

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 DRB22-0852		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 225 N HIBISCUS DRIVE MIAMI BEACH FL 33139			
FOLIO NUMBER(S) 02-3232-006-0471			
Property Owner Information			
PROPERTY OWNER NAME North Hibiscus California MS LLC			
ADDRESS 320 N. Park Vista St		CITY Anaheim	STATE CA
ZIP CODE 92806			
BUSINESS PHONE (310) 860-8956	CELL PHONE (310) 497-6677	EMAIL ADDRESS michaelhscott@michaelhscott.com	
Applicant Information (if different than owner)			
APPLICANT NAME			
ADDRESS		CITY	STATE
ZIP CODE			
BUSINESS PHONE	CELL PHONE	EMAIL ADDRESS	
Summary of Request			
PROVIDE A BRIEF SCOPE OF REQUEST Construction of a new two story Single Family Residence, driveway, pool, terraces, property walls, fence and gate, and landscape			

Project Information			
Is there an existing building(s) on the site?		<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If previous answer is "Yes", is the building architecturally significant per sec. 142-108?		<input type="checkbox"/> Yes	<input 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 DOMO Studio LLC		<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 420 Lincoln Road, Suite 506		CITY Miami Beach	STATE FL
		ZIPCODE 33139	
BUSINESS PHONE 305-674-8031	CELL PHONE	EMAIL ADDRESS robert@domodesignstudio.com	
Authorized Representative(s) Information (if applicable)			
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	
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	
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:

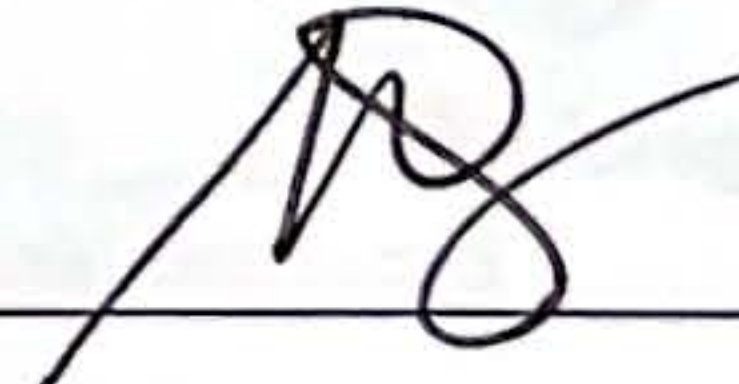
- A separate disclosure of interest form must be submitted with this application if the applicant or owner is a corporation, partnership, limited partnership or trustee.
- All applicable affidavits must be completed and the property owner must complete and sign the "Power of Attorney" portion of the 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


SIGNATURE

Michael Scott

PRINT NAME

7/13/2022

DATE SIGNED

OWNER AFFIDAVIT FOR INDIVIDUAL OWNER

STATE OF _____

COUNTY OF _____

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: _____

PRINT NAME**ALTERNATE OWNER AFFIDAVIT FOR CORPORATION, PARTNERSHIP OR LIMITED LIABILITY COMPANY**STATE OF CaliforniaCOUNTY OF Los Angeles

I, Michael Scott, being first duly sworn, depose and certify as follows: (1) I am the owner/managing member (print title) of North Hibiscus California MS 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.

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*See attached*

POWER OF ATTORNEY AFFIDAVIT

STATE OF California
 COUNTY OF Los Angeles

I, Michael Scott, 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 DOMO Studio LLC to be my representative before the Design Review 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.

Michael Scott
PRINT NAME (and Title, if applicable)

[Signature]
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

See attached

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.

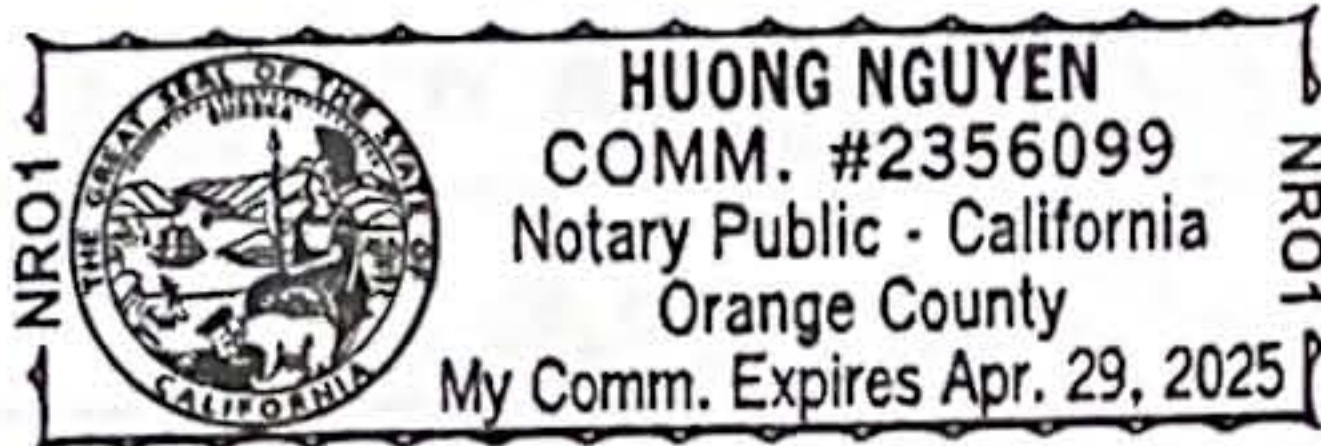
A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of Los Angeles

Subscribed and sworn to (or affirmed) before me on this 13th
day of July, 2022, by Michael Scott

proved to me on the basis of satisfactory evidence to be the
person(s) who appeared before me.



(Seal)

Signature Huong Nguyen

**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.

North Hibiscus California MS LLC
NAME OF CORPORATE ENTITY

NAME AND ADDRESS

% OF OWNERSHIP

Michael Scott 320 N. Park Vista St Anaheim CA
92806

50%

Leon Paltas c/o Aaron Resnick

50%

100 Biscayne Blvd Suite 1607
Miami FL 33132

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.

TRUST NAME	NAME AND ADDRESS	% INTEREST

State of California
County of Los Angeles

I, Michael J. Smith, being first duly sworn, depose and testify 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 all maps, data, and other supplementary materials, are true and correct to the best of my knowledge and belief.

Michael J. Smith
NOTARY

Deposited and acknowledged before me this _____ day of _____, 20____. The foregoing instrument was acknowledged before me by _____ who has produced _____ to me. I declare that _____ is personally known to me and who (did/did not) know me.

NOTARY SEAL OR STAMP
NOTARY PUBLIC

My Commission Expires _____
EXPIRATION DATE

See attached

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>Robert Moehring</u>	<u>420 Lincoln Road Suite 506</u>	<u>305-674-8031</u>
<u>Francisco Llado</u>	<u>Miami Beach FL 33139</u>	<u></u>
<u></u>	<u></u>	<u></u>

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

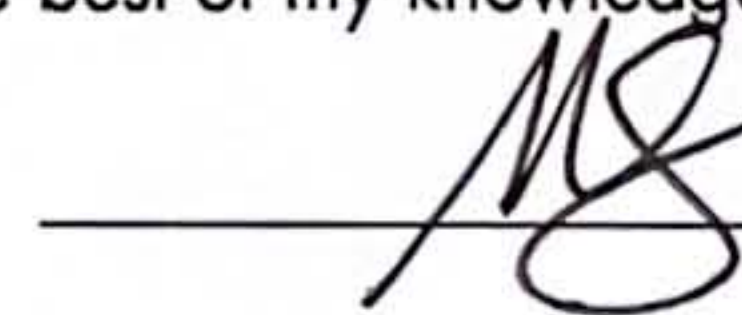
APPLICANT HEREBY ACKNOWLEDGES AND AGREES THAT (1) AN APPROVAL GRANTED BY A LAND DEVELOPMENT BOARD OF THE CITY SHALL BE SUBJECT TO ANY AND ALL CONDITIONS IMPOSED BY SUCH BOARD AND BY ANY OTHER BOARD HAVING JURISDICTION, AND (2) APPLICANT'S PROJECT SHALL COMPLY WITH THE CODE OF THE CITY OF MIAMI BEACH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

APPLICANT AFFIDAVIT

STATE OF California

COUNTY OF Los Angeles

I, Michael Scott, 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 _____ 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

See attached

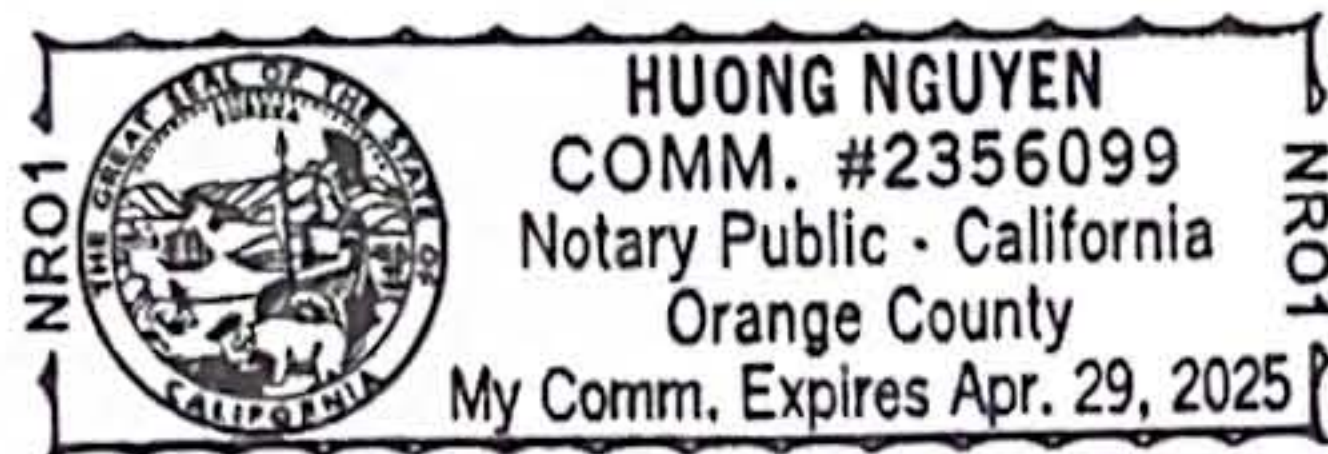
A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of Los Angeles

Subscribed and sworn to ~~(or affirmed)~~ before me on this 13th
day of July, 2022, by Michael Scott

proved to me on the basis of satisfactory evidence to be the
person(s) who appeared before me.



(Seal)

Signature

Huong Nguyen

HOLD HARMLESS LETTER

WHEREAS, North Hibiscus California MS LLC the
"Owner"), is the owner of the property legally described in Exhibit A, and located at
225 N Hibiscus Drive Miami Beach FL 33139

in the City of Miami Beach, Florida (the "Property"); and

WHEREAS, the Owner has submitted an application for approval from the Design
Review Board (the "Board") pursuant to File No. DRB22-0852 (the "Application");
and

WHEREAS, on March 12, 2020, the City Manager declared a State of Emergency
for the City of Miami Beach, as COVID-19 poses a health risk to the City's residents,
particularly elderly residents and those who are immunosuppressed or otherwise have
high risk of medical conditions, and the findings of which are hereby incorporated by
reference (the "State of Emergency"); and

WHEREAS, in response to the threats posed by COVID-19 to the health, safety
and welfare of the City's residents, since March 12, 2020, the City Manager has imposed
a number of temporary emergency measures to limit the inflow of leisure guests to the
City and require the closure of, and limit crowds in, public facilities, public property, and
places of public assemblage, as well as other restrictions on travel and gatherings of any
number of people, including imposition of a general curfew throughout the City, in order to
reduce community spread, relieve pressure on hospitals and healthcare personnel, protect
workers, and maintain social order; and

WHEREAS, on March 20, 2020, Governor Ron DeSantis issued Executive Order
20-69, (i) suspending any Florida Statute that requires a quorum to be present in person
or requires a local government body to meet at a specific public place, and (ii) permitting
local government bodies to utilize communications media technology, such as telephonic
and video conferencing, as provided in section 120.54(5)(b)2., Florida Statutes; and

WHEREAS, Section 120.54(5)(b)2., Florida Statutes, defines "communications
media technology" as "the electronic transmission of printed matter, audio, full-motion
video, freeze-frame video, compressed video, and digital video by any method available";
and

WHEREAS, public and private gatherings during this State of Emergency, such as
at local government meetings, pose a risk to the health, safety, and welfare of the people
of the City of Miami Beach; and

WHEREAS, Chapter 2 of the City Code, at Article VIII, establishes procedural

requirements for the conduct of quasi-judicial hearings, all of which may be observed during meetings conducted using communications media technology; and

WHEREAS, the City of Miami Beach (the "City") intends to make available communication media technology facilities at a physical location for applicants and members of the public who do not otherwise have access to a computer; and

WHEREAS, the City will accept written comments from the public at the physical location where communications media technology facilities are made available; and the City has additionally provided a means to submit comments electronically, all of which will become part of the public record; and

WHEREAS, social distancing guidelines imposed or recommended in order to curb the spread of COVID-19 will likely remain in place for an indefinite period of time; and

WHEREAS, until such guidelines are revised or lifted, the City has elected to provide applicants with a voluntary opportunity to present quasi-judicial applications filed pursuant to the Land Development Regulations, using communications media technology, so long as a physical location is provided for applicants and members of the public who do not have access to a computer.

NOW THEREFORE; in consideration of the above premises and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Owner hereby agrees as follows:

1. Owner, for itself, its heirs, personal representatives, successors, and assigns voluntarily agrees to release, waive, discharge, relinquish, indemnify, and hold harmless the City of Miami Beach, Florida, from and against all claims, suits, causes of action, liability, damages, or losses, including the costs of any suits, attorney's fees, and other expenses in connection therewith, including trial and appeals therefrom, any of which may arise out of, or in connection with, the following: (i) Owner's voluntary decision to present the Application to the Board using communications media technology pursuant to Executive Order 20-69, as may be amended; (ii) the Board's use of communications media technology to approve, approve with conditions, deny, or continue the Application (including, without limitation, a procedural due process claim, claim of defective notice, or any other claim arising from the format, legal sufficiency, or technological specifications of the communications media technology used to conduct the Board meeting); (iii) the inability of the Board to conduct an in-person meeting while social distancing guidelines remain in place; or (iv) any third-party claim, challenge, appeal, or other suit arising from any of the events described in subsections (i) through (iii) (the "Covered Events").
2. Owner specifically understands that Owner hereby releases, discharges, and waives any claims or actions that Owner may have presently or in the future arising out of the Covered Events. Owner hereby agrees that under no circumstances will Owner, or anyone claiming through Owner, prosecute or present any claims against the City of Miami Beach, Florida, arising out of, or in connection with, the Covered Events.

3. The individual signing below represents that he or she has authority to bind the Owner, as set forth herein.

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION

City Attorney

Date

City Planning Director

Date

[SIGNATURE PAGES TO FOLLOW]

STATE OF _____)

COUNTY OF _____)

The foregoing instrument was signed by _____

in presence of _____

_____ a person of legal age, who is (or affirmed) and who is not

related to the _____

Notary seal or stamp

My commission expires _____

See attached

IN WITNESS WHEREOF, the Owner does hereunto set its hand and seal this _____

13th day of July 2022.

Witnesses:

C Wakefield

Signature

Claire Wakefield

Print Name

North Hibiscus California MS LLC
(Name of Limited Liability Company)

[Signature]
Signature (owner or authorized representative)

Signature

By Michael Scott
Print Name/Title

Print Name

STATE OF _____)
COUNTY OF _____) SS

The foregoing instrument was acknowledged before me, _____

by means of _____

physical presence or _____ online notarization, sworn to (or affirmed) and subscribed

before me, this _____ day of _____, 2022

Notary seal or stamp -
My commission expires:

Notary public print name

See attached

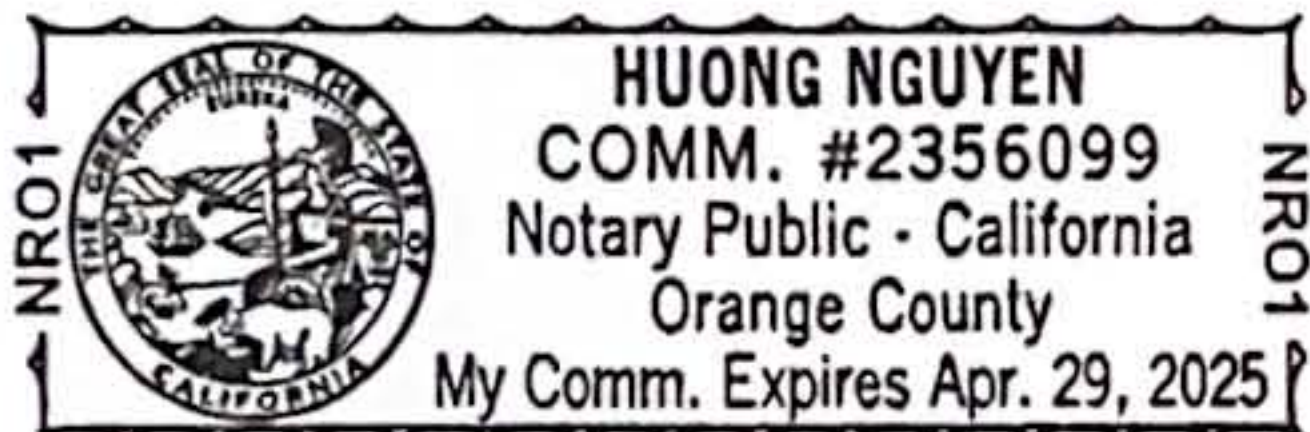
Notary public signature

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of Los Angeles

Subscribed and sworn to (or affirmed) before me on this 13th
day of July, 2022, by Michael Scott

proved to me on the basis of satisfactory evidence to be the
person(s) who appeared before me.



(Seal)

Signature Huong Nguyen