

# **93 PALM AVENUE SINGLE-FAMILY RESIDENCE DESIGNATION REPORT**



*Aerial photograph of 93 Palm Avenue, Associated Press, 1931*

**PREPARED BY**

**CITY OF MIAMI BEACH PLANNING DEPARTMENT**

**MAY 10, 2022**

**CITY OF MIAMI BEACH**  
**HISTORIC SITE DESIGNATION REPORT**  
**93 PALM AVENUE**

**PREPARED BY**

City of Miami Beach Planning Department

**MIAMI BEACH CITY COMMISSION**

Dan Gelber, Mayor

Commissioners:

Kristen Rosen Gonzalez

Mark Samuelian

Alex J. Fernandez

Steven Meiner

Ricky Arriola

David Richardson

Alina T. Hudak, City Manager

**CITY OF MIAMI BEACH HISTORIC PRESERVATION BOARD**

Ricardo Lopez, Chair  
Ray Breslin  
Barry Klein  
Nancy Liebman  
Kirk Paskal  
Stuart Reed  
Laura Weinstein-Berman

**CITY OF MIAMI BEACH PLANNING BOARD**

Kareem Brantley, Chair  
Tanya Bhatt  
Yechiel Ciment  
Gayle Durham  
Brian Elias  
Jonathan Freidin  
Nick Gelpi

**CITY OF MIAMI BEACH PLANNING DEPARTMENT**

**AUTHORS**

Debbie Tackett, Historic Preservation & Architecture Officer  
Jake Seiberling, Principal Planner

**EDITORS**

Thomas R. Mooney, AICP, Director  
Debbie Tackett, Historic Preservation & Architecture Officer  
Jake Seiberling, Principal Planner

**REPORT DESIGN AND PRODUCTION**

Debbie Tackett, Historic Preservation & Architecture Officer  
Jake Seiberling, Principal Planner

**CITY OF MIAMI BEACH**  
**HISTORIC SITE DESIGNATION REPORT**  
**93 PALM AVENUE**

**TABLE OF CONTENTS**

I. REQUEST .....5

II. DESIGNATION PROCESS .....5

III. RELATION TO ORDINANCE CRITERIA .....6

IV. DESCRIPTION OF BOUNDARIES .....9

V. PRESENT OWNERS.....9

VI. PRESENT USE .....9

VII. PRESENT ZONING .....9

VIII. HISTORICAL BACKGROUND ..... 10

IX. ARCHITECTURAL BACKGROUND..... 14

X. BOUNDARY MAP ..... 17

XI. ZONING MAP ..... 18

XII. PLANNING DEPARTMENT RECOMMENDATIONS..... 19

XIII. CURRENT PHOTOGRAPHS ..... 20

## **I. REQUEST**

On September 13, 2021, the Historic Preservation Board directed the Planning Department to prepare a Preliminary Evaluation and Recommendation Report relative to the possible designation of 93 Palm Avenue as a local historic site.

On January 11, 2022, the Historic Preservation Board reviewed a Preliminary Evaluation and Recommendation Report relative to the possible designation of 93 Palm Avenue and directed staff to prepare a Formal Designation Report.

Pursuant to Section 118-591 of the City Code, on January 13, 2022 the City Commission was advised of the action of the Historic Preservation Board via LTC 018-2022.

## **II. DESIGNATION PROCESS**

The process of historic designation is delineated in Sections 118-591 through 118-593 in Subpart B of the Land Development Regulations of the City Code (Chapter 118, Article X, Division 4). An outline of this process is delineated below.

Step One: A request for designation is made either by the City Commission, the Historic Preservation Board, other agencies and organizations as listed in the Land Development Regulations of the City Code, or the property owners involved. Proposals for designation shall include a completed application form available from the Planning Department.

Step Two: The Planning Department prepares a preliminary evaluation report with recommendations for consideration by the Board.

Step Three: The Historic Preservation Board considers the preliminary evaluation to determine if proceeding with a designation report is warranted. The designation report is an historical and architectural analysis of the proposed district or site. The report:

- 1) describes the historic, architectural and/or archeological significance of the property or subject area proposed for Historical Site or District designation;
- 2) recommends Evaluation Guidelines to be used by the Board to evaluate the appropriateness and compatibility of proposed Developments affecting the designated Site or District; and
- 3) will serve as an attachment to the Land Development Regulations of the City Code.

Step Four: The City Commission is notified of the Board's decision and the initial boundaries proposed for designation. Within 60 days of the vote of the Historic Preservation Board to direct the Planning Department to prepare a designation report, the City

Commission may, by a five-sevenths vote, deny or modify the proposed request for designation.

Step Five: The designation report is presented to the Historic Preservation Board at a public hearing. If the Board determines that the proposed site or district satisfies the requirements for designation as set forth in the Land Development Regulations of the City Code, the Board transmits a recommendation in favor of designation to the Planning Board and City Commission.

Step Six: The Planning Board will hold a public hearing on the proposed designation, and shall consider the proposed historic designation as an amendment to the Land Development Regulations of the City Code and, subsequently, transmit its recommendation to the City Commission.

Step Seven: The City Commission may adopt an amendment to the Land Development Regulations of the City Code by a five-sevenths majority vote, which thereby designates the Historic Preservation Site or Historic District after one (1) public hearing for a parcel of land less than ten (10) contiguous acres or after two (2) public hearings for a parcel of land that is more than ten (10) contiguous acres.

### **III. RELATION TO ORDINANCE CRITERIA**

1. In accordance with Section 118-592 in the Land Development Regulations of the City Code, eligibility for designation is determined on the basis of compliance with the listed criteria set forth below.

(a) The Historic Preservation Board shall have the authority to recommend that properties be designated as historic buildings, historic structures, historic improvements, historic landscape features, historic interiors (architecturally significant public portions only), historic sites or historic districts if they are significant in the historical, architectural, cultural, aesthetic or archeological heritage of the city, the county, state or nation. Such properties shall possess an integrity of location, design, setting, materials, workmanship, feeling or association and meet at least one (1) of the following criteria:

- (1) Association with events that have made a significant contribution to the history of the city, the county, state or nation;
- (2) Association with the lives of persons significant in the city's past history;
- (3) Embody the distinctive characteristics of an historical period, architectural or design style or method of construction;
- (4) Possesses high artistic values;

- (5) Represent the work of a master, serve as an outstanding or representative work of a master designer, architect or builder who contributed to our historical, aesthetic or architectural heritage;
  - (6) Have yielded, or are likely to yield information important in pre-history or history;
  - (7) Be listed in the National Register of Historic Places;
  - (8) Consist of a geographically definable area that possesses a significant concentration of sites, buildings or structures united by historically significant past events or aesthetically by plan or physical development, whose components may lack individual distinction.
- (b) A building, structure (including the public portions of the interior), improvement or landscape feature may be designated historic even if it has been altered if the alteration is reversible and the most significant architectural elements are intact and repairable.
- (c) The historic preservation board shall consider if the historic buildings, historic structures, historic improvements, historic landscape features, historic interiors (architecturally significant public portions only), historic sites, or historic districts comply with the sea level rise and resiliency review criteria in chapter 133, article II, as applicable.
2. As indicated in the Preliminary Evaluation provided to the Historic Preservation Board on January 11, 2022, staff recommended that the proposal for designation not move forward. The Board did not reach the same conclusion and directed staff to prepare an historic designation report.

In light of the direction of the Board, staff has re-evaluated whether the proposed 93 Palm Avenue Historic Site is eligible for historic designation. In this regard, staff finds that the proposed 93 Palm Avenue Historic Site possess minimum integrity of location, design, setting, materials, workmanship, feeling or association. Specifically, the architecture that is primarily visible from the street and waterway is consistent with single family homes of the period.

Additionally, the proposed Historic Site appears to comply with the following criteria specified in Section 118-592 in the Land Development Regulations of the City Code outlined above.

**(a) The Historic Preservation Board shall have the authority to recommend that properties be designated as historic buildings, historic structures, historic improvements, historic landscape features, historic interiors (architecturally significant public portions only),**

**historic sites or historic districts if they are significant in the historical, architectural, cultural, aesthetic or archeological heritage of the city, the county, state or nation. Such properties shall possess an integrity of location, design, setting, materials, workmanship, feeling or association and meet at least one (1) of the following criteria:**

(2) **Association with the lives of persons significant in the city's past history.**

The home located at 93 Palm Avenue was constructed for Clarence M. Busch, president of the Biscayne Bay Islands Company, the developer of Palm and Hibiscus Islands in the early 1920s. Busch's association with the property however, is limited his development of the property for resale. The home is predominantly associated with the notorious gangster Al Capone who purchased the house in 1928. In 1931 Capone was convicted of income tax evasion, although it is generally accepted that he was involved with the murder of dozens if not hundreds of people during his lifetime. He was sentenced to 10 years in federal prison but, was released in 1939 and quickly returned to his home on Palm Island. Capone would live in the home until his death in 1947.

(3) **Embody the distinctive characteristics of a historical period, architectural or design style or method of construction.**

Although modest in detailing, the home located at 93 Palm Avenue embodies some distinctive characteristics common to early 1920s architecture in Miami Beach.

(b) **A building, structure (including the public portions of the interior), improvement or landscape feature may be designated historic even if it has been altered if the alteration is reversible and the most significant architectural elements are intact and repairable.**

The structure has been modified including the elimination or alteration of significant architectural elements however, the original form of the home remains relatively intact.

3. The historic preservation board shall consider if the historic buildings, historic structures, historic improvements, historic landscape features, historic interiors (architecturally significant public portions only), historic sites, or historic districts comply with the sea level rise and resiliency review criteria in Chapter 133, Article II, as applicable, pursuant to Section 118-592.

(a) Criteria for ordinances, resolutions, or recommendations:

(1) **Whether the proposal affects an area that is vulnerable to the impacts of sea level rise, pursuant to adopted projections.**

This proposal affects an area that is highly vulnerable to the impacts of sea level rise. The home is located on a site that is at an elevation ranging from approximately 2.5' NGVD to 5.1' NGVD. The first-floor elevation is noted as 6.46' NGVD. The current elevation requirement for habitable floor area is 10.0' NGVD.

At Mean High Water, Sea Level Rise is projected to be (NGVD Elevations):

- 2.31 to 2.64 by 2030 (near-term)
- 2.98 to 3.98 by 2060 (mid-term)
- 4.39 to 6.89 by 2100 (long-term)

(2) **Whether the proposal will increase the resiliency of the City with respect to sea level rise.**

In order for the proposal to increase the resiliency of the City, the first finish floor of the single-family home would need to be elevated more than 3'-6". Further due to the unique site conditions noted above, the yard elevation of the property would also be required to be significantly elevated. With currently available information, staff does not believe this proposal will increase the resiliency of the City with respect to sea level rise.

(3) **Whether the proposal is compatible with the City's sea level rise mitigation and resiliency efforts.**

As noted above, with currently available information, staff does not believe that the proposal is compatible with the City's sea level rise mitigation and resiliency efforts.

#### **IV. DESCRIPTION OF BOUNDARIES**

The proposed historic site is located at 93 Palm Avenue. (MAP 1)

#### **V. PRESENT OWNERS**

The present owner of the property is 93 Palm Residence LLC.

#### **VI. PRESENT USE**

Single-family home.

#### **VII. PRESENT ZONING**

The established zoning district within the boundaries of proposed historic site is RS-1, single-family residential. (MAP 2)

## VIII. HISTORICAL BACKGROUND

The construction of Palm Island was started in 1919 and completed in 1921 and was the first of a pair of man-made residential islands in the center of Biscayne Bay built and developed by the Biscayne Bay Islands Company. The islands were formed by dredging the bay bottom and depositing the overburden material inside a perimeter retaining wall defining the shape of the island. The second of this pair, Hibiscus Island, was started in 1921 and completed in 1924.<sup>1</sup> Palm and Hibiscus Islands were located conveniently accessible from Miami and Miami Beach via the Dade County Causeway (renamed the General Douglas MacArthur Causeway following World War II). They were linked to each other and to the County Causeway by Fountain Drive.

On June 10, 1922, the following article appeared in the Miami Herald entitled "Beautiful Home for Palm Island" announcing Mr. Busch's intention to develop the property at 93 Palm Avenue with a single-family residence.

THE MIAMI HERALD, FRIDAY, MARCH 1, 1918. PAGE NINE

### A REMARKABLE PROPOSITION AND A SAFE SOUND GUARANTEE BACK OF IT

**A GUARANTEED SAFE INVESTMENT**  
While you are waiting to make up your mind in regard to the purchase of a lot on Biscayne Bay Islands Company's Proposed Islands, your opportunity is rapidly passing. A large number of people are investigating this proposition and the more they look into it the better they like it.  
Several lots were sold yesterday. There are only fifty of these lots going to be sold and as the demand will far exceed the supply you will have to act with promptness if you expect to take advantage of this remarkable offer.  
The Fidelity Bank & Trust Company of Miami, Fla., has agreed to act as trustees for all the money that is paid in on the stock and lots and when the fifty lots have been sold to guarantee the purchasers the full completion of the development of this magnificent property.  
Keep in mind the fact that when you buy a lot from us you are really buying a completed lot, for you are buying a completed lot as our arrangements with the Fidelity Bank & Trust Company and our guarantee back of this proposition through the Fidelity Bank and Trust Co. absolutely insures you the full completion of all the improvements.

**WHAT MORE COULD ONE WISH or EXPECT**  
We are absolutely offering you a magnificent lot in a location that is superb, at a price which has never been duplicated before nor is it likely that you will ever again have such an opportunity to purchase such a lot at even the cost of the contained stock and the lot which we are offering you.  
You are getting an interest in the company which enables you to share in all the profits that will accrue from the sale, after the completion of the islands—of the remaining one hundred and fourteen lots—which, when sold, we predict will make your stock eventually worth not less than six thousand dollars—more than paying for both your stock and lot.  
If your stock does not make money, then we cannot make money, for you participate completely and absolutely in all the profits, thereby absolutely insuring you that we will expend every effort to make this property high-class, desirable and profitable.  
We sell you a key front lot 100x300 feet and \$2,500 worth of stock in our company for \$5,000.  
MIAMI BUSINESS MEN AND WEALTHY TOURISTS HAVE ALREADY MADE SELECTIONS OF A NUMBER OF THESE LOTS. PRACTICALLY HALF ARE GONE THE FIRST FEW DAYS OF SALE. ARE YOU GOING TO MISS THIS OPPORTUNITY? FOR FULL PARTICULARS WRITE OR CALL AT THE FOLLOWING ADDRESS:

**BISCAYNE BAY ISLANDS COMPANY**  
Urmyer Hotel Bldg., 15th and Ave. B. Hugh M. Anderson, General Sales Manager. Phone 1066

Advertisement for Palm and Hibiscus Islands, Miami Herald, March 1, 1918

### "C. M. Busch Starts Building Spanish Type of Residence, Which Will Cost \$25,000

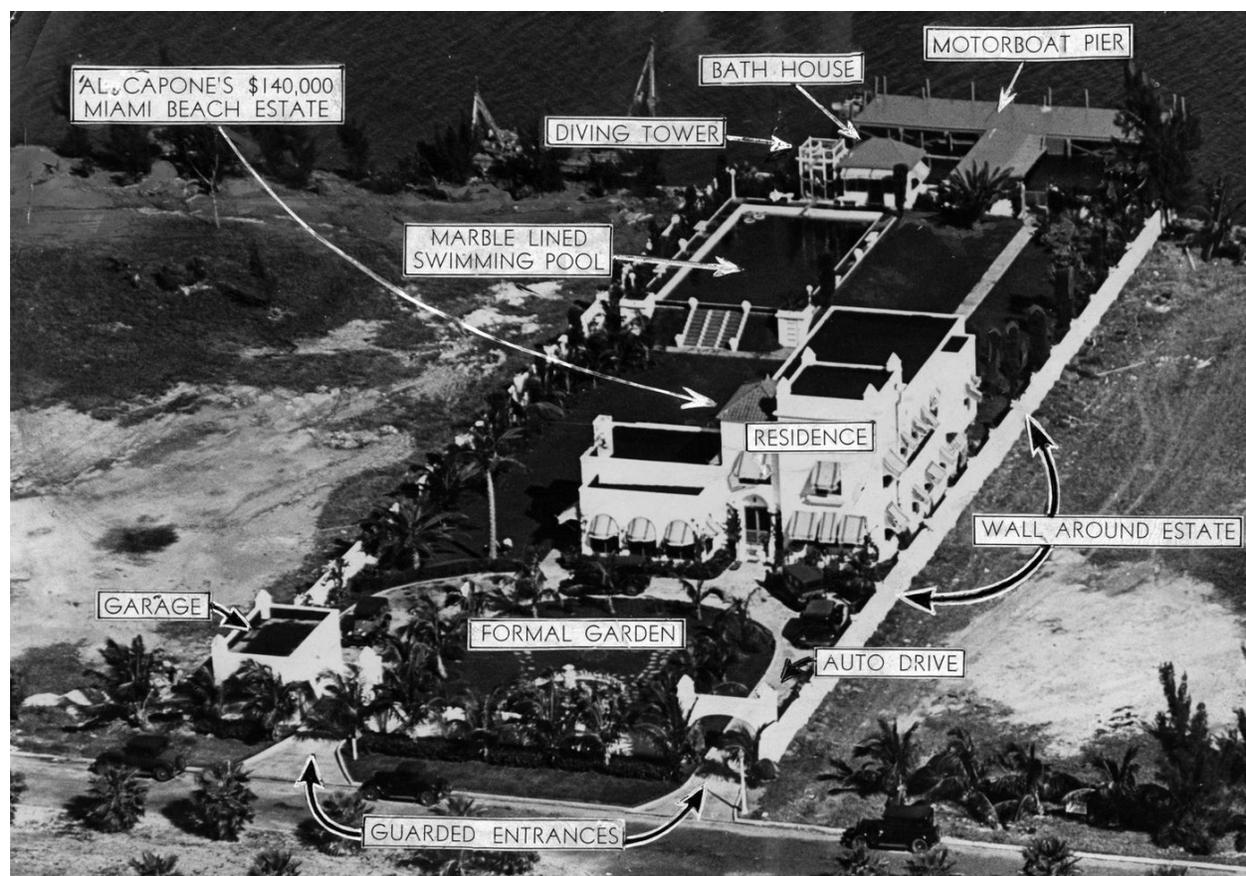
The foundations were laid yesterday for a \$25,000 house on Palm Island, which is being built by Clarence M. Busch on one of his lots there. C. R. Donathan, the contractor in charge of the work, said that he expects to have the home ready for occupancy by September 1.

The house will be in the shape of an "L" when completed, with the main part two stories in height and the wing but one story. The plans show that the first story will have a large reception room and two breakfast rooms. A great natural rock fireplace will grace the living room. On the second floor there will be four bedrooms besides a number of smaller rooms.

Porches of novel design will be built on three sides of the main floor, with Spanish arches on the outside. The whole dwelling has been designed after the Spanish type of

<sup>1</sup> "Palm and Hibiscus Islands," Florida: The East Coast, publ. by Miami Herald circa 1924, p. 236.

*architecture so popular here, and when completed promises to be one the beauty spots of Palm Island. It is understood that Mr. Busch plans to build other houses of unique design on Palm Island some time in the future.”<sup>2</sup>*



*Illustrated image of 93 Palm Avenue, Chicago Tribune Archives, ca. 1928*

Construction of the home was completed in late 1922 and was almost immediately listed for sale for \$43,000. The home was sold in May of 1923 to Anna Callahan for \$39,000. The home continued to change hands and was sold to J. W. Popham in 1924 for \$75,000 and to Leslie Winik in 1925 for \$58,000. In 1927, Popham filed a foreclosure suit against Winik and the property returned to Popham. In 1928, Parker Henderson Jr., son of former Miami mayor Parker Henderson, purchased the home from Popham with the intent to sell the property to Al Capone<sup>3</sup> and quickly sold the property to Mae Capone<sup>4</sup>, Al Capone's wife. Subsequent to Capone's death in 1947, the home was sold and has had multiple owners over the last seventy years.

**Clarence Marshall Busch** (b. November 19, 1859, d. March 24, 1943)

Clarence Busch (no immediate or direct relation to the Anheuser-Busch family<sup>5</sup>) was born in Philadelphia, Pennsylvania in 1859. According to the 1880 Census records, the then 20-year-old

<sup>2</sup> "Beautiful Home for Palm Island," *Miami Herald*, 10 June 1922.

<sup>3</sup> "Miami Clues Help Clear Uale Murder," *Miami Herald*, 01 August 1928

<sup>4</sup> "Courthouse News," *Miami Herald*, 31 July 1928

<sup>5</sup> Klepser, Carolyn. *Lost Miami Beach*. The History Press, 2014, pg. 89.

Busch was living with his mother and worked as a book binder. By the late 1800s, Busch was a publisher for the State of Pennsylvania, publishing numerous reports and books for the state. The 1910 Census reveals that Busch was living in Great Neck, NY with his wife Bonnie Melborne Busch; his occupation was listed a realtor. In 1915, a blub in the Miami Herald states:

“Clarence M. Busch, of Great Neck, L. I., has arrived to supervise the construction of a handsome home on the lots adjoining the William Jennings Bryan home which he recently bought from Judge J. L. Billingsley. He intends building a residence to cost approximately twenty five thousand dollars.”



*Busch's first home in Miami, 3031 Brickell Avenue, constructed in 1915*

This home was located on Biscayne Bay at 3031 Brickell Avenue, adjacent to the winter home of William Jennings Bryan (the 41<sup>st</sup> U.S. Secretary of State) and just two blocks from Vizcaya, in an area known as Millionaires Row.<sup>6</sup> In 1916, Busch joined the newly founded Fidelity Bank & Trust Company as vice-president and in 1918, he formed the Biscayne Bay Islands Company as president, with Joseph F. Chaille (vice president) and Locke. T. Highleyman (secretary-treasurer).<sup>7</sup> The company would go on to develop Palm and Hibiscus Islands.

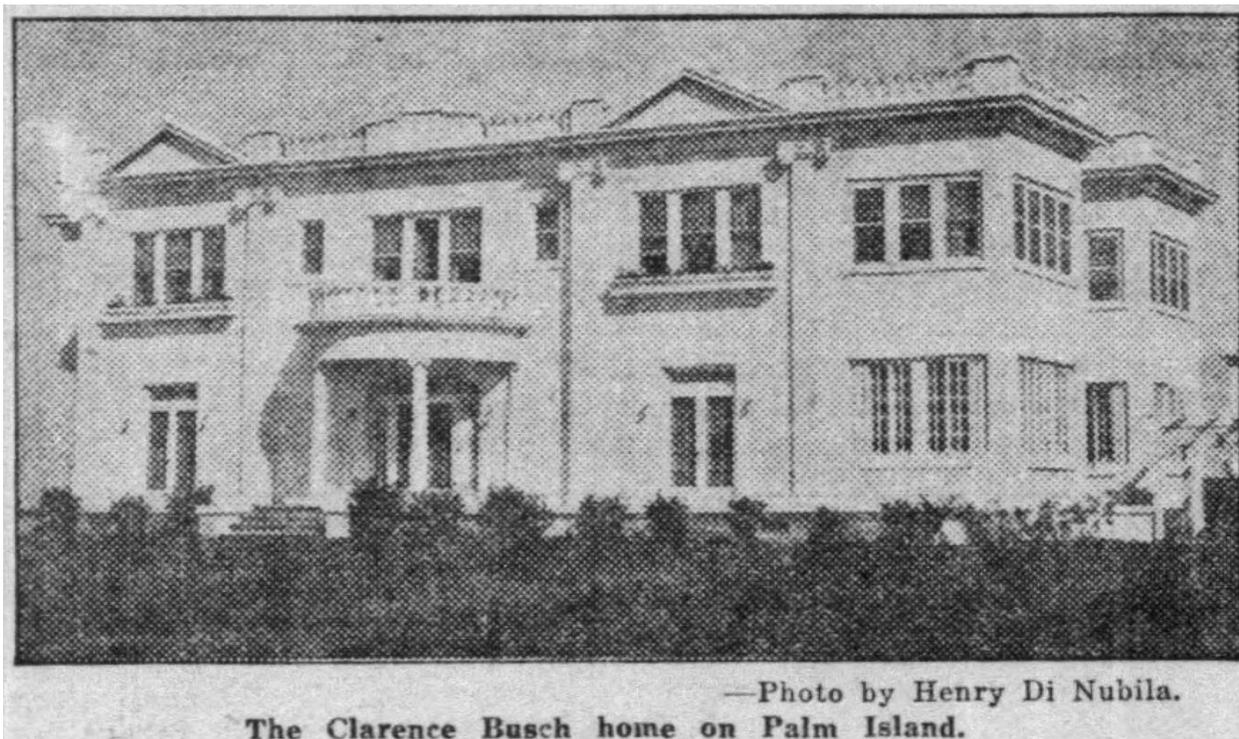
In January of 1920, Busch sold his furnished Brickell Avenue residence for \$250,000<sup>8</sup> and moved into his newly completed home on Palm Island (142 Palm Avenue); one of the first homes constructed on the new island. Busch also developed two other homes on the island: 93 Palm Avenue (in 1922)

<sup>6</sup> George, Paul S. and Picket, Casey. *Miami's Brickell Avenue Neighborhood*. Arcadia Publishing, 2020, pg. 126.

<sup>7</sup> “Form Company to Take Over Le Gro Project,” *Miami Herald*, 13 January 1918.

<sup>8</sup> George, Paul S. and Picket, Casey. *Miami's Brickell Avenue Neighborhood*. Arcadia Publishing, 2020, pg. 126.

and 94 Palm Avenue (in 1925).



*Photograph of the Busch residence at 142 Palm Avenue, Miami Herald, December 15, 1921*

The Busch's were members of numerous charitable organizations and most notably, in 1918, they established Christian Hospital to serve the black residents of Miami.

**Alphonse Gabriel Capone** (b. January 17, 1899, d. January 25, 1947)

Alphonse "Al" Capone was born in Brooklyn, NY in 1899. He left school after the sixth grade and joined a street gang, who's leader was Johnny Torrio. Around 1920, Torrio invited Capone to join him in Chicago where he was a lieutenant in the Colosimo mob. At about this time, prohibition began as a result of the Eighteenth Amendment to the United States Constitution. Crime organizations took full advantage and amassed huge profits on the illegal importation and production of alcoholic beverages.

"In 1925, Capone became boss when Torrio, seriously wounded in an assassination attempt, surrendered control and retired to Brooklyn. Capone had built a fearsome reputation in the ruthless gang rivalries of the period, struggling to acquire and retain "racketeering rights" to several areas of Chicago. That reputation grew as rival gangs were eliminated or nullified, and the suburb of Cicero became, in effect, a fiefdom of the Capone mob."<sup>9</sup>

In 1928, Capone, via his wife, purchased a home in Miami Beach located at 93 Palm Avenue. He quickly made significant building alterations including the construction of a solid masonry site wall, an addition to the garage (likely for use as a guardhouse), and a large swimming pool and pool house.

---

<sup>9</sup> "Al Capone – FBI." *FBI.gov*, <https://www.fbi.gov/history/famous-cases/al-capone>



*Photograph of Al Capone and family at 93 Palm Avenue, Associated Press, ca. 1940*

It is widely accepted that in 1929, Capone ordered the murder of several members of a rival Chicago mob in what was known as the St. Valentine's Day Massacre. In 1931, Capone was convicted of tax evasion and sentenced to eleven years in federal prison and served time in the U.S. Penitentiary in Atlanta and Alcatraz Federal Penitentiary in San Francisco. In 1939, he was released from prison and subsequently received medical treatment for paresis caused by syphilis. After treatment he returned to his home on Palm Island, where he lived with his wife and family until his death in 1947.

## **IX. ARCHITECTURAL BACKGROUND**

### **The Mediterranean Revival Style of Architecture in Miami Beach (circa mid-1910s to early 1930s)**

Mediterranean Revival architecture was the "style of choice" for the first major land development period in Miami Beach. Its connotation of Mediterranean resort architecture, combining expressions of Italian, Moorish, North African, and Southern Spanish themes, was found to be an appropriate and commercially appealing image for the new Floridian seaside resort; it was a style that was simultaneously being used expansively in California and other areas of similar climate.

During the mid-1910s through the early 1930s, the style was frequently applied to hotels, apartment buildings, commercial structures, and single-family residences. Its architectural vocabulary was characterized by stucco walls, low-pitched terra cotta and historic Cuban tile roofs, arches, scrolled or tile capped parapet walls, and articulated door surrounds, sometimes utilizing Spanish Baroque decorative motifs and Classical elements. Feature detailing was occasionally executed in keystone or patterned ceramic tile.

### **93 Palm Avenue**

The existing single-family residence located at 93 Palm Avenue was constructed in 1922. No architect is listed on the building card and no original permit plans have been located within the Building Department records however, there are numerous archival photographs. While the original home can be categorized as Mediterranean Revival in style, it lacks the detailing and ornamentation of the more noteworthy examples of this style. The main 2-story portion of the structure lies on a north-south axis with a 1-story wing and covered porches to the west. The asymmetrical front façade features a 2-story tower with unusual pyramidal shaped decoration at each of the four corners. A semicircular driveway was located within the front yard accessed from Palm Avenue via two vehicular gateways with arched openings. Additionally, attached to the western gateway was the original 1-story garage. The garage and gateway structures also featured the pyramidal shaped decoration.



*Photograph of 93 Palm Avenue, Getty Images, March 1, 1938*

In April 1928, a building permit was issued for the construction of a wall for \$2,800, presumably for a security barrier wall. One month later, a building permit was issued for a swimming pool. Additionally, in 1929, permits were issued for additions and alterations to the home as well as the construction of a garage and loggia. An article in the Miami Herald indicates that E. A. Zink was the architect.<sup>10</sup> During these renovations, it appears that the tiling at the parapets of the main house

<sup>10</sup> "33,750 Permits for Building are Issued," Miami Herald, 24 April 1929

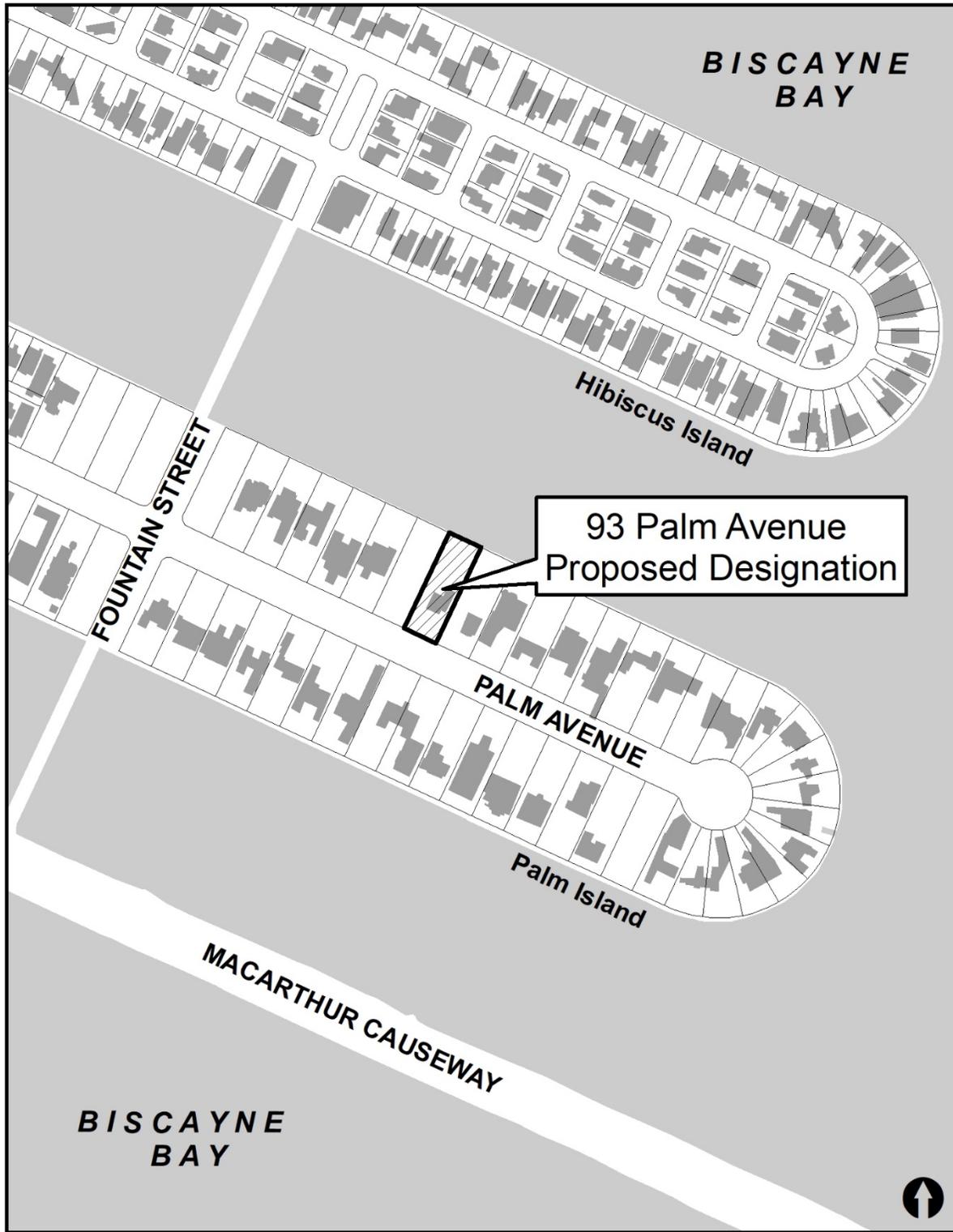
was introduced. The garage/gateway structure was substantially expanded including the introduction of a second floor. Interestingly, it appears that the existing arched opening of the garage is in fact the original opening of the gateway. Further, the 2-story pool pavilion was constructed at the rear of the site between the pool and the bay. This symmetrical structure features decorative columns and moldings, and the central portion includes a rectangular relief panel as well a decorative brackets and scrolls. Both of these 2-story structures located at the north and south extremes of the property, were built shortly after Capone purchased the home likely for the purpose of providing increased security for Mr. Capone and his family.

The home was further renovated over time and several of the most significant architectural details of the primary facade of the original home have been removed including the decorative projecting arched entry feature at the ground level and the stucco surround and projecting ledge at the second floor window of the tower. Also, at some point in the past, the projecting second floor area along the east side of the home was removed. In 2015, the home was significantly renovated including repairs to the structural systems of the house.

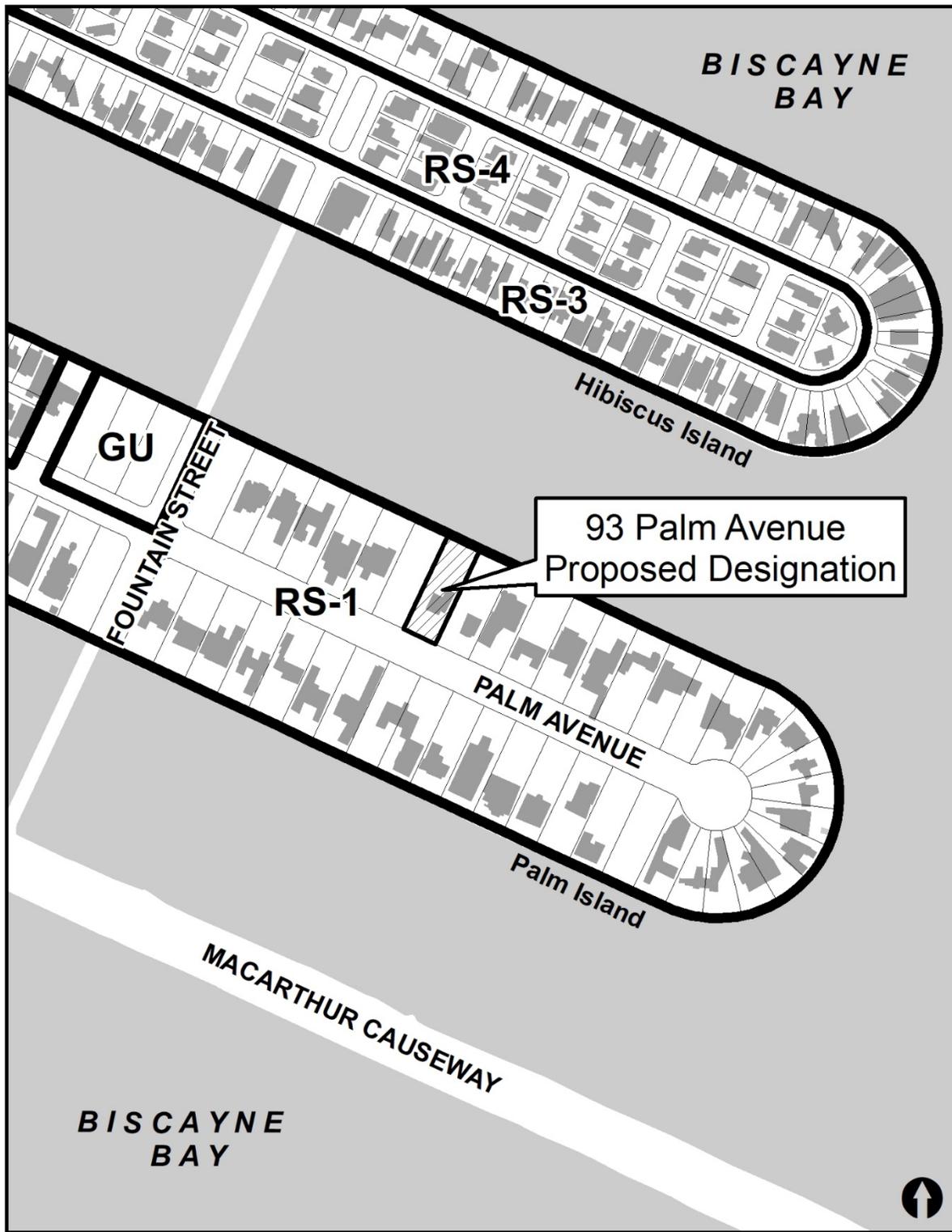


*Photograph of 93 Palm Avenue, 2021*

**MAP 1: Proposed 93 Palm Avenue Historic Site Boundaries**



**MAP 2: Zoning Districts within and surrounding the proposed 93 Palm Avenue Historic Site.**



## **X. PLANNING DEPARTMENT RECOMMENDATIONS**

The Planning Department finds the proposed 93 Palm Avenue Historic Site to be in compliance with the Criteria for Designation numbers 2 & 3 listed in Section 118-592 in the Land Development Regulations of the City Code. Only one of the eight evaluation criteria is required to be satisfied for a property to be eligible for consideration of historic site designation.

While the home located at 93 Palm Avenue is indicative of 1920s residential architecture in Miami Beach, it is not a noteworthy example of the Mediterranean Revival style as it lacks the architectural detailing, massing and proportioning characteristic of this celebrated style. Additionally, no architect is listed on the building card and staff has not been able to locate any information indicating that the home was designed by an architect. Further, the home has been altered including the elimination of several of the more significant architectural details as noted in the preceding section of this evaluation. The most notable aspect of the home is the fact that Al Capone maintained a residence here from 1928 until his death in 1947.

In addition to a lack of architectural merits, staff has concerns relative to the vulnerability of the home with respect to impacts from climate change and sea level rise. Staff has visited the site and observed that the property to the east has a significantly higher yard elevation. It is also important to note that when the property to the west (currently a vacant lot) is developed, a minimum yard elevation of 6.56' NGVD will be required. This will result in both neighboring properties having a yard elevation slightly above the existing first floor level of 93 Palm Avenue. Further, it is important to note that within this area of the City, new habitable floor area is required to be constructed at a minimum of 10.0' NGVD, approximately 3'-6" above the current first floor level. Maintaining the home at its current elevation will undoubtedly have ramifications in the near future.

Finally, staff does not believe that the association with Al Capone warrants the historical designation of this otherwise unremarkable example of a 1920s single-family home. Further, while the developer, Clarence Busch, was an important figure in the City's development history, his association with 93 Palm Avenue is limited to the development of the property with a home to be sold to another owner. For the reasons outlined above, staff does not recommend that the Historic Preservation Board transmit the proposed historic site designation of 93 Palm Avenue to the Planning Board and City Commission.

**XI. CURRENT PHOTOGRAPHS**



*Front Façade of Home, 2021*



*Rear Façade of Home, 2021*



*Front Façade of Garage, 2021*



*Front Façade of Pool House, 2021*