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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

PB23-0596

◯ **Board of Adjustment**	◯ **Design Review Board**
☐ Variance from a provision of the Land Development Regulations	☐ Design review approval
☐ Appeal of an administrative decision	☐ Variance
◉ **Planning Board**	◯ **Historic Preservation Board**
☐ Conditional use permit	☐ Certificate of Appropriateness for design
☐ Lot split approval	☐ 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

☐ **Other:**

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

ADDRESS OF PROPERTY

7401-7425 Harding Avenue, Miami Beach, Florida 33141

FOLIO NUMBER(S)

02-3202-003-0240, 02-3202-003-0230, 02-3202-003-0220, 02-3202-003-0210

Property Owner Information

PROPERTY OWNER NAME

7410, LLC

ADDRESS	CITY	STATE	ZIPCODE
3839 Flatlands Avenue, Suite 211	Brooklyn	NY	11234

BUSINESS PHONE	CELL PHONE	EMAIL ADDRESS
(718) 567-4922		abeb@easternunion.com

Applicant Information (if different than owner)

APPLICANT NAME

SAME AS ABOVE

ADDRESS	CITY	STATE	ZIPCODE

BUSINESS PHONE	CELL PHONE	EMAIL ADDRESS

Summary of Request

PROVIDE A BRIEF SCOPE OF REQUEST

New mixed-use residential, office, and commercial building exceed 50,000 gross square feet with integrated parking.

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Project Information			
Is there an existing building(s) on the site?	☐ Yes	■ No	
Does the project include interior or exterior demolition?	☐ Yes	■ 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 JJ Wood		■ Architect ☐ Contractor ☐ Landscape Architect ☐ Engineer ☐ Tenant ☐ Other_____		
ADDRESS 420 Lincoln Road, 6th Floor		CITY Miami Beach	STATE FL	ZIPCODE 33139
BUSINESS PHONE 786-246-4857	CELL PHONE	EMAIL ADDRESS jj@urbanrobot.net		

Authorized Representative(s) Information (if applicable)				
NAME Graham C. Penn		■ Attorney ☐ Contact ☐ Agent ☐ Other_____		
ADDRESS 200 South Biscayne Blvd., Suite 300		CITY Miami	STATE Florida	ZIPCODE 33131
BUSINESS PHONE (305) 374-5300	CELL PHONE	EMAIL ADDRESS gpenn@brzoninglaw.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).

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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

DocuSigned by:
Abraham Bergman
99685364F15F4C9...

SIGNATURE

Abraham Bergman

PRINT NAME

5-1-2023

DATE SIGNED

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OWNER AFFIDAVIT FOR INDIVIDUAL OWNER

STATE OF _____

COUNTY OF _____

I, N/A, 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, Abraham Bergman, being first duly sworn, depose and certify as follows: (1) I am the Managing Member (print title) of 7410, 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.

DocuSigned by:
Abraham Bergman
99685364F15F4C9...

_____

SIGNATURE

Sworn to and subscribed before me this 1 day of May , 20 23. The foregoing instrument was acknowledged before me by Abraham Bergman , who has produced _____ as identification and/or is personally known to me and who did/did not take an oath.

48345BC0AC3D
Signed on 2023/05/01 08:30:07 -8:00

NOTARY SEAL OR STAMP

_____

NOTARY PUBLIC

My Commission Expires: 1-24-2025

Yeidy Montesino Perez
Commission # HH 084273
Notary Public - State of Florida
My Commission Expires Jan 24, 2025

Notary Stamp 2023/05/01 08:30:07 PST 48345BC0AC3D

Yeidy Montesino Perez

PRINT NAME

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POWER OF ATTORNEY AFFIDAVIT

STATE OF Florida

COUNTY OF Miami-Dade

I, Abraham Bergman, 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 Graham C. Penn to be my representative before the Planning 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.

DocuSigned by:
Abraham Bergman
99685364F15F4C9...

Abraham Bergman, Managing Member

PRINT NAME (and Title, if applicable) **SIGNATURE**

Sworn to and subscribed before me this 1 day of May , 20 23 . The foregoing instrument was acknowledged before me by Abraham Bergman , who has produced _____ as identification and/or is personally known to me and who did/did not take an oath.

48345BC0AC3D
Signed on 2023/05/01 08:30:07 -8:00

NOTARY SEAL OR STAMP

NOTARY PUBLIC

My Commission Expires: 1-24-2025

Yeidy Montesino Perez
Commission # HH 084273
Notary Public - State of Florida
My Commission Expires Jan 24, 2025

Notary Stamp 2023/05/01 08:30:07 PST 48345BC0AC3D

Yeidy Montesino Perez

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.

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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.

7410, LLC

NAME OF CORPORATE ENTITY

NAME AND ADDRESS	% OF OWNERSHIP
Please 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.

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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.

n/a

TRUST NAME

NAME AND ADDRESS	% INTEREST

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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
Graham C. Penn	200 South Biscayne Blvd., Suite 300	305-374-5300
JJ Wood	420 Lincoln Road, 6th Floor	786-246-4857

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, Abraham Bergman, Managing Member, 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.

DocuSigned by:
Abraham Bergman
99685364F15F4C9...

SIGNATURE

Sworn to and subscribed before me this 1 day of May , 20 23 . The foregoing instrument was acknowledged before me by Abraham Bergman , who has produced _____ as identification and/or is personally known to me and who did/did not take an oath.

Signed on 2023/05/01 08:30:07 -8:00

NOTARY SEAL OR STAMP

NOTARY PUBLIC

Yeidy Montesino Perez
Commission # HH 084273
Notary Public - State of Florida
My Commission Expires Jan 24, 2025

Notary Stamp 2023/05/01 08:30:07 PST 48345BC0AC3D

My Commission Expires: 1-24-2025

Yeidy Montesino Perez

PRINT NAME

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EXHIBIT A

Legal Description

Lot Six (6), Seven (7), Eleven (11), Twelve (12), Thirteen (13), and Fourteen (14), Block Two (2), TOWNSITE OF HARDING, according to the Plat thereof recorded in Plat Book 34, page 4, of the Public Records of Dade County, Florida.

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7410, LLC

DISCLOSURE OF INTEREST

Abraham Bergman 3839 Flatlands Avenue, Suite 211 Brooklyn, NY 11234	50%
Charles Hoffman 3839 Flatlands Avenue, Suite 211 Brooklyn, NY 11234	50%

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E-Signature Summary

E-Signature Notary: Yeidy Montesino (ymp)
May 01, 2023 08:30:07 -8:00 [48345BC0AC3D] [74.220.90.117]
ymontesino@brzoninglaw.com

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