

# MIAMIBEACH

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		Is the property the primary residence & homestead of the applicant/property owner? <input 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 <input type="checkbox"/> Modification of existing Board Order		<b>Design Review Board</b> <input type="checkbox"/> Design review approval <input type="checkbox"/> Variance <input type="checkbox"/> Modification of existing Board Order	
<b>Planning Board</b> <input type="checkbox"/> Conditional Use Permit <input type="checkbox"/> Lot Split <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"/> Modification of existing Board Order		<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"/> Modification of existing Board Order	
<input type="checkbox"/> <b>Other:</b>			
Property Information – Please attach Legal Description as “Exhibit A”			
ADDRESS OF PROPERTY			
FOLIO NUMBER(S)			
Property Owner Information			
PROPERTY OWNER NAME			
ADDRESS		CITY	STATE      ZIPCODE
BUSINESS PHONE	CELL PHONE	EMAIL ADDRESS	
Applicant Information (if different than owner)			
APPLICANT NAME			
ADDRESS		CITY	STATE      ZIPCODE
BUSINESS PHONE	CELL PHONE	EMAIL ADDRESS	
Summary of Request			
PROVIDE A BRIEF SCOPE OF REQUEST			

<b>Project Information</b>			
Is there an existing building(s) on the site?		<input type="checkbox"/> Yes	<input type="checkbox"/> No
If previous answer is "Yes", is the building architecturally significant per sec. 142-108?		<input type="checkbox"/> Yes	<input type="checkbox"/> No
Does the project include interior or exterior demolition?		<input type="checkbox"/> Yes	<input type="checkbox"/> No
Provide the total floor area of the new construction.			SQ. FT.
Provide the gross floor area of the new construction (including required parking and all usable area).			SQ. FT.
<b>Party responsible for project design</b>			
NAME		<input 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		CITY	STATE    ZIPCODE
BUSINESS PHONE	CELL PHONE	EMAIL ADDRESS	
<b>Authorized Representative(s) Information (if applicable)</b>			
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	
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:**

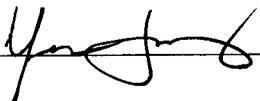
- A separate disclosure of interest form must be submitted with this application if the applicant or owner is a corporation, partnership, limited partnership or trustee.
- All applicable affidavits must be completed and the property owner must complete and sign the "Power of Attorney" portion of the 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**

Melody Young  
\_\_\_\_\_ **PRINT NAME**

2/27/20  
\_\_\_\_\_ **DATE SIGNED**

**OWNER AFFIDAVIT FOR INDIVIDUAL OWNER**

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

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 California

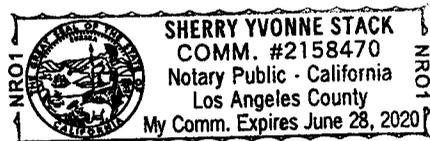
COUNTY OF Los Angeles

I, MELODY YOUNG (print title) of STAR WEST PROPERTY LLC (print name of corporate entity), being first duly sworn, depose and certify as follows: (1) I am the authorized to file this application on behalf of such entity. (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. (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]  
**SIGNATURE**

Sworn to and subscribed before me this 27 day of February, 2020. The foregoing instrument was acknowledged before me by MELODY YOUNG, who has produced \_\_\_\_\_ 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: 6/28/2020

SHERRY YVONNE STACK  
**PRINT NAME**

**POWER OF ATTORNEY AFFIDAVIT**

STATE OF California

COUNTY OF Los Angeles

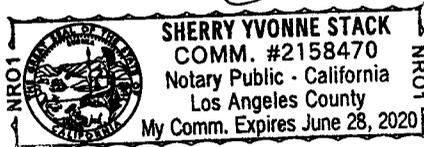
I, MELODY YOUNG, being first duly sworn, depose and certify as follows: (1) I am the owner or representative of the owner of the real property that is the subject of this application. (2) I hereby authorize Bercow Radell Fernandez Larkin & Tapanes \* to be my representative before the Planning Board. (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.

MELODY YOUNG  
**PRINT NAME (and Title, if applicable)**

[Signature]  
**SIGNATURE**

Sworn to and subscribed before me this 27 day of February, 2020. The foregoing instrument was acknowledged before me by Melody Young, who has produced \_\_\_\_\_ 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: 6/28/2020

SHERRY YVONNE Stack  
**PRINT NAME**

Michael Larkin and Matthew Amster

**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.

N/A

**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.

<b>NAME OF CORPORATE ENTITY</b>	
NAME AND ADDRESS	% OF OWNERSHIP

<b>NAME OF CORPORATE ENTITY</b>	
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.

<b>TRUST NAME</b>	
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
<u>Michael W Larkin</u>	<u>200 South Biscayne Boulevard, Suite 850</u>	<u>(305) 374-5300</u>
<u>Matthew Amster</u>	<u>200 South Biscayne Boulevard, Suite 850</u>	<u>(305) 377-6236</u>
<u>Paul Fischman and Ralph Choeff</u>	<u>8425 Biscayne Blvd, Suite 201</u>	<u>(305) 434-8338</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 California

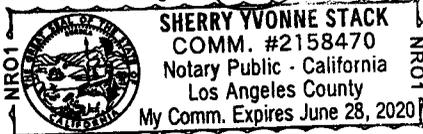
COUNTY OF Los Angeles

I, Melody Young, 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]  
**SIGNATURE**

Sworn to and subscribed before me this 27 day of February, 2020. The foregoing instrument was acknowledged before me by Melody Young, who has produced \_\_\_\_\_ as identification and or is personally known to me and who did not take an oath.

NOTARY SEAL OR STAMP



[Signature]  
**NOTARY PUBLIC**

My Commission Expires: 6/28/2020

SHERRY YVONNE STACK  
**PRINT NAME**

Exhibit A

Lot 10, of CORRECTED PLAT STAR ISLAND, according to the plat thereof as recorded in Plat Book 31, at Page 60, of the Public Records of Miami-Dade County, Florida.

## BOARD APPLICATION CHECKLIST

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

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

Applications requiring a traffic study must meet with the Transportation Department and peer reviewer thirty (30) calendar days prior to the CAP First Submittal deadline to determine the methodology for the traffic impact study and obtain the Transportation Department's checklist. Fifteen (15) days prior to the First submittal the applicant must submit the traffic study via CAP. Seven (7) days prior to First submittal the Transportation Department/Peer Reviewer will provide first round of comments to the applicant. The applicant must address the comments and submit revised traffic study/plans by the CAP First Submittal deadline including a narrative responding to Transportation/Peer Reviewer comments.

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

Property address: 10 W Star Island Drive Board: PB Date: 02/19/20

ITEM #	ITEM DESCRIPTION	REQUIRED
<b>CAP FIRST SUBMITTAL</b>		
<b>To be uploaded online (CAP) by the applicant before 12:00 pm by First submittal deadline. ALL PLANS MUST BE DIMENSIONED AND LEGIBLE. INCLUDE A GRAPHIC SCALE.</b>		
1	Application Fee and Peer review fees shall be paid after Pre-Application meeting and before the First submittal. It is the applicant's responsibility to make this payment, if an invoice is not generated by the CAP system, the applicant should contact staff prior to first submittal to be invoiced and make payment.	✓
a	Is the property the primary residence & homestead of the applicant/property owner? (If yes, provide office of the Property Appraiser Summary Report).	
2	Copy of signed and dated check list issued at Pre-Application meeting.	✓
3	Completed Board Application, Affidavits & Disclosures of Interest (original signatures).	✓
4	Signed and dated Letter of Intent. <b>Letter must outline application details and identify hardships if Variances are requested.</b> (see also Items # 42,43 and 44).	✓
5	Mailing Labels: Upload property owner's list and copy of original certified letter from provider. See #52 for submittal of Hard copy / originals of these items.	✓
6	Copies of all current or previously active Business Tax Receipts.	✓
7	School Concurrency Application for projects with a net increase in residential units (no SFH). Provide Planning Department - Miami Dade - School Concurrency Application for Transmittal	
8	Survey: Electronic version of original signed & sealed, dated no more than six months from date of application. Survey must provide: lot area, grade per Section 114-1 of the City Code. (If no sidewalk exists, provide the elevation of the crown of the road) and spot elevations.	✓
9	<b>Architectural Plans and Exhibits (must be 11"x 17")</b>	
a	Cover Sheet with bullet point scope of work, clearly labeled "First Submittal" and dated with First Submittal deadline date. <b>Include copies of previous recorded board orders, if applicable.</b>	✓



Property address: 10 W Star Island Drive Board: PB Date: 02/19/20

ITEM #	ITEM DESCRIPTION	REQUIRED
b	Copy of the original survey included in plan package. See No. 8 above for survey requirements	✓
c	All Applicable Zoning Information (Use Planning Department zoning data sheet format).	✓
d	Context Location Plan, Min 8.5"X11" Color Aerial 1/2 mile radius, identifying project and showing name of streets. (no Google images)	✓
e	Full legal description of the property if not included in survey (for lengthy legal descriptions, attach as a separate document - label clearly).	✓
f	Existing FAR Shaded Diagrams (Single Family Districts: Unit Size and Lot Coverage Shaded Diagrams), if applicable	✓
g	Proposed FAR Shaded Diagrams (Single Family Districts: Unit Size and Lot Coverage Shaded Diagrams), if applicable.	✓
h	Site Plan (fully dimensioned with setbacks, existing and proposed, including adjacent right-of-way widths).	✓
i	Current color photographs, dated, Min 4"x 6" of project site and existing structures (no Google images)	✓
j	Current, color photographs, dated, Min 4"x6" of interior space (no Google images)	
k	Current color photographs, dated, Min 4"x 6" of context, corner to corner, across the street and surrounding properties with a key directional plan (no Google images)	✓
l	Existing Conditions Drawings (Floor Plans & Elevations with dimensions). Number of seats, furniture layout if applicable	✓
m	Demolition Plans (Floor Plans & Elevations with dimensions)	✓
n	Proposed Floor Plans and Roof Plan, including mechanical equipment plan and section marks. Plans shall indicate location of all property lines and setbacks.	✓
o	Proposed Elevations, materials & finishes noted (showing grade, base flood elevation, heights in NGVD values and free board if applicable)	✓
p	Proposed Section Drawings	✓
q	Color Renderings (elevations and three dimensional perspective drawings).	✓
<b>10</b>	<b>Landscape Plans and Exhibits (must be 11"x 17")</b>	
a	Landscape Plan - street and onsite - identifying existing, proposed landscape material, lighting, irrigation, raised curbs, tree survey and tree disposition plan, as well as underground and overhead utilities when street trees are required.	✓
b	Hardscape Plan, i.e. paving materials, pattern, etc.	✓
11	Copy of original Building Permit Card, & Microfilm, if available.	✓
12	Copy of previously approved building permits (provide building permit number) and/or Board Orders.	✓
13	Existing and Proposed detailed topographic survey depicting existing spot grades (NAVD) as well as all underground/overhead utilities and easements/agreements with recording data. See Part 1 / Section 1 / A. Surveying & Mapping Standards and submittal Requirements of the Public Works Manual. <a href="http://www.miamibeachfl.gov/publicworks/engineering/engineeringmanual.aspx?id=12920">http://www.miamibeachfl.gov/publicworks/engineering/engineeringmanual.aspx?id=12920</a>	
14	Vacant/Unoccupied structures or sites shall provide recent photographic evidence that the site and structure are secured and maintained. The applicant shall obtain and post a No Trespassing Sign from the City's Police Dept.	

Property address: 10 W Star Island Drive Board: PB Date: 02/19/20

ITEM #	ITEM DESCRIPTION	REQUIRED
15	Historic Resources Report (This report shall include, but not be limited to, copy of the original Building Permit Card and subsequent modifications, Microfilm records, existing condition analysis, photographic and written description of the history and evolution of the original building on the site, all available historic data including original plans, historic photographs and permit history of the structure and any other related information on the property.	
16	Contextual Elevation Line Drawings, corner to corner, across the street and surrounding properties (dated).	
17	Line of Sight studies.	
18	Structural Analysis of existing building including methodology for shoring and bracing.	
19	Proposed exterior and interior lighting plan, including photometric calculations.	
20	Exploded Axonometric Diagram (showing second floor in relationship to first floor).	
21	Neighborhood Context Study. (Planning will provide guidance if necessary for application.)	
22	Required yards open space calculations and shaded diagrams.	✓
23	Required yards section drawings.	✓
24	Variance and/or Waiver Diagram	✓
25	Schematic signage program	
26	Detailed sign(s) with dimensions and elevation drawings showing exact location.	
27	Elevation drawings showing area of building façade for sign calculation (Building ID signs).	
28	Daytime and nighttime renderings for illuminated signs.	
29	Floor Plan Indicating area where alcoholic beverages will be displayed.	
30	Survey showing width of the canal (Dimension shall be certified by a surveyor)	
31	Site Plan showing total projection of structures from seawall, location and dimension of all structures inclusive of dock, mooring piles, boat lift, etc.	
32	DERM recommendation/preliminary approval. Docks or any structures shall have approval stamp from DERM or other regulatory agency before submitting for a variance. A letter from DERM or other agency, explaining specific requirements for the project is recommended.	
33	Technical specifications of the boat lift and/ or boat, ship of vessel to be docked or moored.	
34	Survey shall include spot elevations in rear yard and elevation points on the dune adjacent to the property. Provide highest elevation point on the due within the property. Erosion control line and Bulkhead line shall be indicated if present.	
35	Scaled, signed, sealed and dated specific purpose survey (Alcohol License/Distance Separation) distance shown on survey with a straight line.	
36	Proposed Operational Plan: Include deliveries and trash pickup times, hours of operations, number of employees, security and restaurant menu (if applicable).	
37	Maneuvering plan for loading within the existing/proposed conditions, delivery and garbage trucks size (length and width).	
38	Traffic Study, Site plan(s) : Revised version and narrative addressing first round of comments from Transportation Department and peer review, provide a narrative. (See Transportation Department check list for requirements.)	
39	Sound Study report (Hard copy) with 1 CD.	
<b>40</b>	<b>Site Plan (Identify streets and alleys)</b>	
a	Identify: setbacks _____ Height _____ Drive aisle widths _____ Streets and sidewalks widths _____	

Property address: 10 W Star Island Drive Board: PB Date: 02/19/20

ITEM #	ITEM DESCRIPTION	REQUIRED
b	# parking spaces & dimensions_____ Loading spaces locations & dimensions_____	
c	# of bicycle parking spaces_____	
d	Interior and loading area location & dimensions_____	
e	Street level trash room location and dimensions_____	
f	Delivery route_____ Sanitation operation_____ Valet drop-off & pick-up_____ Valet route in and out_____	
g	Valet route to and from_____ auto-turn analysis for delivery and sanitation vehicles_____	
h	Indicate any backflow preventer and FPL vault if applicable	
i	Indicate location of the area included in the application if applicable	
j	Preliminary on-street loading plan	
<b>41</b>	<b>Floor Plan (dimensioned)</b>	
a	Total floor area	
b	Identify # seats indoors_____ outdoors_____ seating in public right of way_____ Total_____	
c	Occupancy load indoors and outdoors per venue_____ Total when applicable_____	
<b>42</b>	<b>The letter of Intent shall include and respond to all sea level rise and resiliency review criteria per section 133-50 of the City Code.</b>	✓
<b>43</b>	<b>The Letter of Intent for Variances shall include and respond to all review guidelines in the code as follows:</b>	
a	Section 118-53 (d) of the City Code for each Variance.	✓
<b>44</b>	<b>The Letter of Intent for Planning Board shall include and respond to all review guidelines in the code as follows:</b>	
a	For Conditional Use -Section 118-192 (a)(1)-(7)	
b	CU - NIE and or outdoor Entertainment Establishments - Section 142-1362 (a)(1)-(9)	
c	CU - Mechanical Parking - Section 130-38 (3)(c)(i)(1)-(2) & (4)(a)-(k)	
d	CU - Structures over 50,000 SQ.FT. - Section 118-192 (b) (1)-(11)	
e	CU - Religious Institutions - Section 118-192 (c) (1)-(11)	
f	For Lot Splits - Section 118-321 (B) (1)-(6). Also see application instructions	
	<b>Notes: The applicant is responsible for checking above referenced sections of the Code. If not applicable write N/A</b>	
Other	VARIANCES	✓
Other	Waiver Diagrams - 1) OPEN SIDE 2) OPEN SIDE 3)70%	✓
Other		

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



Property address: 10 W Star Island Drive Board: PB Date: 02/19/20

ITEM #	ITEM DESCRIPTION	REQUIRED
<b>FINAL SUBMITTAL (CAP &amp; PAPER)</b>		
<b>Plans should be clearly labeled "Final Submittal" and dated with Final Submittal deadline date. Final Submittal Documents must be uploaded to the CAP and hard copies must be submitted to the Planning Department prior to 12:00 P.M. on final submittal deadline. Staff will review and issue a notice to proceed or to continue submittal to a future meeting if the application is found incomplete.</b>		
45	Traffic Study, Site plan(s): This is the final traffic study including any modifications required to address comments from the City's Transportation Department. City's required permit by FDOT should be obtained prior to Final submittal (via CAP).	
	<b>PAPER FINAL SUBMITTAL:</b>	
46	Original application with all signed and notarized applicable affidavits and disclosures.	✓
47	Original of all applicable items.	✓
48	One (1) signed and sealed 11"X17" bound, collated set of all the required documents.	✓
49	14 collated copies of all required documents	✓
50	One (1) CD/DVD with electronic copy of entire final application package (plans, application, Letter of Intent, traffic/sound study, etc.) see CD/DVD formatting attached, for instructions.	✓
51	Traffic Study (Hard copy)	
52	Mailing Labels -2 sets of gummed labels and a CD including: Property owner's list and Original certified letter from provider.	✓

#### ADDITIONAL INFORMATION AND ACKNOWLEDGEMENTS

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



2/18/20

\_\_\_\_\_  
Applicant or Designee's Name

\_\_\_\_\_  
Applicant or Designee's Signature

\_\_\_\_\_  
Date





# BERCOW RADELL FERNANDEZ & LARKIN

ZONING, LAND USE AND ENVIRONMENTAL LAW

DIRECT LINE: (305) 377-6236  
E-Mail: MAmster@BRZoningLaw.com

## VIA E-SUBMISSION & HAND-DELIVERY

March 2, 2020

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

Re: Requests for Modification of PB Order PB18-0222 for the Property Located at 10 Star Island Drive in Miami Beach, Florida

Dear Tom:

This firm represents Star West Property LLC (“Applicant”), the owner of the above-referenced property (“Property”). Please consider this letter the Applicant’s required letter of intent to request modification to one condition of PB Order PB18-0222 (“Prior Approval”) to permit a variance request through the Design Review Board (DRB) application process for a new single-family home on Lot 10.

Property. The Property is an approximately 40,000 square foot waterfront lot, which is located in the RS-1, Single Family Residential Zoning District. See Exhibit A. The Property is situated on the western side of Star Island and abutted by RS-1 zoned properties. The Property, which is currently vacant, is identified by Miami-Dade County Folio No. 02-4204-001-0100. The surrounding area contains single-family homes on similarly-sized and larger lots.

Prior Approval. On June 25, 2019, the Planning Board approved a lot split of one 120,000 square foot lot into three (3) 40,000 square foot lots located at 10, 11, and 12 Star Island Drive. See Exhibit B. As part of the Prior Approval, the Planning Board reviewed proposed scale and massing plans for the design of new homes, one on each of the lots. The Planning Board permitted the maximum unit size and lot coverage; however, prohibited any variance requests through Condition B(1)h.

Proposal. Since the Prior Approval, a new owner purchased lot 10 and is designing a new home separate from the home included with the plans for the Prior Approval.<sup>1</sup> In order to obtain design approval for the new home, the Applicant submitted a DRB application which will be heard after the Planning Board hearing. In the design of the home, the Applicant has been very concerned about sea level rise and has worked to ensure the home is as resilient as possible. As part of these efforts, the Applicant has taken advantage of the full five (5) feet of freeboard above BFE and is providing a partial understory located only under the center portion of the Property.

Pursuant to Section 142-105(b)(4)(d) of the Code, where the first habitable floor has been elevated above existing grade in order to meet minimum flood elevation requirements, an understory can be provided below the first elevated habitable level. The proposed understory shall have a maximum floor to ceiling clearance of 7'-6" from the lowest level slab provided. As part of a comprehensive stormwater management system, the Applicant proposes a ceiling clearance of 10'-6" in this partial understory, and therefore seeks a variance from the DRB to exceed the maximum clearance by 3'.

In order to request the variance from the DRB, the Applicant requests the Planning Board to make the following modification to the pertinent condition of the Prior Approval:

1. Modification of PB Order PB18-0222 Section B(1)h.

FROM:

Variations shall be prohibited for any construction on each of the lots.

TO:

Variations shall be prohibited for any construction on ~~each of the lots~~ 11 and 12.

*The requested modification will allow the new owner to design and construct a new home separate than the home that was included in the Prior Approval. As requested by Planning Staff, the Applicant is only including the lot under its ownership, in this case lot 10. Should the owners of lots 11 and 12 desire any*

---

<sup>1</sup> At this time, neither lot 11 nor 12 are moving forward with development approval for a single-family home on either lot.

*variance, under the proposed modification they will be required to request the same modification to the Prior Approval from the Planning Board.*

Sea Level Rise and Resiliency Criteria. The proposed project advances 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 Applicants will provide a recycling or salvage plan during permitting.

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

The structure will have hurricane impact windows throughout the home.

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

The proposed home provides abundant windows and doors such that passive cooling is feasible.

- (4) Resilient landscaping (salt tolerant, highly water-absorbent, native or Florida friendly plants) shall be provided, in accordance with Chapter 126 of the City Code.**

The plan includes many native and Florida-friendly plants. The Applicant's landscape architect will work with the Planning Department to provide landscaping that is appropriate for the Property and the neighborhood, with native, salt-tolerant, and Florida-friendly plant species. The plantings for the proposed home will be highly water-absorbent to provide for both aesthetics and resilience.

- (5) The project applicant shall consider the 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. The applicant shall also specifically study the land elevation of the subject property and the elevation of surrounding properties.**

The Applicant has considered the adopted sea level rise projections and will utilize 5' of freeboard.

- (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 and shall provide sufficient height and space to ensure that the entry ways and exits can be modified to accommodate a higher street height up to three (3) additional feet in height.**

The Applicant intends to construct the proposed home to the maximum elevation permitted by the Code such that it is adaptable to the raising of public rights-of-ways and adjacent land.

- (7) **As applicable to all new construction, all critical mechanical and electrical systems shall be located above base flood elevation. All redevelopment projects shall, whenever practicable and economically reasonable, include the relocation of all critical mechanical and electrical systems to a location above base flood elevation.**

Mechanical and electrical systems will be located above base flood elevation.

- (8) **Existing buildings shall, wherever reasonably feasible and economically appropriate, be elevated up to base flood elevation, plus City of Miami Beach Freeboard.**

Not applicable as there are no existing buildings, and the proposed home will be elevated up to base flood elevation plus the 5' of freeboard as permitted by the Code.

- (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 habitable space will be located below base flood elevation. The understory will only provide space for parking and access to the home above. However, flood proofing systems will be provided in accordance with Chapter 54 of the City Code to ensure proper drainage of the understory area.

- (10) **As applicable to all new construction, stormwater retention systems shall be provided.**

The Property will utilize appropriate stormwater retention systems and the Applicant will ensure appropriate drainage is provided.

**(11) Cool pavement material or porous pavement materials shall be utilized.**

The Applicant proposes appropriate materials for the driveway, carport and walkways in the side yards.

**(12) The design of each project shall minimize the potential for heat island effects on-site.**

The Applicant proposes abundant landscaping at ground level and in planters on the second floor.

Conclusion. We believe that the approval of the proposed modification request will provide an improvement of the previously-proposed home and enhance the future viability of the Property and surrounding area. The requested modification is minor and will have no effect on the surrounding neighborhood. On behalf of the Applicant, we look forward to your favorable review. If you have any questions or comments with regard to the application, please do not hesitate to phone me at 305-377-6236.

Sincerely,



Matthew Amster

Attachments

cc: Michael W. Larkin, Esq.  
Robert Behar, Esq.



# OFFICE OF THE PROPERTY APPRAISER

## Summary Report

Generated On : 3/2/2020

Property Information	
Folio:	02-4204-001-0100
Property Address:	10 STAR ISLAND DR Miami Beach, FL 33139-5147
Owner	STAR WEST PROPERTY LLC C/O PRAGER METIS CPAS LLC
Mailing Address	21700 OXNARD ST STE 2030 WOODLAND HILLS, CA 91367 USA
PA Primary Zone	2200 ESTATES - 25000 SQFT LOT
Primary Land Use	0066 VACANT RESIDENTIAL : EXTRA FEA OTHER THAN PARKING
Beds / Baths / Half	0 / 0 / 0
Floors	0
Living Units	0
Actual Area	0 Sq.Ft
Living Area	0 Sq.Ft
Adjusted Area	0 Sq.Ft
Lot Size	40,000 Sq.Ft
Year Built	0



Assessment Information			
Year	2019	2018	2017
Land Value	\$11,000,000	\$11,000,000	\$11,000,000
Building Value	\$0	\$0	\$0
XF Value	\$7,244	\$7,320	\$7,396
Market Value	\$11,007,244	\$11,007,320	\$11,007,396
Assessed Value	\$9,443,676	\$8,585,160	\$7,804,691

Benefits Information				
Benefit	Type	2019	2018	2017
Non-Homestead Cap	Assessment Reduction	\$1,563,568	\$2,422,160	\$3,202,705

Note: Not all benefits are applicable to all Taxable Values (i.e. County, School Board, City, Regional).

Short Legal Description
CORRECTED PL OF STAR ISLAND
PB 31-60
LOT 10
LOT SIZE 100.000 X 400
OR 18029-3728 0398 5

Taxable Value Information			
	2019	2018	2017
<b>County</b>			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$9,443,676	\$8,585,160	\$7,804,691
<b>School Board</b>			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$11,007,244	\$11,007,320	\$11,007,396
<b>City</b>			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$9,443,676	\$8,585,160	\$7,804,691
<b>Regional</b>			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$9,443,676	\$8,585,160	\$7,804,691

Sales Information			
Previous Sale	Price	OR Book-Page	Qualification Description
07/26/2019	\$17,500,000	31548-4921	Qual by exam of deed
04/01/2006	\$27,000,000	24432-2852	Deeds that include more than one parcel
03/01/1998	\$0	18029-3728	Sales which are disqualified as a result of examination of the deed

The Office of the Property Appraiser is continually editing and updating the tax roll. This website may not reflect the most current information on record. The Property Appraiser and Miami-Dade County assumes no liability, see full disclaimer and User Agreement at <http://www.miamidade.gov/info/disclaimer.asp>

Version:

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

**PROPERTY:** 10, 11, and 12 Star Island Drive

**FILE NO.** PB 18-0222

**IN RE:** An application for a Division of Land/Lot Split, pursuant to Chapter 118, Article VII of the City Code, to divide the existing site comprised of three platted lots, into three individual buildable parcels.

**LEGAL DESCRIPTION:** LOTS 10, 11, AND 12 OF CORRECTED PLAT STAR ISLAND, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 31 AT PAGE 60, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

**MEETING DATE:** June 25, 2019

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

The applicant, Brian Bilzin as trustee of the 11 Star Island Residence Land Trust Agreement, requested a Division of Land/Lot Split, pursuant to Chapter 118, Article VII of the City Code, to divide the existing site into three individual buildable parcels.

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

- A. Based on the plans and documents submitted with the application, testimony and information provided by the applicant, and the reasons set forth in the Planning Department Staff Report, the project as submitted is consistent with Planning Board "Division of Land/Division of Land/Lot Split" criteria in Section 118-321.B of the City Code.
- B. The project would remain consistent with the criteria and requirements of Section 118-321.B of the City Code, subject to the subject to the following conditions, to which the Applicant has agreed:
  - 1. The three (3) lots created pursuant to this lot split application at 10,11 and 12 Star Island Drive, shall comply with the following:
    - a. The subject lots shall not be subdivided any further.
    - b. Design Review Board review and approval shall be required for any new home on each lot.

*MS*

June 25, 2019

PB 18-0222 - 10, 11, AND 12 Star Island Drive

Page 2 of 4

---

- c. The building parcels created by this lot split shall be as depicted on the signed and sealed surveys by American Services of Miami, CORP., dated 04-11-2019.
  - 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 50% or the maximum permitted at the administrative level at the time of building permit.
  - g. The maximum lot coverage for each lot shall be limited to the lesser of 30% or the maximum permitted at the administrative level at the time of building permit.
  - h. Variances shall be prohibited for any construction on each of the lots.
  - i. Prior to the issuance of a Building Permit the existing Docks shall be removed or modified to comply with setbacks and projection requirements for each lot, per Section 66-113 and 142-1132 of the City Code.
  - j. Prior to the issuance of a Building Permit, a tree report prepared by a certified arborist for all of the existing trees on site shall be submitted for the review and evaluation of the CMB Urban Forester. Any trees identified to be in good health shall be retained or relocated if determined to be feasible by the CMB Urban Forester.
  - k. A copy of all pages of the recorded Final Order shall be scanned into the plans submitted for building permit, and shall be located immediately after the front cover page of the permit plans.
2. The applicant and/or owner, for each lot created herein, both now and in the future, shall abide by all the documents and statements submitted with this application for Division of Land/Lot Split, as well as all conditions of this Order. The conditions of approval for this Lot Split are binding on the applicant, the property owners, and all successors in interest and assigns.
  3. The Planning Board shall maintain jurisdiction of this Lot Split approval. If deemed necessary, at the request of the Planning Director, the applicant shall provide a progress report to the Board. The Board reserves the right to modify

MS

June 25, 2019

PB 18-0222 - 10, 11, AND 12 Star Island Drive

Page 3 of 4

the Lot Split approval at the time of a progress report in a non-substantive manner, to impose additional conditions to address problems and to determine the timing and need for future progress reports. This Lot Split is also subject to modification or revocation under Section 118-323 of the City Code.

4. The applicant and/or owner of each property shall resolve all outstanding violations and fines on each respective property, if any, prior to the issuance of a building permit for any home proposed.
5. This order is not severable, and if any provision or condition hereof is held void or unconstitutional in a final decision by a court of competent jurisdiction, the order shall be returned to the Board for reconsideration as to whether the order meets the criteria for approval absent the stricken provision or condition, and/or it is appropriate to modify the remaining conditions or impose new conditions.
6. The executed Order for the Division of Land/Lot Split shall be recorded in the Public Records of Miami-Dade County, Florida, at the expense of the applicant.
7. The Lot Split approval approved herein shall comply with all the aforementioned conditions of approval; non-compliance shall constitute a violation of the City Code, and shall be subject to enforcement procedures set forth in Section 114-8 of the City Code and such other enforcement procedures as are permitted by law. Any failure by the applicant to comply with the conditions of this Order shall also constitute a basis for consideration by the Planning Board for a revocation of this approval.
8. Nothing in this order authorizes a violation of the City Code or other applicable law, nor allows a relaxation of any requirement or standard set forth in the City Code.

IT IS HEREBY ORDERED, based upon the foregoing findings of fact, the evidence, information, testimony and materials presented at the public hearing, which are part of the record for this matter, and the staff report and analysis, which is adopted herein, including staff recommendations, as modified by the Planning Board that the Division of Land/Lot Split as requested and set forth above be GRANTED, subject to those certain conditions specified in Paragraph B of the Findings of Fact (Condition Nos. 1-8, inclusive) hereof, to which the applicant has agreed.

Dated this 9<sup>th</sup> day of July, 2019.

MB

June 25, 2019

PB 18-0222 - 10, 11, AND 12 Star Island Drive

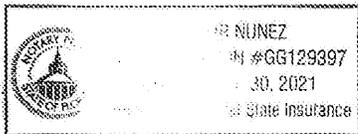
Page 4 of 4

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 )

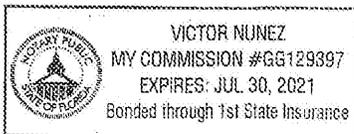
The foregoing instrument was acknowledged before me this 9 day of July, 2019, by Michael Belush, Chief of Planning and Zoning of the City of Miami Beach, Florida, a Florida Municipal Corporation, on behalf of the corporation. He is personally known to me.



Victor Nunez

Notary:  
Print Name:  
Notary Public, State of Florida  
My Commission Expires: 06124397  
Commission Number: July 30, 2021

[NOTARIAL SEAL]



Approved As To Form:  
Legal Department (Nick Calleja) 7/1/2019

Filed with the Clerk of the Planning Board on Jessica Gurling (7/9/19)

*MB*



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

January 8, 2020

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

**Re: Property owners within 375 feet of:**

**SUBJECT:** 10 Star Island Drive, Miami Beach, FL 33139

**FOLIO NUMBER:** 02-4204-001-0100

**LEGAL DESCRIPTION:** CORRECTED PL OF STAR ISLAND PB 31-60 LOT 10

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: **16, 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  
rdmiami.com | diana@rdmiami.com | 305.498.1614

## 375' RADIUS MAP



**SUBJECT:** 10 Star Island Drive, Miami Beach, FL 33139

**FOLIO NUMBER:** 02-4204-001-0100

**LEGAL DESCRIPTION:** CORRECTED PL OF STAR ISLAND PB 31-60 LOT 10

36 STAR ISLAND HOLDINGS LLC  
C/O LOURDES C CAMBO  
999 BRICKELL AVE PH 1101  
MIAMI, FL 33131

BRIAN L BILZIN TR  
C/O BILZIN SUMBERG ETALS  
200 SO BISCAYNE BLVD STE 2500  
MIAMI, FL 33131-5340

BRIAN L BILZIN TRS  
200 S BISCAYNE BLVD # 2500  
MIAMI, FL 33131-5340

CITY OF MIAMI BEACH  
CITY HALL  
1700 CONVENTION CENTER DR  
MIAMI BEACH, FL 33139

E & A ESTATES LLC  
13 STAR ISLAND DR  
MIAMI BEACH, FL 33139

ELISA VERASTEGUI DE GOSSELIN TRS  
14 STAR ISLAND DR  
MIAMI BEACH, FL 33139

FCC PROPERTIES INC  
1395 BRICKELL AVE #720  
MIAMI, FL 33131

GERALD ROBINS &W JOAN  
33 STAR ISLAND DR  
MIAMI BEACH, FL 33139-5146

IDA KIRSNER TRS  
HARRY M KIRSNER TRS  
STEVEN A KIRSNER TRS  
34 STAR ISLAND DR  
MIAMI BEACH, FL 33139

LOURDES R SANJENIS  
9 STAR ISLAND DR  
MIAMI BEACH, FL 33139

PAUL L CEJAS TRS  
PAUL L CEJAS  
29 STAR ISLAND DR  
MIAMI BEACH, FL 33139

STAR WEST PROPERTY LLC  
C/O PRAGER METIS CPAS LLC  
21700 OXNARD ST STE 2030  
WOODLAND HILLS, CA 91367

STUART A MILLER  
7 STAR ISLAND DR  
MIAMI BEACH, FL 33139-5147

WAYNE HOLMAN  
WENDY HOLMAN  
30 STAR ISLAND DR  
MIAMI BEACH, FL 33139

WAYNE HOLMAN  
30 STAR ISLAND DR  
MIAMI BEACH, FL 33139

YALE R BROWN  
37 E STAR ISLAND DR  
MIAMI BEACH, FL 33139

Name	Address	City	State	Zip	Country
36 STAR ISLAND HOLDINGS LLC C/O LOURDES C CAMBO	999 BRICKELL AVE PH 1101	MIAMI	FL	33131	USA
BRIAN L BILZIN TR C/O BILZIN SUMBERG ETALS	200 SO BISCAYNE BLVD STE 2500	MIAMI	FL	33131-5340	USA
BRIAN L BILZIN TRS	200 S BISCAYNE BLVD # 2500	MIAMI	FL	33131-5340	USA
CITY OF MIAMI BEACH CITY HALL	1700 CONVENTION CENTER DR	MIAMI BEACH	FL	33139	USA
E & A ESTATES LLC	13 STAR ISLAND DR	MIAMI BEACH	FL	33139	USA
ELISA VERASTEGUI DE GOSSELIN TRS	14 STAR ISLAND DR	MIAMI BEACH	FL	33139	USA
FCC PROPERTIES INC	1395 BRICKELL AVE #720	MIAMI	FL	33131	USA
GERALD ROBINS &W JOAN	33 STAR ISLAND DR	MIAMI BEACH	FL	33139-5146	USA
IDA KIRSNER TRS HARRY M KIRSNER TRS STEVEN A KIRSNER TRS	34 STAR ISLAND DR	MIAMI BEACH	FL	33139	USA
LOURDES R SANJENIS	9 STAR ISLAND DR	MIAMI BEACH	FL	33139	USA
PAUL L CEJAS TRS PAUL L CEJAS	29 STAR ISLAND DR	MIAMI BEACH	FL	33139	USA
STAR WEST PROPERTY LLC C/O PRAGER METIS CPAS LLC	21700 OXNARD ST STE 2030	WOODLAND HILLS	CA	91367	USA
STUART A MILLER	7 STAR ISLAND DR	MIAMI BEACH	FL	33139-5147	USA
WAYNE HOLMAN WENDY HOLMAN	30 STAR ISLAND DR	MIAMI BEACH	FL	33139	USA
WAYNE HOLMAN	30 STAR ISLAND DR	MIAMI BEACH	FL	33139	USA
YALE R BROWN	37 E STAR ISLAND DR	MIAMI BEACH	FL	33139	USA

This instrument was prepared by:  
Name: Steven W. Simon, Esq.  
Address:  
Bilzin Sumberg Baena Price & Axelrod LLP  
1450 Brickell Ave., Suite 2300  
Miami, FL33131

(Space Reserved for Clerk)

---

**OPINION OF TITLE**

To: **City of Miami Beach**

With the understanding that this Opinion of Title is furnished to the City of Miami Beach, in support of an Application for a lot split, covering the real property, or other land use approval hereinafter described, it is hereby certified that I have examined Attorneys' Title Insurance Fund, Inc. Owners Title Policy No. 2000504 dated April 17, 2006 @ 10:00 am and Old Republic National Title Insurance Company Title Search Report No. 19038567 covering the period from the beginning to the 21st day of March, 2019 at 8:00 AM, of the following described property:

**See Exhibit "A"**

I am of the opinion that on the last mentioned date, the fee simple title to the above-described real property was vested in:

**BRIAN L. BILZIN, as Trustee under the terms of The 11 Star Island Residence Land Trust Agreement dated April 10, 2006, by virtue of that certain Trustee's Deed recorded April 17, 2006 in Official Records Book 24432, Page 2852, Public Records of Miami-Dade County, Florida.**

I HEREBY CERTIFY THAT Brian L. Bilzin, as Trustee under the terms of The 11 Star Island Residence Land Trust Agreement dated April 10, 2006 ("**Trust**"), is authorized to sign documents on behalf of the Trust.

Subject to the following encumbrances, (If "none" please indicate):

1. **RECORDED MORTGAGES:**

Mortgage, Assignment of Rents, Security Agreement and Fixture Filing from Brian L. Bilzin, not individually but as trustee under the 11 Star Island Residence Land Trust Agreement dated April 10, 2006, in favor of Bank of America, N.A., recorded June 8, 2015 in Official Records Book 29647, Page 3350, Public Records of Miami-Dade County, Florida. (Mortgage encumber more property than what is in Exhibit A)

Opinion of Title

2. **SPECIAL EXCEPTIONS:**

**See Exhibit "B"**

Therefore, it is my opinion that the following party(ies) must join in the proffered document in order to make it valid and binding on the lands described herein.

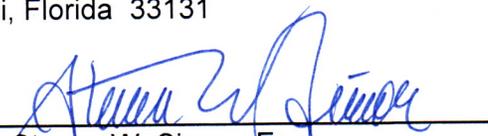
<u>Name</u>	<u>Interest</u>
Brian L. Bilzin, as Trustee of The 11 Star Island Residence Land Trust Agreement dated April 10, 2006	Owner
Bank of America, N.A.	Lender

I, the undersigned, further certify that I am an attorney-at-law duly admitted to practice in the State of Florida and a member in good standing of the Florida Bar.

Respectfully submitted this 8th day of April, 2019.

BILZIN SUMBERG BAENA PRICE &  
AXELROD LLP  
1450 Brickell Avenue, Suite 2300  
Miami, Florida 33131

By: \_\_\_\_\_



Steven W. Simon, Esq.  
Florida Bar No.: 145105  
Phone No. (305) 350-7221



EXHIBIT "A"

**LEGAL DESCRIPTION**

LOTS 10, 11 AND 12 OF STAR ISLAND (AN ISLAND IN BISCAYNE BAY), MIAMI BEACH, FLORIDA, TOGETHER WITH ALL IMPROVEMENTS THEREON AND THERETO BELONGING, AS SUCH LOTS ARE SHOWN ON A PLAT OF STAR ISLAND DULY RECORDED IN PLAT BOOK 5, PAGE 52, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, TOGETHER WITH ALL RIPARIAN RIGHTS APPURTENANT TO SAID LOTS.

EXHIBIT "B"  
**SPECIAL EXCEPTIONS**

7. General or special taxes and assessments required to be paid in the year 2018 and subsequent years.  
  
Easements, restrictions and other matters affecting title searched:
8. Dedications as shown on the Plat of STAR ISLAND, as per the Plat recorded in Plat Book Five (5) at Page Fifty-two (52) and as shown on the Plat of CORRECTED PLAT OF STAR ISLAND, duly recorded in Plat Book Thirty-one (31) at Page Sixty (60), both of the Public Records of Miami-Dade County, Florida.
9. Declaration of Dedication recorded April 7, 1920 in Deed Book 210 Page 192, as affected by Dedication recorded July 9, 1931 in Deed Book 1447 Page 324, both of the Public Records of Miami-Dade County, Florida.
10. Dedication by the Trustees of the Internal Improvement Fund recorded January 11, 1938 in Deed Book 1858 Page 377, of the Public Records of Miami-Dade County, Florida.
11. Oil, gas and mineral reservations in favor of the Trustees of the Internal Improvement Fund of the State of Florida contained in Deed No. 16,547, recorded March 28, 1917, In Deed Book 162, at Page 398. Note: The right of entry and exploration have been released pursuant to §270.11, F.S.
12. Resolution No. R-1599-83 adopting New Preliminary Assessment Role for Special Taxing District know as "Star Island Security Guard Special Taxing District" filed July 30, 1985 in Official Records Book 12589 at Page 850, as affected by Ordinance No. 81-76 Establishing Special Taxing District known as "Star Island Security Guard Special Taxing District" filed July 31, 1981 in Official Records Book 11174 at Page 165, as amended by Ordinance No. 88-19 recorded April 12, 1988, in Official Records Book 13640 Page 3057, all of the Public Records of Miami-Dade County, Florida.
13. Riparian and littoral rights are not insured.
14. Those portions of the property herein described being artificially filled in land in what was formerly navigable waters, are subject to the right of the United States Government arising by reason of the United States Government control over navigable waters in the interest of navigation and commerce.
15. The Company does not insure land including any docks lying waterward of the Westerly boundary of the real property described in Schedule "A".
16. Board Of Adjustment, City of Miami Beach, Florida, Order, recorded October 13, 2016 in Official Records Book 30264, Page 2399, Public Records of Miami-Dade County, Florida.

**NOTE:**All recording references are to the Public Records of Miami-Dade County, Florida.

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

**PROPERTY:** 10, 11, and 12 Star Island Drive

**FILE NO.** PB 18-0222

**IN RE:** An application for a Division of Land/Lot Split, pursuant to Chapter 118, Article VII of the City Code, to divide the existing site comprised of three platted lots, into three individual buildable parcels.

**LEGAL DESCRIPTION:** LOTS 10, 11, AND 12 OF CORRECTED PLAT STAR ISLAND, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 31 AT PAGE 60, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

**MEETING DATE:** June 25, 2019

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

The applicant, Brian Bilzin as trustee of the 11 Star Island Residence Land Trust Agreement, requested a Division of Land/Lot Split, pursuant to Chapter 118, Article VII of the City Code, to divide the existing site into three individual buildable parcels.

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

- A. Based on the plans and documents submitted with the application, testimony and information provided by the applicant, and the reasons set forth in the Planning Department Staff Report, the project as submitted is consistent with Planning Board "Division of Land/Division of Land/Lot Split" criteria in Section 118-321.B of the City Code.
- B. The project would remain consistent with the criteria and requirements of Section 118-321.B of the City Code, subject to the subject to the following conditions, to which the Applicant has agreed:
  - 1. The three (3) lots created pursuant to this lot split application at 10,11 and 12 Star Island Drive, shall comply with the following:
    - a. The subject lots shall not be subdivided any further.
    - b. Design Review Board review and approval shall be required for any new home on each lot.

*MS*

June 25, 2019

PB 18-0222 - 10, 11, AND 12 Star Island Drive

Page 2 of 4

---

- c. The building parcels created by this lot split shall be as depicted on the signed and sealed surveys by American Services of Miami, CORP., dated 04-11-2019.
  - 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 50% or the maximum permitted at the administrative level at the time of building permit.
  - g. The maximum lot coverage for each lot shall be limited to the lesser of 30% or the maximum permitted at the administrative level at the time of building permit.
  - h. Variances shall be prohibited for any construction on each of the lots.
  - i. Prior to the issuance of a Building Permit the existing Docks shall be removed or modified to comply with setbacks and projection requirements for each lot, per Section 66-113 and 142-1132 of the City Code.
  - j. Prior to the issuance of a Building Permit, a tree report prepared by a certified arborist for all of the existing trees on site shall be submitted for the review and evaluation of the CMB Urban Forester. Any trees identified to be in good health shall be retained or relocated if determined to be feasible by the CMB Urban Forester.
  - k. A copy of all pages of the recorded Final Order shall be scanned into the plans submitted for building permit, and shall be located immediately after the front cover page of the permit plans.
2. The applicant and/or owner, for each lot created herein, both now and in the future, shall abide by all the documents and statements submitted with this application for Division of Land/Lot Split, as well as all conditions of this Order. The conditions of approval for this Lot Split are binding on the applicant, the property owners, and all successors in interest and assigns.
  3. The Planning Board shall maintain jurisdiction of this Lot Split approval. If deemed necessary, at the request of the Planning Director, the applicant shall provide a progress report to the Board. The Board reserves the right to modify

MS

June 25, 2019

PB 18-0222 - 10, 11, AND 12 Star Island Drive

Page 3 of 4

the Lot Split approval at the time of a progress report in a non-substantive manner, to impose additional conditions to address problems and to determine the timing and need for future progress reports. This Lot Split is also subject to modification or revocation under Section 118-323 of the City Code.

4. The applicant and/or owner of each property shall resolve all outstanding violations and fines on each respective property, if any, prior to the issuance of a building permit for any home proposed.
5. This order is not severable, and if any provision or condition hereof is held void or unconstitutional in a final decision by a court of competent jurisdiction, the order shall be returned to the Board for reconsideration as to whether the order meets the criteria for approval absent the stricken provision or condition, and/or it is appropriate to modify the remaining conditions or impose new conditions.
6. The executed Order for the Division of Land/Lot Split shall be recorded in the Public Records of Miami-Dade County, Florida, at the expense of the applicant.
7. The Lot Split approval approved herein shall comply with all the aforementioned conditions of approval; non-compliance shall constitute a violation of the City Code, and shall be subject to enforcement procedures set forth in Section 114-8 of the City Code and such other enforcement procedures as are permitted by law. Any failure by the applicant to comply with the conditions of this Order shall also constitute a basis for consideration by the Planning Board for a revocation of this approval.
8. Nothing in this order authorizes a violation of the City Code or other applicable law, nor allows a relaxation of any requirement or standard set forth in the City Code.

IT IS HEREBY ORDERED, based upon the foregoing findings of fact, the evidence, information, testimony and materials presented at the public hearing, which are part of the record for this matter, and the staff report and analysis, which is adopted herein, including staff recommendations, as modified by the Planning Board that the Division of Land/Lot Split as requested and set forth above be GRANTED, subject to those certain conditions specified in Paragraph B of the Findings of Fact (Condition Nos. 1-8, inclusive) hereof, to which the applicant has agreed.

Dated this 9<sup>th</sup> day of July, 2019.

MB

June 25, 2019

PB 18-0222 - 10, 11, AND 12 Star Island Drive

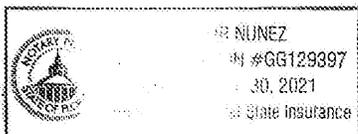
Page 4 of 4

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 )

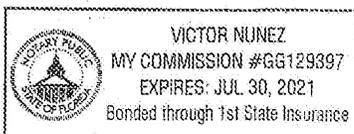
The foregoing instrument was acknowledged before me this 9 day of July, 2019, by Michael Belush, Chief of Planning and Zoning of the City of Miami Beach, Florida, a Florida Municipal Corporation, on behalf of the corporation. He is personally known to me.



Victor Nunez

Notary:  
Print Name:  
Notary Public, State of Florida  
My Commission Expires: 06124397  
Commission Number: July 30, 2021

[NOTARIAL SEAL]



Approved As To Form:  
Legal Department (Nick Calleja) 7/1/2019

Filed with the Clerk of the Planning Board on Jessica Gurling (7/9/19)

*MB*

---

## Response Narrative

---

PROJECT: 10 Star Island Dr. Miami Beach, FL.

DATE: March 23, 2020

RE: PB20-0346 Planning Board Comments

---

### Planning Department Review

---

1. Opinion of title not submitted. This is required to move forward.
  - a. The current application is not a lot split and does not require an opinion of title. The opinion of title for the original lot split has been submitted as part of this package. Since the lot split approval, lot 10 has been sold and is owned by the Applicant of the current PB application as evident by the Trustee's Deed. Trustee's Deed has been submitted as part of this package.
2. Landscape review was not done this time, however per previous lot split application comments: 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.
  - a. The comment is noted and the landscape plans have been provided as part of the PB and DRB submittal.
3. Survey/Plans: It seems that the existing dock will not meet setbacks if divided. It must be removed or reconfigured to comply with code. Please clarify this on the site plans. The site plan should show a dock that complies with code, including setbacks, projection, dimensions, etc. , or labeled as not part of this application and to be reconfigured to comply with code at permit process.
  - a. The following note has been added to the plans: "Existing dock not part of this application & to be reconfigured to comply with code at permit process."
4. Zoning Data: Please use City of Miami beach Zoning Data Check list item 11c.
  - a. The City of Miami Beach Zoning Data Sheet has been used and is provided on sheet A-060.
5. Plans must be set up on 11"X 17" format not 36" x 24" (Check list item 12), and make sure all text, dimensions are legible.
  - a. Plans have been formatted to 11x17" and all text and dimensions have been scaled up to increase legibility.
6. Electronic files should not exceed 15 MB.
  - a. Electronic files have been downsized as much as possible and segregated not to exceed 15MB.
7. Please provide a narrative response to these comments.
  - a. Narrative provided herein.

This instrument prepared by and after  
return to::

Brian L. Bilzin, Esq.  
Bilzin Sumberg Baena Price & Axelrod LLP  
1450 Brickell Avenue, Suite 2300  
Miami, Florida 33131

After Recording to:  
Lani Capote-Dull, Esq.  
Capote & Capote, P.A.  
1111 Brickell Avenue, Suite 2200  
Miami, FL 33131

Property Appraiser's Tax I.D. No. 02-4204-001-0100

(Above Space for Recorder's Use Only)

### **TRUSTEE'S DEED**

THIS TRUSTEE'S DEED, made as of the 26 day of July, 2019, by and between Brian L. Bilzin, as Trustee under the terms of The 11 Star Island Residence Land Trust Agreement dated April 10, 2006, ("Grantor"), with a mailing address of 1450 Brickell Avenue, Suite 2300, Miami, Florida 33131 and Star West Property LLC, a Florida limited liability company ("Grantee"), with a mailing address at c/o Prager Metis CPAs, LLC, 21700 Oxnard Street, Suite 2030, Woodland Hills, California 91367.

Grantor, for and in consideration of the sum of Ten and no/100 (\$10.00) Dollars, and other good and valuable consideration, to Grantor in hand paid by Grantee, the receipt whereof is hereby acknowledged, does grant, bargain, sell and convey to the Grantee, their heirs, successors and assigns forever, the following described land, situate, lying and being in Miami-Dade County, Florida, more particularly described on Exhibit "A" (the "Property").

SUBJECT TO real estate taxes and assessments for the year 2019 and subsequent years; and covenants, conditions, restrictions, reservations, limitations and easements of record, if any, but this reference shall not operate to reimpose same.

The subject property is not the homestead property of Grantor, the property is vacant.

The Grantor trustee herein is acting in his capacity as trustee only as he is not a beneficiary of the Grantor Trust.

TO HAVE AND TO HOLD the same in fee simple forever, together with all singular and appurtenances belonging or in anyway appertaining and all the estate, right, title and interest of Grantor to Grantee, its successors and assigns forever.

Notwithstanding anything to the contrary herein, Grantor executes this Trustee's Deed solely in its capacity as Trustee, and by doing so, assumes and shall have no personal liability, obligation or responsibility whatsoever related to or arising from this Trustee's Deed, the Property, its condition, the ownership thereof, the condition of title, or any other matter whatsoever.



**Exhibit "A"**  
**LEGAL DESCRIPTION**

Lot 10 of Star Island according to the Plat thereof as recorded in Plat Book 5, Page 52, of the Public Records of Miami-Dade County, Florida.

Also known as

Lot 10, Corrected Plat of Star Island according to the Plat thereof as recorded in Plat Book 31, Page 60, of the Public Records of Miami-Dade County, Florida.