

MIAMI BEACH

PLANNING DEPARTMENT

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

LAND USE BOARD HEARING APPLICATION

The following application is submitted for review and consideration of the project described herein by the land use board selected below. A separate application must be completed for each board reviewing the proposed project.

Application Information			
FILE NUMBER		Is the property the primary residence & homestead of the applicant/property owner? ☐ Yes ☒ No (if "Yes," provide office of the property appraiser summary report)	
Board of Adjustment ☐ Variance from a provision of the Land Development Regulations ☐ Appeal of an administrative decision ☒ Modification of existing Board Order		Design Review Board ☐ Design review approval ☐ Variance ☒ Modification of existing Board Order	
Planning Board ☐ Conditional Use Permit ☐ Lot Split ☐ Amendment to the Land Development Regulations or Zoning Map ☐ Amendment to the Comprehensive Plan or Future Land Use Map ☐ Modification of existing Board Order		Historic Preservation Board ☐ Certificate of Appropriateness for design ☐ Certificate of Appropriateness for demolition ☐ Historic District/Site Designation ☐ Variance ☐ Modification of existing Board Order	
☒ Other: requesting no changes to Planning Board approval, only requesting Design Board Modification; Flipping staircase.			
Property Information - Please attach Legal Description as "Exhibit A"			
ADDRESS OF PROPERTY 1787 Purdy Avenue			
FOLIO NUMBER(S) 02-3233-012-0590			
Property Owner Information			
PROPERTY OWNER NAME AP SUNSET HARBOUR LP			
ADDRESS 1616 CAMDEN RD STE 210		CITY CHARLOTTE	STATE NC
ZIP CODE 28203			
BUSINESS PHONE 7044231722	CELL PHONE 3369700302	EMAIL ADDRESS wbritton@asanapartners.com	
Applicant Information (if different than owner)			
APPLICANT NAME TB PURDY RESTAURANT LLC			
ADDRESS 2640 S BAYSHORE DR SUITE 302		CITY MIAMI	STATE FL
ZIP CODE 33133			
BUSINESS PHONE 786 866 9854	CELL PHONE 3054316194	EMAIL ADDRESS francesco@grovebaygroup.com	
Summary of Request			
PROVIDE A BRIEF SCOPE OF REQUEST WE ARE REQUESTING TO FLIP THE STAIRCASE IN PREVIOUS FILE 23220 FROM INTERIOR TO EXTERIOR STAIRCASE. FIRE AND BUILDING AGREED IT TO BE A BETTER DESING.			

Project Information				
Is there an existing building(s) on the site?		☒ Yes		☐ No
If previous answer is "Yes", is the building architecturally significant per sec. 142-108?		☐ Yes		☒ No
Does the project include interior or exterior demolition?		☒ Yes		☐ No
Provide the total floor area of the new construction.		FAR OF NEW CONSTRUCTION		425 SQ. FT.
Provide the gross floor area of the new construction (including required parking and all usable area).		2212		SQ. FT.
Party responsible for project design including open deck				
NAME JOHN MCINNIS		☒ Architect ☐ Contractor ☐ Landscape Architect ☐ Engineer ☐ Tenant ☐ Other _____		
ADDRESS 14521 HARRIS PLACE		CITY Miami Lakes	STATE FL	ZIPCODE 33014
BUSINESS PHONE 786338902	CELL PHONE 786338902	EMAIL ADDRESS jmcinnis@sai-designs.com		
Authorized Representative(s) Information (if applicable)				
NAME John McInnis, RA		☐ Attorney ☐ Contact ☐ Agent ☒ Other architect		
ADDRESS 14521 HARRIS PLACE		CITY Miami Lakes	STATE FL	ZIPCODE 33014
BUSINESS PHONE 7863380902	CELL PHONE 7863380902	EMAIL ADDRESS jmcinnis@sai-designs.com		
NAME		☐ Attorney ☐ Contact ☐ Agent ☐ Other _____		
ADDRESS		CITY	STATE	ZIPCODE
BUSINESS PHONE	CELL PHONE	EMAIL ADDRESS		
NAME		☐ Attorney ☐ Contact ☐ Agent ☐ 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 foregoing disclosure requirement was not timely satisfied by the person or entity requesting approval, relief or other action as provided above, then (I) the application or order, as applicable, shall immediately be deemed null and void without further force or effect, and (II) no application form said person or entity for the subject property shall be reviewed or considered by the applicable board(s) until expiration of a period of one year after the nullification of the application or order. It shall be unlawful to employ any device, scheme or artifice to circumvent the disclosure requirements of this section and such circumvention shall be deemed a violation of the disclosure requirements of this section.
- When the applicable board reaches a decision a final order will be issued stating the board's decision and any conditions imposed therein. The final order will be recorded with the Miami-Dade Clerk of Courts. The original board order shall remain on file with the City of Miami Beach Planning Department. Under no circumstances will a building permit be issued by the City of Miami Beach without a copy of the recorded final order being included and made a part of the plans submitted for a building permit.

The aforementioned is acknowledged by:

☒ Owner of the subject property☐ Authorized representative**SIGNATURE****PRINT NAME**

5.6.20



OWNER AFFIDAVIT FOR INDIVIDUAL OWNER

STATE OF _____

COUNTY OF _____

I, _____, 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

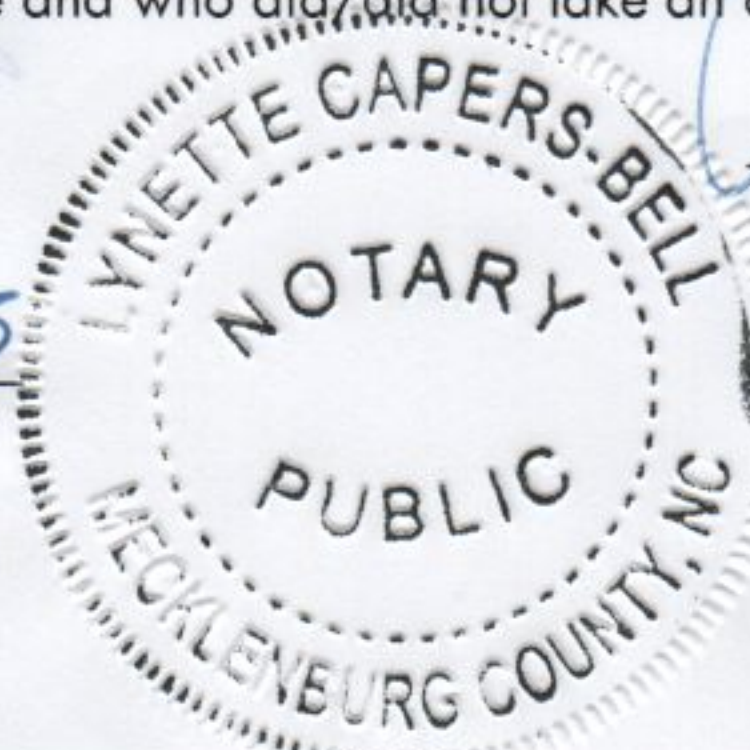
My Commission Expires: _____

PRINT NAME**ALTERNATE OWNER AFFIDAVIT FOR CORPORATION, PARTNERSHIP OR LIMITED LIABILITY COMPANY**STATE OF NCCOUNTY OF Mecklenburg

I, R66D KRACKE, being first duly sworn, depose and certify as follows: (1) I am the MANAGING DIRECTOR (print title) of AP Sunset Harbor, LD (print name of corporate entity). (2) I am authorized to file this application on behalf of such entity. (3) This application and all information submitted in support of this application, including sketches, data, and other supplementary materials, are true and correct to the best of my knowledge and belief. (4) The corporate entity named herein is the owner of the property that is the subject of this application. (5) I acknowledge and agree that, before this application may be publicly noticed and heard by a land development board, the application must be complete and all information submitted in support thereof must be accurate. (6) I also hereby authorize the City of Miami Beach to enter my property for the sole purpose of posting a Notice of Public Hearing on my property, as required by law. (7) I am responsible for remove this notice after the date of the hearing.

Sworn to and subscribed before me this 6 day of May, 2020. The foregoing instrument was acknowledged before me by R66D Kracke, who has produced DL 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: Feb 23, 2025

Lynette Capers-Bell
SIGNATURE
Lynette Capers-Bell
PRINT NAME

POWER OF ATTORNEY AFFIDAVIT

NA

STATE OF _____

COUNTY OF _____

I, _____, 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 _____ to be my representative before the _____ 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.

PRINT NAME (and Title, if applicable)**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**CONTRACT FOR PURCHASE**

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

NAME**DATE OF CONTRACT**

NAME, ADDRESS AND OFFICE

% OF STOCK

In the event of any changes of ownership or changes in contracts for purchase, subsequent to the date that this application is 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.

TB PURDY RESTAURANT LLC

NAME OF CORPORATE ENTITY

NAME AND ADDRESS

JEFF MCINNIS & JANINE BOOTH (MARRIED)

12790 GRIFFING BLVD. NORTH MIAMI, FL 33161

% OF OWNERSHIP

50

FRANCESCO BALI

2640 S BAYSHORE DR. SUITE 302

MIAMI FL, 33133

50

AP SUNSET HARBOUR, LP

NAME OF CORPORATE ENTITY

NAME AND ADDRESS

ASANA PARTNERS SELECT RETAIL FUND, LP

1616 CAMDEN ROAD, SUITE 210

CHARLOTTE, NC 28203

MANAGING MEMBERS OF ASANA PARTNERS SELECT RETAIL FUND, LP

% OF OWNERSHIP

100

TERRY S. BROWN

33.3

SAMUEL E. JUDD

33.3

JASON TOMPKINS

33.3

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

NA

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.

TRUST NAME	
NAME AND ADDRESS	% INTEREST

COMPENSATED LOBBYIST

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

NAME	ADDRESS	PHONE
JOHN MCINNIS	14521 HARRIS PL, MIAMI LAKES, FL 33014	786.338.0902
JEFF MCINNIS	12790 GRIFFING BLVD., N. MIAMI, FL 33161	305.746.1105

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

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

APPLICANT AFFIDAVIT

STATE OF FLORIDA

COUNTY OF DADE

I, JOHN MCINNIS, 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.

John McInnis
SIGNATURE

Sworn to and subscribed before me this 8 day of May, 2020. The foregoing instrument was acknowledged before me by John McInnis, who has produced Florida Drivers License as identification and/or is personally known to me and who did/did not take an oath.

NOTARY SEAL OR STAMP

My Commission Expires: _____



Angel Mojica
Notary Public
State of Florida
My Commission Expires 02/01/2022
Commission No. GG 181918

Angel Mojica
NOTARY PUBLIC
Angel Mojica
PRINT NAME