

MIAMIBEACH

PLANNING DEPARTMENT

1700 Convention Center Drive, Miami Beach, Florida 33139; Tel: 305.673.7550; Web: www.miamibeachfl.gov/planning

LAND USE BOARD HEARING APPLICATION

The following application is submitted for review and consideration of the project described herein by the land use board selected below. A separate application must be completed for each board reviewing the proposed project.

Application Information			
FILE NUMBER DRB 19 - 0368			
<input type="radio"/> Board of Adjustment <input type="checkbox"/> Variance from a provision of the Land Development Regulations <input type="checkbox"/> Appeal of an administrative decision		<input checked="" type="radio"/> Design Review Board <input checked="" type="checkbox"/> Design review approval <input checked="" type="checkbox"/> Variance	
<input type="radio"/> Planning Board <input type="checkbox"/> Conditional use permit <input type="checkbox"/> Lot split approval <input type="checkbox"/> Amendment to the Land Development Regulations or zoning map <input type="checkbox"/> Amendment to the Comprehensive Plan or future land use map		<input type="radio"/> Historic Preservation Board <input type="checkbox"/> Certificate of Appropriateness for design <input type="checkbox"/> Certificate of Appropriateness for demolition <input type="checkbox"/> Historic district/site designation <input type="checkbox"/> Variance	
<input type="checkbox"/> Other:			
Property Information - Please attach Legal Description as "Exhibit A"			
ADDRESS OF PROPERTY 5441 Alton Road			
FOLIO NUMBER(S) 02 3215 003 1720			
Property Owner Information			
PROPERTY OWNER NAME David O. Sullivan/Luis M. Tejjiz			
ADDRESS 5445 Alton Road		CITY Miami Beach	STATE FL
BUSINESS PHONE		CELL PHONE 786-409-1372	EMAIL ADDRESS Davidos131@aol.com
Applicant Information (if different than owner)			
APPLICANT NAME			
ADDRESS		CITY	STATE
BUSINESS PHONE		CELL PHONE	EMAIL ADDRESS
Summary of Request			
PROVIDE A BRIEF SCOPE OF REQUEST See attached "Exhibit B"			

Project Information			
Is there an existing building(s) on the site?		<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Does the project include interior or exterior demolition?		<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Provide the total floor area of the new construction.		3,826	SQ. FT.
Provide the gross floor area of the new construction (including required parking and all usable area).		4,945	SQ. FT.
Party responsible for project design			
NAME Robert Gallagher		<input checked="" type="checkbox"/> Architect <input type="checkbox"/> Contractor <input type="checkbox"/> Landscape Architect <input type="checkbox"/> Engineer <input type="checkbox"/> Tenant <input type="checkbox"/> Other _____	
ADDRESS 3326 Mary Street, Suite 200		CITY Miami	STATE FL ZIPCODE 33133
BUSINESS PHONE (305) 987-3300	CELL PHONE	EMAIL ADDRESS robert@gallagher-ap.com	
Authorized Representative(s) Information (if applicable)			
NAME		<input type="checkbox"/> Attorney <input type="checkbox"/> Contact <input type="checkbox"/> Agent <input type="checkbox"/> Other _____	
ADDRESS		CITY	STATE ZIPCODE
BUSINESS PHONE	CELL PHONE	EMAIL ADDRESS	
NAME		<input type="checkbox"/> Attorney <input type="checkbox"/> Contact <input type="checkbox"/> Agent <input type="checkbox"/> Other _____	
ADDRESS		CITY	STATE ZIPCODE
BUSINESS PHONE	CELL PHONE	EMAIL ADDRESS	
NAME		<input type="checkbox"/> Attorney <input type="checkbox"/> Contact <input type="checkbox"/> Agent <input type="checkbox"/> Other _____	
ADDRESS		CITY	STATE ZIPCODE
BUSINESS PHONE	CELL PHONE	EMAIL ADDRESS	

Please note the following information:

- A separate disclosure of interest form must be submitted with this application if the applicant or owner is a corporation, partnership, limited partnership or trustee.
- All applicable affidavits must be completed and the property owner must complete and sign the "Power of Attorney" portion of the affidavit if they will not be present at the hearing, or if other persons are speaking on their behalf.
- To request this material in alternate format, sign language interpreter (five-day notice is required), information on access for persons with disabilities, and accommodation to review any document or participate in any City sponsored proceedings, call 305.604.2489 and select (1) for English or (2) for Spanish, then option 6; TTY users may call via 711 (Florida Relay Service).

Please read the following and acknowledge below:

- Applications for any board hearing(s) will not be accepted without payment of the required fees. All checks are to be made payable to the "City of Miami Beach".
- Public records notice – All documentation submitted for this application is considered a public record subject to Chapter 119 of the Florida Statutes and shall be disclosed upon request.
- In accordance with the requirements of Section 2-482 of the code of the City of Miami Beach, any individual or group that will be compensated to speak or refrain from speaking in favor or against an application being presented before any of the City's land use boards, shall fully disclose, prior to the public hearing, that they have been, or will be compensated. Such parties include: architects, engineers, landscape architects, contractors, or other persons responsible for project design, as well as authorized representatives attorneys or agents and contact persons who are representing or appearing on behalf of a third party; such individuals must register with the City Clerk prior to the hearing.
- In accordance with Section 118-31. – Disclosure Requirement. Each person or entity requesting approval, relief or other action from the Planning Board, Design Review Board, Historic Preservation Board or the Board of Adjustment shall disclose, at the commencement (or continuance) of the public hearing(s), any consideration provided or committed, directly or on its behalf, for an agreement to support or withhold objection to the requested approval, relief or action, excluding from this requirement consideration for legal or design professional service rendered or to be rendered. The disclosure shall: (I) be in writing, (II) indicate to whom the consideration has been provided or committed, (III) generally describe the nature of the consideration, and (IV) be read into the record by the requesting person or entity prior to submission to the secretary/clerk of the respective board. Upon determination by the applicable board that the forgoing disclosure requirement was not timely satisfied by the person or entity requesting approval, relief or other action as provided above, then (I) the application or order, as applicable, shall immediately be deemed null and void without further force or effect, and (II) no application form said person or entity for the subject property shall be reviewed or considered by the applicable board(s) until expiration of a period of one year after the nullification of the application or order. It shall be unlawful to employ any device, scheme or artifice to circumvent the disclosure requirements of this section and such circumvention shall be deemed a violation of the disclosure requirements of this section.
- When the applicable board reaches a decision a final order will be issued stating the board's decision and any conditions imposed therein. The final order will be recorded with the Miami-Dade Clerk of Courts. The original board order shall remain on file with the City of Miami Beach Planning Department. Under no circumstances will a building permit be issued by the City of Miami Beach without a copy of the recorded final order being included and made a part of the plans submitted for a building permit.

The aforementioned is acknowledged by:

☒ Owner of the subject property ☐ Authorized representative


SIGNATURE

David Sullivan

PRINT NAME

January 15, 2019

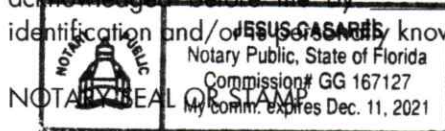
DATE SIGNED

OWNER AFFIDAVIT FOR INDIVIDUAL OWNERSTATE OF FloridaCOUNTY OF Miami-Dade

I, David O. Sullivan, being first duly sworn, depose and certify as follows: (1) I am the owner of the property that is the subject of this application. (2) This application and all information submitted in support of this application, including sketches, data, and other supplementary materials, are true and correct to the best of my knowledge and belief. (3) I acknowledge and agree that, before this application may be publicly noticed and heard by a land development board, the application must be complete and all information submitted in support thereof must be accurate. (4) I also hereby authorize the City of Miami Beach to enter my property for the sole purpose of posting a Notice of Public Hearing on my property, as required by law. (5) I am responsible for remove this notice after the date of the hearing.

SIGNATURE

Sworn to and subscribed before me this 14 day of February, 2019. The foregoing instrument was acknowledged before me by _____, who has produced _____ as identification and/or is personally known to me and who did/did not take an oath.

**NOTARY PUBLIC**

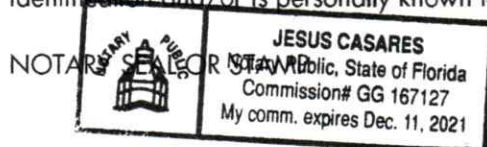
My Commission Expires: _____

PRINT NAME**ALTERNATE OWNER AFFIDAVIT FOR CORPORATION, PARTNERSHIP OR LIMITED LIABILITY COMPANY**STATE OF FLORIDACOUNTY OF MIAMI-DADE

I, David O. Sullivan, being first duly sworn, depose and certify as follows: (1) I am the Manager (print title) of Alton Bridge, LLC (print name of corporate entity). (2) I am authorized to file this application on behalf of such entity. (3) This application and all information submitted in support of this application, including sketches, data, and other supplementary materials, are true and correct to the best of my knowledge and belief. (4) The corporate entity named herein is the owner of the property that is the subject of this application. (5) I acknowledge and agree that, before this application may be publicly noticed and heard by a land development board, the application must be complete and all information submitted in support thereof must be accurate. (6) I also hereby authorize the City of Miami Beach to enter my property for the sole purpose of posting a Notice of Public Hearing on my property, as required by law. (7) I am responsible for remove this notice after the date of the hearing.

SIGNATURE

Sworn to and subscribed before me this 14 day of February, 2019. The foregoing instrument was acknowledged before me by _____, who has produced _____ as identification and/or is personally known to me and who did/did not take an oath.

**NOTARY PUBLIC**

My Commission Expires: _____

PRINT NAME

DISCLOSURE OF INTEREST
CORPORATION, PARTNERSHIP OR LIMITED LIABILITY COMPANY

If the property that is the subject of the application is owned or leased by a corporation, partnership or limited liability company, list ALL of the owners, shareholders, partners, managers and/or members, and the percentage of ownership held by each. If the owners consist of one or more corporations, partnerships, trusts, partnerships or other corporate entities, the applicant shall further disclose the identity of the individual(s) (natural persons) having the ultimate ownership interest in the entity.

Alton Bridge, LLC

NAME OF CORPORATE ENTITY

NAME AND ADDRESS

% OF OWNERSHIP

David Sullivan, 5445 Alton Road, Miami Beach

50

Luis Teijiz, 5445 Alton Road, Miami Beach

50

NAME OF CORPORATE ENTITY

NAME AND ADDRESS

% OF OWNERSHIP

If there are additional corporate owners, list such owners, including corporate name and the name, address and percentage of ownership of each additional owner, on a separate page.

COMPENSATED LOBBYIST

Pursuant to Section 2-482 of the Miami Beach City Code, all lobbyists shall, before engaging in any lobbying activities, register with the City Clerk. Please list below any and all persons or entities retained by the applicant to lobby City staff or any of the City's land development boards in support of this application.

NAME	ADDRESS	PHONE
_____	_____	_____
_____	_____	_____
_____	_____	_____

Additional names can be placed on a separate page attached to this application.

APPLICANT HEREBY ACKNOWLEDGES AND AGREES THAT (1) AN APPROVAL GRANTED BY A LAND DEVELOPMENT BOARD OF THE CITY SHALL BE SUBJECT TO ANY AND ALL CONDITIONS IMPOSED BY SUCH BOARD AND BY ANY OTHER BOARD HAVING JURISDICTION, AND (2) APPLICANT'S PROJECT SHALL COMPLY WITH THE CODE OF THE CITY OF MIAMI BEACH AND ALL OTHER APPLICABLE CITY, STATE AND FEDERAL LAWS.

APPLICANT AFFIDAVIT

STATE OF FLORIDA

COUNTY OF Miami - Dade

I, David O. Sullivan, being first duly sworn, depose and certify as follows: (1) I am the applicant or representative of the applicant. (2) This application and all information submitted in support of this application, including sketches, data, and other supplementary materials, are true and correct to the best of my knowledge and belief.

SIGNATURE

Sworn to and subscribed before me this 7 day of March, 2019. The foregoing instrument was acknowledged before me by David Sullivan, who has produced Driver License as identification and/or is personally known to me and who did/did not take an oath.

NOTARY SEAL OR STAMP



LaQuanda O'Neal
State of Florida

My Commission Expires 03/06/2021

Commission No. GG 160307

My Commission Expires:

03/06/2021

NOTARY PUBLIC

LaQuanda O'Neal

PRINT NAME

EXHIBIT A
5441 ALTON RD

LEGAL DESCRIPTION

LA GORCE GOLF SUB PB 14-43
LOT 5 BLK 13
LOT SIZE 61.600 X 125
OR 19809-4485 05 2001 1

Exhibit B
Summary of Request for Variance and Waiver
David Sullivan and Luis Teijiz
5441 Alton Road
Miami Beach, Florida 33140

The home at 5441 Alton is being renovated and the proposal is before you for approval of side and rear setback variances and a waiver of height limitation.

The current home is a two-story structure. The first floor has multiple levels of elevation, which make the living area difficult for us, as well as our guest and elderly parents. The square footage and layout of the home limit the quality of life for us and our parents. The renovations will comply with the 50% rule. To this date the home has been leased to a young couple, however it is our desire to occupy it after renovation.

SIDE SETBACKS

The majority of the homes on Alton Road were built many years ago when the zoning code requirement for side setbacks was 5'. My neighbors across the street and to the north and south of my home enjoy a 5' side setback. The side set back variance being requested will not be visible from the street. I own the property to the north of the home, and the neighbor to the south has a two story home with few windows and a 5' side setback.

The south side has a setback of 5.5', we request a variance of 2'. This approval will allow the first and second floor addition to continue on the same property structure line that exists today. The addition on the second floor consist of shifting back the room above the garage, allowing for a 5' setback of a garage facing the front of the property.

The lot is trapezoid shaped due to the curves of Alton Road. The current side setback on the north is 6.0' on the northwest side of the home and 6.9' on the northeast side of the home. A variance is requested for the required 7.5' setback.

WAIVER

The renovation will provide for one level on the first floor, which requires us to request a 1' height waiver, for the room on the south side of the home. This waiver approval will allow the roof line to be one height, allowing the roof and trusses to be

less costly and less maintenance in the future due to less flashings for the different levels. The height of the home will be consistent with other neighborhood homes.

POOL REAR SETBACK

Rear setback variance is requested to build the pool 1 foot closer to the property line for the pool deck and 1 foot closer for the waters edge than the municipal code allows. We are requesting this due to the height of the first level floor to avoid flooding of the home. The height requires more distance for stairs resulting in a very short distance from the pools edge to the bottom of the stairs. The neighbor to the rear is the La Gorce Country Club golf course. They have verbally stated no objection to this variance. The rear setback is consistent with other recent pool rear setbacks in the neighborhood.

The rear property line of the house is not straight due to the trapezoid shape of the lot. Because of the height of the first floor when ascending the stairs from the back porch, there would only be 3.5 feet from the bottom step to the waters edge. This would create a hazard for most anyone to fall into the pool.