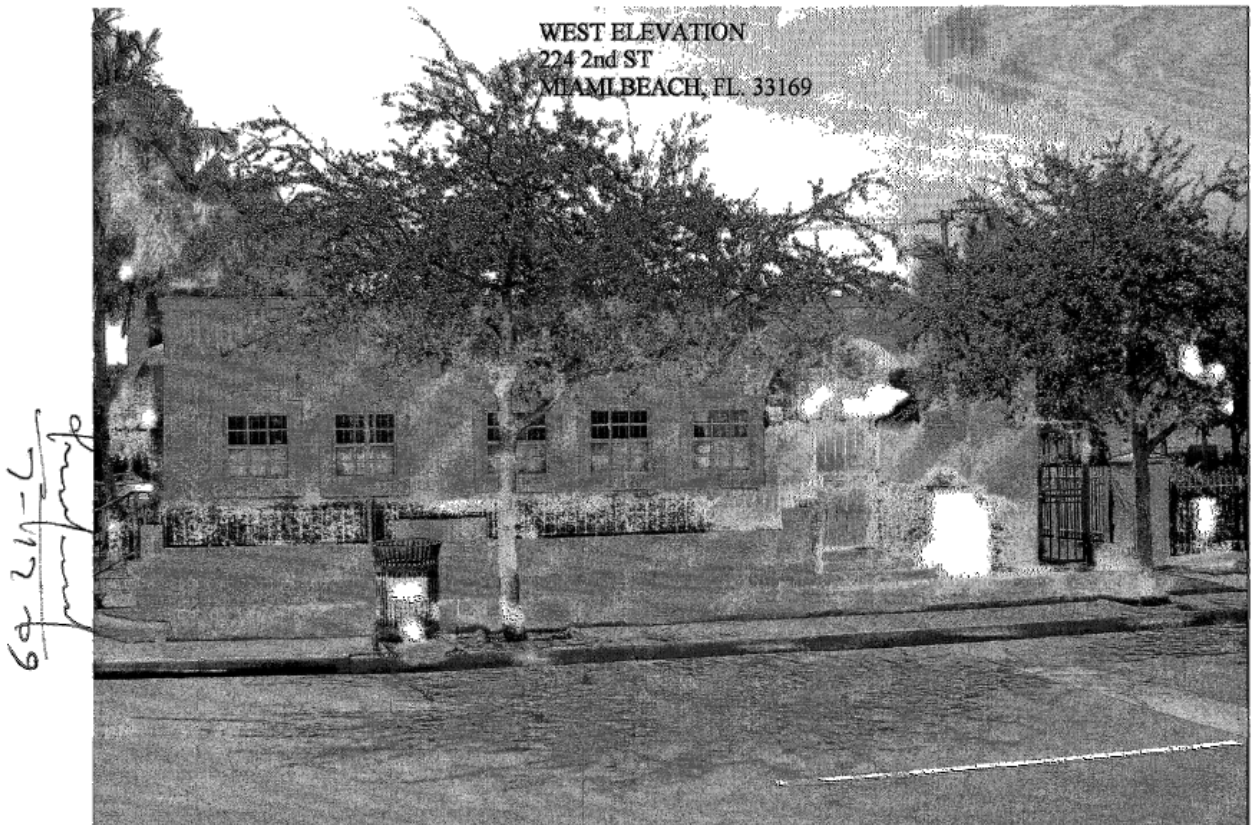


224 2nd Street / 161 Washington Avenue
Miami Beach, Florida



Prepared for
224 2nd Street, LLC
P.O. Box 190778
Miami Beach, FL 33119

Historic Resources Report
submitted April 15, 2019 by
Shulman + Associates
100 NE 38th Street
Miami, FL 33137
(305) 438 0609
www.shulman-design.com

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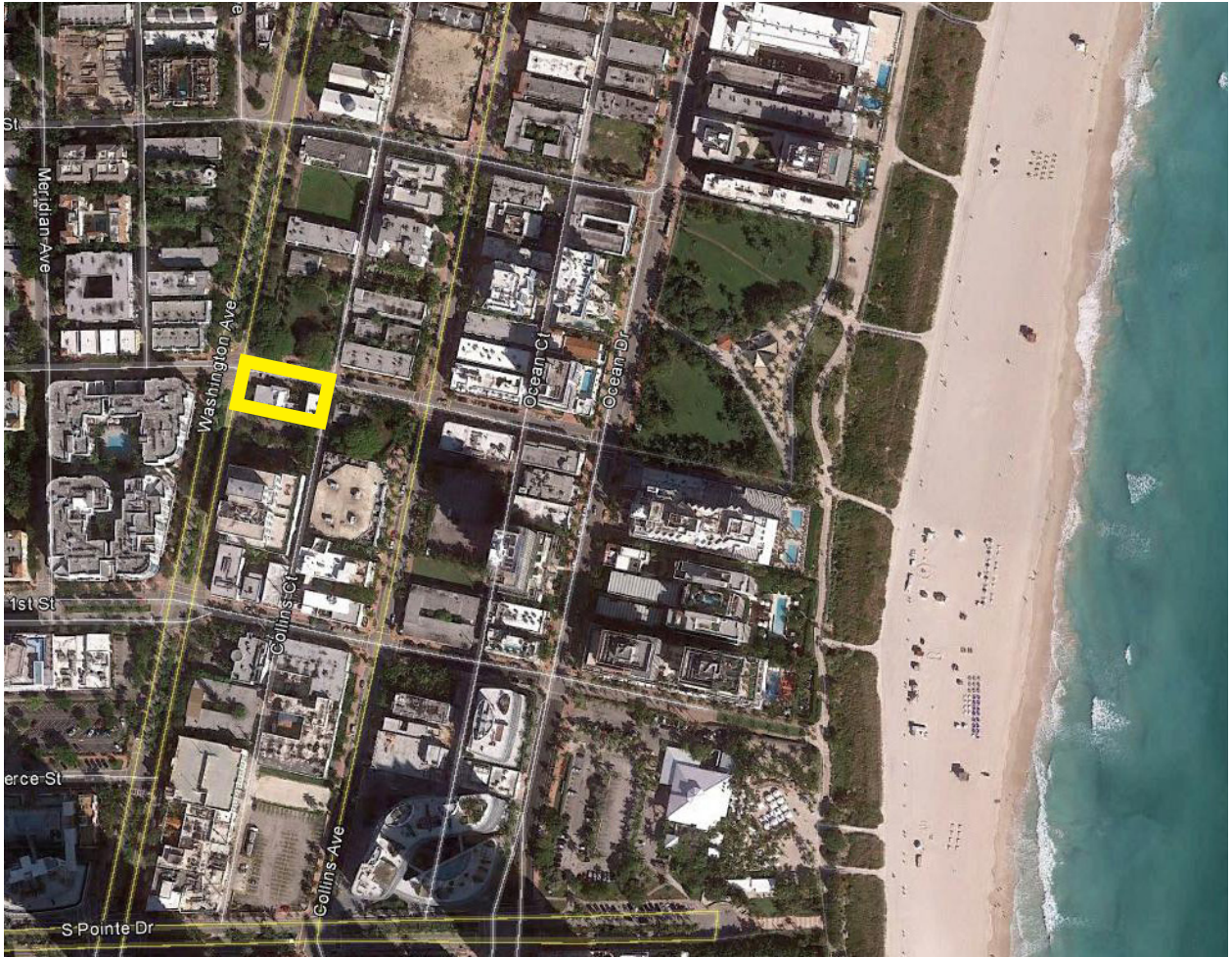
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Preliminary Remarks

This study comprises a survey of the buildings at 161 Washington Avenue and 224 2nd Street in Miami Beach, a contributing historic property located in the Ocean Beach Historic District (City of Miami Beach, 1995). The study has been prepared for 224 2nd Street, LLC in anticipation of an adaptive use project involving restoration and modifications, and additions to the existing historic buildings.

Based on available documentation and site verification, this study presents the project historically and surveys its extant historic resources. It includes the available historical imagery as well as microfilms and the City of Miami Beach Building Card. A photo survey of current conditions is also included.

The present project, designed by Shulman + Associates, calls for the adaptive use of the buildings to allow for private school use. The project largely retains the existing historic structures, and takes a variety of targeted approaches towards the historic facades. The major structures and courtyard are retained in the new project. The middle structure, comprising the remnants of the original 1921 school building, is left largely in its current state. The front of the building, comprising the rooming house addition of 1926, is reinterpreted. The present project removes the facades that were added in a 1980s renovation in favor of elements more typical of the 1920s, albeit used in a contemporary configuration. Also, this structure is extrapolated through the use of a clerestory and trellis roof to emphasize its presence on the corner of 2nd Street and Washington Avenue. Finally, the rear structure comprising the original 1937 garage and later residential additions (1947) is left largely intact, although the exterior stairs have been removed and the facades updated to reflect the adaptive use of the building. The roof will remain unactivated. The final project restores and celebrates the original intent of the buildings and courtyard. A new private school is created that is contextual in massing and articulation, and offers an appropriate use for the neighborhood.



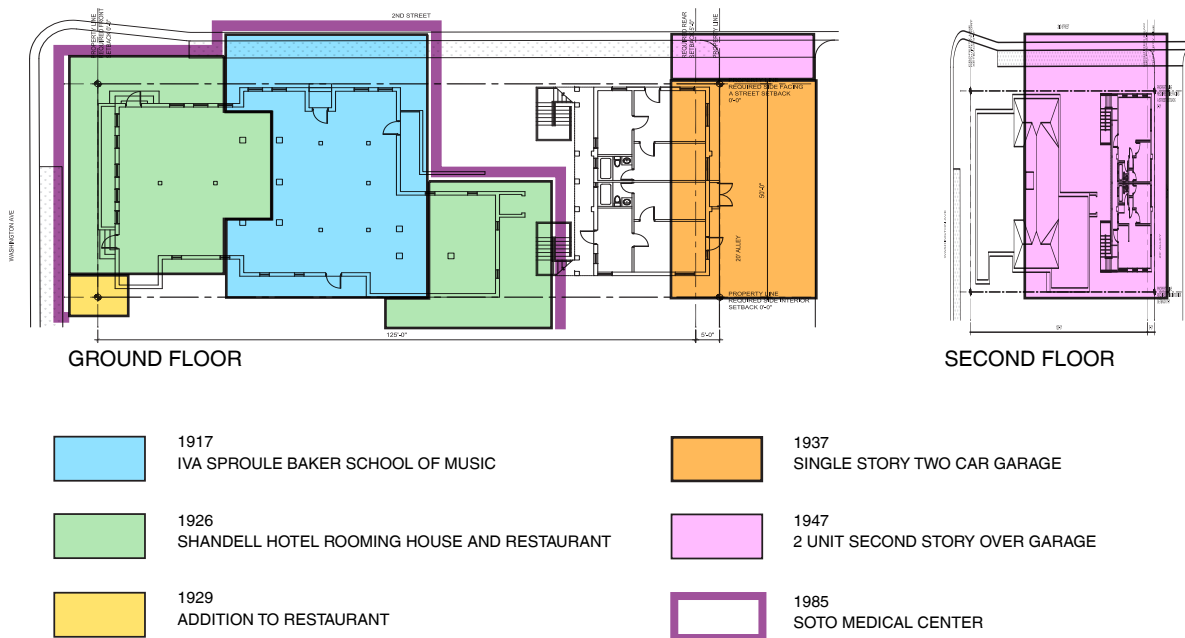
Aerial, 2017

Historical Analysis and Imagery

Historical Outline

The project site is on the Southeast corner of 2nd Street and Washington Avenue in Miami Beach. It is located on Lot 16, Block 9 of the Ocean Beach Subdivision, the first of many platted by the Lummus brothers in 1912. The site is located within in the Ocean Beach Historic District (City of Miami Beach, 1995).

The buildings comprising the site have been modified and added on to numerous times over the years, most radically in its adaptive use as a medical offices and residential complex in the 1980s. The historic layers can perhaps best be understood through diagramming:



Undated

The City of Miami Beach Building Card notes a 200 SF “Poultry House” that may have been the original structure on the site.

1917: School

This one-story stucco building seems to have predated the City of Miami Beach Building Card for the property, but is found in the 1918 Sanborn Map labeled “Private School.” City Directories list the Iva Sproule Baker School of Music, which offered courses in language and performing arts, also as the residence of its founder, Ms. Iva Sproule-Baker. The 1921 Sanborn map, with Washington Avenue listed as “Miami Avenue,” shows the structure.

1926: Hotel/Rooming House & Restaurant

The Shandell Hotel additions, the first to be dated on the Building Card, flank the original school building. This addition, comprising 9 rooms and 3 apartments, was built for owners the Sexneth Brothers.

1929: Restaurant Addition

The Building Card lists a small addition made to the restaurant in 1929, built by the contractor Sammons.

1937: Garage

Eight years later a one story, 2-car garage was added to the site, and the restaurant was remodeled into 9 hotel rooms and one apartment. This project was designed by architect Henry Hohausser for owner J. Neeham; microfilms exist of the elevations of the structure. The apartment was remodeled by architect Gerald Pitt in 1944.

1947: Garage Addition

A 2-unit addition was made over the garage building in 1947 by architect L. Murray Dixon. Microfilm plans were not found for this structure, but it appears on the 1951 Sanborn Map (p. 9).

1950s-early 1980s

In this period, the buildings on the site underwent maintenance and occasional minor upgrades. In 1957, the building at 224 2nd Street was listed as the Neham Apartments. By the early 1980s the site had been bought by Dr. Rafael Soto. In 1985, the buildings were converted for use and heavily renovated to create a medical complex and residence. In that renovation, historic parapet heights were changed, window sizes and locations were altered, and entrance locations were altered.

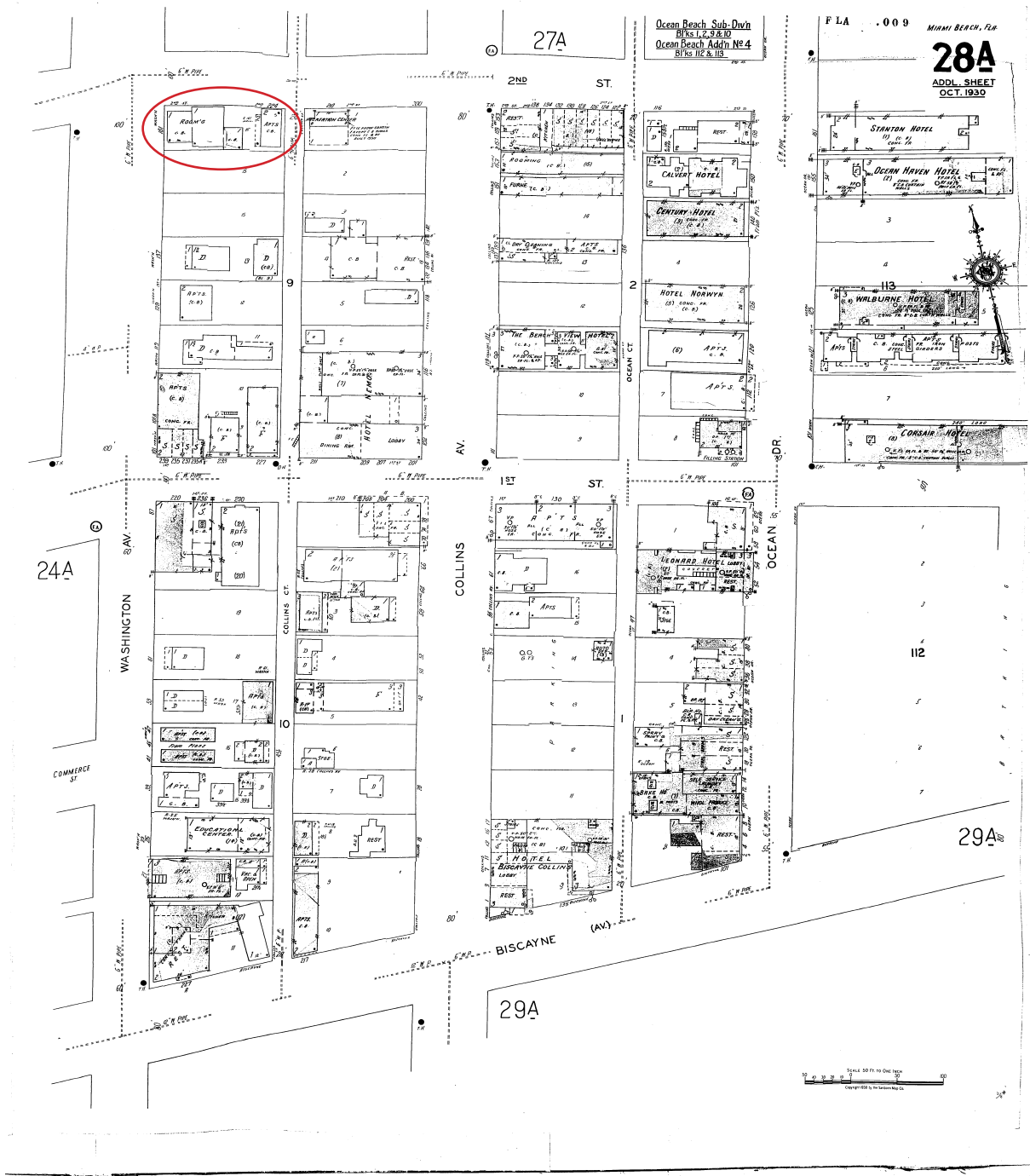
Analysis:

It is the author's opinion that the extant facades are of no historic value, as they do not represent the historic character of the buildings. The historic courtyard and main entrance are retained in the present project, designed by Shulman + Associates, to respect and integrate the existing structures on the site. The new project strips away later modifications to create a building that, while certainly contemporary, adds an appropriate new layer to the rich history of the site.



1921 Sanborn Map (Washington Avenue is "Miami Avenue.")

224 2nd Street/161 Washington Avenue
Miami Beach



Building Data

Owner **Sexneth Bros.** Permit No. **1798** Date **April 12-1926**

Lot **16** Block **9** Subdivision **OCEAN BEACH** Address **161 Washington avenue and 224 - Second street**

General Contractor **SHANDELL HOTEL** Mailing Address **1111**

METRO ORD. #75-34 **RECEIPT DATE: 6-12-87** **Height**

METRO ORD. #75-34 **RECEIPT DATE: 6-12-87** **Height**

Type of construction **Conc Pipe** Cost **\$200.00** # **80** ---

Certificate of occupancy for **Shandell Hotel** --- # **80** ---

Plumbing Contractor **Plumbing Fixtures** Rough approved by **Final approved by**

Gas Stoves **Gas Heaters**

Sewer connection **Septic tank** Make **Date**

Electrical Contractor **A. W. Miller** --- **1 sign** Address **Date** **Sep. 17-1929**

Switch **Range** **Motors** **Temporary service**

OUTLETS Light 30 **HEATERS Water** **Centers of Distribution**

Receptacles **Space** **Address** **Date**

Electrical Contractor **Final approved by** **Date**

No. fixtures set **Date**

Date of service

Alterations or repairs # **Sammons, contractor.** **ADDITION to Restaurant - c/b/s** **\$ 1,000.00** **Date** **Sep. 6-1929**

#9713- **ADDITION of 2-car garage** **\$ 800.00** **April 14- 1937**

9772- **REMODELING for 9 hotel rooms and one apartment unit** **\$ 3,000.00** **April 30-1937**

Henry Hohauser, architect and J. Neeham contractor

Over

Building Card. City of Miami Beach.

ALTERATIONS & ADDITIONS

Neeham, owner

Building Permits: # 15465- Addition and remodeling into 1- apartment unit- \$1,000 -- 3/7/1941

- # 18670 - Remodeling for one apartment unit - Gerard Pitt, architect: \$ 600...July 13, 1944
- * # 22414 Painting, owner (NOTE: 2nd story, not built) * \$ 500... May 9, 1946
- * # 24719 ADDITION of 2 apartment units (2nd story) one bedroom each: Priority # 77-060-04434
- L. Murray Dixon, architect: Herman Popkin, contractor: \$ 9,000... June 14, 1947
- # 28064 Roofing - Robbins Roofing Sheet Metal Company - \$ 600... August 20, 1948
- # 35314 Enlarging bedroom - new bath & closet, -Owner, builds \$ 900... March 7, 1951
- # 35521 Addition to permit # 35314 - new kitchen, bath & closet- Owner \$ 500... April 9, 1951
- ~~Remodeling in kitchen and bathroom~~
- ~~Remodeling in kitchen and bathroom~~
- # 41269 4" CONCRETE SLAB, APPROX. 7'x30' & CUTTING IN DOOR (where window was): owner: \$ 100: Apr 23, 1953
- # 45393 Remodeling for communicating or utility kitchen: by owner: \$50.00 8/4/54

Plumbing Permits: #10124- Markowitz & Resnick 4 fixtures- 2 gas Gas OK 5/26/37 June 7-1937

15145- C. Dulbs- 1 water closet - 1 lavatory - 1 shower - 1 sink -
ROUGH--OK 3/27/41 1 gas range and 1 gas water heater - 3/24/1941

177861. C. J. Dulbs... 1 water closet, 1 lavatory, 1 shower, 1 sink, 1 gas range, 1 gas water
25427 C. J. Dulbs: 2 water closets, 2 lavatories, 2 bath tubs, 2 sinks, heater...
2 gas ranges-----August 4, 1947 Final O'Neil 12/15/47

28379 C. J. Dulbs: 2 lavatories- June 24, 1949

as-Ok 5/11 # 31514 Harry Markowitz: 1 Sewer: 1 Water closet, 1 lavatory, 1 bath tub, 1 sink, 4/19/1951
ough 5/11 # 31515 Harry Markowitz: 1 Lavatory: 4/19/1951 OK L.R. 6-7-51
36278 Dulbs Plumbing: 1 sink, 5 gas hot plates: 8/4/54 OK, Rothman 2/8/55 Gas OK 6/7/51 L.R.

Electrical Permits: #8661 - 21 outlets: 9 receptacles; 1 refrigerator; LYON May 17-1937
#8817 16 fixtures LYON June 16, 1937
#8830 2 neon transformers LYON " 17, 1937 HCl

#9069 - LYON ELECTRIC- 15 switch, 21 light outlets, 21 fixtures, 2 centers- Aug. 2- 1937 Final 11/2
16989- Brill Electric- 6 switch - 7 light outlets - 7 receptacles- 1 refrigerator - 1 iron-
3 centers of distribution 3/26/1941

17757 - Brill Electric Co: 8 fixtures- Oct. 15, 1941- final OK Brown 10-17-41

20573 - Miller Electric: 4 switch outlets, 4 light outlets, 3 receptacles, 4 fixtures,
1 refrigerator outlet, 1 iron outlet, 2 centers of distribution: 10/16/41

24343 Rafael Electric: 12 switch & 16 light outlets, 16 receptacles, 16 fixtures, 2 refrigerators
2 irons, 2 water heaters, 2 space heaters, 6 centers, 1 service, 6/19/47

27353 Flamingo Electric: 5 switch outlets, 5 light outlets, 2 receptacles, 5 fixtures, 1 sign
outlets, 1 equipment service - Oct. 8, 1948

29854 Wallman Electric: 1 Switch outlets, 2 Light outlets, 10/20/1949 OK McGinniss 10-23rd
33079 Astor Electric: 2 switch & 1 light outlets, 1 fixture, es. 1 refrigerator. 1 iron, space heater, 11/25/51

Lot Block Subdivision
ALTERATIONS & ADDITIONS

Building Permits:

#07524-Owner-Install new windows, paint, new kitchen cabinet-no plumbing or electrical-\$600-6-30-75

FILE NO: 1659-A, DR. & MRS. RAFAEL A. SOTO, "APPEAL FROM ADMINISTRATIVE DECISION" - THE APPLICANT IS APPEALING THE ADMINISTRATIVE DECISION THAT THE SUBJECT PROPERTY CAT THE PRESENT BEING USED AS A ROOMING HOUSE DOES NOT QUALIFY AS A NON-CONFORMING MEDICAL OFFICES IN A MEDIUM-HIGH DENSITY, RESIDENTIAL PERFORMANCE STANDARDS DISTRICT, R-PS3.

ADMINISTRATIVE DECISION WAS OVERRULED SUBJECT TO THE FOLLOWING CONDITIONS:

1. That an agreement be drawn up between the City and the applicant and approved by the Chairman of ZBA. This agreement to contain: A. Allowing the City to acquire the property at any time within the next seven (7) years for the price of \$176,000.00, carrying an interest figure of 6% per year, less any depreciation benefits and tax benefits that the applicant has received with the understanding that the property when completed, will be in full compliance with all the minimum housing regulations, etc., of the City of Miami Beach and the contract be entered into by and between the applicant and the City, is to be first approved by the Chairman of the (ZBA) Board. 2. Building Permit to be obtained within 60 days after the agreement has been approved and signed. 3. Work to be completed within 120 days thereafter. 4. Subject to the recommendations and approvals of the Public Works and the Planning Departments' Directors.

ZBA FILE NO.: 1659-A - JUNE 7, 1985 - APPLICANT REQUESTS 60 DAY TIME EXTENSION IN OBTAINING A BUILDING PERMIT FOR ABOVE. GRANTED.

#27324 8/21/85 Pupi Const - remove interiors partition and windows and doors \$3,000.

File #1734: ZBA Meeting of 9/6/85: "The placing of these requests on the Agenda is contingent upon the Applicant obtaining final approval by the Design Review Board."

Applicant requests the following variance in order to operate a medical center at the subject property.

1. Applicant wishes to waive four (4) of the required 11 off-street parking spaces for the operation of the medical center. (This project is entitled to a credit of 7 parking spaces for the conversion of 7 dwelling units.)

GRANTED - SUBJECT TO THE CONDITIONS SET BY THE PLANNING DIRECTOR.

#MO7691 10/23/85 Air & Heat Unl - 2-10 kw central heat, 2-5 ton air cond central, duct work only note see attach plans

Lot 16 Block 9 Subdivision Ocean Beach

ALTERATIONS & ADDITIONS

Building Permits:

#53462 Appliance Cons. Service: 2-1 ton window air conditioners - 400-6/4/57 OK 5/6/57 Plaag

#71035 Shapp, Inc.: Sandblast building using necessary precautions as per City Ord. - \$400. - 2/4/64

FILE NO: 1659 - ZBA February 1, 1985 - DR. & MRS RAFAEL A. SOTO - "APPEAL FROM ADMINISTRATIVE DECISION"
THE APPLICANT IS APPEALING THE ADMINISTRATIVE DECISION THAT THE SUBJECT PROPERTY (AT THE PRESENT BEING
USED AS A ROOMING HOUSE) DOES NOT QUALIFY AS A NON-CONFORMING MEDICAL OFFICES IN A MEDIUM-HIGH DENSITY,
RESIDENTIAL PERFORMANCE STANDARDS DISTRICT, R-PS3.

DEFERRED BY THE ZONING BOARD OF ADJUSTMENT TO THE MEETING OF MARCH 1, 1985

~~Building Permits~~ BUILDING PERMITS CONTINUED: #

#91630 10/10/85 Pupi Const Co - rehabilitation of Medical Center attached: parking ltr & agreement with the City -
recorded circuit court bk 12584, pages 636/640 variance nos 1659, 1704 \$33,500. C.O. 5070 3-11-86

PLUMBING PERMITS: #62259 9/26/85 Jose Armenteros for meter relocation
#62288 10/15/85 Jose Armenteros 3 rgh, 3 set lavatory, 7 rgh, 7 set sink res., 3 rgh, 3 set water closet, 1 dilution tank

OK, Meginniss 6/21/1956

Electrical Permits: #47151 Jones Electric Service: connect telephone booth April 6, 1956
161 Wash. #50031 Lyons Elec: 1 Center of Distrib, 2 Motors(LRP) - June 3, 1957 OK 6/19/57 Fidler
161 Wash. #63267 C. J. Kay Elec. Co.: 1 serv. equipment - 2/24/66

LOT: 16 BLOCK: 9 SUBDIVISION: 1111 ADDRESS: 161 Washington at 224 - 2nd Fl.

ALTERATIONS & ADDITIONS

#80612 10/28/85 Bonanza Elec - 30 switch, 30 light outlets & 30 recept, 1-200 amp serv size,
3 appliance outlets, 1 water heater, 1 motor 0-1 hp, 2-5 ton air cond, 1 reinspection,
1 x-ray outlet
#27826 12/27/85 Pupi Const - sign (10 s.f.) stucco engraved "Soto Medical Center" \$50.

BUILDING PERMITS

PLUMBING PERMITS

ELECTRICAL PERMITS

insert microfilms here

Photo Survey

224 2nd Street/161 Washington Avenue
Miami Beach



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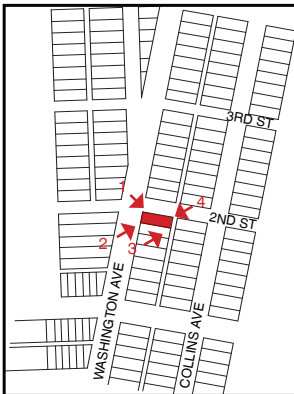
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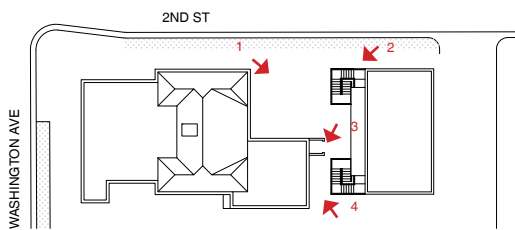
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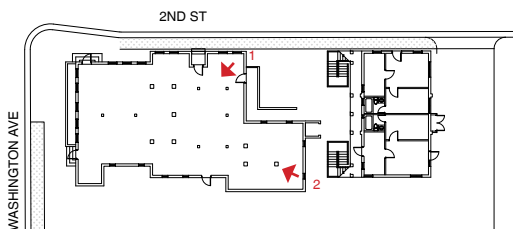
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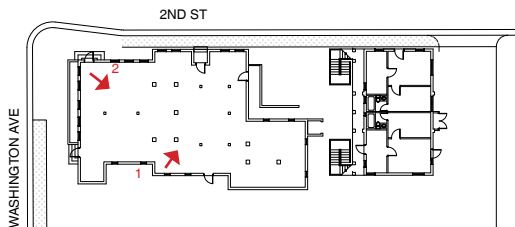
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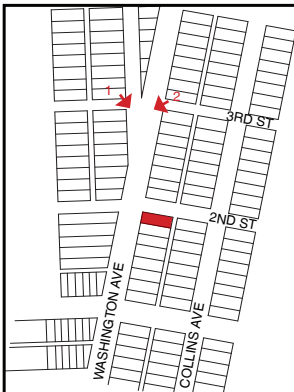
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Miami Beach



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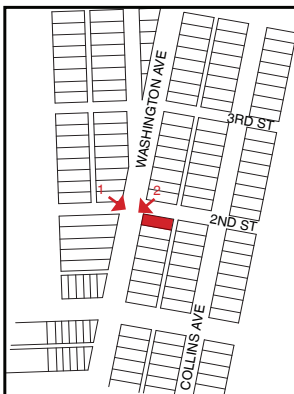
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Miami Beach



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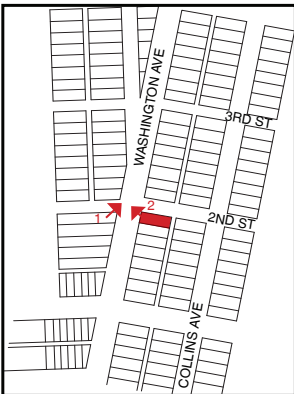
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Miami Beach



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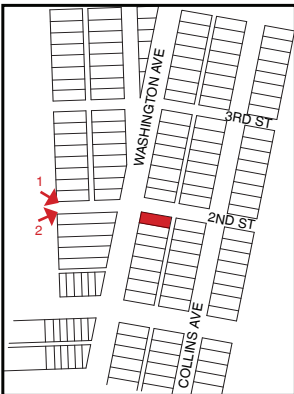
224 2nd Street/161 Washington Avenue
Miami Beach



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224 2nd Street/161 Washington Avenue
Miami Beach



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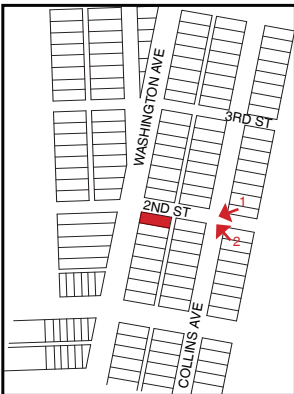
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Miami Beach



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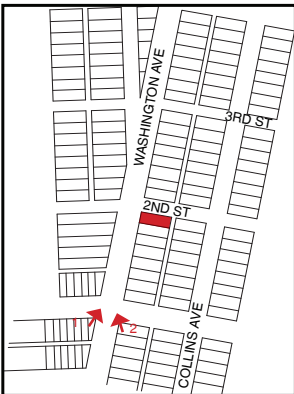
224 2nd Street/161 Washington Avenue
Miami Beach



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PHOTOS TAKEN FEBRUARY 04, 2019

**HISTORIC PRESERVATION BOARD
City of Miami Beach, Florida**

MEETING DATE: July 11, 2017

FILE NO: HPB17-0122

PROPERTY: 224 2nd Street

APPLICANT: Untario-SB LP

LEGAL: Lot 16, Block 9, of the Ocean Beach Subdivision, According to the Plat Thereof, as Recorded in Plat Book 2, Page 38, of the Public Records of Miami-Dade County, Florida.

IN RE: The application for a Certificate of Appropriateness for the partial demolition and renovation of the existing 1 and 2-story buildings on the site and the construction of an attached 1-story addition.

ORDER

The City of Miami Beach Historic Preservation Board makes the following FINDINGS OF FACT, based upon the evidence, information, testimony and materials presented at the public hearing and which are part of the record for this matter:

I. Certificate of Appropriateness

- A. The subject site is located within the Ocean Beach Local Historic District.
- B. Based on the plans and documents submitted with the application, testimony and information provided by the applicant, and the reasons set forth in the Planning Department Staff Report, the project as submitted:
 - 1. Is consistent with the Certificate of Appropriateness Criteria in Section 118-564(a)(1) of the Miami Beach Code.
 - 2. Is not consistent with Certificate of Appropriateness Criteria 'a' & 'b' in Section 118-564(a)(2) of the Miami Beach Code.
 - 3. Is consistent with Certificate of Appropriateness Criteria in Section 118-564(a)(3) of the Miami Beach Code.
 - 4. Is not consistent with Certificate of Appropriateness Criteria 'b', 'c' & 'e' in Section 118-564(f)(4) of the Miami Beach Code.
- C. The project would be consistent with the criteria and requirements of section 118-564 if the following conditions are met:
 - 1. Revised elevation, site plan and floor plan drawings shall be submitted and, at a minimum, such drawings shall incorporate the following:

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HPB17-0122

Meeting Date: July 11, 2017

- a. The attic vents located above the windows on the 2-story building shall be retained and restored, in a manner to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board.
- b. The proposed bench located along Washington Avenue and wrapping the corner, shall not be permitted and removed and replaced with landscape material in final plans, in a manner to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board.
- c. The window configuration along the 2nd Street façade for the portion of the building that was originally constructed as a school house in 1917, shall be further developed in a manner which differentiates this portion of the building from the other portions, in a manner to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board.
- d. The parapet wall on the 2nd Street façade for the portion of the building that was originally constructed as a school house in 1917, shall be lowered in a manner which reveals the original roof of the building, in a manner to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board.
- e. The windows configuration along the Washington Avenue façade and southwest corner shall be further developed in a manner which incorporates masonry between the window glazing, in a manner to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board.
- f. Final details of the clerestory and trellis structure shall be submitted, in a manner to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board.
- g. The proposed metal cladding on the new eyebrow features located above the windows shall not be permitted. Final details and finish material for the eyebrows shall be submitted, in a manner to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board.
- h. Final details of all exterior surface finishes and materials, including samples, shall be submitted, in a manner to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board.
- i. The final location and details of all exterior ramp and railings systems, including materials, dimensions and finishes, shall be provided in a manner to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board.

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HPB17-0122

Meeting Date: July 11, 2017

- j. All roof-top fixtures, air-conditioning units and mechanical devices shall be clearly noted on a revised roof plan and elevation drawings and shall be screened from view, in a manner to be reviewed and approved by staff, consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board.
- 2. In accordance with Section 118-395(b)(2) of the City Code, the requirement pertaining to an existing structure's setbacks and parking credits, is hereby waived, to allow for the reconstruction of the original floor slabs.
- 3. In accordance with Section 130-101(d) of the City Code, the requirement pertaining to providing off-street loading spaces, is hereby waived, provided that a detailed plan delineating on-street loading is approved by the Parking Department
- 4. A revised landscape plan, prepared by a Professional Landscape Architect, registered in the State of Florida, and corresponding site plan, shall be submitted to and approved by staff. The species type, quantity, dimensions, spacing, location and overall height of all plant material shall be clearly delineated and subject to the review and approval of staff. At a minimum, such plan shall incorporate the following:
 - a. A fully automatic irrigation system with 100% coverage and an automatic rain sensor in order to render the system inoperative in the event of rain.
- 5. The Applicant agrees to the following operational conditions for any and all permitted primary and accessory uses and shall bind itself, lessees, permittees, concessionaires, renters, guests, users, and successors and assigns and all successors in interest in whole or in part to comply with the following operational and noise attenuation requirements and/or limitations.
 - a. ALCOHOLIC BEVERAGE SERVICE HOURS
 - i. Alcoholic beverage operations in outdoor or open air areas of the establishment shall cease no later than 12:00 a.m.
 - ii. Alcoholic beverage operations in indoor areas of the establishment shall cease no later than 2:00 a.m.
 - b. OUTDOOR CONDITIONS
 - i. The applicant shall ensure through appropriate contracts, assignments and management rules that these restrictions are enforced. Owner agrees to include the rules and regulations set forth in these conditions in any lease, contract or assignment.
 - ii. Exterior speakers, except those required to address Building and Life Safety Codes, shall not be attached to the exterior of any building or structure on the property. A distributed sound system may be permitted for ambient, background music, which does not interfere

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HPB17-0122
Meeting Date: July 11, 2017

with normal conversation. An acoustic plan certified by an acoustic engineer for the proposed distributed sound system shall be submitted, in a manner to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board.

- iii. All music played at the establishment, both inside and outside, shall be limited to ambient, background music.
- iv. Accessory outdoor bar counters are prohibited.
- v. No exterior television sets are permitted.
- vi. Any television set in any interior space that is open to the outdoors shall be turned off no later than 11:00 p.m.
- vii. Entertainment on the premises, inclusive of live music and DJs, is prohibited.
- viii. Special event permits may not be applied for or used on the premises.

c. NOISE CONDITIONS

- i. The Historic Preservation Board (HPB) and the Planning Director shall retain the right to call the owners and/or operators back before the HPB, at the expense of the owners and/or operators, to impose and/or modify any operating conditions, should there be a valid violation (as determined by Code Compliance) about loud, excessive, unnecessary or unusual noise or other conditions of this approval. An adverse adjudication of a violation against the owner or operator is not necessary for the board to have jurisdiction over the matter under this condition. This condition vests jurisdiction independent of any other condition hereof.
- ii. A violation of Chapter 46, Article IV, "Noise," of the Code of the City of Miami Beach, Florida (a/k/a "noise ordinance"), as amended, shall be deemed a violation of this approval and subject the approval to modification in accordance with the procedures for modification of prior approvals as provided for in the Code, and subject the applicant to the review provided for in the first sentence of this subparagraph.

d. OPERATIONAL CONDITIONS

- i. All trash containers shall utilize inflatable or other noise mitigating rubber wheels, or the path for the trash containers shall consist of a suitable finish that reduces noise, in a manner to be reviewed and approved by staff.

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HPB17-0122
Meeting Date: July 11, 2017

- ii. Adequate trash room space, air conditioned and noise baffled, shall be provided, in a manner to be approved by the Planning and Public Works Departments. Doors shall remain closed and secured when not in active use.
- iii. The trash room shall be located so as to be operationally accessible from Collins Court.
- iv. Any kitchens and other venting shall be chased to the nearest roof and venting systems shall be employed as necessary to minimize or dissipate smoke, fumes and odors.
- v. Sidewalk café use adjacent to the property shall not be permitted, unless sidewalk café permits are issued for other restaurants on the south side of Second Street between Washington Avenue and Collins Avenue.
- vi. Equipment and supplies shall not be stored in areas visible from streets, alleys or nearby buildings.

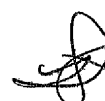
In accordance with Section 118-537, the applicant, the owner(s) of the subject property, the City Manager, Miami Design Preservation League, Dade Heritage Trust, or an affected person may appeal the Board's decision on a Certificate of Appropriateness to a special master appointed by the City Commission.

II. Variance(s)

- A. No variances have been applied for as a part of this application.

The decision of the Board regarding variances shall be final and there shall be no further review thereof except by resort to a court of competent jurisdiction by petition for writ of certiorari.

III. General Terms and Conditions applying to both 'I. Certificate of Appropriateness' and 'II. Variances' noted above.

- A. All new construction over 7,000 square feet or ground floor additions (whether attached or detached) to existing structures that encompass over 10,000 square feet of additional floor area shall be required to be, at a minimum, certified as **LEED Gold by USGBC**. In lieu of achieving LEED Gold certification, properties can elect to pay a sustainability fee, pursuant to Chapter 133 of the City Code. This fee is set as a percentage of the cost of construction.
 - B. Where one or more parcels are unified for a single development, the property owner shall execute and record a unity of title or a covenant in lieu of unity of title, as may be applicable, in a form acceptable to the City Attorney.
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- C. All applicable FPL transformers or vault rooms and backflow prevention devices shall be located within the building envelope with the exception of the valve (PIV) which may be visible and accessible from the street.
- D. A copy of all pages of the recorded Final Order shall be scanned into the plans submitted for building permit, and shall be located immediately after the front cover page of the permit plans.
- E. The Final Order shall be recorded in the Public Records of Miami-Dade County, prior to the issuance of a Building Permit.
- F. Satisfaction of all conditions is required for the Planning Department to give its approval on a Certificate of Occupancy; a Temporary Certificate of Occupancy or Partial Certificate of Occupancy may also be conditionally granted Planning Departmental approval.
- G. The Final Order is not severable, and if any provision or condition hereof is held void or unconstitutional in a final decision by a court of competent jurisdiction, the order shall be returned to the Board for reconsideration as to whether the order meets the criteria for approval absent the stricken provision or condition, and/or it is appropriate to modify the remaining conditions or impose new conditions.
- H. The conditions of approval herein are binding on the applicant, the property's owners, operators, and all successors in interest and assigns.
- I. Nothing in this order authorizes a violation of the City Code or other applicable law, nor allows a relaxation of any requirement or standard set forth in the City Code.

IT IS HEREBY ORDERED, based upon the foregoing findings of fact, the evidence, information, testimony and materials presented at the public hearing, which are part of the record for this matter, and the staff report and analysis, which are adopted herein, including the staff recommendations, which were amended and adopted by the Board, that the application is GRANTED for the above-referenced project subject to those certain conditions specified in Paragraph I, II, III of the Findings of Fact, to which the applicant has agreed.

PROVIDED, the applicant shall build substantially in accordance with the plans entitled "224 2nd Street" as prepared by Shulman + Associates, dated May 11, 2017, as approved by the Historic Preservation Board, as determined by staff.

When requesting a building permit, the plans submitted to the Building Department for permit shall be consistent with the plans approved by the Board, modified in accordance with the conditions set forth in this Order. No building permit may be issued unless and until all conditions of approval that must be satisfied prior to permit issuance, as set forth in this Order, have been met.

The issuance of the approval does not relieve the applicant from obtaining all other required Municipal, County and/or State reviews and permits, including final zoning approval. If adequate handicapped access is not provided on the Board-approved plans, this approval does not mean that such handicapped access is not required. When requesting a building permit,

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the plans submitted to the Building Department for permit shall be consistent with the plans approved by the Board, modified in accordance with the conditions set forth in this Order.

If the Full Building Permit for the project is not issued within eighteen (18) months of the meeting date at which the original approval was granted, the application will expire and become null and void, unless the applicant makes an application to the Board for an extension of time, in accordance with the requirements and procedures of Chapter 118 of the City Code; the granting of any such extension of time shall be at the discretion of the Board. If the Full Building Permit for the project should expire for any reason (including but not limited to construction not commencing and continuing, with required inspections, in accordance with the applicable Building Code), the application will expire and become null and void.

In accordance with Chapter 118 of the City Code, the violation of any conditions and safeguards that are a part of this Order shall be deemed a violation of the land development regulations of the City Code. Failure to comply with this **Order** shall subject the application to Chapter 118 of the City Code, for revocation or modification of the application.

Dated this 14 day of July, 2017.

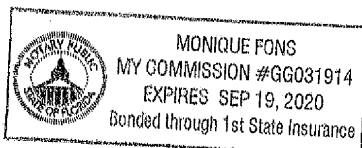
HISTORIC PRESERVATION BOARD
 THE CITY OF MIAMI BEACH, FLORIDA

BY: [Signature]
 DEBORAH TACKETT
 CHIEF OF HISTORIC PRESERVATION

FOR THE CHAIR

STATE OF FLORIDA)
)SS
 COUNTY OF MIAMI-DADE)

The foregoing instrument was acknowledged before me this 14th day of July, 2017 by Deborah Tackett, Chief of Historic Preservation, Planning Department, City of Miami Beach, Florida, a Florida Municipal Corporation, on behalf of the corporation. She is personally known to me.



[Signature]
 NOTARY PUBLIC
 Miami-Dade County, Florida
 My commission expires: 9/19/20

Approved As To Form:
 City Attorney's Office: [Signature]

Filed with the Clerk of the Historic Preservation Board on [Signature] (7/14/17)