

MIAMI BEACH

CITY OF MIAMI BEACH

NOTICE OF HEARING TO CONSIDER AN APPEAL OF DESIGN REVIEW BOARD ORDER

SEPTEMBER 16, 2020

The Miami Beach City Commission, pursuant to Section 118-9 of the Miami Beach City Code, will hold a hearing on **September 16, 2020, at 3:00 p.m.**, or as soon thereafter as the matter can be heard, to consider an appeal filed by Sunset Islands 3 and 4 Property Owners, Inc. and Terry Bienstock (the "Appellant"), of a Miami Beach Design Review Board ("DRB") approval granted on July 2, 2019, for improvements to property located at 1201 20th Street (the Palau at Sunset Harbor), including exterior design modifications to an existing private outdoor rooftop terrace (Penthouse 04 or Unit 404) (altogether, the "Appeal").

This hearing will be held virtually with the Mayor, Commissioners, City staff, the appellant, and the appellee participating through video conferencing. The hearing be broadcast live on Miami Beach TV (MBTV), viewable on the City's website at <https://www.miamibeachfl.gov/government/mbtv/>, as well as on Atlantic Broadband Cable channel 660, AT&T U-verse channel 99, Hotwire Communications channel 395, and ROKU device on PEG. TV channel. The hearing will also broadcast on social media at <https://www.facebook.com/cityofmiamibeach> and on the Zoom App at <https://us02web.zoom.us/j/86717802327>. The public may listen to the hearing by dialing 1.301.715.8592 or 877.853.5257 (Toll Free) / Webinar ID: 86717802327#.

The City Commission's review of the Appeal shall be based on the record of the hearing before the DRB, shall not be a public hearing, and no new or additional testimony shall be taken. A verbatim transcript of the DRB hearing shall be made a part of the record and filed by the Appellant. The standard of review is (i) whether the DRB provided procedural due process, (ii) whether the correct law was observed, and (iii) whether competent substantial evidence supported the DRB's decision. To reverse or remand a decision of the DRB, a five-sevenths (5/7) vote of the City Commission is required.

All documents pertaining to DRB File Nos.: 19-0392 and 22889 are available for public inspection by making an appointment with the Planning Department by calling 305.673.7000 Extension 27550 or Extension 26144. The pleadings relating to City Commission Appeal File No.: 19-002 are available for public inspection by making an appointment with the Office of the City Clerk by calling 305.673.7000 Extension 27181.

To request this material in alternate format, sign language interpreter (five-day notice required), information on access for persons with disabilities, and/or any accommodation to review any document or participate in any City-sponsored proceedings, call 305.604.2489 and select option 6; TTY users may call via 711 (Florida Relay Service).

The City Commission's review of the Appeal may be opened and continued, and under such circumstances, additional legal notice need not be provided.

Inquiries may be directed to the Planning Department at 305.673.7550 or the Office of the City Attorney at 305.673.7470.

Rafael E. Granado, City Clerk
City of Miami Beach

Ad 09162020-01 DRB