

DESIGN REVIEW BOARD
City of Miami Beach, Florida

MEETING DATE: June 7, 2022

PROPERTY/FOLIO: **2300 Pine Tree Drive / 2795 Prairie Avenue** **02-3227-000-0100**

FILE NO: DRB22-0823 (DRB20-0563)

IN RE: An application for a One (1) Year Extension of Time for a previously issued Design Review Approval for the substantial improvements of a former golf course into a community park including the excavation of a lake, dog park areas, tennis courts, a restroom and storage facility, and parking area, in addition to other features including new signage. This project was last approved by the Board on 9/1/2020.

LEGAL: See attached 'Exhibit A'

ORDER

The City of Miami Beach Design Review Board makes the following FINDING 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:

The applicant submitted information establishing, among other things, that delays were encountered in permitting the project. The foregoing constitutes good cause for granting a one (1) year extension of time to the requirement that a Full Building Permit be obtained within eighteen (18) months of the original Design Review Approval.

IT IS HEREBY ORDERED, based upon the foregoing finding of fact and the staff report and analysis, which is adopted herein, including the recommendation, that a one (1) year extension of time to obtain a full building permit is granted for the above-referenced project conditioned upon the following, to which the applicant has agreed:

1. A full building permit, not a foundation or shell permit, for the project shall be obtained by March 1, 2023.
2. Construction shall commence and continue in accordance with the applicable Building Code.
3. This Extension of Time shall run concurrent with any other Extensions of Time that may be provided to the property owner as a result of actions of non-City authorities with jurisdiction over such matters.
4. 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.
5. The Final 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.

No building permit may be issued unless and until all conditions of approval that must be satisfied prior to permit issuance as set forth in the prior Final Orders have been met. The issuance of Design Review Approval does not relieve the applicant from obtaining all other required Municipal, County and/or State reviews and permits, including final zoning approval. If adequate handicapped access is not provided on the Board-approved plans, this approval does not mean that such handicapped access is not required.

If the Full Building Permit is not issued by March 1, 2023, the Design Review Approval will expire and become null and void. If the Full Building Permit should expire for any reason (including but not limited to construction not commencing and continuing, with required inspections, in accordance with the applicable Building Code), the Design Review Approval will expire and become null and void.

Dated _____.

DESIGN REVIEW BOARD
THE CITY OF MIAMI BEACH, FLORIDA

BY: _____
Michael Belush, AICP
Chief of Planning and Zoning
For Chairman

STATE OF FLORIDA)
)SS
COUNTY OF MIAMI-DADE)

The foregoing instrument was acknowledged before me this _____ day of _____ 20__ by Michael Belush, Chief of Planning and Zoning of 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:
City Attorney's Office: _____ ()

Filed with the Clerk of the
Design Review Board on _____ ()

Exhibit A'

LEGAL DESCRIPTION:

A PARCEL OF LAND BEING A PORTION OF SECTION 27, TOWNSHIP 53 SOUTH, RANGE 42 EAST IN THE CITY OF MIAMI BEACH, DADE COUNTY, FLORIDA AND BEING MOREPARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS: BEGIN AT THE NORTHWEST CORNER OF TRACT A-B-C-D-E-F-G-H-I-J-A AS SHOWN AND DESCRIBED AS "RESERVED PROPERTY" IN THE DEED FROM THE CITY OF MIAMI BEACH, FLORIDA TO THE BOARD OF PUBLIC INSTRUCTION OF DADE COUNTY, FLORIDA, AS RECORDED IN OFFICIAL RECORDS BOOK 976 AT PAGE 566 OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA; THENCE $N06^{\circ}13'57''E$ ALONG THE EASTERLY RIGHT-OF-WAY LINE OF PRAIRIE AVENUE FOR 298.87 FEET TO A POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE TO THE SOUTHEAST; THENCE NORTHEASTERLY ALONG SAID EASTERLY RIGHT-OF-WAY LINE OF PRAIRIE AVENUE AND ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 300.00 FEET AND A CENTRAL ANGLE OF $32^{\circ}20'25''$ FOR 169.33 FEET TO THE POINT OF TANGENCY; THENCE $N38^{\circ}34'22''E$ ALONG SAID EASTERLY RIGHT-OF-WAY LINE OF PRAIRIE AVENUE FOR 149.01 FEET TO A POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE TO THE SOUTHEAST; THENCE NORTHEASTERLY ALONG SAID EASTERLY RIGHT-OF-WAY LINE OF PRAIRIE AVENUE AND THE ARC OF SAID CURVE HAVING A RADIUS OF 200.00 FEET AND A CENTRAL ANGLE OF $35^{\circ}39'00''$ FOR 124.44 FEET TO A POINT OF INTERSECTION WITH THE SOUTHERLY RIGHT-OF-WAY LINE OF WEST 28TH STREET AND THE POINT OF TANGENCY; THENCE $N74^{\circ}13'22''E$ ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE OF WEST 28TH STREET FOR 986.95 FEET TO A POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE TO THE SOUTHWEST; THENCE SOUTHEASTERLY ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE OF WEST 28TH STREET AND THE ARC OF SAID CURVE HAVING A RADIUS OF 48.50 FEET AND A CENTRAL ANGLE OF $90^{\circ}46'31''$ FOR 76.84 FEET TO A POINT OF NON-TANGENTIAL INTERSECTION WITH THE WESTERLY RIGHT-OF-WAY LINE OF PINE TREE DRIVE, WITH SAID POINT OF NON-TANGENTIAL INTERSECTION BEARING $N74^{\circ}59'35''E$ FROM THE CENTER OF SAID CURVE; THENCE $S8^{\circ}25'34''W$ ALONG SAID WESTERLY RIGHT-OF-WAY LINE OF PINE TREE DRIVE FOR 616.81 FEET; THENCE DEPARTING SAID WESTERLY RIGHT-OF-WAY LINE OF PINE TREE DRIVE, $N81^{\circ}34'26''W$ FOR 168.00 FEET; THENCE $S08^{\circ}25'34''W$ FOR 80.00 FEET; THENCE $S81^{\circ}34'26''E$ FOR 168.00 FEET TO A POINT OF INTERSECTION WITH SAID WESTERLY RIGHT-OF-WAY OF PINE TREE DRIVE; THENCE $S08^{\circ}25'34''W$ ALONG SAID WESTERLY RIGHT-OF-WAY DRIVE OF PINE TREE DRIVE FOR 527.00 FEET TO A POINT OF INTERSECTION WITH THE EASTERLY PROJECTION OF THE NORTHERLY LINE OF THE GREATER MIAMI HEBREW ACADEMY PROPERTY AS DESCRIBED IN THE DEED FROM THE CITY OF MIAMI BEACH, FLORIDA TO SAID GREATER MIAMI HEBREW ACADEMY AS RECORDED IN OFFICIAL RECORDS BOOK 2241 AT PAGE 185 OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA; THENCE $N81^{\circ}34'26''W$ ALONG SAID EASTERLY PROJECTION OF THE NORTHERLY LINE AND THE NORTHERLY LINE OF SAID GREATER MIAMI HEBREW ACADEMY FOR 349.03 FEET TO THE MOST NORTHERLY CORNER OF SAID GREATER MIAMI HEBREW ACADEMY PROPERTY; THENCE $S34^{\circ}36'34''W$ ALONG THE WESTERLY LINE OF SAID GREATER MIAMI HEBREW ACADEMY PROPERTY AND ITS SOUTHWESTERLY PROJECTION THEREOF, FOR 84.95 FEET; THENCE $N14^{\circ}17'58''W$ FOR 173.21 FEET; THENCE $N64^{\circ}26'06''W$ FOR 139.79 FEET; THENCE $N38^{\circ}50'06''W$ FOR 98.61 FEET TO A POINT OF INTERSECTIONS WITH THE NORTHERLY LINE OF SAID TRACT A-B-C-D-E-F-G-H-I-J-A; THENCE $N83^{\circ}46'03''W$ ALONG SAID NORTHERLY LINE OF TRACT A-B-C-D-E-F-G-H-I-J-A FOR 500.21 FEET TO THE POINT OF BEGINNING.