

# 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 ZBA23-0146			
<input checked="" type="radio"/> <b>Board of Adjustment</b> <input checked="" type="checkbox"/> Variance from a provision of the Land Development Regulations <input type="checkbox"/> Appeal of an administrative decision		<input type="radio"/> <b>Design Review Board</b> <input type="checkbox"/> Design review approval <input type="checkbox"/> Variance	
<input type="radio"/> <b>Planning Board</b> <input type="checkbox"/> Conditional use permit <input 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		<input type="radio"/> <b>Historic Preservation Board</b> <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"/> <b>Other:</b>			
Property Information – Please attach Legal Description as “Exhibit A”			
ADDRESS OF PROPERTY 1330 15th Street, Miami Beach, Florida 33139			
FOLIO NUMBER(S) 02-3233-016-0200			
Property Owner Information			
PROPERTY OWNER NAME 1330 15t Street LLC			
ADDRESS 1330 15th Street	CITY Miami Beach	STATE Florida	ZIPCODE 33139
BUSINESS PHONE 818-667-1975	CELL PHONE 818-667-1975	EMAIL ADDRESS athangavel@lakshmi-capital.com	
Applicant Information (if different than owner)			
APPLICANT NAME			
ADDRESS	CITY	STATE	ZIPCODE
BUSINESS PHONE	CELL PHONE	EMAIL ADDRESS	
Summary of Request			
PROVIDE A BRIEF SCOPE OF REQUEST  Request to reclassify and correct the BTR and COU for 1330 15 Street, Miami Beach, Florida 33139 to reflect the use per CO19-1320 and BTR005837-01-2019.			

Project Information			
Is there an existing building(s) on the site?		<input checked="" 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.		n/a	SQ. FT.
Provide the gross floor area of the new construction (including required parking and all usable area).		n/a	SQ. FT.
Party responsible for project design			
NAME N/A		<input type="checkbox"/> Architect	<input type="checkbox"/> Contractor
		<input type="checkbox"/> Engineer	<input type="checkbox"/> Tenant
		<input type="checkbox"/> Landscape Architect	<input type="checkbox"/> Other _____
ADDRESS		CITY	STATE
			ZIPCODE
BUSINESS PHONE	CELL PHONE	EMAIL ADDRESS	
Authorized Representative(s) Information (if applicable)			
NAME Aaron Resnick, Esq.		<input checked="" type="checkbox"/> Attorney	<input type="checkbox"/> Contact
		<input type="checkbox"/> Agent	<input type="checkbox"/> Other _____
ADDRESS 100 Biscayne Boulevard, Suite 1607		CITY Miami	STATE Florida
			ZIPCODE 33132
BUSINESS PHONE (305) 672-7495	CELL PHONE (305) 672-7495	EMAIL ADDRESS aresnick@thefirmmiami.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	
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".
- 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 forgoing 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**

Aaron R. Resnick, Esq.

**PRINT NAME**

2/22/2023

**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 Virginia

COUNTY OF Alexandria City

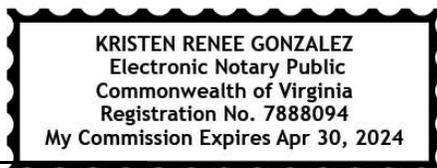
I, Ananthan K. Thangavel, being first duly sworn, depose and certify as follows: (1) I am the Manager (print title) of 1330 15th Street LLC (print name of corporate entity). (2) I am authorized to file this application on behalf of such entity. (3) This application and all information submitted in support 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.

*Ananthan Thangavel*

\_\_\_\_\_  
**SIGNATURE**

Sworn to and subscribed before me this 22 day of February, 2023. The foregoing instrument was acknowledged before me by Ananthan Thangavel, who has produced Driver's License as identification and/or is personally known to me and who did/did not take an oath.

NOTARY SEAL OR STAMP



*Kristen Renee Gonzalez*

\_\_\_\_\_  
**NOTARY PUBLIC**

My Commission Expires: 4/30/2024

Kristen Renee Gonzalez

\_\_\_\_\_  
**PRINT NAME**

Completed via Remote Online Notarization using 2 way Audio/Video technology.

*We are committed to providing excellent public service and safety to all who live, work, and play in our vibrant, tropical, historic community.*

**POWER OF ATTORNEY AFFIDAVIT**

STATE OF Virginia

COUNTY OF Alexandria City

I, Ananthan K. Thangavel, 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 Aaron R. Resnick, Esq. to be my representative before the Adjustments 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.

Ananthan Thangavel  
**PRINT NAME (and Title, if applicable)**

Ananthan Thangavel  
**SIGNATURE**

Sworn to and subscribed before me this 22 day of February, 20 23. The foregoing instrument was acknowledged before me by Ananthan Thangavel, who has produced Driver's License as identification and/or is personally known to me and who did/did not take an oath.

NOTARY SEAL OR STAMP



Kristen Renee Gonzalez  
**NOTARY PUBLIC**

My Commission Expires: 4/30/2024

Kristen Renee Gonzalez  
**PRINT NAME**

Completed via Remote Online Notarization using 2 way Audio/Video technology.

**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.

1330 15th Street LLC

**NAME OF CORPORATE ENTITY**

NAME AND ADDRESS

% OF OWNERSHIP

See Exhibit "B"


**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.

<b>TRUST NAME</b>	
NAME AND ADDRESS	% INTEREST
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

**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>Aaron R. Resnick</u>	<u>100 Biscayne Blvd, Ste 1607, Miami, FL 33132</u>	<u>(305) 672-7495</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 Florida

COUNTY OF Miami-Dade

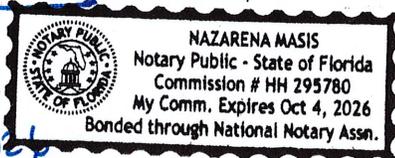
I, Aaron Resnick, being first duly sworn, depose and certify as follows: (1) I am the applicant or representative of the applicant. (2) This application and all information submitted in support of this application, including sketches, data, and other supplementary materials, are true and correct to the best of my knowledge and belief.

ARR

**SIGNATURE**

Sworn to and subscribed before me this 22<sup>nd</sup> day of February, 2023. The foregoing instrument was acknowledged before me by Aaron Resnick, who has produced \_\_\_\_\_ as identification and/or is personally known to me and who did/did not take an oath.

NOTARY SEAL OR STAMP



Nazarena Masís

**NOTARY PUBLIC**

My Commission Expires: 10/04/2026

Nazarena Masís

**PRINT NAME**

**EXHIBIT "A"**

**LEGAL DESCRIPTION**

The East 30 feet of Lot 2 and the West 1/2 of Lot 3, Block 79-A, A RESUBDIVISION of BLOCKS 67 and 79 ALTON BEACH REALTY CO'S. BAY FRONT SUBDIVISION, according to the Plat thereof as recorded in Plat Book 16, Page 1, Public Records of Miami-Dade County, Florida.

**EXHIBIT "B"**

**DISCLOSURE OF INTEREST-1330 15TH STREET LLC**

**100 % Ownership Interest:** Thangavel Family 2006 Irrevocable Trust, 1330 15 Street, Miami Beach, Florida 33139.

- **Trustee/Beneficiary 1:** Ananthan Thangavel: 1330 15 Street, Miami Beach, Florida 33139
- **Trustee/Beneficiary 2:** Atul Thangavel: 53 Newburg Street, San Francisco, California, 94131

Both of the above beneficiaries have an undivided interest in the Thangavel Family 2006 Irrevocable Trust

# LETTER OF INTENT

The Law Offices of  
**AARON R. RESNICK, P.A.**  
ATTORNEYS AND COUNSELORS

|100 Biscayne Boulevard | Suite 1607 | Miami, Florida 33132| P: 305.672.7495 | F: 305.672.7496 |

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Wednesday, February 22, 2023

*Sent via Electronic Submittal*

Thomas Mooney, Planning Director  
Planning Department  
City of Miami Beach  
1700 Convention Center Drive  
Miami Beach, Florida 33139

Re: **Appeal to Board of Adjustments regarding Certificate of Use and Business Tax Receipt for the property located at 1330 15 Street, Miami Beach, Florida 33139 (the “Property”)**

Dear Mr. Mooney:

This law firm represents 1330 15th Street LLC (the “Applicant”) and submits this Letter of Intent (“LOI”) in support of the Applicant’s Land Use Board Hearing Application (the “Application”) seeking a hearing before the City of Miami Beach’s (the “City”) Board of Adjustment (the “BOA”). Specifically, the Applicant requests that the BOA issue an appropriate Business Tax Receipt (“BTR”) and Certificate of Use (“COU”) reflecting the correct use per CO19-1320 and BTR005737-01-2019 as previously authorized and issued by the City, or alternatively, authorize the Applicant to use the Property per Code 95017300, i.e. transient short-term rentals.

The existing structure on the Property was initially authorized for use as a four (4) unit residential building, but in 2018, the City issued building permit number BC1806547 allowing the previous owner to convert the Property to an eight (8) unit suite hotel under which the City permitted transient short-term rentals. On February 19, 2019, the City issued a COU and BTR authorizing the use of the Property as an eight (8) unit hotel. Thereafter, on May 14, 2019, a Certificate of Occupancy (“CO”), Number CO19-1320 was issued, reflecting that the Property may be used as an eight (8) unit suite hotel. At that time, there were no restrictions on whether the Property could be used for transient short-term rentals.

On October 1, 2019, the City renewed the Property’s BTR, BTR005837-01-2019. On or around November 12, 2019, the Property was sold to the Applicant, but, at all times relevant, Applicant should have been permitted to use the Property as transient short-term rentals pursuant to the COU and BTR issued thereon. Applicant never intended to lose the use that was in existence at the time of its purchase of the Property in November 2019. However, the current BTR and COU does not reflect the Property’s use as an eight (8) unit suite hotel. After the Applicant purchased the

Property, it never requested, permitted, or authorized any changes or revisions to the COU or BTR to reflect eight (8) residential units, non-transient.

Therefore, the Applicant respectfully requests that the City correct (adjust) the Property's BTR and COU to reflect the COU and BTR previously issued in 2019. Alternatively, the Applicant requests that the City authorize the Applicant to use the Property per Code 95017300 for transient short-term rentals. Applicant reserves the right to supplement its Application with additional materials as may be appropriate or necessary before the issue is brought to a public hearing before the BOA.

Should you have any questions, please feel free to contact me at any time. We can be reached via telephone at 305.672.7495 or via electronic mail at [aresnick@thefirmmiami.com](mailto:aresnick@thefirmmiami.com).

Please note that nothing in this correspondence should be construed as a waiver of any of the Applicant's legal or equitable rights, remedies, or defenses, all of which are hereby expressly reserved.

Very Truly Yours,  
**LAW OFFICES OF AARON RESNICK, P.A.**

*/s/Aaron Resnick*  
**Aaron R. Resnick, Esq.**  
For the Firm