



200 S. Biscayne Boulevard
Suite 300, Miami, FL 33131

www.brzoninglaw.com

305.377.6236 office

305.377.6222 fax

mamster@brzoninglaw.com

VIA ELECTRONIC SUBMITTAL AND HAND DELIVERY

June 1, 2021

Thomas Mooney, Planning Director
Planning Department
City of Miami Beach
1700 Convention Center Drive, 2nd Floor
Miami Beach, Florida 33139

Re: PB21-0447– Request for Modification of PB Order 1472 for the
Property Located at 420 W 51 Street, Miami Beach, Florida

Dear Tom:

This firm represents Paul Bloch (the "Applicant"), the contract purchaser of the above-referenced property (the "Property"). Please consider this letter the Applicant's required letter of intent to request modification to conditions of PB Order 1472 (the "Prior Approval") concerning unit size limitations prohibition on request for variances, and removal of existing accessory structures to permit a new single-family home on the Property.

Property Description. The waterfront, irregularly-shaped Property is located on the south side of W 51 Street between Lakeview Drive and Pine Tree Drive and is identified with Miami-Dade County Property Appraiser Folio No. 02-3222-022-1570. See Exhibit A, Property Appraiser Summary Report. The Property is 28,317 square feet in size and is currently improved with a tennis court and a concrete pad and a concrete pathway in the center and eastern portions. The existing tennis court received proper City approval through building permit #73427 in 1965.

Prior Approval. On February 27, 2001, the Planning Board approved a lot split to create the two current parcels at 5045 Lakeview Drive, described as Lot 16 and the Property, described as Lot 17. See Exhibit B, Prior Approval. The Prior Approval has been effectuated. Today the Property Appraiser shows distinct folio numbers and addresses for the two properties. The Prior Approval

required that the predecessor owner obtain a Board of Adjustment approval within a certain time frame, for a setback variance for the proposed east side yard setback for the main residence retained on Lot 16 (5045 Lakeview Drive). That variance was timely obtained on March 2, 2001 through BOA File No. 2793. See Exhibit C, BOA File No. 2793. Further, the dock and pool deck needed to be cut back to be setback 7.5 feet from Lot 17 (the Property.). Building microfilm records from 2014 show that the dock and pool deck are setback at least 8'-1" from the east property line, when the Order required a minimum of 7.5'. See Exhibit D, 2014 Plans.

Proposed Development. Ownership of both parcels and the character of the neighborhood have changed during the 20 years since the Prior Approval was issued. The Prior Approval contains various conditions that limit reasonable development of the Property. Condition #5 limits the unit size of a new residence on the Property to 4,650 square feet, which yields a unit size of only 16.4% on the Property when the average unit size in the neighborhood is twice that at around 32.9%. Condition #3 requires the removal of the existing accessory structures, including the legally permitted tennis court upon the issuance of a building permit to construct a new home on the Property. Finally, Condition #7 provides that no variances shall be permitted for any new structure proposed to be constructed on either lot, a strict limitation imposed 20 years ago for which there is no readily identifiable purpose. Together, these restrictions make reasonable development of the Property unfeasible.

The Applicant, as the contract purchaser of the Property, Lot 17 proposes to build a new home for him and his family and has included a potential design of a new home to illustrate how the lot can accommodate a larger home than currently allowed by the Prior Approval. The design provides a tennis court in the same location as the existing tennis court, a detached, low-scale 1-story show garage for the Applicant's car collection and a new 2-story home with understory, approximately 9,843 square feet in size, towards the rear of the Property.

To reduce the scale and massing of the new home and ensure compatibility with the neighborhood, the entire 2-story portion is significantly set back from the right of way by 126'-0", which is half of the depth of the Property. This is more than other existing and soon to be renovated homes in the neighborhood. For example, the second story of the properties located at 4969 Pine Tree Drive and 5011 Pine Tree Drive (note: recently-approved) are set back only 45'-0", which is substantially less set back than the proposed home. The resulting design pushes the massing of the home towards the rear of the Property and mitigates any potential impacts on the neighbors.

The proposed home, will meet the current Code requirements in lot coverage, 28.2% where 30% maximum allowed, and in unit size, 43.8% where 50% maximum normally allowed.

Notably, the 2-story home is 9,843 square feet (34.8% unit size)¹ and the 1-story detached garage is 2,550 square feet (9.0% unit size), which keeps the main residence in scale with the surrounding homes.

While the home is fully compliant with Code requirements, the Applicant will need to request variances from the Design Review Board in order to rebuild the tennis court, an incredibly important feature for this family, in its existing location.

Neighborhood Context. A thorough analysis of the similarly-situated waterfront lots on Lakeview Drive and Pine Tree Drive in the same zoning district, RS-2, as the Property indicates that the proposed home will be compatible with the neighborhood. The average lot size is 42,063 square feet, and with allowance for future build-out the average home size is 14,640 square feet, 32.9%, with two (2) homes with more square footage than the Applicant's proposal. Further, the layout of the development matches many of the existing homes with 1-story portions closer to the front and 2-story portions starting around the center of the properties. As a result of these as-built conditions, the changes in the Code requirements over the past 20 years that reduce the size of new homes, and careful planning of the new home, the prior limitation on unit size and the prohibition on requesting variances are not needed to ensure that a new home on the Property will be compatible with the neighborhood.

Requested Modifications. In order to allow for an appropriately-sized new home and allow the Applicant to rebuild the tennis court in the existing location, the Applicant requests the Planning Board to make the following modifications to conditions in the Prior Approval:

Condition No. 3.

FROM:

"All improvements (tennis court and fence, accessory structure, walkways) which are presently existing on lot 17 and that portion of the existing dock, sufficient to meet the required 7.5 feet side setback from lot 16, shall be removed at the time of issuance of a building permit for the construction of single family dwelling on lot 17."

TO:

The existing tennis court on lot 17 shall remain and/or be rebuilt in its location. ~~All improvements (tennis court and fence, the accessory structure, and walkways)~~ which are presently existing on lot 17 and that portion of the existing dock, sufficient to meet the

¹ Including understory areas, detached cabana and rooftop elevator.

required 7.5 feet side setback from lot 16, shall be removed at the time of issuance of a building permit for the construction of single family dwelling on lot 17.

The requested modification will allow the Applicant to maintain a tennis court in the same location as the existing legally permitted tennis court.

Condition No. 5.

FROM:

"The single family dwelling unit to be constructed on the building parcel created by this lot split on Lot 17 shall be limited to no more than 4,650 square feet of total floor area."

TO:

The single family dwelling unit to be constructed on the building parcel created by this lot split on Lot 17 shall be limited to no more than ~~4,650 square feet of total floor area~~ 44% unit size.

The requested modification will allow the Applicant to build an appropriately-sized home that is compatible with the as-built conditions in the neighborhood.

Condition No. 7.

FROM:

"No variances shall be permitted for new structures proposed to be constructed on either of the two resulting building parcels."

TO:

"No variances shall be permitted for new structures proposed to be constructed on Lot 16 ~~on either of the two resulting building parcels~~."

The requested modification will allow the Applicant the opportunity to request variances related to rebuilding the tennis court before the Design Review Board. Condition is left as is for Lot 16, which the Applicant has no legal interest in.

Code Criteria. In reviewing an application for the division of lot and lot split, the Planning Board shall apply the following criteria:

- (1) **Whether the lots that would be created are divided in such a manner that they are in compliance with the regulations of these land development regulations.**

The lots were already created pursuant to the Prior Approval, PB Order 1472, and in full compliance with the LDRs. The proposal does not seek to modify the existing lot size.

- (2) **Whether the building site that would be created would be equal to or larger than the majority of the existing building sites, or the most common existing lot size, and of the same character as the surrounding area.**

The lots were already created pursuant to the Prior Approval. The proposal does not seek to modify the existing building site. Further, a thorough analysis of the similarly-situated waterfront lots on Lakeview Drive and Pine Tree Drive in the same zoning district as the Property indicates that the existing lot size of 28,317 SF is compatible with the neighborhood average of 42,063 SF and median of 36,725 SF, with three (3) lots smaller than the Property.

- (3) **Whether the scale of any proposed new construction is compatible with the as-built character of the surrounding area, or creates adverse impacts on the surrounding area; and if so, how the adverse impacts will be mitigated. To determine whether this criterion is satisfied, the applicant shall submit massing and scale studies reflecting structures and uses that would be permitted under the land development regulations as a result of the proposed lot split, even if the applicant presently has no specific plans for construction.**

The lots were already created pursuant to the Prior Approval and did not result in any adverse impact on the surrounding area. The proposal does not seek to modify the existing building site. Further, a thorough analysis of the similarly-situated waterfront lots on Lakeview Drive and Pine Tree Drive in the same zoning district as the Property indicates that the proposed home, following the current Code requirements, will be compatible with the neighborhood. The layout has a small, narrow 1-story structure in the front half of the Property and a compact 2-story main residence with large side setbacks in the rear half of the Property, matching or exceeding many of the nearby home layouts and effectively pushing any impact of massing towards the waterway. Further, the main residence at 34.8% is comparable to the average home size analysis.

- (4) **Whether the building site that would be created would result in existing structures becoming nonconforming as they relate to setbacks and other applicable regulations of these land development regulations, and how the resulting nonconformities will be mitigated.**

The lots were already created pursuant to the Prior Approval and the predecessor owner took all necessary action to eliminate nonconformances, such as the setbacks for the dock and pool deck on lot 16. The City also previously granted proper approvals for the existing tennis court, so it is legally nonconforming. The proposal does not seek to modify the existing building site and the Applicant's proposed variances relate to the rebuilding of the existing tennis court and not to the new development.

- (5) **Whether the building site that would be created would be free of encroachments from abutting buildable sites.**

The lots were already created pursuant to the Prior Approval and the predecessor owner took all necessary action to eliminate encroachments. The proposal does not seek to modify the existing building site.

- (6) **Whether the proposed lot split adversely affects architecturally significant or historic homes, and if so, how the adverse effects will be mitigated. The board shall have the authority to require the full or partial retention of structures constructed prior to 1942 and determined by the planning director or designee to be architecturally significant under subsection 142-108(a).**

The lots were already created pursuant to the Prior Approval. The proposal does not seek to modify the existing building site nor does it propose a lot split. There is no architecturally significant or historic home on the Property.

- (7) **The structure and site comply with the sea level rise and resiliency review criteria in Chapter 133, article II, as applicable.**

The proposed structure and existing site comply with sea level rise and resiliency review criteria. Notably, the finished floor of the main residence will be 2' higher than maximum freeboard, ensuring a very resilient home for many years to come.

Sea Level Rise and Resiliency Criteria. The proposed project advances the sea level rise and resiliency criteria in Section 133-50(a) as follows:

- (1) A recycling or salvage plan for partial or total demolition shall be provided.**

The Applicant will provide a recycling or salvage plan during permitting.

- (2) Windows that are proposed to be replaced shall be hurricane proof impact windows.**

The structure will have hurricane impact windows throughout the home.

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

The proposed home provides abundant windows and doors such that passive cooling is feasible.

- (4) Resilient landscaping (salt tolerant, highly water-absorbent, native or Florida friendly plants) shall be provided, in accordance with Chapter 126 of the City Code.**

Through the Design Review Board application, the landscape plan will include many native and Florida-friendly plants. The Applicant's landscape architect will work with the Planning Department to provide landscaping that is appropriate for the Property and the neighborhood, with native, salt-tolerant, and Florida-friendly plant species. The plantings for the proposed home will be highly water-absorbent to provide for both aesthetics and resilience.

- (5) The project applicant shall consider the 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. The applicant shall also specifically study the land elevation of the subject property and the elevation of surrounding properties.**

The Applicant has considered the adopted sea level rise projections and will utilize the full 5' of freeboard and raise the finished floor 2' higher for the 2-story 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 and shall provide sufficient height and space to ensure that the entry ways and exits can be modified to accommodate a higher street height up to three (3) additional feet in height.**

The Applicant intends to construct the proposed home to the maximum elevation permitted by the Code plus 2' such that it is adaptable to the raising of public rights-of-ways and adjacent land.

- (7) As applicable to all new construction, all critical mechanical and electrical systems shall be located above base flood elevation. All redevelopment projects shall, whenever practicable and economically reasonable, include the relocation of all critical mechanical and electrical systems to a location above base flood elevation.**

Mechanical and electrical systems will be located above base flood elevation.

- (8) Existing buildings shall, wherever reasonably feasible and economically appropriate, be elevated up to base flood elevation, plus City of Miami Beach Freeboard.**

Not applicable as there are no existing buildings.

- (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.**

No habitable space will be located below base flood elevation. Should any portion of the garage be located below BFE, flood proofing systems will be provided in accordance with Chapter 54 of the City Code to ensure proper drainage.

- (10) As applicable to all new construction, stormwater retention systems shall be provided.**

The Property will utilize appropriate stormwater retention systems and the Applicant will ensure appropriate drainage is provided.

- (11) Cool pavement material or porous pavement materials shall be utilized.**

The Applicant proposes appropriate materials for the driveway and other hardscaped areas.

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

The Applicant will utilize high albedo surfaces, green roofs and abundant landscaping at ground level.

Conclusion. We believe that the approval of the proposed modification requests will provide a fair opportunity for this vacant lot that has sat idle for at least 20 years to be developed in a way that complements the surrounding neighborhood. The proposed home has been designed following today's restrictive Code criteria and maintaining the existing tennis court, effectively pushes the massing away from the front and mitigates any potential impact on the surrounding neighbors. This new single-family home will be a welcome addition to the neighborhood. On behalf of the Applicant, we look forward to your favorable review. If you have any questions or comments with regard to the application, please do not hesitate to phone me at 305-377-6236.

Sincerely,



Matthew Amster

Attachments

cc: Jeff Bercow, Esq.
Cecilia Torres-Toledo, Esq.



OFFICE OF THE PROPERTY APPRAISER

Summary Report

Generated On : 3/11/2021

Property Information	
Folio:	02-3222-022-1570
Property Address:	420 W 51 ST Miami Beach, FL 33140-0000
Owner	AMBER LLC
Mailing Address	5002 N BAY ROAD MIAMI BEACH, FL 33140-2007
PA Primary Zone	2100 ESTATES - 15000 SQFT LOT
Primary Land Use	0066 VACANT RESIDENTIAL : EXTRA FEA OTHER THAN PARKING
Beds / Baths / Half	0 / 0 / 0
Floors	0
Living Units	0
Actual Area	0 Sq.Ft
Living Area	0 Sq.Ft
Adjusted Area	0 Sq.Ft
Lot Size	28,650 Sq.Ft
Year Built	0



Assessment Information			
Year	2020	2019	2018
Land Value	\$1,790,625	\$1,790,625	\$1,790,625
Building Value	\$0	\$0	\$0
XF Value	\$4,334	\$4,386	\$4,438
Market Value	\$1,794,959	\$1,795,011	\$1,795,063
Assessed Value	\$1,190,528	\$1,082,299	\$983,909

Benefits Information				
Benefit	Type	2020	2019	2018
Non-Homestead Cap	Assessment Reduction	\$604,431	\$712,712	\$811,154
Note: Not all benefits are applicable to all Taxable Values (i.e. County, School Board, City, Regional).				

Short Legal Description	
LAKE VIEW SUB PB 14-42 LOT 17 BLK 31 LOT SIZE 120.100 X 242 OR 19827-3375 07 2001 5	

Taxable Value Information			
	2020	2019	2018
County			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$1,190,528	\$1,082,299	\$983,909
School Board			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$1,794,959	\$1,795,011	\$1,795,063
City			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$1,190,528	\$1,082,299	\$983,909
Regional			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$1,190,528	\$1,082,299	\$983,909

Sales Information			
Previous Sale	Price	OR Book-Page	Qualification Description
07/01/2001	\$0	19827-3375	Sales which are disqualified as a result of examination of the deed
01/01/2001	\$500,000	19454-0632	Sales which are qualified
02/01/1982	\$1,000,000	11347-0607	Deeds that include more than one parcel

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:

PLANNING BOARD

CITY OF MIAMI BEACH, FLORIDA

PROPERTY: 5045 Lake View Drive

FILE NO: 1472

IN RE: The application by Rosa Tenenbaum, requesting modifications to the conditions of a previously approved lot split

LEGAL

DESCRIPTION: Lots 16 and 17, Block 31, LAKEVIEW SUBDIVISION PB 14-42 of the Public Records of Miami-Dade County, Florida,

MEETING DATE: February 27, 2001

DIVISION OF LAND/LOT SPLIT

The applicant, Rosa Tenenbaum, filed an application with the Planning Director for a Division of Land pursuant to Section 118-321 of the Land Development Regulations of the Code of the City of Miami Beach, Florida. Notice of the request for Division of Land was given as required by law and mailed out to owners of property within a distance of 375 feet of the exterior limits of the property upon which the application was made.

The Planning Board of the City of Miami Beach makes the following FINDINGS OF FACT, based upon the evidence, information, testimony and materials presented at the public hearing and which are part of the of the record for this matter:

That the property in question is located in the RS-2 - Single Family Zoning District;

That the Building Sites created would be equal to or larger than the majority of the existing Building Sites and of the same character on the surrounding area;

That the Building Sites created are not free of encroachments from abutting buildable sites, but would be if the following conditions are implemented; and

That the Building Sites created will result in existing structures becoming non-conforming as they relate to setbacks and other applicable regulations of Land Development Regulations, but would be conforming if the following conditions are implemented.

IT IS THEREFORE ORDERED, based upon the foregoing findings of fact and the staff report and analysis, which are adopted herein, including the recommendations, that the Lot split be **APPROVED** as requested and set forth above, and the following conditions shall be appurtenant to each lot, as applicable:

1. This lot split shall be contingent upon the applicant receiving approval for a setback variance from the Board of Adjustment for the proposed east side yard setback for the main residence retained on Lot 16. All costs associated with said application shall be paid by the applicant or the contract purchaser. If said approval is not granted, the lot split shall automatically become null and void.
2. The dock on lot 16 must be removed or reduced so that it has a 7.5' setback from lot 17. The pool deck must be cut back so that it has a 7.5' setback from lot 17. A fence shall be constructed to act as a safety barrier for the swimming pool. All chain link fences located within the required rear yard (approx. 38') shall be removed.
3. All improvements (tennis court and fence, accessory structure, walkways) which are presently existing on lot 17 and that portion of the existing dock, sufficient to meet the required 7.5 feet side setback from lot 16, shall be removed at the time of issuance of a building permit for the construction of single family dwelling on lot 17.
4. The applicant shall make application to the Board of Adjustment for the above required variance within four (4) months from the date of the Planning Board public hearing granting this approval, and the work required by Condition #2 shall be completed within ten (10) months (July 26, 2001) from the date of the Planning Board public hearing granting this approval, or the lot split shall automatically become null and void.
5. The single family dwelling unit to be constructed on the building parcel created by this lot split on Lot 17 shall be limited to no more than 4,650 square feet of total floor area.
6. In the event a new residence is constructed on Lot 17, a minimum setback of fifteen (15) feet shall be maintained from the lot line of Lot 16.
7. No variances shall be permitted for new structures proposed to be constructed on either of the two resulting building parcels.
8. Each Lot shall provide individual underground utility connections, individual water, sewer, electric, telephone and cable connections, payment of any applicable impact fees and the removal and replacement of necessary sections of sidewalk, curb and gutter prior to the issuance of a Certificate of Occupancy for a new residence on Lot 17. Additionally, no cross lot service connectors shall be permitted. A time restriction regarding this condition shall not apply to future new construction on Lot 17. Lot 16 shall comply within ten (10) months (July 26, 2001) of this approval date regarding this condition.
9. The subject properties shall not be further subdivided, unless said subdivision is consistent with the prevailing Zoning Ordinance regulations.

10. This Order shall be recorded in the public records of Miami-Miami-Dade County at the expense of the applicants.

PROVIDED, that all necessary steps to effectuate compliance with this Order are taken prior to the respective time periods for compliance, unless the time for the compliance with said conditions is extended or amended by the Planning Board. In the event the above conditions are not met within the time periods as specified above, the Lot Split shall become null and void.

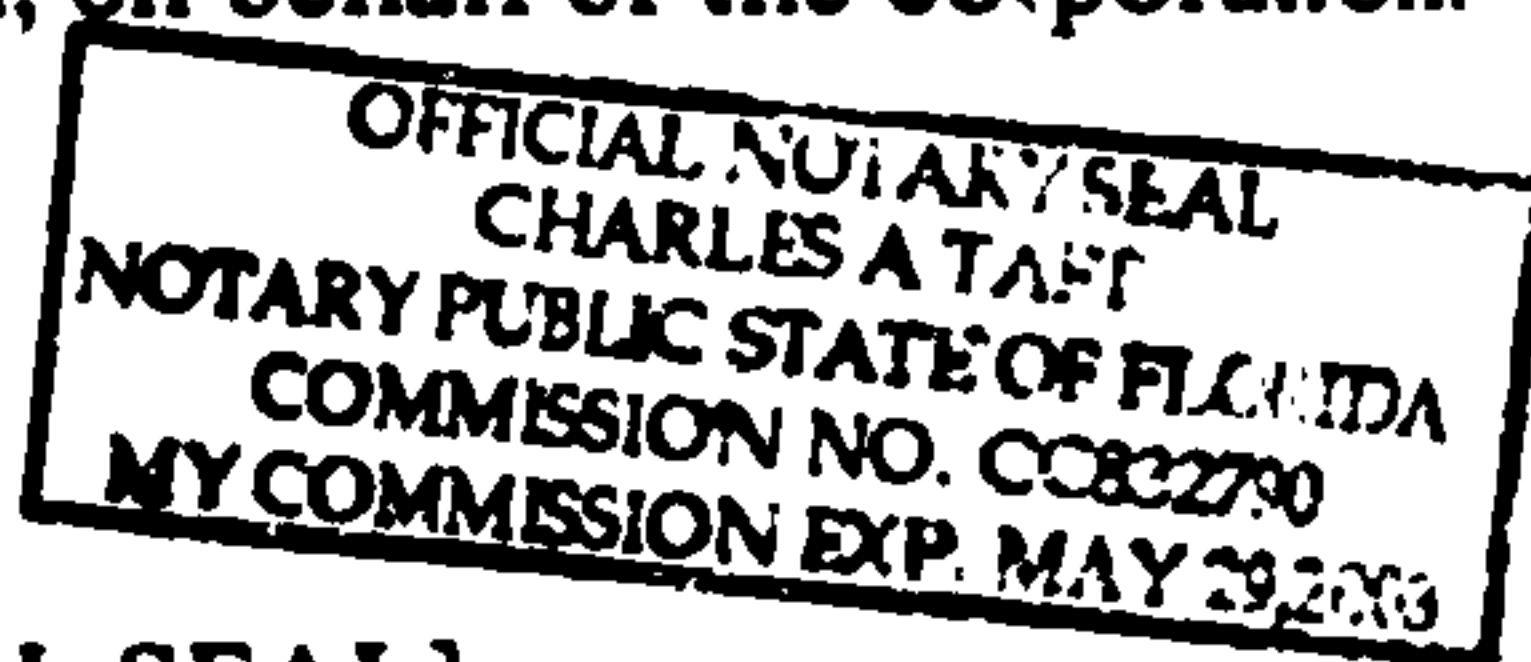
Dated this 20~~th~~ day of MARCH, 2001.

PLANNING BOARD OF THE
CITY OF MIAMI BEACH, FLORIDA

BY: *Jorge G. Gomez*
Jorge G. Gomez, Planning Director
For Chairman

STATE OF FLORIDA)
COUNTY OF MIAMI-DADE)

The foregoing instrument was acknowledged before me this 20~~th~~ day of MARCH, 2001, by Jorge G. Gomez, Planning Director of the City of Miami Beach, Florida, a Florida Municipal Corporation, on behalf of the corporation. He is personally known to me.



[NOTARIAL SEAL]

Charles A. Taft
Notary:
Print Name: CHARLES A. TAFT
Notary Public, State of Florida
My Commission Expires:
Commission Number:

Approved As To Form:
Legal Department (*Weld 3-14-01*)

FMPLAN\$PLB\FEB\2001\1472LOT\1472FO.WPD

RECORDED IN PUBLIC RECORDS
OF DADE COUNTY, FLORIDA
RECORD VERIFIED
HARVEY RUVIN
CLERK CIRCUIT COURT

BEFORE THE BOARD OF ADJUSTMENT
OF THE CITY OF MIAMI BEACH, FLORIDA

MEETING DATE: MARCH 2, 2001
FILE NO. 2793

IN RE: The application of
ROSA TENENBAUM
5045 LAKEVIEW DRIVE
LOTS 16 AND 17; BLOCK 31
LAKEVIEW SUB.; PLAT BOOK 14 - PAGE 42
MIAMI-DADE COUNTY, FLORIDA

ORDER

The applicant, Rosa Tenenbaum, filed an application with the Planning Department for variances in order to effectuate a recently approved lot split by the Planning Board and therefore allow the existing single family residence to remain, as follows:

1. A variance to waive 34.58' of the 49' required sum of the side yards in order to retain the existing residence, after lot 17 is removed from the site, with a resulting sum of the side yards of 14.42'.

Notice of the request for variances was given as required by law and mailed to owners of property within a distance of 375 feet of the exterior limits of the property on which application was made.

THE BOARD FINDS that the property in question is located in the RS-2 Zoning District.

THE BOARD FURTHER FINDS, based upon evidence, testimony, information and documentation presented to the Board, and portions of the staff report and recommendations, as applicable, which are incorporated herein by this reference, that with regard to the requested variances:

That 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;

That the special conditions and circumstances do not result from the action of the applicant;

That granting the variances requested will not confer on the applicant any special privilege that is denied by this Ordinance to other lands, buildings, or structures in the same zoning district;

File No. 2793
Rosa Tenenbaum
5045 Lakeview Drive

That literal interpretation of the provisions of this Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this Ordinance and would work unnecessary and undue hardship on the applicant;

That the variances granted are the minimum variances that will make possible the reasonable use of the land, building or structure;

That the granting of the variances will be in harmony with the general intent and purpose of this Ordinance and that such variances will not be injurious to the area involved or otherwise detrimental to the public welfare; and

That 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.

IT IS THEREFORE ORDERED, by the Board, that the variances as requested and set forth above be APPROVED with the following conditions to which the applicant has agreed:

1. The new residence on lot 17 shall be setback a minimum of 15' from lot 16.
2. All improvements which do not meet code when a building permit is issued for a new residence on lot 17 shall be removed except for the fence along the front property line which may remain.
3. The portions of the swimming pool deck and various walkways which do not meet the minimum required 7.5' east side yard setbacks on lot 16 shall be removed.
4. A building permit shall be issued for a fence to be constructed along the property line between lot 16 and 17. The existing chain link fence was installed without a permit and is not permitted in the front and rear setbacks.
5. The applicant shall comply with all conditions imposed by the Public Works Department.
6. The applicant shall obtain a building permit within one (1) year of the date of this hearing. If the building permit is not issued within one year of the date of this hearing or the building permit lapses after the one-year period, this variance shall become null and void.

File No. 2793
Rosa Tenenbaum
5045 Lakeview Drive

OFF.
REC. 19642PC3658

PROVIDED, the applicant shall build in accordance with the plans submitted as part of this file and as approved by the Board of Adjustment with any applicable modifications. The applicant shall have a building permit for the work contemplated herein issued by the Building Department on or before March 2, 2002 (within one year of the date of this hearing), otherwise this Order shall become null and void, unless the issuance of such permit is stayed by an appeal of this Order to a court of competent jurisdiction. This Order does not constitute a building permit, but upon presentation of a recorded copy of this Order to the Planning Department, a permit shall be processed and approved (subject to compliance with the conditions hereof) in accordance with and pursuant to the ordinances of the City of Miami Beach.

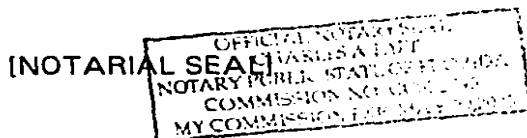
Board of Adjustment of
The City of Miami Beach, Florida

By: [Signature]

Jorge Gomez
Planning and Zoning Director
City of Miami Beach
4700 Convention Center Drive
Miami Beach, Florida 33139

STATE OF FLORIDA)
COUNTY OF MIAMI-DADE)

The foregoing instrument was acknowledged before me this 20th day of APRIL, 2001, by Jorge Gomez, Planning and Zoning Director of the City of Miami Beach, Florida, a Florida Municipal Corporation, on behalf of the corporation. He is personally known to me. [Signature]



Notary:

Print Name: CHARLES A. TAFF
Notary Public, State of Florida
My Commission Expires:
Commission Number:

Approved As To Form:

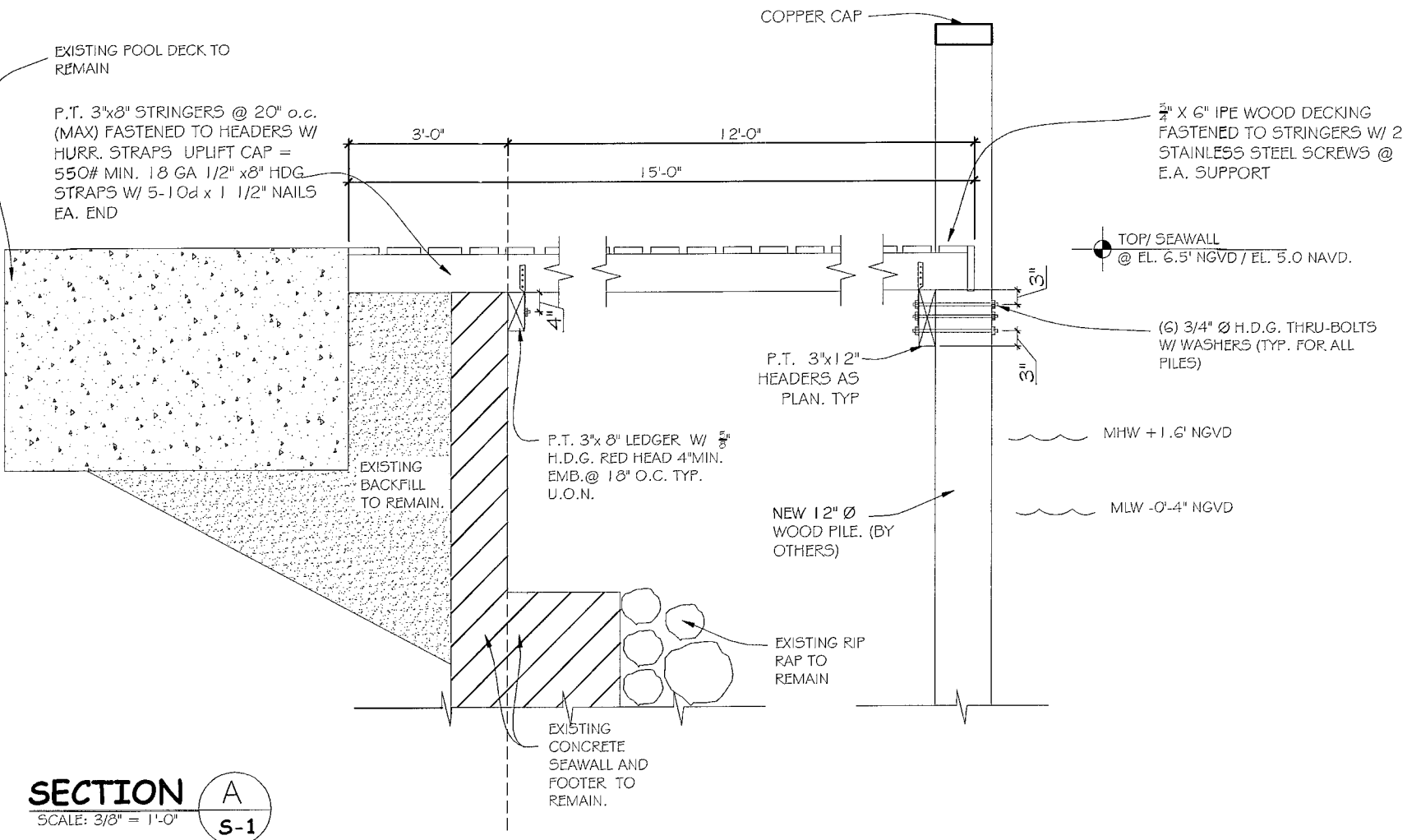
Legal Department (Filed 4-17-01)

Filed with the Clerk of the Board of Adjustment on 4/24/01 (AT)

F:\PLAN\ZBA\FINALORD\2793MAR.ORD

RECORDED IN OFFICIAL RECORDS BOOK
OF DADE COUNTY, FLORIDA
RECORD VERIFIED
HARVEY RUVIN
CLERK CIRCUIT COURT

B1406042



GENERAL NOTES

DESIGN

IN ACCORDANCE WITH 2010 FLORIDA BUILDING CODE & ASCE 7-10

STRUCTURAL LUMBER

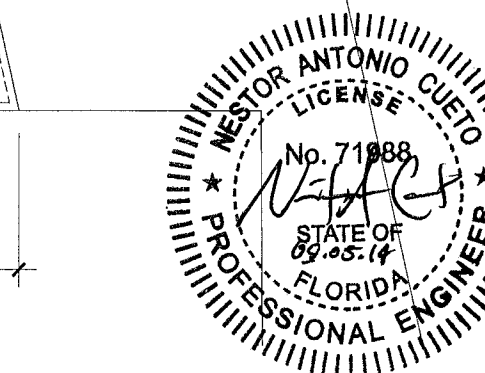
ALL DIMENSIONAL LUMBER SHALL BE PRESSURE TREATED, #1
GRADE SYP OR BETTER (BEAMS TO BE NON-DENSE SELECT STRUCTURAL) AND
COMPLY WITH A.I.T.C. 109 SPECIFICATIONS.

HARWARE

ALL HARDWARE TO BE HOT DIPPED GALVANIZED ACCORDING TO ASTM A-153
OR AS SPECIFIED.

BOLTS

ALL MACHINED BOLTS TO BE IN COMPLIANCE W/ ASTM A-307 & BE HOT
DIPPED GALVANIZED ACCORDING TO ASTM A153



title: **WOOD DOCK REPAIR**

NESTOR X. COLEO,
P.E. LIC#71988 FLCALIC#29935

consultant :

sheet no.

PLANS ARE THE PROPERTY OF SHORE MARINE CONSTRUCTION, INC. NO REPRODUCTION OF THESE PLANS IS ALLOWED UNLESS AUTHORIZED BY SHORE MARINE CONSTRUCTION, INC.