

MIAMI BEACH

PLANNING DEPARTMENT

1700 Convention Center Drive, Miami Beach, Florida 33139; Tel: 305.673.7550; Web: www.miamibeachfl.gov/planning

LAND USE BOARD HEARING APPLICATION

The following application is submitted for review and consideration of the project described herein by the land use board selected below. A separate application must be completed for each board reviewing the proposed project.

| Application Information | | | |
|--|--|---|-------------------|
| FILE NUMBER | | Is the property the primary residence & homestead of the applicant/property owner? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No (if "Yes," provide office of the property appraiser summary report) | |
| Board of Adjustment <input type="checkbox"/> Variance from a provision of the Land Development Regulations <input type="checkbox"/> Appeal of an administrative decision <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 394 S Hibiscus Dr | | | |
| FOLIO NUMBER(S) 02-3232-006-0180 | | | |
| Property Owner Information | | | |
| PROPERTY OWNER NAME Hibiscus Holdings Trust | | | |
| ADDRESS 548 Market Street, Suite 36461 | | CITY San Francisco | STATE CA |
| BUSINESS PHONE 415-637-2665 | | CELL PHONE | ZIP CODE 94104 |
| EMAIL ADDRESS pm@vernalpoint.com | | | |
| Applicant Information (if different than owner) | | | |
| APPLICANT NAME | | | |
| ADDRESS | | CITY | STATE |
| BUSINESS PHONE | | CELL PHONE | ZIP CODE |
| EMAIL ADDRESS | | | |
| Summary of Request | | | |
| PROVIDE A BRIEF SCOPE OF REQUEST | | | |
| Requesting Design Review Approval for the Total Demolition of an existing, pre-1942 single-family residence, and Approval of the design for a new 8,900 SF single-family residence w/ pool, understory, and roof terrace | | | |

| | | | |
|--|------------|--|---|
| 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. | | | SQ. FT. |
| Provide the gross floor area of the new construction (including required parking and all usable area). | | | SQ. FT. |
| Party responsible for project design | | | |
| NAME Thirlwall Design | | <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 1828 Bay Rd #301 | | CITY Miami Beach | STATE FL ZIPCODE 33139 |
| BUSINESS PHONE (305) 763-8376 | CELL PHONE | EMAIL ADDRESS | |
| Authorized Representative(s) Information (if applicable) | | | |
| NAME James Wall | | <input type="checkbox"/> Attorney <input type="checkbox"/> Contact <input type="checkbox"/> Agent <input checked="" type="checkbox"/> Other <u>Design Director</u> | |
| ADDRESS 1828 Bay Rd #301 | | CITY Miami Beach | STATE FL ZIPCODE 33139 |
| BUSINESS PHONE (305) 763-8376 | CELL PHONE | EMAIL ADDRESS james@thirlwalldesign.com | |
| NAME Thomas Seibt | | <input type="checkbox"/> Attorney <input type="checkbox"/> Contact <input type="checkbox"/> Agent <input type="checkbox"/> Other <u>Designer</u> | |
| ADDRESS 1828 Bay Rd #301 | | CITY Miami Beach | STATE FL ZIPCODE 33139 |
| BUSINESS PHONE (305) 763-8376 | CELL PHONE | EMAIL ADDRESS thomas@thirlwalldesign.com | |
| NAME James Koberling | | <input type="checkbox"/> Attorney <input type="checkbox"/> Contact <input type="checkbox"/> Agent <input type="checkbox"/> Other <u>Architect of Record</u> | |
| ADDRESS 1828 Bay Rd #301 | | CITY Miami Beach | STATE FL ZIPCODE 33139 |
| BUSINESS PHONE (305) 763-8376 | CELL PHONE | EMAIL ADDRESS james.k@thirlwalldesign.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.

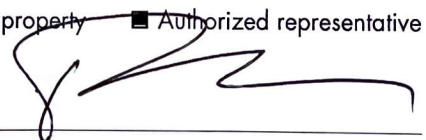
To request this material in alternate format, sign language interpreter (five-day notice is required), information on access for persons with disabilities, and accommodation to review any document or participate in any City sponsored proceedings, call 305.604.2489 and select (1) for English or (2) for 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

Paul Morelli

PRINT NAME

10.28.21

DATE SIGNED

OWNER AFFIDAVIT FOR INDIVIDUAL OWNERSTATE OF CACOUNTY OF San Francisco

I, _____, being first duly sworn, depose and certify as follows: (1) I am the owner of the property that is the subject of this application. (2) This application and all information submitted in support of this application, including sketches, data, and other supplementary materials, are true and correct to the best of my knowledge and belief. (3) I acknowledge and agree that, before this application may be publicly noticed and heard by a land development board, the application must be complete and all information submitted in support thereof must be accurate. (4) I also hereby authorize the City of Miami Beach to enter my property for the sole purpose of posting a Notice of Public Hearing on my property, as required by law. (5) I am responsible for remove this notice after the date of the hearing.

SIGNATURE

Sworn to and subscribed before me this _____ day of _____, 20____. The foregoing instrument was acknowledged before me by _____, who has produced _____ as identification and/or is personally known to me and who did/did not take an oath.

NOTARY SEAL OR STAMP

**NOTARY PUBLIC**My Commission Expires: 01-23-23**PRINT NAME****ALTERNATE OWNER AFFIDAVIT FOR CORPORATION, PARTNERSHIP OR LIMITED LIABILITY COMPANY**STATE OF CaliforniaCOUNTY OF San Francisco

I, Paul Morelli, being first duly sworn, depose and certify as follows: (1) I am the _____ (print title) of Hibiscus Holdings 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 28 day of October, 2021. The foregoing instrument was acknowledged before me by Paul Morelli, who has produced CA driver lic. 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: 01-23-2023**PRINT NAME**

POWER OF ATTORNEY AFFIDAVITSTATE OF CaliforniaCOUNTY OF San Francisco

I, Paul Morelli, 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 James Wall to be my representative before the Land Use 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.

Paul Morelli, Trustee
PRINT NAME (and Title, if applicable)

[Signature]
SIGNATURE

Sworn to and subscribed before me this 28 day of October, 2021. The foregoing instrument was acknowledged before me by Paul Morelli, who has produced CA driver lic as identification and/or is personally known to me and who did/did not take an oath.

NOTARY SEAL OR STAMP

My Commission Expires: 01-23-2023

[Signature]
NOTARY PUBLIC
John Cavalli
PRINT NAME

CONTRACT FOR PURCHASE

If the applicant is not the owner of the property, but the applicant is a party to a contract to purchase the property, whether or not such contract is contingent on this application, the applicant shall list the names of the contract purchasers below, including any and all principal officers, stockholders, beneficiaries or partners. If any of the contact purchasers are corporations, partnerships, limited liability companies, trusts, or other corporate entities, the applicant shall further disclose the identity of the individuals(s) (natural persons) having the ultimate ownership interest in the entity. If any contingency clause or contract terms involve additional individuals, corporations, partnerships, limited liability companies, trusts, or other corporate entities, list all individuals and/or corporate entities.

NAME**DATE OF CONTRACT**

NAME, ADDRESS AND OFFICE

% OF STOCK

In the event of any changes of ownership or changes in contracts for purchase, subsequent to the date that this application if filed, but prior to the date of a final public hearing, the applicant shall file a supplemental disclosure of interest.

DISCLOSURE OF INTEREST
CORPORATION, PARTNERSHIP OR LIMITED LIABILITY COMPANY

If the property that is the subject of the application is owned or leased by a corporation, partnership or limited liability company, list ALL of the owners, shareholders, partners, managers and/or members, and the percentage of ownership held by each. If the owners consist of one or more corporations, partnerships, trusts, partnerships or other corporate entities, the applicant shall further disclose the identity of the individual(s) (natural persons) having the ultimate ownership interest in the entity.

| NAME OF CORPORATE ENTITY | |
|---------------------------------|----------------|
| NAME AND ADDRESS | % OF OWNERSHIP |
| | |
| | |
| | |
| | |
| | |
| | |
| | |

| NAME OF CORPORATE ENTITY | |
|---------------------------------|----------------|
| NAME AND ADDRESS | % OF OWNERSHIP |
| | |
| | |
| | |
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| | |

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.

Hibiscus Holdings Trust

| TRUST NAME | |
|---|------------|
| NAME AND ADDRESS | % INTEREST |
| Paul Morelli 548 Market St, Suite 36461, San Francisco, CA 94104 | Trustee 0% |
| Peng Zhao and Yu Chen 333 W. Wacker Drive, 6th Floor, Chicago, IL 60606 | 100% |
| | |
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| | |
| | |

COMPENSATED LOBBYIST

Pursuant to Section 2-482 of the Miami Beach City Code, all lobbyists shall, before engaging in any lobbying activities, register with the City Clerk. Please list below any and all persons or entities retained by the applicant to lobby City staff or any of the City's land development boards in support of this application.

| NAME | ADDRESS | PHONE |
|------------------------|---|-----------------------|
| <u>James Wall</u> | <u>1828 Bay Rd #301, Miami Beach FL 33139</u> | <u>(305) 763-8376</u> |
| <u>Thomas Seibt</u> | <u>1828 Bay Rd #301, Miami Beach FL 33139</u> | <u>(305) 763-8376</u> |
| <u>James Koberling</u> | <u>1828 Bay Rd #301, Miami Beach FL 33139</u> | <u>(305) 763-8376</u> |

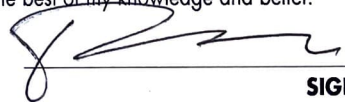
Additional names can be placed on a separate page attached to this application.

APPLICANT HEREBY ACKNOWLEDGES AND AGREES THAT (1) AN APPROVAL GRANTED BY A LAND DEVELOPMENT BOARD OF THE CITY SHALL BE SUBJECT TO ANY AND ALL CONDITIONS IMPOSED BY SUCH BOARD AND BY ANY OTHER BOARD HAVING JURISDICTION, AND (2) APPLICANT'S PROJECT SHALL COMPLY WITH THE CODE OF THE CITY OF MIAMI BEACH AND ALL OTHER APPLICABLE CITY, STATE AND FEDERAL LAWS.

APPLICANT AFFIDAVIT

STATE OF California
COUNTY OF San Francisco

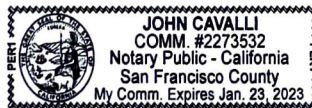
I, Paul Morelli, being first duly sworn, depose and certify as follows: (1) I am the applicant or representative of the applicant. (2) This application and all information submitted in support of this application, including sketches, data, and other supplementary materials, are true and correct to the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



SIGNATURE

Sworn to and subscribed before me this 28 day of October, 2021. The foregoing instrument was acknowledged before me by Paul Morelli, who has produced CA driver lic. as identification and/or is personally known to me and who did/did not take an oath.

NOTARY SEAL OR STAMP

My Commission Expires: 01-23-23



NOTARY PUBLICJohn Cavalli**PRINT NAME**

LEGAL DESCRIPTION:

LOT 20 AND EAST 45 FEET OF LOT 21, IN BLOCK 1 OF HIBISCUS ISLAND, ACCORDING TO PLAT THEREOF, RECORDED IN PLAT BOOK 8, PAGE 75, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, TOGETHER WITH A TRACT OF LAND TWENTY FEET WIDE ADJOINING AND ABUTTING ON THE SEAWARD SIDE OF LOT 20 AND THE EAST 45 FEET OF LOT 21, IN BLOCK 1, HIBISCUS ISLAND, SAID 20 FOOT STRIP OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEASTERLY CORNER OF LOT 20, THENCE SOUTHERLY ALONG THE EASTERLY BOUNDARY LINE OF LOT 20 EXTENDED SOUTHERLY FOR A DISTANCE OF 20 FEET; THENCE WESTERLY ALONG A LINE PARALLEL WITH THE SOUTHERLY BOUNDARY LINE OF LOT 20 AND THE EAST 45 FEET OF LOT 21 TO A POINT WHERE THE WESTERLY BOUNDARY LINE OF THE EAST 45 FEET OF LOT 21 EXTENDED SOUTHERLY INTERSECTS SAID LINE; THENCE NORTHERLY ALONG WITH WESTERLY EXTENDED BOUNDARY LINE OF THE EAST 45 FEET OF LOT 21 FOR A DISTANCE OF 20 FEET TO THE SOUTHWESTERLY CORNER OF THE EAST 45 FEET OF LOT 21; THENCE EASTERLY ALONG THE SOUTHERLY BOUNDARY OF THE EAST 45 FEET OF LOT 21 AND LOT 20 TO THE POINT OF BEGINNING.

SAID DESCRIBED STRIP OF LAND BEING A PART OF THE 20 FOOT STRIP OF LAND CONVEYED BY TRUSTEES OF INTERNAL IMPROVEMENT FUND TO BISCAYNE BAY ISLANDS COMPANY BY DEED DATED SEPTEMBER 14, 1932, RECORDED IN DEED BOOK 1501 PAGE 479, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.