

# MIAMI BEACH

## PLANNING DEPARTMENT

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

<b>Application Information</b>			
FILE NUMBER		Is the property the primary residence & homestead of the applicant/property owner? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No (if "Yes," provide office of the Property Appraiser Summary Report)	
<b>Board of Adjustment</b> <input type="checkbox"/> Variance from a provision of the Land Development Regulations <input type="checkbox"/> Appeal of an administrative decision		<b>Design Review Board</b> <input type="checkbox"/> Design review approval <input type="checkbox"/> Variance	
<b>Planning Board</b> <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		<b>Historic Preservation Board</b> <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:			
<b>Property Information - Please attach Legal Description as "Exhibit A"</b>			
ADDRESS OF PROPERTY 345 W 46th STREET MIAMI BEACH FLORIDA 33140			
FOLIO NUMBER(S) 02-3222-018-0300			
<b>Property Owner Information</b>			
PROPERTY OWNER NAME GUILLERMO HAMMEKEN			
ADDRESS 345 W 46 STREET		CITY MIAMI BEACH	STATE FL
ZIP CODE 33140			
BUSINESS PHONE	CELL PHONE 858-583-2492	EMAIL ADDRESS GMHAMMEKEN@GMAIL.COM	
<b>Applicant Information (if different than owner)</b>			
APPLICANT NAME			
ADDRESS		CITY	STATE
ZIP CODE			
BUSINESS PHONE	CELL PHONE	EMAIL ADDRESS	
<b>Summary of Request</b>			
PROVIDE A BRIEF SCOPE OF REQUEST EXTENSION OF TIME FOR THE ORIGINAL DRB17-0215, NEED MORE TIME TO FINISH UP THE APPROVALS FROM DERM AND PUBLIC WORKS			

<b>Project Information</b>			
Is there an existing building(s) on the site?		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Does the project include interior or exterior demolition?		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Provide the total floor area of the new construction.		SQ. FT.	
Provide the gross floor area of the new construction (including required parking and all usable area).		SQ. FT.	
<b>Party responsible for project design</b>			
NAME <b>JORGE VILLAVICENCIO</b>		<input checked="" type="checkbox"/> Architect <input type="checkbox"/> Contractor <input type="checkbox"/> Landscape Architect <input type="checkbox"/> Engineer <input type="checkbox"/> Tenant <input type="checkbox"/> Other _____	
ADDRESS <b>7344 SW 48 ST 201</b>		CITY <b>MIAMI</b>	STATE <b>FL</b> ZIPCODE <b>33155</b>
BUSINESS PHONE <b>3056618181</b>	CELL PHONE <b>3057998016</b>	EMAIL ADDRESS <b>MAGUILAR@ARCHITEKSTUDIO.COM</b>	
<b>Authorized Representative(s) Information (if applicable)</b>			
NAME <b>MARIO AGUILAR</b>		<input type="checkbox"/> Attorney <input type="checkbox"/> Contact <input type="checkbox"/> Agent <input checked="" type="checkbox"/> Other <u>PROJECT MANAGER</u>	
ADDRESS <b>7344 SW 48 ST 201</b>		CITY <b>MIAMI</b>	STATE <b>FL</b> ZIPCODE <b>33155</b>
BUSINESS PHONE	CELL PHONE	EMAIL ADDRESS	
NAME		<input type="checkbox"/> Attorney <input type="checkbox"/> Contact <input type="checkbox"/> Agent <input type="checkbox"/> Other _____	
ADDRESS		CITY	STATE ZIPCODE
BUSINESS PHONE	CELL PHONE	EMAIL ADDRESS	
NAME		<input type="checkbox"/> Attorney <input type="checkbox"/> Contact <input type="checkbox"/> Agent <input type="checkbox"/> Other _____	
ADDRESS		CITY	STATE ZIPCODE
BUSINESS PHONE	CELL PHONE	EMAIL ADDRESS	

**Please note the following information:**

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

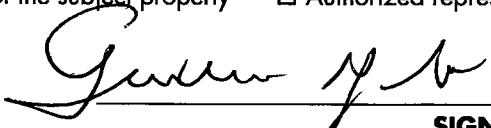
**Please read the following and acknowledge below:**

*We are committed to providing excellent public service and safety to all who live, work, and play in our vibrant, tropical, historic community.*

- 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".
- All disclosures must be submitted in CMB Application format and be consistent with CMB Code Sub-part A Section 2-482(c):
  - (c) If the lobbyist represents a corporation, partnership or trust, the chief officer, partner or beneficiary shall also be identified. Without limiting the foregoing, the lobbyist shall also identify all persons holding, directly or indirectly, a five percent or more ownership interest in such corporation, partnership, or trust.
- 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 foregoing 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

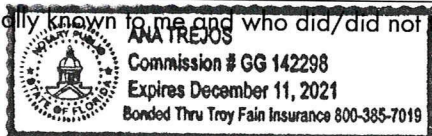
  
 \_\_\_\_\_  
**SIGNATURE**  
 Guillermo Hammeken  
 \_\_\_\_\_  
**PRINT NAME**  
 Dec 5th 2019  
 \_\_\_\_\_  
**DATE SIGNED**

**OWNER AFFIDAVIT FOR INDIVIDUAL OWNER**STATE OF FLORIDACOUNTY OF MIAMI DADE

I, GUILLERMO HAMMEKEN, 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 05 day of DECEMBER, 2019. The foregoing instrument was acknowledged before me by GUILLERMO HAMMEKEN, who has produced Resident card as identification and/or is personally known to me and who did/did not take an oath.

NOTARY SEAL OR STAMP

**SIGNATURE****NOTARY PUBLIC**My Commission Expires: Dec 11 - 2021**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.

NOTARY SEAL OR STAMP

**NOTARY PUBLIC**

My Commission Expires: \_\_\_\_\_

**PRINT NAME****POWER OF ATTORNEY AFFIDAVIT**STATE OF FLORIDACOUNTY OF MIAMI - DADE

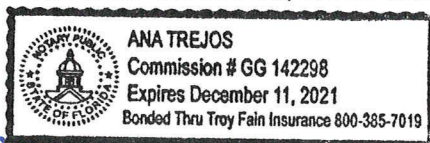
I, Guillermo Hammerken, being first duly sworn, depose and certify as follows: (1) I am the owner or representative of the owner of the real property that is the subject of this application. (2) I hereby authorize Mark Aguilar to be my representative before the DRB Board. (3) I also hereby authorize 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.

Guillermo Hammerken  
**PRINT NAME (and Title, if applicable)**

Guillermo Hammerken  
**SIGNATURE**

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.

NOTARY SEAL OR STAMP

My Commission Expires: Dec 11 / 2021

Ana Trejos  
**NOTARY PUBLIC**  
Ana Trejos  
**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.

N/A

**NAME OF CORPORATE ENTITY**

NAME AND ADDRESS

% OF OWNERSHIP


**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.

**DISCLOSURE OF INTEREST**  
**TRUSTEE**

If the property that is the subject of the application is owned or leased by a trust, list any and all trustees and beneficiaries of the trust, and the percentage of interest 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.

N/A

**TRUST NAME**

NAME AND ADDRESS

% INTEREST

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____



**COMPENSATED LOBBYIST**

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

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

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

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

**APPLICANT AFFIDAVIT**

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

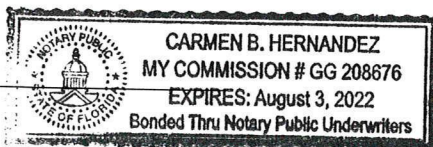
I, Gustavo Hammeken, being first duly sworn, depose and certify as follows: (1) I am the applicant or representative of the applicant. (2) This application and all information submitted in support of this application, including sketches, data, and other supplementary materials, are true and correct to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

Gustavo Hammeken  
SIGNATURE

Sworn to and subscribed before me this 5 day of December, 2019. The foregoing instrument was acknowledged before me by Gustavo Hammeken, who has produced Resident Card as identification and/or is personally known to me and who did/did not take an oath.

NOTARY SEAL OR STAMP

My Commission Expires: \_\_\_\_\_



Carmen B. Hernandez  
NOTARY PUBLIC  
PRINT NAME





VILLA & ASSOCIATES, INC.  
ARCHITECTURE - PLANNING - INTERIOR DESIGN

**VIA HAND DELIVERY & ATTACHEMENT**

December 4, 2019

PLANNING DEPARTMENT  
City of Miami Beach  
1700 Convention Center Drive,  
Miami Beach, Florida 33139

Re: Letter of Intent for a time extension of an existing and on-going process DRB17-0215

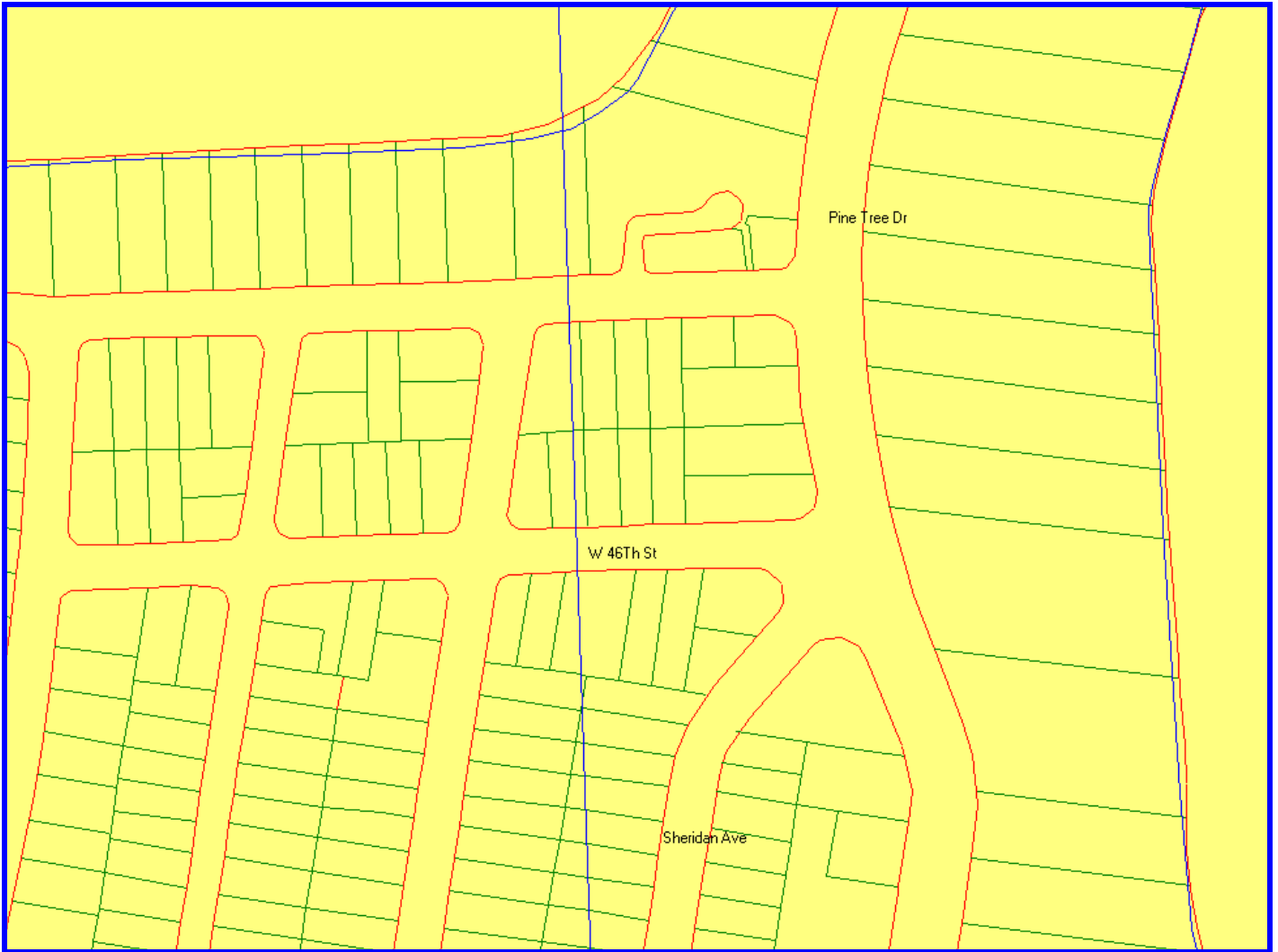
To whom it may concern,

Our firm of Architects represents GUILLERMO HAMMENKEN, (the "applicant") address at *345 W 46<sup>TH</sup> Street Miami Beach, FL 33140*, the owner of the above referenced parcel identified by Miami-Dade County Folio Number 02-3222-018-0300, Please consider this letter as of **Letter of Intent** requesting the Design Review Board (DBR) approval for the extension of time on the original DRB17-0215 due to the fact that We are almost of completion of approvals.

Sincerely,

Jorge L. Villavicencio  
305-799-8016

Villa & Associates Inc,  
7344 S.W. 48<sup>th</sup> Street Suite # 201 Miami Florida 33155  
Office (305) 661-8181 Fax (305) 661-8787



## 375' FOOT RADIUS MAP

APPROXIMATE SCALE = 1"= 375'

PROPERTY ADDRESS: 345 W 46<sup>TH</sup> ST, MIAMI BEACH, FL 33140

LEGAL DESCRIPTION: SURPRISE LAKE SUB PB 9-114 LOT 12 BLK C LOT

SIZE 50.000 X 150 COC 21943-1794 12 2003 4 COC



Julie Ann Wolf  
234 Tower Rd  
Lincoln, MA 01773

Milana Ostroy  
1325 Howard Ave # 603  
Burlingame, CA 94010

Martin Friedman  
1164 E 22nd St  
Brooklyn, NY 11210

340 Miami Llc  
549 Empire Blvd  
Brooklyn, NY 11225

Alan P Saamundsen & Jill E  
Kaufman  
8355 Austin St Apt 6f  
Kew Gardens, NY 11415

Paula Dresnin  
1601 Waverly Rd  
Gladwyne, PA 19035

Guillermo Hammeken  
1420 Brickell Bat Dr Apt 403  
Miami, FL 33131

Itsaso Llc  
9190 Biscayne Blvd Ste 202  
Miami Shores, FL 33138

Monica Liliana Poggio  
9 Island Ave Apt 614  
Miami Beach, FL 33139

Bmjd Immobilier Llc  
540 West Ave Apt 2012  
Miami Beach, FL 33139

Joshua H Squire & Maria N  
340 W 47th St  
Miami Beach, FL 33140

Keith Diamond & Faiza Liban  
521 W 46th St  
Miami Beach, FL 33140

Esther Zeira Dumois Le & Rem  
Sean D Gonzalez  
527 W 46th St  
Miami Beach, FL 33140

Carl Henry Linder  
513 W 46th St  
Miami Beach, FL 33140

Yvonne Steele  
520 W 46th St  
Miami Beach, FL 33140

Robert N Galbut & Rita  
515 W 47th St  
Miami Beach, FL 33140

Mark E Pomper & Suzan D  
505 W 47th St  
Miami Beach, FL 33140

Steven R & Allyson F Krowitz  
524 W 47th St  
Miami Beach, FL 33140

Allan I Jacob & Sandra  
536 W 47th St  
Miami Beach, FL 33140

Jay Needelman  
520 W 47th St  
Miami Beach, FL 33140

Joseph Bistrizky  
4625 Post Ave  
Miami Beach, FL 33140

Nathan Katz  
4545 Royal Palm Ave  
Miami Beach, FL 33140

Howard Goldman  
4541 Royal Palm Ave  
Miami Beach, FL 33140

Yisroel Dov Lieberman  
4539 Royal Palm Ave  
Miami Beach, FL 33140

Adrian Muller & Deborah  
4578 Royal Palm Ave  
Miami Beach, FL 33140

Emily Totino  
4582 Royal Palm Ave  
Miami Beach, FL 33140

Lilly Weinstein  
4601 Royal Palm Ave  
Miami Beach, FL 33140

Carolynn Runzheimer  
4635 Royal Palm Ave  
Miami Beach, FL 33140

Ronald Mayer  
4600 Royal Palm Ave  
Miami Beach, FL 33140

Tiva Leser & Lior  
4630 Royal Palm Ave  
Miami Beach, FL 33140

Gennaro D'Urso & Fulvia Verde  
351 W 46th St  
Miami Beach, FL 33140

Rina Lozenik  
330 W 46th St  
Miami Beach, FL 33140

Megan & Alejandro Hernandez  
346 W 46th St  
Miami Beach, FL 33140

Avraham & Aliza Feinstein  
320 W 46th St  
Miami Beach, FL 33140

Karen Sorota  
330 W 46th St  
Miami Beach, FL 33140

Sidney & Tova Kahn  
316 W 47th St  
Miami Beach, FL 33140

Edi Israelov & Margarita  
336 W 47th St  
Miami Beach, FL 33140

Luis M Falero & Rosary P  
4550 Pine Tree Dr  
Miami Beach, FL 33140

Brian Smith  
4646 Pine Tree Dr  
Miami Beach, FL 33140

Ephraim M & Vivian Brecher  
4600 Pine Tree Dr  
Miami Beach, FL 33140

Samuel Gurfinkel & Rose (Le)  
4620 Pine Tree Dr  
Miami Beach, FL 33140

Toby Kahn & Irving  
4630 Pine Tree Dr  
Miami Beach, FL 33140

Steve Cerrato  
4560 Sheridan Ave  
Miami Beach, FL 33140

Alejandro & Alexis Rodriguez de  
Almeida  
4550 Sheridan Ave  
Miami Beach, FL 33140

David B Smith & Jill Simons  
4538 Sheridan Ave  
Miami Beach, FL 33140

Herberto Corp  
353 W 47th St  
Miami Beach, FL 33140

Nilia E Junco Est Of  
4720 Pine Tree Dr Apt 2  
Miami Beach, FL 33140

Silvia M Sadro  
4721 Pine Tree Dr Apt 1  
Miami Beach, FL 33140

Charles Palumbo & Carol Arevalo  
4710 Pine Tree Dr Apt 28  
Miami Beach, FL 33140

Sheila Barnatan  
4710 Pine Tree Dr Apt 27  
Miami Beach, FL 33140

Gaston & Emelina Vargas  
4710 Pine Tree Dr Apt 21  
Miami Beach, FL 33140

Benjamin Befeler & Eleen  
4710 Pine Tree Dr Apt 23  
Miami Beach, FL 33140

Oliver Denis & Nathalie Fargier  
4710 Pine Tree Dr Apt 20  
Miami Beach, FL 33140

Rafael Campos Gatjens  
4720 Pine Tree Dr Apt 22  
Miami Beach, FL 33140

Misafe Llc  
4720 Pine Tree Dr Apt 29  
Miami Beach, FL 33140

Simon Benichou  
4720 Pine Tree Dr Apt 25  
Miami Beach, FL 33140

Persepolis Esquire House Llc  
4710 Pine Tree Dr  
Miami Beach, FL 33140

Urgut Llc  
4710 Pine Tree Dr  
Miami Beach, FL 33140

Stanley David Sheffman  
4720 Pine Tree Dr Apt 3  
Miami Beach, FL 33140

D And B Works Llc  
4720 Pine Tree Dr Apt 5  
Miami Beach, FL 33140

Greg Daugherty  
4720 Pine Tree Dr Apt 4  
Miami Beach, FL 33140

Michael Bacheikov & Zalman  
4720 Pine Tree Dr Apt 8  
Miami Beach, FL 33140

Barry Ragone & Elissa  
4720 Pine Tree Dr Apt 7  
Miami Beach, FL 33140

Perry Burkett  
4720 Pine Tree Dr Apt 14  
Miami Beach, FL 33140

Francisco Luro  
4720 Pine Tree Dr Apt 11  
Miami Beach, FL 33140

Marshal F Folstein & Susan E  
4720 Pine Tree Dr Apt 9  
Miami Beach, FL 33140

Zeljko Delic  
4720 Pine Tree Dr Apt 17  
Miami Beach, FL 33140

Grant N Epstein  
4710 Pine Tree Dr Apt 32  
Miami Beach, FL 33140

Anne Alexis Michel  
4710 Pine Tree Dr Apt 33  
Miami Beach, FL 33140

Steven Garfinkle Jtrs  
4710 Pine Tree Dr Apt 30  
Miami Beach, FL 33140

Jon F Roy Barrett & Lauren  
4710 Pine Tree Dr Apt 35  
Miami Beach, FL 33140

Susan Lando  
4710 Pine Tree Dr Apt 36  
Miami Beach, FL 33140

Susan Lando  
4710 Pine Tree Dr Apt 37  
Miami Beach, FL 33140

Andre Lassonde & Vincent  
Letourneau  
4710 Pine Tree Dr Apt 39  
Miami Beach, FL 33140

Lyndia Ziskind  
4710 Pine Tree Dr Apt 48  
Miami Beach, FL 33140

Lioven C Perez  
4710 Pine Tree Dr Apt 43  
Miami Beach, FL 33140

Lauren Barrett  
4710 Pine Tree Dr Apt 46  
Miami Beach, FL 33140

Nadina Perazzo  
4710 Pine Tree Dr Apt 48  
Miami Beach, FL 33140

William P Gowen  
4710 Pine Tree Dr Apt 46  
Miami Beach, FL 33140

Julianna Pall  
4710 Pine Tree Dr Apt 47  
Miami Beach, FL 33140

Jia Chen & Zhen Ni Chen  
4710 Pine Tree Dr Apt 44  
Miami Beach, FL 33140

Blue Oceano Llc  
4710 Pine Tree Dr Apt 45  
Miami Beach, FL 33140

A S R Berwick Family Ltd Partners  
4201 Collins Ave Apt 1403  
Miami Beach, FL 33140

Shira Kalos & Yosef Manne  
4101 Pine Tree Dr Apt 825  
Miami Beach, FL 33140

Niksa Bobic  
1001 91st St Apt 405  
Bay Harbor Is, FL 33154

Buy From M&E Llc  
16001 Collins Ave Apt 3606  
Sunny Isles Beach, FL 33160

Andrea Lucibello & Jessica Caceres  
1208 N Avenue 57  
Los Angeles, CA 90042





**DESIGN REVIEW BOARD**  
**City of Miami Beach, Florida**

MEETING DATE: March 06, 2018

FILE NO: DRB17-0215

PROPERTY: **345 West 46<sup>th</sup> Street**

APPLICANT: Guillermo Hammeken

LEGAL: Lot 12 of Block C of "Surprise Lake Subdivision", according to Plat thereof as recorded in Plat Book 9, Page 114 of the Public Records of Miami-Dade County, Florida.

IN RE: The Application for Design Review Approval for the construction of a new two-story single family residence to replace an existing one-story architecturally significant pre-1942 single family residence, including one or more waivers.

**ORDER**

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

**I. Design Review**

- A. The Board has jurisdiction pursuant to Section 118-252(a) of the Miami Beach Code. The property is not located within a designated local historic district and is not an individually designated historic site.
- B. Based on the plans and documents submitted with the application, testimony and information provided by the applicant, and the reasons set forth in the Planning Department Staff Report, the project as submitted is inconsistent with Design Review Criteria 2, 3, 4, 5, 6, 8, 9, and 19 in Section 118-251 of the Miami Beach Code.
- C. 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 inconsistent with Sea Level Rise Criteria 1 in Section 133-50(a) of the Miami Beach Code.
- D. The project would be consistent with the criteria and requirements of Section 118-251 if the following conditions are met:
  - 1. Revised elevation, site plan, and floor plan drawings for the proposed new home at 345 West 46<sup>th</sup> Street shall be submitted, at a minimum, such drawings shall incorporate the following:



- a. The architect shall further develop the front façade and incorporate additional architectural interest along the both floors of the front, either in the form of additional recesses and changes in plane, materials or other architectural method, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
- b. The architect shall further develop and design the eyebrows located above the windows on the front façade in a more symmetrical formation and positioning, or in the alternative, in a more exaggerated asymmetrical manner, in a manner to be reviewed and approved by staff.
- c. The architect shall further articulate the front and side elevations with the introduction of additional materials or changes in volumes in order to create a more cohesive volumetric architecture that matches the exterior finishes proposed, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
- d. The architect shall further refine the door and window openings at the second floor to the front terrace in order to further explore the proportion and scale of the openings to match more closely the other openings along the façades, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
- e. The 70% limitation for the second floor volume **shall not** be waived as proposed.
- f. In order to obtain the lot coverage exception for a street-facing garage, the entry foyer of primary façade shall be setback a minimum of 5'-0" from the garage.
- g. The architect shall add the square footage (SF) of the stair treads to the second level total unit size. Slight alterations may be needed to accommodate the additional unit size SF to ensure the overall unit size threshold remains under 50% of the lot area.
- h. The final design details and color selection of the decorative stone cladding proposed finish shall consist of a natural keystone or other natural stone and be submitted, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
- i. The final exterior surface color scheme, including color samples, shall be subject to the review and approval of staff and shall require a separate permit.



- j. The final design details of the exterior materials and finishes shall be submitted, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
2. A revised landscape plan, prepared by a Professional Landscape Architect, registered in the State of Florida, and corresponding plans shall be submitted to and approved by staff. The species, type, quantity, dimensions, spacing, location and overall height of all plant material shall be clearly delineated and subject to the review and approval of staff. At a minimum, such plans shall comply with Chapter 26-Landscape Requirements of the Miami Beach Code and shall incorporate the following:
- a. Prior to the issuance of a building permit, the applicant shall submit a tree protection plan for all trees to be retained on site. Such plan shall be subject to the review and approval of staff, and shall include, but not be limited to a sturdy tree protection fence installed at the dripline of the trees prior to any construction.
  - b. In order to identify, protect and preserve mature trees on site, which are suitable for retention and relocation, a Tree Report prepared by a Certified Tree Arborist shall be submitted for the mature trees on site.
  - c. Any tree identified to be in good overall condition shall be retained, and protected in their current location if they are not in conflict with the proposed home, or they shall be relocated on site, if determined feasible, subject to the review and approval of staff. A tree care and watering plan also prepared by a Certified Arborist shall be submitted prior to the issuance of a Building Permit or Tree Removal/Relocation Permit. Subsequent to any approved relocation, a monthly report prepared by a Certified Arborist shall be provided to staff describing the overall tree performance and adjustments to the maintenance plan in order to ensure survivability, such report shall continue for a period of 18 months unless determined otherwise by staff.
  - d. Existing trees to be retained on site shall be protected from all types of construction disturbance. Root cutting, storage of soil or construction materials, movement of heavy vehicles, change in drainage patterns, and wash of concrete or other materials shall be prohibited.
  - e. Any fence or gate at the front of the property shall be designed in a manner consistent with the architecture of the new structure, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
  - f. The proposed and existing trees located within the swale shall be subject to the review and approval of Green Space and CIP.



- g. Street trees shall be required within the swale at the front of the property if not in conflict with existing utilities, in a manner to be reviewed and approved by the Public Works Department.
- h. Any existing plant material within the public right-of-way may be required to be removed, as the discretion of the Public Works Department.
- i. A fully automatic irrigation system with 100% coverage and an automatic rain sensor in order to render the system inoperative in the event of rain. Right-of-way areas shall also be incorporated as part of the irrigation system.
- j. The utilization of root barriers and/or Silva Cells, as applicable, shall be clearly delineated on the revised landscape plan.
- k. The applicant shall verify, prior to the issuance of a Building Permit, the exact location of all backflow preventers and all other related devices and fixtures. The location of backflow preventers, Siamese pipes or other related devices and fixtures, if any, and how they are screened with landscape material from the right-of-way, shall be clearly indicated on the site and landscape plans, and shall be subject to the review and approval of staff.
- l. The applicant shall verify, prior to the issuance of a Building Permit, the exact location of all applicable FPL transformers or vault rooms. The location of any exterior transformers and how they are screened with landscape material from the right of wall shall be clearly indicated on the site and landscape plans and shall be subject to the review and approval of staff.
- m. Prior to the issuance of a Certificate of Occupancy, the Landscape Architect or the project architect shall verify, in writing, that the project is consistent with the site and landscape plans approved by the Planning Department for Building Permit.

**In accordance with Section 118-262, the applicant, or the city manager on behalf of the City Administration, or an affected person, Miami Design Preservation League or Dade Heritage Trust may seek review of any order of the Design Review Board by the City Commission, except that orders granting or denying a request for rehearing shall not be reviewed by the Commission.**

## **II. Variance(s)**

- A. No variances were filed as part of this application.

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



**III. General Terms and Conditions applying to both 'I. Design Review Approval and 'II. Variances' noted above.**

- A. Upon the issuance of a final Certificate of Occupancy or Certificate of Completion, as applicable, the project approved herein shall be maintained in accordance with the plans approved by the board, and shall be subject to all conditions of approval herein, unless otherwise modified by the Board. Failure to maintain shall result in the issuance of a Code Compliance citation, and continued failure to comply may result in revocation of the Certificate of Occupancy, Completion and Business Tax Receipt.
- B. During construction work, the applicant will maintain gravel at the front of the construction site within the first 15'-0" of the required front yard to mitigate disturbance of soil and mud by related personal vehicles exiting and entering the site, and with an 8'-0" high fence with a wind resistant green mesh material along the front property line. All construction materials, including dumpsters and portable toilets, shall be located behind the construction fence and not visible from the right-of-way. All construction vehicles shall either park on the private property or at alternate overflow parking sites with a shuttle service to and from the property. The applicant shall ensure that the contractor(s) observe good construction practices and prevent construction materials and debris from impacting the right-of-way.
- C. If applicable, a Construction Parking and Traffic Management Plan (CPTMP) shall be approved by the Parking Director pursuant to Chapter 106, Article II, Division 3 of the City Code, prior to the issuance of a Building Permit.
- D. A recycling/salvage plan shall be provided as part of the submittal for a demolition/building permit, in a manner to be reviewed and approved by staff.
- E. All applicable FPL transformers or vault rooms and backflow prevention devices shall be located within the building envelope with the exception of the valve (PIV) which may be visible and accessible from the street.
- F. 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.
- G. The Final Order shall be recorded in the Public Records of Miami-Dade County, prior to the issuance of a Building Permit.
- H. Satisfaction of all conditions is required for the Planning Department to give its approval on a Certificate of Occupancy; a Temporary Certificate of Occupancy or Partial Certificate of Occupancy may also be conditionally granted Planning Departmental approval.
- I. The Final Order is not severable, and if any provision or condition hereof is held void or unconstitutional in a final decision by a court of competent jurisdiction, the order shall be returned to the Board for reconsideration as to whether the order meets the

criteria for approval absent the stricken provision or condition, and/or it is appropriate to modify the remaining conditions or impose new conditions.

- J. The conditions of approval herein are binding on the applicant, the property's owners, operators, and all successors in interest and assigns.
- K. Nothing in this order authorizes a violation of the City Code or other applicable law, nor allows a relaxation of any requirement or standard set forth in the City Code.

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

PROVIDED, the applicant shall build substantially in accordance with the plans, entitled "Hammeken Residence", as prepared by **villa & associates**, signed, sealed and dated January 05, 2018, and as approved by the Design Review Board, as determined by staff.

When requesting a building permit, the plans submitted to the Building Department for permit shall be consistent with the plans approved by the Board, modified in accordance with the conditions of approval that must be satisfied prior to permit issuance, as set forth in this Order, have been met.

The issuance of the approval does not relieve the applicant from obtaining all other required Municipal, County and/or State reviews and permits, including final zoning approval. If adequate handicapped access is not provided on the Board approved plans, this approval does not mean that such handicapped access is not required. When requesting Building permit, the plans submitted to the Building Department for permit shall be consistent with the plans approved by the Board, modified in accordance with the conditions set forth in this Order.

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

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

Dated this 9<sup>th</sup> day of March, 2018.

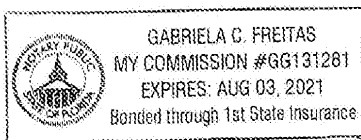


DESIGN REVIEW BOARD  
THE CITY OF MIAMI BEACH, FLORIDA

BY: [Signature]  
JAMES G. MURPHY  
CHIEF OF URBAN DESIGN  
FOR THE CHAIR

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

The foregoing instrument was acknowledged before me this 9<sup>th</sup> day of March 2018 by James G. Murphy, Chief of Urban Design, Planning Department, City of Miami Beach, Florida, a Florida Municipal Corporation, on behalf of the Corporation. He is personally known to me.



[Signature]  
NOTARY PUBLIC  
Miami-Dade County, Florida  
My commission expires: 8-3-21

Approved As To Form: Nick Kallergis (3/9/2018)  
City Attorney's Office:

Filed with the Clerk of the Design Review Board on Jessica Gumbly (3/9/18)

[Handwritten initials]