**PB - 320 W Di Lido Dr - 3.28.2022 d3.pdf**

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E-Signature Summary

E-Signature Notary: Yeidy Montesino Perez (ymo)

March 31, 2022 14:11:21 -8:00 [98AB1010CE26] [162.244.152.118]

ymontesino@brzoninglaw.com



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 PB22-0504		Is the property the primary residence & homestead of the applicant/property owner? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No (if "Yes," provide office of the Property Appraiser Summary Report)	
Board of Adjustment <input type="checkbox"/> Variance from a provision of the Land Development Regulations <input type="checkbox"/> Appeal of an administrative decision		Design Review Board <input type="checkbox"/> Design review approval <input type="checkbox"/> Variance	
Planning Board <input type="checkbox"/> Conditional use permit <input checked="" type="checkbox"/> Lot split approval <input type="checkbox"/> Amendment to the Land Development Regulations or zoning map <input type="checkbox"/> Amendment to the Comprehensive Plan or future land use map		Historic Preservation Board <input type="checkbox"/> Certificate of Appropriateness for design <input type="checkbox"/> Certificate of Appropriateness for demolition <input type="checkbox"/> Historic district/site designation <input type="checkbox"/> Variance	
<input type="checkbox"/> Other:			
Property Information – Please attach Legal Description as "Exhibit A"			
ADDRESS OF PROPERTY 320 West Di Lido Drive			
FOLIO NUMBER(S) 02-3232-011-0230			
Property Owner Information			
PROPERTY OWNER NAME 320 Aqua LLC			
ADDRESS 1680 Michigan Avenue, Suite 913		CITY Miami Beach	STATE FL
BUSINESS PHONE		CELL PHONE (305) 672-3232	EMAIL ADDRESS aquabluedesign@gmail.com
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 Lot split application for the single family property located at 320 W Di Lido Drive proposing a division of the existing lot into two new lots that follow the existing platted lot lines. See Letter of Intent for additional details.			

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Project Information			
Is there an existing building(s) on the site?		<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Does the project include interior or exterior demolition?		<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Provide the total floor area of the new construction.			SQ. FT.
Provide the gross floor area of the new construction (including required parking and all usable area).			SQ. FT.
Party responsible for project design			
NAME Ralph Choeff		<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 8425 Biscayne Boulevard, Suite 201		CITY Miami	STATE FL ZIPCODE 33138
BUSINESS PHONE (305) 434 8338	CELL PHONE	EMAIL ADDRESS rchoeff@clfarchitects.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 Boulevard, Suite 300		CITY Miami	STATE FL ZIPCODE 33131
BUSINESS PHONE (305) 377-6231	CELL PHONE	EMAIL ADDRESS mlarkin@brzoninglaw.com	
NAME Emily Balter		<input checked="" type="checkbox"/> Attorney <input type="checkbox"/> Contact <input type="checkbox"/> Agent <input type="checkbox"/> Other _____	
ADDRESS 200 S. Biscayne Boulevard, Suite 300		CITY Miami	STATE FL ZIPCODE 33131
BUSINESS PHONE (305) 377-6232	CELL PHONE	EMAIL ADDRESS ebalter@brzoninglaw.com	
NAME		<input type="checkbox"/> Attorney <input type="checkbox"/> Contact <input type="checkbox"/> Agent <input type="checkbox"/> Other _____	
ADDRESS		CITY	STATE ZIPCODE
BUSINESS PHONE	CELL PHONE	EMAIL ADDRESS	

Please note the following information:

- A separate disclosure of interest form must be submitted with this application if the applicant or owner is a corporation, partnership, limited partnership or trustee.
- All applicable affidavits must be completed and the property owner must complete and sign the "Power of Attorney" portion of the affidavit if they will not be present at the hearing, or if other persons are speaking on their behalf.
- To request this material in alternate format, sign language interpreter (five-day notice is required), information on access for persons with disabilities, and accommodation to review any document or participate in any City sponsored proceedings, call 305.604.2489 and select (1) for English or (2) for Spanish, then option 6; TTY users may call via 711 (Florida Relay Service).

Please read the following and acknowledge below:



- 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

DocuSigned by:
Philippe Harari
B3DA56443AD842A...

SIGNATURE

Philippe Harari

PRINT NAME

3/31/2022

DATE SIGNED



OWNER AFFIDAVIT FOR INDIVIDUAL OWNER

STATE OF _____

COUNTY OF _____

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.

SIGNATURE

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

NOTARY SEAL OR STAMP

NOTARY PUBLIC

My Commission Expires: _____

PRINT NAME**ALTERNATE OWNER AFFIDAVIT FOR CORPORATION, PARTNERSHIP OR LIMITED LIABILITY COMPANY**STATE OF FloridaCOUNTY OF Miami-Dade

I, Philippe Harari, being first duly sworn, depose and certify as follows: (1) I am the Manager (print title) of 320 Aqua LLC (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.

DocuSigned by:

Philippe Harari

B3DA56443AD842A...

SIGNATURE

Sworn to and subscribed before me this 31 day of March, 2022. The foregoing instrument was acknowledged before me by Philippe Harari, who has produced _____ as identification and/or is personally known to me and who did/did not take an oath.

NOTARY SEAL OR STAMP



My Commission Expires: _____

NOTARY PUBLIC

Yeidy Montesino Perez



PRINT NAME

POWER OF ATTORNEY AFFIDAVIT

STATE OF Florida

COUNTY OF Miami-Dade

I, Philippe Harari, 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 Philippe Harari to be my representative before the Planning 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.

Philippe Harari, Manager
PRINT NAME (and Title, if applicable)

DocuSigned by:
Philippe Harari
B3DA56443AD842A...
SIGNATURE

Sworn to and subscribed before me this 31 day of March, 2022. The foregoing instrument was acknowledged before me by Philippe Harari, who has produced _____ as identification and/or is personally known to me and who did/did not take an oath.

NOTARY SEAL OR STAMP



Yeidy Montesino Perez
Signed on 2022/03/31 14:11:21 -0000

NOTARY PUBLIC

My Commission Expires: _____

Yeidy Montesino Perez

PRINT NAME

*Michael Larkin, Emily Balter and Ralph Choeff

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.

See Exhibit B, Disclosure of Interests.

NAME OF CORPORATE ENTITY	
NAME AND ADDRESS	% OF OWNERSHIP

NAME OF CORPORATE ENTITY	
NAME AND ADDRESS	% OF OWNERSHIP

If there are additional corporate owners, list such owners, including corporate name and the name, address and percentage of ownership of each additional owner, on a separate page.

DISCLOSURE OF INTEREST
TRUSTEE

If the property that is the subject of the application is owned or leased by a trust, list any and all trustees and beneficiaries of the trust, and the percentage of interest held by each. If the owners consist of one or more corporations, partnerships, trusts, partnerships or other corporate entities, the applicant shall further disclose the identity of the individual(s) (natural persons) having the ultimate ownership interest in the entity.

N/A

TRUST NAME	
NAME AND ADDRESS	% INTEREST

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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
Michael Larkin	200 S. Biscayne Boulevard, Suite 300	(305) 374-5300
Emily Balter	200 S. Biscayne Boulevard, Suite 300	(305) 374-5300
Ralph Choeff	8425 Biscayne Boulevard, Suite 201	(305) 434-8338

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, Philippe Harari, 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.

Signed by:

Philippe Harari

B3DA56443AD842A

SIGNATURE

Sworn to and subscribed before me this 31 day of March, 2022. The foregoing instrument was acknowledged before me by Philippe Harari, who has produced _____ as identification and/or is personally known to me and who did/did not take an oath.

NOTARY SEAL OR STAMP

My Commission Expires: _____



YMP

Signed on 2022/03/31 14:11:21 -8:00

NOTARY PUBLIC

Yeidy Montesino Perez

PRINT NAME



Exhibit A: Legal Description
"320 West Di Lido Drive"

Lots 14 and 15, Block 2, of PLAT OF DI LIDO, according to the map or plat thereof, as recorded in Plat Book 8, Page 36, of the Public Records of Miami-Dade County, Florida, together with an 8 foot strip of land lying West of said lots being more particularly described as follows:

Begin at Southwest corner of Lot 14, thence run West along Westerly extension of the South line of Lot 14, a distance of 8 feet to a point; thence run North to a point intersecting the Westerly extension of North line of Lot 15; thence run East 8 feet to the Northwest corner of Lot 15; thence run South along the Westerly line of Lots 14 and 15 to the Point of Beginning.

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Exhibit B: Disclosure of Interest
"320 Aqua LLC"

320 Aqua LLC	
PHFT Investments LLC (Philippe Harari Family Trust) 1680 Michigan Avenue Suite 913 Miami Beach, FL 33139	90.8%
320 Maz Aqua LLC 1680 Michigan Avenue Suite 913 Miami Beach, FL 33139	9.2%

PHFT Investments LLC (Philippe Harari Family Trust)	
Emma Harari, Beneficiary 1680 Michigan Avenue Suite 913 Miami Beach, FL 33139	33.33%
Gabriel Harari, Beneficiary 1680 Michigan Avenue Suite 913 Miami Beach, FL 33139	33.33%
Sophia Harari, Beneficiary 1680 Michigan Avenue Suite 913 Miami Beach, FL 33139	33.33%

320 Maz Aqua LLC	
Philippe Harari 1680 Michigan Avenue Suite 913 Miami Beach, FL 33139	100%

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

www.brzoninglaw.com

305.377.6231 office

305.377.6222 fax

mlarkin@brzoninglaw.com

VIA ELECTRONIC SUBMISSION

April 4, 2022

Rogelio A. Madan, AICP
Chief of Community Planning & Sustainability
City of Miami Beach
1700 Convention Center Drive, 2nd Floor
Miami Beach, Florida 33139

Re: Lot Split of the Property Located at
320 W. Di Lido Drive, Miami Beach, Florida

Dear Mr. Madan:

This law firm represents 320 Aqua LLC (the "Applicant"), the owner of the property located at 320 W. Di Lido Drive (the "Property") within the City of Miami Beach (the "City"). Please consider this letter the Applicant's letter of intent in support of a lot split application to divide the existing building site into two individual building sites.

The Property. The waterfront lot is located south of the Venetian Causeway, on West Di Lido Drive. See Figure 1 below, Aerial. The Miami-Dade County Property Appraiser's Office identifies the Property with Folio No. 02-3232-011-0230. See Exhibit A, Property Appraiser Summary Report. The Property consists of two, separately platted lots on the Plat of Di Lido, recorded in the Official Public Records of Miami-Dade County at Book 8, Page 36 (the "Plat"). See Exhibit B, Plat. According to the surveys prepared by Gunter Group, Inc. and included in the application materials, the Property is approximately 21,960 square feet in size, and each lot is approximately 10,980 square feet in size. Additionally, pursuant to the Building Card, the existing home on the Property was built in late-1958. See Exhibit C, Building Card.



Figure 1, Aerial

The Property is zoned RS-3, Single-Family Residential District. The Property is not located in a local or national historic district, nor classified as having any historical significance. The Applicant will separately submit requests to the Design Review Board ("DRB") for the design review and approval of two (2), new replacement homes and associated variances.

Lot Split Request. The Applicant is seeking to split the Property into two (2) equally sized, consistent with the originally platted lot lines. The dimensions of the resulting lots will be consistent with the City's land development regulations, resulting in lots that will be more compatible with the properties within the surrounding area. The average lot size for the regular-shaped, waterfront-lots south of the Venetian Causeway is approximately 12,486 square feet and the most commonly found lot size is approximately 10,500 square feet.¹ Therefore, the requested lot split results in lots that are compatible with the existing neighborhood context.

It should be noted that Section 142-105(b)(9) of the City Code of Ordinance (the "Code") provides:

(9) *Lot split.* All new construction for homes on lots resulting from a lot split application approved by the planning board shall be subject

¹ This analysis does not take into consideration the eight (8) foot wide strip added to the waterfront edges of the properties.

to the review and approval of the design review board (DRB) or historic preservation board (HPB), as applicable. The following shall apply to all newly created lots, *when the new lots created do not follow the lines of the original platted lots and/or the lots being divided contain an architecturally significant, pre-1942 home that is proposed to be demolished.*

- a. The maximum lot coverage for a new one-story home shall not exceed 40 percent of the lot area, and the maximum lot coverage for a new two-story home shall not exceed 25 percent of the lot area, or such lesser number, as determined by the planning board.
- b. The maximum unit size shall not exceed 40 percent of the lot area for both one story, and two-story structures, or such less numbers, as determined by the planning board.

(emphasis added).

With respect to this lot split application, the newly created lots follow the lines of the original platted lots. Also, as noted, the existing home was constructed after 1942. Therefore, the development limitations provided in Section 142-105(b)(9) of the Code are not applicable. The new homes, as reviewed and approved by the DRB, will be consistent with the maximum permitted development limitations provided in Section 142-105(b)(1) of the Code, as varied due to practical difficulties. Based on the proposed designs of the two (2) replacement homes, Applicant anticipates seeking the following design related variances:

1. A variance of Section 142-105(b)(1) to permit an additional 1'-4" in height for Lots 14 and 15. The additional height is needed to comply with the minimum understory elevation and height.
2. A variance of Section 142-105(b)(4)(d)(7) to permit approximately sixty-two percent (62%) front yard pervious open space on Lot 14, when seventy percent (70%) is required for designs with understories.
3. A variance of Section 142-106(a)(3) to permit approximately sixty-six percent (66%) rear yard pervious open space on Lot 14, when seventy percent (70%) is required.
4. A variance of Section 142-105(b)(4)(d)(7) to permit approximately fifty-seven percent (57%) front yard pervious open space on Lot 15, when seventy percent (70%) is required for designs with understories.

Lot Split Review Criteria. According to Section 118-321(B) of the Code, the Planning Board shall apply the following criteria to the review of any lot split application:

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

The lots will be divided in such a manner that actually exceeds the minimum requirements of the applicable land development regulations for RS-3 zoned properties. Section 142-105(b)(1) of the Code provides that the minimum required lot area is 10,000 square feet. The proposed resulting lots will be greater than the minimum required at approximately 10,500 square feet. Section 142-105(b)(1) of the Code also provide that the minimum lot width for waterfront lots is fifty (50) feet in size. The proposed resulting lots will be greater than the minimum required at sixty (60) feet in width.

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

The resulting building sites will be consistent with the existing building sites and of the same character as the surrounding area. Specifically, of the thirty-seven lots analyzed, the most commonly occurring lot size is 10,500 square feet, which is equal to the proposed building site.

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

The scale of the proposed homes will be compatible with the as-built character of the surrounding area. In fact, if the Property, as a double lot, were to be redeveloped as a single site, a significantly larger home could be constructed that would be incompatible with the surrounding area. The Applicant has included detailed architectural drawings of the proposed new homes with the application materials. The detailed architectural drawings show that the structures, with minor

waivers and variances due to practical difficulties, would be permitted under the current land development regulations.

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

The Property is currently developed with a single-family home which is expected to be demolished. Thus, the resulting homes will fully conform to the requirements of the Code. The lot split will not result in any nonconformities that would require mitigation.

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

The building sites created by the lot split will be free of encroachments from abutting buildable lots. There are no existing or proposed encroachments.

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

The Property contains a post-1942 home with no historical significance.

(7) The structure and site complies with the sea level rise and resiliency review criteria in chapter 133, article II, as applicable.

The proposed replacement homes will fully comply with sea level rise and resiliency review as summarized below.

Sea Level Rise and Resiliency Criteria. The proposed project advances the sea level rise and resiliency criteria provided 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 or salvage plan for demolition will be provided at permit.

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

All new windows will be hurricane proof impact windows.

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

Where feasible, passive cooling systems will be provided.

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

Resilient, Florida-friendly landscaping will be provided.

(5) The project applicant shall consider the adopted sea level rise projections in the Southeast Florida Regional Climate Action Plan, as may be revised from time-to-time by the Southeast Florida Regional Climate Change Compact. The applicant shall also specifically study the land elevation of the subject property and the elevation of surrounding properties.

The Applicant has considered the adopted sea level rise projections and the land elevations of the subject property and surrounding properties.

(6) The ground floor, driveways, and garage ramping for new construction shall be adaptable to the raising of public rights-of-ways and adjacent land and shall provide sufficient height and space to ensure that the entry ways and exits can be modified to accommodate a higher street height up to three (3) additional feet in height.

The proposed designs will be adaptable to the raising of public rights-of-ways and adjacent land.

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

Critical mechanical and electrical systems are located above base flood elevation.

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

New construction will be elevated up to base floor elevation, plus Freeboard.

(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.

Habitable space will be located above base flood elevation plus Freeboard.

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

Stormwater retention systems will be provided where feasible.

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

Cool pavement material and porous pavement materials will be utilized.

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

The new homes will minimize the potential for heat island effects on site with ample and lush greenspace and landscaping, and opportunities for non-air conditioned educational spaces.

Conclusion. Approval of the application will permit the development of two appropriately scaled single-family homes on the Property that will be compatible with the character of the residential neighborhood.

Based on these reasons, the Applicant respectfully requests your favorable review and recommendation of this application. If you have any questions or comments with regard to the application, please give me a call at (305) 377-6231.

Sincerely,

A handwritten signature in blue ink, consisting of a stylized, flowing line that starts with a small loop, rises to a peak, and then descends to the right.

Michael W. Larkin

Enclosures

cc: Philippe Harari
Ralph Choeff
Emily K. Balter, Esq.



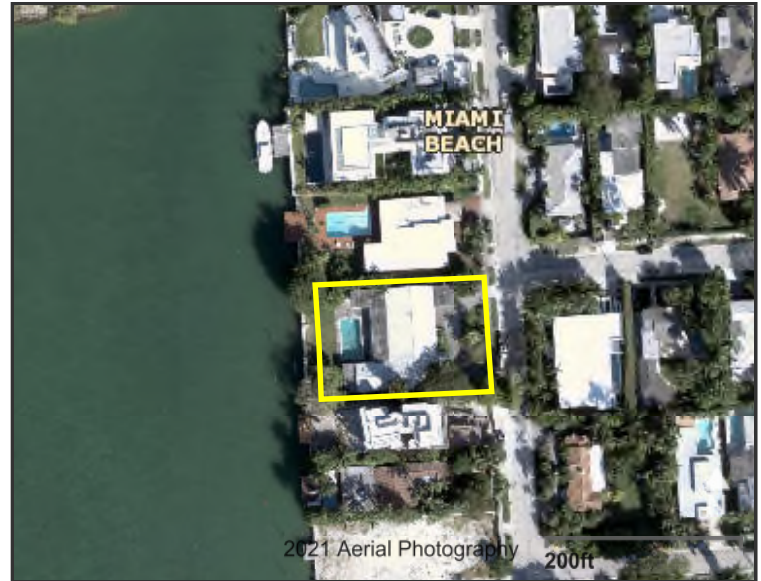
EXHIBIT A

OFFICE OF THE PROPERTY APPRAISER

Summary Report

Generated On : 4/4/2022

Property Information	
Folio:	02-3232-011-0230
Property Address:	320 W DI LIDO DR Miami Beach, FL 33139-1166
Owner	320 AQUA LLC
Mailing Address	1680 MICHIGAN AVE STE 913 MIAMI BEACH, FL 33139 USA
PA Primary Zone	0800 SGL FAMILY - 1701-1900 SQ
Primary Land Use	0101 RESIDENTIAL - SINGLE FAMILY : 1 UNIT
Beds / Baths / Half	7 / 7 / 0
Floors	1
Living Units	1
Actual Area	Sq.Ft
Living Area	Sq.Ft
Adjusted Area	6,433 Sq.Ft
Lot Size	21,000 Sq.Ft
Year Built	Multiple (See Building Info.)



Assessment Information			
Year	2021	2020	2019
Land Value	\$9,030,000	\$7,770,000	\$7,770,000
Building Value	\$640,718	\$641,003	\$646,310
XF Value	\$35,376	\$35,401	\$35,427
Market Value	\$9,706,094	\$8,446,404	\$8,451,737
Assessed Value	\$9,706,094	\$1,273,344	\$1,244,716

Benefits Information				
Benefit	Type	2021	2020	2019
Save Our Homes Cap	Assessment Reduction		\$7,173,060	\$7,207,021
Homestead	Exemption		\$25,000	\$25,000
Second Homestead	Exemption		\$25,000	\$25,000
Widow	Exemption		\$500	\$500
Note: Not all benefits are applicable to all Taxable Values (i.e. County, School Board, City, Regional).				

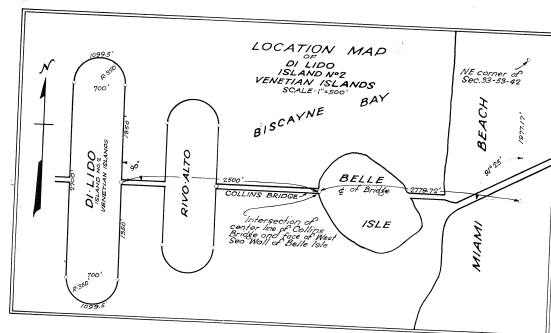
Short Legal Description
32 53 42 DI LIDO ISLAND PB 8-36 LOTS 14 & 15 & 8FT STRIP CONTIG TO SAME ON BAY BLK 2 LOT SIZE 120.000 X 175

Taxable Value Information			
	2021	2020	2019
County			
Exemption Value	\$0	\$50,500	\$50,500
Taxable Value	\$9,706,094	\$1,222,844	\$1,194,216
School Board			
Exemption Value	\$0	\$25,500	\$25,500
Taxable Value	\$9,706,094	\$1,247,844	\$1,219,216
City			
Exemption Value	\$0	\$50,500	\$50,500
Taxable Value	\$9,706,094	\$1,222,844	\$1,194,216
Regional			
Exemption Value	\$0	\$50,500	\$50,500
Taxable Value	\$9,706,094	\$1,222,844	\$1,194,216

Sales Information			
Previous Sale	Price	OR Book-Page	Qualification Description
01/13/2021	\$11,800,000	32306-1999	Unable to process sale due to deed errors
05/19/2015	\$100	29631-3450	Corrective, tax or QCD; min consideration

The Office of the Property Appraiser is continually editing and updating the tax roll. This website may not reflect the most current information on record. The Property Appraiser and Miami-Dade County assumes no liability, see full disclaimer and User Agreement at <http://www.miamidade.gov/info/disclaimer.asp>

Version:



W. C. BLISS, ENGR. JANUARY, 1923
SCALE: 1"=100'

EXHIBIT C

Owner Irving Cypen
 Lot 14,15 Block 2 Subdivision DiLido Island
 General Contractor Bing Kossoff Construction Corp.
 Architect R. J. Schneider
 Zoning Regulations: Use RD Area 20
 Building Size: Front 95 Depth 101
 Certificate of Occupancy No. #3723 March 2, 1960
 Type of Construction CBS III Foundation Spread Footings
 Use RESIDENCE: 4 Brms, 4 Baths, Maids Room & Bath, Den and Powder Room (Total of 6 Brms, 5 Baths)
 Roof Gable, Flat Date Dec. 3, 1958

Permit No. 58026 Cost \$60,000.00
 Address 320 W. DiLido Drive
 Bond No. 6564
 Engineer 3232-11-0230
 Lot Size 120 x 180
 Height 12 Stories 1
 Sewer Connection 2 Date Dec. 11, 1958
 Temporary Water Closet 1

Water Closets 7	Swimming Pool Traps	Down Spouts
Lavatories 7	Steam or Hot Water Boilers	Wells
Bath Tubs 4	ROUGH APPROVAL OK 2/26/59 Rothman	
Showers 1	FINAL APPROVAL OK 4/30/59 Rothman	
Urinals		
Sinks 1		
Dish Washing Machine 1	GAS Contractor	Date
Laundry Trays 1	Gas Ranges	Gas Frylators
Laundry Washing Machines	Gas Water Heaters 2	Gas Pressing Machine
Drinking Fountains water service 1	Gas Space Heaters	Gas Vents for Stove
Floor Drains	Gas Refrigerators	
Grease Traps	Gas Steam Tables	
Safe Wastes	Gas Broilers	

GAS Rough APPROVAL
 GAS FINAL APPROVAL

AIR CONDITIONING Contractor #58428 Airko Air Cond: 2-5 HP pkg air conditioners- \$3000 - 2/9/59 OK 8/1/60 Plaag
 SEPTIC TANK Contractor
 OIL BURNER Contractor
 SPRINKLER Contractor

ELECTRICAL Contractor Burns & Jaeger #59316
 Switches 63 Ranges 1
 OUTLETS Lights 63 Irons 1
 Receptacles 142 Refrigerators 1
 Fans 2
 Motors 1(1HP), 1(2-5HP)
 HEATERS Water Appliances
 Space 3
 FIXTURES 63 Electrical Contractor

Date 2/20/59/58 (Burns & Jaeger Inc. 12/10/58)
 Temporary Service #53093 (1) O. J. Fidler 12/12/58
 Neon Transformers
 Sign Outlets
 Meter Change
 Centers of Distributions
 Service 1
 Violations
 Date

FINAL APPROVAL

By Newbold

Date 5-20-59
 5/21/59 cyp

Alterations or Repairs—Over

Spot Survey - TJF

ALTERATIONS & ADDITIONS

Building Permits:

#58069 Vic Polk Pools Inc. : 20' x 40' concrete pool.....\$4,200...December 10, 1958

#76190 Dick Turpin Refr.: Replace 2 - 5 ton a.c. units - \$3,000 - 4/26/66 OK Plaag 5/5/66

#02609-Owner-Repairs-\$1000-2-27-73

#23039 11/10/82 Capital Roof - reroof 90 sqs \$17,000.

#23555 3/11/83 Sal. Gonzalez - interior and exterior painting \$1,900.

#91508 5/2/85 D.E. Harrell Const - room addition to house, spa & sauna 300 gal \$15,500.

#26951 5/30/85 Capital Roofing - reroof 6 sqs use driveway only \$1,000.

#MO7371 6/12/85 InterCool Inc - central heating, 11 ton air cond central

#MO7646 9/27/85 J & T Air Cond - 1-2 hp air cond wind

Plumbing Permits:

Electrical Permits:

#3509 Dixie Elec: 1 switch outlet, 1 light outlet, 1 fixture, 1 motor (1HP)- April 10, 1959

#63662 Dick Williams Electric Serv: 3 motors, 0-1 hp; 2 motors, 2-5 hp - 7/13/66

~~#69139 - Manuel de J Perea - 15 switch outlets - 12 light outlets - 52 receptacles - 1 range outlets
1 refrigerator outlets 10/4/71~~

#80262 6/3/85 Allied Elect - 4 switch, 6 light outlets, 2 recept, 1 motor 0-1 hp, 2 motor 1-3 hp, 1-8 kw strip heater
6 fixtures, above is hot tub & sauna

Property address: 320 W dilido Drive Board: PB Date: 3-28-22 @3:00pm

BOARD APPLICATION CHECK LIST

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.

Applications requiring a traffic study must meet with Planning, Transportation, and peer reviewer sixty (60) days* prior to First submittal deadline to determine the methodology for the traffic impact study. This meeting is considered the "Pre-Application meeting" and must be scheduled via CSS to obtain a plan case number for review and payment of fees. Thirty (30) days before First submittal, applicant must provide the traffic study via CSS (see Transportation Department's requirements check list). The Transportation Department/Peer Reviewer will submit first round of comments 15 days prior to First submittal. Applicant must address comments and submit revised traffic study/plans for CSS First submittal deadline.

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

ITEM #	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.	X
2	Is the property the primary residence & homestead of the applicant/property owner? (If yes, provide office of the Property Appraiser Summary Report).	
3	Copy of signed and dated check list issued at Pre-Application meeting or Design Review Committee meeting.	X
4	Completed Board Application, Affidavits & Disclosures of Interest (original signatures).	X
5	Signed and dated Letter of Intent. Letter must outline application details and identify hardships if Variances are requested. (see also Items # 44, 45 & 46).	X
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.	X
7	Copies of all current or previously active Business Tax Receipts if applicable.	
8	Copies of previous recorded final Orders if applicable.	
9	School Concurrency Application for projects with a net increase in residential units (no SFH). Provide Planning Department - Miami Dade - School Concurrency Application for Transmittal	
10	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.	X
11	Architectural Plans and Exhibits (must be 11"x 17")	X
a	Cover Sheet with bullet point scope of work, clearly labeled "First Submittal" and dated with First Submittal deadline date.	X
b	Copy of the original survey included in plan package. See No. 10 above for survey requirements	X
c	All Applicable Zoning Information (Use Planning Department zoning data sheet format).	X
d	Context Location Plan, Min 8.5"x11" Color Aerial 1/2 mile radius, identifying project and showing name of streets. (no Google images)	X
e	Full legal description of the property if not included in survey (for lengthy legal descriptions, attach as a separate document - label clearly).	X
f	Existing FAR Shaded Diagrams (Single Family Districts: Unit Size and Lot Coverage Shaded Diagrams), if applicable	X
g	Proposed FAR Shaded Diagrams(Single Family Districts: Unit Size and Lot Coverage Shaded Diagrams), if applicable.	X

*** 30 day lead time from first submittal for projects requiring traffic studies is necessary to ensure completion of review and required corrections by Final submittal deadline. Applications cannot be scheduled without evaluated and corrected traffic studies.**

Property address: 320 W dilido Drive

h	Site Plan (fully dimensioned with setbacks, existing and proposed, including adjacent right-of-way widths).	X
i	Current color photographs, dated, Min 4"x 6" of project site and existing structures (no Google images)	X
j	Current, color photographs, dated, Min 4"x6" of interior space (no Google images)	X
k	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)	X
l	Existing Conditions Drawings (Floor Plans & Elevations with dimensions). Number of seats, furniture layout if applicable	X
m	Demolition Plans (Floor Plans & Elevations with dimensions)	X
n	Proposed Floor Plans and Roof Plan, including mechanical equipment plan and section marks. Plans shall indicate location of all property lines and setbacks.	X
o	Proposed Elevations, materials & finishes noted (showing grade, base flood elevation, heights in NGVD values and free board if applicable)	X
p	Proposed Section Drawings	X
q	Color Renderings (elevations and three dimensional perspective drawings).	
12	Landscape Plans and Exhibits (must be 11"x 17")	X
a	Tree Survey	X
b	Tree Disposition Plan	X
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.	X
d	Hardscape Plan, i.e. paving materials, pattern, etc.	X
e	Landscape lighting	
13	Copy of original Building Permit Card, & Microfilm, if available.	
14	Copy of previously approved building permits. (provide building permit number).	X
15	Existing and Proposed detailed topographic survey depicting existing spot grades (NAVD) as well as all underground/overhead utilities and easements/agreements with recording data.	
16	Vacant/Unoccupied structures or sites shall provide recent photographic evidence that the site and structure are secured and maintained. The applicant shall obtain and post a No Trespassing Sign from the City's Police Dept.	
17	Historic Resources Report (This report shall include, but not be limited to, copy of the original Building Permit Card and subsequent modifications, Microfilm records, existing condition analysis, photographic and written description of the history and evolution of the original building on the site, all available historic data including original plans, historic photographs and permit history of the structure and any other related information on the property).	
18	Contextual Elevation Line Drawings, corner to corner, across the street and surrounding properties (dated).	
19	Line of Sight studies.	
20	Structural Analysis of existing building including methodology for shoring and bracing.	
21	Proposed exterior and interior lighting plan, including photometric calculations.	
22	Exploded Axonometric Diagram (showing second floor in relationship to first floor).	
23	Neighborhood Context Study. (Planning will provide guidance if necessary for application.)	
24	Required yards open space calculations and shaded diagrams.	
25	Required yards section drawings.	
26	Variance and/or Waiver Diagram.	
27	Schematic signage program	
28	Detailed sign(s) with dimensions and elevation drawings showing exact location.	
29	Elevation drawings showing area of building façade for sign calculation (Building ID signs).	
30	Daytime and nighttime renderings for illuminated signs.	
31	Floor Plan Indicating area where alcoholic beverages will be displayed.	
32	Survey showing width of the canal (Dimension shall be certified by a surveyor)	
33	Site Plan showing total projection of structures from seawall, location and dimension of all structures inclusive of dock, mooring piles, boat lift, etc.	

Indicate N/A If Not Applicable

Initials: AG

Property address: 320 W dilido Drive

34	Technical specifications of the boat lift and/ or boat, ship of vessel to be docked or moored.	
35	DERM recommendation/preliminary approval. Docks or any structures shall have approval stamp from DERM or other regulatory agency before submitting for a variance. A letter from DERM or other agency, explaining specific requirements for the project is recommended.	
36	Survey with spot elevations in rear yard and elevation points on the dune adjacent to the property. Provide highest elevation point on the dune within the property. Erosion control line and Bulkhead line shall be indicated if present.	
37	Scaled, signed, sealed and dated specific purpose survey (Alcohol License/Distance Separation) distance shown on survey with a straight line.	
38	Proposed Operational Plan: Include deliveries and trash pickup times, hours of operations, number of employees, security and restaurant menu (if applicable).	
39	Maneuvering plan for loading within the existing/proposed conditions, delivery and garbage trucks size (length and width).	
40	Traffic Study, Site plan(s) : Revised version addressing first round of comments from Transportation Department and peer review. (See Transportation Department check list for requirements.)	
41	Sound Study report (Hard copy) with 1 CD.	
42	Site Plan (Identify streets and alleys)	X
a	Identify: setbacks ____ Height ____ Drive aisle widths ____ Streets and sidewalks widths ____	
b	# parking spaces & dimensions ____ Loading spaces locations & dimensions ____	
c	# of bicycle parking spaces ____	
d	Interior and loading area location & dimensions ____	
e	Street level trash room location and dimensions ____	
f	Delivery route ____ Sanitation operation ____ Valet drop-off & pick-up ____ Valet route in and out ____	
g	Valet route to and from ____ auto-turn analysis for delivery and sanitation vehicles ____	
h	Indicate any backflow preventer and FPL vault if applicable	
i	Indicate location of the area included in the application if applicable	
j	Preliminary on-street loading plan	X
43	Floor Plan (dimensioned) Proposed plans : indicate any waivers/variaces requested	X
a	Total floor area	
b	Identify # seats indoors ____ outdoors ____ seating in public right of way ____ Total ____	
c	Occupancy load indoors and outdoors per venue ____ Total when applicable ____	
44	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.	X
45	The Letter of Intent for Variances shall include and respond to all review guidelines in the code as follows:	
a	Section 118-353 (d) of the City Code for each Variance.	
46	The Letter of Intent for Planning Board shall include and respond to all review guidelines in the code as follows:	X
a	For Conditional Use -Section 118-192 (a)(1)-(7)	
b	CU - NIE and or outdoor Entertainment Establishments - Section 142-1362 (a)(1)-(9)	
c	CU - Mechanical Parking - Section 130-38 (3)(c)(i)(1)-(2) & (5)(a)-(k) & (6)(a)-(g)	
d	CU - Structures over 50,000 SQ.FT. - Section 118-192 (b) (1)-(11)	
e	CU - Religious Institutions - Section 118-192 (c) (1)-(11)	
f	For Lot Splits - Section 118-321 (B) (1)-(6). Also see Item # 47 and indicate any waivers/variaces requested	X
47	Lot Splits	
a	Conceptual masing study to show the ability to comply with all single family zoning requirements for the maximum size home proposed.	X
b	A survey showing the existing lot configuration and individual surveys per each proposed lot.	X
c	Conceptual Site Plan for each lot showing compliance with zoning regulations.	X
d	Submit opinion of title	X

Indicate N/A If Not Applicable

Initials: AG

Planning Department, 1700 Convention Center Drive 2nd Floor
Miami Beach, Florida 33139, www.miamibeachfl.gov
305.673.7550

Property Address: 320 W dilido Drive

Notes: The applicant is responsible for checking above referenced sections of the Code.

ITEM #	FINAL SUBMITTAL (via CSS & PAPER)	Required
	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.	
48	Traffic Study, Site plan(s): This is the final traffic study including any modifications required to address comments from the City's Transportation Department. City's required permit by FDOT should be obtained prior to Final submittal (via CSS).	
	PAPER FINAL SUBMITTAL:	
49	Original application with all signed and notarized applicable affidavits and disclosures.	X
50	Original of all applicable items.	X
51	One (1) signed and sealed 11"X17" bound, collated set of all the required documents.	X
52	14 collated copies of all required documents	X
53	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.	X
54	Traffic Study (Hard copy)	
55	Mailing Labels -2 sets of gummed labels and a CD including: Property owner's list and Original certified letter from provider.	X

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 sets (14 copies), 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.**
- F. **Please note that the applicant will be required to submit revised plans pursuant to applicable Board Conditions no later than 60 days after Board Approval. (If applicable)**

Emily K. Balter

Applicant's or designee's Name

Emily Kay Balter

Applicant's or designee's signature

3/28/2022

Date

Indicate N/A If Not Applicable

Initials: AG