LAST UPDATED: 10/09/18

MIAMIBEACH

PLANNING DEPARTMENT

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

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: 5242 N Bay Road **Board:** DRB **Date:** 07/15/2020

ITEM #	ITEM DESCRIPTION	REQUIRED
	CAP FIRST SUBMITTAL **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.**	
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. **Letter must outline application details and identify hardships if Variances are requested**. (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	**Architectural Plans and Exhibits (must be 11"x 17")**	
a	Cover Sheet with bullet point scope of work, clearly labeled "First Submittal" and dated with First Submittal deadline date. **Include copies of previous recorded board orders, if applicable.**	✔

FSC

Property address: 5242 N Bay Road **Board:** DRB **Date:** 07/15/2020

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).	✔
10	**Landscape Plans and Exhibits (must be 11"x 17")**	
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. http://www.miamibeachfl.gov/publicworks/engineering/engineeringmanual.aspx?id=12920	
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.	

FSC

Property address: 5242 N Bay Road **Board:** DRB **Date:** 07/15/2020

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.	
40	**Site Plan (Identify streets and alleys)**	
a	Identify: setbacks _____Height_____Drive aisle widths_____Streets and sidewalks widths_____	

FSC

Property address: 5242 N Bay Road **Board:** DRB **Date:** 07/15/2020

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	
41	**Floor Plan (dimensioned)**	
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_____	
42	**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.**	
43	**The Letter of Intent for Variances shall include and respond to all review guidelines in the code as follows:**	
a	Section 118-53 (d) of the City Code for each Variance.	
44	**The Letter of Intent for Planning Board shall include and respond to all review guidelines in the code as follows:**	
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	
	Notes: The applicant is responsible for checking above referenced sections of the Code. If not applicable write N/A	
Other	Concurrent request for determination of architectural significance	✔
Other	Variance to exceed unit size	✔
Other	Additional Diagrams: 1) demonstration of compliance with front and rear yard open space. 2) Massing study/comparison of proposed addition to new structure per Code	✔

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

FSL

Property address: 5242 N Bay Road **Board:** DRB **Date:** 07/15/2020

ITEM #	ITEM DESCRIPTION	REQUIRED
	FINAL SUBMITTAL (CAP & PAPER) **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.**	
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).	
	PAPER FINAL SUBMITTAL: * See below note concerning changes in Paper Submittal	
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)

Applicant or Designee's Name	Applicant or Designee's Signature	Date

* Due to Covid-19 Paper Copies are may be placed with an electric copy of all final, original submittal documents, uploaded into CSS and labeled as "Formal Submittal". Staff will provide further details on processes at First Submittal Comments.

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? ■ Yes ☐ No (if "Yes," provide office of the property appraiser summary report)

Board of Adjustment	Design Review Board
☐ Variance from a provision of the Land Development Regulations ☐ Appeal of an administrative decision ☐ Modification of existing Board Order	■ Design review approval ■ Variance ☐ Modification of existing Board Order
Planning Board	**Historic Preservation 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	☐ Certificate of Appropriateness for design ☐ Certificate of Appropriateness for demolition ☐ Historic District/Site Designation ☐ Variance ☐ Modification of existing Board Order

☐ **Other:**

Property Information – Please attach Legal Description as "Exhibit A"

ADDRESS OF PROPERTY
5242 North Bay Road

FOLIO NUMBER(S)
02-3215-003-1910

Property Owner Information

PROPERTY OWNER NAME
Andrew Pollack, as Trustee of the WINPOL 2020 Trust under Trust Agreement dated February 28, 2020

ADDRESS	CITY	STATE	ZIPCODE
60 Arjay Cresent	Toronto	ON (Canada)	M2L1C7

BUSINESS PHONE	CELL PHONE	EMAIL ADDRESS
(416)483.3400 ext. 24	561.270.9162	andy@premiumgroup.com

Applicant Information (if different than owner)

APPLICANT NAME
Same

ADDRESS	CITY	STATE	ZIPCODE

BUSINESS PHONE	CELL PHONE	EMAIL ADDRESS

Summary of Request

PROVIDE A BRIEF SCOPE OF REQUEST
Design Review approval to enclose the existing courtyard, and related Variances to exceed maximum permitted lot coverage and unit size. See Letter of Intent for additional details.

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.		SQ. FT.
Provide the gross floor area of the new construction (including required parking and all usable area).		SQ. FT.

Party responsible for project design			
NAME Kobi Karp	■ Architect ☐ Contractor ☐ Landscape Architect ☐ Engineer ☐ Tenant ☐ Other_____		
ADDRESS 2915 Biscayne Boulevard, Suite 200	CITY Miami	STATE FL	ZIPCODE 33137
BUSINESS PHONE (305)573-1818	CELL PHONE	EMAIL ADDRESS kobikarp@kobikarp.com	

Authorized Representative(s) Information (if applicable)			
NAME Matthew Amster	■ Attorney ☐ Contact ☐ Agent ☐ Other_____		
ADDRESS 200 S. Biscayne Blvd., Suite 850	CITY Miami	STATE FL	ZIPCODE 33131
BUSINESS PHONE (305)377-6236	CELL PHONE	EMAIL ADDRESS mamster@brzoninglaw.com	
NAME Emily K. Balter	■ Attorney ☐ Contact ☐ Agent ☐ Other_____		
ADDRESS 200 S. Biscayne Blvd., Suite 850	CITY Miami	STATE FL	ZIPCODE 33131
BUSINESS PHONE (305)377-6232	CELL PHONE	EMAIL ADDRESS ebalter@brzoninglaw.com	
NAME N/A	☐ 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 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

Andy Pollack

SIGNATURE

Andrew Pollack, Trustee

PRINT NAME

DATE SIGNED

OWNER AFFIDAVIT FOR INDIVIDUAL OWNER

STATE OF N/A

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~~ Province of Ontario

~~COUNTY OF~~ City of Toronto

I, Andrew Pollack, being first duly sworn, depose and certify as follows: (1) I am the Trustee (print title) of Winpol 2020 Trust (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.

Andy Pollack
SIGNATURE

Sworn to and subscribed before me this 19th day of July, 2020. The foregoing instrument was acknowledged before me by Andrew Pollack, who has produced a drivers' licence 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: does not expire

Elliot M. Goodman
PRINT NAME

POWER OF ATTORNEY AFFIDAVIT

STATE OF Province of Ontario, Canada

COUNTY OF City of Toronto

I, Andrew Pollack, 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 Matthew Amster and Emily Balter to be my representative before the Design Review 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.

Andrew Pollack, Trustee

PRINT NAME (and Title, if applicable)

Andy Pollack

SIGNATURE

Sworn to and subscribed before me this 14th day of July, 2020. The foregoing instrument was acknowledged before me by Andrew Pollack, who has produced a drivers' license 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: does not expire

Elliot M. Goodman

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.

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.

N/A

NAME OF CORPORATE ENTITY

NAME AND ADDRESS	% OF OWNERSHIP

N/A

NAME OF CORPORATE ENTITY

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.

WINPOL 2020 Trust, under Trust Agreement dated February 28, 2020

TRUST NAME

NAME AND ADDRESS	% INTEREST
Andrew Pollack, Trustee	100%
60 Arjay Cresent	
Toronto, ON M2L1C7	
Canada	

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
Matthew Amster	200 S. Biscayne Blvd., Suite 850	(305)377-6236
Emily K. Balter	200 S. Biscayne Blvd., Suite 850	(305)377-6232
Kobi Karp	2915 Biscayne Boulevard, Suite 200	(305)573-1818

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~~ Province of Ontario, Canada

~~COUNTY OF~~ City of Toronto

I, Andrew Pollack, Trustee, 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.

Andy Pollack

SIGNATURE

Sworn to and subscribed before me this 19th day of July, 2020. The foregoing instrument was acknowledged before me by Andrew Pollack, who has produced a drivers' licence 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: does not expire

Elliot M. Goodman

PRINT NAME

OFFICE OF THE PROPERTY APPRAISER

Detailed Report

Generated On : 7/15/2020

Property Information	
Folio:	02-3215-003-1910
Property Address:	5242 N BAY RD Miami Beach, FL 33140-2011
Owner	ANDREW POLLACK TRS WINPOL 2020 TRUST
Mailing Address	60 ARJAY CRESENT TORONTO, ON M2L1C7 CANADA
PA Primary Zone	0800 SGL FAMILY - 1701-1900 SQ
Primary Land Use	0101 RESIDENTIAL - SINGLE FAMILY : 1 UNIT
Beds / Baths / Half	10 / 7 / 0
Floors	2
Living Units	1
Actual Area	10,193 Sq.Ft
Living Area	7,665 Sq.Ft
Adjusted Area	8,080 Sq.Ft
Lot Size	13,441 Sq.Ft
Year Built	Multiple (See Building Info.)

Assessment Information			
Year	2020	2019	2018
Land Value	$4,032,300	$4,032,300	$3,328,798
Building Value	$951,137	$984,629	$993,672
XF Value	$59,222	$59,542	$59,863
Market Value	$5,042,659	$5,076,471	$4,382,333
Assessed Value	$3,566,002	$3,485,828	$3,420,833

Taxable Value Information			
	2020	2019	2018
County			
Exemption Value	$50,000	$50,000	$50,000
Taxable Value	$3,516,002	$3,435,828	$3,370,833
School Board			
Exemption Value	$25,000	$25,000	$25,000
Taxable Value	$3,541,002	$3,460,828	$3,395,833
City			
Exemption Value	$50,000	$50,000	$50,000
Taxable Value	$3,516,002	$3,435,828	$3,370,833
Regional			
Exemption Value	$50,000	$50,000	$50,000
Taxable Value	$3,516,002	$3,435,828	$3,370,833

Benefits Information				
Benefit	Type	2020	2019	2018
Save Our Homes Cap	Assessment Reduction	$1,475,657	$1,590,643	$961,500
Homestead	Exemption	$25,000	$25,000	$25,000
Second Homestead	Exemption	$25,000	$25,000	$25,000

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

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:

EXHIBIT "A"

LEGAL DESCRIPTION:

ALL OF LOT 16, AND A PORTION OF LOT 17, BLOCK 14, LA GORCE GOLF SUBDIVISION, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 14, PAGE 43, PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, SAID PORTION OF LOT 17, BEING DESCRIBED AS FOLLOWS:

BEGIN ON THE NORTHERLY LINE OF SAID LOT 17, 24.19 FEET OF THE NORTHEAST CORNER; THENCE RUN SOUTHWESTERLY AT RIGHT ANGLES TO SAID NORTH LINE OF LOT 17 A DISTANCE OF 5 FEET; THENCE RUN WESTERLY PARALLEL TO THE NORTHERLY LINE OF SAID LOT 17 A DISTANCE OF 72.78 FEET TO A POINT; THENCE RUN NORTHEASTERLY AT RIGHT ANGLES TO A NORTHERLY LINE OF LOT 17 A DISTANCE OF 5 FEET TO SAID NORTHERLY LINE OF LOT 17, THENCE RUN EASTERLY ALONG THE NORTHERLY LINE OF LOT 17, A DISTANCE OF 72.78 FEET TO THE POINT OF BEGINNING.

BERCOW RADELL FERNANDEZ LARKIN & TAPANES
ZONING, LAND USE AND ENVIRONMENTAL LAW

DIRECT LINE: (305) 377-6231
E-Mail: MAmster@BRZoningLaw.com

VIA ELECTRONIC SUBMITTAL

August 10, 2020

James G. Murphy, Chief of Urban Design
Planning Department
City of Miami Beach
1700 Convention Center Drive, 2nd Floor
Miami Beach, Florida 33139

Re: DRB20-0571 – Design Review and Variance Requests for the Property Located at 5242 North Bay Road, Miami Beach, Florida

Dear Mr. Murphy:

This law firm represents WINPOL 2020 Trust, Andrew Pollack as Trustee and sole Beneficiary (the "Applicant"), the owner of the waterfront property located at 5242 North Bay Road (the "Property"). The Applicant's goal is to renovate and preserve the existing home and enclose the interior courtyard as an atrium. Please allow this letter to serve as the letter of intent in connection with a request to the Design Review Board ("DRB") for design review and associated variances for interior renovations of the pre-1942, single-family home on the Property.

Description of Property. The irregular, waterfront lot is located along North Bay Road and is approximately 13,512 square feet in size. The Property is wedge-shaped with a significant portion of the south side property line extending an additional five (5) feet to the south. The Miami-Dade County Property Appraiser's Office identifies the Property with Folio No. 02-3215-003-1910. See Exhibit A, Property Appraiser Detailed Report. The Property is improved with an 8,240 square feet, two-story single-family residence. Based on the Property Appraiser Summary Report, the structure was built in 1929 and minor renovations occurred in 1992 and 1997, respectively. The Mediterranean style home has a sloped, barrel-tile roof. The home contains two (2) garages, one each on either side of the entrance foyer and rounded driveway. Notably, the home features an internal courtyard that provides natural light. Other homes in the nearby area along North Bay Road also have interior courtyards, typical of the Mediterranean style of architecture. Additionally, in the rear, there is a covered porch and pool.

The Applicant is concurrently filing an administrative request for a determination that the home is architecturally significant. The Property is zoned RS-3, Single Family Residential Zoning District.

Proposed Development. The Applicant proposes to extensively renovation and preserve the existing home, add an elevator, replace the exterior stairs on the north, update the pool, enclose the front covered porch, and cover the interior courtyard with a unique, glass ceiling that continues to allow in light (the "Project"). The existing facades and footprint of the home will remain substantially the same. The courtyard, however, needs renovation due to years of weather, and the Applicant's goal is to renovate the interior areas that will preserve the function of the home for years to come.

There are a number of serious challenges to preserve the beautiful Spanish Mediterranean style and comply with the City Code of Ordinances (the "City Code") requirements that were not applicable in 1929 when the home was originally constructed. The Applicant is not seeking to expand or enlarge the current home. The height will be retained at 29'-5". Additionally, the existing side setbacks are approximately 4.97' and 4.73', when 10' and 15' feet would be required for new construction today. The existing lot coverage is approximately 6,413 square feet, and the existing unit size is 8,240 square feet, which already exceed the maximums required under today's City Code. The specific renovations are sensitive to and allow for the preservation of the home. However, the existing irregular shaped lot and placement of the home are challenging conditions to strictly comply with the land development regulations.

Variance Request. The Project maintains the existing massing and layout of the home. The Variances requested are necessary for the interior renovations and enclosure the interior courtyard with a glass ceiling. The architects have comprehensively sought to reduce as many of the existing nonconformities as possible, as evidenced and detailed in Exhibit B. In order to fully realize its development and due to the Property's confining characteristics, the Applicant requests the following:

1. A Variance of City Code Section 142-105(b)(1), to permit a lot coverage of 47.32% when 30% is permitted (40% with formal architectural significance) and where existing home has 47.46% ("Variance 1"); and

2. A Variance of City Code Section 142-106(b)(1), to permit a unit size of 9,839 square feet (72.81%) when 6,574 square feet it permitted (60% with formal architectural significance) and where existing home is 8,240 square feet (60.98%) ("Variance 2"); and

3. A Variance of City Code Section 142(a)(1)(d), to permit front yard at 32.7% pervious open space when 50% is required, and where the existing home has 20.79% ("Variance 3"). This variance is being requested in an abundance of caution in case the permit record does not show formal approval of the existing condition.

Satisfaction of Hardship Criteria. The Applicant's request satisfies all hardship criteria as follows:

(1) Special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same zoning district;

The pre-1942 home is a fixture to this community and enhances the existing context along North Bay Road and Biscayne Bay. The Property specifically is an irregular, wedge-shaped lot with the south property line expanding 5' further south for a length of approximately 72.78'. These are special conditions that exist which are peculiar to this Property. Additionally, the existing courtyard that is open to the sky is a special condition peculiar to this unique Property. The proposed interior renovations and enclosure of the courtyard do not add to the scale or massing of the home. Preserving the footprint and elevations are specific renovations to this building that are not applicable to other properties. The exterior arches and columns are significant architectural characteristics of the subject structure that should remain intact. This is a unique circumstance that complies with the intent of the City Code and is sensitive to the neighbors.

(2) The special conditions and circumstances do not result from the action of the applicant;

The wedge-shaped lot with irregular south side property line and year of construction of the existing home are special conditions and circumstances of the Property do not result from the action of the Applicant. The home was originally constructed in 1929, with documented additions or renovations in 1992 and 1997. It is typical of Spanish Mediterranean style homes to incorporate open courtyards with large windows and doors for natural light. The Applicant wishes to preserve the existing home, which has been present for decades. To accomplish this goal requires some interior renovations and enclosing the courtyard with a glass ceiling, which result in the variance requests.

(3) Granting the variance requested will not confer on the applicant any special privilege that is denied by these land development regulations to other lands, buildings, or structures in the same zoning district;

The City Code allows other similarly situated property owners to seek similar variances to accommodate development and prioritize the preservation of homes built prior to 1942. The Applicant is proposing to retain the existing footprint and exterior architectural elements. The renovations do not increase the massing or scale of the home. This complies with the purpose and intent of the City Code, as well as conforms to the variety of lots and homes in the neighborhood. Therefore, granting of Variances 1 and 2 does not confer any special privilege on the Applicant. Additionally, the Applicant is proposing to increase the nonconforming pervious area of the front yard approximately 12%.

(4) Literal interpretation of the provisions of these land development regulations would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of these land development regulations and would work unnecessary and undue hardship on the applicant;

A literal interpretation of the provisions of these land development regulations would force the Applicant to build an entirely new structure on this irregular shaped lot. The deviations from the land development regulations are necessary to preserve the home, with a new amenity for its residents. Strict compliance would deprive the Applicant of the right keep the style of home that has existed for almost 100 years and what is enjoyed by other properties. It would be an unnecessary and undue hardship on the Applicant.

(5) The variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure;

The variances requested are the minimum requests necessary to preserve the existing home with interior renovations and enclosure of the existing courtyard with a glass ceiling. The existing home exceeds today's land development regulations with regards to setbacks, lot coverage, unit size. The proposed lot coverage and front yard open space are less than what currently exists, therefore, slightly reducing the nonconformities of the pre-1942. The additional 1,700 square feet increase of unit size is necessary to enclose interior courtyard, but in no way increases the scale and massing of the existing structure. Further, the atrium cannot be seen by pedestrians or drivers in vehicles on the street.

(6) The granting of the variance will be in harmony with the general intent and purpose of these land development regulations and that such variance will not be injurious to the area involved or otherwise detrimental to the public welfare; and

The renovated and preserved residence will remain in harmony with the surrounding properties, and aims to further the intent and purpose of the land development regulations. The design of the renovations and interior addition purposefully considers the existing architectural style of home. Keeping the existing facades and footprint provides consistency with the existing neighborhood and ensures that the home will not be injurious to the area involved.

(7) The granting of this request is consistent with the comprehensive plan and does not reduce the levels of service as set forth in the plan. The planning and zoning director may require applicants to submit documentation to support this requirement prior to the scheduling of a public hearing or any time prior to the board of adjustment voting on the applicant's request.

The variance request is consistent with the City's Comprehensive Plan and does not reduce the levels of service as set forth in the plan.

Practical Difficulty. The existing home was constructed prior to the City Code limitations applicable today. The Property is an irregular, wedge-shaped lot with the south property line expanding 5' further south for approximately 72.78' feet. It is not possible to preserve the existing facades and layout of this Spanish Mediterranean style home and satisfy the current land development regulations for new construction. The three variances legalize the existing homes lot coverage, unit size, and front yard open space (as may be necessary for the latter). The increase in unit size is necessary to enclose the existing courtyard with a unique glass ceiling, and the Applicant is proposing to reduce the current nonconforming pervious space in the front yard. This will maintain the existing interior light amenity and layout of the home as it has existed in this community. The renovations are sensitive to and allow for the preservation of the home. The Project satisfies the intent and purposes of the City Code to preserve architecturally significant homes.

Sea Level Rise and Resiliency Criteria. The Project advances the sea level rise and resiliency criteria pursuant to Section 133-50(a) of the City Code, as follows:

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

A recycling and salvage plan for the partial demolition proposed will be provided at permitting.

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

New windows will be hurricane proof impact windows.

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

The Applicant will provide, where feasible, passive cooling systems.

4. Whether resilient landscaping (salt tolerant, highly water-absorbent, native or Florida friendly plants) will be provided.

New landscaping provided will be Florida friendly and resilient.

5. Whether 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, including a study of land elevation and elevation of surrounding properties were considered.

Sea level rise projections are being considered for the preservation of this pre-1942 home.

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.

This is a renovation of an architecturally significant home. The ground floor areas will be maintained.

7. Where feasible and appropriate. All critical mechanical and electrical systems are located above base flood elevation.

New mechanical and electrical systems will be located above base flood elevation.

8. Existing buildings shall be, where reasonably feasible and appropriate, elevated to the base flood elevation.

This is a renovation of an architecturally significant home. The ground floor areas will be maintained.

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.

Wet or dry flood proofing systems will be provided for habitable space located below base flood elevation.

10. Where feasible and appropriate, water retention systems shall be provided.

Where feasible, water retention systems will be provided.

11. Cool pavement materials or porous pavement materials shall be utilized.

Cool pavement materials or porous pavement materials will be utilized where possible.

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

The proposed design will not increase the potential for heat island effects on site.

Conclusion. Granting this design review application and associated variances will permit preservation of the pre-1942, single-family home. The Applicant's goal is to preserve the home with a much-needed interior renovation. If you have any questions or comments in the interim, please give me a call at 305-377-6236.

Sincerely,

Matthew Amster

Attachments

cc: Kobi Karp
Emily K. Balter

EXHIBIT A

OFFICE OF THE PROPERTY APPRAISER

Detailed Report

Generated On : 8/9/2020

Property Information	
Folio:	02-3215-003-1910
Property Address:	5242 N BAY RD Miami Beach, FL 33140-2011
Owner	ANDREW POLLACK TRS WINPOL 2020 TRUST
Mailing Address	60 ARJAY CRESENT TORONTO, ON M2L1C7 CANADA
PA Primary Zone	0800 SGL FAMILY - 1701-1900 SQ
Primary Land Use	0101 RESIDENTIAL - SINGLE FAMILY : 1 UNIT
Beds / Baths / Half	10 / 7 / 0
Floors	2
Living Units	1
Actual Area	10,193 Sq.Ft
Living Area	7,665 Sq.Ft
Adjusted Area	8,080 Sq.Ft
Lot Size	13,441 Sq.Ft
Year Built	Multiple (See Building Info.)

Assessment Information			
Year	2020	2019	2018
Land Value	$4,032,300	$4,032,300	$3,328,798
Building Value	$951,137	$984,629	$993,672
XF Value	$59,222	$59,542	$59,863
Market Value	$5,042,659	$5,076,471	$4,382,333
Assessed Value	$3,566,002	$3,485,828	$3,420,833

Taxable Value Information			
	2020	2019	2018
County			
Exemption Value	$50,000	$50,000	$50,000
Taxable Value	$3,516,002	$3,435,828	$3,370,833
School Board			
Exemption Value	$25,000	$25,000	$25,000
Taxable Value	$3,541,002	$3,460,828	$3,395,833
City			
Exemption Value	$50,000	$50,000	$50,000
Taxable Value	$3,516,002	$3,435,828	$3,370,833
Regional			
Exemption Value	$50,000	$50,000	$50,000
Taxable Value	$3,516,002	$3,435,828	$3,370,833

Benefits Information				
Benefit	Type	2020	2019	2018
Save Our Homes Cap	Assessment Reduction	$1,476,657	$1,590,643	$961,500
Homestead	Exemption	$25,000	$25,000	$25,000
Second Homestead	Exemption	$25,000	$25,000	$25,000

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

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:

OFFICE OF THE PROPERTY APPRAISER

Generated On : 8/9/2020

Property Information

Folio: 02-3215-003-1910

Property Address: 5242 N BAY RD

Roll Year **2020** Land, Building and Extra-Feature Details

Land Information

Land Use	Muni Zone	PA Zone	Unit Type	Units	Calc Value
GENERAL	RS-3	0800	Square Ft.	13,441.00	$4,032,300

Building Information

Building Number	Sub Area	Year Built	Actual Sq.Ft.	Living Sq.Ft.	Adj Sq.Ft.	Calc Value
1	1	1929	8,423	6,558	6,914	$788,196
1	2	1992	1,450	1,107	1,038	$143,971
1	3	1997	320	0	128	$18,970

Extra Features

Description	Year Built	Units	Calc Value
Dock - Wood Girders on Concrete Pilings	1992	200	$4,500
Wrought Iron Fence	1992	30	$968
Wall - CBS 4 to 8 in, reinforced	1992	600	$3,600
Patio - Marble	1952	2,332	$16,790
Pool 8' res BETTER 3-8' dpth, tile 650-1000 sf	1952	1	$26,200
Patio - Marble	1929	995	$7,164

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:

OFFICE OF THE PROPERTY APPRAISER

Generated On : 8/9/2020

Property Information

Folio: 02-3215-003-1910

Property Address: 5242 N BAY RD

Roll Year **2019** Land, Building and Extra-Feature Details

Land Information

Land Use	Muni Zone	PA Zone	Unit Type	Units	Calc Value
GENERAL	RS-3	0800	Square Ft.	13,441.00	$4,032,300

Building Information

Building Number	Sub Area	Year Built	Actual Sq.Ft.	Living Sq.Ft.	Adj Sq.Ft.	Calc Value
1	1	1929			7,040	$809,248
1	2	1992			1,115	$156,769
1	3	1997			124	$18,612

Extra Features

Description	Year Built	Units	Calc Value
Wall - CBS 4 to 8 in, reinforced	1992	600	$3,648
Wrought Iron Fence	1992	30	$980
Dock - Wood Girders on Concrete Pilings	1992	200	$4,560
Patio - Marble	1952	2,332	$16,790
Pool 8' res BETTER 3-8' dpth, tile 650-1000 sf	1952	1	$26,400
Patio - Marble	1929	995	$7,164

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:

OFFICE OF THE PROPERTY APPRAISER

Generated On : 8/9/2020

Property Information

Folio: 02-3215-003-1910

Property Address: 5242 N BAY RD Miami Beach, FL 33140-2011

Roll Year **2018** Land, Building and Extra-Feature Details

Land Information

Land Use	Muni Zone	PA Zone	Unit Type	Units	Calc Value
GENERAL	RS-3	0800	Square Ft.	13,441.00	$3,328,798

Building Information

Building Number	Sub Area	Year Built	Actual Sq.Ft.	Living Sq.Ft.	Adj Sq.Ft.	Calc Value
1	1	1929			7,040	$815,936
1	2	1992			1,115	$158,888
1	3	1997			124	$18,848

Extra Features

Description	Year Built	Units	Calc Value
Dock - Wood Girders on Concrete Pilings	1992	200	$4,620
Wrought Iron Fence	1992	30	$993
Wall - CBS 4 to 8 in, reinforced	1992	600	$3,696
Pool 8' res BETTER 3-8' dpth, tile 650-1000 sf	1952	1	$26,600
Patio - Marble	1952	2,332	$16,790
Patio - Marble	1929	995	$7,164

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:

OFFICE OF THE PROPERTY APPRAISER

Generated On : 8/9/2020

Property Information

Folio: 02-3215-003-1910

Property Address: 5242 N BAY RD

Full Legal Description
LA GORCE GOLF SUB PB 14-43
LOT 16 & NELY5FT OF WLY72.78FT OF
ELY96.97FT OF LOT 17 BLK 14
LOT SIZE IRREGULAR
COC 22931-3719 12 2004 4

Sales Information

Previous Sale	Price	OR Book-Page	Qualification Description
03/03/2020	$7,000,000	31863-1675	Qual by exam of deed
12/09/2010	$100	27519-0568	Affiliated parties
12/01/2004	$0	22903-1653	Sales which are disqualified as a result of examination of the deed
12/01/2004	$0	22931-3719	Sales which are disqualified as a result of examination of the deed
03/01/1995	$2,145,000	16702-2068	Sales which are qualified
01/01/1992	$925,000	15335-3232	Sales which are qualified
01/01/1992	$0	00000-00000	Sales which are disqualified as a result of examination of the deed
09/01/1985	$522,000	12653-2067	Sales which are qualified
03/01/1980	$400,000	10717-0714	Sales which are qualified

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:

EXHIBIT B

KOBI KARP

ARCHITECTURE INTERIOR DESIGN PLANNING

DRB20-0571
5242 North Bay Road
Miami Beach, FL 33140

Date: August 10th, 2020

RE: Variances and Mitigation of Nonconformities

ATTN: Thomas Mooney
1700 Convention Center Drive,
Miami Beach, FL 33139
2nd Floor

Determination of Architectural Significance

The proposed project has submitted for a determination of Architectural Significance for the existing residence. Thus, the proposed project is assuming an allowable Lot Coverage of up to 40% of the site, and an allowable Unit Size of up to 60% of the site.

Variances Requested

1) Lot Coverage - 990 SF (7.32%)

The existing residence currently has a Lot Coverage of 6,413 SF (47.46% of the site) as measured under today's current zoning code.

The proposed project will have a lot coverage of 6,394 SF (47.32% of the site), reducing the existing lot coverage by 19 SF (0.14%) due to the removal of the bay window on the rear of the house.

Thus, we feel the variance for the Lot Coverage is a reasonable request, as it is an existing condition created by the conflict of the current zoning code verse the courtyard typology of the pre-1942 residences being built in Miami Beach at the time.

2) Unit Size – 1,732 SF (12.81%), 1,599 SF (11.83% above existing conditions)

The existing residence currently has a Unit Size of 8,240 SF (60.98% of the site) as measured under today's current zoning code.

The proposed project will have a lot coverage of 9,839 SF (72.81% of the site). The proposed additional unit size would be due to adding a skylight over the one-story central interior courtyard.

Thus, we feel the variance for the Unit Size is a reasonable request, as it does not involve expanding the exterior building envelope. The additional square footage is centrally located within the site, and the proposed skylight creates no visual impact to the surrounding neighbors.

Proposed Remediations/Alleviations of Existing Non-Compliant conditions

1) Front Yard Pervious Space – 823 SF (50.00%) Required

Existing pervious space is 342 SF (20.79%).

The proposed project has 538 SF (32.70%).

Thus the proposed project adds an additional 196 SF (11.91%) of pervious/landscape space as an alleviation of the existing non-compliant condition.

2) Rear Yard Pervious Space – 1,332 SF (70.00%) Required

Existing pervious space is 561 SF (29.46%).

The proposed project has 1,511 SF (79.35%).

Thus the proposed project adds an additional 950 SF (49.89%) of pervious/landscape space as a remedy for the existing condition, and now brings the rear yard into compliance.

3) North Side Yard Stair Setback – 5’-0” Required

The existing side yard stair setback is 4’-11”.

The proposed side yard stair setback is 5’-0”.

Thus the proposed project proposes to rebuild the side yard stair to comply with the required 5’-0” side yard setback, and remedies the existing on-compliant condition.

4) South Side Yard AC Equipment Setback – 5’-0” Required

The existing side yard setback is 1’-0”.

The proposed project removes this existing AC unit, as the proposed AC units for the project will be contained and visually screened on the second floor terrace (Approximately 25’-0” from the North side yard property line).

Thus the proposed project remedies the non-compliant setback condition for the existing south AC unit.

5) South Side Yard Pool Equipment – 5’-0” Required

The existing side yard setback is 2’-11”.

The proposed project places the new pool equipment on the north side of the rear yard, complying with the required 5’ north side yard setback.

Thus the proposed project remedies the non-compliant setback condition for the existing pool equipment.

6) North Side Yard BBQ Equipment – 5’-0” Required

The existing side yard setback is 1’-3”.

The proposed project places the new BBQ equipment to match the existing setback of the adjacent main residence (6’-1 ½”).

Thus the proposed project remedies the non-compliant setback condition for the existing BBQ equipment.

7) Three-Story Structure – Two-story Required

The existing residence features a third-story “observation room” of approximately 159 SF.

The proposed project proposes to remove this room from the project.

Thus the proposed project remedies this non-compliant existing condition.

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

July 30, 2020

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

Re: Property owners within 375 feet of:
SUBJECT: 5242 North Bay Road, Miami Beach, FL 33140
FOLIO NUMBER: 02-3215-003-1910
ABBREV. LEGAL DESCRIPTION: LA GORCE GOLF SUB PB 14-43 LOT 16 & NELY5FT OF WLY72.78FT OF ELY96.97FT OF LOT 17 BLK 14

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: **35, including 1 international**

Rio Development Resources, LLC ("RDR") has used its best efforts in collecting the information published in this report and the findings contained in the report are based solely and exclusively on information provided by you and information gathered from public records and that local government. By acceptance of this report, you agree to hold RDR harmless and indemnify RDR from any and all losses, damages, liabilities and expenses which can be claimed against RDR caused by or related to this report.

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

375' RADIUS MAP

SUBJECT: 5242 North Bay Road, Miami Beach, FL 33140
FOLIO NUMBER: 02-3215-003-1910
ABBREV. LEGAL DESCRIPTION: LA GORCE GOLF SUB PB 14-43 LOT 16 & NELY5FT OF WLY72.78FT OF ELY96.97FT OF LOT 17 BLK 14

Name	Address	City	State	Zip	Country
ANDREW POLLACK TRS WINPOL 2020 TRUST	60 ARJAY CRESCENT	TORONTO ON M2L 1C7			CANADA
ABYLAY OSPAN	5224 ALTON RD	MIAMI BEACH	FL	33140	USA
ANDREW S ATKINS &W AMY E C	5347 N BAY RD	MIAMI BEACH	FL	33140-2030	USA
BEVERLY F TOBIN BEVERLY F TOBIN REVOCABLE TRUST ANDREW M TOBIN	5231 NORTH BAY RD	MIAMI BEACH	FL	33140	USA
CURRENT PROPERTY OWNER	5238 ALTON RD	MIAMI BEACH	FL	33140	USA
DAVID DESHE	5327 N BAY RD	MIAMI BEACH	FL	33140	USA
DAVID J KAISERMAN LOREN KAISERMAN	5251 N BAY RD	MIAMI BEACH	FL	33140-2010	USA
DAVID SIEGEL &W FRANCINELEE	5313 N BAY RD	MIAMI BEACH	FL	33140-2030	USA
DAVID W DESMOND TRS MTB 2000 TRUST LISA A DESMOND TRS	5235 N BAY RD	MIAMI BEACH	FL	33140	USA
DONALD V BROWNE &W MARIA J JUNQUERA	5300 N BAY RD	MIAMI BEACH	FL	33140-2041	USA
GREGORY N ANDRIS &W NAOMI NIXON	5215 N BAY RD	MIAMI BEACH	FL	33140-2010	USA
HENRY B BUSH PATRICIA L BUSH	5288 ALTON RD	MIAMI BEACH	FL	33140	USA
ISAAC OLEMBERG ISAAC OLEMBERG TR	5212 N BAY RD	MIAMI BEACH	FL	33140-2011	USA
IVAN SCHNEIDER TRS SDKC PARTNERS LLLP	5240 N BAY ROAD	MIAMI BEACH	FL	33140	USA
JAMES DI ZAZZO LAURA DI ZAZZO	5250 ALTON RD	MIAMI BEACH	FL	33140	USA
JAMES M CORDLE &W INA PAIVA	5221 N BAY RD	MIAMI BEACH	FL	33140-2010	USA
JOEL I SNEIDER &W JILANN J	6000 INDIAN CREEK DR	MIAMI BEACH	FL	33140-2010	USA
JOHANNES C MARIA VAN GAALEN CATHERINE RAYMONDE CLEMETINE MOREL EP VAN GAALEN	5244 ALTON RD	MIAMI BEACH	FL	33140	USA
JOSEPH NABAKA TRS NABAKA FAMILY LIVING TRUST AUDREYA K MCLEAN TRS	PO BOX 640950	MIAMI	FL	33164	USA
KEITH OLIN LILI A OLIN	5320 ALTON RD	MIAMI BEACH	FL	33139	USA
KOBI KARP NANCY KARP	4750 N BAY RD	MIAMI BEACH	FL	33140-2814	USA
LUIS D LOPEZ	8005 NW 80 ST #1	MIAMI	FL	33166	USA
MARK S ROUNDS ARIEL L MOLLICK	5310 ALTON RD	MIAMI BEACH	FL	33140	USA
MICHAEL ROGOFF &W ELISHEVA	5223 N BAY RD	MIAMI BEACH	FL	33140-2010	USA
OSCAR FELDENKREIS ELENA FELDENFREIS	5222 NORTH BAY RD	MIAMI BEACH	FL	33140	USA
PATRECE FRISBEE	5226 ALTON RD	MIAMI BEACH	FL	33140-2005	USA
RAMDAS BHANDARI TR	9100 SW 61 CT	PINECREST	FL	33156-1948	USA
RAUL MATEU &W ELIZABETH	5230 ALTON RD	MIAMI BEACH	FL	33140-2005	USA
REX RUNZHEIMER CAROLYN RUNZHEIMER	5370 N BAY RD	MIAMI BEACH	FL	33140	USA
RICHARD N SCHERMER	5333 N BAY RD	MIAMI BEACH	FL	33140-2030	USA
RICHARD POSTREL	5244 NORTH BAY RD	MIAMI BEACH	FL	33140	USA
ROBERT E GOUBEAUX	5314 ALTON RD	MIAMI BEACH	FL	33140-2015	USA
RON SCHREIBER	3101 S OCEAN DR APT 2308	HOLLYWOOD	FL	33019	USA
SIDNEY FELTENSTEIN LISA FELTENSTEIN	5340 N BAY RD	MIAMI BEACH	FL	33140-2041	USA
STEPHEN N ZACK C/O KAUFMAN ROSSIN	2699 S BAYSHORE DR	MIAMI	FL	33133	USA

ANDREW POLLACK TRS
WINPOL 2020 TRUST
60 ARJAY CRESCENT
TORONTO ON M2L 1C7
CANADA

ABYLAY OSPAN
5224 ALTON RD
MIAMI BEACH, FL 33140

ANDREW S ATKINS &W AMY E C
5347 N BAY RD
MIAMI BEACH, FL 33140-2030

BEVERLY F TOBIN
BEVERLY F TOBIN REVOCABLE TRUST
ANDREW M TOBIN
5231 NORTH BAY RD
MIAMI BEACH, FL 33140

CURRENT PROPERTY OWNER
5238 ALTON RD
MIAMI BEACH, FL 33140

DAVID DESHE
5327 N BAY RD
MIAMI BEACH, FL 33140

DAVID J KAISERMAN
LOREN KAISERMAN
5251 N BAY RD
MIAMI BEACH, FL 33140-2010

DAVID SIEGEL &W FRANCINELEE
5313 N BAY RD
MIAMI BEACH, FL 33140-2030

DAVID W DESMOND TRS
MTB 2000 TRUST
LISA A DESMOND TRS
5235 N BAY RD
MIAMI BEACH, FL 33140

DONALD V BROWNE &W
MARIA J JUNQUERA
5300 N BAY RD
MIAMI BEACH, FL 33140-2041

GREGORY N ANDRIS &W NAOMI NIXON
5215 N BAY RD
MIAMI BEACH, FL 33140-2010

HENRY B BUSH
PATRICIA L BUSH
5288 ALTON RD
MIAMI BEACH, FL 33140

ISAAC OLEMBERG
ISAAC OLEMBERG TR
5212 N BAY RD
MIAMI BEACH, FL 33140-2011

IVAN SCHNEIDER TRS
SDKC PARTNERS LLLP
5240 N BAY ROAD
MIAMI BEACH, FL 33140

JAMES DI ZAZZO
LAURA DI ZAZZO
5250 ALTON RD
MIAMI BEACH, FL 33140

JAMES M CORDLE &W INA PAIVA
5221 N BAY RD
MIAMI BEACH, FL 33140-2010

JOEL I SNEIDER &W JILANN J
6000 INDIAN CREEK DR
MIAMI BEACH, FL 33140-2010

JOHANNES C MARIA VAN GAALEN
CATHERINE RAYMONDE CLEMETINE
MOREL EP VAN GAALEN
5244 ALTON RD
MIAMI BEACH, FL 33140

JOSEPH NABAKA TRS
NABAKA FAMILY LIVING TRUST
AUDREYA K MCLEAN TRS
PO BOX 640950
MIAMI, FL 33164

KEITH OLIN
LILI A OLIN
5320 ALTON RD
MIAMI BEACH, FL 33139

KOBI KARP
NANCY KARP
4750 N BAY RD
MIAMI BEACH, FL 33140-2814

LUIS D LOPEZ
8005 NW 80 ST #1
MIAMI, FL 33166

MARK S ROUNDS
ARIEL L MOLLICK
5310 ALTON RD
MIAMI BEACH, FL 33140

MICHAEL ROGOFF &W ELISHEVA
5223 N BAY RD
MIAMI BEACH, FL 33140-2010

OSCAR FELDENKREIS
ELENA FELDENFREIS
5222 NORTH BAY RD
MIAMI BEACH, FL 33140

PATRECE FRISBEE
5226 ALTON RD
MIAMI BEACH, FL 33140-2005

RAMDAS BHANDARI TR
9100 SW 61 CT
PINECREST, FL 33156-1948

RAUL MATEU &W ELIZABETH
5230 ALTON RD
MIAMI BEACH, FL 33140-2005

REX RUNZHEIMER
CAROLYN RUNZHEIMER
5370 N BAY RD
MIAMI BEACH, FL 33140

RICHARD N SCHERMER
5333 N BAY RD
MIAMI BEACH, FL 33140-2030

RICHARD POSTREL
5244 NORTH BAY RD
MIAMI BEACH, FL 33140

ROBERT E GOUBEAUX
5314 ALTON RD
MIAMI BEACH, FL 33140-2015

RON SCHREIBER
3101 S OCEAN DR APT 2308
HOLLYWOOD, FL 33019

SIDNEY FELTENSTEIN
LISA FELTENSTEIN
5340 N BAY RD
MIAMI BEACH, FL 33140-2041

STEPHEN N ZACK
C/O KAUFMAN ROSSIN
2699 S BAYSHORE DR
MIAMI, FL 33133