

# MIAMI BEACH

## PLANNING DEPARTMENT

### Staff Report & Recommendation

### Design Review Board

TO: DRB Chairperson and Members

DATE: September 05, 2017

FROM: Thomas R. Mooney, AICP  
Planning Director



SUBJECT: DRB17-0162 (aka DRB File No. 23230)  
**7615 Harding Avenue – Extension of Time**

The applicant, 608 Investments LLC, is requesting a (1) one-year Extension of Time for a previously issued Design Review Approval for the construction of a new detached five-story addition to an existing two-story multifamily building including variances. **(ITEM WAS APPROVED AT THE JANUARY 15, 2016 MEETING)**

#### **RECOMMENDATION:**

Approval of the (1) one-year Extension of Time

#### **LEGAL DESCRIPTION:**

Lot 4 less West 2'-6" of Block 2, of "Altos Del Mar No. 3", according to Plat thereof as recorded in Plat Book 8, Page 41, of the Public Records of Miami-Dade County, Florida.

#### **HISTORY:**

The application was approved by the Design Review Board on January 15, 2016 subject to the conditions set forth in the "Final Order", pursuant to DRB File No. 23230. Since that time, the applicant has not yet obtained the required building permit for the reasons set forth in the submitted letter of intent.

Original Approval Date: January 15, 2016

Order Expiration Date: July 15, 2017

Proposed Expiration Date: July 15, 2018

#### **THE PROJECT:**

The proposed new construction is in the building department permit process. The application and plans for Building Permit No. BC1703899 was applied for on 05/01/17 and has been reviewed once by all of the associated disciplines. Staff recommends the request for an extension of time be approved to ensure that the permitting process commences.

#### **RECOMMENDATION:**

In view of the foregoing analysis, staff recommends the request for an extension of time be approved for a period not to exceed one (1) year from the expiration of the original approval as indicated in the Final Order for the project, subject to the conditions enumerated in the attached Draft Order.

TRM/JGM

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**DESIGN REVIEW BOARD**  
**City of Miami Beach, Florida**

MEETING DATE: September 05, 2017

FILE NO: DRB23230 (a.k.a. DRB17-0162)

PROPERTY: **7615 Harding Avenue**

APPLICANT: 608 Investments LLC

LEGAL: Lot 4 less West 2'-6" of Block 2, of "Altos Del Mar No. 3", according to Plat thereof as recorded in Plat Book 8, Page 41, of the Public Records of Miami-Dade County, Florida.

IN RE: The Application for a (1) one-year Extension of Time for a previously issued Design Review Approval for the construction of a new detached five-story addition to an existing two-story multifamily building including variances.

**ORDER**

The City of Miami Beach Design Review Board makes the following FINDING 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:

The applicant submitted information establishing, among other things, that delays were encountered in permitting the project. The foregoing constitutes good cause for granting a one (1) year extension of time to the requirement that a Full Building Permit be obtained within eighteen (18) months of the original Design Review Approval.

IT IS HEREBY ORDERED, based upon the foregoing finding of fact and the staff report and analysis, which is adopted herein, including the recommendation, that a one (1) year extension of time to obtain a full building permit (which one [1] year period shall run from the expiration date of the original approval, which was on July 15, 2017) is granted for the above-referenced project conditioned upon the following, to which the applicant has agreed:

1. A full building permit, not a foundation or shell permit, for the project shall be obtained by September July 15, 2018.
2. Construction shall commence and continue in accordance with the applicable Building Code.
3. This Extension of Time shall run concurrent with any other Extensions of Time that may be provided to the property owner as a result of actions of non-City authorities with jurisdiction over such matters.
4. 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.

5. 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.

No building permit may be issued unless and until all conditions of approval that must be satisfied prior to permit issuance as set forth in this Order and the Order for the January 15, 2016 approval have been met. The issuance of Design Review 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 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 set forth in this Order and the Final Order for the January 15, 2016 meeting. If the Full Building Permit is not issued by July 15, 2018, the Design Review Approval will expire and become null and void. If the Full Building Permit should 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 Design Review Approval will expire and become null and void.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

**DESIGN REVIEW BOARD  
THE CITY OF MIAMI BEACH, FLORIDA**

BY: JAMES G. MURPHY  
CHIEF OF URBAN DESIGN  
FOR THE CHAIR

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

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ by James G. Murphy, Chief of Urban Design, Planning Department, City of Miami Beach, Florida, a Florida Municipal Corporation, on behalf of the Corporation. He is personally known to me.

NOTARY PUBLIC  
Miami-Dade County, Florida  
My commission expires:

Approved As To Form: \_\_\_\_\_  
City Attorney's Office: \_\_\_\_\_ ( )

Filed with the Clerk of the Design Review Board on \_\_\_\_\_ (