

HISTORIC PRESERVATION BOARD
City of Miami Beach, Florida

MEETING DATE: November 10, 2020

PROPERTY/FOLIO: 700 Lincoln Road / 02-3234-003-0010

FILE NO: HPB20-0433

IN RE: An application by Seven Hundred Realty Corp. for a variance from the required interior distance from the storefront to install a television displaying images in a commercial retail store.

LEGAL: Lots 1 & 2, Block 50, of the Alton Beach Realty Company Commercial Subdivision, Second Addition, according to the Plat Thereof, as Recorded in Plat Book 6, Page 33, of the Public Records of Miami-Dade County, Florida.

ORDER

The City of Miami Beach Historic Preservation 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:

I. Certificate of Appropriateness

A. A Certificate of Appropriateness has not been requested as part of this application.

II. Variance(s)

A. The applicant filed an application with the Planning Department for the following variance(s), which were either approved by the Board with modifications, or denied:

The following variance was denied by the Board:

1. A variance to reduce by 8'-10" the required 10'-0" separation from a storefront in order to install a television display with 10.3 sf (2'-7" x 4'-0") at 1'-2" from the storefront facing Lincoln Road.

B. The applicant has submitted plans and documents with the application that DO NOT satisfy Article 1, Section 2 of the Related Special Acts allowing the granting of a variance if the Board finds that practical difficulties exist with respect to implementing the proposed project at the subject property.

The applicant has submitted plans and documents with the application that DO NOT indicate the following, as they relate to the requirements of Section 118-353(d), Miami Beach City Code:

That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same zoning district;

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That the special conditions and circumstances do not result from the action of the applicant;

That granting the variance requested will not confer on the applicant any special privilege that is denied by this Ordinance to other lands, buildings, or structures in the same zoning district;

That literal interpretation of the provisions of this Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this Ordinance and would work unnecessary and undue hardship on the applicant;

That the variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure;

That the granting of the variance will be in harmony with the general intent and purpose of this Ordinance and that such variance will not be injurious to the area involved or otherwise detrimental to the public welfare; and

That the granting of this request is consistent with the comprehensive plan and does not reduce the levels of service as set forth in the plan.

The granting of the variance will result in a structure and site that complies with the sea level rise and resiliency review criteria in chapter 133, article II, as applicable.

- C. The Board hereby Denies the requested variance based on its authority in Section 118-354 of the Miami Beach City Code.

The decision of the Board regarding variances shall be final and there shall be no further review thereof except by resort to a court of competent jurisdiction by petition for writ of certiorari.

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 are adopted herein, including the staff recommendations, which were amended and adopted by the Board, that the application is **DENIED** for the above-referenced project subject to those certain conditions specified in Paragraph I, II, III of the Findings of Fact, to which the applicant has agreed.

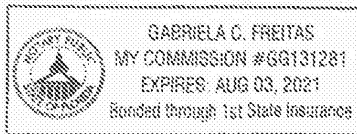
In accordance with Chapter 118 of the City Code, the violation of any conditions and safeguards that are a part of this Order shall be deemed a violation of the land development regulations of the City Code. Failure to comply with this Order shall subject the application to Chapter 118 of the City Code, for revocation or modification of the application.



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Dated this 25 day of November, 2020HISTORIC PRESERVATION BOARD
THE CITY OF MIAMI BEACH, FLORIDABY [Signature]
DEBORAH TACKETT
CHIEF OF HISTORIC PRESERVATION
FOR THE CHAIRSTATE OF FLORIDA)
)SS
COUNTY OF MIAMI-DADE)The foregoing instrument was acknowledged before me this 25th day of November, 2020 by Deborah Tackett, Chief of Historic Preservation, Planning Department, City of Miami Beach, Florida, a Florida Municipal Corporation, on behalf of the corporation. She is personally known to me.[Signature]
NOTARY PUBLIC
Miami-Dade County, Florida
My commission expires: Aug. 3, 2021Approved As To Form: _____
City Attorney's Office: [Signature] (11/25/2020 | 1:27 PM EST)
-8D6CB88CDAB8480...Filed with the Clerk of the Historic Preservation Board on [Signature] (12/9/20)[Signature]