# MIAMI BEACH PLANNING DEPARTMENT

# Staff Report & Recommendation

# PLANNING BOARD

TO: Chairperson and Members Planning Board DATE: October 26, 2021

FROM: Thomas R. Mooney, AICP Planning Director

SUBJECT: PB21-0464. 291 Palm Avenue. Single Family Home Lot Split/Subdivision of Land.

An application has been filed requesting a Division of Land/Lot Split, pursuant to Chapter 118, Article VII of the City Code, to divide the existing site comprised of two platted lots, into two individual buildable parcels.

# **RECOMMENDATION:**

Approval with conditions.

## **EXISTING STRUCTURES/SITE:**

The subject application includes one existing irregular parcel of approximately 12,021 square feet (Per Survey and Letter of Intent submitted by the applicant). The parcel consists of two (2) platted lots (lots 55 and 56). There is an existing two-story home and accessory garage building on the lot that were constructed in 1935. The applicant is proposing to demolish the primary residence and divide the parcel into two (2) individual single-family sites. The accessory garage building is proposed to be incorporated into the home on the western lot.

## ZONING / SITE DATA:

Legal Description:	Lot 55 and Lot 56, in Block 2-B, of ENTITLE AMENDED RIVIERA AND THE FIRST AND SECOND ADDITIONS, according to the Plat thereof, as recorded in Plat Book 32, at Page 37, of the Public Records of Miami-Dade County, Florida.
Zoning:	RS-4 Single-Family Residential District
Future Land Use:	Single Family Residential Category (RS)
Current Lot Size:	Total – 12,021 SF Lot 56 (west) – 5,267 SF Lot 55 (east) – 6,754 SF
Proposed Lot Sizes:	Lot A (west) – 6,011 SF Lot B (east) – 6,011 SF

## **REVIEW CRITERIA:**

Pursuant to Section 118-321(b) of the City Code, 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.

**Consistent** – The minimum lot size for the RS-4 district is 6,000 SF and the minimum lot width is 50 feet. The proposed lots exceed an area of 6,000 SF and a width of 50 feet.

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.

**Consistent** – The most common lot size in the area is 6,000 SF. The average lot size is 6,393 SF and the median lot size is 6,000 SF. The proposed 6,011 SF lots fall within this range. Additionally, the proposed lots are slightly larger than the first quartile of lots. Additionally, the current lot size of 12,021 SF is larger than all other lots in the study area.

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.

**Partially Consistent** – Staff has analyzed the average unit sizes and provided a recommendation to ensure compatibility with the surrounding neighborhood. The proposed homes are compatible with the unit sizes of existing homes in the study area. However, the proposed homes are larger than the 40%-unit size permitted by the LDRs. In order to be able to construct such homes, the applicant would be required to obtain variances from the Design Review Board (DRB).

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.

**Partially Consistent** – Given that this is an irregular lot, all existing structures on the lot are non-conforming in terms of setbacks. The applicant is proposing to demolish the existing home, and if approved, new structures will have to comply with current regulations. Should the Planning Board require the retention of the existing pre-1942 home, the existing home would have non-conforming side yard setbacks and would span the property line.

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

**Consistent** – There are no encroachments from abutting sites.

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 section 142-108 (2) of the City Code.

**Partially consistent** – There is an existing pre-1942 home on the site. However, the home has not been determined to be architecturally significant. The applicant is proposing to demolish the home as it spans the proposed lot line. The applicant is proposing to retain the accessory garage structure which would be incorporated into the proposed home on the western lot. According to the submitted survey, the existing home has a finished floor elevation (FFE) of 4.64' NGVD, where current regulations a minimum design flood elevation (DFE) of 9' NGVD. Given that the home is 4.36' below the DFE and its proximity to the Ocean, staff is not opposed to the demolition of the existing home.

#### COMPLIANCE WITH SEA LEVEL RISE AND RESILIENCY REVIEW CRITERIA

Section 133-50(a) of the Land Development establishes review criteria for sea level rise and resiliency that must be considered as part of the review process for board orders. The following is an analysis of the request based upon these criteria:

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

**Partially Satisfied** – The applicant's letter of intent (LOI) indicates that a recycling or salvage plan will be provided during permitting.

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

**Satisfied** – The applicant's LOI indicated that the structures will have hurricane impact windows throughout the homes.

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

**Satisfied** – The applicant's LOI indicated that the structures will have abundant windows and doors that will allow for passive cooling.

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

**Satisfied** – The applicant's LOI indicated that landscape plans include many native and Florida-friendly plants, including salt-tolerant and highly water-absorbent species. These details will be further reviewed as part of the Design Review process.

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. **Satisfied** – The applicant's LOI and plans indicate that the home on Lot A is proposed to have an understory and an FFE of 17' NGVD and the proposed home on Lot B will have a FFE of 10'. Both exceed the minimum DFE of 9' NGVD and high water projections beyond 2100.

# 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.

**Satisfied** – The applicant's LOI indicates that the design is adaptable to the raising of adjacent ROW's of up to an additional 3'.

# 7. Where feasible and appropriate, all critical mechanical and electrical systems shall be located above base flood elevation (BFE).

**Satisfied** – The applicant's LOI indicated that all electrical and mechanical systems will be located above BFE.

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

**Not Satisfied** – The applicant indicated that they could not reasonably elevate the pre-1942 accessory garage structure without compromising its architecture. Additionally, the applicant has indicated that they did not seek to retain the pre-1942 single family home.

# 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.

**Satisfied** – The applicant will not be providing habitable space below the BFE. Additionally, the applicant indicated that flood proofing would be provided for the existing accessory garage structure that is proposed to be retained.

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

**Partially Satisfied** – The applicant's LOI indicated that the appropriate stormwater retention systems; however, any new homes require the approval of the DRB at which point the resiliency criteria must be addressed in detail.

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

**Partially Satisfied** – The applicant's LOI indicated that the appropriate materials for driveways and other hardscape areas; however, any new homes require the approval of the DRB at which point the resiliency criteria must be addressed in detail.

## 12. The design of each project shall minimize the potential for heat island effects onsite.

**Partially Satisfied** – The applicant's LOI indicated that the abundant landscaping will be provided to minimize the heat island effect; however, any new homes require the approval

of the DRB at which point the resiliency criteria must be addressed in detail.

### ANALYSIS:

The subject property consists of a single owner, Casa de Palm LLC (the applicant), who proposes to divide the subject property, which consists of two (2) platted lots, into two (2) separate parcels. An Opinion of Title was submitted in conformance with the requirements of the City Code.

The existing parcel is an irregularly shaped, non-waterfront lot with three (3) curved street frontages located on the western half of Palm Island. It fronts Palm Avenue on the front and western side and Coconut Lane on the rear. The existing lot is 12,021 square feet.

The RS-4 residential single-family zoning district requires a minimum lot area of 6,000 square feet and a minimum lot width of 50 feet. If the existing platted lot lines were used, the lot split would result in a nonconforming lot of 5,267 square feet. As such, the applicant is proposing to move the lot line in order to create two conforming lots of 6,011 square feet each. The proposed parcels would therefore comply with the minimum lot area and lot width.

The tables in the section below summarize the statistical data of similar properties in the surrounding area, (see also analysis parcels aerial). The source of the data is the Miami Dade County Property Appraiser's Office.

As a point of information, the Property Appraiser's Office adjusts the size of structures by increasing or adjusting the stated square footage for outdoor covered areas such as loggias, covered patios, etc. and for non-air-conditioned garages. As per the City's definitions, these items are generally excluded from unit size calculations. In the Data Analysis below, the adjusted unit size percentage is the percentage unit size of the existing home using the adjusted square footage from the Property Appraiser's office. Staff has included a "20% allowance" column, to take into consideration a reasonable accommodation for future renovations and additions for existing homes.

The applicant is proposing to demolish a pre-1942 home that is primarily on the eastern lot; however, the home does encroach onto the western lot. The applicant is also proposing to maintain an accessory garage structure that is on the western lot. The accessory garage structure maintains its original architectural character and is proposed to be incorporated into a new home on the western lot.

Per lot split criteria number 6 of section 118-321(b) of the LDRs, the Planning Board has the ability 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 section 142-108 (2) of the City Code. Although a formal determination of architectural significance has not been made, it would likely meet the minimum criteria for Architectural Significance.

Notwithstanding, any future replacement structures on both proposed lots would require the review and approval of the Design Review Board (DRB). Additionally, the first floor of the existing home is 4.36 feet below the minimum design flood elevation of nine (9) feet NGVD. Given that Palm Island is one of the lowest single-family elevations in the City, this condition impacts the long-term viability of the structure. As such, staff would not recommend that the Planning Board require the retention of the existing home.

Section 142-105 (b)(9) of the LDRs provides additional requirements for lot splits in single family districts. It requires that any new home on lots resulting from a lot split application be subject to the review and approval of the DRB. Additionally, this Section of the Code requires that that when an architecturally significant, pre-1942 home is proposed to be demolished, or the lot split does not follow the original platted lot lines, the maximum unit size of any new home(s) shall not exceed 40% of the lot area and the lot coverage for a two-story home not exceed 25% of the lot area, or such less number determined by the Planning Board. Since the applicant is proposing to move the lot lines in a manner that is inconsistent with the original platted lines, any new homes on the the new lots would be subject to these limitations.

The applicant is proposing to build a new home with a unit size of 60.9% on Lot A (western lot) and a new home with a unit size of 55.1% on Lot B (eastern lot); each proposed homes has a proposed lot coverage of 33.2%. These proposed unit sizes exceed not only the limits set forth in Sec. 142-105(b)(9), but they are also inconsistent with the maximum Citywide unit size maximum of 50%. The applicant has indicated that they intend to seek variances from the DRB. From a policy standpoint, staff does not object to allowing the applicant to seek variances from the DRB. However, staff does have very serious concerns with the excessive nature of the unit size variances being sought. In this regard, given the existing unit size configurations in the immediate area, staff would recommend that if any variances are granted, they not be allowed to exceed the current maximum unit size for new construction, which is 50%.

Also, given the irregular shape of the lots, it is likely that applicant may be seeking variances from minimum setback requirements, as well as other requirements, for the new homes. Staff is not opposed to allowing the applicant to seek other variances from the DRB.

Site	Year Built	Lot Size (SF)	Unit Size (SF)	Unit Size %	Floors
Existing Lot	1935	12,021	2,911	24%	2
Proposed Lot A (west)	N/A	6,011	3,660	60.9%	TBD
Proposed Lot B (east)	N/A	6,011	3,312	55.1%	TBD

# Area Analysis Data:

Subject Site:

Surrounding Sites Summary:

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Statistic	Year Built	Lot Size (SF)	Unit Size (SF)	Unit Size %	Unit Size +20% Allowance (SF)*	Unit Size +20% Allowance %	Floors
Average	1966	6,393	3,396	53%	3,694	58%	2
Median	1951	6,000	3,084	47%	3,511	55%	2
Max	2020	9,000	6,555	99%	6,555	99%	3
Min	1925	3,375	1,538	26%	1,846	31%	1
First Quartile	1937	6,000	2,663	41%	3,036	49%	1
Third Quartile	1999	6,800	3,950	63%	4,348	63%	2
Mode	1938	6,000	N/A	N/A	N/A	N/A	2

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Analysis Parcels (aerial)



# Analysis Parcels Data

Address	Year Built	Lot Size (SF)	Unit Size (SF)	Unit Size %	Unit Size +20% Allowance (SF)*	Unit Size +20% Allowance %	Floors
191 PALM AVE	1954	7,000	2,926	42%	3,511	50%	1
199 PALM AVE	2016	7,000	4,786	68%	4,786	68%	2
226 PALM AVE	2009	7,000	5,878	84%	5,878	84%	2
201 PALM AVE	2016	7,800	5,596	72%	5,596	72%	2
205 PALM AVE	1940	6,000	1,693	28%	2,032	34%	1
210 N COCONUT LN	1951	6,000	5,174	86%	5,174	86%	1
215 PALM AVE	2004	6,000	5,968	99%	5,968	99%	3
217 PALM AVE	1938	6,000	1,911	32%	2,293	38%	1
221 PALM AVE	1950	6,000	2,454	41%	2,945	49%	1
225 PALM AVE	1936	6,000	2,196	37%	2,635	44%	2
231 PALM AVE	1940	6,000	1,538	26%	1,846	31%	1
233 PALM AVE	1971	6,000	2,694	45%	3,233	54%	2
241 PALM AVE	1935	6,000	2,331	39%	2,797	47%	1
243 PALM AVE	1991	6,000	3,612	60%	3,612	60%	2
247 PALM AVE	2017	6,000	4,276	71%	4,276	71%	2
251 PALM AVE	1935	6,000	2,440	41%	2,928	49%	1
255 PALM AVE	1938	6,000	3,547	59%	3,547	59%	2
257 PALM AVE	2018	6,000	3,127	52%	3,127	52%	2
261 PALM AVE	1925	6,000	3,550	59%	3,550	59%	2
265 PALM AVE	1941	6,000	1,845	31%	2,214	37%	1
269 PALM AVE	1969	6,000	2,967	49%	3,560	59%	1
275 PALM AVE	1925	6,000	3,422	57%	3,422	57%	2
277 PALM AVE	1971	6,000	3,301	55%	3,301	55%	2
281 PALM AVE	1938	6,000	1,936	32%	2,323	39%	1
287 PALM AVE	1957	8,823	3,426	39%	4,111	47%	2
312 PALM AVE	1936	8,523	3,683	43%	4,420	52%	2
300 PALM AVE	2020	7,443	6,555	88%	6,555	88%	3
288 PALM AVE	2020	3,375	2,871	85%	2,871	85%	3
286 PALM AVE	1926	5,775	2,676	46%	3,211	56%	2
282 PALM AVE	1989	6,000	2,753	46%	3,304	55%	2
278 PALM AVE	1926	6,000	3,560	59%	3,560	59%	3
274 PALM AVE	1937	6,000	2,759	46%	3,311	55%	2
272 PALM AVE	2019	6,000	4,621	77%	4,621	77%	2
265 S COCONUT LN	1925	6,000	2,938	49%	3,526	59%	2
259 S COCONUT LN	1935	6,600	2,830	43%	3,396	51%	1
250 PALM AVE	1994	9,000	4,216	47%	5,059	56%	2
242 PALM AVE	1994	6,000	2,650	44%	3,180	53%	2
240 PALM AVE	2016	7,200	4,673	65%	4,673	65%	2
230 PALM AVE	1938	7,800	3,084	40%	3,701	47%	2

\*The 20% allowance was added to the adjusted square footage only if the increase remained within permissible limits pursuant to the Land Development Regulations.

## Summary of Data Analysis:

- The analysis area consists of the non-waterfront RS-4 lots on the western half of Palm Island.
- There are 39 parcels in the analysis area, excluding the applicant's site.
- All parcels range in size from 3,084 to 9,000 square feet. The subject parcel existing parcel is larger than all other parcels in the analysis area.
- The average lot size is 6,393 square feet. The median lot size and mode is 6,000 square feet. The applicant's proposed lots are slightly larger than the most common lot size in the area.
- Current homes range from a unit size of 1,538 square feet (26% of lot area) to 6,555 square feet (99% of lot area).
- The average adjusted unit size is 3,396 square feet (53% of lot area), the median adjusted unit size is 3,084 square feet (47% of lot area). There are 17 homes that exceed the current maximum unit size of 50%.
- Factoring a reasonable assumption of future additions to existing homes of 20% of the current adjusted size, the average home unit size increases to 3,694 square feet (58% of lot area) and a median size of 3,511 square feet (55% of lot area). There are 28 homes that would meet or exceed the 50% unit size limit.
- The applicant is proposing a unit size of 3,660 square feet (60.9% of lot area) and 3,312 square feet (55.1% of lot area).

Staff would note that the existing homes in the study area with a reasonable allowance for additions would have an average unit size of 58% and a median of unit size of 55%. However, it should be noted that a number of homes approved with a unit size above 50% were done so prior to the 2014 single family development regulation amendments that limited unit size to 50% Citywide.

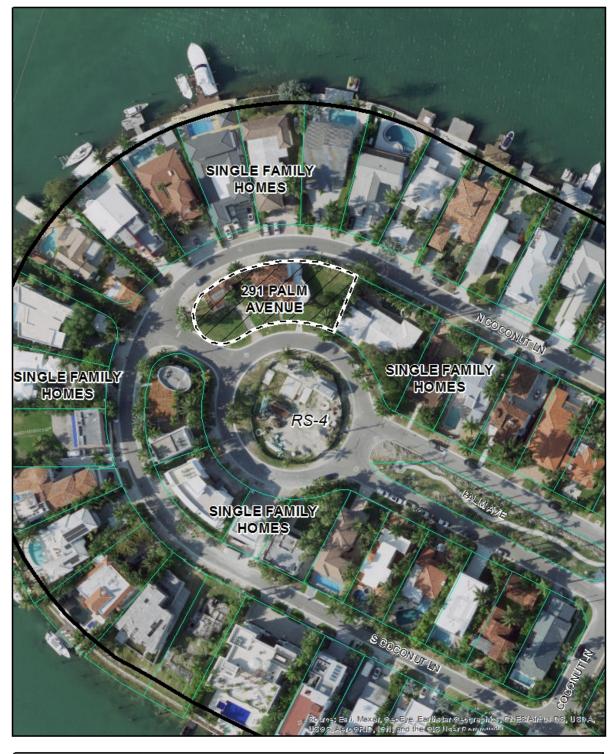
As noted above, the applicant intends to seek variances to request a maximum unit size of 60.9% and 55.1%, both of which would require DRB approval. This request exceeds the allowable unit size limit of 40%, when a lot split results in the demolition of a pre-1942 home or the movement of platted lot lines. While staff is not opposed to allowing the applicant to seek variances from the DRB to exceed a unit size of 40%, any such variance should not be allowed to exceed a maximum unit size of 50%, which is consistent with the maximum allowable unit size for new construction Citywide.

## STAFF RECOMMENDATION:

In view of the foregoing analysis, staff recommends that the application be approved subject to the conditions enumerated in the attached Draft Order.

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# ZONING/SITE MAP



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# PLANNING BOARD CITY OF MIAMI BEACH, FLORIDA

- **PROPERTY**: 291 Palm Avenue
- **FILE NO.** PB21-0464

**IN RE:** An application for a Division of Land/Lot Split, pursuant to Chapter 118, Article VII of the City Code, to divide the existing site comprised of two platted lots, into two individual buildable parcels.

LEGAL DESCRIPTION: Lot 55 and Lot 56, in Block 2-B, of ENTITLE AMENDED RIVIERA AND THE FIRST AND SECOND ADDITIONS, according to the Plat thereof, as recorded in Plat Book 32, at Page 37, of the Public Records of Miami-Dade County, Florida.

MEETING DATE: October 26, 2021

# DIVISION OF LAND/LOT SPLIT FINAL ORDER

The applicant, Casa de Palm LLC, requested a Division of Land/Lot Split, pursuant to Chapter 118, Article VII of the City Code, to divide the existing site into three individual buildable parcels.

The City of Miami Beach Planning Board 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 record for this matter:

- A. Based on the plans and documents submitted with the application, testimony and information provided by the applicant, and the reasons set forth in the Planning Department Staff Report, the project as submitted is consistent with Planning Board "Division of Land/Division of Land/Lot Split" criteria in Section 118-321.B of the City Code.
- B. The project would remain consistent with the criteria and requirements of Section 118-321.B of the City Code, subject to the subject to the following conditions, to which the Applicant has agreed:
  - 1. The two (2) lots created pursuant to this lot split application at 291 Palm Avenue, shall comply with the following:
    - a. The subject lots shall not be subdivided any further.
    - b. Design Review Board review and approval shall be required for the proposed home(s) on each lot.
    - c. The building parcels created by this lot split shall be as depicted on the signed and sealed surveys by J. Bonfill & Associates, Inc., dated August 24, 2021.

- d. Individual underground utility, water, sewer, electric, telephone and cable connections, as well as the payment of any applicable impact and mobility fees, shall be the responsibility of the owners of each respective lot.
- e. If required, the removal and replacement of all or portions of the sidewalk curb and gutter along all portions of each lot shall be the responsibility of the applicant.
- f. The maximum unit size for each lot shall be limited to the lesser of 40% of the lot size or the maximum permitted at the administrative level at the time of building permit, as per Section 142-105(b)(9) of the City Code, as may be revised from time to time, unless variances are granted by the Design Review Board. However, variances shall not be permitted to allow the unit size to exceed 50% of the lot size.
- g. The maximum lot coverage for each lot shall be limited to the lesser of 25% or the maximum permitted at the administrative level at the time of building permit, as per Section 142-105 (b) of the City Code, as may be revised from time to time, unless variances are granted by the Design Review Board. However, variances shall not be permitted to allow the lot coverage to exceed 33.2% of the lot size.
- h. Any proposed new home on each lot shall fully adhere to the review criteria and development regulations identified in Sections 142-105 and 142-106 of the City Code, as may be revised from time to time, unless variances are granted by the Design Review Board.
- i. Prior to the issuance of a Building Permit, a tree report prepared by a certified arborist for all of the existing trees on site shall be a submitted for the review and evaluation of the CMB Urban Forester. Any trees identified to be in good health shall be retained or relocated if determined to be feasible by the CMB Urban Forester.
- j. A copy of all pages of the recorded Final Order shall be scanned into the plans submitted for building permit, and shall be located immediately after the front cover page of the permit plans.
- 2. The applicant shall maintain the land clean and free from debris.
- 3. The applicant and/or owner, for each lot created herein, both now and in the future, shall abide by all the documents and statements submitted with this application for Division of Land/Lot Split, as well as all conditions of this Order. The conditions of approval for this Lot Split are binding on the applicant, the property owners, and all successors in interest and assigns.

- 4. The Planning Board shall maintain jurisdiction of this Lot Split approval. If deemed necessary, at the request of the Planning Director, the applicant shall provide a progress report to the Board. The Board reserves the right to modify the Lot Split approval at the time of a progress report in a non-substantive manner, to impose additional conditions to address problems and to determine the timing and need for future progress reports. This Lot Split is also subject to modification or revocation under Section 118-323 of the City Code.
- 5. The applicant and/or owner of each property shall resolve all outstanding violations and fines on each respective property, if any, prior to the issuance of a building permit for any home proposed.
- 6. This order is not severable, and if any provision or condition hereof is held void or unconstitutional in a final decision by a court of competent jurisdiction, the order shall be returned to the Board for reconsideration as to whether the order meets the criteria for approval absent the stricken provision or condition, and/or it is appropriate to modify the remaining conditions or impose new conditions.
- 7. The executed Order for the Division of Land/Lot Split shall be recorded in the Public Records of Miami-Dade County, Florida, at the expense of the applicant.
- 8. The Lot Split approval approved herein shall comply with all the aforementioned conditions of approval; non-compliance shall constitute a violation of the City Code, and shall be subject to enforcement procedures set forth in Section 114-8 of the City Code and such other enforcement procedures as are permitted by law. Any failure by the applicant to comply with the conditions of this Order shall also constitute a basis for consideration by the Planning Board for a revocation of this approval.
- 9. Nothing in this order authorizes a violation of the City Code or other applicable law, nor allows a relaxation of any requirement or standard set forth in the City Code.

IT IS HEREBY ORDERED, based upon the foregoing findings of fact, the evidence, information, testimony and materials presented at the public hearing, which are part of the record for this matter, and the staff report and analysis, which is adopted herein, including staff recommendations, as modified by the Planning Board that the Division of Land/Lot Split as requested and set forth above be GRANTED, subject to those certain conditions specified in Paragraph B of the Findings of Fact (Condition Nos. 1-8, inclusive) hereof, to which the applicant has agreed.

October 26, 2021

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Dated

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PLANNING BOARD OF THE CITY OF MIAMI BEACH, FLORIDA

BY:

Rogelio A. Madan, AICP Chief of Planning and Sustainability for Chairman

STATE OF FLORIDA

COUNTY OF MIAMI-DADE )

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_, by Rogelio A. Madan, Chief of Community Planning and Sustainability for the City of Miami Beach, Florida, a Florida Municipal Corporation, on behalf of the corporation. He is personally known to me.

[NOTARIAL SEAL]

Notary: Print Name: Notary Public, State of Florida My Commission Expires: Commission Number:

Approved As To Form:		
Legal Department	)	

Filed with the Clerk of the Planning Board on \_\_\_\_\_ ( )