

Point 2

Overview

This is an email from Alioskar Ganem, P.E. of Ganem Consulting Engineering LLC, sent to the BORS Association. It raises serious concerns for owners: the City of Miami is requiring a complete change in the building's classification—from Residential (R-2) to Lodging (R-1)—to allow short-term rentals. This change would trigger a series of costly requirements that every BORS owner would be responsible for. The list of mandatory upgrades and compliance measures is both extensive and expensive, for example:

1. The building currently meets safety standards for residential use (R-2), but owners would now have to pay for upgrades to meet much stricter standards for lodging (R-1), like those required for hotels.
2. The City of Miami is mandating a Life Safety Study to ensure all fire protection systems and emergency exits comply with R-1 standards—this process would affect all BORS owners.
3. The building must be fully accessible and ADA-compliant. The association would need to decide how to meet this requirement, which could involve significant modifications and high costs for owners.



GANEM CONSULTING ENGINEERING LLC



April 10th, 2025

Brickell on the River South Condominium Association
41 SE 5th St
Miami FL 33131

Subject: Summary of Meeting with City of Miami Building Department – Permit Approval and Change of Use from Residential (R-2) to Lodging (R-1)

Dear Members of the Association,

I, Alioskar Ganem, P.E., attended a meeting with building officials from the City of Miami Building Department to discuss and clarify the requirements necessary to obtain approval for the permit and the proposed change of use for the property from Residential (R-2) to Lodging (R-1).

During this meeting, it was explained that the building, as currently designed, meets life safety and fire egress standards applicable to residential use (R-2). However, these standards differ from those required for lodging facilities (R-1), such as hotels. As a result, the Building Official has requested the completion of a Life Safety Study. This study must demonstrate that all fire protection systems and means of egress comply with the more stringent R-1 classification standards.

Additionally, it was noted that 5% of all units participating in short-term rental programs, such as Airbnb, must be fully accessible and ADA-compliant. The Association will need to determine whether the 5% requirement will be met by designating specific units as fully accessible or by coordinating among all participating unit owners to identify and modify the necessary units accordingly.


Following the completion of the Life Safety Study, we will be required to submit plans for approval. Each unit participating in the change of use will need to obtain a separate building permit, even though the Life Safety Study may be utilized collectively across all permit applications. Each permit submission must include the Life Safety Study for review.


We remain at your service to assist throughout this process and to ensure that all city requirements are properly addressed to achieve a successful outcome.

Please feel free to contact us should you have any questions or require further clarification.

Sincerely,

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