

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, FOLLOWING A DULY NOTICED PUBLIC HEARING, AS REQUIRED PURSUANT TO SECTION 82-93(b), FINDING THAT THE CRITERIA SET FORTH IN SECTION 82-94 OF THE CITY CODE HAS BEEN SATISFIED, AND GRANTING AN AFTER-THE-FACT REVOCABLE PERMIT REQUEST BY 550 LANDLORD, LLC (THE "APPLICANT"), FOR THE PROPERTY LOCATED AT 550 WASHINGTON AVENUE, MIAMI BEACH (THE "PROPERTY"), TO ALLOW FOR TWO (2) EXISTING ENCROACHMENTS INTO THE RIGHT OF WAY: 1) THE WASHINGTON AVENUE ENCROACHMENT BEING TEN (10) FEET TEN (10) INCHES ABOVE THE SIDEWALK RIGHT-OF-WAY AND CONTAINING A TOTAL AREA OF 79.35 SQUARE FEET FOR AN ICONIC MARQUIS SIGNAGE; AND 2) THE EUCLID AVENUE GATE ENCROACHMENT, EXTENDING ONE (1) FOOT SIX (6) INCHES INTO THE RIGHT-OF-WAY AND SPANNING THIRTEEN (13) FEET SIX (6) INCHES ALONG THE EUCLID AVENUE FRONTAGE, WITH A TOTAL AREA OF 20.29 SQUARE FEET; AND AUTHORIZING THE MAYOR AND THE CITY CLERK TO EXECUTE THE REVOCABLE PERMIT.

WHEREAS, 550 Landlord, LLC (the "Applicant"), is requesting an After-The-Fact Revocable Permit for the property located at 550 Washington Avenue, Miami Beach (the "Property"), to allow for two existing encroachments; and

WHEREAS, the Property fronts on Washington Avenue, where an iconic marquis signage of a historic structure encroaches into the right-of-way along Washington Avenue (the "Washington Avenue Encroachment"); and

WHEREAS, the Washington Avenue Encroachment is ten (10) feet ten (10) inches above the ground level sidewalk right-of-way, and contains a total area of 79.35 square feet; and

WHEREAS, the Property also fronts on Euclid Avenue, where the rear of the existing structure is located; and

WHEREAS, there is an existing gate that is part of the structure that extends one (1) foot six (6) inches into the sidewalk right-of-way along Euclid Avenue ("Euclid Avenue Encroachment"), and spans thirteen (13) feet six inches along the Euclid Avenue frontage; and

WHEREAS, as such, the Euclid Avenue Encroachment has a total area of 20.29 square feet; and

WHEREAS, the Property is located on the west side of Washington Avenue just south of 6th Street; it is located in the CPS-2, Commercial Performance Standard District; and is a contributing structure within the Ocean Beach Historic District; and

WHEREAS, the existing structure on the Property was built in 1945; and

WHEREAS, this request is in accordance with development approval HPB20-0380, granted by the Historic Preservation Board ("HPB") on September 9, 2020; and

WHEREAS, pursuant to Section 82-93(a) of the City Code, notices of the public hearing have been mailed to owners of land lying within 375 feet of the proposed permit area at least 15 days prior to the public hearing; and

WHEREAS, pursuant to Section 82-94 of the City Code, the City Commission shall review the After-The-Fact Revocable Permit request and determine whether the request shall be granted or denied following the public hearing; and

WHEREAS, Public Works has analyzed the criteria contained in Sections 82-94; a summary of the Public Works Department's review and recommendation to grant the After-The-Fact Revocable Permit request is set forth in the Commission Memorandum accompanying this Resolution, which Memorandum is incorporated by reference herein.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, following a duly noticed public hearing, as required pursuant to Section 82-93(b), finding that the criteria set forth in Section 82-94 of the City Code has been satisfied, and granting an After-The-Fact Revocable Permit request by 550 Landlord, LLC (the "Applicant"), for the property located at 550 Washington Avenue, Miami Beach (the "Property"), to allow for two (2) existing encroachments into the right of way: 1) the Washington Avenue encroachment being ten (10) feet ten (10) inches above the sidewalk right-of-way and containing a total area of 79.35 square feet for an iconic marquis signage; and 2) the Euclid Avenue gate encroachment, extending one (1) foot six (6) inches into the right-of-way and spanning thirteen (13) feet six (6) inches along the Euclid Avenue frontage, with a total area of 20.29 square feet; and authorizing the Mayor and the City Clerk to execute the Revocable Permit.

PASSED and ADOPTED this _____ day of _____, 2020.

DAN GELBER, MAYOR

ATTEST:

RAFAEL E. GRANADO, CITY CLERK

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION

R. E. Gelber 10/2/2020
City Attorney Date