

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 PB-19-0333		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)	
Board of Adjustment <input type="checkbox"/> Variance from a provision of the Land Development Regulations <input type="checkbox"/> Appeal of an administrative decision		Design Review Board <input type="checkbox"/> Design review approval <input type="checkbox"/> Variance	
Planning Board <input checked="" type="checkbox"/> Conditional use permit <input checked="" 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"/> Other:		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	
Property Information - Please attach Legal Description as "Exhibit A"			
ADDRESS OF PROPERTY 5840 N. Bay Road and 5830 N. Bay Road			
FOLIO NUMBER(S) 02-3215-003-0240 and 02-3215-003-0245, respectively.			
Property Owner Information			
PROPERTY OWNER NAME 5830 NBR, LLC			
ADDRESS 1111 Kane Concourse, Suite 210		CITY Bay Harbor Island	STATE FL
ZIP CODE 33154			
BUSINESS PHONE	CELL PHONE	EMAIL ADDRESS	
Applicant Information (if different than owner)			
APPLICANT NAME 5830 NBR, LLC			
ADDRESS 1111 Kane Concourse, Suite 210		CITY Bay Harbor Island	STATE FL
ZIP CODE 33154			
BUSINESS PHONE	CELL PHONE	EMAIL ADDRESS oxy101@aol.com	
Summary of Request			
PROVIDE A BRIEF SCOPE OF REQUEST The Applicant seeks to vacate the Lot split approval issued under PB File No.:18-0234 aka 18-0206 on November 27, 2018, and subdivide the properties according to the recorded plat lines, including aggregating a portion of the existing lot to the property located at 5848 North Bay Road. Refer to the surveys, and letter of intent for further information.			

Project Information			
Is there an existing building(s) on the site?		<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Does the project include interior or exterior demolition?		<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Provide the total floor area of the new construction.		0	SQ. FT.
Provide the gross floor area of the new construction (including required parking and all usable area).		0	SQ. FT.
Party responsible for project design			
NAME Cesar Molina, CMA Design Studio, Inc.		<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 232 Andalusia Ave., Suite 101		CITY Coral Gables	STATE FL
		ZIPCODE 33134	
BUSINESS PHONE (305) 448-4200	CELL PHONE N/A	EMAIL ADDRESS info@cmadsi.com	
Authorized Representative(s) Information (if applicable)			
NAME Monika Entin		<input checked="" type="checkbox"/> Attorney <input type="checkbox"/> Contact <input type="checkbox"/> Agent <input type="checkbox"/> Other _____	
ADDRESS 200 S. Biscayne Boulevard, Suite 850		CITY Miami	STATE FL
		ZIPCODE 33131	
BUSINESS PHONE 305-377-6237	CELL PHONE 305-542-3445	EMAIL ADDRESS MEntin@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	
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".
- 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 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
Felix Cohen

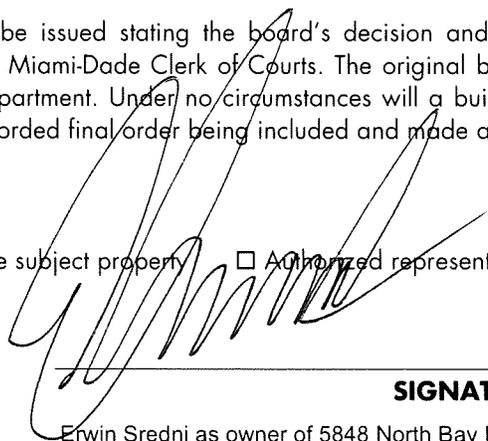
PRINT NAME
 12/3/2019

DATE SIGNED

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- 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.
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The aforementioned is acknowledged by:

Owner of the subject property
 Authorized representative



SIGNATURE

Erwin Sredni as owner of 5848 North Bay Road

PRINT NAME

January 15, 2020

DATE SIGNED

OWNER AFFIDAVIT FOR INDIVIDUAL OWNER

STATE OF FL

COUNTY OF MIAMI-DADE

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

SIGNATURE

Sworn to and subscribed before me this _____ 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

ALTERNATE OWNER AFFIDAVIT FOR CORPORATION, PARTNERSHIP OR LIMITED LIABILITY COMPANY

STATE OF _____

COUNTY OF _____

I, Felix Cohen, being first duly sworn, depose and certify as follows: (1) I am the Manager (print title) of 5830 NBR, LLC (print name of corporate entity). (2) I am authorized to file this application on behalf of such entity. (3) This application and all information submitted in support of this application, including sketches, data, and other supplementary materials, are true and correct to the best of my knowledge and belief. (4) The corporate entity named herein is the owner of the property that is the subject of this application. (5) I acknowledge and agree that, before this application may be publicly noticed and heard by a land development board, the application must be complete and all information submitted in support thereof must be accurate. (6) I also hereby authorize the City of Miami Beach to enter my property for the sole purpose of posting a Notice of Public Hearing on my property, as required by law. (7) I am responsible for remove this notice after the date of the hearing.

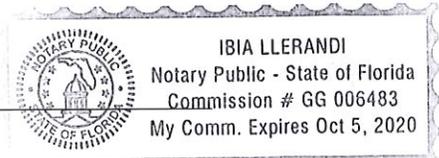
SIGNATURE

Sworn to and subscribed before me this 3rd day of December, 2019. The foregoing instrument was acknowledged before me by _____, who has produced _____ as identification and/or is personally known to me and who did/did not take an oath.

NOTARY SEAL OR STAMP

NOTARY PUBLIC

My Commission Expires: _____



OWNER AFFIDAVIT FOR INDIVIDUAL OWNER

STATE OF Florida

COUNTY OF Miami-Dade

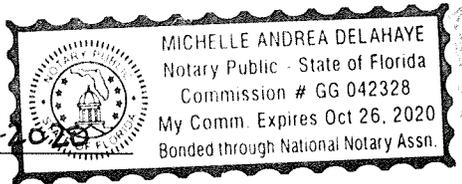
I, Erwin Sredni, being first duly sworn, depose and certify as follows: (1) I am the owner of the property that is the subject of this application. (2) This application and all information submitted in support of this application, including sketches, data, and other supplementary materials, are true 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.

[Handwritten Signature]

SIGNATURE

Sworn to and subscribed before me this 15th day of January, 2020. The foregoing instrument was acknowledged before me by Erwin Sredni as owner of 5848 North Bay Road, 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: 10-26-2020

Michelle Delahaye

NOTARY PUBLIC
Michelle Delahaye
PRINT NAME

ALTERNATE OWNER AFFIDAVIT FOR CORPORATION, PARTNERSHIP OR LIMITED LIABILITY COMPANY

STATE OF _____

COUNTY OF _____

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

SIGNATURE

Sworn to and subscribed before me this _____ 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: _____

~~immediately notify us by telephone (305) 374-5300.~~

PRINT NAME

POWER OF ATTORNEY AFFIDAVIT

STATE OF Florida
COUNTY OF Miami-Dade
I, Felix Cohen

, 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 Monika Entin to be my representative before the Planing Board and 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.

Felix Cohen

PRINT NAME (and Title, if applicable)

[Signature]

SIGNATURE

Sworn to and subscribed before me this 15 day of January, 2020. The foregoing instrument was acknowledged before me by Felix Cohen, 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: _____

[Signature]
Betty Llerena

NOTARY PUBLIC

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.

Erwin Sredni

OCT 28 2019

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 is

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

PRINT NAME

POWER OF ATTORNEY AFFIDAVIT

STATE OF Florida
COUNTY OF Miami-Dade
Erwin Sredni

I, Erwin Sredni, 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 Monika Entin to be my representative before the Planing Board and 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.

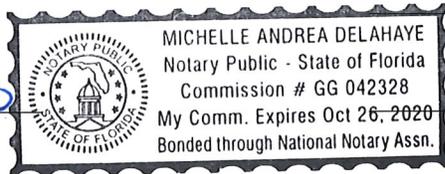
Erwin Sredni as owner of 5848 North Bay Road

PRINT NAME (and Title, if applicable)

SIGNATURE

Sworn to and subscribed before me this 15th day of January, 2020. The foregoing instrument was acknowledged before me by Erwin Sredni as owner of 5848 North Bay Road, 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: 10-26-2020

Michelle Delahaye
NOTARY PUBLIC
Michelle Delahaye
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.

Erwin Sredni
NAME

October 28, 2019
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.

5830 NBR, LLC

NAME OF CORPORATE ENTITY

NAME AND ADDRESS
see attached Exhibit B

% 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
Monika Entin	200 South Biscayne Boulevard, Suite 850, Miami, FL 33131	(305) 377-6237
_____	_____	_____
_____	_____	_____

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 _____

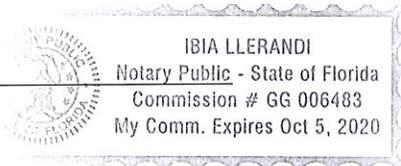
COUNTY OF _____

I, **Felix Cohen**, 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 3rd day of **December**, 2019. The foregoing instrument was acknowledged before me by _____, who has produced _____ as identification and/or is personally known to me and who did/did not take an oath.

NOTARY SEAL OR STAMP



My Commission Expires: _____

NOTARY PUBLIC

PRINT NAME

COMPENSATED LOBBYIST

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NAME	ADDRESS	PHONE
<u>Monika Entin</u>	<u>200 South Biscayne Boulevard, Suite 850, Miami, FL 33131</u>	<u>(305) 377-6237</u>
_____	_____	_____
_____	_____	_____

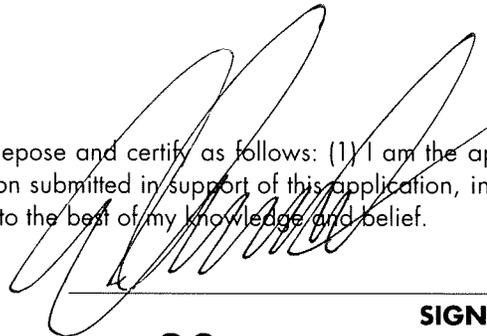
Additional names can be placed on a separate page attached to this application.

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, Erwin Sredni

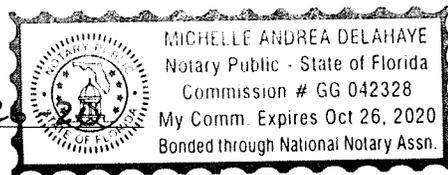
, being first duly sworn, depose and certify as follows: (1) I am the applicant or representative of the applicant. (2) This application and all information submitted in support of this application, including sketches, data, and other supplementary materials, are true and correct to the best of my knowledge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



SIGNATURE

Sworn to and subscribed before me this 15th day of January, 2020. The foregoing instrument was acknowledged before me by Erwin Sredni as owner of 5848 North Bay Road, 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: 10-26-2020



NOTARY PUBLIC

Michelle Delahaye
PRINT NAME

EXHIBIT A

Lot 26 and 27 Less the Southerly 2/3 of Lot 27, Block 1-A, of La Gorce Subdivision, according to the Plat thereof as recorded in Plat Book 14, at Page 43, of the Public Records of Miami-Dade County, Florida.

and

Acquisition Parcel:

The South 2/3 of Lot 27, Block 1-A of La Gorce Subdivision, according to the Plat thereof as recorded in Plat Book 14, at Page 43, of the Public Records of Miami-Dade County, Florida.

EXHIBIT B

5830 NBR, LLC

<i>Name and Address</i>	<i>% of Ownership</i>
<u>French North Bay Road, LLC</u>	<u>50%</u>
<u>1927 NE 118 Road</u>	
<u>North Miami, FL 33181</u>	
<u>Aguacero, LLC</u>	<u>25%</u>
<u>1111 Kane Concourse, Suite 210</u>	
<u>Bay Harbor, FL 33154</u>	
<u>Diluvio, LLC</u>	<u>12.5%</u>
<u>1111 Kane Concourse, Suite 210</u>	
<u>Bay Harbor, FL 33154</u>	
<u>Tormenta, LLC</u>	<u>12.5%</u>
<u>1111 Kane Concourse, Suite 210</u>	
<u>Bay Harbor, FL 33154</u>	

Aguacero, LLC

<i>Name and Address</i>	<i>% of Ownership</i>
<u>Moris Tabacinic</u>	<u>100%</u>
<u>1111 Kane Concourse, Suite 210</u>	
<u>Bay Harbor, FL 33154</u>	

Diluvio, LLC

<i>Name and Address</i>	<i>% of Ownership</i>
<u>Michael Tabacinic</u>	<u>100%</u>
<u>1111 Kane Concourse, Suite 210</u>	
<u>Bay Harbor, FL 33154</u>	

Tormenta, LLC

<i>Name and Address</i>	<i>% of Ownership</i>
<u>Eli Tabacinic</u>	<u>100%</u>
<u>1111 Kane Concourse, Suite 210</u>	
<u>Bay Harbor, FL 33154</u>	

French North Bay Road, LLC

<i>Name and Address</i>	<i>% of Ownership</i>
<u>Felix Cohen Revocable Trust</u>	<u>100%</u>
<u>1927 NE 118 Road</u>	
<u>North Miami, FL 33181</u>	

Felix Cohen Revocable Trust

<i>Name and Address</i>	<i>% of Ownership</i>
<u>Shayne Cohen</u>	<u>16.6%</u>
<u>1927 NE 118 Road</u>	
<u>North Miami, FL 33181</u>	
<u>Romain Cohen</u>	<u>16.6%</u>
<u>1927 NE 118 Road</u>	
<u>North Miami, FL 33181</u>	
<u>Jacques Cohen</u>	<u>16.6%</u>
<u>1927 NE 118 Road</u>	
<u>North Miami, FL 33181</u>	
<u>Julian Cohen</u>	<u>16.6%</u>
<u>1927 NE 118 Road</u>	
<u>North Miami, FL 33181</u>	
<u>Stephane Cohen</u>	<u>16.6%</u>
<u>1927 NE 118 Road</u>	
<u>North Miami, FL 33181</u>	
<u>Marlon Cohen</u>	<u>16.6%</u>
<u>1927 NE 118 Road</u>	
<u>North Miami, FL 33181</u>	



BERCOW RADELL FERNANDEZ & LARKIN
ZONING, LAND USE AND ENVIRONMENTAL LAW

DIRECT LINE: (305) 377-6227
E-Mail: MEntin@brzoninglaw.com

VIA HAND DELIVERY

December 9, 2019

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

Re: Request for a Lot Split of the Property Previously known as 5840 North Bay Road (including 5830 and 5840 North Bay Road) in Miami Beach, FL

Dear Tom:

This law firm represents 5830 NBR, LLC (the "Applicant"), the owner of the above-referenced property (the "Property"). Please consider this letter the Applicant's letter of intent in support of a lot split application to divide the existing site consistent with the platted parcels into two individual building sites.

The Property. The Property is situated along North Bay Road fronting Biscayne Bay. It is located within the RS-2 Single-Family Residential zoning district. In 2018 the Property was subdivided into two equally sized lots. Attached hereto as Exhibit "A" is a copy of the November 27, 2018 Planning Board Lot Split Approval for Planning Board File No.:18-0234 aka 18-0206. The lots are identified by Miami-Dade County Folio No. 02-3215-003-0240 for 5840 North Bay Road and 02-3215-003-0245 for 5830 North Bay Road. Collectively, the Property is approximately 36,143 square feet. It is comprised by Lots 28, 29 and the southern two-thirds (2/3) of Lot 27 of the La Gorce Golf Subdivision. Currently, the Property is vacant.

Lot Split Request. As previously stated, in 2018 the Property was subdivided into two equally sized lots through Planning Board File No.:18-0234 aka 18-0206. The Applicant is abandoning the previous lot split approval and is requesting to subdivide the Property consistent with the platted lot lines. This subdivision is more consistent with the neighborhood. The first site, 5840 North Bay Road, will result in retaining the entirety of lots 28 and 29. The remaining two-thirds (2/3) of Lot 27, will be aggregated to the neighboring property at 5848 North Bay Road. Currently, 5848 North Bay Road consists of Lot 26 and 27 less the southerly two-thirds (2/3) of the lot in the La Gorce Golf Subdivision. It is the smallest lot within the immediate neighborhood. The aggregation of the southerly two-thirds (2/3) of Lot 27 to 5848 North bay Road, will allow the it to be more consistent with the neighborhood and the minimum lot size requirements for the zoning district.

Both resulting lots will be more compatible with the properties within the surrounding area.

Lot Split Review Criteria. According to Section 118-321.B. of the City of Miami Beach's Code of Ordinances (the "Code"), the Planning Board shall apply the following criteria to the review of any lot split application:

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.*

According to Section 142-105(b), the minimum lot size in the RS-2 zoning district is 18,000 square feet. The approved lot sizes, per the 2018 lot split approval, resulted in two lots of approximately 18,071 square feet. The existing property at 5848 North Bay Road currently consists of approximately 17,954 square feet.

Pursuant to staffs' previous analyses, the median lot size in the neighborhood is approximately 26,922 square feet. The proposed lot split would result in the property at 5840 North Bay Road consisting of approximately 27,391 square feet and approximately 26,395 square feet for 5848 North Bay Road. These resulting lots would not only satisfy the minimum Code requirements, but would be more compatible with the fabric of the neighborhood.

- 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.*

The resulting lots will be consistent with the existing building sites and are of the same character as the surrounding area. The proposed lot split will still result in two lots that are similar in size to those in the surrounding neighborhood and will follow the existing, platted lot lines.

- 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.*

The aggregation of the southern two-thirds (2/3) of Lot 27 to 5848 North Bay Road, will actually render the existing home to be more in scale with the surrounding properties. Both lots and their homes will be more suitable with the as-built character of the surrounding area than currently exists and can be developed for the sites.

- 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.*

The Property is currently vacant. As such, there will be no resulting nonconformities.

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

The building sites created by the lot split will free of encroachments from abutting buildable lots. There are no existing or proposed encroachments.

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 subsection 142-108(a).*

The lot split does not adversely affect architecturally significant or historic homes. The Property is currently vacant.

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 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.

- 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 one (1) new single family home.

- 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.**

No wet or dry flood proofing will be necessary as all habitable space will be located above base flood elevation.

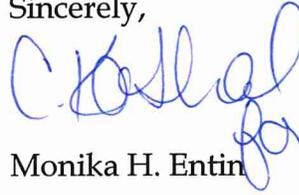
- 10. Where feasible and appropriate, water retention systems shall be provided.**

The Applicant will incorporate retention areas to direct and collect rainwater on the site. At the time of permitting, the Applicant will engage the services of a civil engineer to analyze and provide the subsurface drainage design.

Mr. Thomas Mooney
December 9, 2019
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Conclusion. We believe that the approval of the application will result lots that are more compatible with the surrounding neighborhood and the requirements of the zoning district. It will also allow for the construction of one (1) new single-family home, in place of two (2) additional homes in the area. 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,



Monika H. Entin

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

PROPERTY: 5840 North Bay Road

FILE NO. PB 18-0234 aka PB 18-0206

IN RE: Based upon revised surveys, the applicant, NBR 5840, LP, requested a clarification and reaffirmation of approval for a previously approved lot split for the division of the existing site comprised of more than two platted lots, into two individual buildable parcels pursuant to Chapter 118, Article VII of the City Code.

LEGAL DESCRIPTION: Lots 28 and 29, and the south 2/3 of lot 27, in Block 1A, of LA GORCE GOLF SUBDIVISION; according to the Plat thereof, as recorded in Plat Book 14, Page 43, of the Public Records of Miami-Dade County, Florida

MEETING DATE: November 27, 2018

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

The applicant, NBR 5840, LP, 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 Miami Beach Code.
- B. The project would remain consistent with the criteria and requirements of Section 118-321.B 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 5840 North Bay Road, 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.

PB 18-0234 aka PB 18-0206 – 5840 North Bay Road

Page 2 of 4

- c. The building parcels created by this lot split shall be as depicted on the signed and sealed surveys by Delta Mapping and Surveying, Inc, dated 10-19-2018. ~~Gunter Group, INC. Land Surveying, dated 04-30-2018.~~
 - 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. 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), 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), 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, 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.
 - 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 a 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.
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 City Code Sec. 118-323.

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*PB 18-0234 aka PB 18-0206 – 5840 North Bay Road
Page 3 of 4*

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 and returned to the Planning Department. A building permit, certificate of occupancy, or certificate of completion shall not be issued until this requirement has been satisfied.
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 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. The July 24, 2018 order is superseded by this order, as, due to newly discovered evidence (correct square footage) that order could not be finalized. This order shall be the final order as to the lot split application.

Dated this 13th day of DECEMBER, 2018.

MB

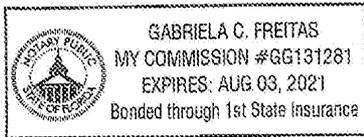
PB 18-0234 aka PB 18-0206 – 5840 North Bay Road
Page 4 of 4

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 13th 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], 12/12/18

Filed with the Clerk of the Planning Board on [Signature] 12/13/18

MB



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certified lists of property owners within a specific radius + radius maps + mailing labels + mailouts + notice of public hearing site posting
rdrmiami.com | diana@rdrmiami.com | 305.498.1614

January 15, 2020

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

Re: Property owners within 375 feet of:

SUBJECT: 5830 North Bay Road, Miami Beach, FL 33140

FOLIO NUMBER: 02-3215-003-0245

LEGAL DESCRIPTION: LA GORGE GOLF SUB PB 14-43 LOTS 28-29 & S2/3 OF LOT 27
BLK 1-A LESS N96.87FT

SUBJECT: 5840 North Bay Road, Miami Beach, FL 33140

FOLIO NUMBER: 02-3215-003-0240

LEGAL DESCRIPTION: LA GORGE GOLF SUB PB 14-43 N96.87FT OF LOTS 28 & S2/3 OF
LOT 27 BLK 1-A

SUBJECT: 5848 North Bay Road, Miami Beach, FL 33140

FOLIO NUMBER: 02-3215-003-0230

LEGAL DESCRIPTION: LA GORGE GOLF SUB PB 14-43 LOTS 26 & 27 LESS SLY2/3 RDS
THEREOF BLK 1-A

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 file in the Miami-Dade County Property Appraisers' Office.

Sincerely,

Diana B. Rio

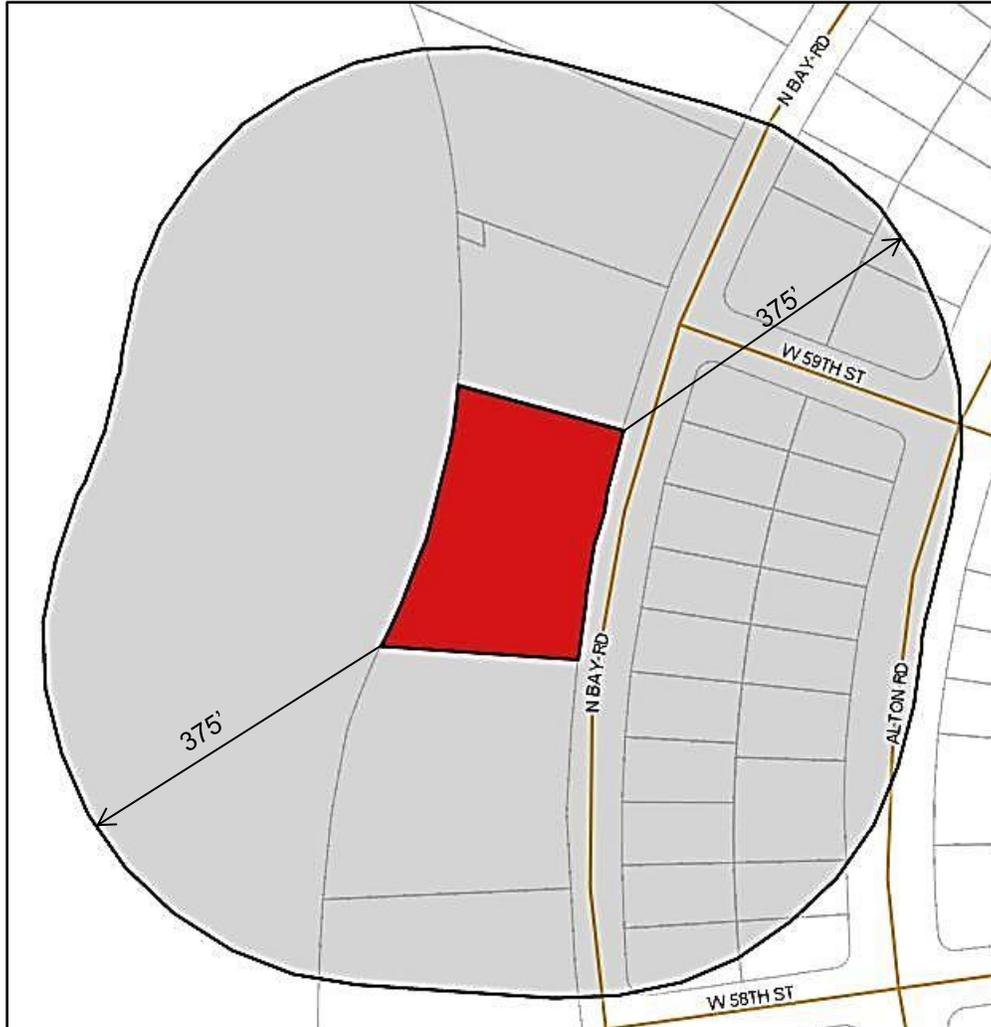
Total number of property owners without repetition: **28, including 0 international**



rdr miami | public hearing notification services

certified lists of property owners within a specific radius + radius maps + mailing labels + mailouts + notice of public hearing site posting
rdrmiami.com | diana@rdrmiami.com | 305.498.1614

375' RADIUS MAP



SUBJECT: 5830 North Bay Road, Miami Beach, FL 33140

FOLIO NUMBER: 02-3215-003-0245

LEGAL DESCRIPTION: LA GORGE GOLF SUB PB 14-43 LOTS 28-29 & S2/3 OF LOT 27 BLK 1-A
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SUBJECT: 5840 North Bay Road, Miami Beach, FL 33140

FOLIO NUMBER: 02-3215-003-0240

LEGAL DESCRIPTION: LA GORGE GOLF SUB PB 14-43 N96.87FT OF LOTS 28 & S2/3 OF LOT 27
BLK 1-A

SUBJECT: 5848 North Bay Road, Miami Beach, FL 33140

FOLIO NUMBER: 02-3215-003-0230

LEGAL DESCRIPTION: LA GORGE GOLF SUB PB 14-43 LOTS 26 & 27 LESS SLY2/3 RDS
THEREOF BLK 1-A

Name	Address	City	State	Zip	Country
5800 NORTH BAY ROAD MIAMI LLC	PO BOX 778	NEW YORK	NY	10013	USA
5812 ALTON RD LLC	5150 N MIAMI AVE	MIAMI	FL	33127	USA
5830 NBR LLC	1111 KANE CONCOURSE STE 210	BAY HARBOR ISLANDS	FL	33154	USA
5835 NORTH BAY RD LLC	1395 BRICKELL AVE STE 650	MIAMI	FL	33131	USA
5850 LINCOLN RD LLC	411 19TH AVE	PATERSON	NJ	07504	USA
AMBASSA HOLDINGS INC C/O CHRISTIAN DE BERDOUARE	10800 BISCAYNE BLVD #820	NORTH MIAMI	FL	33161	USA
BARRY GIBB & W LINDA	5820 NORTH BAY ROAD	MIAMI BEACH	FL	33140-2043	USA
BAY ROAD PROPERTY LLC	118 LEE AVE	ROCKVILLE CENTER	NY	11570	USA
CITY OF MIAMI BEACH	1700 CONVENTION CENTER DR	MIAMI BEACH	FL	33139	USA
CURT DYER & BRUCE BENDER	5900 ALTON RD	MIAMI BEACH	FL	33140-2025	USA
ERWIN SREDNI	5848 N BAY ROAD	MIAMI BEACH	FL	33140	USA
FRANCESCO SEMERARO	5839 N BAY RD	MIAMI BEACH	FL	33140-2036	USA
FUTURA TWO INVESTMENTS LLC	1680 MICHIGAN AVE 910	MIAMI BEACH	FL	33139	USA
GUILLERMO L FONT & W ISELA	5828 ALTON RD	MIAMI BEACH	FL	33140-2023	USA
JAMES W MOORE & W KATHY M KASSNER	5905 NO BAY RD	MIAMI BEACH	FL	33140-2037	USA
JEREMY J BAROUH AMANDA B BAROUH	5801 N BAY RD	MIAMI BEACH	FL	33140	USA
JOEL M ELLISON TRACEY S ELLISON	5832 ALTON RD	MIAMI BEACH	FL	33140	USA
JOSE B ALEMAN & JOHN WORMWOOD	5824 ALTON RD	MIAMI BEACH	FL	33140-2023	USA
JUSTIN B ELEGANT & W JENNIFER	5925 N BAY RD	MIAMI BEACH	FL	33140-2037	USA
MALAMOL LLC	5924 ALTON RD	MIAMI BEACH	FL	33140	USA
MARTIN P LABROSSE & W KAREN LEA	5842 ALTON RD	MIAMI BEACH	FL	33140-2023	USA
MB LEGACY HOLDINGS LLC	7512 DR PHILLIPS BOULEVARD 50 224	ORLANDO	FL	32819	USA
OLIVER BEAUMONT BUCKWELL ADEL HATTEM	5800 ALTON RD	MIAMI BEACH	FL	33140	USA
RODERICK KING SCHERAZADE KING	5808 ALTON RD	MIAMI BEACH	FL	33140	USA
SCOTT BENNETT	5845 N BAY RD	MIAMI BEACH	FL	33140-2036	USA
STEVEN J GREEN TRS KIMBERLY GREEN 2014 TRUST	5855 N BAY RD	MIAMI BEACH	FL	33140	USA
WILLIAM FARKAS & W BETH	5851 N BAY RD	MIAMI BEACH	FL	33140-2036	USA
WILLIAM THOMAS HARRIS III TR & C/O SPIELMAN KOENIGSBERG & PARKER RICHARD L KOENIGSBERG TR	1675 BROADWAY 20 FL	NEW YORK	NY	10019	USA

5800 NORTH BAY ROAD MIAMI LLC
PO BOX 778
NEW YORK, NY 10013

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MIAMI, FL 33127

5830 NBR LLC
1111 KANE CONCOURSE STE 210
BAY HARBOR ISLANDS, FL 33154

5835 NORTH BAY RD LLC
1395 BRICKELL AVE STE 650
MIAMI, FL 33131

5850 LINCOLN RD LLC
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5905 NO BAY RD
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AMANDA B BAROUH
5801 N BAY RD
MIAMI BEACH, FL 33140

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TRACEY S ELLISON
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WILLIAM THOMAS HARRIS III TR &
C/O SPIELMAN KOENIGSBERG & PARKER
RICHARD L KOENIGSBERG TR
1675 BROADWAY 20 FL
NEW YORK, NY 10019

PLAN CORRECTIONS REPORT (PB19-0333)

PLAN ADDRESS: N 5840 N Bay Rd
Miami Beach, FL 33140

PARCEL: 0232150030240

APPLICATION DATE: 12/02/2019

SQUARE FEET: 1

DESCRIPTION: Lot split Approval

EXPIRATION DATE:

VALUATION: \$1.00

CONTACTS	Name	Company	Address
Applicant	MONIKA ENTIN		200 S. Biscayne Blvd. Suite 850 Miami, FL 33131

Plan Review

Version: 1

Date Received: 12/10/2019

Date Completed: 12/23/2019

1. Planning Landscape Review - Fail
Comments:

Ricardo Guzman Ph: [email: RicardoGuzman@miamibeachfl.gov](mailto:RicardoGuzman@miamibeachfl.gov)

General Correction #1:

- 1- Provide a Tree Survey prepared by a Professional Land Surveyor listing common names, size, and location of existing trees and palms with a DBH of 6" or greater in private property and 3" DBH or greater in the public ROW.. [Refer to the Tree Report prepared by Bartlett Tree Experts, a copy of the public records contained in the City's Planning Department is attached hereto. Additional reports will be provided along with the Design Review Board application.](#)
- 2- Provide a Tree Disposition Plan, if any trees as described above would require removal or relocation. Removal of any non-invasive trees with a 6" DBH or greater from private property would require a Tree Removal Permit from CMB Urban Forestry. Removal of any non-invasive trees with a 3" DBH or greater from public property would also require a Tree Removal Permit from CMB Urban Forestry. [Refer to the Tree Report prepared by Bartlett Tree Experts, a copy of the public records contained in the City's Planning Department is attached hereto. Additional reports will be provided along with the Design Review Board application.](#)
- 3- Provide a Tree Report for any existing trees with a DBH of 6" or greater within the building envelope, or within any of the required
- 4- yards which may be impacted by driveways, pools and/or any other allowable encroachments. [Refer to the Tree Report prepared by Bartlett Tree Experts, a copy of the public records contained in the City's Planning Department is attached hereto. Additional reports will be provided along with the Design Review Board application.](#)

Comments: General Correction #1:

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- 2- Provide a Tree Disposition Plan, if any trees as described above would require removal or relocation. Removal of any non-invasive trees with a 6" DBH or greater from private property would require a Tree Removal Permit from CMB Urban Forestry. Removal of any non-invasive trees with a 3" DBH or greater from public property would also require a Tree Removal Permit from CMB Urban Forestry. [Refer to the Tree Report prepared by Bartlett Tree Experts, a copy of the public records contained in the City's Planning Department is attached hereto. Additional reports will be provided along with the Design Review Board application.](#)
- 3- Provide a Tree Report for any existing trees with a DBH of 6" or greater within the building envelope, or within any of the required yards which may be impacted by driveways, pools and/or any other allowable encroachments. [Refer to the Tree Report prepared by Bartlett Tree Experts, a copy of the public records contained in the City's Planning Department is attached hereto. Additional reports will be provided along with the Design Review Board application.](#)

2. Planning Department Review - Fail

Alejandro Garavito Ph: [email: agaravito@miamibeachfl.gov](mailto:agaravito@miamibeachfl.gov)

Comments: Staff First Submittal Review Comments:

Comments Issued: December 20, 2019 | AG

Tentative PB Meeting Date: 02/25/20

1. Application: include file number. [Refer to the revised application](#)
2. Submit opinion of title. [Please see attached Opinion of Title dated December 27, 2019, prepared by Shuts and Bowen.](#)
3. Plans: Please provide an overall plan with all the lots from lot 26 to 29 showing lot lines, existing property lines and proposed lot configurations. [Refer to the Final Submission Plans dated December 30, 2019.](#)
4. Surveys, for clarification, please add a title on each survey for existing conditions and proposed. [Refer to the updated surveys provided as part of the Final Submission package for this application.](#)
5. Context Location Map - A half mile radius should be provided. [Refer to the Final Submission Plans dated December 30, 2019.](#)
6. Provide, current color photographs of project sites (5830 & 5840), maximum 6 per page, provide photos of existing structures. (check list item 11i). [Refer to the Final Submission Plans dated December 30, 2019.](#)
7. Provide Color photographs of context (Check list item 11j). [Refer to the Final Submission Plans dated December 30, 2019.](#)
8. Site plan – Provide dimension for driveway, and adjacent right-of-way width. [Refer to the Final Submission Plans dated December 30, 2019.](#)
9. Subject to the review and approval of the CMB Urban Forester, Planning staff will recommend that every effort shall be made to preserve and protect existing canopy shade trees on site. Any proposed building footprint and hardscape site plan components inclusive of walkways and driveways, shall be designed around the root zone of existing specimen size canopy shade trees, regardless of tree species. Applicant shall seek a variance from Miami Dade County Department of Environmental Resources Management in order to retain any existing invasive specimen canopy shade tree which is identified to be in good condition. [Applicant notes staff's comment.](#)
10. Please provide a narrative, responding to these comments with any resubmittal. [Contained herein.](#)

Please provide the above information for Final submittal (CSS and Paper) by December 30, 2019 before 12:00 pm. Provide a narrative and label electronic files as: 'MM-DD-YYYY Document Name'. [Refer to the CSS and electronic Final Submission Package dated December 30, 2019.](#)

The official application is what is submitted in CSS and is the responsibility of the applicant to upload accurate information and the electronic files coordinates with the paper submittal. [Applicant notes staff's comment.](#)

Paper submittal: submit original set (original application, letter of intent, survey, plans, color photographs and any other applicable items); 14 copies (collated sets) and the CD with the proper format (please see attached), attention to: Victor Nunez. [Applicant notes staff's comment.](#)

Please do not provide the checklist, comments, or comment replies, or copy the mailing labels for the 14 paper copies but provide a separate response sheet with the originals and in the CSS at final submittal. [Applicant notes staff's comment.](#)

Staff will review this Final submission and issue a notice to proceed on January 07, 2020. The final fees will be due by January 09, 2020. [Applicant notes staff's comment.](#)

These comments have been provided as a preliminary review of the documents and plans submitted and are subject to additions and/or deletions pending further review.

3. Planning Admin Review - Fail

Victor Nunez Ph: [email: VictorNunez@miamibeachfl.gov](mailto:VictorNunez@miamibeachfl.gov)

Comments: Comments Issued: December 20, 2019

The following fees are outstanding (tentative) and will be invoiced by January 7th.

1. Advertisement - \$1,544
2. Board Order Recording - \$103
3. Posting - \$103
4. Courier - \$77
5. Mail Label Fee (\$5 per mailing label) \$ 125

Total Outstanding Balance = \$ 1,952

NOTE: All fees MUST BE PAID by January 9 or the application will not move forward.

In addition to the fees, the following shall be provided to the Department no later than December 30th 12:00pm Final Paper submittal deadline:

- One (1) original application (Proper signed and notarized affidavits and Disclosures must be provided).
- One (1) original Letter of Intent.
- One (1) original set of architectural plans signed, sealed and dated.
- One (1) original signed, sealed and dated Survey.
- Any additional information/documents provided
- 14 collated sets including copies of all the above: application form, letter of intent, plans, and any additional information/documents provided (plans and survey should be 11x17).
- Mailing labels must be provided including Letter certifying the labels, radius map, gummed labels, and Labels CD done with the proper Excel format specified by the Planning Department.
- A CD/DVD containing a digital version of the documents and plans submitted. The CD must be in the proper format specified by the Planning Department (each document must be less than 15MB).

NOTE: Please make sure you identify the final submittal by the file number -when dropping it.