

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? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No (if "Yes," provide office of the Property Appraiser Summary Report)	
Board of Adjustment <input type="checkbox"/> Variance from a provision of the Land Development Regulations <input type="checkbox"/> Appeal of an administrative decision		Design Review Board <input checked="" type="checkbox"/> Design review approval <input type="checkbox"/> Variance	
Planning Board <input type="checkbox"/> Conditional use permit <input type="checkbox"/> Lot split approval <input type="checkbox"/> Amendment to the Land Development Regulations or zoning map <input type="checkbox"/> Amendment to the Comprehensive Plan or future land use map		Historic Preservation Board <input type="checkbox"/> Certificate of Appropriateness for design <input type="checkbox"/> Certificate of Appropriateness for demolition <input type="checkbox"/> Historic district/site designation <input type="checkbox"/> Variance	
<input type="checkbox"/> Other:			
Property Information - Please attach Legal Description as "Exhibit A"			
ADDRESS OF PROPERTY 910 West Avenue			
FOLIO NUMBER(S) 02-4203-001-0080			
Property Owner Information			
PROPERTY OWNER NAME Southgate Towers, LLLP			
ADDRESS 4901 Libbie Mill East Blvd.#200		CITY Richmond	STATE VA
BUSINESS PHONE		CELL PHONE	ZIP CODE 23230
EMAIL ADDRESS snash@gumprop.com			
Applicant Information (if different than owner)			
APPLICANT NAME Same as owner			
ADDRESS		CITY	STATE
BUSINESS PHONE		CELL PHONE	ZIP CODE
EMAIL ADDRESS			
Summary of Request			
PROVIDE A BRIEF SCOPE OF REQUEST Design review approval & modifications to conditions of DRB Order #22945			

Project Information			
Is there an existing building(s) on the site?		<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Does the project include interior or exterior demolition?		<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> 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 Urban Robot		<input checked="" type="checkbox"/> Architect	<input type="checkbox"/> Contractor
		<input type="checkbox"/> Engineer	<input type="checkbox"/> Tenant
		<input type="checkbox"/> Landscape Architect	<input type="checkbox"/> Other _____
ADDRESS 420 Lincoln Road, Ste 406		CITY Miami Beach	STATE FL
		ZIPCODE 33139	
BUSINESS PHONE	CELL PHONE	EMAIL ADDRESS jj@urbanrobot.net	
Authorized Representative(s) Information (if applicable)			
NAME Jeffrey Bercow, Esq.		<input checked="" type="checkbox"/> Attorney	<input type="checkbox"/> Contact
		<input type="checkbox"/> Agent	<input type="checkbox"/> Other _____
ADDRESS 200 S. Biscayne Blvd., Suite 850		CITY Miami	STATE FL
		ZIPCODE 33131	
BUSINESS PHONE 305-374-5300	CELL PHONE	EMAIL ADDRESS jbercow@brzoninglaw.com	
NAME Michael Larkin, Esq.		<input checked="" type="checkbox"/> Attorney	<input type="checkbox"/> Contact
		<input type="checkbox"/> Agent	<input type="checkbox"/> Other _____
ADDRESS 200 S. Biscayne Blvd., Suite 850		CITY Miami	STATE FL
		ZIPCODE 33131	
BUSINESS PHONE 305-374-5300	CELL PHONE	EMAIL ADDRESS mlarkin@brzoninglaw.com	
NAME		<input type="checkbox"/> Attorney	<input type="checkbox"/> Contact
		<input type="checkbox"/> Agent	<input type="checkbox"/> 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:

We are committed to providing excellent public service and safety to all who live, work, and play in our vibrant, tropical, historic community.

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 Florida

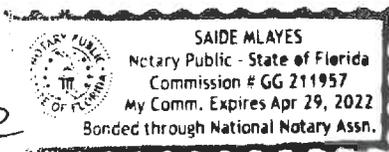
COUNTY OF Miami-Dade

I, Jeffrey Gumenick, being first duly sworn, depose and certify as follows: (1) I am the President (print title) of Southgate Towers, LLLP (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.

SIGNATURE

Sworn to and subscribed before me this 28 day of February, 2020. The foregoing instrument was acknowledged before me by Jeffrey Gumenick, who has produced _____ as identification and/or is personally known to me and who did/did not take an oath.

NOTARY SEAL OR STAMP



My Commission Expires: 4/29/22

Saide Mlayes
NOTARY PUBLIC
Saide Mlayes

PRINT NAME

POWER OF ATTORNEY AFFIDAVIT

STATE OF Florida

COUNTY OF Miami-Dade

I, Jeffrey Gumenick, 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 Bercow Radell Fernandez Larkin & Tapanes 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.

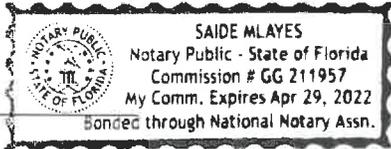
Jeffrey Gumenick
PRINT NAME (and Title, if applicable)

[Signature]
SIGNATURE

Sworn to and subscribed before me this 28 day of February, 2020. The foregoing instrument was acknowledged before me by Jeffrey Gumenick, who has produced _____ as identification and/or is personally known to me and who did/did not take an oath.

NOTARY SEAL OR STAMP

My Commission Expires: 4/29/22



Saide Mlayes
NOTARY PUBLIC
Saide Mlayes
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 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.

See Exhibit B

NAME OF CORPORATE ENTITY	
NAME AND ADDRESS	% OF OWNERSHIP

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.

TRUST NAME	% INTEREST
NAME AND ADDRESS	

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
<u>Jeffrey Bercow, Esq.</u>	<u>200 S. Biscayne Blvd., Suite 850</u>	<u>305-374-5300</u>
<u>Michael Larkin, Esq.</u>	<u>200 S. Biscayne Blvd., Suite 850</u>	<u>305-374-5300</u>
<u>J.J. Wood</u>	<u>420 Lincoln Road, Ste 406</u>	<u>305-766-0071</u>

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 Miami-Dade

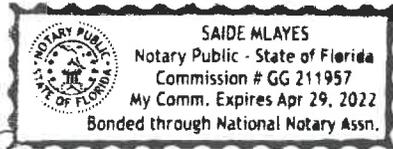
I, Jeffrey Gumenick, being first duly sworn, depose and certify as follows: (1) I am the applicant or representative of the applicant. (2) This application and all information submitted in support of this application, including sketches, data, and other supplementary materials, are true and correct to the best of my knowledge and belief.

mmck

SIGNATURE

Sworn to and subscribed before me this 28 day of February, 2020. The foregoing instrument was acknowledged before me by Jeffrey Gumenick, who has produced _____ as identification and/or is personally known to me and who did/did not take an oath.

NOTARY SEAL OR STAMP



My Commission Expires: 4/29/22

Saide Mlayes

NOTARY PUBLIC

Saide Mlayes

PRINT NAME

EXHIBIT A

DESCRIPTION:

PARCEL 1: (FEE SIMPLE)

LOTS 11, 12, 13, 14, 15, 16, 17 AND 18, IN BLOCK 1, AMENDED PLAT OF FLEETWOOD SUBDIVISION, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 28, AT PAGE 34, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

PARCEL 2: (LEASEHOLD)

LEASEHOLD ESTATE AS CREATED BY THAT CERTAIN SOVEREIGNTY SUBMERGED LANDS LEASE RECORDED AUGUST 5, 1993 IN OFFICIAL RECORDS BOOK 16007, PAGE 3623, AS AMENDED BY RENEWAL OF SOVEREIGNTY SUBMERGED LAND LEASE DATED JUNE 24, 1996, RECORDED AUGUST 13, 1996 IN OFFICIAL RECORDS BOOK 17313, PAGE 596, BETWEEN THE TRUSTEES OF THE INTERNAL IMPROVEMENT FUND OF THE STATE OF FLORIDA AND SOUTHGATE APARTMENTS, AND AS FURTHER AMENDED BY SOVEREIGN SUBMERGED LANDS LEASE RENEWAL AND MODIFICATION TO REFLECT CHANGE IN UPLAND OWNERSHIP RECORDED MARCH 8, 2004 IN OFFICIAL RECORDS BOOK 21993, PAGE 2356, PUBLIC RECORDS OF MIAMI - DADE COUNTY, FLORIDA, DEMISING FOR A TERM OF YEARS THE FOLLOWING DESCRIBED SOVEREIGN SUBMERGED LANDS IN BISCAYNE BAY:

PARCEL A: LEGAL DESCRIPTION OF A MARINA LEASE AREA IN BISCAYNE BAY IN SECTION 4, TOWNSHIP 54 SOUTH, RANGE 42 EAST, MIAMI-DADE COUNTY, FLORIDA; SAID MARINA AREA'S EASTERLY BOUNDARY BEING CONTIGUOUS WITH AND WESTERLY OF THE WATER FACE OF A CONCRETE BULKHEAD LOCATED ON THE EASTERLY SHORE OF BISCAYNE BAY, ON THE WESTERLY BOUNDARY OF LOT 18, BLOCK 1, AMENDED PLAT OF FLEETWOOD SUBDIVISION, RECORDED IN PLAT BOOK 28, AT PAGE 34 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA; SAID MARINA AREA DESCRIBED AS FOLLOWS:

BEGIN (P.O.B.) AT THE POINT OF INTERSECTION OF THE NORTHERLY LINE OF THE ABOVE REFERENCED LOT 18 WITH THE WATER FACE OF A CONCRETE BULKHEAD ON THE EASTERLY SHORE OF BISCAYNE BAY, ON THE WESTERLY LINE OF SAID LOT 18, SAID POINT OF INTERSECTION BEING 801.14 FEET SOUTH AND 476.58 FEET WEST OF THE NORTHEAST CORNER OF SECTION 4, TOWNSHIP 54 SOUTH, RANGE 42 EAST AND RUN SOUTH 87°39'30" WEST ALONG THE EXTENSION WESTERLY OF THE NORTHERLY LINE OF SAID LOT 18 INTO BISCAYNE BAY, A DISTANCE OF 134.08 FEET; THENCE RUN SOUTH 4°19'10" EAST A DISTANCE OF 110.63 FEET IN BISCAYNE BAY; THENCE RUN NORTH 85°40'50" EAST IN BISCAYNE BAY, A DISTANCE OF 134.00 FEET TO THE WATER FACE OF SAID CONCRETE BULKHEAD; THENCE RUN NORTH 4°19'10" WEST ALONG THE WATER FACE OF SAID BULKHEAD, ALONG THE WESTERLY LINE OF SAID LOT 18, ALONG THE EASTERLY SHORE OF BISCAYNE BAY, A DISTANCE OF 106.00 FEET TO THE POINT OF BEGINNING (P.O.B.).

PARCEL "B": LEGAL DESCRIPTION OF A PROPOSED MARINA LEASE AREA IN BISCAYNE BAY IN SECTION 4, TOWNSHIP 54 SOUTH, RANGE 42 EAST, MIAMI-DADE COUNTY, FLORIDA; SAID MARINA AREA'S EASTERLY BOUNDARY BEING CONTIGUOUS WITH AND WESTERLY OF THE WATER FACE OF A CONCRETE BULKHEAD ON THE EASTERLY SHORE OF BISCAYNE BAY, ON THE WESTERLY LINE OF BLOCK 1, AMENDED PLAT OF FLEETWOOD SUBDIVISION, RECORDED IN PLAT BOOK 28, AT PAGE 34, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA. SAID MARINA AREA DESCRIBED AS FOLLOWS:

COMMENCE (P.O.C.) AT THE POINT OF INTERSECTION OF THE SOUTHERLY LINE OF LOT 11, BLOCK 1 OF THE LAST MENTIONED SUBDIVISION WITH THE WATER FACE OF THE ABOVE REFERENCED CONCRETE BULKHEAD ON THE EASTERLY SHORE OF BISCAYNE BAY AND RUN NORTH 4°54'30" WEST ALONG THE WATER FACE OF SAID BULKHEAD, ALONG THE WESTERLY LINE OF SAID BLOCK 1, ALONG THE EASTERLY SHORE OF BISCAYNE BAY, A DISTANCE OF 184.90 FEET TO THE POINT OF BEGINNING (P.O.B.) OF THE MARINA AREA, SAID P.O.B. BEING 1259.64 FEET SOUTH AND 439.68 FEET WEST OF THE NORTHEAST CORNER OF SECTION 4, TOWNSHIP 54 SOUTH, RANGE 42 EAST, THENCE RUN SOUTH 85°05'30" WEST INTO BISCAYNE BAY, A DISTANCE OF 77.62 FEET; THENCE RUN NORTH 4°54'30" WEST IN BISCAYNE BAY, A DISTANCE OF 59.10 FEET; THENCE RUN NORTH 85°05'30" EAST IN BISCAYNE BAY, A DISTANCE OF 47.62 FEET; THENCE RUN NORTH 4°54'30" WEST IN BISCAYNE BAY, A DISTANCE OF 155.60 FEET; THENCE RUN NORTH 85°05'30" EAST, A DISTANCE OF 30.00 FEET TO THE WATER FACE OF THE SAID CONCRETE BULKHEAD; THENCE RUN SOUTH 4°54'30" EAST ALONG THE WATER FACE OF SAID BULKHEAD, ALONG THE WESTERLY LINE OF BLOCK 18, ALONG THE EASTERLY SHORE OF BISCAYNE BAY, A DISTANCE OF 214.70 FEET TO THE POINT OF BEGINNING (P.O.B.).

SUBJECT TO THE TERMS AND CONDITIONS CONTAINED IN SAID INSTRUMENT.

PARCEL 3: (LEASEHOLD)

LEASEHOLD ESTATE AS CREATED BY THAT CERTAIN LEASE BY AND BETWEEN GUMENICK FAMILY INVESTMENTS NO. 2, LTD., A FLORIDA LIMITED PARTNERSHIP, AND SOUTHGATE APARTMENTS DATED MAY 30, 2003, A MEMORANDUM OF WHICH WAS RECORDED JUNE 11, 2003 IN OFFICIAL RECORDS BOOK 21323, PAGE 4915 AND AMENDED IN THAT CERTAIN MEMORANDUM OF LEASE DATED FEBRUARY 23, 2004, AND RECORDED MARCH 3, 2004 IN OFFICIAL RECORDS BOOK 22090, PAGE 185, PUBLIC RECORDS OF MIAMI - DADE COUNTY, FLORIDA, DEMISING FOR A TERM OF YEARS THE FOLLOWING DESCRIBED LANDS:

LOTS 8, 9, 10, 11,12,13,14, AND 15, OF BLOCK 3, OF FLEETWOOD SUBDIVISION AMENDED, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 28, AT PAGE 34, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

SUBJECT TO THE TERMS AND CONDITIONS CONTAINED IN SAID INSTRUMENTS.

PARCEL 4: (FEE SIMPLE)

LOTS 8, 9, 10, 11,12,13,14, AND 15, OF BLOCK 3, OF FLEETWOOD SUBDIVISION AMENDED, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 28, AT PAGE 34, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

EXHIBIT B

**SOUTHGATE TOWERS, LLLP,
a Florida limited liability partnership**

Limited Partner:

Gumenick Family Investments No. 3,
Ltd., a Florida limited partnership (99%)

General Partner:

Gumenick Investment No 1, LLC, a
Florida limited liability company (1%)

1%

**Gumenick Investment No. 1, LLC, a Florida
limited liability company**

Sole Member: J & R Holdings, LLC

Managers: Jeffrey H. Gumenick
Randolph S. Gumenick

99%

Gumenick Family Investments No 3, LTD a Florida limited partnership

Limited Partners:

Jeffrey H. Gumenick (2.2176%)
Randolph S. Gumenick (2.2176%)
JRG Investments, LLC, a Florida
limited liability company (94.5648%)

General Partner:

Gumenick Investment No 3, LLC, a Florida limited liability company (1%)

100%

**J & R Holdings, LLC, a Florida
limited liability company**

Members:

Randolph S. Gumenick
Jeffrey H. Gumenick

Management Committee:

Jeffrey H. Gumenick
Randolph S. Gumenick
Walter F. Witt, Jr.
Wayne A. Chasen (also
listed as President)

1%

**Gumenick Investment No. 3,
LLC, a Florida limited
liability company
General Partner**

Sole Member: J & R Holdings,
LLC (100%)

Managers: Jeffrey H. Gumenick
Randolph S. Gumenick

**94.5648%
JRG Investments, LLC, a Florida
limited liability company**

Members:

Jeffrey H. Gumenick, Randolph S. Gumenick
and Walter F. Witt, Jr., as Trustees under the
Jeffrey H. Gumenick Family Trust Agreement
dtd 6/20/07

And

Jeffrey H. Gumenick, Randolph S. Gumenick
and Walter F. Witt, Jr., As Trustees under the
Randolph S. Gumenick Family Trust
Agreement dtd 6/20/07

Management Committee:

Jeffrey H Gumenick
Randolph S. Gumenick
Walter F. Witt, Jr.
Wayne A. Chasen

2.2176%

Jeffrey H.
Gumenick

2.2176%

Randolph S.
Gumenick