

MIAMI BEACH

PLANNING DEPARTMENT

Staff Report & Recommendation

Historic Preservation Board

TO: Chairperson and Members
Historic Preservation Board

DATE: August 11, 2020

FROM: Thomas R. Mooney, AICP
Planning Director



SUBJECT: HPB20-0398, **835 Alton Road.**

An application has been filed requesting a one (1) year extension of Time for a previously approved Certificate of Appropriateness (HPB18-0198) for the construction of a 1-story ground level addition and modifications to the north and west facades.

RECOMMENDATION

Approval of the Extension of Time with conditions

BACKGROUND

On February 13, 2018, the Board reviewed and approved a Certificate of Appropriateness (HPB17-0178) for the partial demolition and renovation of the Non-Contributing structure including design modifications to the primary facades. Since that time, the applicant has not yet obtained the required building permit for the reasons set forth in the submitted letter of request.

Original Approval date:	September 18, 2018
Order expiration date:	March 18, 2020
New expiration date:	March 18, 2021

SITE DATA

Legal Description:	Lots 9 and 10 of Block 122 of the Lenox Manor Subdivision, according to the plat thereof, as recorded in Plat Book 7 at page 15 of the public records of Miami-Dade County, Florida.
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PROJECT

The approved project consists of modifications to the facades of the building, the construction of a lobby addition and the introduction of a pool within the courtyard. A photograph of existing building has been included on the following page.

ANALYSIS

Since the original approval of the application, no changes to the Land Development Regulations of the City Code have been recommended or approved which would preclude the construction of this project if it were proposed today. In light of the fact that the applicant has encountered delays in the permitting of the project, staff has no objection to the granting of the requested extension of time.

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835 Alton Road, 2019 photograph

RECOMMENDATION

In view of the foregoing, staff recommends the request for an extension of time be **approved** for a period not to exceed one (1) year from the original approval expiration date, which expired on March 18, 2020, subject to the conditions enumerated in the attached draft Order.

HISTORIC PRESERVATION BOARD
City of Miami Beach, Florida

MEETING DATE: August 11, 2020

PROPERTY/FOLIO: 835 Alton Road / 02-4203-014-0430

FILE NO: HPB20-0398

IN RE: The application for a one (1) year extension of Time for a previously approved Certificate of Appropriateness (HPB18-0198) for the construction of a 1-story ground level addition and modifications to the north and west facades.

LEGAL: Lots 9 and 10 of Block 122 of the Lenox Manor Subdivision, according to the plat thereof, as recorded in Plat Book 7 at page 15 of the public records of Miami-Dade County, Florida.

ORDER

The City of Miami Beach Historic Preservation 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:

The applicant stated, among other things, that there were delays encountered in the permitting process. The foregoing constitutes good cause for granting a one (1) year extension of time to the requirement that a Full Building Permit be obtained within eighteen (18) months of the original Certificate of Appropriateness.

IT IS HEREBY ORDERED, based upon the foregoing finding of fact and the staff report and analysis, which is adopted herein, including the recommendation, that a one (1) year extension of time to obtain a full building permit (which one year period shall run from the expiration date of the original approval, which was March 18, 2020) is GRANTED for the above-referenced project conditioned upon the following, to which the applicant has agreed:

1. A full building permit, not a foundation, shell permit or phased building permit, for the project shall be obtained by March 18, 2021.
2. Construction shall commence and continue in accordance with the applicable Building Code.
3. This extension of time shall run concurrent with any other extensions of time that may be provided to the property owner as a result of actions of non-City authorities with jurisdiction over such matters.
4. The subject site and existing site shall be maintained in good, clean, and secure conditions at all times.
5. 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.

6. 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.
7. Where one or more parcels are unified for a single development, the property owner shall execute and record a unity of title or a covenant in lieu of unity of title, as may be applicable, in a form acceptable to the City Attorney.

No building permit may be issued unless and until all conditions of approval that must be satisfied prior to permit issuance as set forth in this Order and the Order for the September 18, 2018 approval have been met. The issuance of a Certificate of Appropriateness 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 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 set forth in this Order and the Final Order for the September 18, 2018 meeting. If the Full Building Permit is not issued by March 18, 2021, the Certificate of Appropriateness will expire and become null and void. If the Full Building Permit should 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 Certificate of Appropriateness will expire and become null and void.

Dated this _____ day of _____, 20____.

HISTORIC PRESERVATION BOARD
THE CITY OF MIAMI BEACH, FLORIDA

BY: _____
DEBORAH TACKETT
CHIEF OF HISTORIC PRESERVATION
FOR THE CHAIR

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

The foregoing instrument was acknowledged before me this _____ day of _____, 20____ by Deborah Tackett, Chief of Historic Preservation, Planning Department, City of Miami Beach, Florida, a Florida Municipal Corporation, on behalf of the corporation. She is personally known to me.

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HPB20-0398
Meeting Date: August 11, 2020

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

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

Filed with the Clerk of the Historic Preservation Board on _____ ()