

# MIAMI BEACH

PLANNING DEPARTMENT  
Staff Report & Recommendation

Design Review Board

TO: Chairperson and Members  
Design Review Board

DATE: April 07, 2020

FROM: Thomas R. Mooney, AICP  
Planning Director



SUBJECT: **DRB19-0493, 1790 Alton Road**

An application has been filed requesting Design Review Approval for the construction of a new one-story retail bank building on a vacant site.

## **RECOMMENDATION:**

Continue to a future meeting date

## **LEGAL DESCRIPTION:**

Lot 1, Block 17-A of "ISLAND VIEW SUBDIVISION", according to the Plat thereof, as recorded in Plat Book 6, at Page 115, of the Public Records of Miami-Dade County, Florida, less beginning at the northwesterly corner of Lot 1; thence south along the westerly line of Lot 1 for 169.41 feet to a point where the westerly line of Lot 1 intersects the northerly line of Dade Boulevard; thence northeasterly along the northerly line of Dade Boulevard for 65.7 feet to a point; thence northwesterly along a line deflecting 90 degrees to the left for 65.95 feet to a point; thence northerly along a line deflecting to the right 29 degrees 22'37" for 79.65 feet to a point being on the southerly line of 18<sup>th</sup> Street for 24.9 feet to the point of beginning, together with all the appurtenances therunto belonging in anywise appertaining. (Special Warranty Deed, dated October 15<sup>th</sup> 1993, recorded in Official Records Book 16367, Page 4229, Miami-Dade County Records).

## **SITE DATA:**

Zoning: CD-2  
Future Land Use: CD-2  
Parking District: 5  
Lot Size: 10,331 SF  
Proposed FAR: 3,000 SF/ 1.5\*  
Permitted FAR: 15,497 SF/ 1.5

\*As represented by the applicant

Height:  
Proposed: 15'-9" from BFE +1'  
Maximum: 50'-0"  
CMB Grade: 5.4' NGVD  
Base Flood Elevation: 8' NGVD

Proposed Use: Bank  
Required Parking: 10 Spaces  
Provided Parking: 10 Spaces  
Bicycle Racks: **2 required | 6 provided**

## **SURROUNDING PROPERTIES:**

North: Five-Story 2018 Commercial  
South: Five-story Hotel  
Under Construction  
West: One-story 1965 Commercial  
East: Two-story 1982 Office

## **THE PROJECT:**

The applicant has submitted plans entitled "Global Bank", as designed by **Studio Mc+G Architecture**, signed, sealed, and dated February 10, 2020.

The applicant is proposing a new one-story bank on a vacant corner parcel.

**COMPLIANCE WITH ZONING CODE:**

A preliminary review of the project indicates that the application, as proposed, appears to be inconsistent with the following sections of the City Code:

1. Pursuant to Section 142-874 Required enclosures: Mechanical equipment. All mechanical equipment located above the roof deck shall be enclosed or screened from public view.
2. URBAN HEAT ISLAND ORDINANCE Sec. 130-69. - Commercial and noncommercial parking lots. 3) Open- air parking lots, open to the sky, shall be constructed with (i) a high albedo surface consisting of a durable material or sealant in order to minimize the urban heat island effect, or ii) porous pavement. The provisions of this paragraph shall apply to all parking areas, and all drive lanes and ramps.

The above noted comments shall not be considered final zoning review or approval. These and all zoning matters shall require final review and verification by the Zoning Administrator prior to the issuance of a Building Permit.

**COMPLIANCE WITH DESIGN REVIEW CRITERIA:**

Design Review encompasses the examination of architectural drawings for consistency with the criteria stated below with regard to the aesthetics, appearances, safety, and function of the structure or proposed structures in relation to the site, adjacent structures and surrounding community. Staff recommends that the following criteria are found to be satisfied, not satisfied or not applicable, as hereto indicated:

1. The existing and proposed conditions of the lot, including but not necessarily limited to topography, vegetation, trees, drainage, and waterways.  
**Satisfied**
2. The location of all existing and proposed buildings, drives, parking spaces, walkways, means of ingress and egress, drainage facilities, utility services, landscaping structures, signs, and lighting and screening devices.  
**Not Satisfied; the additional curbing/driveway onto Dade Boulevard is not supported for the triangular lot.**
3. The dimensions of all buildings, structures, setbacks, parking spaces, floor area ratio, height, lot coverage and any other information that may be reasonably necessary to determine compliance with the requirements of the underlying zoning district, and any applicable overlays, for a particular application or project.  
**Not Satisfied; the additional curbing/driveway onto Dade Boulevard is not supported for the triangular lot.**
4. The color, design, selection of landscape materials and architectural elements of Exterior Building surfaces and primary public interior areas for Developments requiring a Building Permit in areas of the City identified in section 118-252.  
**Satisfied**
5. The proposed site plan, and the location, appearance and design of new and existing Buildings and Structures are in conformity with the standards of this Ordinance and other applicable ordinances, architectural and design guidelines as

adopted and amended periodically by the Design Review Board and Historic Preservation Boards, and all pertinent master plans.

**Satisfied**

6. The proposed Structure, and/or additions or modifications to an existing structure, indicates a sensitivity to and is compatible with the environment and adjacent Structures, and enhances the appearance of the surrounding properties.

**Satisfied**

7. The design and layout of the proposed site plan, as well as all new and existing buildings shall be reviewed so as to provide an efficient arrangement of land uses. Particular attention shall be given to safety, crime prevention and fire protection, relationship to the surrounding neighborhood, impact on contiguous and adjacent Buildings and lands, pedestrian sight lines and view corridors.

**Not Satisfied; the additional curbing/driveway onto Dade Boulevard is not supported for the triangular lot.**

8. Pedestrian and vehicular traffic movement within and adjacent to the site shall be reviewed to ensure that clearly defined, segregated pedestrian access to the site and all buildings is provided for and that all parking spaces are usable and are safely and conveniently arranged; pedestrian furniture and bike racks shall be considered. Access to the Site from adjacent roads shall be designed so as to interfere as little as possible with traffic flow on these roads and to permit vehicles a rapid and safe ingress and egress to the Site.

**Not Satisfied; the additional curbing/driveway onto Dade Boulevard is not supported for the triangular lot.**

9. Lighting shall be reviewed to ensure safe movement of persons and vehicles and reflection on public property for security purposes and to minimize glare and reflection on adjacent properties. Lighting shall be reviewed to assure that it enhances the appearance of structures at night.

**Not Satisfied; a lighting plan has not been submitted.**

10. Landscape and paving materials shall be reviewed to ensure an adequate relationship with and enhancement of the overall Site Plan design.

**Satisfied**

11. Buffering materials shall be reviewed to ensure that headlights of vehicles, noise, and light from structures are adequately shielded from public view, adjacent properties and pedestrian areas.

**Not Satisfied; the additional curbing/driveway onto Dade Boulevard is not supported for the triangular lot.**

12. The proposed structure has an orientation and massing which is sensitive to and compatible with the building site and surrounding area and which creates or maintains important view corridor(s).

**Satisfied**

13. The building has, where feasible, space in that part of the ground floor fronting a street or streets which is to be occupied for residential or commercial uses; likewise, the upper floors of the pedestal portion of the proposed building fronting a street, or streets shall have residential or commercial spaces, shall have the appearance of

being a residential or commercial space or shall have an architectural treatment which shall buffer the appearance of the parking structure from the surrounding area and is integrated with the overall appearance of the project.

**Not Satisfied; the additional curbing/driveway onto Dade Boulevard is not supported for the triangular lot.**

14. The building shall have an appropriate and fully integrated rooftop architectural treatment which substantially screens all mechanical equipment, stairs and elevator towers.

**Satisfied**

15. An addition on a building site shall be designed, sited and massed in a manner which is sensitive to and compatible with the existing improvement(s).

**Not Applicable**

16. All portions of a project fronting a street or sidewalk shall incorporate an architecturally appropriate amount of transparency at the first level in order to achieve pedestrian compatibility and adequate visual interest.

**Satisfied**

17. The location, design, screening and buffering of all required service bays, delivery bays, trash and refuse receptacles, as well as trash rooms shall be arranged so as to have a minimal impact on adjacent properties.

**Not Applicable**

18. In addition to the foregoing criteria, subsection [118-]104(6)(t) of the city Code shall apply to the design review board's review of any proposal to place, construct, modify or maintain a wireless communications facility or other over the air radio transmission or radio reception facility in the public rights-of-way.

**Not Applicable**

19. The structure and site complies with the sea level rise and resiliency review criteria in Chapter 133, Article II, as applicable.

**Not Satisfied; see below**

#### **COMPLIANCE WITH SEA LEVEL RISE AND RESILIENCY REVIEW CRITERIA**

Section 133-50(a) of the Land Development establishes review criteria for sea level rise and resiliency that must be considered as part of the review process for board orders. The following is an analysis of the request based upon these criteria:

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

**Not Satisfied**

**A recycling plan shall be provided as part of the submittal for a demolition/building permit to the building department.**

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

**Satisfied**

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

**Satisfied**

- (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.

**Satisfied**

- (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.

**Satisfied**

- (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 of up to three (3) additional feet in height.

**Satisfied**

- (7) In all new projects, all critical mechanical and electrical systems shall be located above base flood elevation. Due to flooding concerns, all redevelopment projects shall, whenever practicable, and economically reasonable, move all critical mechanical and electrical systems to a location above base flood elevation.

**Satisfied**

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

**Not Applicable**

- (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.

**Not Applicable**

- (10) In all new projects, water retention systems shall be provided.

**Not Satisfied**

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

**Not Satisfied**

- (12) The project design shall minimize the potential for a project causing a heat island effect on site.

**Not Satisfied**

**ANALYSIS:**  
**DESIGN REVIEW**

The applicant is proposing to construct a new one-story bank building on a vacant corner lot within the eastern boundaries of the Sunset Harbour neighborhood. The irregular-shaped lot is defined by an acute corner and is bounded by 18<sup>th</sup> Street to the north, Alton Road to the east, and Dade Boulevard to the south.

The proposed one-story bank building has been designed in a simple, contemporary style. The 3,000 square foot bank building follows to the acute angles of the site along the street edges, nestled into the northeastern corner of the site with surface parking cutting through

the southwestern portion of the property. The design features an expansive concrete roof structure of waffle-like blocks, glazed window walls along the street facing facades and a more stoic façade of scored stucco and glazing facing the parking lot.

This irregular-shaped property is located at the southeast edge of the pedestrian-friendly Sunset Harbour neighborhood. The pedestrian and retail activated portion of the site is proposed along 18<sup>th</sup> Street, yet the design, in plans and elevations, emphasize the southeast corner of the site, where Dade Boulevard meets a segmented portion of Alton Road and which is the vehicular fringe of the neighborhood. The main entrance and the bicycle parking are located at this intersection, with a double-wide sidewalk along the eastern edge of the private property. The 18<sup>th</sup> Street façade, and the northeast corner of the property, lack prominence and feature a narrow, secondary staircase that is identified as 'staff exit'. Staff recommends activating the northeast corner of the site with a prominent staircase entrance, removing the secondary stair, and continuing the architectural screening as armature on 18<sup>th</sup> Street to buffer the parking lot. This may require modifications to the interior floor plan.

Alton Road functions as one of the main commercial corridors in the City and this corner location is a major entrance to a pedestrian oriented neighborhood. The site plan does not adequately address the urban conditions of the commercial corridor. Additionally, the proposed new bank is executed in a manner that could be sited anywhere and fails to respond to the specific urban conditions of the roadway, neighborhood and pedestrian streetscape.

While the program of the site does not require a larger building, there is a missed opportunity to transform the site into a welcoming pedestrian plaza with a form of architectural armature that engages the building and frames around the site delineating the entrance to the parking lot, the pedestrian plaza and concealing the parking. Further, the proposed surface parking is too dominant on the site with curbcuts on both 18<sup>th</sup> Street and Dade Boulevard. City staff has very serious concerns with the site plan, as it relies on two separate driveways and exposed surface parking on the small 10,331 SF triangular lot. The additional curbcut on Dade Boulevard will continue to fracture the flow and general ease of the pedestrian heavy area. In general, staff strongly recommends significant modifications to the site and floor plan that include relocating the FPL vault internally within the building, relocating the bicycle racks so as to not conflict with stairs, ensuring that the lobby of the bank is entirely of glass, and revising the location of the ramp to meet with northeast staircase entrance.

In summary, staff recommends that the design be substantially refined with the design direction provided herein, and/or directions from the Board. Based on this analysis, staff recommends continuance of the application to a future date in order to address staff concerns and Board direction.

**RECOMMENDATION:**

In view of the foregoing analysis, staff recommends the application be continued to June 02, 2020, subject to the conditions enumerated in the attached Draft Order, which address the inconsistencies with the aforementioned Design Review and Sea Level Rise criteria. However, should the Design Review Board move to approve the application, staff recommends that such approval be subject to the conditions enumerated in the attached draft Final Order.

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

MEETING DATE: April 07, 2020

PROPERTY/FOLIO: **1790 Alton Road** 02-3233-012-0700

FILE NO: DRB19-0493

IN RE: An application has been filed requesting Design Review Approval for the construction of a new one-story retail bank building on a vacant site.

LEGAL: Lot 1, Block 17-A of "ISLAND VIEW SUBDIVISION", according to the Plat thereof, as recorded in Plat Book 6, at Page 115, of the Public Records of Miami-Dade County, Florida, less beginning at the northwesterly corner of Lot 1; thence south along the westerly line of Lot 1 for 169.41 feet to a point where the westerly line of Lot 1 intersects the northerly line of Dade Boulevard; thence northeasterly along the northerly line of Dade Boulevard for 65.7 feet to a point; thence northwesterly along a line deflecting 90 degrees to the left for 65.95 feet to a point; thence northerly along a line deflecting to the right 29 degrees 22'37" for 79.65 feet to a point being on the southerly line of 18th Street for 24.9 feet to the point of beginning, together with all the appurtenances therunto belonging in anywise appertaining. (Special Warranty Deed, dated October 15th 1993, recorded in Official Records Book 16367, Page 4229, Miami-Dade County Records).

**ORDER**

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

**I. Design Review**

- A. The Board has jurisdiction pursuant to Section 118-252(a) of the Miami Beach Code. The property is not located within a designated local historic district and is not an individually designated historic site.
- B. Based on the plans and documents submitted with the application, testimony and information provided by the applicant, and the reasons set forth in the Planning Department Staff Report, the project as submitted is inconsistent with Design Review Criteria 2, 8, 9, 13 and 19 in Section 118-251 of the Miami Beach Code.
- C. Based on the plans and documents submitted with the application, testimony and information provided by the applicant, and the reasons set forth in the Planning Department Staff Report, the project as submitted is inconsistent with Sea Level Rise Criteria 1, 10, 11 and 12 in Section 133-50(a) of the Miami Beach Code.
- D. The project would be consistent with the criteria and requirements of Section 118-251 and/ or Section 133-50(a) if the following conditions are met:

1. Revised elevation, site plan, and floor plan drawings for the proposed new home at 1790 Alton Road shall be submitted, at a minimum, such drawings shall incorporate the following:
  - a. URBAN HEAT ISLAND ORDINANCE Sec. 130- 69. - Commercial and noncommercial parking lots. 3) Open- air parking lots, open to the sky, shall be constructed with (i) a high albedo surface consisting of a durable material or sealant in order to minimize the urban heat island effect, or ii) porous pavement. The provisions of this paragraph shall apply to all parking areas, and all drive lanes and ramps.
  - b. The proposed one-way driveway and curbcut from Dade Boulevard shall not be permitted as proposed. The surface parking area shall be revised with a single, two-way driveway onto 18<sup>th</sup> Street, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board..
  - c. The architectural screening shall continue as armature to screen/buffer parking along 18<sup>th</sup> Street, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board..
  - d. The northeast corner of building shall be redesigned to incorporate a prominent stair entrance, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
  - e. The 'staff exist' staircase shall be removed from the 18<sup>th</sup> Street elevation.
  - f. The ramp shall be redesigned to provide access the staircase at northeast corner of project.
  - g. Pathways from the parking to the bank shall be provided.
  - h. The FPL vault shall be relocated internally within building.
  - i. The backflow preventer shall be relocated to the rear elevation of the building.
  - j. The final design details of architectural screening shall be submitted, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
  - k. The surface parking area shall be revised to not include additional curbing and driveway onto Dade Boulevard.



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

consistent with the Design Review Criteria and/or the directions from the Board.

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

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

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

- A. No variance(s) were filed as part of this application.

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

- A. Upon the issuance of a final Certificate of Occupancy or Certificate of Completion, as applicable, the project approved herein shall be maintained in accordance with the plans approved by the board, and shall be subject to all conditions of approval herein, unless otherwise modified by the Board. Failure to maintain shall result in the issuance of a Code Compliance citation, and continued failure to comply may result in revocation of the Certificate of Occupancy, Completion and Business Tax Receipt.
- B. If applicable, a Construction Parking and Traffic Management Plan (CPTMP) shall be approved by the Parking Director pursuant to Chapter 106, Article II, Division 3 of the City Code, prior to the issuance of a Building Permit.
- C. All applicable FPL transformers or vault rooms and backflow prevention devices shall be located within the building envelope with the exception of the valve (PIV) which may be visible and accessible from the street.
- D. A copy of all pages of the recorded Final Order shall be scanned into the plans submitted for building permit, and shall be located immediately after the front cover page of the permit plans.
- E. The Final Order shall be recorded in the Public Records of Miami-Dade County, prior to the issuance of a Building Permit.
- F. Satisfaction of all conditions is required for the Planning Department to give its approval on a Certificate of Occupancy; a Temporary Certificate of Occupancy or Partial Certificate of Occupancy may also be conditionally granted Planning Departmental approval.
- G. The Final Order is not severable, and if any provision or condition hereof is held void or unconstitutional in a final decision by a court of competent jurisdiction, the order shall be returned to the Board for reconsideration as to whether the order meets the criteria for approval absent the stricken provision or condition, and/or it is appropriate to modify the remaining conditions or impose new conditions.
- H. The conditions of approval herein are binding on the applicant, the property's owners, operators, and all successors in interest and assigns.
- I. Nothing in this order authorizes a violation of the City Code or other applicable law, nor allows a relaxation of any requirement or standard set forth in the City Code.

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

PROVIDED, the applicant shall build substantially in accordance with the plans, entitled "Global Bank", as designed by **Studio Mc+G Architecture**, signed, sealed, and dated February 10, 2020, and as approved by the Design Review Board, as determined by staff.

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

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

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

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

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

DESIGN REVIEW BOARD  
THE CITY OF MIAMI BEACH, FLORIDA

BY: \_\_\_\_\_  
JAMES G. MURPHY  
CHIEF OF URBAN DESIGN  
FOR THE CHAIR

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

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_ by James G. Murphy, Chief of Urban Design, Planning Department, City of Miami Beach, Florida, a Florida Municipal Corporation, on behalf of the Corporation. He is personally known to me.

\_\_\_\_\_

NOTARY PUBLIC  
Miami-Dade County, Florida  
My commission expires: \_\_\_\_\_

Approved As To Form:  
City Attorney's Office: \_\_\_\_\_ (                      )

Filed with the Clerk of the Design Review Board on \_\_\_\_\_ (                      )

DRB