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	Is the property the primary residence & homestead of the applicant/property owner? ☐ Yes ■ No (if "Yes," provide office of the property appraiser summary report)
DRB24-1016	

Board of Adjustment	Design Review Board
☐ Variance from a provision of the Land Development Regulations	☒ Design review approval
☐ Appeal of an administrative decision	☒ Variance
☐ Modification of existing Board Order	☐ Modification of existing Board Order

Planning Board	Historic Preservation Board
Conditional Use Permit	☐ Certificate of Appropriateness for design
☐ Lot Split	☐ Certificate of Appropriateness for demolition
☐ Amendment to the Land Development Regulations or Zoning Map	☐ Historic District/Site Designation
☐ Amendment to the Comprehensive Plan or Future Land Use Map	☐ Variance
☐ Modification of existing Board Order	☐ Modification of existing Board Order

☐ **Other:**

Property Information – Please attach Legal Description as "Exhibit A"

ADDRESS OF PROPERTY
976 W. 41ST ST., 3925 ALTON RD., & 3915 ALTON RD.

FOLIO NUMBER(S)
#02-3222-019-0040; #02-3222-019-0030; #02-3222-019-0020

Property Owner Information

PROPERTY OWNER NAME
GATEWAY ASSOCIATES, LTD., GATEWAY I & III, LTD.

ADDRESS	CITY	STATE	ZIPCODE
975 W. 41ST ST.	MIAMI BEACH	FL	33140

BUSINESS PHONE	CELL PHONE	EMAIL ADDRESS
305-538-6324	305-205-3878	IRA@GILLERAND GILLER.COM

Applicant Information (if different than owner)

APPLICANT NAME
GATEWAY GROUP, INC., GENERAL PARTNER

ADDRESS	CITY	STATE	ZIPCODE
975 W. 41ST ST.	MIAMI BEACH	FL	33140

BUSINESS PHONE	CELL PHONE	EMAIL ADDRESS
305-538-6324	305-205-3878	IRA@GILLERANDGILLER.COM

Summary of Request

PROVIDE A BRIEF SCOPE OF REQUEST
DESIGN REVIEW APPROVAL FOR COMMERCIAL NEIGHBORHOOD DEVELOPMENT OVER 50,000SF;

Project Information			
Is there an existing building(s) on the site?	■ Yes	☐ No	
If previous answer is "Yes", is the building architecturally significant per sec. 142-108?	☐ Yes	■ No	
Does the project include interior or exterior demolition?	■ Yes	☐ No	
Provide the total floor area of the new construction.	46,880	SQ. FT.	
Provide the gross floor area of the new construction (including required parking and all usable area).	105,034	SQ. FT.	

Party responsible for project design				
NAME IRA D. GILLER, A.I.A.	■ Architect ☐ Contractor ☐ Landscape Architect ☐ Engineer ☐ Tenant ☐ Other_____			
ADDRESS 975 ARTHUR GODFREY RD., #600	CITY MIAMI BEACH	STATE FL	ZIPCODE 33140	
BUSINESS PHONE 305-538-6324	CELL PHONE 305-205-3878	EMAIL ADDRESS IRA@GILLERANDGILLER.COM		

Authorized Representative(s) Information (if applicable)				
NAME IRA D. GILLER	☐ Attorney ☐ Contact PRESIDENT, GATEWAY ☐ Agent ■ Other GROUP,INC., GEN PARTNER			
ADDRESS 975 ARTHUR GODFREY RD.#600	CITY MIAMI BEACH	STATE FL	ZIPCODE 33140	
BUSINESS PHONE 305-538-6324	CELL PHONE 305-205-3878	EMAIL ADDRESS IRA@GILLERANDGILLER.COM		
NAME	☐ Attorney ☐ Contact ☐ Agent ☐ Other_____			
ADDRESS	CITY	STATE	ZIPCODE	
BUSINESS PHONE	CELL PHONE	EMAIL ADDRESS		
NAME	☐ Attorney ☐ Contact ☐ Agent ☐ 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 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

IRA GILLER

PRINT NAME

3/11/24

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 FLORIDA

COUNTY OF MIAMI-DADE

I, IRA GILLER, being first duly sworn, depose and certify as follows: (1) I am the PRESIDENT (print title) of GATEWAY ASSOCIATES, INC., G.P. (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 11th day of March , 2024. The foregoing instrument was acknowledged before me by IRA GILLER , who has produced _____ as identification and/or is personally known to me and who did/did not take an oath.

NOTARY SEAL OR STAMP

FRANK GONZALEZ
Notary Public - State of Florida
Commission # HH 383198
My Comm. Expires Apr 5, 2027
Bonded through National Notary Assn.

_____

NOTARY PUBLIC

My Commission Expires: _____

Frank Gonzalez

PRINT NAME

POWER OF ATTORNEY AFFIDAVIT

STATE OF _____

COUNTY OF _____

I, _____, 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 _____ to be my representative before the _____ 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.

_____ _____

PRINT NAME (and Title, if applicable) **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

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.

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.

GATEWAY ASSOCIATES, LTD.

NAME OF CORPORATE ENTITY

NAME AND ADDRESS	% OF OWNERSHIP
IRA GILLER, 975 ARTHUR GODFREY RD #600, MIAMI BEACH FL 33140	33
ANITA GROSSMAN, 975 ARTHUR GODFREY RD #600, MIAMI BEACH, FL 33140	33
BRIAN GILLER TRUST UNDER NORMAN M. GILLER TRUST #1 1111 Brickell Avenue, Suite 1550 Miami, FL 33131	33
GATEWAY GROUP, INC.,975 ARTHUR GODFREY RD #600, MIAMI BEACH, EL 33140	1

GATEWAY GROUP, INC.

NAME OF CORPORATE ENTITY

NAME AND ADDRESS	% OF OWNERSHIP
IRA GILLER, 975 ARTHUR GODFREY RD #600, MIAMI BEACH FL 33140	33.3
ANITA GROSSMAN, 975 ARTHUR GODFREY RD #600, MIAMI BEACH, FL 33140	33.4
GILLER FAMILY TRUST, 1111 Brickell Avenue, Suite 1550 Miami, FL 33131	33.3

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
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.

GATEWAY I, LTD.

NAME OF CORPORATE ENTITY

NAME AND ADDRESS	% OF OWNERSHIP
GATEWAY ASSOCIATES, LTD., 975 ARTHUR GODFREY RD. #600, MIAMI BEACH, FL 33140	100%
	1

GATEWAY III, LTD.

NAME OF CORPORATE ENTITY

NAME AND ADDRESS	% OF OWNERSHIP
GATEWAY ASSOCIATES,LTD., 975 ARTHUR GODFREY RD. #600, MIAMI BEACH, FL 33140	100%

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.

BRIAN GILLER TRUST UNDER NORMAN M. GILLER TRUST #1; GILLER FAMILY TRUST

TRUST NAME

NAME AND ADDRESS	% INTEREST
JASON B. GILLER, TRUSTEE & BENEFICIARY 1111 Brickell Avenue, Suite 1550 Miami, FL 33131	50
JAMIE GILLER, TRUSTEE & BENEFICIARY C/O JASON GILLER, 1111 Brickell Avenue, Suite 1550 Miami, FL 33131	50

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

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, IRA GILLER, 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 11th day of March, 2024. 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

FRANK GONZALEZ
Notary Public - State of Florida
Commission # HH 383198
My Comm. Expires Apr 5, 2027
Bonded through National Notary Assn.

NOTARY PUBLIC

My Commission Expires: _____

Frank Gonzalez

PRINT NAME

EXHIBIT “A”

LEGAL DESCRIPTION:

LOTS 2,3,4, AND 5, BLOCK 1, 41ST STREET BUSINESS SUBDIVISION ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 34, PAGE 92 OF THE PUBLIC RECORDS OFMIAMI-DADE COUNTY, FLORIDA

PROPERTY ADDRESSES & FOLIO NOS:

3907 ALTON RD., MIAMI BEACH, FL 33140 #02-3222-019-0020

3915 ALTON RD., MIAMI BEACH, FL 33140 #02-3222-019-0030

976 W. 41ST ST., MIAMI BEACH, FL 33140 #02-3222-019-0040

COLLECTIVELY USED IN THE PROJECT DEVELOPMENT AS:

976 W. 41ST ST., MIAMI BEACH, FL 33140