

From: [PlanningAudioVisual](#)
To: [Bueno, Lizbeth](#)
Cc: [Fons, Monique](#); [Tackett, Deborah](#)
Subject: FW: HPB21-0486, 411 Michigan Avenue, 419 Michigan Avenue & 944 5th Street
Date: Wednesday, March 2, 2022 12:37:34 PM
Attachments: [house 3.pdf](#)
[house 2.pdf](#)
[Plans .pdf](#)
[Bad report.pdf](#)
[2012 Meeting.pdf](#)
[green wall.pdf](#)
[image001.png](#)

Hi Lizbeth,
Please process.
Thanks,



Jessica Gonzalez
Clerk of Boards
Planning Department
1700 Convention Center Drive – 2nd Floor, Miami Beach, FL 33139
Tel: 305-673-7550 / www.miamibeachfl.gov
It's easy being Green! Please consider our environment before printing this email.

From: Quinn Martielli AP <quinn@acupuncturemiamibeach.com>
Sent: Tuesday, March 1, 2022 9:04 PM
To: PlanningAudioVisual <PlanningAudioVisual@miamibeachfl.gov>; Quinn Martielli <quinn@acupuncturemiamibeach.com>
Subject: HPB21-0486, 411 Michigan Avenue, 419 Michigan Avenue & 944 5th Street

[THIS MESSAGE COMES FROM AN EXTERNAL EMAIL - USE CAUTION WHEN REPLYING AND OPENING LINKS OR ATTACHMENTS]

March 1, 2022

Re: HPB21-0486, 411 Michigan Avenue, 419 Michigan Avenue & 944 5th Street

Please Confirm Receipt.

A 6-page PDF is attached.

Dear Honorable Board & Chair,

Thank you for your attention.

My name is "Quinn" Jean Martielli and I have lived and worked at 927 4th St Miami Beach for 26 years.

My Historic House is located at the SE corner of the development project at 411, 419 Michigan and 944 5th St.

Twenty five years ago I planted a green wall. There are 11 mature trunks 3 storeys high.

There is a chain link fence behind my property but unbeknownst to me it was not exactly on the line.

On 2/22/22 the developers Sumaida + Khurana informed me that my green wall was on their property now. Also my new gas meters.

With the 2' 3" setback S + K is prepared to offer, most of my trees would come down.

For 80 years there has been a precedent of a 5 foot setback on each side of the property line. This is seen between the two storey structure of 411 Michigan and the one storey structure of 935 4th Street. Cube3 have not included the precedent setting structure in their plans like it doesn't even exist ?

Then neighbors found a discrepancy in the information the Architectural firm Cube3 presented to the City Planners during the 1/25/2021 meeting and what setbacks exist on the ground.

In the report presented to the city they said the setback was only 1' 6" when really it is 5'.

I am not a construction professional but feel concerned over an error of this magnitude at the beginning of a massive project.

While we are all really happy that developers have come, there is a right way and a wrong way to do everything.

I love the juxtaposition of the old with the new architecture but it has to be done carefully.

The solid wall of their parking garage is going to be taller than my building.

In addition, how can you provide health, safety, and sanitation with a setback that is only 2' 3" from the property line? The maintenance person must walk sideways. How would they even bend over to pick something up?

As I pick up trash in front of my property every single day in addition to the City's service we are

going to need a regular and comfortable maintenance routine between properties.

When the Historic structures are jammed too close to the New Developments it doesn't work for either the old or the new properties. (Think of Tap Tap and Urbanica).

In order to have a reasonable and aesthetically pleasing project I would like to respectfully request a 5' setback on each side of the property line as per historic precedent.

And also for my trees.

It seems only the Historic Preservation Board can help us now!

The "Avenue to Appeal" the Planning Board's past decision based on incorrect information appears difficult to pursue.

That is why we have worked so hard to present our case clearly to you today.

I have also included supporting information that shows that at the 2012 HPB meeting 8/14/2012 File No.7323 the developers had to apply for a Variance when they changed from the 5' setback.

Thank you again for your consideration.

P.S. At the 2012 meeting HPB granted "the cutest little historic building on 4th St" a variance and they moved that last developer's whole project a few feet. They did that!

This properties Architect is Jo. H. Smith. He collaborated with V. H. Nellenbogen. My permits are dated 5/9/30. The house is Dade County Pine. Lath and Plaster. Well loved.

Thank you,

Quinn Martielli

Tel: 305-534-0435

www.acupuncturemiamibeach.com

In 2001, the property underwent an extensive renovation and was converted to a medical clinic, work included window replacement, fence installation, ADA compliant access ramps and landscaping. It currently houses a realty office.

THE PROJECT:

The applicant has submitted plans entitled "411 Michigan", as prepared by 3Design Architecture, undated.

The applicant, 411 Aqua, LLC, is requesting a Certificate of Appropriateness for the demolition of an existing single story building, the partial demolition, renovation and restoration of an existing 2-story building, and the construction of a new 3-story building and a new 4-story building, as part of a new office complex.

COMPLIANCE WITH ZONING CODE:

A preliminary review of the project indicates that the application, as proposed, may be inconsistent with the following portions of the City Code:

5' 9"

1. The minimum side yard setback for surface parking is 5'-0", 0'-9" is provided from the south side property line, a variance will be required. *developer needs variance*
2. Thirty (30) parking spaces are required for the new construction, eight (8) have been provided. Applicant must pay into the Parking Impact Fee for any required parking not provided for.
3. The application must comply with Section 142-704 of the City Code: - Minimum required yards in relation to minimum open space ratio.

The above noted comments shall not be considered final zoning review or approval. These and all zoning matters shall require final review and verification by the Zoning Administrator prior to the issuance of a Building Permit.

ACCESSIBILITY COMPLIANCE:

Additional information will be required for a complete review for compliance with the Florida Building Code 2001 Edition, section 11 (Florida Accessibility Code for Building Construction.) The above noted comments shall not be considered final accessibility review or approval. These and all accessibility matters shall require final review and verification by the Building Department prior to the issuance of a Building Permit.

COMPLIANCE WITH CERTIFICATE OF APPROPRIATENESS CRITERIA:

A decision on an application for a Certificate of Appropriateness shall be based upon the following:

- I. Evaluation of the compatibility of the physical alteration or improvement with surrounding properties and where applicable, compliance with the following criteria pursuant to Section 118-564(a)(1) of the Miami Beach Code (it is recommended that the listed criteria be found Satisfied, Not Satisfied or Not Applicable, as so noted):
 - a. The Secretary of Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings as revised from time to time.
Satisfied



02/22/2022 15:15



927
Chinese Forks
and
Anquators



02/22/2022 15:18

MULTIFAMILY - COMMERCIAL - ZONING DATA SHEET

ITEM #	Project Information			
1	Address:	411-419 Michigan Ave, 944 5 Street		
2	Board and file numbers :	PB21-0469		
3	Folio number(s):	02-4203-010-0030, 02-4203-009-6170, 02-4203-009-6160		
4	Year constructed:	N/A	Zoning District:	CPS-2
5	Based Flood Elevation:	8	Grade value in NGVD:	4
6	Adjusted grade (Flood+Grade/2):	6	Lot Area:	21,000
7	Lot width:	140'	Lot Depth:	150'
8	Minimum Unit Size	N/A	Average Unit Size	N/A
9	Existing use:	N/A	Proposed use:	Commercial

	Zoning Information / Calculations	Maximum	Existing	Proposed	Deficiencies
10	Height	75'	0'	75'	Pursuant to in-process Code Amendment
11	Number of Stories	N/A	N/A	5	
12	FAR	42,000	0	41,377	
13	Gross square footage	N/A	9,500	92,356	
14	Square Footage by use	N/A	9,500	3,125 Retail, 38,252 Office	
15	Number of units Residential	N/A	N/A	N/A	
16	Number of units Hotel	N/A	N/A	N/A	
17	Number of seats	N/A	N/A	N/A	
18	Occupancy load	N/A	N/A	N/A	

	Setbacks	Required	Existing	Proposed	Deficiencies
Subterranean:					
19	Front Setback facing Michigan:	0	0	0	
20	Side Setback:	0	0	0	
22	Side Setback facing 5th street:	0	0	0	
23	Rear Setback facing Alley:	5'	10'	9'	
At Grade Parking:					
24	Front Setback facing Michigan:	0	0	0	
25	Side Setback:	0	0	0	
27	Side Setback facing 5th street:	0	0	0	
28	Rear Setback Facing Alley:	5'	10'	9'	
Pedestal and Tower:					
29	Front Setback facing Michigan:	0	0	4"	
30	Side Setback:	0	1'-6"	0	
31	Side Setback facing 5th street:	0	0	4"	
32	Rear Setback Facing Alley:	5'	10'	9'	

	Parking	Required	Existing	Proposed	Deficiencies
39	Parking District	1	1	1	
40	Total # of parking spaces	85	0	85	106 Required before Reductions (see chart A2.2)
41	# of parking spaces per use (Provide a separate chart for a breakdown calculation)	see chart A2.2	0	see chart A2.2	

Beach, Florida 33139, www.miamibeachfl.g

CUBE 3, LLC
111 SW 3rd Street, Floor 4
Miami, Florida 33133
License No. L18000278579
Jonathan W. Cardello, AIA

FL License No. AR93391



Digitally signed by
Jonathan Cardello
Date: 2021.11.24
10:17:16 -0500'



411 Michigan Avenue
Miami Beach, Florida

CMB Zoning
Scale: 1" = 40'-0"



Final Submittal
29 November 2021

A2.1

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		N/A	0	Basement - 58 Ground Floor -27	
42	# of parking spaces per level (Provide a separate chart for a breakdown calculation)	N/A	0		
43	Parking Space Dimensions	8.5' x 18'	0	8.5' x 18'	
44	Parking Space configuration (45o, 60o, 90o, Parallel)	90	0	90	
45	ADA Spaces				
46	Tandem Spaces	N/A	0	15	
47	Drive aisle width	22'	0	22'	
48	Valet drop off and pick up	Y	N	Y	
49	Loading zones and Trash collection areas	3	0	1 in alley	Waiver Requested
50	Bicycle parking, location and Number of racks	0	0	25 Long Term In Basement	

	Restaurants, Cafes, Bars, Lounges, Nightclubs	Required	Existing	Proposed	Deficiencies
51	Type of use				
52	Number of seats located outside on private property	N/A	N/A	N/A	
53	Number of seats inside	N/A	N/A	N/A	
54	Total number of seats	N/A	N/A	N/A	
55	Total number of seats per venue (Provide a separate chart for a breakdown calculation)	N/A	N/A	N/A	
56	Total occupant content	N/A	N/A	N/A	
57	Occupant content per venue (Provide a separate chart for a breakdown calculation)	N/A	N/A	N/A	

58	Proposed hours of operation	8am-8pm
59	Is this an NIE? (Neighborhood Impact establishment, see CMB 141-1361)	N
60	Is dancing and/or entertainment proposed? (see CMB 141-1361)	N
61	Is this a contributing building?	Yes
62	Located within a Local Historic District?	Yes

Notes:
If not applicable write N/A N/A