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VIA ELECTRONIC SUBMITTAL

February 6, 2023

Michael Belush, Chief of Planning & Zoning
Planning Department
City of Miami Beach
1700 Convention Center Drive, 2nd Floor
Miami Beach, Florida 33139

Re: DRB23-0909 – Modification of DRB21–0642 for Variance of Elevator Height for Previously-Approved Home at 28 Star Island Drive, Miami Beach, Florida

Dear Michael:

This firm represents Qriar Island Corp., (the “Applicant”), the Applicant and owner of the property located at 28 Star Island Drive (the “Property”). Please consider this the Applicant’s letter of intent in connection with a request to the Design Review Board (“DRB”) for modification of the prior approval of a new single-family home, specifically for a variance for a commercial elevator.

Property. The Property is a rectangular-shaped waterfront lot comprised of approximately 40,000 square feet, and is identified by Miami-Dade County Folio No. 02-4204-001-0235. It is within the RS-1 Single-family Residential Zoning District. The Property is located on the northeast portion of Star Island. See Exhibit A. Property Appraiser’s Summary.

Prior Approval. On June 1, 2021, the DRB approved an elegantly-designed, modern 2-story residence with an understory (the “Prior Approval”). The DRB also granted a waiver of the additional open space requirement for the 2-story north elevation. The Applicant did not request any variance. See Exhibit B, DRB Order for File No. DRB21-0642.

The proposed home features light stone cladding, aluminum louvers framing terraces and the numerous large glass windows and doors that comprise the majority of the exterior of the home. The design artfully breaks up the mass with the eloquently-designed courtyards, floor to ceiling windows, large balconies, architectural wood features, and extensive green roofs. A pool and pool deck are located in the rear yard area. The home

also features a roof deck located near the center and waterfront side of the home, which incorporates green areas and a non-accessible water feature.

The proposed home complies with the City of Miami Beach Code (the "Code") requirements for height, unit size, lot coverage, setbacks, and open space. Notably, the proposed home provides larger than required setbacks. It satisfies the 20' front setback, which is to understory entrance, and the enclosed 1 and 2-story portions of the home are setback 81'-10" and 113'-7", respectively, which is more than double the required front setback. The home also exceeds the minimum rear setback of 50' by approximately 70', which is more than double the requirement. Further, the side yards comply with the Code, and meet the minimums of 12'-6".

Permit Status. In March, 2022, the Applicant obtained a foundation permit, Permit No. BR2106013, and is processing a revision to the master building permit under Permit No. RV2217682, which is hopefully the final revision so that construction of the home may begin in earnest very soon. The estimated cost of the proposed home is \$6,788,365.80. See Exhibit C, Construction Cost Affidavit.

Elevator Proposal. The Prior Approval contained a residential elevator accessing the understory, both floors and the roof. However, during permitting it became apparent that the appropriate elevator for a home of this size and accessing 4 levels calls for additional mechanical equipment above for operations and safety reasons. In essence, this is a commercial elevator that is taller than originally anticipated. The equipment and the design at the highest point are 13' above the roof line and the Code only allows a 10' elevator projection. Therefore, the Applicant seeks a 3' height variance. The proposed elevator and vestibule are centrally located and substantially setback 184'4" from the front, 205'8" from the rear, 30'10" from the north side and 60'7" from the south side. Additionally, the elevator and vestibule have a very small footprint, only 87 square feet, and therefore visibility of this element is minimal from surrounding properties and rights-of-way.

Variance Request. Variance of Section 142-105(b)(7)(f) to permit an elevator bulkhead at a height of 13' above the roofline where a maximum height of 10 feet is allowed. As explained above, the type of elevator requires the higher height and the exterior design helps to mask the scale of the bulkhead. Further, the elevator is substantially setback from the street, the waterway and the adjacent properties. As such, it will not be very visible from the surrounding rights-of-way and properties.

Satisfaction of Hardship Criteria. The Applicant's request satisfies the hardship criteria as follows:

- (1) **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;**

Star Island is a unique place in the City. Due to the size of the Property, which is the largest for a single lot in the City, and the size of an allowable home on the Property, including an understory and roof terrace, that overall allows a larger home than most residential neighborhoods, a larger elevator – a commercial-size elevator with higher overrun – is necessary to access all levels at an appropriate speed and with built-in safety measures. As a result, the required bulkhead height for a commercial elevator that meets the needs of the proposed home creates the special condition which is peculiar to the Property.

- (2) **The special conditions and circumstances do not result from the action of the applicant;**

The Property's size arises from the plat and the code provides the allowable development regulations for homes, neither of which result from any action taken by the Applicant. The Code does not contemplate an adequate elevator for the size of the allowable home. Nevertheless, the Applicant has acted to minimize the effects of the requested variance through design treatment and locating the bulkhead with significant setbacks from all property lines.

- (3) **Granting the variance requested will not confer on the applicant any special privilege that is denied by these land development regulations to other lands, buildings, or structures in the same zoning district;**

Other properties, including waterfront lots, often face similar development difficulties. In order to seek relief from the strict requirements of the Code, these other property owners often seek variances, including a few others on Star Island for the same variance.

- (4) **Literal interpretation of the provisions of these land development regulations would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of these land development**

regulations and would work unnecessary and undue hardship on the applicant;

A literal interpretation of the land development regulations would deprive the Applicant of the ability to redevelop the Property in a way that sufficiently allows for privacy and enjoyment of the land and appropriate and safe access to all levels of the residence. The elevator bulkhead, will be mostly hidden from view from the rights-of-way and adjacent properties. As required, this bulkhead is located as close to the center of the roof as possible and is visually recessive and screened by landscaping along the perimeter of the Property. As such, this request will not negatively affect neighbors. Thus, a literal interpretation of the regulations would work an unnecessary and undue hardship on the Applicant.

(5) The variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure;

In order to design a home that is appropriate in size and scale with the existing neighborhood context and Property size, the request is the minimum necessary to accommodate a commercial elevator, which is appropriate for a structure of the scope proposed. However, this bulkhead is centrally located and will be mostly hidden from view due to the long depth of the property and with the assistance of the extensive landscaping.

(6) The granting of the variance will be in harmony with the general intent and purpose of these land development regulations and that such variance will not be injurious to the area involved or otherwise detrimental to the public welfare; and

The home's elevator bulkhead will not be readily apparent from view on the street or waterway. The requested variance meets the intent of the Code as the elevator bulkhead will be screened from view with the significant setbacks, green roofs and landscaping. As required, this bulkhead is located as close to the center of the roof as possible and is visually recessive. As such, this request will not negatively affect neighbors and, thus, meets the intent of the Code.

(7) 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 variance request is consistent with the City's comprehensive plan and does not reduce the levels of service as set forth in the plan.

Practical Difficulty. The required bulkhead height for a commercial elevator that meets the needs of the proposed home to access all levels represents a practical difficulty inhibiting the Applicant from meeting all Code requirements. However, the Applicant's proposal satisfies the intent and purposes of the Code to provide for an elevator bulkhead that does not adversely impact the neighborhood by being centrally located and visually recessive.

Sea Level Rise and Resiliency Criteria. The proposed project advances the sea level rise and resiliency criteria in Section 133-50(a) as follows:

(1) A recycling or salvage plan for partial or total demolition shall be provided.

The Applicant provided a recycling or salvage plan during permitting.

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

The windows on the new home will be hurricane-impact.

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

Operable windows will be provided on the new home.

(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.

The Applicant's proposed landscape plan is resilient as it will be comprised of native and Florida-friendly plants, including trees and shrubs that are compatible with the area.

(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 proposes the new structure to have a finished floor elevation at 18 feet NGVD, which includes 1 foot of freeboard to address future sea level rise.

(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 Applicant proposes a finished floor elevation of 18 feet NGVD.

(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.

All critical mechanical and electrical systems will be located above BFE.

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

Not applicable as this lot was vacant.

(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.

No habitable space is located below BFE.

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

The Applicants have engaged the services of an engineer to analyze and provided an appropriate drainage plan for the Property. Accordingly, an appropriate water retention system will be implemented.

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

The Applicant has included appropriate materials through permitting.

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

The Applicant proposes cool pavement, a light-colored roof and extensive landscaping that will minimize the potential for heat island effects.

Conclusion. The size of the Property and the approved home call for a commercial elevator to service all 4 levels and that elevator, for operations and safety, requires additional mechanical equipment on the overrun at the top. Therefore, the Applicant requests a 3' height variance to provide the appropriate elevator for the home. The variance is the minimal necessary to provide the right elevator and the elevator will be centrally located and visually recessive to not impact any neighbors. Granting this variance will permit the development of a beautifully-designed single-family home that is consistent with the character of the Star Island neighborhood. We look forward to your favorable review of the application and waiver. If you have any questions or comments, please give call me at (305) 377-6236.

Sincerely,



Matthew Amster

Cc: Alejandro Moreno



OFFICE OF THE PROPERTY APPRAISER

Summary Report

Generated On : 1/17/2023

Property Information	
Folio:	02-4204-001-0235
Property Address:	28 STAR ISLAND DR Miami Beach, FL 33139-0000
Owner	QRIAR ISLAND CORP
Mailing Address	7901 KINGSPONTE PKWY STE 10 ORLANDO, FL 32819-6523
PA Primary Zone	2200 ESTATES - 25000 SQFT LOT
Primary Land Use	0081 VACANT RESIDENTIAL : VACANT LAND
Beds / Baths / Half	0 / 0 / 0
Floors	0
Living Units	0
Actual Area	0 Sq.Ft
Living Area	0 Sq.Ft
Adjusted Area	0 Sq.Ft
Lot Size	40,000 Sq.Ft
Year Built	0



Assessment Information			
Year	2022	2021	2020
Land Value	\$17,000,000	\$11,200,000	\$10,400,000
Building Value	\$0	\$0	\$0
XF Value	\$0	\$0	\$0
Market Value	\$17,000,000	\$11,200,000	\$10,400,000
Assessed Value	\$12,320,000	\$11,200,000	\$10,400,000

Benefits Information				
Benefit	Type	2022	2021	2020
Non-Homestead Cap	Assessment Reduction	\$4,680,000		

Note: Not all benefits are applicable to all Taxable Values (i.e. County, School Board, City, Regional).

Short Legal Description	
STAR ISLAND CARR PL	
PB 31-60	
LOT 28	
LOT SIZE 100.000 X 400	
F/A/U 02 4204 001 0230	

Taxable Value Information			
	2022	2021	2020
County			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$12,320,000	\$11,200,000	\$10,400,000
School Board			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$17,000,000	\$11,200,000	\$10,400,000
City			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$12,320,000	\$11,200,000	\$10,400,000
Regional			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$12,320,000	\$11,200,000	\$10,400,000

Sales Information			
Previous Sale	Price	OR Book-Page	Qualification Description
12/15/2020	\$13,300,000	32259-1911	Qual by exam of deed
05/23/2014	\$10,500,000	29171-0176	Qual by exam of deed
06/01/2005	\$0	23465-0021	Sales which are disqualified as a result of examination of the deed
03/01/1999	\$5,900,000	18536-3414	Deeds that include more than one parcel

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:

DESIGN REVIEW BOARD
City of Miami Beach, Florida

MEETING DATE: June 1, 2021

PROPERTY/FOLIO: **28 West Star Island Drive** 02-4204-001-0235

FILE NO: DRB21-0642

LEGAL: Lot 28, of "CORRECTED PLAT OF STAR ISLAND", according to Plat thereof, recorded in Plat Book 31, at Page 60, Public Records of Miami-Dade County, Florida.

IN RE: An application has been filed requesting Design Review Approval for the construction of a new two-story residence on a vacant site that includes one or more waivers and an understory area.

APPLICANT: Qriar Island Corp.

ORDER

The City of Miami Beach Design Review 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. Design Review

- A. The Board has jurisdiction pursuant to Section 118-252(a) of the Miami Beach Code. The property is not located within a designated local historic district and is not an individually designated historic site.
- B. Based on the plans and documents submitted with the application, testimony and information provided by the applicant, and the reasons set forth in the Planning Department Staff Report, the project as submitted is inconsistent with Design Review Criteria 1, 2, 3, 4, 5, 6, 9, 12 and 19 in Section 118-251 of the Miami Beach Code.
- C. Based on the plans and documents submitted with the application, testimony and information provided by the applicant, and the reasons set forth in the Planning Department Staff Report, the project as submitted is inconsistent with Sea Level Rise Criteria 1, 10 and 11 in Section 133-50(a) of the Miami Beach Code.
- D. The project would be consistent with the criteria and requirements of Section 118-251 and/ or Section 133-50(a) if the following conditions are met:
 - 1. Revised elevation, site plan, and floor plan drawings for the proposed new home at 28 West Star Island Drive shall be submitted, at a minimum, such drawings shall incorporate the following:
 - a. The design of the understory area **shall be** permitted as proposed.

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- b. The proposed (north) interior side open space requirement **shall be** waived as proposed.
 - c. URBAN HEAT ISLAND ORDINANCE Sec. 142- 1132. g) Driveways. (4) Driveways and parking areas that are open to the sky within any required yard shall be composed of porous pavement or shall have a high albedo surface consisting of a durable material or sealant, as defined in section 114- 1 of this Code. (5) Driveways and parking areas composed of asphalt that does not have a high albedo surface, as defined in section 114- 1 of this Code, shall be prohibited.
 - d. The proposed low, open storage on the understory level shall not be allowed as proposed and shall comply with the side and rear setbacks.
 - e. The design and location of the outdoor lounge area proposed at the north east section of the rear may require relocation in order to protect and preserve an existing buttonwood tree, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
 - f. The final design details and color selection of the “ribbed concrete” shall be submitted, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
 - g. The final design details and color selection of the “Florida keystone” shall be submitted, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
 - h. The final design details and finish selection “hardwood cladding” shall be submitted, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
 - i. The final design details and finish selection “ipe pergola” shall be submitted, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
 - j. The final design details and finish selection “copper metal” cladding shall be submitted, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
 - k. The final design details of the exterior materials and finishes shall be submitted, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
 - l. The specifications of any proposed IPE wood shall be provided, and Forest Stewardship Council (FSC) or similar certification shall be required, subject to the review and approval of staff.



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- m. The materials and finishes shown, including location, extent, and quality, shall be consistent with the plans presented to the Board as part of this application, subject to the review and approval of staff.
 - n. An 'off-grid' or stand-alone renewable energy solution for the home shall be explored.
 - o. A copy of all pages of the recorded Final Order shall be scanned into the plans submitted for building permit, and shall be located immediately after the front cover page of the permit plans.
 - p. Prior to the issuance of a Certificate of Occupancy, the project Architect shall verify, in writing, that the subject project has been constructed in accordance with the plans approved by the Planning Department for Building Permit.
2. A revised landscape plan, prepared by a Professional Landscape Architect, registered in the State of Florida, and corresponding plans shall be submitted to and approved by staff. The species, type, quantity, dimensions, spacing, location and overall height of all plant material shall be clearly delineated and subject to the review and approval of staff. At a minimum, such plans shall comply with Chapter 26-Landscape Requirements of the Miami Beach Code and shall incorporate the following:
- a. The existing Green Buttonwood located at the rear of the property may be retained and protected, subject to the review and approval of the City of Miami Beach Urban Forester.
 - b. Prior to the issuance of a building permit, the applicant shall submit a tree protection plan for all trees to be retained on site. Such plan shall be subject to the review and approval of staff, and shall include, but not be limited to a sturdy tree protection fence installed at the dripline of the trees prior to any construction.
 - c. In order to identify, protect and preserve mature trees on site, which are suitable for retention and relocation, a Tree Report prepared by a Certified Tree Arborist shall be submitted for the mature trees on site.
 - d. Any tree identified to be in good overall condition shall be retained and protected in their current location if they are not in conflict with the proposed home, or they shall be relocated on site, if determined feasible, subject to the review and approval of staff. A tree care and watering plan also prepared by a Certified Arborist shall be submitted prior to the issuance of a Building Permit or Tree Removal/Relocation Permit. Subsequent to any approved relocation, a monthly report prepared by a Certified Arborist shall be provided to staff describing the overall tree performance and adjustments to the maintenance plan in order to ensure survivability, such report shall continue for a period of 18 months unless determined otherwise by staff.

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- e. Existing trees to be retained on site shall be protected from all types of construction disturbance. Root cutting, storage of soil or construction materials, movement of heavy vehicles, change in drainage patterns, and wash of concrete or other materials shall be prohibited.
 - f. The proposed and existing trees located within the swale shall be subject to the review and approval of Green Space and CIP.
 - g. Street trees shall be required within the swale at the front of the property if not in conflict with existing utilities, in a manner to be reviewed and approved by the Public Works Department. Any new street trees shall be of a consistent canopy tree species as similar to the neighboring trees along the street.
 - h. The applicant shall install street trees adjacent to the subject property consistent with the City's Street Tree Master Plan or similar to existing species along the street, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board, and root barriers shall be installed along the sidewalk in conjunction with structural soils.
 - i. Any existing plant material within the public right-of-way may be required to be removed, as the discretion of the Public Works Department.
 - j. A fully automatic irrigation system with 100% coverage and an automatic rain sensor in order to render the system inoperative in the event of rain. Right-of-way areas shall also be incorporated as part of the irrigation system.
 - k. The utilization of root barriers and/or Silva Cells, as applicable, shall be clearly delineated on the revised landscape plan.
 - l. The applicant shall verify, prior to the issuance of a Building Permit, the exact location of all backflow preventers and all other related devices and fixtures. The location of backflow preventers, Siamese pipes or other related devices and fixtures, if any, and how they are screened with landscape material from the right-of-way, shall be clearly indicated on the site and landscape plans, and shall be subject to the review and approval of staff.
 - m. Prior to the issuance of a Certificate of Occupancy, the Landscape Architect or the project architect shall verify, in writing, that the project is consistent with the site and landscape plans approved by the Planning Department for Building Permit.

In accordance with Section 118-262, the applicant, or the city manager on behalf of the City Administration, or an affected person, Miami Design Preservation League or Dade Heritage Trust may seek review of any order of the Design Review Board by the City

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Commission, except that orders granting or denying a request for rehearing shall not be reviewed by the Commission.

II. Variance(s)

- A. No variance(s) were filed as part of this application.

III. General Terms and Conditions applying to both 'I. Design Review Approval and 'II. Variances' noted above.

- A. Upon the issuance of a final Certificate of Occupancy or Certificate of Completion, as applicable, the project approved herein shall be maintained in accordance with the plans approved by the board, and shall be subject to all conditions of approval herein, unless otherwise modified by the Board. Failure to maintain shall result in the issuance of a Code Compliance citation, and continued failure to comply may result in revocation of the Certificate of Occupancy, Completion and Business Tax Receipt.
- B. All new construction over 7,000 square feet shall be required to be, at a minimum, certified as LEED Gold by USGBC. In lieu of achieving LEED Gold certification, properties can elect to pay a sustainability fee, pursuant to Chapter 133 of the City Code. This fee is set as a percentage of the cost of construction.
- C. During construction work, the applicant will maintain gravel at the front of the construction site within the first 15'-0" of the required front yard to mitigate disturbance of soil and mud by related personal vehicles exiting and entering the site, and with an 8'-0" high fence with a wind resistant green mesh material along the front property line. All construction materials, including dumpsters and portable toilets, shall be located behind the construction fence and not visible from the right-of-way. All construction vehicles shall either park on the private property or at alternate overflow parking sites with a shuttle service to and from the property. The applicant shall ensure that the contractor(s) observe good construction practices and prevent construction materials and debris from impacting the right-of-way.
- D. If applicable, a Construction Parking and Traffic Management Plan (CPTMP) shall be approved by the Parking Director pursuant to Chapter 106, Article II, Division 3 of the City Code, prior to the issuance of a Building Permit.
- E. A recycling/salvage plan shall be provided as part of the submittal for a demolition/building permit, in a manner to be reviewed and approved by staff.
- F. A copy of all pages of the recorded Final Order shall be scanned into the plans submitted for building permit, and shall be located immediately after the front cover page of the permit plans.
- G. The Final Order shall be recorded in the Public Records of Miami-Dade County, prior to the issuance of a Building Permit.
- H. Satisfaction of all conditions is required for the Planning Department to give its approval on a Certificate of Occupancy; a Temporary Certificate of Occupancy or Partial



Certificate of Occupancy may also be conditionally granted Planning Departmental approval.

- I. 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.
- J. The conditions of approval herein are binding on the applicant, the property's owners, operators, and all successors in interest and assigns.
- K. 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.

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 GRANTED for the above-referenced project subject to those certain conditions specified in Paragraph I, II, III of the Finding of Fact, to which the applicant has agreed.

PROVIDED, the applicant shall build substantially in accordance with the plans, entitled "US MIA STAR 28", as designed by **SAOTA** and **Urban Robot LLC**, signed and sealed March 8, 2021, and supplemental plans entitled "FINAL DESIGN CONCEPT NORTH ELEVATIONS", dated 4/29/2021, and as approved by the Design Review Board, as determined by staff.

When requesting a building permit, the plans submitted to the Building Department for permit shall be consistent with the plans approved by the Board, modified in accordance with the conditions of approval that must be satisfied prior to permit issuance, as set forth in this Order, have been met.

The issuance of the 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. When requesting Building permit, the plans submitted to the Building Department for permit shall be consistent with the plans approved by the Board, modified in accordance with the conditions set forth in this Order.

If the Full Building Permit for the project is not issued within eighteen (18) months of the meeting date at which the original approval was granted, the application will expire and become null and void, unless the applicant makes an application to the Board for an extension of time, in accordance with the requirements and procedures of Chapter 118 of the City Code, the granting of any such extension of time shall be at the discretion of the Board. If the Full Building Permit for the project shall 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 application will expire and become null and void.

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

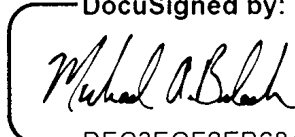


the City Code. Failure to comply with this **Order** shall subject the application to Chapter 118 of the City Code, for revocation or modification of the application.

Dated 6/17/2022 | 2:30 PM EDT

DESIGN REVIEW BOARD
THE CITY OF MIAMI BEACH, FLORIDA

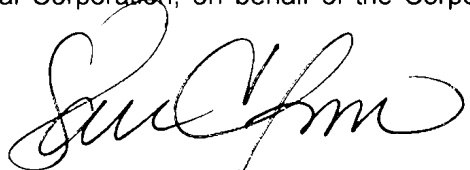
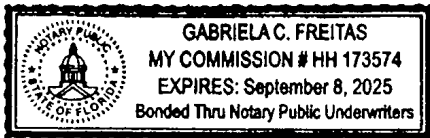
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BY: DEC3ECF2EB68404...
Michael Belush, AICP
Chief of Planning and Zoning
For Chairman

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

The foregoing instrument was acknowledged before me this 17th day of June 2022 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.



Notary:
Print Name Gabriela C. Freitas
Notary Public, State of Florida
My Commission Expires: Sept. 8, 2025
Commission Number: HH 173574

{NOTARIAL SEAL}

Approved As To Form: Steven Rothstein (6/17/2022 | 2:24 PM EDT)
City Attorney's Office: E9B54D6B8D7D409

Filed with the Clerk of the Design Review Board on Jessica Gonzalez (6/17/2022 | 2:41 PM EDT)
10FC3F3E9D654A5



CONSTRUCTION COST AFFIDAVIT

01/23/2023 9:34:52 AM

I, Luis Felipe Neiva Silveira, acting as agent (owner, registered agent, or legal representative) and I (general contractor/ sub-contractor), Andrew Magnin do hereby attest that the construction costs indicated herein for Permit Number BR2106013 / RV2217682 at property address 28 Star Island Dr. are accurate for this construction project.

Note: This affidavit is only required for job values greater than \$5,000.

Master Permits:

Building cost (excludes roofing, windows, doors, railings, other, and MEP): 6,788,365.80

Stand alone and sub-permits

Roofing \$: 1,018,284.87 Windows/Doors \$: 3,122,740.27 Railings \$: 746,742.24
Electrical \$: 807,839.33 Mechanical \$: 610,970.92 Plumbing \$: 678,856.58
Other \$: Description:

Under penalties of perjury, I declare that I have read the foregoing affidavit and that the facts stated in it are true.

Registered Owner/Agent or GC: Luis Felipe Neiva Silveira Registered Contractor: Andrew Magnin

Signature of Owner/Agent or GC (for Sub-permits) Signature of Qualifier:

The foregoing instrument was acknowledged before me, by means of the foregoing instrument was acknowledged before me, by means of

physical presence or online notarization, physical presence or online notarization,

this 01st day of July, 2022 this 01st day of July, 2022

by Luis Felipe Neiva Silveira by Andrew Magnin, who is personally known to me or

who has produced Personally known who has produced Personally known

as identification as identification.

Notary Public, State of Florida Notary Public, State of Florida

County of Miami Dade County of Miami Dade

Jennifer Quiles Printed Name and Signature

Commission Number: Commission Number:

Commission Expires: Commission Expires:

