



# MIAMI BEACH

## COMMITTEE MEMORANDUM

TO: Land Use and Development Committee

FROM: Kathie G. Brooks, Interim City Manager *KGB*

DATE: September 19, 2012

SUBJECT: Discussion Regarding the Re-Zoning of the Property at 1729 Lenox Avenue

### **INTRODUCTION**

At the April 13, 2011 City Commission meeting, a discussion on the possible re-zoning of the property at 1729 Lenox Avenue was referred to the Land Use and Development Committee (Item C4F) at the request of Mayor Bower. The matter was tabled by the Committee prior to any discussion of the issue.

At the July 25, 2012 LUDC meeting, the Committee requested that the matter be brought back at its next meeting.

### **BACKGROUND**

The Cuban-Hebrew Congregation of Miami, Inc. located on the north side of 17<sup>th</sup> Street, between Lenox and Michigan Avenues. The congregation operates a day care center within the synagogue, and in 1719 Lenox Avenue, a single family home on the adjacent parcel to the north which is owned by the congregation (both properties are zoned RM-1, Residential multifamily). The existing Conditional Use Permit was approved by the Planning Board on April 23, 2002, and last modified in 2008.

Last year the congregation proposed the purchase of the property at 1729 Lenox Avenue, the single family home adjacent to the north of the existing daycare facility at 1719 Lenox. 1729 Lenox Avenue is zoned RS-4 residential single family, which means that no other main permitted use is permitted other than a single family dwelling (very limited "family daycare facilities may be permitted by State Statute, however, a commercial daycare facility would not be a permitted use whatsoever.)

The referral to the Land Use Committee in April 2011 generated concern among Palm View residents, who voiced concern over the potential rezoning of the single family home at 1729 Lenox, citing fears of commercial intrusion into the Palm View historic district single family neighborhood. The matter was tabled by the Land Use Committee until such time as the Congregation initiated outreach to the surrounding neighborhood and held community meetings to attempt to achieve consensus on the matter.

### **CONCLUSION**

The Administration recommends that the Cuban Hebrew Congregation initiate further dialog with the residents of the surrounding Palm View neighborhood, prior to coming back to the Committee for further action.

KGB/JGG/RGL

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J.M. Losson  
1810 Jefferson Ave  
Miami Beach FL 33139

5 June, 2011

*Mr Lorber*  
*Miami Beach*

RE: Palm View Historic District

Dear Mr. Lorber:

This letter is to register my vehement opposition to any upzoning in the Palm View Historic District, where I have resided with my wife since 2006.

Although she wrote to you some weeks ago on the subject of rezoning of 1729 Lenox Avenue, I thought it important to forward to you my own thoughts on this issue.

Frankly I find it incomprehensible that the city of Miami Beach would seriously consider changing the zoning in a predominantly single family neighborhood, which I believed to have some protection against zoning changes since its designation as a historic district in 1998.

As you may have noted in Sheryl Gold's forceful May presentation to the Historic Preservation Board, our small residential neighborhood has been buffeted by an unseemly number of zoning exceptions and conditional use permits, which has resulted in two day care centers, an adult psychiatric half-way house, large parking lots, and a catering operation -- all within a neighborhood which is three blocks by two blocks.

We hope that the city of Miami Beach will support the Palm View Historic District by recommending against any further upzoning or extension of conditional use permits, and certainly against the expansion of the Montessori School on Lenox, which has already clogged our neighborhood with excessive traffic on both Lenox and Michigan Avenues.

Sincerely yours,

A handwritten signature in black ink, appearing to read 'J.M. Losson', with a large, sweeping flourish at the end.

J.M. Losson

**Lorber, Richard**

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**From:** Jay R. Levy [jay.levy@floridamoves.com]  
**Sent:** Thursday, April 28, 2011 6:02 PM  
**To:** Lorber, Richard; Gomez, Jorge  
**Subject:** Proposed Zoning Change in Palm View Historic District

Dear Messrs Lorber & Gomez,

We have lived in the Palm View Historic District, at 1753 Lenox Ave, just 100ft North of 1729 Lenox Ave, the present home of the Rabbi of the Synagogue on the corner of Lenox Ave & 17<sup>th</sup> St., for the past eleven years, and in South Beach a total of 20 years. Though we have not received any notice from any city authority, or from the Synagogue itself, we have heard from some of our neighbors that there is a plan being quietly put forth, to change the use of this home, located in an RS-4 Zone, from single family use, to commercial use, for a pre-school, and combined with the existing pre-school next door, apparently operating subject to a conditional use permit, in the adjoining RM-1 Zone.

When we invested our life savings in our home we believed we were buying into what had, at the time, been recently down-zoned to a Single Family neighborhood as well as an Historic District, with all the protections, and responsibilities, that such designation requires.

I could go on at length as to why granting permission for this change would be very detrimental to the neighborhood, our street, our investment in our home and the city's own integrity is such matters, as many of our neighbors already have, but will save my words for the appropriate open forum if this request for a change of use isn't withdrawn.

Thank you for your cooperation.

Jay & Claudia Levy

**Jay R. Levy, P.A. & Claudia Levy** | Residential & Commercial Real Estate | **Coldwell Banker Residential Real Estate, LLC.** |  
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# MIAMI BEACH

OFFICE OF THE MAYOR AND COMMISSION

MEMORANDUM

TO: Jorge M. Gonzalez, City Manager  
FROM: Matti Herrera Bower, Mayor *mw for MHB*  
DATE: March 28, 2011  
SUBJECT: Consent Agenda Item: Referral to Land Use Committee

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Please place on the April 13, 2011 Commission meeting agenda a referral to the Land Use Committee of a discussion regarding the rezoning of property at 1729 Lenox Avenue.

I thank you in advance for your cooperation in this matter. If you have any questions, please do not hesitate to contact Rebecca Wakefield at extension 6157.

Thank you.

MHB/rw

*We are committed to providing excellent public service and safety to all who live, work, and play in our community.*

Agenda Item C4F

Date 4-13-11