis court and associated elements.
6. Individual underground utility connections, and individual water, sewer, electric, telephone and cable connections shall be provided. Additionally, payment of any applicable impact fees shall be provided. Lastly, the removal and replacement of necessary sections of the sidewalk, curb and gutter shall be provided. This condition shall apply to the new construction located on the lots created by this subdivision. The applicant shall be in full compliance with this condition prior to the issuance of a Certificate of Occupancy.
7. The subject properties shall not be further subdivided, unless said subdivision is consistent with the Land Development Regulations in effect at the time of the proposed subdivision.
8. This Order shall be recorded in the public records of Miami-Miami-Dade County at the expense of the applicant.
9. This Final Order shall be recorded in the Public Records of Miami-Dade County at the applicant's expense. No building permit shall be issued until this requirement has been satisfied.


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- 10. This order is not severable, and if any provision or condition hereof is held void or unconstitutional in a final decision by a court of competent jurisdiction, the order shall be returned to the board for reconsideration as to whether the order meets the criteria for approval absent the stricken provision or condition, and/or it is appropriate to modify the remaining conditions or impose new conditions.
- 11. Nothing in this order authorizes a violation of the City Code or other applicable law, nor allows a relaxation of any requirement or standard set forth in the City Code.
- 12. The applicant shall abide by the "Construction Management Conditions," attached to this Order as Exhibit "A," that were proffered and submitted into the record at the time of the public hearing.
- 13. Any two-story structures shall be set back a minimum of 126 feet from the front of the property.

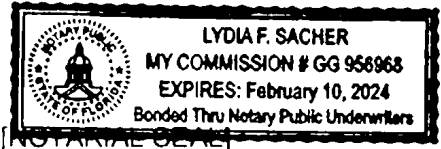
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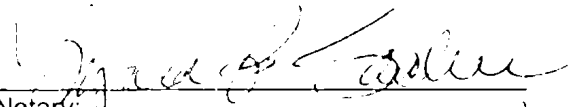
PLANNING BOARD OF THE
CITY OF MIAMI BEACH, FLORIDA

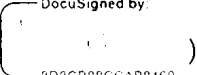
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 BY: _____
 Rogelio Madan, AICP
 Chief of Chief of Community Planning & Sustainability
 FOR THE CHAIRMAN

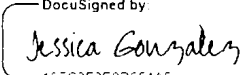
STATE OF FLORIDA)
)
 COUNTY OF MIAMI-DADE)

The foregoing instrument was acknowledged before me this 15th day of August, 2021, by Rogelio Madan, Chief of Community Planning & Sustainability for the City of Miami Beach, Florida, a Florida Municipal Corporation, on behalf of the corporation. He is personally known to me.




 Notary:
 Print Name: Lydia F. Sacher
 Notary Public, State of Florida
 My Commission Expires: February 10, 2024
 Commission Number: GG958968

Approved As To Form:
 Legal Department 8/15/2021 | 11:35 AM EDT ()
 DocuSigned by:
 eD8CB88CCAB8460

Filed with the Clerk of the Planning Board on 8/20/2021 | 1:26 PM EDT ()
 DocuSigned by:
 Jessica Gonzalez
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