

# MIAMI BEACH

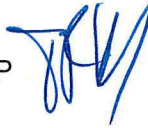
## PLANNING DEPARTMENT Staff Report & Recommendation

## Planning Board

TO: Chairperson and Members  
Planning Board

DATE: September 25, 2018

FROM: Thomas R. Mooney, AICP  
Planning Director



SUBJECT: **PB 18-0215. 4354 Alton Road – SFR Lot Split/Subdivision of Land**

The applicant, 4354 Alton Homes, LLC, is requesting Division of Land/Lot Split, pursuant to Chapter 118, Article VII of the City Code, to divide the existing site comprised of two platted lots, into two individual buildable parcels.

### **RECOMMENDATION:**

Approval with conditions

### **EXISTING SITE:**

The subject application includes one existing parcel of approximately 12,530 square feet (Per Survey submitted by the applicant) The applicant is proposing to divide the parcel into two individual single family sites.

### **PREVIOUS STRUCTRE / HISTORY:**

The home previously located at 4354 Alton Road was constructed in 1925, and designed by Borg & Roller for Robert N. Gifford. The Mediterranean-Revival Home consisted of a two-story, 14-room home that served as the Polo Club House for five years when the Polo fields were moved out of the Spanish Village to the Nautilus subdivision. The Polo Club opened Christmas Day in 1925 on the grounds known as Nautilus 1, 2, 3, and 4. The Polo Club subsequently relocated to Gulf Stream in 1930. In July 2014, an emergency demolition order was issued for the pre-1942 architecturally significant, two-story single family residence on the site.

On July 7, 2015, the Design Review Board approved the construction of a new 2-story home on the subject site (DRB File No. 23153). According to the plans approved, the lot coverage of the new home was less than 20% and the unit size was 33% of the lot area.

### **ZONING / SITE DATA:**

Legal Description: Lot 20 and 21, Block 6, PLAT OF NAUTILUS SUBDIVISION, according to the map or plat thereof as recorded in Plat Book 8, Page 95, Public Records of Miami-Dade County, Florida.

Zoning: RS-4 Single-Family Residential District

Future Land Use: Single Family Residential Category (RS)

Lot Size: 12,530 Square Feet for the Combined Site (per survey)

**REVIEW CRITERIA:**

Pursuant to Section 118-321(b), in reviewing an application for the division of lot and lot split, the Planning Board shall apply the following criteria:

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.**

**Partially Consistent**– The minimum lot size and lot width requirements for RS-4 Zoning district are 6,000 square feet lot size and 50 feet lot width. The proposed area of the Northern lot is 6,030 square feet with a lot width of slightly greater than 60 feet. The Southern one is 6,500 square feet with a lot width of slightly greater than 60 feet, according to the survey, Letter of Intent and zoning data sheet.

The approval of this lot split application is subject to Design Review Board approval of the following variances:

North Lot:

A. Side Setback (south side): Required: 10'-0" Proposed: 7'-6"

B. Sum of side yards: Required: 25'-0" Proposed: 22'-7"

South Lot:

A. Side Setback (south side): Required: 10'-0" Proposed: 7'-7"

B. Side Setback (North side): Required: 10'-0" Proposed: 7'-6"

C. Sum of side yards: Required: 20'-0" Proposed: 15'-1"

While typically staff does not recommend favorable for variances on lots resulting from a lot split, due to the slightly angled geometry of the property lines, the width of the property, which is calculated at the front setback line, is slightly more than 60 feet. A lot width of 60 feet or less requires minimum side setbacks of 7'-6", and lots greater than 60 feet in width require a minimum side setback of 10'-0".

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.**

**Partially Consistent**– The surrounding lots in the RS-4 zoning district consist of lots that have an average size of 8,416 square feet. The proposed lot split will create two lots smaller than the average lot size. However the most common lot size is smaller or equal to the proposed sites (see surrounding sites summary table - mode).

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.**

**Partially Consistent**– No adverse impacts are expected to be created by the lot split and the proposed homes, as the general scale of the proposed homes is compatible with the as-built character of the surrounding area. However the final design and details of the proposed homes will be subject to the review and approval of the Design Review Board.

Due to the setback requirements, particularly for the corner lot, which require a street side setback of 15 feet, and an interior sideyard setback of 7'-6" (pending approval of the proposed variances), along with a front setback of 30 feet, the area for the construction of the home is limited. This is further complicated by the corner location on Alton Road, where it would not be desirable to place a driveway and parking so close to the intersection of 44<sup>th</sup> Street and Alton Road with access on Alton Road. While the location of the parking for the corner lot is most appropriately located along 44<sup>th</sup> street, the design of the parking area has created an awkward situation, which will be further reviewed by the Design Review Board, and may warrant the reduction in lot coverage and or unit size of the home proposed.

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.**

**Not Applicable**— The property is currently vacant.

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

**Consistent**—The building sites created would be free of encroachments from abutting buildable sites.

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 section 142-108 (2).**

**Not Applicable**— The property is currently vacant; however there was a pre-1942 home on the site, which was demolished with an emergency demolition order in 2014.

#### **COMPLIANCE WITH SEA LEVEL RISE AND RESILIENCY REVIEW CRITERIA**

Section 133-50(a) of the Land Development establishes review criteria for sea level rise and resiliency that must be considered as part of the review process for board orders. The following is an analysis of the request based upon these criteria:

1. **A recycling or salvage plan for partial or total demolition shall be provided.**  
Not Applicable (vacant lot).
2. **Windows that are proposed to be replaced shall be hurricane proof impact windows.**  
All windows in the proposed structures will be hurricane proof impact windows.
3. **Where feasible and appropriate, passive cooling systems, such as operable windows, shall be provided.**  
Operable windows will be provided.
4. **Whether resilient landscaping (salt tolerant, highly water-absorbent, native or Florida friendly plants) will be provided.**

All new landscaping will consist of Florida friendly plants.

5. **Whether 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, including a study of land elevation and elevation of surrounding properties were considered.**

According to the survey the lowest point at the rear yard is 4.1 NGVD and the lowest point at the front yard (Alton Rd) is 4.0 NGVD.

Per LOI, The applicant has considered the elevation of the right-of-way and surrounding properties, and plans to grade the yards accordingly.

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.**

Per LOI, the applicant has taken in to consideration the raising of the public right-of-ways and has designed the proposed home accordingly; the addition of freeboard will be used to elevate each home and will allow the front yard to address the future raising of the streets.

7. **Where feasible and appropriate, all critical mechanical and electrical systems shall be located above base flood elevation.**

All critical mechanical and electrical systems will be located above base flood elevation.

8. **Existing buildings shall be, where reasonably feasible and appropriate, elevated to the base flood elevation.**

Not applicable (vacant lot).

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.**

Not Applicable.

10. **Where feasible and appropriate, water retention systems shall be provided.**

Per LOI, a water retention system will be provided.

#### **ANALYSIS:**

The subject property consists of a single owner (the applicant) who proposes to divide the subject property into two (2) separate parcels. An Opinion of Title was submitted in conformance with the requirements of the City Code.

The RS-4 residential single-family zoning district requires a minimum lot area of 6,000 square feet and a minimum lot width of 50 feet. The proposed parcels comply with the minimum lot area and lot width.

The table below summarizes the statistical data of similar properties in the surrounding area, (see also analysis parcels aerial). The source of the data is the Miami Dade County Property Appraiser's Office.

As a point of information, the Property Appraiser's Office adjusts the size of structures by increasing or adjusting the stated square footage for outdoor covered areas such as loggias, covered patios, etc. and for non-air-conditioned garages. As per the City's definitions, these items are generally excluded from unit size calculations. In the Data Analysis below, the

adjusted unit size percentage is the percentage unit size of the existing home using the adjusted square footage from the Property Appraiser's office. Staff has included a "20% allowance" column, to take into consideration a reasonable accommodation for future renovations and additions for existing homes. Taking into consideration this 20% allowance, the average unit size is 42% of the lot area.

Staff does not object to a unit size of up to 50% of the lot area for the proposed homes, due to the relatively higher unit sizes of homes within the study area, provided that the inconsistencies noted in the aforementioned lot split review criteria Nos. 1 & 3 can be satisfactorily addressed by the Design Review Board. This may require relocating the parking to the rear yard, or shifting the mass of the home away from 44<sup>th</sup> Street to accommodate the parking, and redesigning the pool and rear yard area.

### **Area Analysis Data:**

#### **Subject Site:**

<b>Address</b>	<b>Lot Size (SF)</b>	<b>Unit Size (SF)</b>	<b>Proposed Unit Size %</b>
North Lot	6,030	2,924	48.49%
South Lot	6,500	3,249	49.98%

#### **Surrounding Sites Summary:**

<b>Statistic</b>	<b>Year Built</b>	<b>Lot Size (SF)</b>	<b>Unit Size (SF)</b>	<b>Unit Size +20% Allowance (SF)</b>	<b>Unit Size %</b>	<b>Unit Size +20% Allowance %</b>	<b>Floors</b>
Average	1941	8,416	2,992	3,396	37%	42%	2
Median	1938	8,456	2,990	3,294	36%	42%	2
Max	2015	15,650	5,159	5,647	72%	72%	3
Min	1925	4,020	1,759	1,878	17%	20%	1
First Quartile	1935	6,000	2,438	2,797	31%	37%	1
Third Quartile	1940	9,600	3,453	3,911	45%	48%	2
Mode	1936	6,000	2,440	#N/A	#N/A	#N/A	2

The table and aerial on the following pages describe the make-up of the parcels in the surrounding lots utilized for the previous analysis:



Analysis Parcels (aerial)



**Analysis Parcels Data**

Address	Year Built	Lot Size	Unit Size (SF)	Unit Size +20% Allowance (SF)	Unit Size %	Unit Size +20% Allowance %	Floors
4431 ALTON RD	1936	10,867.76	3,604	4,325	33%	40%	2
4425 ALTON RD	1939	9,600.00	2,262	2,714	24%	28%	1
4423 ALTON RD	1935	14,400.00	3,576	4,291	25%	30%	1
4409 ALTON RD	1938	9,600.00	3,252	3,902	34%	41%	1
4401 ALTON RD	1941	14,400.00	2,433	2,920	17%	20%	1
4365 ALTON RD	1935	9,465.60	2,724	3,269	29%	35%	2
4353 ALTON RD	1938	8,456.40	2,618	3,142	31%	37%	2
4345 ALTON RD	1937	8,456.40	2,156	2,587	25%	31%	2
4335 ALTON RD	1936	8,456.40	2,479	2,975	29%	35%	1
4331 ALTON RD	1939	9,175.20	3,125	3,750	34%	41%	1
4321 ALTON RD	1938	9,600.00	3,436	4,123	36%	43%	2
4315 ALTON RD	1940	9,600.00	1,936	2,323	20%	24%	2
4307 ALTON RD	1938	9,600.00	3,242	3,890	34%	41%	2
4301 ALTON RD	1938	9,600.00	2,940	3,528	31%	37%	1
4430 NAUTILUS DR	1936	9,113.52	3,249	3,899	36%	43%	2
4424 NAUTILUS DR	1938	9,450.00	2,139	2,567	23%	27%	1
4416 NAUTILUS DR	1936	9,450.00	2,920	3,504	31%	37%	2
4410 NAUTILUS DR	1940	9,450.00	3,279	3,935	35%	42%	2
4404 NAUTILUS DR	1941	8,400.00	3,031	3,637	36%	43%	2
4370 NAUTILUS DR	1939	8,710.80	3,521	4,225	40%	49%	2
4350 NAUTILUS DR	1946	10,520.64	3,223	3,868	31%	37%	1
4340 NAUTILUS DR	1937	11,102.00	3,633	4,360	33%	39%	2
4330 NAUTILUS DR	1938	10,614.00	5,159	5,159	49%	49%	2
4322 NAUTILUS DR	2015	9,600.00	3,612	4,334	38%	45%	2
4316 NAUTILUS DR	1936	9,600.00	3,198	3,838	33%	40%	2
4310 NAUTILUS DR	1936	9,600.00	3,950	4,740	41%	49%	2
4294 NAUTILUS DR	1936	9,600.00	4,013	4,013	42%	42%	2
4433 N BAY RD *	2015	6,750.00	3,271	3,271	48%	48%	2
4425 N BAY RD	1935	6,000.00	2,683	2,683	45%	45%	2
4419 N BAY RD*	1953	6,000.00	4,320	4,320	72%	72%	2
4415 N BAY RD*	1940	6,000.00	3,502	3,502	58%	58%	1
4411 N BAY RD	1933	12,000.00	4,706	5,647	39%	47%	2
4401 N BAY RD*	1950	6,000.00	3,432	3,432	57%	57%	2
4400 ALTON RD	1952	6,000.00	2,297	2,756	38%	46%	1
4410 ALTON RD	1932	12,000.00	2,893	3,472	24%	29%	1
4416 ALTON RD	1937	6,000.00	2,137	2,564	36%	43%	2
4420 ALTON RD	1940	6,000.00	2,493	2,992	42%	50%	2
4422 ALTON RD	1927	6,017.00	3,088	3,088	51%	51%	2
4430 ALTON RD	1929	7,128.00	3,581	3,581	50%	50%	3
4373 N BAY RD	1952	6,158.00	2,440	2,928	40%	48%	1
4365 N BAY RD	1937	7,500.00	2,475	2,970	33%	40%	1
4351 N BAY RD	1941	7,150.00	1,759	2,111	25%	30%	1
4343 N BAY RD	1928	15,650.00	4,055	4,866	26%	31%	2
4335 N BAY RD	1925	6,680.00	2,979	2,979	45%	45%	2
4329 N BAY RD	1935	6,000.00	2,810	2,810	47%	47%	2
4323 N BAY RD	1956	5,400.00	2,440	2,440	45%	45%	1
4315 N BAY RD	1956	4,020.00	1,878	1,878	47%	47%	1
4312 ALTON RD*	1930	6,000.00	3,000	3,000	50%	50%	2
4318 ALTON RD	1930	6,000.00	2,836	2,836	47%	47%	2
4322 ALTON RD	1957	6,000.00	2,409	2,891	40%	48%	1
4326 ALTON RD	1940	6,000.00	1,926	2,311	32%	39%	1
4328 ALTON RD	1925	6,500.00	2,288	2,746	35%	42%	2
4334 ALTON RD	1927	6,500.00	1,820	2,184	28%	34%	2
4342 ALTON RD	1937	6,500.00	3,317	3,317	51%	51%	2

\* Data from recent Building Permit records.

The 20% allowance was added to the adjusted square footage only if the increase remained within permissible limits pursuant to the Land Development Regulations.

**Summary of Data Analysis:**

- The analysis area consists of RS-4 lots along Alton Road, North Bay Road and Nautilus Drive between W 43<sup>rd</sup> Street to W 44<sup>th</sup> Ct, as they are most uniform in character in relation to the subject parcel.
- There are 54 parcels in the analysis area, excluding the applicant's site (4354 Alton Road).
- All parcels range in size from 4,020 to 15,650 square feet.
- The average lot size is 8,416 square feet. The median lot size is 8,456 square feet, the most common lot size (mode) is 6,000 square.
- The average adjusted unit size is 2,992 square feet (37% of lot area), the median unit size is 2,990 square feet (36% of lot area). Six (6) homes exceed the current maximum unit size of 50%.
- Factoring a reasonable assumption of future additions to existing homes of 20% of the current adjusted size, the average home size increases to 3,396 SF (42% of lot area).
- The applicant is proposing a unit size for the Northern lot of 48.5% of the lot area (6,030 SF), the southern lot will have a unit size of 50% of the lot area (6,500 SF).

**STAFF RECOMMENDATION:**

In view of the foregoing analysis, staff recommends that the application be approved subject to the conditions enumerated in the attached Draft Order.

TRM/MAB/AG

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**ZONING/SITE PLAN**





**PLANNING BOARD  
CITY OF MIAMI BEACH, FLORIDA**

**PROPERTY:** 4354 Alton Road

**FILE NO.** PB 18-0206

**IN RE:** The applicant, 4354 Alton Homes, LLC, requested a Division of Land/Lot Split, pursuant to Chapter 118, Article VII of the City Code, to divide the existing site comprised of two platted lots, into two individual buildable parcels.

**LEGAL DESCRIPTION:** Lots 20 and 21, Block 6, PLAT OF NAUTILUS SUBDIVISION, according to the map or plat thereof as recorded in Plat Book 8, Page 95, Public Records of Miami-Dade County, Florida.

**MEETING DATE:** September 25, 2018

**DIVISION OF LAND/LOT SPLIT  
FINAL ORDER**

The applicant, 4354 Alton Homes, LLC, requested a Division of Land/Lot Split, pursuant to Chapter 118, Article VII of the City Code, to divide the existing site into two individual buildable parcels.

The City of Miami Beach Planning Board 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:

- A. Based on the plans and documents submitted with the application, testimony and information provided by the applicant, and the reasons set forth in the Planning Department Staff Report, the project as submitted is consistent with Planning Board "Division of Land/Division of Land/Lot Split" criteria in Section 118-321.B of the Miami Beach Code.
- B. The project would remain consistent with the criteria and requirements of Section 118-321.B subject to the subject to the following conditions, to which the Applicant has agreed:
  - 1. The two (2) lots created pursuant to this lot split application at 4354 Alton Road, shall comply with the following:
    - a. The subject lots shall not be subdivided any further.
    - b. Design Review Board review and approval shall be required for the proposed home(s) on each lot.

- c. The building parcels created by this lot split shall be as depicted on the signed and sealed surveys by Longitude Survey, dated 07-26-2018.
  - d. Individual underground utility, water, sewer, electric, telephone and cable connections, as well as the payment of any applicable impact fees, shall be the responsibility of the owners of each respective lot.
  - e. If required, the removal and replacement of all or portions of the sidewalk curb and gutter along all portions of each lot shall be the responsibility of the applicant.
  - f. The maximum unit size for each lot shall be limited to the lesser of 50% or the maximum permitted at the administrative level at the time of building permit, as per Section 142-105 (b), as may be revised from time to time.
  - g. The maximum lot coverage for each lot shall be limited to the lesser of 30% or the maximum permitted at the administrative level at the time of building permit, as per Section 142-105 (b), as may be revised from time to time.
  - h. Any proposed new home on each lot shall fully adhere to the review criteria and development regulations identified in Sections 142-105, *Development regulations and area requirements*. Enhancements of these applicable development regulations through Design Review Board review and approval, including variances, shall not be permitted from Section 142-105.
  - i. The proposed driveway layout on the south lot (Lot 20) shall be designed in such a manner to accommodate the maneuvering of vehicles inside the property, subject to the review and approval of staff. Backing into or backing out of the site (from Alton Road) shall not be permitted.
  - j. Prior to the issuance of a Building Permit, a tree report prepared by a certified arborist for all of the existing trees on site shall be submitted for the review and evaluation of the CMB Urban Forester. Any trees identified to be in good health shall be retained or relocated if determined to be feasible by the CMB Urban Forester.
2. The applicant and/or owner, for each lot created herein, both now and in the future, shall abide by all the documents and statements submitted with this application for Division of Land/Lot Split, as well as all conditions of this Order. The conditions of approval for this Lot Split are binding on the applicant, the property owners, and all successors in interest and assigns.
3. The Planning Board shall maintain jurisdiction of this Lot Split approval. If deemed necessary, at the request of the Planning Director, the applicant shall provide a progress report to the Board. The Board reserves the right to modify

the Lot Split approval at the time of a progress report in a non-substantive manner, to impose additional conditions to address problems and to determine the timing and need for future progress reports. This Lot Split is also subject to modification or revocation under City Code Sec. 118-323.

4. The applicant and/or owner of each property shall resolve all outstanding violations and fines on each respective property, if any, prior to the issuance of a building permit for any home proposed.
5. 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.
6. The executed Order for the Division of Land/Lot Split shall be recorded in the Public Records of Miami-Dade County, Florida, at the expense of the applicant and returned to the Planning Department. A building permit, certificate of occupancy, or certificate of completion shall not be issued until this requirement has been satisfied.
7. The Lot Split approval approved herein shall comply with all the aforementioned conditions of approval; non-compliance shall constitute a violation of the City Code, and shall be subject to enforcement procedures set forth in Section 114-8 of the Code and such other enforcement procedures as are permitted by law. Any failure by the applicant to comply with the conditions of this Order shall also constitute a basis for consideration by the Planning Board for a revocation of this approval.
8. 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.

IT IS HEREBY 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 staff recommendations, as modified by the Planning Board that the Division of Land/Lot Split as requested and set forth above be GRANTED, subject to those certain conditions specified in Paragraph B of the Findings of Fact (Condition Nos. 1-8, inclusive) hereof, to which the applicant has agreed.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

