

# MIAMI BEACH

PLANNING DEPARTMENT

**City of Miami Beach**, 1700 Convention Center Drive, Miami Beach, Florida 33139  
Tel: (305) 673-7550, Fax: (305) 673-7559

January 20, 2015

Marina Huang  
Harding Hotel LLC.  
1680 Collins Avenue, Suite 102  
Miami Beach, FL 33139

**Subject: Request for Zoning Verification**  
**6084 Collins Avenue**  
**Miami Beach, Florida**  
**Folio No. 02-3211-008-0010**

Dear Mrs. Huang:

This letter is in response to a request for zoning confirmation for the subject property.

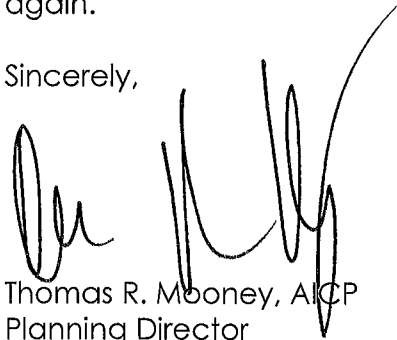
Please be advised that the subject property is currently zoned **RM-2, Residential Multifamily Medium Intensity District**. This district is designed for medium intensity multiple-family residences.

In accordance with Section 142-212 of the Land Use Regulations of the Code of the City of Miami Beach, the main permitted uses include: single-family detached dwellings; townhomes; apartments; apartment-hotels; and hotels.

The subject property is also in the North Beach Resort Local Historic District and as such, any proposed development would require the review and approval of the Historic Preservation Board.

If we may be of further assistance, please do not hesitate to contact this department again.

Sincerely,



Thomas R. Mooney, AICP  
Planning Director

Invoice No. 00060380

## **Subdivision IV. RM-2 Residential Multifamily, Medium Intensity**

### **Sec. 142-211. Purpose.**

The RM-2 residential multifamily, medium intensity district is designed for medium intensity multiple-family residences.

(Ord. No. 89-2665, § 6-3(A)(1), eff. 10-1-89; Ord. No. 96-3050, § 2, 7-17-96)

### **Sec. 142-212. Main permitted uses.**

The main permitted uses in the RM-2 residential multifamily, medium intensity district are single-family detached dwellings; townhomes; apartments; apartment-hotels; and hotels; except that in the Palm View corridor as defined in this subdivision as all properties abutting the west side of Meridian Avenue between 17th street and Collins Canal; and in the West Avenue Corridor, defined in this subdivision as that area bordered by Collins Canal to the north, Alton Road to the east. Biscayne Bay to the West and 6th Street to the south, apartment-hotel or hotel uses are only permitted if issued a building permit or occupational license prior to May 28, 2013, or are approved by the design review board pursuant to a complete application filed and pending prior to May 28, 2013, in which event they shall be considered a "legal conforming use." A property that has a "legal conforming use" as used in this subdivision prior to May 28, 2013, may retain all, and apply for new, expansions and modifications to, permitted, conditional and/or accessory uses permitted in the zoning category as of May 28, 2013, and apply for building permits to add, improve and/or expand existing structures, or construct new structures for permitted, conditional and/or accessory uses permitted in the zoning category, if FAR remains available.

(Ord. No. 89-2665, § 6-3(A)(2), eff. 10-1-89; Ord. No. 95-3020, eff. 11-4-95; Ord. No. 96-3050, § 2, 7-17-96; Ord. No. 2013-3819, § 1, 10-16-13; Ord. No. 2013-3820, § 1, 10-16-13)

### **Sec. 142-213. Conditional uses.**

Conditional uses in the RM-2 residential multifamily, medium intensity district are adult congregate living facility; day care facility; nursing home; religious institutions; private and public institutions; schools; commercial or noncommercial parking lots and garages; and accessory neighborhood impact establishment, as set forth in article V, division 6 of this chapter.

(Ord. No. 89-2665, § 6-3(A)(3), eff. 10-1-89; Ord. No. 95-3020, eff. 11-4-95; Ord. No. 96-3050, § 2, 7-17-96)

### **Sec. 142-214. Accessory uses.**

The accessory uses in the RM-2 residential multifamily, medium intensity district are as required in article IV, division 2 of this chapter and uses that serve alcoholic beverages as listed in article V, division 4 of this chapter, pertaining to alcoholic beverages. RM-2 properties within the Palm View, or West Avenue corridors may not have accessory outdoor entertainment establishments. Notwithstanding the foregoing, a property that had a legal conforming use as of May 28, 2013, shall have the right to apply for and receive special event permits that contain entertainment uses.

(Ord. No. 89-2665, § 6-3(A)(4), eff. 10-1-89; Ord. No. 95-3020, eff. 11-4-95; Ord. No. 96-3050, § 2, 7-17-96; Ord. No. 2013-3819, § 1, 10-16-13; Ord. No. 2013-3820, § 1, 10-16-13)

### **Sec. 142-215. Prohibited uses.**

The prohibited uses in the RM-2 residential multifamily, medium intensity district are accessory outdoor entertainment establishment, accessory open air entertainment establishment, as set forth in article V, division 6 of this chapter; and accessory outdoor bar counter; and for properties located within the Palm View, and West Avenue corridors, hotels and apartment-hotels, except to the extent preempted by F.S. § 509.032(7), and unless they are a legal conforming use. Properties that voluntarily cease to operate as a hotel for a consecutive three-year period shall not be permitted to later resume such hotel operation. Without limitation, (a) involuntary hotel closures due to casualty, or (b) cessation of hotel use of individual units of a condo-hotel, shall not be deemed to be ceasing hotel operations pursuant to the preceding sentence.

(Ord. No. 89-2665, § 6-3(A)(5), eff. 10-1-89; Ord. No. 96-3050, § 2, 7-17-96; Ord. No. 2013-3819, § 1, 10-16-13; Ord. No. 2013-3820, § 1, 10-16-13)

### **Sec. 142-216. Development regulations.**

The development regulations in the RM-2 residential multifamily, medium intensity district are as

follows:

(1) Max. FAR: 2.0.

(Ord. No. 89-2665, § 6-3(B)(1), (2), eff. 10-1-89; Ord. No. 94-2949, eff. 10-15-94; Ord. No. 94-2954, eff. 11-30-94; Ord. No. 98-3107, § 1, 1-21-98; Ord. No. 98-3149, § 1, 11-4-98)

**Sec. 142-217. Area requirements.**

The area requirements in the RM-2 residential multifamily, medium intensity district are as follows:

Minimum Lot Area (Square Feet)	Minimum Lot Width (Feet)	Minimum Unit Size (Square Feet)	Average Unit Size (Square Feet)	Maximum Building Height (Feet)	Maximum Number of Stories
7,000	50	New construction—550 Non-elderly and elderly low and moderate income housing: See section 142-1183 Rehabilitated buildings—400 Hotel unit: 15%: 300—335 85%: 335+	New construction—800 Non-elderly and elderly low and moderate income housing: See section 142-1183 Rehabilitated buildings—550 Hotel units—N/A	Historic district—50 (except as provided in section 142-1161) Area bounded by Indian Creek Dr., Collins Ave., 26th St., and 44th St.—75 Area fronting west side of Collins Ave. btwn. 76th St. and 79th St.—75 Area fronting west side of Alton Rd. between Arthur Godfrey Rd. and W. 34th St.—85 Otherwise—60 Lots fronting Biscayne Bay less than 45,000 sq. ft.—100 Lots fronting Biscayne Bay over 45,000 sq. ft.—140 Lots fronting Atlantic Ocean over 100,000 sq. ft.—140	Historic district—5 (except as provided in section 142-1161) Area bounded by Indian Creek Dr., Collins Ave., 26th St., and 44th St.—8 Area fronting west side of Alton Rd. between Arthur Godfrey Rd. and W. 34th St.—8 Area fronting west side of Collins Ave. btwn. 76th St. and 79th St.—8 Otherwise—6 Lots fronting Biscayne Bay less than 45,000 sq. ft.—11 Lots fronting Biscayne Bay over 45,000 sq. ft.—15 Lots fronting Atlantic Ocean over 100,000 sq. ft.—15

(Ord. No. 89-2665, § 6-3(B)(3), eff. 10-1-89; Ord. No. 94-2954, eff. 11-30-94; Ord. No. 97-3097, § 2, 10-8-97; Ord. No. 98-3150, § 1, 11-4-98; Ord. No. 99-3218, § 1, 11-17-99; Ord. No. 2005-3483, § 3, 5-18-05; Ord. No. 3744, § 5, 10-19-11; Ord. No. 2014-3839, § 1, 2-12-14)

**Sec. 142-218. Setback requirements.**

The setback requirements in the RM-2 residential multifamily, medium intensity district are as follows:  
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follows:

	Front	Side, Interior	Side, Facing a Street	Rear
At-grade parking lot on the same lot except where (b) below is applicable	20 feet	5 feet, or 5% of lot width, whichever is greater	5 feet, or 5% of lot width, whichever is greater	Non-oceanfront lots—5 feet Oceanfront lots—50 feet from bulkhead line
Subterranean	20 feet	5 feet, or 5% of lot width, whichever is greater. (0 feet if lot width is 50 feet or less)	5 feet, or 5% of lot width, whichever is greater	Non-oceanfront lots—0 feet Oceanfront lots—50 feet from bulkhead line
Pedestal	20 feet Except lots A and 1—30 of the Amended Plat Indian Beach Corporation Subdivision and lots 231-237 of the Amended Plat of First Ocean Front Subdivision—50 feet	Sum of the side yards shall equal 16% of lot width Minimum—7.5 feet or 8% of lot width, whichever is greater	Sum of the side yards shall equal 16% of lot width Minimum—7.5 feet or 8% of lot width, whichever is greater	Non-oceanfront lots—10% of lot depth Oceanfront lots—20% of lot depth, 50 feet from the bulkhead line whichever is greater
Tower	20 feet + 1 foot for every 1 foot increase in height above 50 feet, to a maximum of 50 feet, then shall remain constant. Except lots A and 1—30 of the Amended Plat Indian Beach Corporation Subdivision and lots 231—237 of the Amended Plat of First Ocean Front Subdivision—50 feet	The required pedestal setback plus 0.10 of the height of the tower portion of the building. The total required setback shall not exceed 50 feet	Sum of the side yards shall equal 16% of the lot width Minimum—7.5 feet or 8% of lot width, whichever is greater	Non-oceanfront lots—15% of lot depth Oceanfront lots—25% of lot depth, 75 feet minimum from the bulkhead line whichever is greater

- (b) In cases where the city commission approves after public hearing a public-private parking agreement for a neighborhood based upon an approved street improvement plan, the minimum front yard setback for parking subject to the agreement shall be zero feet. The street improvement plan must be approved by the design review board if outside an historic district, or the historic preservation board if inside an historic district.

(Ord. No. 89-2665, §§ 6-3(C), 6-5, eff. 10-1-89; Ord. No. 90-2722, eff. 11-21-90; Ord. No. 91-2767, eff. 11-2-91; Ord. No. 93-2885, eff. 11-27-93; Ord. No. 94-2954, eff. 11-30-94; Ord. No. 96-3050, § 2, 7-17-96; Ord. No. 98-3108, § 2, 1-21-98; Ord. No. 2004-3464, § 2, 11-10-04)

**Sec. 142-219. Regulations for new construction.**

In the RM-2, residential district, all floors of a building containing parking spaces shall incorporate the following:

- (1) Residential or commercial uses, as applicable, at the first level along every facade facing a street, sidewalk or waterway. For properties not having access to an alley, the required residential space shall accommodate entrance and exit drives.
- (2) Residential uses above the first level along every facade facing a waterway.
- (3) For properties less than 60 feet in width, the total amount of residential space at the first level along a street side shall be determined by the design review or historic preservation board, as applicable. All facades above the first level, facing a street or sidewalk, shall include a substantial portion of residential uses; the total amount of residential space shall be determined by the design review or historic preservation board, as applicable, based upon their respective criteria.

RM-2  
NBHD

Harding Hotel LLC  
c/o 1680 Collins Ave, Suite#102  
Miami Beach, FL 33139  
305-535-1903

January 15, 2015

Attn: Steven Williams  
City of Miami Beach  
Planning Department

Re: 6084 Collins Ave – Folio#02-3211-008-0010  
6061 Indian Creek – Folio#02-3211-008-0190  
6055 Indian Creek – Folio#02-3211-008-0180

Dear Steven Williams,

We are in the process of purchasing the above listed buildings and the bank is requesting Zoning Letters for each which states the zoning district and if it is a historic district and provides the applicable zoning regulations.

We are scheduled to close on January 21, 2015 – please let me know if it possible to <sup>have</sup> the letters by Tuesday, January 20, 2015. I apologize for requesting this on short notice <sup>we</sup> were just informed of this requirement.

Thank you,

  
Marina Huang  
Construction Controller  
Harding Hotel LLC

Acct  
# 024615

Inv.  
#00060380