

MIAMI BEACH

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 DRB18-0358			
<input type="checkbox"/> 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="checkbox"/> Design Review Board <input checked="" type="checkbox"/> Design review approval <input checked="" type="checkbox"/> Variance	
<input type="checkbox"/> 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="checkbox"/> 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 320 South Hibiscus Drive East, Miami Beach, FL 33139			
FOLIO NUMBER(S) 02-3232-006-0110			
Property Owner Information			
PROPERTY OWNER NAME 320 South Hibiscus Drive LLC			
ADDRESS 320 South Hibiscus Drive East	CITY Miami Beach	STATE FL	ZIPCODE 33139
BUSINESS PHONE	CELL PHONE (305) 905-7248	EMAIL ADDRESS ilyakarpov@yahoo.com	
Applicant Information (if different than owner)			
APPLICANT NAME Ilya Karpov			
ADDRESS 38 s hibiscus dr	CITY Miami Beach	STATE FL	ZIPCODE
BUSINESS PHONE	CELL PHONE 3059057248	EMAIL ADDRESS ilyakarpov@yahoo.com	
Summary of Request			
PROVIDE A BRIEF SCOPE OF REQUEST Design of a new two story residence of approximately 8,000 +/- Square Feet with variances for lot coverage and unit size			

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 type="checkbox"/> Yes	<input type="checkbox"/> No
Provide the total floor area of the new construction.			SQ. FT.
Provide the gross floor area of the new construction [including required parking and all usable area].			SQ. FT.
Party responsible for project design			
NAME Ralph Choeff		<input checked="" type="checkbox"/> Architect	<input type="checkbox"/> Contractor
		<input type="checkbox"/> Engineer	<input type="checkbox"/> Tenant
		<input type="checkbox"/> Landscape Architect	<input type="checkbox"/> Other _____
ADDRESS 8425 Biscayne Blvd., Suite 201		CITY Miami	STATE FL
		ZIPCODE 33138	
BUSINESS PHONE 305-434-8338	CELL PHONE	EMAIL ADDRESS rchoeff@clfarchitects.com	
Authorized Representative(s) Information (if applicable)			
NAME Mickey Marrero		<input checked="" type="checkbox"/> Attorney	<input type="checkbox"/> Contact
		<input type="checkbox"/> Agent	<input type="checkbox"/> Other _____
ADDRESS 200 South Biscayne Blvd., Suite 850		CITY Miami	STATE FL
		ZIPCODE 33131	
BUSINESS PHONE 305-374-5300	CELL PHONE	EMAIL ADDRESS MMarrero@brzoninglaw.com	
NAME Greg Fontela		<input checked="" type="checkbox"/> Attorney	<input type="checkbox"/> Contact
		<input type="checkbox"/> Agent	<input type="checkbox"/> Other _____
ADDRESS 200 South Biscayne Blvd., Suite 850		CITY Miami	STATE FL
		ZIPCODE 33133	
BUSINESS PHONE 305-374-5300	CELL PHONE	EMAIL ADDRESS GFontela@brzoninglaw.com	
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

KARPOV. I

PRINT NAME

9/2/18/18

DATE SIGNED

OWNER AFFIDAVIT FOR INDIVIDUAL OWNER

STATE OF Florida

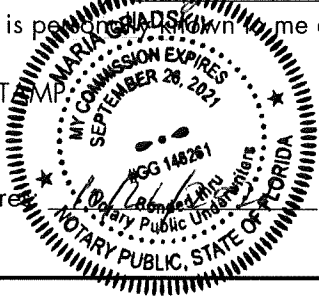
COUNTY OF Miami Dade

I, Ilya Karpov, 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.

Sworn to and subscribed before me this 19 day of December, 2018. The foregoing instrument was acknowledged before me by Ilya Karpov, who has produced _____ as identification and/or is personally known to me and who did/did not take an oath.

SIGNATURE

NOTARY SEAL OR STAMP



NOTARY PUBLIC

My Commission Expires: _____

Maria Gladsky
PRINT NAME

ALTERNATE OWNER AFFIDAVIT FOR CORPORATION, PARTNERSHIP OR LIMITED LIABILITY COMPANY

STATE OF _____

COUNTY OF _____

I, _____, being first duly sworn, depose and certify as follows: (1) I am the _____ (print title) of _____ (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.

Sworn to and subscribed before me this _____ day of _____, 20____. 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.

SIGNATURE

NOTARY SEAL OR STAMP

NOTARY PUBLIC

My Commission Expires: _____

PRINT NAME

POWER OF ATTORNEY AFFIDAVIT

STATE OF Florida

COUNTY OF Miami Dade

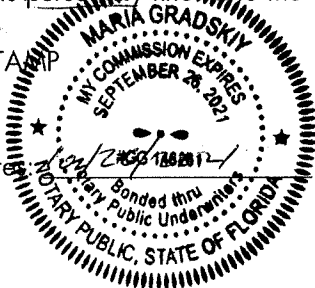
I, Ilya Karpov, being first duly sworn, depose and certify as follows: (1) I am the owner or representative of the owner of the real property that is the subject of this application. (2) I hereby authorize Mickey Marrero & Ralph Choeff to be my representative before the _____ Design Review Board. (3) 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. (4) I am responsible for remove this notice after the date of the hearing.

Ilya Karpov
PRINT NAME (and Title, if applicable)

SIGNATURE

Sworn to and subscribed before me this 14 day of December, 2018. The foregoing instrument was acknowledged before me by Ilya Karpov, who has produced _____ as identification and/or is personally known to me and who did/did not take an oath.

NOTARY SEAL OR STAMP



NOTARY PUBLIC

My Commission Expires 9/28/21

Maria Gradskiy
PRINT NAME

CONTRACT FOR PURCHASE

If the applicant is not the owner of the property, but the applicant is a party to a contract to purchase the property, whether or not such contract is contingent on this application, the applicant shall list the names of the contract purchasers below, including any and all principal officers, stockholders, beneficiaries or partners. If any of the contact purchasers are corporations, partnerships, limited liability companies, trusts, or other corporate entities, the applicant shall further disclose the identity of the individuals(s) (natural persons) having the ultimate ownership interest in the entity. If any contingency clause or contract terms involve additional individuals, corporations, partnerships, limited liability companies, trusts, or other corporate entities, list all individuals and/or corporate entities.

NAME

DATE OF CONTRACT

NAME, ADDRESS AND OFFICE

% OF STOCK

In the event of any changes of ownership or changes in contracts for purchase, subsequent to the date that this application if filed, but prior to the date of a final public hearing, the applicant shall file a supplemental disclosure of interest.

**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.

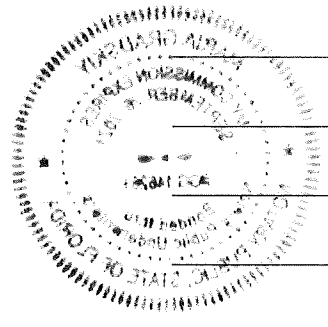
320 S Hibiscus Drive, LLC

NAME OF CORPORATE ENTITY

NAME AND ADDRESS

% OF OWNERSHIP

See Exhibit B



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
<u>RALPH CHOEFF</u>	<u>8425 BISCAYNE BLVD, STE. 201</u>	<u>(305) 434-8338</u>
<u>(CHOEFF LEVY FISCHMAN)</u>	<u>MIAMI, FL 33138</u>	

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

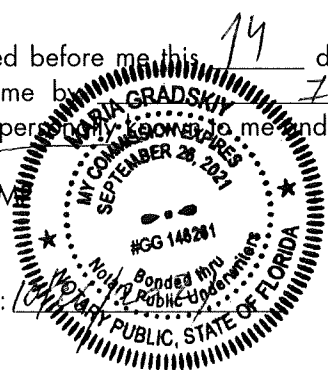
COUNTY OF MIAMI-DADE

I, Ilya Karpov, 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 14 day of DECEMBER, 2018. The foregoing instrument was acknowledged before me by Ilya Karpov, who has produced _____ as identification and/or is personally known to me and who did/did not take an oath.

NOTARY SEAL OR STAMP



NOTARY PUBLIC

My Commission Expires: _____

Maria gradskiy
PRINT NAME

EXHIBIT A

LEGAL DESCRIPTION:

PROPOSED LOT 2

LOT 13 AND THE WEST HALF OF LOT 12, IN BLOCK 1, OF HIBISCUS ISLAND, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 8, PAGE 75 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA;
TOGETHER WITH A STRIP OF LAND 20' WIDE, CONTIGUOUS AND ABUTTING THE WATERFRONT END OF LOTS 13 AND 12 OF BLOCK 1, HIBISCUS ISLAND, WHICH SAID 20' STRIP IS A PART OF THE 20' STRIP CONVEYED TO THE BISCAYNE BAY ISLAND COMPANY BY DEED OF THE TRUSTEES OF THE INTERNAL IMPROVEMENT FUND AS RECORDED IN DEED BOOK 1501, PAGE 479 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

EXHIBIT "B"

MEMBERSHIP OWENER FOR

320 South Hibiscus Drive, LLC, a Florida limited liability company

MEMBER: ANDREY ISAEV

OWNERSHIP 100%

EXHIBIT B

Resolutions of Unanimous Consent 320 SOUTH HIBISCUS DRIVE, LLC

The undersigned, being the sole Member of 320 SOUTH HIBISCUS DRIVE, LLC, a Florida Limited Liability Company (hereafter "Company"), does hereby consent to and adopt the following resolutions:

BE IT RESOLVED, that the Company authorizes the purchase of the following described property ("Property") for \$11,600,000.00 pursuant to the terms and conditions of that certain "As Is" Residential Contract for Sale and Purchase by and between the Owner of Record ("Seller") and Ilya Karpov and/or assigns or designees ("Buyer"), which was subsequently assigned to the undersigned by the Buyer and then to the Company ("Contract"):

Lots 11, 12 and 13 Block 1, of Hibiscus Island, according to the Plat thereof, as recorded in Plat Book 8, page 75, of the Public Records of Miami-Dade County, Florida.
Together with a strip of land 20' wide contiguous and abutting the waterfront end of Lots 11, 12, and 13 of Block 1, Hibiscus Island, which said strip is a part of the 20' strip conveyed to the Biscayne Bay Island Company by Deed of Trustees of the Internal Improvement Fund, as recorded in Deed Book 1501, page 479, of the Public Records of Miami-Dade County, Florida.

A/K/A

320 S. Hibiscus Drive
Miami Beach, FL 33139.

FURTHER RESOLVED, that the Company shall, and does hereby appoint, **Daniel Tzinker**, as the designated Manager, who is authorized to execute and deliver on behalf of the Company a Settlement Statement, or the equivalent thereof, and any and all other documents, instruments, certificates, consent, affidavits or other documents required or appropriate to effectuate the transaction contemplated by said Contract; and is otherwise empowered to take such actions as may be necessary to carry out the intents and purposes of the foregoing Resolution.

FURTHER RESOLVED, that for a term of three (3) years that shall commence on the Effective Date of this Resolution as defined hereunder, Ilya Karpov, as authorized signatory, is empowered and authorized to oversee the maintenance and development of the Property, including the rights and powers to draw up and execute any documents on behalf of the Company concerning the following matters:

- (1) To submit applications to any state or municipal bodies, public organizations and other governmental, private or public organizations, state or federal institutions, and/or companies or to any other parties, and also to sign applications and permits issued by the aforesaid bodies or parties;
- (2) to receive licenses and permits and to this effect to sign any applications, documents or forms to make applications for permits or development approvals with the City of

Miami Beach including, but not limited to, the Planning Board and Design Review Board, and to execute any agreements or declarations granting approvals for construction of two (2) single-family homes on the Property; and

(3) to sign contracts for development and construction with architects, designers, contractors, subcontractors, consultants and independent contractors, to sign notices of commencement, and any other documents necessary for the development of the Property.

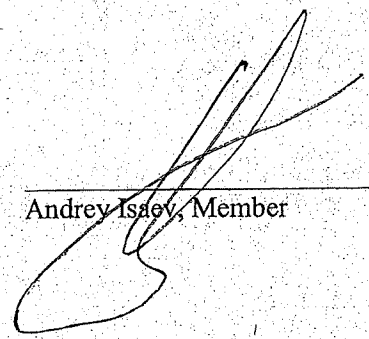
The powers and authority granted by the foregoing Resolution are limited to **Ilya Karpov** only and shall not be delegated to any other individual and/or entity.

This Resolution and Incumbency Certificate is made and entered into this 25 day of September, 2018 ("Effective Date").

Signed, Sealed and Delivered in the presence of:

Print Name: Ilya Karpov

By: Andrey Isaev, Member



Print Name: _____

STATE OF FLORIDA)

) SS:

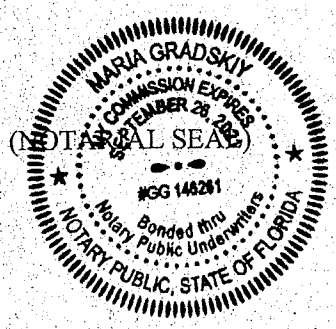
COUNTY OF Miami Dade)

The foregoing instrument was acknowledged before me this ____ day of September, 2018, by **Andrey Isaev, as the Member of 320 SOUTH HIBISCUS DRIVE, LLC, a Florida limited liability company.** He is personally known to me or has produced passport # 719361489 as identification.

[Signature]
NOTARY PUBLIC

Print Name: Maria Gradsky

Commission Number: 146261



Consented to by:

Signed, Sealed and Delivered
in the presence of:

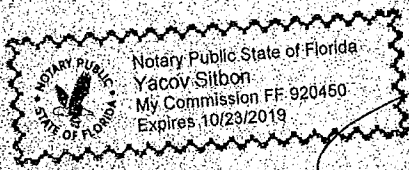
[Signature]
Print Name: Rami Hakim

By: [Signature]
Daniel Tzinker, Manager

[Signature]
Print Name: José Manuel Orozco

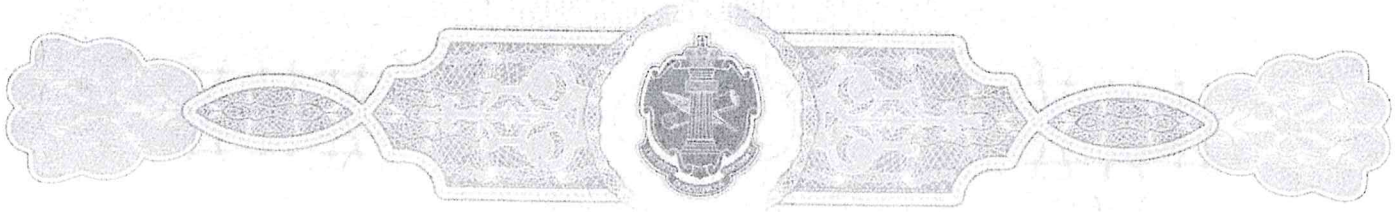
STATE OF FLORIDA)
) SS:
COUNTY OF MIAMI DADE)

The foregoing instrument was acknowledged before me this 04 day of ~~September~~ DECEMBER, ~~2018~~, by **DANIEL TZINKER**, as the Manager of **320 SOUTH HIBISCUS DRIVE, LLC**, a Florida limited liability company. He is personally known to me or has produced DRIVER'S LICENSE as identification.



(NOTARIAL SEAL)

[Signature]
NOTARY PUBLIC
Print Name: Yacov Silbon
Commission Number: _____



77 A V 8682673

POWER OF ATTORNEY

Moscow, August second, two thousand eighteenth.

I, Mr. ANDREY ALEKSEYEVICH ISAEV, born June 28, 1966, place of birth: city of Murom, Vladimir region, citizenship: Russian Federation, sex: male, passport 45 11 174280 issued by the Division of the Federal Migration Service Administration of Russia for the city of Moscow for the Shchukin district on July 6, 2011, subdivision code 770-098, foreign passport of Russian Federation citizen 71 9961489 issued by Federal Migration Service 77811 on June 29, 2012, valid until February 10, 2022, registered as residing at address: 32 (thirty-two) Marshal Biryuzov street, building 1 (one), apartment 108 (one hundred eight), Moscow,

do hereby empower

Mr. ILYA KARPOV, born June 2, 1972, place of birth: Moscow, citizenship: Russian Federation, sex: male, foreign passport of Russian Federation citizen 71 1216279, document issued by Federal Migration Service 50030 on July 2, 2010, valid until July 2, 2020,

to act on my behalf, specifically he is hereby granted the rights and powers to draw up and perform any documents concerning the following matters:

(1) to submit applications to any state or municipal bodies, public organizations and other governmental, private or public organizations, state or federal institutions, and/or state companies or to any other parties, and also to sign applications and permits issued by the aforesaid bodies or parties; and

(2) to obtain licenses and permits, and for the performance of this power of attorney to sign any applications, documents or application forms to obtain permits, to request consents or permits from the government of the city of Miami Beach, including but not limited to the Planning Board, the Commission on Review of Design Documentation, to sign any agreements or declarations permitting the construction of individual residential buildings in the Territory,

(3) to sign contracts for design and construction with architects, designers, contractors, subcontractors, consultants and independent executors, to sign notices of start of work, and also any other documents necessary for the development of the territory indicated below:

land lots 11, 12 and 13, section 1, HIBISCUS ISLAND, pursuant to the plan and entries in Boundary Book 8 on page 7 of the Public Archive of Florida.

TOGETHER with a piece of land 20 feet wide adjacent to the coastline of lots 11, 12 and 13 of section 1 of HIBISCUS ISLAND, which was conveyed per Biscayne Bay Island Company in a transaction with authorized agents of the Regional Development Fund (Internal Improvement Fund), pursuant to entries in Transactions Register 151, page 479 of the Public Archive of Dade, Florida (hereinafter the "Territory").

**at the address: 320 S. Hibiscus Drive, Miami Beach, FL 33139
case No.: 02-3232-006-0110**

I hereby grant **ILYA KARPOV** all rights and powers to perform any and all actions that need to be performed with respect to real estate and which I could perform independently. I hereby approve and confirm any actions that **ILYA KARPOV** as authorized agent will perform on legal grounds, or whose performance he will effectuate.

The power of attorney is issued for a term of three years, with a prohibition on sub-granting powers under this power of attorney to other persons.

The content of articles 187-189 of the Civil Code of the Russian Federation has been explained to the principal.

I, as a participant in the transaction, understand the notary's explanations about the legal consequences of the transaction that is being conducted. The terms of the transaction correspond to my actual intentions.

The information established by the Notary from my words is entered faithfully in the text of the transaction.

principal: [signature]

City of ...

**CERTIFIED TRANSLATION
PREPARED BY
SEVEN LANGUAGES, INC.**

... Moscow.

Russian Federation

City of Moscow

August second, two thousand eighteenth

This power of attorney is certified by me, ***Yulia Vladimirovna Krylova, notary in the city of Moscow.***

The content of the power of attorney corresponds to the expressed will of the person who granted the power of attorney.

The power of attorney was signed in my presence.

The identity of the person who signed the power of attorney was established, his capacity was verified.

Recorded in the register: No. 77/719-n/77-2018-9-1067.

State tax collected (at rate): 500 rubles 00 kopecks.

Paid for rendering services of a legal and technical nature: 1200 rubles 00 kopecks.

Yu. V. Krylova

[signature]

[inked round seal]

**CERTIFIED TRANSLATION
PREPARED BY
SEVEN LANGUAGES, INC.**



SEVEN LANGUAGES TRANSLATING SERVICES, INC.

TRANSLATORS • INTERPRETERS

Conferences • Depositions • Documents • Translations • Legal • Commercial • Medical • Technical • U.S. Court Certified Interpreters
Web site: www.sevenlanguages.com • E-mail: info@sevenlanguages.com

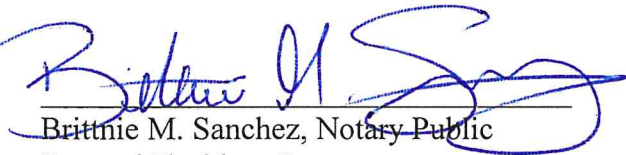
CERTIFICATE OF TRANSLATION

STATE OF FLORIDA }
 }
COUNTY OF MIAMI-DADE }

I, ELISE GICHON-STRAUSS, on behalf of SEVEN LANGUAGES TRANSLATING SERVICES, Inc, do certify that the attached translation, consisting of 2 pages, is, to the best of my knowledge and belief, a true and accurate rendition into the English language of the original written in Russian.


ELISE GICHON-STRAUSS

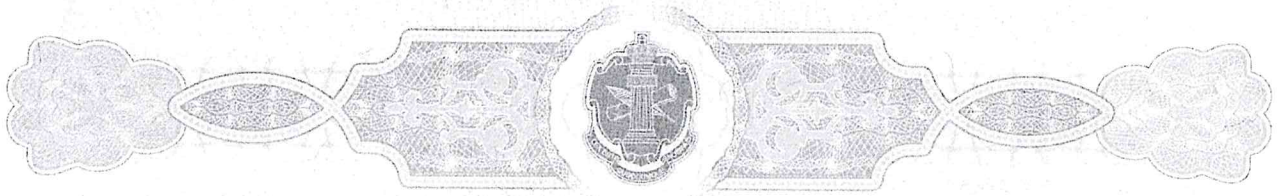
The foregoing instrument was acknowledged by me on this 03 day of August, 2018. ELISE GICHON-STRAUSS personally appeared before me at the time of notarization. She is personally known to me and produced a driver's license as identification and she did take an oath.


Brittnie M. Sanchez, Notary Public
State of Florida at Large



The utmost care has been taken to ensure the accuracy of all translations. SEVEN LANGUAGES TRANSLATING SERVICES and its employees shall not be liable for any damages due to negligence or error in typing or translation.

SPANISH
FRENCH
ITALIAN
HEBREW
CREOLE
DUTCH
PORTUGUESE
GERMAN
CHINESE
JAPANESE
RUSSIAN
SCANDINAVIAN
ASIAN
SLAVIC
& ALL OTHER
LANGUAGES



77 А В 8682673

ДОВЕРЕННОСТЬ

Город Москва, второго августа две тысячи восемнадцатого года.

Я, гр. **ИСАЕВ АНДРЕЙ АЛЕКСЕЕВИЧ**, 28 июня 1966 года рождения, место рождения: гор. Муром Владимирской области, гражданство: Российская Федерация, пол: мужской, паспорт 45 11 174280, выданный Отделением УФМС России по гор. Москве по району Щукино 06 июля 2011 года, код подразделения 770-098, загранпаспорт гражданина Российской Федерации 71 9961489, выдан ФМС 77811 29 июня 2012 года, действителен до 10 февраля 2022 года, зарегистрированный по месту жительства по адресу: город Москва, улица Маршала Бирюзова, дом 32 (тридцать два), корпус 1 (один), квартира 108 (сто восемь),

настоящей доверенностью уполномочиваю

гр. **КАРПОВА ИЛЬЮ**, 02 июня 1972 года рождения, место рождения: г. Москва, гражданство: Российская Федерация, пол: мужской, загранпаспорт гражданина Российской Федерации 71 1216279, документ выдан: ФМС 50030 02 июля 2010 года, действителен до 02 июля 2020 года,

действовать от моего имени, в частности настоящим он наделяется правами и полномочиями оформлять и исполнять любые документы, касающиеся следующих вопросов:

(1) подача заявлений в любые государственные или муниципальные органы, общественные организации и прочие правительственные, частные или общественные организации, государственные или федеральные учреждения, и/или в государственные компании или к любым другим лицам, а также подписывать заявления и разрешения, выданные вышеуказанными органами или лицами; и

(2) получать лицензии и разрешения, и для исполнения настоящего поручения подписывать любые заявления, документы или бланки заявлений на получение разрешений, запрашивать согласия или разрешения в администрации города Майами-Бич, включая, но не ограничиваясь, Совет по планированию, Комиссию по рассмотрению проектной документации, заключать любые соглашения или декларации, разрешающие строительство индивидуальных жилых домов на Территории,

(3) подписывать контракты на проектирование и строительство с архитекторами, дизайнерами, подрядчиками, субподрядчиками, консультантами и независимыми исполнителями, подписывать уведомления о начале работ, а также любые другие документы, необходимые для развития нижеуказанной Территории:

земельные участки 11, 12 и 13, участок 1, ГИБИСКУС АЙЛЭНД, согласно плану и записям в Межевой книге 8 на стр.7 Общественного архива Флориды.

ВМЕСТЕ с отрезком земли шириной 20 футов, прилегающим к береговой линии участков 11, 12 и 13 участка 1 ГИБИСКУС АЙЛЭНД, который был передан Бискайн Бэй Айленд Компани (Biscayne Bay Island Company) по сделке с уполномоченными лицами Фонда регионального развития (Internal Improvement Fund), согласно записям в Реестре сделок 151, страница 479 Общественного архива округа Дейд, Флорида (далее «Территория»).

по адресу: 320 С. Гибискус Драйв, Майами-Бич, FL 33139

дело №: 02-3232-006-0110

Настоящим наделяю **КАРПОВА ИЛЬЮ** всеми правами и полномочиями для совершения всех и любых действий, которые необходимо совершить в отношении недвижимости и которые я мог бы совершить самостоятельно. Настоящим утверждаю и подтверждаю любые действия, которые **КАРПОВ ИЛЬЯ** в качестве назначенного поверенного совершит на законных основаниях, или совершение которых он обеспечит.

Доверенность выдана сроком на три года, с запретом на передоверие полномочий по настоящей доверенности другим лицам.

Содержание статей 187-189 Гражданского кодекса Российской Федерации доверителю разъяснено.

Я, как участник сделки, понимаю разъяснения нотариуса о правовых последствиях совершаемой сделки. Условия сделки соответствуют моим действительным намерениям.

Информация, установленная нотариусом с моих слов, внесена в текст сделки верно.

доверитель

г.Моск-

**Российская Федерация
Город Москва**

Второго августа две тысячи восемнадцатого года

**Настоящая доверенность удостоверена мной, Крыловой Юлией Владимировной, нотариусом города
Москвы.**

Содержание доверенности соответствует волеизъявлению лица, выдавшего доверенность.

Доверенность подписана в моем присутствии.

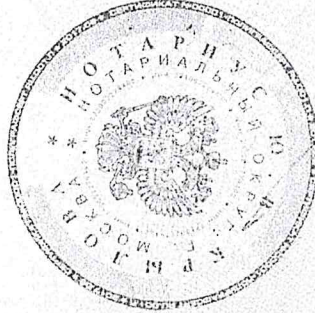
Личность подписавшего доверенность установлена, его дееспособность проверена.

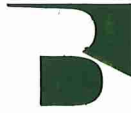
Зарегистрировано в реестре: № 77/719-н/77-2018-9-1067.

Взыскано государственной пошлины (по тарифу): 500 руб. 00 коп.

Уплачено за оказание услуг правового и технического характера: 1200 руб. 00 коп.

Ю.В. Крылова





BERCOW RADELL FERNANDEZ & LARKIN

ZONING, LAND USE AND ENVIRONMENTAL LAW

DIRECT LINE: (305) 377-6238
E-Mail: MMarrero@brzoninglaw.com

February 4, 2019

VIA HAND DELIVERY

Thomas Mooney, Director
Planning Department
City of Miami Beach
1700 Convention Center Drive, 2nd Floor
Miami Beach, Florida 33139

Re: DRB18-0358 - Request for Design Review Approval the Property Located at 320 South Hibiscus Drive East in Miami Beach, Florida

Dear Tom:

This law firm represents 320 South Hibiscus Drive, LLC (the "Applicant"), the owner of the above-referenced property (the "Property"). The Property was recently split into two (2) lots on November 27, 2018 pursuant to PB18-0220. See Exhibit A, PB18-0220. The lot split resulted in two lots with the eastern lot with a lot area of 16,115 square feet (the "East Lot") and the western lot with a lot area of 16,096 square feet (the "West Lot"). Please consider this letter the Applicant's letter of intent in connection with a request to the Design Review Board ("DRB") for design review, waiver, and variance approval for a single-family home on the East Lot.

The Property. The Property is situated on Hibiscus Island along South Hibiscus Drive fronting the water. The Property is identified by Miami-Dade County Folio No. 02-3232-006-0110 and is located within the RS-3 Single-Family Residential zoning district. The Property was one of the largest RS-3 zoned lots on Hibiscus Island at approximately 32,212 square feet (0.74 acres) in size. The Property is currently improved with a single-family structure built in 1952. The lot split resulted in lot sizes that are more compatible with the properties within the surrounding area. The majority of the similarly situated, RS-3 zoned waterfront properties along South Hibiscus Drive have a lot size of 10,500 square feet. The unit size of the proposed home on the East Lot will be appropriately sized for the lot on which it sits.

Proposed Home. The proposed new single family home on the East lot will be a modern design with two (2) stories in height and a unit size of approximately 7,989.9 square feet in size.

Requests. The Applicant respectfully requests the following:

- 1) Design review approval for the new single family home;
- 2) A height waiver to allow for 26 feet where 24 feet is allowed pursuant to Code Section 142-105(b)(1);
- 3) A waiver to allow for a second floor unit size of 85.18% of the first floor unit size pursuant to Code Section 142-105(b)(4)
- 4) A waiver to allow for two-story side elevation along the interior side yard in excess of 60 feet without eight foot (8') deep notches of open space along the side yards pursuant to Code Section 142-106(2)(d)
- 5) Approval of a mechanical lift pursuant to Section 130-38(4-5); and
- 6) Approval of the following 2 variances:
 - (a) Lot Coverage: Lot coverage of 25.65% where Section 142-105(b)(9) provides that the maximum lot coverage for a new two-story home shall not exceed 25 percent of the lot area, or such lesser number, as determined by the planning board, for homes on lots resulting from a lot split application where the new lots created do not follow the lines of the original platted lots
 - (b) Unit Size: Unit size of 49.58% where Section 142-105(b)(9) provides that the maximum unit size shall not exceed 40 percent of the lot area for both one story, and two-story structures, or such less numbers, as determined by the planning board, for homes on lots resulting from a lot split application where the new lots created do not follow the lines of the original platted lots

Satisfaction of Hardship Criteria. Section 118-353(d) of the City's Code sets forth the hardship criteria for a variance request. The Applicant's request satisfies all hardship criteria as follows:

(1) Special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same zoning district;

The restrictions limiting lot coverage and unit sizes for lot splits where the newly created lots do not follow the lines of the original platted lots was installed into the Code in order to protect against the creation of lots and homes that are incompatible with the surrounding area. However, the Application presents a unique situation as the analysis performed by the City reveals that the lot coverage and unit sizes for the surrounding neighborhood is well in excess of the 25% lot coverage and 40% unit size prescribed by Section 142-105(b)(9) of the Code. See Exhibit B, PB18-0220 Staff Analysis.

The surrounding area was found to have an average lot size of 12,590 square feet and an average adjusted unit size percentage of 46%. Both numbers are very much in line with those proposed for the East Lot with the Application. The lot split approved by PB18-0220 resulted in two lots more compatible with the surrounding neighborhood, and the proposed homes on the lots will be more compatible with the surrounding neighborhood than would be homes limited pursuant to the regulations in Section 142-105(b)(9).

(2) The special conditions and circumstances do not result from the action of the applicant;

The general trend of lot coverage and unit sizes in this neighborhood are occurrences entirely independent of actions from the Applicant. The requested variances simply seek to allow the Applicant to develop a single family home on the East Lot that is compatible and consistent with the trends of the neighborhood.

(3) Granting the variance requested will not confer on the applicant any special privilege that is denied by these land development regulations to other lands, buildings, or structures in the same zoning district;

Granting the variance will not confer any special privilege on the Applicant, but rather would allow the Applicant to develop a home based on the same parameters and restrictions applicable to any other similar-sized property in the surrounding area. If the Applicant had maintained the previous makeup of the Property with the larger lot, the Applicant would not be subject to the additional restrictions for lot coverage and unit size, and instead would be able to develop a home with a lot coverage of 30% and a unit size of 50% as of right. Similarly, if the Applicant would have sought to create some of the smaller lots in the neighborhood by splitting the Property into three (3) lots, along the original platted lot lines, the Applicant would have been able to develop a home with a lot coverage of 30% and a unit size of 50% as of right.

- (4) Literal interpretation of the provisions of these land development regulations would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of these land development regulations and would work unnecessary and undue hardship on the applicant;**

The restrictions of Section 142-105(b)(9) were implemented to protect neighborhoods in instances where a property is overly subdivided resulting in smaller lots with unproportioned homes or where properties are aggregated and seeking to develop homes much larger than its surroundings. In this instance, the literal interpretation of the provisions of the Code would result in homes on the East Lot and the West Lot that are out of character with the surrounding neighborhood. The overwhelming trend in the area is to develop similar-sized lots with homes with lot coverage in excess of 25% and unit size in excess of 40%.

If the Applicant had maintained the previous makeup of the Property with the larger lot, the Applicant would not be subject to the additional restrictions for lot coverage and unit size, and instead would be able to develop a home with a lot coverage of 30% and a unit size of 50% as of right. Similarly, if the Applicant would have sought to create some of the smaller lots in the neighborhood by splitting the Property into three (3) lots, along the original platted lot lines, the Applicant would have been able to develop a home with a lot coverage of 30% and a unit size of 50% as of right.

In either of the scenarios described above, the Applicant would have been able to develop the Property with the desired square footage and lot coverage, as of right. The Applicant is simply seeking to be afforded the same allowance in a scenario where such development proves to be compatible and consistent with the neighborhood.

- (5) The variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure;**

The variance granted is the minimum variance that will make possible the reasonable use of the land in a manner consistent with the surrounding neighborhood. The Applicant is not seeking to develop a home with greater lot coverage or unit size than that which is generally allowed in the RS-3 District. Rather, the Applicant is seeking the variances due to the reality that the protections of 142-105(b)(9) are not intended to apply to the unique situation at hand.

- (6) The granting of the variance will be in harmony with the general intent and purpose of these land development regulations and that such variance**

will not be injurious to the area involved or otherwise detrimental to the public welfare; and

The granting of the variances will be in harmony with the intent of the Code, as it will allow for a single family home on the East Lot that is compatible with the trend and makeup of the surrounding neighborhood and within the lot coverage and unit size parameters for the RS-3 District.

- (7) The granting of this request is consistent with the comprehensive plan and does not reduce the levels of service as set forth in the plan. The planning and zoning director may require applicants to submit documentation to support this requirement prior to the scheduling of a public hearing or any time prior to the board of adjustment voting on the applicant's request.**

The requested variance is consistent with comprehensive plan and does not reduce the levels of service as set forth in the plan, as the proposed home is within the parameters of what is contemplated for the RS-3 District.

Mechanical Parking Lift. The Applicant is seeking approval to utilize mechanical parking lifts as allowed pursuant to Section 130-38(4)(b). The design review board review process for the use of mechanical parking devices is based on compliance with the following criteria outlined in Section 130-38(5):

- a) Whether the scale of the proposed structure is compatible with the existing urban character of the surrounding neighborhood;**

The garage is consistent in size with a standard 2-car parking garage common within the neighborhood and Miami Beach. The presence of the parking lift will be unidentifiable from the exterior of the garage.

- b) Whether the proposed use of mechanical parking results in an improvement of design characteristics and compatibility with the surrounding neighborhood and has demonstrated how the scale, mass, volume and height of the building are reduced by the use of mechanical parking;**

The garage is consistent in size with a standard 2-car parking garage common within the neighborhood and Miami Beach. The presence of the parking lift will be unidentifiable from the exterior of the garage. The mechanical lift will allow for less cars to be situated on the exterior of the Property.

- c) Whether the proposed use of mechanical parking does not result in an increase in density or intensity over what could be constructed with conventional parking;**

The proposed use of the mechanical parking garage will have no effect on the density or use for the single-family home.

- d) Whether parking lifts or mechanisms are located inside, within a fully enclosed building, and not visible from exterior view;**

The parking lifts are located inside, within a fully enclosed parking garage and not visible from exterior view.

- e) In cases where mechanical parking lifts are used for self-parking in multifamily residential buildings; whether approval is conditioned upon the proper restrictive covenant being provided limiting the use of each lift to the same unit owner;**

Not applicable -- The proposed mechanical parking is not for a multifamily residential building.

- f) In cases where mechanical parking lifts are used for valet parking; whether approval is conditioned upon the proper restrictive covenant being provided stipulating that a valet service or operator must be provided for such parking for so long as the use continues;**

Not applicable -- The proposed mechanical parking is not for valet parking.

- g) Whether a traffic study has been provided that details the ingress, egress and circulation within the mechanical parking facility, and the technical and staffing requirements necessary to ensure that the proposed mechanical parking system does not cause excessive stacking, waiting, or backups onto the public right-of-way;**

Not applicable -- The proposed mechanical parking is for a single family home and is not for a multifamily residential building.

- h) Whether a proposed operations plan, including hours of operation, number of employees, maintenance requirements, noise specifications, and emergency procedures, has been provided;**

Not applicable -- The proposed mechanical parking is for a single family home and is not for a multifamily residential building.

- i) In cases where the proposed facility includes accessory uses in addition to the parking garage, whether the accessory uses are in proportion to the facility as a whole, and delivery of merchandise and removal of refuse, and**

any additional impacts upon the surrounding neighborhood created by the scale and intensity of the proposed accessory uses, are adequately addressed;

Not applicable -- The proposed mechanical parking is for a single family home and is not for a multifamily residential building.

j) Whether the proximity of the proposed facility to similar size structures and to residential uses creates adverse impacts and how such impacts are mitigated;

The garage is consistent in size with a standard 2-car parking garage common within the neighborhood and Miami Beach. The presence of the parking lift will be unidentifiable from the exterior of the garage.

k) Whether a cumulative effect from the proposed facility with adjacent and nearby structures arises, and how such cumulative effect will be addressed;

The garage is consistent in size with a standard 2-car parking garage common within the neighborhood and Miami Beach. The presence of the parking lift will be unidentifiable from the exterior of the garage.

Sea Level Rise and Resiliency Criteria. The proposed single-family homes resulting from the lot split will advance the sea level rise and resiliency criteria in Section 133-50(a) as follows:

(1) A recycling or salvage plan for partial or total demolition shall be provided.

The Applicant will provide a recycling or salvage plan during permitting.

(2) Windows that are proposed to be replaced shall be hurricane proof impact windows.

The Applicant proposes hurricane impact windows.

(3) Where feasible and appropriate, passive cooling systems, such as operable windows, shall be provided.

Operable windows will be provided.

(4) Whether resilient landscaping (salt tolerant, highly water-absorbent, native or Florida friendly plants) will be provided.

The Applicant will provide appropriate landscaping at the Property. Proposed species include native and Florida-friendly plants appropriate for the area, including salt tolerant species.

- (5) Whether adopted sea level rise projections in the Southeast Florida Regional Climate Action Plan, as may be revised from time-to-time by the Southeast Florida Regional Climate Change Compact, including a study of land elevation and elevation of surrounding properties were considered.**

The Applicant has considered the elevation of the right-of-way and surrounding properties, and plans to grade the front and side yards appropriately to remain compatible with the existing conditions, while slowly sloping-up as you get closer to the home in order to adapt to future raised elevations. The property will slope from the existing front yard elevation and gradually arrive at the first floor slab. The Applicant will work with the Public Works Department to further address sea level rise projections with respect to the right-of-way connections.

- (6) The ground floor, driveways, and garage ramping for new construction shall be adaptable to the raising of public rights-of-ways and adjacent land.**

The Applicant has taken into consideration the raising of public rights-of-ways and has designed the proposed home accordingly. The additional 1' of freeboard used to elevate the home will allow raising of the front yard to address the future raising of the streets.

- (7) Where feasible and appropriate, all critical mechanical and electrical systems shall be located above base flood elevation.**

Proper precautions will be taken to ensure the critical mechanical and electrical systems are located above base flood elevation.

- (8) Existing buildings shall be, where reasonably feasible and appropriate, elevated to the base flood elevation.**

This is not applicable as the Property is vacant and the lot split application will result in construction of two (2) new single family homes.

- (9) When habitable space is located below the base flood elevation plus City of Miami Beach Freeboard, wet or dry flood proofing systems will be provided in accordance with Chapter of 54 of the City Code.**

Mr. Thomas Mooney
February 4, 2019
Page 9 of 9

No wet or dry flood proofing will be necessary as all habitable space will be located above base flood elevation plus City of Miami Beach Freeboard of 1'.

(10) Where feasible and appropriate, water retention systems shall be provided.

The Applicant has incorporated Shallow Retention Areas ("SRAs") to direct and collect rainwater on the proposed plan. At time of permitting, the Applicant will engage the services of a civil engineer to analyze and provide the subsurface drainage design. Accordingly, a water retention system will be provided

Conclusion. We believe that the approval of the Application will permit the development of a beautiful single-family home on the East Lot that will be compatible with the character of the residential neighborhood. We look forward to your favorable review of the application. If you have any questions or comments in the interim, please give me a call at 305-374-5300

Sincerely,

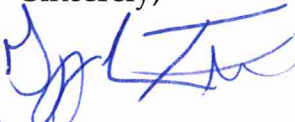

FR Mickey Marrero

EXHIBIT A

**PLANNING BOARD
CITY OF MIAMI BEACH, FLORIDA**

PROPERTY: 320 South Hibiscus Drive

FILE NO. PB 18-0220

IN RE: The applicant, 320 South Hibiscus Drive, LLC, requested a Division of Land/Lot Split, pursuant to Chapter 118, Article VII of the City Code, to divide the existing site comprised of three platted lots, into two individual buildable parcels.

LEGAL DESCRIPTION: Lots 11, 12, and 13, Block 1, of HIBISCUS ISLAND, according to the Plat thereof, as recorded in Plat Book 8 Page 75, of the Public Records of Miami-Dade County, Florida. TOGETHER WITH a strip of land 20' wide contiguous and abutting the waterfront end of lots 11, 12 and 13 of Block 1, HIBISCUS ISLAND, which said 20' strip is part of the 20' strip conveyed to the Biscayne Bay Island Company by deed to the Trustees of the Internal Improvement Fund as recorded in Deed Book 1501, Page 479 at the Public Records of Miami-Dade County, Florida.

MEETING DATE: November 27, 2018

**DIVISION OF LAND/LOT SPLIT
DRAFT FINAL ORDER**

The applicant, 320 South Hibiscus Drive, LLC, requested a Division of Land/Lot Split, pursuant to Chapter 118, Article VII of the City Code, to divide the existing site into two individual buildable parcels.

The City of Miami Beach Planning 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:

- A. 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 is consistent with Planning Board "Division of Land/Division of Land/Lot Split" criteria in Section 118-321.B of the City Code.
- B. The project would remain consistent with the criteria and requirements of Section 118-321.B of the City Code, subject to the subject to the following conditions, to which the Applicant has agreed:
 1. The two (2) lots created pursuant to this lot split application at 320 South Hibiscus Drive, shall comply with the following:
 - a. The subject lots shall not be subdivided any further.

MBS

- b. Design Review Board review and approval shall be required for the proposed home(s) on each lot.
 - c. The building parcels created by this lot split shall be as depicted on the signed and sealed surveys by John Ibarra & Associates, Inc., Land Surveyors, dated 08-06-2018.
 - d. Individual underground utility, water, sewer, electric, telephone and cable connections, as well as the payment of any applicable impact fees, shall be the responsibility of the owners of each respective lot.
 - e. If required, the removal and replacement of all or portions of the sidewalk curb and gutter along all portions of each lot shall be the responsibility of the applicant.
 - f. Unless otherwise approved through the variance process, the maximum unit size for each lot shall be limited to the lesser of 40% or the maximum permitted at the administrative level at the time of building permit, as per Section 142-105(b)(9) of the City Code, as may be revised from time to time.
 - g. Unless otherwise approved through the variance process, the maximum lot coverage for each lot shall be limited to the lesser of 25% or the maximum permitted at the administrative level at the time of building permit, as per Section 142-105 (b) of the City Code, as may be revised from time to time.
 - h. Any proposed new home on each lot shall fully adhere to the review criteria and development regulations identified in Sections 142-105 and 142-106 of the City Code, as may be revised from time to time. Enhancements of the applicable development regulations through Design Review Board review and approval shall not be permitted, with the exception noted in Conditions B.1.f. and B.1.g. above.
 - i. Prior to the issuance of a Building Permit, a tree report prepared by a certified arborist for all of the existing trees on site shall be submitted for the review and evaluation of the CMB Urban Forester. Any trees identified to be in good health shall be retained or relocated if determined to be feasible by the CMB Urban Forester.
 - j. 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.
2. The applicant and/or owner, for each lot created herein, both now and in the future, shall abide by all the documents and statements submitted with this

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application for Division of Land/Lot Split, as well as all conditions of this Order. The conditions of approval for this Lot Split are binding on the applicant, the property owners, and all successors in interest and assigns.

3. The Planning Board shall maintain jurisdiction of this Lot Split approval. If deemed necessary, at the request of the Planning Director, the applicant shall provide a progress report to the Board. The Board reserves the right to modify the Lot Split approval at the time of a progress report in a non-substantive manner, to impose additional conditions to address problems and to determine the timing and need for future progress reports. This Lot Split is also subject to modification or revocation under Section 118-323 of the City Code.
4. The applicant and/or owner of each property shall resolve all outstanding violations and fines on each respective property, if any, prior to the issuance of a building permit for any home proposed.
5. This 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.
6. The executed Order for the Division of Land/Lot Split shall be recorded in the Public Records of Miami-Dade County, Florida, at the expense of the applicant.
7. The Lot Split approval approved herein shall comply with all the aforementioned conditions of approval; non-compliance shall constitute a violation of the City Code, and shall be subject to enforcement procedures set forth in Section 114-8 of the City Code and such other enforcement procedures as are permitted by law. Any failure by the applicant to comply with the conditions of this Order shall also constitute a basis for consideration by the Planning Board for a revocation of this approval.
8. 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 is adopted herein, including staff recommendations, as modified by the Planning Board that the Division of Land/Lot Split as requested and set forth above be GRANTED, subject to those certain conditions specified in Paragraph B of the Findings of Fact (Condition Nos. 1-8, inclusive) hereof, to which the applicant has agreed.



PB 18-0206 – 320 South Hibiscus Drive
Page 4 of 4

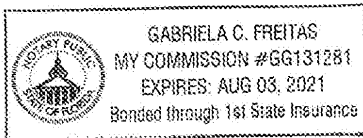
Dated this 24th day of DECEMBER, 2018.

PLANNING BOARD OF THE
CITY OF MIAMI BEACH, FLORIDA

BY: Michael Belush
Michael Belush,
Chief of Planning & Zoning
For Chairman

STATE OF FLORIDA)
COUNTY OF MIAMI-DADE)

The foregoing instrument was acknowledged before me this 24th day of December, 2018, by Michael Belush, Planning and Zoning Manager of the City of Miami Beach, Florida, a Florida Municipal Corporation, on behalf of the corporation. He is personally known to me.



[NOTARIAL SEAL]

Gabriela Freitas
Notary:
Print Name: Gabriela Freitas
Notary Public, State of Florida
My Commission Expires: 8-3-21
Commission Number: 99131281

Approved As To Form:
Legal Department [Signature], 12/24/18

Filed with the Clerk of the Planning Board on [Signature] (12/24/18)

MB

EXHIBIT B

MIAMI BEACH

PLANNING DEPARTMENT

Staff Report & Recommendation

PLANNING BOARD

TO: Chairperson and Members
Planning Board

DATE: November 27, 2018

FROM: Thomas R. Mooney, AICP
Planning Director



SUBJECT: **PB 18-0220. 320 S Hibiscus Road – SFR Lot Split/Subdivision of Land**

The applicant, 320 South Hibiscus Drive, LLC, is requesting Division of Land/Lot Split, pursuant to Chapter 118, Article VII of the City Code, to divide the existing site comprised of three platted lots, into two individual buildable parcels.

RECOMMENDATION:

Approval with conditions

EXISTING STRUCTURES/SITE:

The subject application includes one existing parcel of approximately 32,212 square feet (Per Survey and Letter of Intent submitted by the applicant) The applicant is proposing to divide the parcel into two individual single family sites.

ZONING / SITE DATA:

Legal Description: Lots 11, 12, and 13, Block 1, of HIBISCUS ISLAND, according to the Plat thereof, as recorded in Plat Book 8, Page 75, of the Public Records of Miami-Dade County, Florida. TOGETHER WITH a strip of land 20' wide contiguous and abutting the waterfront end of lots 11, 12 and 13 of Block 1, HIBISCUS ISLAND, which said 20' strip is part of the 20' strip conveyed to the Biscayne Bay Island Company by deed to the Trustees of the Internal Improvement Fund as recorded in Deed Book 1501, Page 479 at the Public Records of Miami-Dade County, Florida.

Zoning: RS-3 Single-Family Residential District

Future Land Use: Single Family Residential Category (RS)

Lot Size: 32,212 Square Feet for the Combined Site

REVIEW CRITERIA:

Pursuant to Section 118-321(b) of the City Code, in reviewing an application for the division of lot and lot split, the Planning Board shall apply the following criteria:

- 1. Whether the lots that would be created are divided in such a manner that they are in compliance with the regulations of these land development regulations.**

Consistent– The minimum lot size and lot width requirements for RS-3 Zoning district are 10,000 square feet lot size and 60 feet lot width. The proposed area of the Eastern lot is 16,096 square feet with a lot width of 90 feet. The proposed Western site is 16,116 square feet with a lot width of 90 feet.

2. **Whether the building site that would be created would be equal to or larger than the majority of the existing building sites, or the most common existing lot size, and of the same character as the surrounding area.**

Partially Consistent– The surrounding lots in the RS-3 zoning district consist of lots that have an average size of 12,590 square feet. The proposed lot split will create two (2) lots larger than the average (Eastern lot 16,096 square feet western lot 16,116 square feet) lot size.

3. **Whether the scale of any proposed new construction is compatible with the as-built character of the surrounding area, or creates adverse impacts on the surrounding area; and if so, how the adverse impacts will be mitigated. To determine whether this criterion is satisfied, the applicant shall submit massing and scale studies reflecting structures and uses that would be permitted under the land development regulations as a result of the proposed lot split, even if the applicant presently has no specific plans for construction.**

Consistent– No adverse impacts are expected to be created by the lot split and the proposed homes, the scale of the proposed home is compatible with the as-built character of the surrounding area.

4. **Whether the building site that would be created would result in existing structures becoming nonconforming as they relate to setbacks and other applicable regulations of these land development regulations, and how the resulting nonconformities will be mitigated.**

Consistent– The existing 1952 single family home is going to be demolished.

5. **Whether the building site that would be created would be free of encroachments from abutting buildable sites.**

Consistent–The building sites created would be free of encroachments from abutting buildable sites.

6. **Whether the proposed lot split adversely affects architecturally significant or historic homes, and if so, how the adverse effects will be mitigated. The Board shall have the authority to require the full or partial retention of structures constructed prior to 1942 and determined by the Planning Director or designee to be architecturally significant under section 142-108 (2) of the City Code.**

Consistent– The existing 1952 single family home is has not been classified.

ANALYSIS:

The subject property consists of a single owner (the applicant) who proposes to divide the subject property, which consists of three (3) platted lots, into two (2) separate parcels. An Opinion of Title was submitted in conformance with the requirements of the City Code.

The RS-3 residential single-family zoning district requires a minimum lot area of 10,000 square feet and a minimum lot width of 60 feet. The proposed parcels comply with the minimum lot area and lot width.

The table below summarizes the statistical data of similar properties in the surrounding area, (see also analysis parcels aerial). The source of the data is the Miami Dade County Property Appraiser's Office.

As a point of information, the Property Appraiser's Office adjusts the size of structures by increasing or adjusting the stated square footage for outdoor covered areas such as loggias, covered patios, etc. and for non-air-conditioned garages. As per the City's definitions, these items are generally excluded from unit size calculations. In the Data Analysis below, the adjusted unit size percentage is the percentage unit size of the existing home using the adjusted square footage from the Property Appraiser's office. Staff has included a "20% allowance" column, to take into consideration a reasonable accommodation for future renovations and additions for existing homes.

Area Analysis Data:

Subject Site:

Adress	Lot Size (SF)	Proposed Unit Size (SF)	Proposed Unit Size %
Eastern Lot	16,096	7,563	47%
Western Lot	16,116	8,050	50%

Surrounding Sites Summary:

Statistic	Year Built	Lot Size (SF)	Unit Size (SF)	Unit Size +20% Allowance (SF)*	Unit Size %	Unit Size +20% Allowance %	Floors
Average	1970	12,590	5,300	5,751	43%	46%	2
Median	1957	10,500	4,998	5,520	40%	48%	2
Max	2016	21,000	11,761	11,761	84%	84%	3
Min	1924	9,625	1,028	1,234	10%	12%	1
First Quartile	1940	10,500	3,671	4,405	27%	32%	1
Third Quartile	2007	14,438	6,756	6,756	58%	58%	2
Mode	1938	10,500	N/A	5,250	N/A	50%	2

The following aerial and table describe the make-up of the parcels in the surrounding lots utilized for the previous analysis:

Analysis Parcels (aerial)



Analysis Parcels Data

Address	Year Built	Lot Size (SF)	Unit Size (SF)	Unit Size +20% Allowance (SF)*	Unit Size %	Unit Size +20% Allowance %	Floors
224 S HIBISCUS DR	2012	18,814	7,625	9,150	41%	49%	2
240 S HIBISCUS DR	2012	10,500	6,245	6,245	59%	59%	2
250 S HIBISCUS DR	1938	10,500	2,021	2,425	19%	23%	2
254 S HIBISCUS DR	2014	10,500	7,438	7,438	71%	71%	2
266 S HIBISCUS DR	1940	10,500	2,819	3,383	27%	32%	2
270 S HIBISCUS DR	1956	10,500	4,050	4,860	39%	46%	1
280 S HIBISCUS DR	2010	10,500	7,342	7,342	70%	70%	1
290 S HIBISCUS DR	1954	10,500	2,607	3,128	25%	30%	1
294 S HIBISCUS DR	1991	10,500	4,588	5,250	44%	50%	2
306 S HIBISCUS DR	1938	10,500	2,113	2,536	20%	24%	1
340 S HIBISCUS DR	1936	10,500	4,567	5,250	43%	50%	2
350 S HIBISCUS DR	1976	15,750	4,251	5,101	27%	32%	2
360 S HIBISCUS DR	1952	15,750	4,412	5,294	28%	34%	2
370 S HIBISCUS DR	2016	21,000	10,614	10,614	51%	51%	3
394 S HIBISCUS DR	1930	18,375	5,434	6,521	30%	35%	2
400 S HIBISCUS DR	1924	13,125	2,697	3,236	21%	25%	1
410 S HIBISCUS DR	1924	12,221	6,714	6,714	55%	55%	2
387 N HIBISCUS DR	1926	10,500	1,028	1,234	10%	12%	2
375 N HIBISCUS DR	1955	15,750	5,437	6,524	35%	41%	1
369 N HIBISCUS DR	1954	15,750	8,216	8,216	52%	52%	1
355 N HIBISCUS DR	2002	10,500	6,175	6,175	59%	59%	2
345 N HIBISCUS DR	1952	21,000	4,461	5,353	21%	25%	1
333 N HIBISCUS DR	2001	10,500	3,893	4,672	37%	44%	2
325 N HIBISCUS DR	1957	10,500	5,032	5,250	48%	50%	2
305 N HIBISCUS DR	1996	10,260	6,370	6,370	62%	62%	2
301 N HIBISCUS DR	2009	10,500	5,997	5,997	57%	57%	2
297 N HIBISCUS DR	2007	10,500	6,883	6,883	66%	66%	3
289 N HIBISCUS DR	1938	10,500	2,155	2,586	21%	25%	1
279 N HIBISCUS DR	1978	10,500	4,093	4,912	39%	47%	2
271 N HIBISCUS DR	2007	14,000	11,761	11,761	84%	84%	3
269 N HIBISCUS DR	2007	12,250	9,864	9,864	81%	81%	3
265 N HIBISCUS DR	1957	11,375	5,346	5,688	47%	50%	2
255 N HIBISCUS DR	1952	9,625	3,004	3,605	31%	37%	1
235 N HIBISCUS DR	1951	14,000	4,964	5,957	35%	43%	2

The 20% allowance was added to the adjusted square footage only if the increase remained within permissible limits pursuant to the Land Development Regulations.

Summary of Data Analysis:

- The analysis area consists of waterfront RS-3 lots south and north of the subject parcel.
- There are 34 parcels in the analysis area, excluding the applicant's site (320 S Hibiscus Drive).
- All parcels range in size from 9,625 to 21,000 square feet.
- The average lot size is 12,590 square feet. The median lot size is 10,500 square feet, the most common lot size (mode) is 10,500.
- The average adjusted unit size is 5,300 square feet (43% of lot area), the median unit size is 4,998 square feet (40% of lot area). (9) homes exceed the current maximum unit size of 50%.
- Factoring a reasonable assumption of future additions to existing homes of 20% of the current adjusted size, the average home size increases to 5,771 SF (46% of lot area).
- The applicant is proposing a unit size for the Eastern lot of 47% of the lot area (16,096 SF), the Western lot will have a unit size of 50% of the lot area 16,116 SF).

Staff would note that the existing homes average unit size of 43% (for the study area) is larger than the average for most of the City's single family neighborhoods, which is typically around 31%. Because of the relatively high existing larger average unit size, staff is not opposed to the applicant's request to allow the filing of a variance application to exceed the maximum unit size required which is 40%. Such variance request will be reviewed by the Design Review Board for consistency with the practical difficulty and hardship criteria. The 40% cap is a code requirement because the lots are proposed to split along lines that vary from the original platted lots. If the lot was divided into three parcels consistent with the platted lot lines, the maximum unit size allowed would be 50%.

STAFF RECOMMENDATION:

In view of the foregoing analysis, staff recommends that the application be approved subject to the conditions enumerated in the attached Draft Order.

TRM/MAB/RAM/AG

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ZONING/SITE PLAN



**PLANNING BOARD
CITY OF MIAMI BEACH, FLORIDA**

PROPERTY: 320 South Hibiscus Drive

FILE NO. PB 18-0220

IN RE: The applicant, 320 South Hibiscus Drive, LLC, requested a Division of Land/Lot Split, pursuant to Chapter 118, Article VII of the City Code, to divide the existing site comprised of three platted lots, into two individual buildable parcels.

LEGAL DESCRIPTION: Lots 11, 12, and 13, Block 1, of HIBISCUS ISLAND, according to the Plat thereof, as recorded in Plat Book 8 Page 75, of the Public Records of Miami-Dade County, Florida. TOGETHER WITH a strip of land 20' wide contiguous and abutting the waterfront end of lots 11, 12 and 13 of Block 1, HIBISCUS ISLAND, which said 20' strip is part of the 20' strip conveyed to the Biscayne Bay Island Company by deed to the Trustees of the Internal Improvement Fund as recorded in Deed Book 1501, Page 479 at the Public Records of Miami-Dade County, Florida.

MEETING DATE: November 27, 2018

**DIVISION OF LAND/LOT SPLIT
DRAFT FINAL ORDER**

The applicant, 320 South Hibiscus Drive, LLC, requested a Division of Land/Lot Split, pursuant to Chapter 118, Article VII of the City Code, to divide the existing site into two individual buildable parcels.

The City of Miami Beach Planning 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:

- A. 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 is consistent with Planning Board "Division of Land/Division of Land/Lot Split" criteria in Section 118-321.B of the City Code.
- B. The project would remain consistent with the criteria and requirements of Section 118-321.B of the City Code, subject to the subject to the following conditions, to which the Applicant has agreed:
 - 1. The two (2) lots created pursuant to this lot split application at 320 South Hibiscus Drive, shall comply with the following:
 - a. The subject lots shall not be subdivided any further.

- b. Design Review Board review and approval shall be required for the proposed home(s) on each lot.
 - c. The building parcels created by this lot split shall be as depicted on the signed and sealed surveys by John Ibarra & Associates, Inc., Land Surveyors, dated 08-06-2018.
 - d. Individual underground utility, water, sewer, electric, telephone and cable connections, as well as the payment of any applicable impact fees, shall be the responsibility of the owners of each respective lot.
 - e. If required, the removal and replacement of all or portions of the sidewalk curb and gutter along all portions of each lot shall be the responsibility of the applicant.
 - f. Unless otherwise approved through the variance process, the maximum unit size for each lot shall be limited to the lesser of 40% or the maximum permitted at the administrative level at the time of building permit, as per Section 142-105(b)(9) of the City Code, as may be revised from time to time.
 - g. The maximum lot coverage for each lot shall be limited to the lesser of 25% or the maximum permitted at the administrative level at the time of building permit, as per Section 142-105 (b) of the City Code, as may be revised from time to time.
 - h. Any proposed new home on each lot shall fully adhere to the review criteria and development regulations identified in Sections 142-105 and 142-106 of the City Code, as may be revised from time to time. Enhancements of the applicable development regulations through Design Review Board review and approval shall not be permitted, with the exception noted in Condition B.1.f above.
 - i. Prior to the issuance of a Building Permit, a tree report prepared by a certified arborist for all of the existing trees on site shall be submitted for the review and evaluation of the CMB Urban Forester. Any trees identified to be in good health shall be retained or relocated if determined to be feasible by the CMB Urban Forester.
 - j. 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.
2. The applicant and/or owner, for each lot created herein, both now and in the future, shall abide by all the documents and statements submitted with this

application for Division of Land/Lot Split, as well as all conditions of this Order. The conditions of approval for this Lot Split are binding on the applicant, the property owners, and all successors in interest and assigns.

3. The Planning Board shall maintain jurisdiction of this Lot Split approval. If deemed necessary, at the request of the Planning Director, the applicant shall provide a progress report to the Board. The Board reserves the right to modify the Lot Split approval at the time of a progress report in a non-substantive manner, to impose additional conditions to address problems and to determine the timing and need for future progress reports. This Lot Split is also subject to modification or revocation under Section 118-323 of the City Code.
4. The applicant and/or owner of each property shall resolve all outstanding violations and fines on each respective property, if any, prior to the issuance of a building permit for any home proposed.
5. This 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.
6. The executed Order for the Division of Land/Lot Split shall be recorded in the Public Records of Miami-Dade County, Florida, at the expense of the applicant.
7. The Lot Split approval approved herein shall comply with all the aforementioned conditions of approval; non-compliance shall constitute a violation of the City Code, and shall be subject to enforcement procedures set forth in Section 114-8 of the City Code and such other enforcement procedures as are permitted by law. Any failure by the applicant to comply with the conditions of this Order shall also constitute a basis for consideration by the Planning Board for a revocation of this approval.
8. 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 is adopted herein, including staff recommendations, as modified by the Planning Board that the Division of Land/Lot Split as requested and set forth above be GRANTED, subject to those certain conditions specified in Paragraph B of the Findings of Fact (Condition Nos. 1-8, inclusive) hereof, to which the applicant has agreed.



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rdrmiami.com | diana@rdrmiami.com | 305.498.1614

December 10, 2018

City of Miami Beach
Planning Department
1700 Convention Center Dr.
Miami Beach, FL 33139

Re: Property Owners within 375 feet of:

SUBJECT: 320 S Hibiscus Drive, Miami Beach, FL 33139

FOLIO NUMBER: 02-3232-006-0110

LEGAL DESCRIPTION: HIBISCUS ISLAND PB 8-75 LOTS 11 & 12 & 20FT STR IN BAY ADJ
& LOT 13 BLK 1

This is to certify that the attached ownership list, map and mailing labels are a complete and accurate representation of the real estate property and property owners within 375 feet radius of the external boundaries of the subject property listed above, including the subject property. This reflects the most current records on the file in Miami-Dade County Property Appraisers' Office.

Sincerely,

Diana B. Rio

Total number of property owners without repetition: **38, including 0 international**

Name	Address	City	State	Zip	Country
306 HIBISCUS LLC	306 S HIBISCUS DR	MIAMI BEACH	FL	33139	USA
AHUVA RETTER TRS AHUVA RETTER	330 N HIBISCUS DR	MIAMI BEACH	FL	33139	USA
ANATOLY PETUKHOV	50 S POINTE DR #2902	MIAMI BEACH	FL	33139	USA
BARBARA TRUSHIN TRS BARBARA TRUSHIN REVOCABLE TR	360 N HIBISCUS DR	MIAMI BEACH	FL	33139	USA
BEATRICE BRODIE HARRY KAISER	160 N HIBISCUS DR	MIAMI BEACH	FL	33139	USA
BURTON P LEIBOWITZ &W KAREN S	115 W 4 CT	MIAMI BEACH	FL	33139-5115	USA
CHARLES SCOTT FELDMAYER EVA YOSEPH	295 S HIBISCUS DR	MIAMI BEACH	FL	33139	USA
DEUTSCHE BANK TR CO AMERICAS TR RESIDENTIAL ACCREDITI LOANS INC	1001 SEMMES AVE	RICHMOND	VA	23224	USA
GRATITUDE CAPITAL LLC	1100 WEST AVE 820	MIAMI BEACH	FL	33139	USA
GUY H MEURRENS &W EDIT	340 S HIBISCUS DR	MIAMI BEACH	FL	33139-5134	USA
HERBERT KERN TRUST	320 S HIBISCUS DR	MIAMI BEACH	FL	33139-5134	USA
HIBISCUS WEST 4TH CT LLC	375 HIBISCUS DR	MIAMI BEACH	FL	33139	USA
IAN KAPLAN	305 N HIBISCUS DR	MIAMI BEACH	FL	33139	USA
JAMES F JORDEN &W JOSEPHINE CICCHETTI	355 N HIBISCUS DR	MIAMI BEACH	FL	33139-5123	USA
JASON C GOLDSTEIN	333 S HIBISCUS DRIVE	MIAMI BEACH	FL	33139	USA
JOSE A ALBISU M.D.	614 FOREST AVE	EVANSTON	IL	60202	USA
LEON ZWICK TRS LEON ZWICK REVOCABLE LIV TR ELIAS ZWICK	940 LINCOLN RD #301	MIAMI BEACH	FL	33139	USA
LOURDES RODRIGUEZ	PO BOX 1246	DANIA BEACH	FL	33004	USA
MAICAR REALTY LLC	407 LINCOLN RD # 9D	MIAMI BEACH	FL	33139	USA
MAICAR REALTY LLC C/O ERIC J GRABOIS PL	1666 79TH STREET CSWY STE 500	NORTH BAY VILLAGE	FL	33141-4178	USA
MARIANA FERNANDES VIEIRA	320 N HIBISCUS DR	MIAMI BEACH	FL	33139	USA
MARK E WILLIAMSON &W MARIA A WILLIAMSON	290 S HIBISCUS ISLAND	MIAMI BEACH	FL	33139	USA
MARK GARRITY	333 N HIBISCUS DR	MIAMI BEACH	FL	33139-5123	USA
MARY ANN MCILRAITH TRS MARY ANN MCILRAITH REVO LIVING TR	294 S HIBISCUS DR	MIAMI BEACH	FL	33139	USA
MARY J SIMCOX TRS MARY J SIMCOX REV TR	345 N HIBISCUS DR	MIAMI BEACH	FL	33139	USA
MATTHEW S BALCH	290 N HIBISCUS DR	MIAMI BEACH	FL	33139-5172	USA
MICHAEL ROSEN &W STEPHANIE	550 MAMARONECK AVE STE 505	HARRISON	NY	10528	USA
NICHOLAS NAMIAS &W BETH	1075 W 46 ST	MIAMI BEACH	FL	33140	USA
QUANTUM EQUITY ONE LLC	17749 COLLINS AVE #2501	SUNNY ISLES	FL	33160	USA
RACHEL ROCHSTEIN	115 W 2 CT HIBISCUS ISLE	MIAMI BEACH	FL	33139-5108	USA
RANDY J SLAGER &W SYBIL K BAIRD JTRS	PO BOX 190479	MIAMI BEACH	FL	33119	USA
ROGER BLUM &W MARIE	363 S HIBISCUS DR	MIAMI BEACH	FL	33139-5177	USA
SARA CHIZ (TRUST)	118 W 3 CT	MIAMI BEACH	FL	33139-5113	USA
STEVEN A SCHNUR	297 N HIBISCUS DR	MIAMI BEACH	FL	33139-5121	USA
SUSAN MACHADO	375 S HIBISCUS DR	MIAMI BEACH	FL	33139-5177	USA
THIERRY TASTIEL TRS TASTIEL DOMBARD REVOCABLE TR ANNE DOMBARD TRS	285 S HIBISCUS DR	MIAMI BEACH	FL	33139	USA
TINA MARIE SIMCOX	289 N HIBISCUS DR	MIAMI BEACH	FL	33139-5121	USA
TOP BRIDGE LLC	370 S HIBISCUS DR	MIAMI BEACH	FL	33139	USA



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375' RADIUS MAP



SUBJECT: 320 S Hibiscus Drive, Miami Beach, FL 33139

FOLIO NUMBER: 02-3232-006-0110

LEGAL DESCRIPTION: HIBISCUS ISLAND PB 8-75 LOTS 11 & 12 & 20FT STR IN BAY ADJ & LOT 13 BLK 1

306 HIBISCUS LLC
306 S HIBISCUS DR
MIAMI BEACH, FL 33139

AHUVA RETTER TRS
AHUVA RETTER
330 N HIBISCUS DR
MIAMI BEACH, FL 33139

ANATOLY PETUKHOV
50 S POINTE DR #2902
MIAMI BEACH, FL 33139

BARBARA TRUSHIN TRS
BARBARA TRUSHIN REVOCABLE TR
360 N HIBISCUS DR
MIAMI BEACH, FL 33139

BEATRICE BRODIE
HARRY KAISER
160 N HIBISCUS DR
MIAMI BEACH, FL 33139

BURTON P LEIBOWITZ &W KAREN S
115 W 4 CT
MIAMI BEACH, FL 33139-5115

CHARLES SCOTT FELDMAYER
EVA YOSEPH
295 S HIBISCUS DR
MIAMI BEACH, FL 33139

DEUTSCHE BANK TR CO AMERICAS TR
RESIDENTIAL ACCREDITI LOANS INC
1001 SEMMES AVE
RICHMOND, VA 23224

GRATITUDE CAPITAL LLC
1100 WEST AVE 820
MIAMI BEACH, FL 33139

GUY H MEURRENS &W EDIT
340 S HIBISCUS DR
MIAMI BEACH, FL 33139-5134

HERBERT KERN TRUST
320 S HIBISCUS DR
MIAMI BEACH, FL 33139-5134

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MIAMI BEACH, FL 33139

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355 N HIBISCUS DR
MIAMI BEACH, FL 33139-5123

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JOSE A ALBISU M.D.
614 FOREST AVE
EVANSTON, IL 60202

LEON ZWICK TRS
LEON ZWICK REVOCABLE LIV TR
ELIAS ZWICK
940 LINCOLN RD #301
MIAMI BEACH, FL 33139

LOURDES RODRIGUEZ
PO BOX 1246
DANIA BEACH, FL 33004

MAICAR REALTY LLC
407 LINCOLN RD # 9D
MIAMI BEACH, FL 33139

MAICAR REALTY LLC
C/O ERIC J GRABOIS PL
1666 79TH STREET CSWY STE 500
NORTH BAY VILLAGE, FL 33141-4178

MARIANA FERNANDES VIEIRA
320 N HIBISCUS DR
MIAMI BEACH, FL 33139

MARK E WILLIAMSON &W
MARIA A WILLIAMSON
290 S HIBISCUS ISLAND
MIAMI BEACH, FL 33139

MARK GARRITY
333 N HIBISCUS DR
MIAMI BEACH, FL 33139-5123

MARY ANN MCILRAITH TRS
MARY ANN MCILRAITH REVO LIVING TR
294 S HIBISCUS DR
MIAMI BEACH, FL 33139

MARY J SIMCOX TRS
MARY J SIMCOX REV TR
345 N HIBISCUS DR
MIAMI BEACH, FL 33139

MATTHEW S BALCH
290 N HIBISCUS DR
MIAMI BEACH, FL 33139-5172

MICHAEL ROSEN &W STEPHANIE
550 MAMARONECK AVE STE 505
HARRISON, NY 10528

NICHOLAS NAMIAS &W BETH
1075 W 46 ST
MIAMI BEACH, FL 33140

QUANTUM EQUITY ONE LLC
17749 COLLINS AVE #2501
SUNNY ISLES, FL 33160

RACHEL ROCHSTEIN
115 W 2 CT HIBISCUS ISLE
MIAMI BEACH, FL 33139-5108

RANDY J SLAGER &W
SYBIL K BAIRD JTRS
PO BOX 190479
MIAMI BEACH, FL 33119

ROGER BLUM &W MARIE
363 S HIBISCUS DR
MIAMI BEACH, FL 33139-5177

SARA CHIZ (TRUST)
118 W 3 CT
MIAMI BEACH, FL 33139-5113

STEVEN A SCHNUR
297 N HIBISCUS DR
MIAMI BEACH, FL 33139-5121

SUSAN MACHADO
375 S HIBISCUS DR
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MIAMI BEACH, FL 33139

TINA MARIE SIMCOX
289 N HIBISCUS DR
MIAMI BEACH, FL 33139-5121

TOP BRIDGE LLC
370 S HIBISCUS DR
MIAMI BEACH, FL 33139

MIAMI BEACH

Planning Department, 1700 Convention Center Drive 2nd Floor
Miami Beach, Florida 33139, www.miamibeachfl.gov
305.673.7550

Property address: 320 SHARSCOUS N/S Board: DRB Date: 12.17.18

BOARD APPLICATION CHECK LIST

A Pre-Application meeting must be scheduled via CAP to obtain a plan case number and for board staff review of all submittals.

Pre-Application meetings for applications that do not require a traffic study are scheduled on a first come-first served basis and must occur no later than five(5) business days prior to CAP First submittal.

Applications requiring a traffic study must meet with Planning, Transportation, and peer reviewer sixty (60) days* prior to First submittal deadline to determine the methodology for the traffic impact study. This meeting is considered the "Pre-Application meeting" and must be scheduled via CAP to obtain a plan case number for review and payment of fees. Thirty (30) days before First submittal, applicant must provide the traffic study via CAP (see Transportation Department's requirements check list). The Transportation Department/Peer Reviewer will submit first round of comments 15 days prior to First submittal. Applicant must address comments and submit revised traffic study/plans for CAP First submittal deadline.

Incomplete, or submittals found to be insufficient will not be placed on a Board agenda.

ITEM #	FIRST SUBMITTAL (VIA CAP) **, To be uploaded online (CAP) by the applicant before 5:00 pm by First submittal deadline. ALL PLANS MUST BE DIMENSIONED AND LEGIBLE. INCLUDE A GRAPHIC SCALE.	Required
1	Application Fee and Peer review fees shall be paid after Pre-Application meeting and before the First submittal. It is the applicant's responsibility to make this payment, if an invoice is not generated by the CAP system, the applicant should contact staff prior to first submittal to be invoiced and make payment.	✓
a	Is the property the primary residence & homestead of the applicant/property owner? (If yes, provide office of the Property Appraiser Summary Report).	
2	Copy of signed and dated check list issued at Pre-Application meeting.	✓
3	Completed Board Application, Affidavits & Disclosures of Interest (original signatures).	✓
4	Signed and dated Letter of Intent. Letter must outline application details and identify hardships if Variances are requested. (see also Items # 42,43 and 44).	✓
5	Mailing Labels: Upload property owner's list and copy of original certified letter from provider. See #52 for submittal of Hard copy / originals of these items.	✓
6	Copies of all current or previously active Business Tax Receipts.	✓
7	School Concurrency Application for projects with a net increase in residential units (no SFH). Provide Planning Department - Miami Dade - School Concurrency Application for Transmittal	N/A
8	Survey: Electronic version of original signed & sealed, dated no more than six months from date of application. Survey must provide: lot area, grade per Section 114-1 of the City Code. (If no sidewalk exists, provide the elevation of the crown of the road) and spot elevations.	✓
9	Architectural Plans and Exhibits (must be 11"x 17")	✓
a	Cover Sheet with bullet point scope of work, clearly labeled "First Submittal" and dated with First Submittal deadline date. Include copies of previous recorded board orders, if applicable.	✓
b	Copy of the original survey included in plan package. See No. 8 above for survey requirements	✓
c	All Applicable Zoning Information (Use Planning Department zoning data sheet format).	✓
d	Context Location Plan, Min 8.5"X11" Color Aerial 1/2 mile radius, identifying project and showing name of streets. (no Google images)	✓
e	Full legal description of the property if not included in survey (for lengthy legal descriptions, attach as a separate document - label clearly).	✓
f	Existing FAR Shaded Diagrams (Single Family Districts: Unit Size and Lot Coverage Shaded Diagrams), if applicable	✓
g	Proposed FAR Shaded Diagrams(Single Family Districts: Unit Size and Lot Coverage Shaded Diagrams), if applicable.	✓
h	Site Plan (fully dimensioned with setbacks, existing and proposed, including adjacent right-of-way widths).	✓

* 60 day lead time for projects including traffic studies is necessary to ensure completion of review and required corrections by Final submittal deadline. Applications cannot be scheduled without evaluated and corrected traffic studies.

Indicate N/A if Not Applicable

Initials: FSL

MIAMI BEACH

Planning Department, 1700 Convention Center Drive 2nd Floor
Miami Beach, Florida 33139, www.miamibeachfl.gov
305.673.7550

Property address: 320 HAMSCUS DR.

i	Current color photographs, dated, Min 4"x 6" of project site and existing structures (no Google images)	✓
j	Current, color photographs, dated, Min 4"x6" of interior space (no Google images)	
k	Current color photographs, dated, Min 4"x 6" of context, corner to corner, across the street and surrounding properties with a key directional plan (no Google images)	✓
l	Existing Conditions Drawings (Floor Plans & Elevations with dimensions). Number of seats, furniture layout if applicable	
m	Demolition Plans (Floor Plans & Elevations with dimensions)	✓
n	Proposed Floor Plans and Roof Plan, including mechanical equipment plan and section marks. Plans shall indicate location of all property lines and setbacks.	✓
o	Proposed Elevations, materials & finishes noted (showing grade, base flood elevation, heights in NGVD values and free board if applicable)	✓
p	Proposed Section Drawings	✓
q	Color Renderings (elevations and three dimensional perspective drawings).	✓
10	Landscape Plans and Exhibits (must be 11"x 17")	✓
a	Landscape Plan - street and onsite - identifying existing, proposed landscape material, lighting, irrigation, raised curbs, tree survey and tree disposition plan, as well as underground and overhead utilities when street trees are required.	✓
b	Hardscape Plan, i.e. paving materials, pattern, etc.	✓
11	Copy of original Building Permit Card, & Microfilm, if available.	
12	Copy of previously approved building permits. (provide building permit number).	
13	Existing and Proposed detailed topographic survey depicting existing spot grades (NAVD) as well as all underground/overhead utilities and easements/agreements with recording data. See Part 1 / Section 1 / A. Surveying & Mapping Standards and submittal Requirements of the Public Works Manual. http://www.miamibeachfl.gov/publicworks/engineering/engineeringmanual.aspx?id=12920	
14	Vacant/Unoccupied structures or sites shall provide recent photographic evidence that the site and structure are secured and maintained. The applicant shall obtain and post a No Trespassing Sign from the City's Police Dept.	
15	Historic Resources Report (This report shall include, but not be limited to, copy of the original Building Permit Card and subsequent modifications, Microfilm records, existing condition analysis, photographic and written description of the history and evolution of the original building on the site, all available historic data including original plans, historic photographs and permit history of the structure and any other related information on the property.	
16	Contextual Elevation Line Drawings, corner to corner, across the street and surrounding properties (dated).	
17	Line of Sight studies.	
18	Structural Analysis of existing building including methodology for shoring and bracing.	
19	Proposed exterior and interior lighting plan, including photometric calculations.	
20	Exploded Axonometric Diagram (showing second floor in relationship to first floor).	
21	Neighborhood Context Study. (Planning will provide guidance if necessary for application.)	✓
22	Required yards open space calculations and shaded diagrams.	✓
23	Required yards section drawings.	✓
24	Variance and/or Waiver Diagram, <i>[Signature]</i>	✓
25	Schematic signage program	
26	Detailed sign(s) with dimensions and elevation drawings showing exact location.	
27	Elevation drawings showing area of building façade for sign calculation (Building ID signs).	
28	Daytime and nighttime renderings for illuminated signs.	
29	Floor Plan Indicating area where alcoholic beverages will be displayed.	
30	Survey showing width of the canal (Dimension shall be certified by a surveyor)	

Indicate N/A if Not Applicable

Initials: *PSL*

MIAMI BEACH

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305.673.7550

Property address: 320 S. HILLCREST DRIVE

31	Site Plan showing total projection of structures from seawall, location and dimension of all structures inclusive of dock, mooring piles, boat lift, etc.	
32	DERM recommendation/preliminary approval. Docks or any structures shall have approval stamp from DERM or other regulatory agency before submitting for a variance. A letter from DERM or other agency, explaining specific requirements for the project is recommended.	
33	Technical specifications of the boat lift and/ or boat, ship of vessel to be docked or moored.	
34	Survey shall include spot elevations in rear yard and elevation points on the dune adjacent to the property. Provide highest elevation point on the due within the property. Erosion control line and Bulkhead line shall be indicated if present.	
35	Scaled, signed, sealed and dated specific purpose survey (Alcohol License/Distance Separation) distance shown on survey with a straight line.	
36	Proposed Operational Plan: Include deliveries and trash pickup times, hours of operations, number of employees, security and restaurant menu (if applicable).	
37	Maneuvering plan for loading within the existing/proposed conditions, delivery and garbage trucks size (length and width).	
38	Traffic Study, Site plan(s) : Revised version addressing first round of comments from Transportation Department and peer review. (See Transportation Department check list for requirements.)	
39	Sound Study report (Hard copy) with 1 CD.	
40	Site Plan (Identify streets and alleys)	
a	Identify: setbacks ___ Height ___ Drive aisle widths ___ Streets and sidewalks widths ___	
b	# parking spaces & dimensions ___ Loading spaces locations & dimensions ___	
c	# of bicycle parking spaces ___	
d	Interior and loading area location & dimensions ___	
e	Street level trash room location and dimensions ___	
f	Delivery route ___ Sanitation operation ___ Valet drop-off & pick-up ___ Valet route in and out ___	
g	Valet route to and from ___ auto-turn analysis for delivery and sanitation vehicles ___	
h	Indicate any backflow preventer and FPL vault if applicable	
i	Indicate location of the area included in the application if applicable	
j	Preliminary on-street loading plan	
41	Floor Plan (dimensioned)	
a	Total floor area	
b	Identify # seats indoors ___ outdoors ___ seating in public right of way ___ Total ___	
c	Occupancy load indoors and outdoors per venue ___ Total when applicable ___	
42	The letter of Intent shall include and respond to all sea level rise and resiliency review criteria per section 133-50 of the City Code.	/
43	The Letter of Intent for Variances shall include and respond to all review guidelines in the code as follows:	/
a	Section 118-353 (d) of the City Code for each Variance.	/
44	The Letter of Intent for Planning Board shall include and respond to all review guidelines in the code as follows:	
a	For Conditional Use -Section 118-192 (a)(1)-(7)	
b	CU -Entertainment Establishments - Section 142-1362 (a)(1)-(9)	
c	CU - Mechanical Parking - Section 130-38 (3)(c)(i)(1)-(2) & (4)(a)-(k)	
d	CU - Structures over 50,000 SQ.FT. - Section 118-192 (b) (1)-(11)	
e	CU - Religious Institutions - Section 118-192 (c) (1)-(11)	
f	For Lot Splits - Section 118-321 (B) (1)-(6). Also see application instructions	
	<i>Notes: The applicant is responsible for checking above referenced sections of the Code. If not applicable write N/A</i>	

****ADDITIONAL INFORMATION AS MAY BE REQUIRED AT THE PRE-APPLICATION MEETING**

Indicate N/A if Not Applicable

Initials: FSC

MIAMI BEACH

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 Miami Beach, Florida 33139, www.miamibeachfl.gov
 305.673.7550

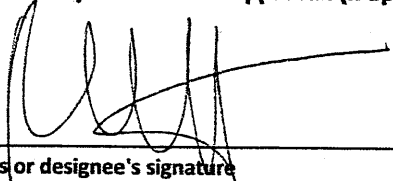
Property Address: 320 S Hibiscus Dr

ITEM #	FINAL SUBMITTAL (via CAP)
	Revised and/or supplemented documents and drawings to address staff comments. Plans should be clearly labeled "Final Submittal" and dated with Final Submittal deadline date. Upload documents online (via CAP) before 5:00 pm on final submittal deadline. Staff will review and issue a notice to proceed to Paper Final submittal or to continue submittal to a future meeting if the application is found incomplete.
45	Traffic Study, Site plan(s): This is the final traffic study including any modifications required to address comments from the City's Transportation Department. City's required permit by FDOT should be obtained prior to Final submittal (via CAP).

ITEM #	PAPER FINAL SUBMITTAL:	Required
46	Original application with all signed and notarized applicable affidavits and disclosures.	✓
47	Original of all applicable items.	✓
48	One (1) signed and sealed 11"X17" bound, collated set of all the required documents.	✓
49	14 collated copies of all required documents	✓
50	One (1) CD/DVD with electronic copy of entire final application package (plans, application, Letter of Intent, traffic/sound study, etc.) see CD/DVD formatting attached, for instructions.	✓
51	Traffic Study (Hard copy)	
52	Mailing Labels -2 sets of gummed labels and a CD including: Property owner's list and Original certified letter from provider.	✓

ADDITIONAL INFORMATION AND ACKNOWLEDGEMENTS

- A. Other information/documentation required for First submittal will be identified during Pre-Application meeting but may be modified based on further analysis.
- B. It is the responsibility of the applicant to confirm that documents submitted via CAP, Paper Submittal sets (14 copies), and electronic version on CD are consistent with each other and legible.
- C. Plan revisions and supplemental documentation will not be accepted after the Final Submittal deadline
- D. All documents required for Board applications must be submitted in an electronic format (PDF) via CD in the manner prescribed herein. The CD is considered the "Formal Submission", and must include the electronic version of all hard copy documents associated with the application. A new Updated CD will be required if any modifications are made before or after hearing. Failure to comply with the aforementioned may result in a rehearing before the applicable board at the applicant's expense.
- E. Please note that the applicant will be required to submit revised plans pursuant to applicable Board Conditions no later than 60 days after Board Approval. (If applicable)



 Applicant's or designee's signature

_____ Date

Indicate N/A if Not Applicable

Initials: FSC