



# MIAMIBEACH

## MEMORANDUM

TO: Land Use and Development Committee

FROM: Jorge M. Gonzalez, City Manager *JMG for JMG*

DATE: April 25, 2012

SUBJECT: **DISCUSSION REGARDING A RESOLUTION BY THE HISTORIC PRESERVATION BOARD TO MODIFY THE CODE GOVERNING THE VOLUNTARY DESIGNATION OF SINGLE FAMILY HOMES.**

### BACKGROUND

#### Non-Historically Designated Single Family Homes

In recognition of Miami Beach's extraordinary inventory of architecturally significant single family homes, the City Commission adopted amendments to the City Code on April 10, 2002, intended to provide incentives for property owners to retain and rehabilitate rather than demolish architectural significant single family homes constructed prior to 1942. Such ordinance established criteria for the Planning Director or designee to make a determination whether a single-family home constructed before 1942 is architecturally significant, and provided a clearly defined process for the review of any demolition requests for architecturally significant single-family homes. A Single Family Residential Review Panel (SFRRP) was created in 2002 to review requests for demolition and alterations of architecturally significant pre-1942 homes. This panel's authority was later replaced by the Design Review Board (DRB). In part, these amendments to the City Code were designed to reduce a growing trend of architecturally significant homes being demolished and replaced by large 'McMansion' type structures highly incompatible with the unique character of Miami Beach's single family residential neighborhoods.

On December 8, 2004, the City Commission adopted revisions to the single family development regulations in the City Code, pertaining to demolition procedures for architecturally significant single-family homes constructed prior to 1942 and located outside of local historic districts and sites. This Ordinance included specific criteria for applications involving total and partial demolition. Specifically, any requests for total demolition to an architecturally significant pre-1942 home would require Design Review Board approval for the proposed new construction. In addition, the extent of administrative level approval was modified to be consistent with the criteria in the Design Review and Historic Preservation sections of the City Code. As a result of these amendments the City has seen a remarkable improvement in the quality, character and design of new replacement construction as well as additions to existing architecturally significant pre-1942 single family homes.

#### Voluntary Historic Designation of Single Family Homes

On June 11, 2003, the City Commission adopted revisions to the Land Development regulations of the City Code, amending Chapter 118, Article X, "Historic Preservation," Division 4, "Designation," to establish requirements and procedures specific to the individual designation of Single Family Homes. Specifically, to reduce the burden and expense on an individual property owner who would like to historically designate a qualifying single family home. This

simplification has enabled the Historic Preservation Board (HPB) to designate single family homes historic in one public hearing with no application fee for the home owner. This simplification of the designation process was found necessary to effect designation. This forward thinking amendment to the City Code has resulted in 23 unique structures being voluntarily historically designated by their owners since 2003. Such designations range from the most modest of historically significant homes to the most grandiose waterfront estates.

To further incentivize the preservation and appropriate renovation of historically significant single family homes, the City of Miami Beach enacted legislation authorizing an exemption for its portion of ad valorem taxes for improvements to historically designated single-family homes on December 8, 2004 (Sections 118-600 to 118-612 of the Miami Beach City Code). This legislation allows for the City's portion of property taxes to be "frozen" at the rate they were assessed before qualifying improvements, including the construction of new additions, are made to an historic single-family home for a period of ten (10) years.

### **Historic Preservation Board Resolution**

On May 10, 2011, the Historic Preservation Board approved a Resolution urging the City Commission to initiate an amendment to the applicable sections of the City Code pertaining to the voluntary designation of single family homes, in order to include the following modifications:

1. Create a uniform standard for eligible homes that would allow for structures between 20 and 30 years of age to request designation;
2. Create a mechanism for a 'sliding scale' that would apply to homes as each calendar year passes, thus allowing the age of a structure to dictate its eligibility for designation (by the Historic Preservation Board) on a continual basis;
3. Replace the 'Pre-1942' standard in section 142-108 (Design Review Board) of the City Code with a sliding scale that would pertain to all structures 30 years of age and older.

In drafting this Resolution, the Historic Preservation Board expressed two serious concerns, one being that non-historically designated, architecturally significant homes built after 1942, which includes the City's unique collection of Post War Modern, or MiMo, period houses, are being lost to demolition. Secondly, when a post 1942 single family home is demolished the new replacement construction does not receive the benefit of Design Review Board review and approval. It has been clearly demonstrated that the review of new construction by the Design Review Board has resulted in a significant improvement in the quality and character of the City's single family home neighborhoods. As Post-War Modern buildings become widely recognized across the country for their architectural significance, a strong need arises to incentivize the retention and appropriate renovation of Miami Beach's Post-War Modern style homes, now celebrated as the MiMo style of architecture.

Since the ordinance was adopted, approximately 160 architecturally significant pre-1942 homes have been reviewed by either the SFRFP or DRB. On average, applications for major alterations or new construction are approved by the Board in one public hearing.

### **ANALYSIS**

#### **Historic Designation review by the Historic Preservation Board and City Commission**

When the Historic Preservation Board considered the designation of the Ocean Beach Historic District in 1996, they considered buildings of 30 years of age or older for potential eligibility as contributing (historic) structures within the proposed district. Since the Ocean Beach Historic

District designation, the Historic Preservation Board, Planning Board and City Commission have applied this standard of 30 years of age uniformly to evaluate historic and architectural significance for all potential historic districts and potential historic sites. In their May 10, 2011 Resolution, the Historic Preservation Board has recommended that a standard of between 20 and 30 years of age be clarified and incorporated into the City Code. This 30 year standard has proven to be an invaluable tool in determining historic significance throughout the City's local historic districts, individual sites and individual single family homes. The Administration believes that the adoption of this standard into the City Code would clarify the eligibility requirements for historic properties and provide a benefit for future potential historic designations.

Design Review of Architecturally Significant Pre-1942 Homes

The Historic Preservation Board has also suggested that the City Commission consider amending the Single Family Home regulations as specified in section 142-108 of the City Code. Specifically, that the pre-1942 Single Family Home regulations (Design Review Board) as specified in section 142-108 of the City Code, be amended to include all single family homes that are of at least 30 years of age for evaluation of architectural significance.

If this 30 year standard, as recommended by the HPB, is adopted it would result in the potential review of 95% of the City's existing single family homes by the Design Review Board. While not all 30 year old homes would be determined to be architecturally significant, this additional review would insure that when an architecturally significant home that is 30 years or older is demolished that any new replacement construction would be reviewed by the Design Review Board.

Should the Land Use and Development Committee determine that the 30 year sliding rule is too encompassing for the determination of architecturally significant homes, the Administration strongly recommends that a minimum standard for all homes constructed prior to 1966 be considered. This would ensure that the majority of single family homes constructed in the MiMo style of architecture, which has been widely recognized and celebrated, are reviewed for their architectural significance. This would provide an incentive to homeowners to retain and protect the City's inventory of MiMo houses.

Since 2005, after the pre-1942 Single Family Home regulations were adopted, the DRB has reviewed major work proposed as well as new construction where architecturally significant pre-1942 homes were demolished. This has been an invaluable tool in maintaining the character and scale of single family residential neighborhoods. As this process has been managed highly effectively and efficiently by the DRB, the Administration believes that the recommendation to increase the number of properties that could be reviewed by the DRB will afford considerable benefit to the residential neighborhoods of Miami Beach by preserving as well as enhancing the character, quality and value of the City's single family residential neighborhoods.

**CONCLUSION**

The Administration is confident that further discussion by the City Commission will address the issues and concerns identified by the Historic Preservation Board, and result in higher quality design within the City's single family residential neighborhoods.

**RECOMMENDATION**

The Administration requests, based upon the foregoing analysis, that the Land Use and Development Committee provide further policy direction. Upon direction from the LUDC, the

April 25, 2012  
Land Use and Development Committee Meeting  
Discussion regarding Single Family Homes Designation  
Page 4 of 4

Administration will meet with and discuss any potential policy changes with any effected Single Family Neighborhood Associations.

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