

MIAMI BEACH

**CITY OF MIAMI BEACH
NOTICE OF DESIGN REVIEW BOARD
APPEAL TO CITY COMMISSION
JUNE 5, 2019**

The Miami Beach City Commission, pursuant to Section 118-9 of the Miami Beach City Code, will hold a hearing on **June 5, 2019, at 3:00 p.m.**, or as soon thereafter as the matter can be heard, in the Commission Chamber, 3rd Floor, City Hall, 1700 Convention Center Drive, Miami Beach, Florida, to consider an appeal filed by Beach Towing Services, Inc. (the "Appellant"), of a Miami Beach Design Review Board ("DRB") Order, approving an application for design review approval for the construction of a new five-story multifamily building with ground floor retail uses with one or more waivers, to replace six vacant lots and two buildings at 1752 Bay Road, 1738 Bay Road, 1759 Purdy Avenue, 1747 Purdy Avenue, 1743 Purdy Avenue, 1724 Bay Road, 1733 Purdy Avenue, and 1730 Bay Road, Miami Beach, FL 33139 (altogether, the "Appeal") (DRB File No.: 17-0198/City Commission Appeal File No.: 18-002).

The City Commission's review of the Appeal shall be based on the record of the hearing before the DRB, shall not be a public hearing, and no new or additional testimony shall be taken. A verbatim transcript of the DRB hearing shall be made a part of the record and filed by the Appellant. The standard of review is (i) whether the DRB provided procedural due process, (ii) whether the correct law was observed, and (iii) whether competent substantial evidence supported the DRB's decision. In order to reverse or remand a decision of the DRB, a five-sevenths (5/7) vote of the City Commission is required.

All documents pertaining to DRB File No.: 17-0198 are available for public inspection during normal business hours in the Planning Department, 2nd floor, City Hall. The pleadings relating to City Commission Appeal File No.: 18-002 are available for public inspection during normal business hours in the Office of the City Clerk, 1st floor, City Hall.

To request this material in alternate format, sign language interpreter (five-day notice required), information on access for persons with disabilities, and/or any accommodation to review any document or participate in any City-sponsored proceedings, call 305.604.2489 and select option 6; TTY users may call via 711 (Florida Relay Service).

The City Commission's review of the Appeal may be opened and continued and, under such circumstances, additional legal notice need not be provided.

Inquiries may be directed to the Planning Department at 305.673.7550 or the Office of the City Attorney at 305.673.7470.

Rafael E. Granado, City Clerk
City of Miami Beach

Ad 060519-01