

Property Address: 5212 North Bay RoadDate: 5/26/21**DRB BOARD APPLICATION CHECK LIST - SINGLE FAMILY RESIDENTIAL**

A Pre-Application meeting must be scheduled via CSS to obtain a plan case number and for board staff review of all submittals, and review by the Development Review Committee, as needed.

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 CSS First submittal.

Incomplete, or submittals found to be insufficient will not be placed on a Board agenda.

FIRST SUBMITTAL (VIA CSS) ** To be uploaded online (CSS) by the applicant before 5:00 pm by First submittal deadline. ALL PLANS MUST BE DIMENSIONED AND LEGIBLE. INCLUDE A GRAPHIC SCALE.		Required
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 CSS system, the applicant should contact staff prior to first submittal to be invoiced and make payment.	<input checked="" type="checkbox"/>
2	Is the property the primary residence & homestead of the applicant/property owner? (If yes, provide office of the Property Appraiser Summary Report).	<input type="checkbox"/>
3	Copy of signed and dated check list issued at Pre-Application meeting.	<input checked="" type="checkbox"/>
4	Completed Board Application, Affidavits & Disclosures of Interest (original signatures).	<input checked="" type="checkbox"/>
5	Signed and dated Letter of Intent. Letter must outline application details and identify hardships if Variances are requested. Letter must also identify design waivers.	<input checked="" type="checkbox"/>
a	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.	<input checked="" type="checkbox"/>
b	The Letter of Intent for Variances shall include and respond to all review guidelines in the code as follows: Section 118-353 (d) of the City Code for each Variance.	<input type="checkbox"/>
6	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.	<input checked="" type="checkbox"/>
7	Copies of all current or previously active Business Tax Receipts if applicable.	<input type="checkbox"/>
8	Copies of previous recorded final Orders if applicable.	<input type="checkbox"/>
9	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.	<input checked="" type="checkbox"/>
a	Existing and Proposed detailed topographic survey depicting existing spot grades (NAVD) as well as all underground/overhead utilities and easements/agreements with recording data.	<input checked="" type="checkbox"/>
b	Full legal description of the property if not included in survey (for lengthy legal descriptions, attach as a separate document - label clearly).	<input checked="" type="checkbox"/>
10	Copy of original Building Permit Card, & Microfilm, if available.	<input checked="" type="checkbox"/>
11	Copy of previously approved building permits. (provide building permit number).	<input checked="" type="checkbox"/>
12	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.	<input checked="" type="checkbox"/>
b	Drawing Index	<input checked="" type="checkbox"/>
c	Copy of the original survey included in plan package. See No. 10 above for survey requirements	<input checked="" type="checkbox"/>
d	Zoning Data Sheet (Use Planning Department zoning data sheet format).	<input checked="" type="checkbox"/>
e	Context Location Plan, Min 8.5"X11" Color Aerial 1/2 mile radius, identifying project and showing name of streets. (no Google images)	<input checked="" type="checkbox"/>

Indicate N/A If Not Applicable

Initials: FSC

Property Address: 5212 North Bay RoadDate: 5/26/21

f	Current color photographs, dated, Min 4"x 6" of project site and existing structures (no Google images)	<input checked="" type="checkbox"/>
g	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)	<input checked="" type="checkbox"/>
h	Existing Lot Coverage and Unit Size Diagrams.	<input checked="" type="checkbox"/>
i	Proposed Lot Coverage Diagram.	<input checked="" type="checkbox"/>
j	Proposed Unit Size Diagram for each floor, including roof plan.	<input checked="" type="checkbox"/>
k	Site Plan (fully dimensioned with setbacks, existing and proposed, including adjacent right-of-way widths).	<input checked="" type="checkbox"/>
l	Demolition Plans (Floor Plans & Elevations with dimensions)	<input checked="" type="checkbox"/>
m	Proposed Floor Plans and Roof Plan, including mechanical equipment plan and section marks. Plans shall indicate location of all property lines and setbacks.	<input checked="" type="checkbox"/>
n	Proposed Elevations, materials & finishes noted (showing grade, base flood elevation, heights in NGVD values and free board if applicable)	<input checked="" type="checkbox"/>
o	Proposed Section Drawings	<input checked="" type="checkbox"/>
p	Color Renderings (elevations and three dimensional perspective drawings).	<input checked="" type="checkbox"/>
q	Contextual Elevation Line Drawings, corner to corner, across the street and surrounding properties (dated).	<input checked="" type="checkbox"/>
r	Axonometric Diagram.	<input checked="" type="checkbox"/>
s	Required yards open space calculations and shaded diagrams.	<input checked="" type="checkbox"/>
t	Required yards section drawings.	<input checked="" type="checkbox"/>
u	Variance and/or Waiver Diagram, if applicable.	<input checked="" type="checkbox"/>
13	Landscape Plans and Exhibits (must be 11"x 17")	
a	Tree Survey	<input checked="" type="checkbox"/>
b	Tree Disposition Plan	<input checked="" type="checkbox"/>
c	Landscape Plan- private property and right-of-way areas. Proposed landscaping with landscape legend form, hardscape areas, ground floor equipment, overhead and underground utilities information.	<input checked="" type="checkbox"/>
d	Hardscape Plan, i.e. paving materials, pattern, etc.	<input checked="" type="checkbox"/>
Other*	Waivers: 1) Height 2) Two-story Side elevation - North Side	<input checked="" type="checkbox"/>
Other*		<input type="checkbox"/>
Other*		<input type="checkbox"/>
Other*		<input type="checkbox"/>

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

Property Address: 5212 North Bay RoadDate: 5/26/21**FINAL SUBMITTAL (via CSS & PAPER)**

Revised and/or supplemented documents and drawings to address staff comments. Plans should be clearly labeled "Final Submittal" and dated with Final Submittal deadline date.

Upload documents online (via CSS) before NOON on final submittal deadline. Staff will review and issue a notice to proceed to Paper Final submittal or to continue submittal to a future meeting if the application is found incomplete.

Required

PAPER FINAL SUBMITTAL:

1	Original application with all signed and notarized applicable affidavits and disclosures.	<input checked="" type="checkbox"/>
2	Original of all applicable items.	<input checked="" type="checkbox"/>
3	One (1) signed and sealed 11"X17" bound, collated set of all the required documents.	<input checked="" type="checkbox"/>
4	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.	<input checked="" type="checkbox"/>
5	Mailing Labels -2 sets of gummed labels and a CD including: Property owner's list and Original certified letter from provider.	<input checked="" type="checkbox"/>

ADDITIONAL INFORMATION AND ACKNOWLEDGEMENTS

- A. **** Other information/documentation required for First submittal will be identified during Pre-Application meeting and Development Review Committee Meeting but may be modified based on further analysis.**
- B. **It is the responsibility of the applicant to confirm that documents submitted via CSS, Paper Submittal set and electronic version on CD are consistent with each other and legible.**
- C. **All PDF files must be named with the submittal deadline date and the type of document in the following format 'MM-DD-YYYY Document Name'.**
- D. **Plan revisions and supplemental documentation will not be accepted after the Final Submittal deadline**
- E. **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.**

Matthew Amster

Applicant's or designee's Name



Applicant's or designee's signature

6/9/2021

Date

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 DRB21-0685		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 <input type="checkbox"/> Modification of existing Board Order		Design Review Board <input checked="" type="checkbox"/> Design review approval <input type="checkbox"/> Variance <input type="checkbox"/> Modification of existing Board Order	
Planning Board <input type="checkbox"/> Conditional Use Permit <input type="checkbox"/> Lot Split <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 <input type="checkbox"/> Modification of existing Board Order		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"/> Modification of existing Board Order	
<input type="checkbox"/> Other:			
Property Information – Please attach Legal Description as "Exhibit A"			
ADDRESS OF PROPERTY 5212 N. Bay Road			
FOLIO NUMBER(S) 02-3215-003-1940			
Property Owner Information			
PROPERTY OWNER NAME Raul Marcelo Claire Revocable Trust			
ADDRESS 5212 N. Bay Road		CITY Miami Beach	STATE FL
BUSINESS PHONE (786) 449-6792		CELL PHONE	EMAIL ADDRESS
Applicant Information (if different than owner)			
APPLICANT NAME Same			
ADDRESS		CITY	STATE
BUSINESS PHONE		CELL PHONE	EMAIL ADDRESS
Summary of Request			
PROVIDE A BRIEF SCOPE OF REQUEST Design Review Board approval for new 2-story single family home to replace existing 2-story pre-1942 home. See Letter of Intent for additional details.			

Project Information			
Is there an existing building(s) on the site?		<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If previous answer is "Yes", is the building architecturally significant per sec. 142-108?		<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Does the project include interior or exterior demolition?		<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Provide the total floor area of the new construction.		13,626 SQ. FT.	
Provide the gross floor area of the new construction (including required parking and all usable area).		14,126 SQ. FT.	
Party responsible for project design			
NAME Kobi Karp		<input checked="" type="checkbox"/> Architect <input type="checkbox"/> Contractor <input type="checkbox"/> Landscape Architect <input type="checkbox"/> Engineer <input type="checkbox"/> Tenant <input type="checkbox"/> Other _____	
ADDRESS 571 NE 28th Street		CITY Miami	STATE FL ZIPCODE 33127
BUSINESS PHONE (305)573-1818	CELL PHONE	EMAIL ADDRESS kobikarp@kobikarp.com	
Authorized Representative(s) Information (if applicable)			
NAME Michael W. Larkin		<input checked="" type="checkbox"/> Attorney <input type="checkbox"/> Contact <input type="checkbox"/> Agent <input type="checkbox"/> Other _____	
ADDRESS 200 S. Biscayne Blvd., Suite 300		CITY Miami	STATE FL ZIPCODE 33131
BUSINESS PHONE (305) 374-5300	CELL PHONE	EMAIL ADDRESS mlarkin@brzoninglaw.com	
NAME Matthew Amster		<input checked="" type="checkbox"/> Attorney <input type="checkbox"/> Contact <input type="checkbox"/> Agent <input type="checkbox"/> Other _____	
ADDRESS 200 S. Biscayne Blvd., Suite 300		CITY Miami	STATE FL ZIPCODE 33131
BUSINESS PHONE (305) 374-5300	CELL PHONE	EMAIL ADDRESS mamster@brzoninglaw.com	
NAME Emily K. Balter		<input checked="" type="checkbox"/> Attorney <input type="checkbox"/> Contact <input type="checkbox"/> Agent <input type="checkbox"/> Other _____	
ADDRESS 200 S. Biscayne Blvd., Suite 300		CITY Miami	STATE FL ZIPCODE 33131
BUSINESS PHONE (305) 374-5300	CELL PHONE	EMAIL ADDRESS ebalter@brzoninglaw.com	

Please note the following information:

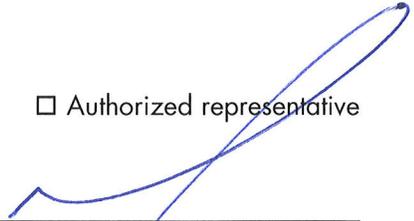
- A separate disclosure of interest form must be submitted with this application if the applicant or owner is a corporation, partnership, limited partnership or trustee.
- All applicable affidavits must be completed and the property owner must complete and sign the "Power of Attorney" portion of the 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 foregoing 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



SIGNATURE

Raul Marcelo Claire

PRINT NAME

6/14/21

DATE SIGNED

OWNER AFFIDAVIT FOR INDIVIDUAL OWNER

STATE OF Florida

COUNTY OF Miami Dade

I, N/A, 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.

Sworn to and subscribed before me this 14 day of June, 2021. 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.

SIGNATURE

NOTARY SEAL OR STAMP

NOTARY PUBLIC

My Commission Expires: _____

PRINT NAME

ALTERNATE OWNER AFFIDAVIT FOR CORPORATION, PARTNERSHIP OR LIMITED LIABILITY COMPANY

STATE OF Florida

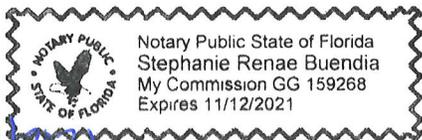
COUNTY OF Miami Dade

I, Raul Marcelo Claire, being first duly sworn, depose and certify as follows: (1) I am the Trustee (print title) of Raul Marcelo Claire Revocable 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.

Sworn to and subscribed before me this 14th day of June, 2021. The foregoing instrument was acknowledged before me by Raul Marcelo Claire, who has produced _____ as identification and/or is personally known to me and who did/did not take an oath.

SIGNATURE

NOTARY SEAL OR STAMP



Stephanie Renae Buendia

NOTARY PUBLIC

My Commission Expires: 11/12/2021

Stephanie Buendia

PRINT NAME

POWER OF ATTORNEY AFFIDAVIT

STATE OF Florida

COUNTY OF Miami Dade

I, Raul Marcelo Claire Revocable Trust, 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 M.W. Larkin, M. Amster, E. Balter, K. Karp 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.

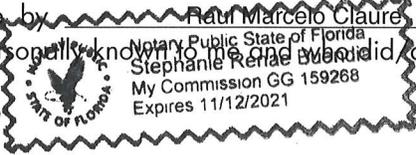
Raul Marcelo Claire

PRINT NAME (and Title, if applicable)

SIGNATURE

Sworn to and subscribed before me this 14th day of June, 2021. The foregoing instrument was acknowledged before me by Raul Marcelo Claire, who has produced _____ as identification and/or is personally known to me and Stephanie Renae Blendia did not take an oath.

NOTARY SEAL OR STAMP



Stephanie Renae Blendia
NOTARY PUBLIC

My Commission Expires: 11/12/2021

Stephanie Renae Blendia
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.

Raul Marcelo Claire Revocable Trust

TRUST NAME	% INTEREST
NAME AND ADDRESS	
Raul Marcelo Claire, Trustee	
5212 N. Bay Road	
Miami Beach, FL 33140	
Raul Marcelo Claire, Beneficiary	100 %
5212 N. Bay Road	
Miami Beach, FL 33140	

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
Michael W. Larkin	200 S. Biscayne Boulevard, Suite 300	(305) 374-5300
Matthew Amster	200 S. Biscayne Boulevard, Suite 300	(305) 374-5300
Emily Balter	200 S. Biscayne Boulevard, Suite 300	(305) 374-5300
Kobi Karp	571 NE 28th Street	(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 Florida

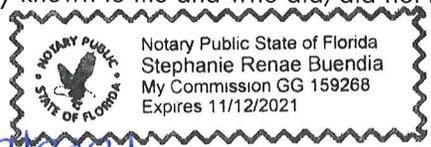
COUNTY OF Miami Dade

I, Raul Marcelo Claire, 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.

[Signature]
SIGNATURE

Sworn to and subscribed before me this 14th day of June, 2021. The foregoing instrument was acknowledged before me by Raul Marcelo Claire, who has produced _____ as identification and/or is personally known to me and who did/did not take an oath.

NOTARY SEAL OR STAMP



[Signature]
NOTARY PUBLIC

My Commission Expires: 11/12/2021

Stephanie Renae Buendia
PRINT NAME

Exhibit A

LEGAL DESCRIPTION:

LOTS 21 AND 22, BLOCK 14, OF LA GORCE GOLF SUBDIVISION, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 14 AT PAGE 43, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.



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

July 5, 2021

Michael Belush, Chief of Planning and Zoning
Planning Department
City of Miami Beach
1700 Convention Center Drive, 2nd Floor
Miami Beach, Florida 33139

RE: DRB21-0685 – Design Review Approval for a New Single-Family Home at 5212 North Bay Road, Miami Beach

Dear Michael,

This law firm represents The Raul Marcelo Claire Revocable Trust (the "Applicant"), owner of the property located at 5212 North Bay Road (the "Property") in the City of Miami Beach (the "City"). The Applicant intends to build a new, Zen Modern style single-family home. 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 with height and north side yard open space waivers to replace an existing pre-1942 two-story residence.

Property Description. The Property consists of two waterfront lots with nonparallel property lines fronting North Bay Road just north of the intersection of West 52 Street. The Miami-Dade County Property Appraiser's Office identifies the Property with Folio No. 02-3215-003-1940. See Exhibit A, Property Appraiser Detailed Report.

According to the Property Appraiser, the home was constructed in 1929 with notable modifications in 1986.¹ As noted on the survey prepared by American Services of Miami, Corp. and dated May 10, 2021, the effectively dual frontage lot is approximately 27,334 square feet in size and the existing home is at an extremely low elevation of only

¹ A Building Card for the original construction of the existing two-story single-family home is not on file with City's Building or Planning Departments.

5.84' NGVD. This puts it grave risk of flooding, especially when the City's minimum required yard elevations are most of a foot higher at 6.56' NGVD and new construction must minimally be at 9' NGVD for this area, which is over 3' higher. Additionally, the Property is located within the RS-3, Single Family Residential Zoning District, and not located in local or national historic district. It is important to note that the surrounding area contains varying sizes and styles of single-family homes and the 2-story home immediately to north is also on a double lot and was built in 2009.

Proposed Development. The Applicant proposes to construct a modern two-story residence. The overall biophilic design is intended to create an oasis for the family and encourage indoor-outdoor living. The entrance of the home is intricately designed to create a welcoming escape with floating steps over a water feature and surrounded by moments for a variety of plantings. The garage entrance is perpendicular to the public right of way, therefore, minimizing the impact on the overall design. There are numerous planters proposed at each level to soften the massing and reduce heat island effects. The purposeful layout of the home facilitates an ease and natural flow of the living spaces. The natural elements and overhangs create shading, which continues to the side elevations and rear of the home. Within the elevations are additional water features that will foster this Zen environment, contribute to the goal of making the home more resilient, and significantly divide the massing of the home. The water feature on the north side is approximately 11' wide and 25' long. The rear of the home continues the variety of overhanging plantings framing interior balconies. There is a pool, pool deck, outdoor dining area, and one-story accessory structure proposed within the rear yard. Additionally, there is a centrally located, architectural spiral staircase to a roof deck.

The Applicant's design complies with the City of Miami Beach Code of Ordinances (the "Code") requirements for all setbacks, unit size, and lot coverage. This ensures minimal impact on the abutting neighbors. The Applicant proposes increased first and second level front setbacks of 21'-5" and 42'-9" respectively, which are greater than the 20' and 40' front setbacks required. Also, the proposed rear setback is 29' which is greater than the minimum required 26'-2" rear setback. The size of the proposed home is approximately 13,626 square feet, which complies with the allowable fifty percent (50%) unit size limit. The proposed lot coverage also complies with the thirty percent (30%) maximum permitted.

The overall design sufficiently addresses the intent of the Code with the main massing centrally located and a variety of architectural articulations and materials, along with extensive plantings. The Applicant is not seeking any variances of the Code.

Waiver Requests. The Applicant respectfully requests Design Review Board approval of the following waiver:

1. Code Section 142-106(2)(d), to waive the additional required open space of the two-story north side elevation located parallel to the north side property line exceeding 50% of the lot depth or 60 feet; and
2. Code Section 142-105(b)(1), to permit an increased height up to 28' for a flat roof.

Additional Open Space. The intent of the Code is to reduce the scale and massing of the second story portion of homes against the neighboring properties. The proposed design provides substantial movement and interest along the north elevation, and an approximately 276 square foot water feature on the ground level that is fully open to the sky. This is a significant moment of recess and complies with all Code requirements for additional open space except for the 50% landscaping. Moreover, moving towards the front of the Property the elevation significantly steps further back from the 16'-5" setback, reducing the scale of the north elevation significantly. The parallel length between the water feature and the outdoor dining area is sufficiently fragmented with windows and doors. Therefore, the intent of the Code is satisfied and the centrally located main home, with varying architectural interest in design and materials, has a minimal impact on the abutting neighbors.

Height. Notably, this is a 27,334 square foot lot, which is 1.5 times the size of the minimum RS-2 lot size and close to the minimum size of a RS-1 zoned lot. Both RS-1 and RS-2 allow a 28' maximum building height so the comparable lot size lends itself to the 28'. In conjunction, the home has significant setbacks on all sides that centralize the home and effectively mitigate any impacts on the neighbors. The additional height on the north is confined to only 50% of the façade and is located in concert with the 2-story portion of the approximately 15,400 square foot home built in 2009 on the 26,550 square foot double lot to the north. The south 2-story elevation is much narrower than the north with a significant portion further inset, leaving only approximately 25' of length towards the south, which is also in the area of the 2-story portion of the home to the south.

Further, the Applicant proposes to actively address sea level rise and construct the proposed finished floor of the new home at base flood elevation plus two (2) feet of freeboard. The existing home is located well below base flood elevation at only 5.84' NGVD, which is over 3' below the minimum required elevation under today's regulations and, therefore, at serious risk of flooding. The Applicant is looking to the longevity and

resiliency for the newly designed home. The additional height provides proportion to the 1- and 2-story portions of the home, but the elevations are stepped back and recessed, so that the additional height is sensitive to the neighbors and does not occur for the entire length of the home along the property lines. Also, there are significant front and rear setbacks to ensure the home is centrally located on the lot, which will preserve views and minimize any potential impacts to the abutting neighbors. The proposed height is sensitive and compatible with the surrounding homes.

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

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

A recycling and salvage plan for demolition of the existing home will be provided at permitting.

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

Hurricane proof impact windows will be provided.

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.

All landscaping 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.

The Applicant is proactively addressing sea level rise projections by raising the first floor of the home to the base flood elevation of 8' NGVD plus 2' of freeboard.

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.

The raised first-floor ensures that the home is adaptable to the raising of public rights-of-ways and adjacent land in the future.

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

All 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.

The proposed home is entirely new construction located well-above base flood elevation.

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 is located below base floor 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 provides a number of shaded open spaces and non-air-conditioned shaded living spaces to strategically minimize the potential for heat island effects on site.

Conclusion. Granting this design review application, with associated waivers, will permit the development of a compatible and resilient single-family home that will add value to the surrounding neighborhood. The Zen Modern design features a variety of

beautiful natural moments and lush landscaping that will create the oasis feeling for this family. The home complies with unit size, lot coverage, and required setbacks, and is centrally located on the large double lot to be sensitive to the abutting neighbors.

We look forward to your favorable review of the application. If you have any questions or comments in the interim, please give me a call at 305-377-6236.

Sincerely,



Matthew Amster

Attachment

cc: Michael W. Larkin, Esq.
Emily K. Balter, Esq.



OFFICE OF THE PROPERTY APPRAISER

Detailed Report

Generated On : 6/13/2021

Property Information	
Folio:	02-3215-003-1940
Property Address:	5212 N BAY RD Miami Beach, FL 33140-2011
Owner	RAUL MARCELO CLAURE TRS RAUL MARCELO CLAURE REV TR
Mailing Address	5212 N BAY RD MIAMI BEACH, FL 33140 USA
PA Primary Zone	0800 SGL FAMILY - 1701-1900 SQ
Primary Land Use	0101 RESIDENTIAL - SINGLE FAMILY : 1 UNIT
Beds / Baths / Half	4 / 3 / 0
Floors	2
Living Units	1
Actual Area	6,390 Sq.Ft
Living Area	5,356 Sq.Ft
Adjusted Area	5,116 Sq.Ft
Lot Size	27,334 Sq.Ft
Year Built	Multiple (See Building Info.)



Assessment Information			
Year	2021	2020	2019
Land Value	\$9,594,234	\$8,200,200	\$8,200,200
Building Value	\$332,754	\$466,127	\$466,399
XF Value	\$97,428	\$98,430	\$99,432
Market Value	\$10,024,416	\$8,764,757	\$8,766,031
Assessed Value	\$10,024,416	\$8,728,407	\$7,934,916

Benefits Information				
Benefit	Type	2021	2020	2019
Non-Homestead Cap	Assessment Reduction		\$36,350	\$831,115
Homestead	Exemption	\$25,000		
Second Homestead	Exemption	\$25,000		

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

Taxable Value Information			
	2021	2020	2019
County			
Exemption Value	\$50,000	\$0	\$0
Taxable Value	\$9,974,416	\$8,728,407	\$7,934,916
School Board			
Exemption Value	\$25,000	\$0	\$0
Taxable Value	\$9,999,416	\$8,764,757	\$8,766,031
City			
Exemption Value	\$50,000	\$0	\$0
Taxable Value	\$9,974,416	\$8,728,407	\$7,934,916
Regional			
Exemption Value	\$50,000	\$0	\$0
Taxable Value	\$9,974,416	\$8,728,407	\$7,934,916

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>

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OFFICE OF THE PROPERTY APPRAISER

Generated On : 6/13/2021

Property Information

Folio: 02-3215-003-1940

Property Address: 5212 N BAY RD

Roll Year 2021 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.	27,334.00	\$9,594,234

Building Information						
Building Number	Sub Area	Year Built	Actual Sq.Ft.	Living Sq.Ft.	Adj Sq.Ft.	Calc Value
1	1	1929	5,697	5,235	4,805	\$306,319
1	2	1986	693	121	311	\$26,435

Extra Features			
Description	Year Built	Units	Calc Value
Dock - Wood on Light Posts	2006	660	\$14,520
Aluminum Modular Fence	1995	160	\$4,189
Patio - Brick, Tile, Flagstone	1986	540	\$4,039
Jacuzzi	1986	254	\$20,726
Patio - Concrete Slab	1986	4,460	\$12,131
Gazebo - Frame	1986	961	\$26,139
Pool 6' res BETTER 3-8' dpth, tile 250-649 sf	1973	1	\$15,684

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Generated On : 6/13/2021

Property Information

Folio: 02-3215-003-1940

Property Address: 5212 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.	27,334.00	\$8,200,200

Building Information						
Building Number	Sub Area	Year Built	Actual Sq.Ft.	Living Sq.Ft.	Adj Sq.Ft.	Calc Value
1	1	1929	5,697	5,235	4,805	\$428,846
1	2	1986	693	121	311	\$37,281

Extra Features			
Description	Year Built	Units	Calc Value
Dock - Wood on Light Posts	2006	660	\$14,685
Aluminum Modular Fence	1995	160	\$4,243
Gazebo - Frame	1986	961	\$26,524
Patio - Brick, Tile, Flagstone	1986	540	\$4,069
Patio - Concrete Slab	1986	4,460	\$12,220
Jacuzzi	1986	254	\$20,879
Pool 6' res BETTER 3-8' dpth, tile 250-649 sf	1973	1	\$15,810

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OFFICE OF THE PROPERTY APPRAISER

Generated On : 6/13/2021

Property Information

Folio: 02-3215-003-1940

Property Address: 5212 N BAY RD Miami Beach, FL 33140-2011

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.	27,334.00	\$8,200,200

Building Information						
Building Number	Sub Area	Year Built	Actual Sq.Ft.	Living Sq.Ft.	Adj Sq.Ft.	Calc Value
1	1	1929	5,697	5,235	4,805	\$428,846
1	2	1986	693	121	311	\$37,553

Extra Features			
Description	Year Built	Units	Calc Value
Dock - Wood on Light Posts	2006	660	\$14,850
Aluminum Modular Fence	1995	160	\$4,298
Jacuzzi	1986	254	\$21,031
Gazebo - Frame	1986	961	\$26,908
Patio - Brick, Tile, Flagstone	1986	540	\$4,099
Patio - Concrete Slab	1986	4,460	\$12,310
Pool 6' res BETTER 3-8' dpth, tile 250-649 sf	1973	1	\$15,936

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Generated On : 6/13/2021

Property Information

Folio: 02-3215-003-1940

Property Address: 5212 N BAY RD

Full Legal Description
LA GORCE GOLF SUB PB 14-43
LOTS 21 & 22 BLK 14
LOT SIZE 158.000 X 173
OR 12078-1312 0384 1

Sales Information			
Previous Sale	Price	OR Book-Page	Qualification Description
08/07/2020	\$11,100,000	32049-3786	Qual by exam of deed
02/25/2015	\$100	29534-0532	Corrective, tax or QCD; min consideration
03/01/1984	\$1,000,000	12078-1312	Sales which are qualified
05/01/1982	\$550,000	11453-2100	Sales which are qualified

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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

May 26, 2021

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

Re: Property owners within 375 feet of:

SUBJECT: 5212 North Bay Road, Miami Beach, FL 33140

FOLIO NUMBER: 02-3215-003-1940

ABBREV. LEGAL DESCRIPTION: LA GORCE GOLF SUB PB 14-43 LOTS 21 & 22 BLK 14 -
Please see boundary survey for full Legal Description

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

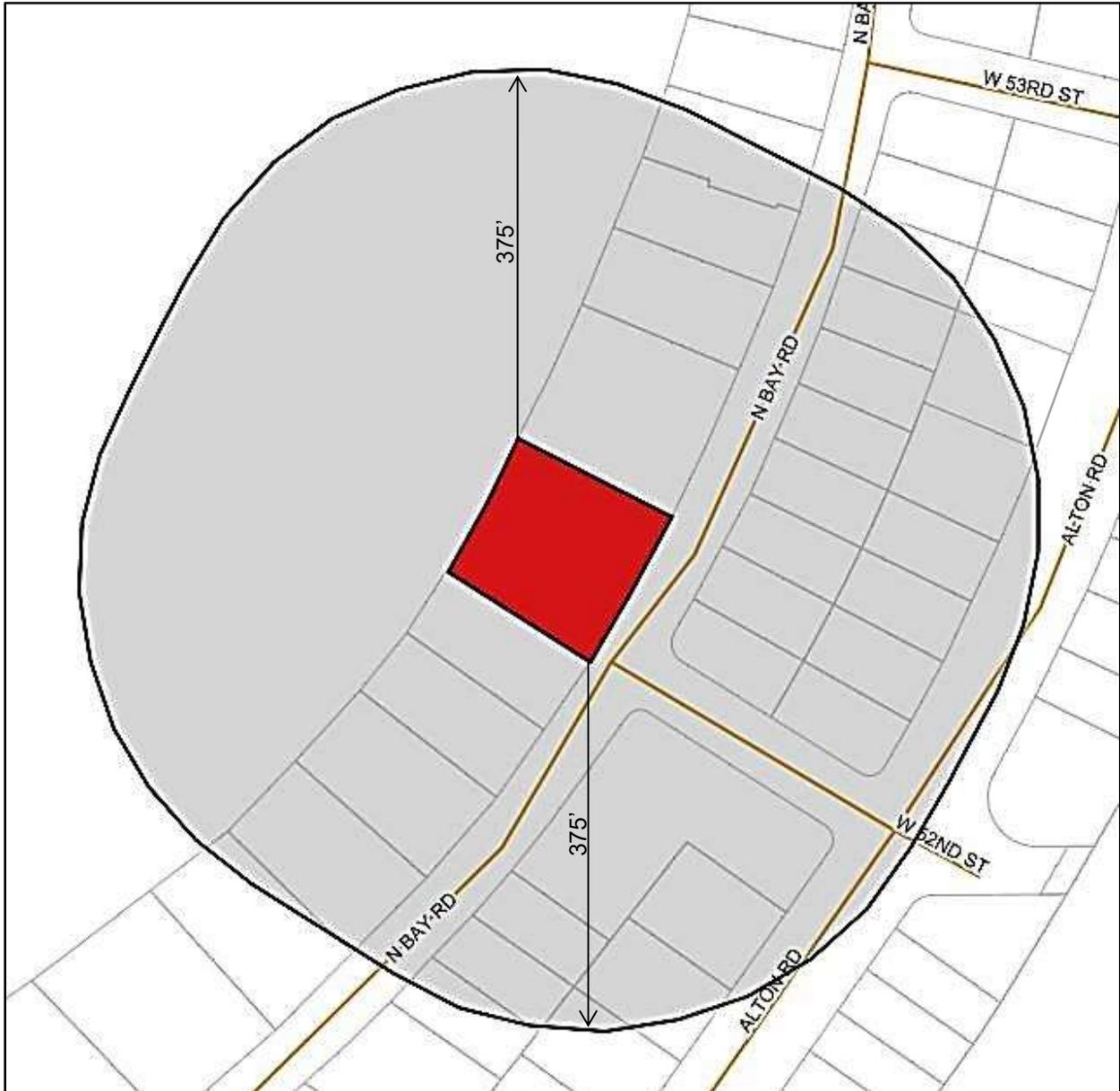
Total number of property owners without repetition: **33, including 1 international**



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certified lists of property owners within a specific radius + radius maps + mailing labels + mailouts + notice of public hearing site posting
rdmiami.com | diana@rdmiami.com | 305.498.1614

375' RADIUS MAP



SUBJECT: 5212 North Bay Road, Miami Beach, FL 33140

FOLIO NUMBER: 02-3215-003-1940

ABBREV. LEGAL DESCRIPTION: LA GORCE GOLF SUB PB 14-43 LOTS 21 & 22 BLK 14 -
Please see boundary survey for full Legal Description

Name	Address	City	State	Zip	Country
ANDREW POLLACK TRS WINPOL 2020 TRUST	60 ARJAY CRESCENT	TORONTO ON M2L 1C7			CANADA
AARON B PERRY &W AMY B &	5133 N BAY RD	MIAMI BEACH	FL	33140-2008	USA
ABYLAY OSPAN	5224 ALTON RD	MIAMI BEACH	FL	33140	USA
ALBERTO EIBER &W KIM	5160 N BAY RD	MIAMI BEACH	FL	33140-2009	USA
ALEXANDER R HOLLAND ASHLEY SALOM	5241 N BAY RD	MIAMI BEACH	FL	33140	USA
BEVERLY F TOBIN BEVERLY F TOBIN REVOCABLE TRUST ANDREW M TOBIN	5231 NORTH BAY RD	MIAMI BEACH	FL	33140	USA
CONCEPCION T BRETOS LE REM MAXIMILIANO PEDRO BRETOS REM FERNANDO MIGUEL BRETOS	5208 ALTON RD	MIAMI BEACH	FL	33140-2005	USA
CURRENT PROPERTY OWNER	5238 ALTON RD	MIAMI BEACH	FL	33140	USA
DAVID S KUSHNER &W BROOKE	5161 N BAY RD	MIAMI BEACH	FL	33140-2008	USA
DAVID W DESMOND TRS MTB 2000 TRUST LISA A DESMOND TRS	16 ISLAND AVE 6A	MIAMI BEACH	FL	33139	USA
FELIPE KAPLAN URSULA MARIA VELARDE	5160 ALTON RD	MIAMI BEACH	FL	33140	USA
GARY N SIEGLER	700 91 STREET	SURFSIDE	FL	33154	USA
GEORGE T HEISEL GABRIELA L HEISEL	5150 NORTH BAY RD	MIAMI BEACH	FL	33140	USA
GREGORY N ANDRIS &W NAOMI NIXON	5215 N BAY RD	MIAMI BEACH	FL	33140-2010	USA
IVAN SCHNEIDER TRS SDKC PARTNERS LLLP	5240 N BAY ROAD	MIAMI BEACH	FL	33140	USA
JAIME A RUBINSON JAIME ANGEL RUBINSON LIVING TR	5147 N BAY RD	MIAMI BEACH	FL	33140-2008	USA
JAMES M CORDLE &W INA PAIVA	5221 N BAY RD	MIAMI BEACH	FL	33140-2010	USA
JAMES ROSS WIEGER	5185 N BAY RD	MIAMI BEACH	FL	33140-2008	USA
JOHANNES C MARIA VAN GAALEN CATHERINE RAYMONDE CLEMETINE MOREL EP VAN GAALEN	5244 ALTON RD	MIAMI BEACH	FL	33140	USA
JOHN GEHRET	5180 N BAY RD	MIAMI BEACH	FL	33140-2009	USA
JOSEPH P PEZZA TRS JOSEPH G PEZZA IRREVOCABLE TR	5225 N BAY RD	MIAMI BEACH	FL	33140	USA
MARIA ALARCON TRS	5190 NORTH BAY 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
PAUL STORTI	5170 ALTON RD	MIAMI BEACH	FL	33140-2003	USA
PAVEL POJIDAEV YANA YAKOVLEVA	5146 ALTON RD	MIAMI BEACH	FL	33140	USA
RAUL MARCELO CLAURE TRS RAUL MARCELO CLAURE REV TR	5212 N BAY RD	MIAMI BEACH	FL	33140	USA
RAUL MATEU &W ELIZABETH	5230 ALTON RD	MIAMI BEACH	FL	33140-2005	USA
RICHARD LEEDS SUZANNE LEEDS	5130 N BAY RD	MIAMI BEACH	FL	33140	USA
RON SCHREIBER	3101 S OCEAN DR APT 2308	HOLLYWOOD	FL	33019	USA
WILLIAM YCIKSON	5200 ALTON RD	MIAMI BEACH	FL	33140-2005	USA
ZALMAN BACHEIKOV &W ADA	5201 N BAY RD	MIAMI BEACH	FL	33140-2010	USA

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