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VIA E-MAIL AND HAND DELIVERY

May 1, 2023

Rogelio A. Madan, AICP
Chief of Community Planning & Sustainability
City of Miami Beach
1700 Convention Center Drive, 2nd Floor
Miami Beach, Florida 33139

Re: **PB23-0597** - Lot Split Request for the Property Located
at 6444 and 6450 Allison Road, Miami Beach,
Florida

Dear Mr. Madan:

This law firm represents Allison Road LLC and 6450 Allison LLC (the "Applicant"), the owners of the properties located at 6444 Allison Road and 6450 Allison Road (the "Property") within the City of Miami Beach (the "City"). Please consider this letter the Applicant's letter of intent in support of a lot split application to modify the existing property lines.

The Property. Both lots are located on the west side of Allison Island north of 63rd Street. See Figure 1 below, Aerial. The Miami-Dade County Property Appraiser's Office identifies the southern lot, 6444 Allison Road (the "6444 Lot"), with Folio No. 02-3211-003-0410. See Exhibit A, 6444 Property Appraiser Summary Report. The northern lot, 6450 Allison Road (the "6450 Lot"), is identified with the Folio No. 02-3211-003-0400. See Exhibit B, 6450 Property Appraiser Summary Report. The Property spans 175 feet along Allison Road from the southern 60 feet of lot 42 to the northern 40 feet of lot 44 of the Indian Creek Subdivision, recorded in the Official Public Records of Miami-Dade County at Book 31 Page 75 (the "Plat"). See Exhibit C, Plat. Notably, the existing lots do not follow the underlying platted lot lines of the Plat. According to the survey prepared by ECS Land Surveyors, Inc., the 6444 Lot is 80 feet wide and

approximately 17,240 square feet in size, and the 6450 Lot is 95 feet wide and approximately 20,473 in size. The 6444 Lot is approved for development of a new single-family home under Building Permit No. BR2206430, while the 6450 Lot is improved with a single-family home developed in 1953.

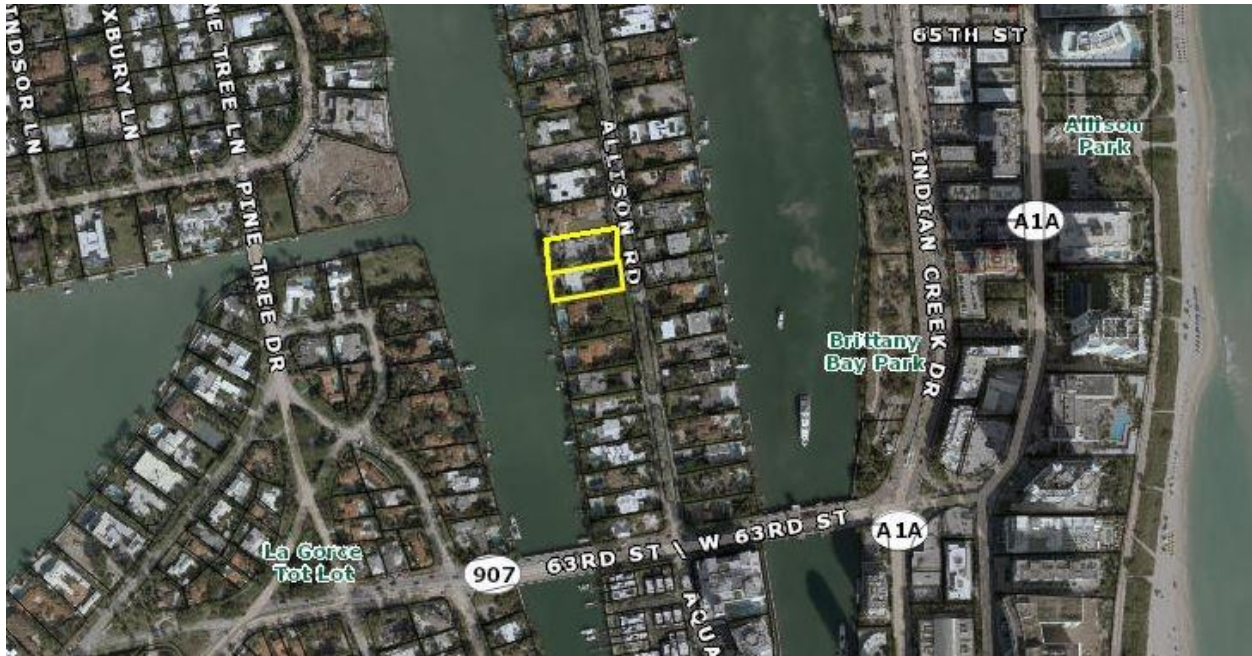


Figure 1, Aerial

The Property is zoned RS-3, Single-Family Residential District. The Property is not located in a local or national historic district, nor classified as architecturally significant. The Applicant intends to separately submit a request to the Design Review Board ("DRB") for design review approval.

Lot Split Request. The Applicant seeks to relocate the northern lot line of the 6444 Lot (the southern lot line of the 6450 Lot) 20 feet north, modifying both lot sizes to be consistent with the original development pattern of the Indian Creek Subdivision. See, Table 1, Existing vs. Proposed Lot Widths. .

Property	Existing Lot Width	Proposed Lot Width
6444 Lot	80 feet	100 feet (+ 20 feet)
6450 Lot	95 feet	75 feet (-20 feet)

According to the Plat, the development pattern of the Indian Creek Subdivision included a mix of lots that were 75' wide and 216' deep (16,200 SF in size), and lots that were 100' wide and 216' deep (21,600 SF in size). See, Figure 2, Excerpt of Plat.

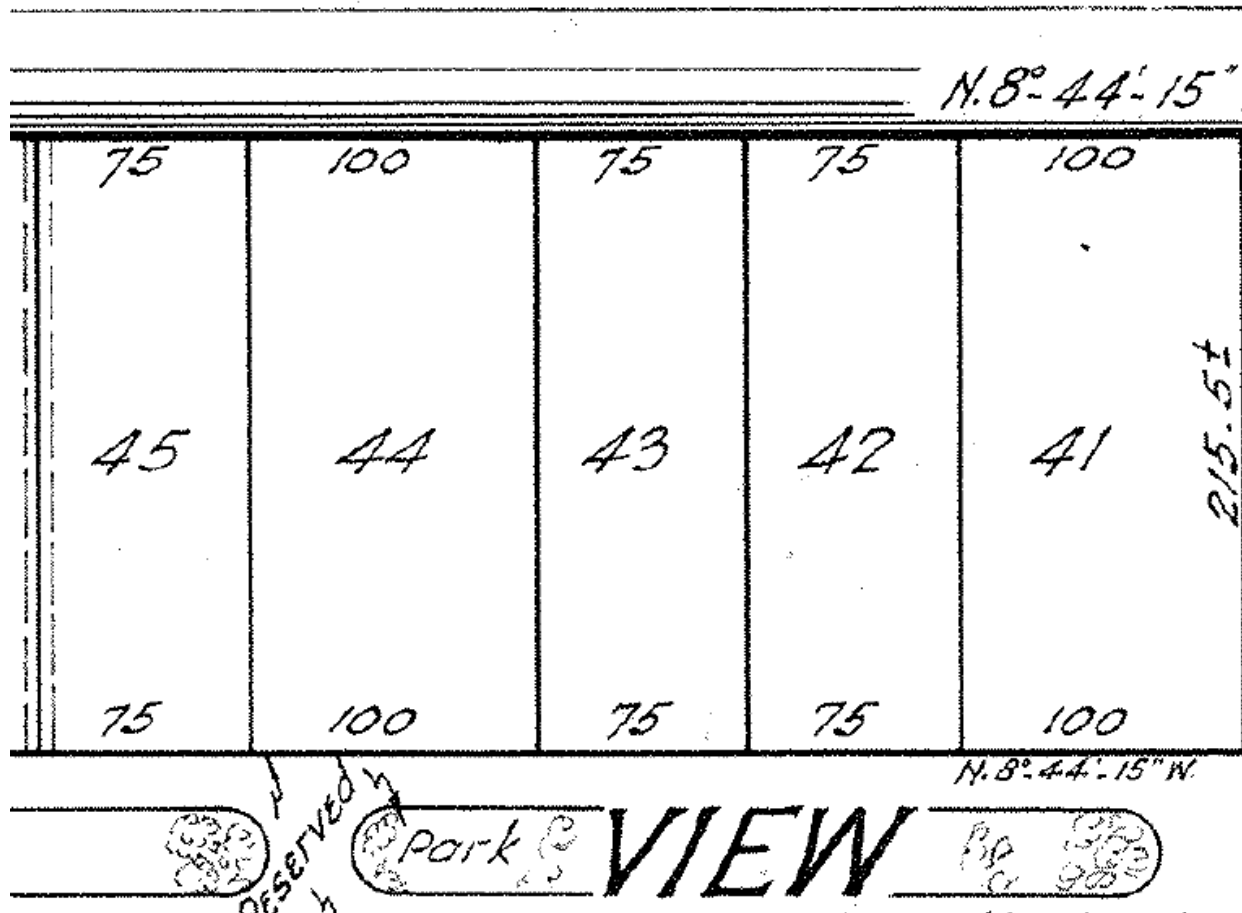


Figure 2: Excerpt of Plat showing original development pattern of Allison Island.

The Property does not follow original development pattern of the underlying Plat, as the existing 6444 Lot is 80' in width (17,240 SF in size) and the existing 6450 Lot is 95' in width (20,520 SF in size). Upon shifting the property line 20 feet north, the proposed 6450 Lot will be 75 feet in width and approximately 16,163 square feet in size (the "Proposed 6450 Lot") and the proposed 6444 Lot will be 100 feet in width and approximately 21,550 square feet in size (the "Proposed 6444 Lot"). See, Table 2, below.

Property	Existing Lot Areas	Proposed Lot Areas
6444 Lot	17,240 square feet	21,550 square feet
6450 Lot	20,473 square feet	16,163 square feet

The dimensions of the resulting lots will be consistent with the City's land development regulations, and result in lots that are more compatible with the existing context of Allison Island. According to data collected from the Miami-Dade County Property Appraiser, the average lot size for the RS-3-zoned waterfront lots on Allison Island is approximately 18,602 square feet and the median lot size is approximately 16,243 square feet. A majority of the developed lots on Allison Island are approximately 75' wide and approximately 16,200 in size, with intermittent larger lots between 21,600 SF and 23,760 square feet in size. Therefore, the proposed lot sizes of 16,163 square feet (the "Proposed 6450 Lot") and 21,550 square feet (the "Proposed 6444 Lot") are compatible with the existing neighborhood context. See Exhibit D, Area Analysis.

It should be noted that Section 142-105(b)(9) of the City Code of Ordinance (the "Code") provides:

(9) *Lot split.* All new construction for homes on lots resulting from a lot split application approved by the planning board shall be subject to the review and approval of the design review board (DRB) or historic preservation board (HPB), as applicable. The following shall apply to all newly created lots, *when the new lots created do not follow the lines of the original platted lots and/or the lots being divided contain an architecturally significant, pre-1942 home that is proposed to be demolished.*

- a. The maximum lot coverage for a new one-story home shall not exceed 40 percent of the lot area, and the maximum lot coverage for a new two-story home shall not exceed 25 percent of the lot area, or such lesser number, as determined by the planning board.
- b. The maximum unit size shall not exceed 40 percent of the lot area for both one story, and two-story structures, or such less numbers, as determined by the planning board.

(emphasis added).

Notably, the existing 6444 Lot and 6450 Lot do not follow the originally platted lot lines. Indeed, many of the lots in the Allison Island neighborhood do not follow the originally platted lot lines of the Indian Creek Subdivision. Consistent with the existing condition, the proposed lots do not follow the original platted lines, but do restore the original rhythm of the Allison Island subdivision. As a result, the Applicant intends to

request relief from the requirement to limit unit size and lot coverage when not following the originally platted lot lines.

The Applicant is currently developing a home on the existing 6444 Lot pursuant to Building Permit No. BR2206430 (the "Proposed Home"). The proposed lot coverage and unit size are appropriately sized for the lot on which it sits. The additional lot area will allow the Applicant to make additions to the Proposed Home to meet the needs of a growing family. Similarly, the proposed 6450 Lot may be developed with a single-family home that is compatible with the surrounding homes on Allison Island.

Lot Split Review Criteria. The proposed lot split is consistent with the criteria under Section 118-321(B) of the Code, as described further below:

(1) Whether the lots that would be created are divided in such a manner that they are in compliance with the regulations of these land development regulations.

The lots will be divided in such a manner that actually exceeds the minimum requirements of the applicable land development regulations for RS-3 zoned properties. Section 142-105(b)(1) of the Code provides that the minimum required lot area is 10,000 square feet. The proposed resulting lots will be greater than the minimum required at approximately 21,550 and 16,163 square feet. Section 142-105(b)(1) of the Code also provide that the minimum lot width for waterfront lots is 50 feet in size. The proposed resulting lots will be greater than the minimum required at 100 and 75 feet in width.

(2) Whether the building site that would be created would be equal to or larger than the majority of the existing building sites, or the most common existing lot size, and of the same character as the surrounding area.

The resulting building sites will be consistent with the existing building sites and of the same character as the surrounding area. Specifically, of the 37 lots analyzed, the most commonly occurring lot size is 16,200 square feet, which is very similar to the proposed lot size for the 6450 Lot of 16,163 square feet. Further, the second most commonly occurring lot size is 21,600 square feet, which is very similar to the proposed lot size for the 6444 Lot of 21,550.

(3) Whether the scale of any proposed new construction is compatible with the as-built character of the surrounding area, or creates adverse impacts on the surrounding area; and if so, how the adverse impacts will be mitigated. To

determine whether this criterion is satisfied, the applicant shall submit massing and scale studies reflecting structures and uses that would be permitted under the land development regulations as a result of the proposed lot split, even if the applicant presently has no specific plans for construction.

The scale of the proposed homes will be compatible with the as-built character of the surrounding area. The lot sizes are aligned with the surrounding area and the original lot sizes in the subdivision plat, and the proposed development falls well within the development standards provided by the Code. The Applicant has included detailed architectural drawings of the Proposed Home with the application materials, as well as a realistic conceptual massing for the Proposed 6450 Lot. The detailed architectural drawings and massing study show that the structures would be permitted under the current land development regulations.

(4) Whether the building site that would be created would result in existing structures becoming nonconforming as they relate to setbacks and other applicable regulations of these land development regulations, and how the resulting nonconformities will be mitigated.

The home on the 6444 Lot was lawfully demolished, and the 6450 Lot is currently developed with a single-family home that will be demolished. Thus, the resulting homes will fully conform to the requirements of the Code. The lot split will not result in any nonconformities that would require mitigation. The Applicant has submitted a proposed massing of a reasonably realistic home for the Proposed 6450 Lot.

(5) Whether the building site that would be created would be free of encroachments from abutting buildable sites.

The building sites created by the lot split will be free of encroachments from abutting buildable lots. There are no existing or proposed encroachments.

(6) Whether the proposed lot split adversely affects architecturally significant or historic homes, and if so, how the adverse effects will be mitigated. The board shall have the authority to require the full or partial retention of structures constructed prior to 1942 and determined by the planning director or designee to be architecturally significant under subsection 142-108(a).

The Property contains post-1942 homes with no architectural significance.

(7) The structure and site complies with the sea level rise and resiliency review criteria in chapter 133, article II, as applicable.

The proposed replacement home will fully comply with sea level rise and resiliency review as summarized below.

Sea Level Rise and Resiliency Criteria. The proposed project advances the sea level rise and resiliency criteria provided in Section 133-50(a) of the Code as follows:

(1) A recycling or salvage plan for partial or total demolition shall be provided.

A recycling or salvage plan for demolition will be provided at permit.

(2) Windows that are proposed to be replaced shall be hurricane proof impact windows.

All new windows will be hurricane proof impact windows.

(3) Where feasible and appropriate, passive cooling systems, such as operable windows, shall be provided.

Where feasible, passive cooling systems will be provided.

(4) Resilient landscaping (salt tolerant, highly water-absorbent, native or Florida friendly plants) shall be provided, in accordance with Chapter 126 of the City Code.

Resilient, Florida-friendly landscaping will be provided.

(5) The project applicant shall consider the 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. The applicant shall also specifically study the land elevation of the subject property and the elevation of surrounding properties.

The Applicant has considered the adopted sea level rise projections and the land elevations of the subject property and surrounding properties.

(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 and shall provide

sufficient height and space to ensure that the entry ways and exits can be modified to accommodate a higher street height up to three (3) additional feet in height.

The proposed designs will be adaptable to the raising of public rights-of-ways and adjacent land.

(7) As applicable to all new construction, all critical mechanical and electrical systems shall be located above base flood elevation. All redevelopment projects shall, whenever practicable and economically reasonable, include the relocation of all critical mechanical and electrical systems to a location above base flood elevation.

Critical mechanical and electrical systems are located above base flood elevation.

(8) Existing buildings shall, wherever reasonably feasible and economically appropriate, be elevated up to base flood elevation, plus City of Miami Beach Freeboard.

New construction will be elevated up to base floor elevation, plus Freeboard.

(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.

Habitable space will be located above base flood elevation plus Freeboard.

(10) As applicable to all new construction, stormwater retention systems shall be provided.

Stormwater retention systems will be provided where feasible.

(11) Cool pavement material or porous pavement materials shall be utilized.

Cool pavement material and porous pavement materials will be utilized.

(12) The design of each project shall minimize the potential for heat island effects on-site.

The new home will minimize the potential for heat island effects on site with ample and lush greenspace and landscaping, and opportunities for non-air conditioned living spaces.

Conclusion. Approval of the application will permit the development of two appropriately scaled and resilient single-family homes on Allison Island. The Proposed lot widths and lot sizes are be compatible with the character of the existing built context of the Allison Island neighborhood. Accordingly, the Applicant respectfully requests your favorable review and recommendation of this Lot Split Application. If you have any questions or comments, please give me a call at (305) 377-6231.

Sincerely,



Michael J. Marrero

Enclosures

cc:

Nicholas J. Rodriguez, Esq.



OFFICE OF THE PROPERTY APPRAISER

Summary Report

Generated On : 4/7/2023

Property Information	
Folio:	02-3211-003-0410
Property Address:	6444 ALLISON RD Miami Beach, FL 33141-4540
Owner	ALLISON ROAD LLC
Mailing Address	297 COMMONWEALTH AVE BOSTON, MA 02115 USA
PA Primary Zone	0800 SGL FAMILY - 1701-1900 SQ
Primary Land Use	0066 VACANT RESIDENTIAL : EXTRA FEA OTHER THAN PARKING
Beds / Baths / Half	0 / 0 / 0
Floors	0
Living Units	0
Actual Area	0 Sq.Ft
Living Area	0 Sq.Ft
Adjusted Area	0 Sq.Ft
Lot Size	17,280 Sq.Ft
Year Built	Multiple (See Building Info.)



Assessment Information			
Year	2022	2021	2020
Land Value	\$5,045,760	\$3,900,960	\$3,715,200
Building Value	\$1,755,690	\$883,543	\$892,547
XF Value	\$30,357	\$30,641	\$30,924
Market Value	\$6,831,807	\$4,815,144	\$4,638,671
Assessed Value	\$6,831,807	\$1,518,081	\$1,497,122

Benefits Information				
Benefit	Type	2022	2021	2020
Save Our Homes Cap	Assessment Reduction		\$3,297,063	\$3,141,549
Homestead	Exemption		\$25,000	\$25,000
Second Homestead	Exemption		\$25,000	\$25,000
Note: Not all benefits are applicable to all Taxable Values (i.e. County, School Board, City, Regional).				

Short Legal Description	
INDIAN CREEK SUB PB 31-75 S 40FT OF LOT 43 & N 40FT OF LOT 44 LOT SIZE 80.000 X 216 OR 18807-0001 09 1999 1	

Taxable Value Information			
	2022	2021	2020
County			
Exemption Value	\$0	\$50,000	\$50,000
Taxable Value	\$6,831,807	\$1,468,081	\$1,447,122
School Board			
Exemption Value	\$0	\$25,000	\$25,000
Taxable Value	\$6,831,807	\$1,493,081	\$1,472,122
City			
Exemption Value	\$0	\$50,000	\$50,000
Taxable Value	\$6,831,807	\$1,468,081	\$1,447,122
Regional			
Exemption Value	\$0	\$50,000	\$50,000
Taxable Value	\$6,831,807	\$1,468,081	\$1,447,122

Sales Information			
Previous Sale	Price	OR Book-Page	Qualification Description
03/31/2021	\$7,600,000	32437-4028	Qual by exam of deed
05/01/2020	\$100	31921-3851	Corrective, tax or QCD; min consideration
09/01/1999	\$905,000	18807-0001	Sales which are qualified
06/01/1987	\$375,000	13314-0703	Sales which are qualified



OFFICE OF THE PROPERTY APPRAISER

Summary Report

Generated On : 4/7/2023

Property Information	
Folio:	02-3211-003-0400
Property Address:	6450 ALLISON RD Miami Beach, FL 33141-4540
Owner	6450 ALLISON LLC
Mailing Address	297 COMMONWEALTH AVE BOSTON, MA 02115 USA
PA Primary Zone	0800 SGL FAMILY - 1701-1900 SQ
Primary Land Use	0101 RESIDENTIAL - SINGLE FAMILY : 1 UNIT
Beds / Baths / Half	4 / 4 / 0
Floors	1
Living Units	1
Actual Area	5,897 Sq.Ft
Living Area	4,386 Sq.Ft
Adjusted Area	4,996 Sq.Ft
Lot Size	20,520 Sq.Ft
Year Built	Multiple (See Building Info.)



Assessment Information			
Year	2022	2021	2020
Land Value	\$5,991,840	\$4,632,390	\$4,411,800
Building Value	\$709,500	\$515,397	\$519,295
XF Value	\$39,877	\$40,225	\$40,573
Market Value	\$6,741,217	\$5,188,012	\$4,971,668
Assessed Value	\$2,269,121	\$2,203,031	\$2,172,615

Benefits Information				
Benefit	Type	2022	2021	2020
Save Our Homes Cap	Assessment Reduction	\$4,472,096	\$2,984,981	\$2,799,053
Homestead	Exemption	\$25,000	\$25,000	\$25,000
Second Homestead	Exemption	\$25,000	\$25,000	\$25,000
Note: Not all benefits are applicable to all Taxable Values (i.e. County, School Board, City, Regional).				

Short Legal Description	
INDIAN CREEK SUB PB 31-75 S 60FT OF LOT 42 & N 35FT OF LOT 43 LOT SIZE 95.000 X 216 OR 16351-1700 0594 1	

Taxable Value Information			
	2022	2021	2020
County			
Exemption Value	\$50,000	\$50,000	\$50,000
Taxable Value	\$2,219,121	\$2,153,031	\$2,122,615
School Board			
Exemption Value	\$25,000	\$25,000	\$25,000
Taxable Value	\$2,244,121	\$2,178,031	\$2,147,615
City			
Exemption Value	\$50,000	\$50,000	\$50,000
Taxable Value	\$2,219,121	\$2,153,031	\$2,122,615
Regional			
Exemption Value	\$50,000	\$50,000	\$50,000
Taxable Value	\$2,219,121	\$2,153,031	\$2,122,615

Sales Information			
Previous Sale	Price	OR Book-Page	Qualification Description
09/14/2022	\$18,000,000	33410-0978	Qual by exam of deed
10/22/2010	\$488,925	27475-3697	Corrective, tax or QCD; min consideration
05/01/1994	\$612,500	16351-1700	Sales which are qualified
03/01/1977	\$220,000	00000-00000	Sales which are qualified

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>

Version:

Exhibit D

Area Analysis 6444 and 6450 Allison Road (Additional Properties)

	Property Address	Lot Size (sq. ft.)	Adj. Area (sq. ft.)	Adj. Area + 20% (sq. ft.)	Adj. Area (%)	Adj. Area + 20% (%)
	6444 Allison Road	21,550				
	6450 Allison Road	16,170	4,996	5995.2	31	37
1	6300 Allison Road	16,243	4,161	4993.2	25	31
2	6307 Allison Road	16,200	3,615	4338	22	27
3	6320 Allison Road	16,200	5,515	6618	34	41
4	6325 Allison Road	18,641	5,169	6202.8	28	33
5	6330 Allison Road	16,200	5,588	6705.6	34	41
6	6341 Allison Road	16,200	4,693	5631.6	29	35
7	6350 Allison Road	16,200	5,667	6800.4	35	42
8	6355 Allison Road	18,900	8,017	9620.4	42	51
9	6360 Allison Road	16,200	3,776	4531.2	23	28
10	6365 Allison Road	18,900	3,756	4507.2	20	24
11	6370 Allison Road	16,200	4,167	5000.4	26	31
12	6380 Allison Road	16,200	7,711	9253.2	48	57
13	6381 Allison Road	16,200	4,954	5944.8	31	36
14	6391 Allison Road	16,200	6,545	7854	40	48
15	6400 Allison Road	21,600	6,012	7214.4	28	33
16	6411 Allison Road	17,280	8,018	9621.6	46	56
17	6415 Allison Road	20,520	4,067	4880.4	20	24
18	6420 Allison Road	29,160	6,379	7654.8	22	26
19	6431 Allison Road	16,200	6,375	7650	39	47
20	6445 Allison Road	16,200	6,739	8086.8	42	50
21	6455 Allison Road	21,600	4,263	5115.6	20	24
22	6470 Allison Road	21,600	4,583	5499.6	21	25
23	6475 Allison Road	21,600	7,382	8858.4	34	41

24	6480 Allison Road	23,760	11,470	13764	48	58
25	6491 Allison Road	16,200	4,463	5355.6	27	33
26	6493 Allison Road	16,200	7,769	9322.8	48	57
27	6494 Allison Road	16,200	4,132	4958.4	25	31
28	6500 Allison Road	21,600	3,783	4539.6	17	21
29	6505 Allison Road	21,600				
30	6520 Allison Road	21,600	7,996	9595.2	37	44
31	6525 Allison Road	16,200	3,841	4609.2	24	28
32	6530 Allison Road	21,600				
33	6535 Allison Road	16,200	5,565	6678	34	41
34	6550 Allison Road	21,600	5,337	6404.4	25	29
35	6555 Allison Road	21,600	10,937	3124.4	50	14
36	6565 Allison Road	16,200	5,600	6720	35	41
37	6570 Allison Road	17,280	6,275	7530	36	44
Average without 6444 and 6450		18,602	5,838	6719.542857	31.85714286	36.91428571
Median without 6444 and 6450		16,243	5,565	6618	31	35
Average with 6444 and 6450		18,615	5814.333333	6699.422222	31.83333333	36.91666667
Median with 6444 and 6450		16,243	5540	6511.2	31	35.5

*Lot sizes for 6444 and 6450 Allison Road are the proposed lot sizes

