

MIAMI BEACH

PLANNING DEPARTMENT, 1700 CONVENTION CENTER DRIVE, 2ND FLOOR
MIAMI BEACH, FLORIDA 33139, WWW.MIAMIBEACHFL.GOV
305-673-7550

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.

- BOARD OF ADJUSTMENT
 - VARIANCE FROM A PROVISION OF THE LAND DEVELOPMENT REGULATIONS
 - APPEAL OF AN ADMINISTRATIVE DECISION

- DESIGN REVIEW BOARD
 - DESIGN REVIEW APPROVAL
 - VARIANCE RELATED TO PROJECT BEING CONSIDERED OR APPROVED BY DRB.

- HISTORIC PRESERVATION BOARD
 - CERTIFICATE OF APPROPRIATENESS FOR DESIGN
 - CERTIFICATE OF APPROPRIATENESS TO DEMOLISH A STRUCTURE
 - HISTORIC DISTRICT / SITE DESIGNATION
 - VARIANCE RELATED TO PROJECT BEING CONSIDERED OR APPROVED BY HPB.

- PLANNING BOARD
 - CONDITIONAL USE PERMIT
 - LOT SPLIT APPROVAL
 - AMENDMENT TO THE LAND DEVELOPMENT REGULATIONS OR ZONING MAP
 - AMENDMENT TO THE COMPREHENSIVE PLAN OR FUTURE LAND USE MAP

- FLOOD PLAIN MANAGEMENT BOARD
 - FLOOD PLAIN WAIVER

- OTHER _____

SUBJECT PROPERTY ADDRESS: 3201 and 3315 Collins Avenue

LEGAL DESCRIPTION: PLEASE ATTACH LEGAL DESCRIPTION AS "EXHIBIT A"

FOLIO NUMBER (s) 02-3226-001-1390 and 02-3226-055-0001

1. APPLICANT: OWNER OF THE SUBJECT PROPERTY TENANT ARCHITECT LANDSCAPE ARCHITECT
 ENGINEER CONTRACTOR OTHER _____

NAME 3201 Hotel, LLC
ADDRESS 3201 Collins Avenue, Miami Beach, FL 33140
BUSINESS PHONE 305-535-3009 CELL PHONE _____
E-MAIL ADDRESS sgeraghty@faena.com

OWNER IF DIFFERENT THAN APPLICANT:

NAME _____
ADDRESS _____
BUSINESS PHONE _____ CELL PHONE _____
E-MAIL ADDRESS _____

2. AUTHORIZED REPRESENTATIVE(S):

ATTORNEY:

NAME Nelsen Kasdin
ADDRESS 98 SE 7 Street, Suite 1100, Miami, FL 33131
BUSINESS PHONE 305-374-5600 CELL PHONE _____
E-MAIL ADDRESS nelisen.kasdin@akerman.com

AGENT:

NAME _____
ADDRESS _____
BUSINESS PHONE _____ CELL PHONE _____
E-MAIL ADDRESS _____

CONTACT:

NAME _____
ADDRESS _____
BUSINESS PHONE _____ CELL PHONE _____
E-MAIL ADDRESS _____

3. PARTY RESPONSIBLE FOR PROJECT DESIGN:

ARCHITECT LANDSCAPE ARCHITECT ENGINEER CONTRACTOR OTHER: project manager
NAME Enrique Gonzalez
ADDRESS 3201 Collins Avenue, Miami Beach, FL 33140
BUSINESS PHONE _____ CELL PHONE _____
E-MAIL ADDRESS egonzalez@faena.com

FILE NO. _____

1. APPLICANT: OWNER OF THE SUBJECT PROPERTY TENANT ARCHITECT LANDSCAPE ARCHITECT
 ENGINEER CONTRACTOR OTHER _____

NAME 3315 Tower Condominium Association, Inc.
ADDRESS 3315 Collins Avenue, Miami Beach, FL 33140
BUSINESS PHONE _____ CELL PHONE _____
E-MAIL ADDRESS jose.chavez@marquishoa.com

OWNER IF DIFFERENT THAN APPLICANT:

NAME _____
ADDRESS _____
BUSINESS PHONE _____ CELL PHONE _____
E-MAIL ADDRESS _____

2. AUTHORIZED REPRESENTATIVE(S):

ATTORNEY:

NAME Neisen Kasdin
ADDRESS 98 SE 7 Street, Suite 1100, Miami, FL 33131
BUSINESS PHONE 305-374-5600 CELL PHONE _____
E-MAIL ADDRESS neisen.kasdin@akerman.com

Attorney

NAME David Haber, David Podein, Jonathan Goldstein - Haber Slade, P.A.
ADDRESS 201 South Biscayne Blvd, Suite 1205, Miami, FL 33131
BUSINESS PHONE 305-379-2400 CELL PHONE _____
E-MAIL ADDRESS jgoldstein@dhaberlaw.com

CONTACT:

NAME _____
ADDRESS _____
BUSINESS PHONE _____ CELL PHONE _____
E-MAIL ADDRESS _____

3. PARTY RESPONSIBLE FOR PROJECT DESIGN:

ARCHITECT LANDSCAPE ARCHITECT ENGINEER CONTRACTOR OTHER: project manager

NAME Enrique Gonzalez
ADDRESS 3201 Collins Avenue, Miami Beach, FL 33140
BUSINESS PHONE _____ CELL PHONE _____
E-MAIL ADDRESS egonzalez@faena.com

FILE NO. _____

4. SUMMARY OF APPLICATION – PROVIDE BRIEF SCOPE OF PROJECT:

Request for after-the-fact variances related to improvements in the dune preservation overlay zone and oceanfront overlay zone. See enclosed letter of intent and documents for further details.

- 4A. IS THERE AN EXISTING BUILDING(S) ON THE SITE YES NO
- 4B. DOES THE PROJECT INCLUDE INTERIOR OR EXTERIOR DEMOLITION YES NO
- 4C. PROVIDE THE TOTAL FLOOR AREA OF THE NEW BUILDING (IF APPLICABLE) n/a SQ. FT.
- 4D. PROVIDE THE TOTAL GROSS FLOOR AREA OF THE NEW BUILDING (INCLUDING REQUIRED PARKING AND ALL USEABLE FLOOR SPACE). n/a SQ. FT.

5. APPLICATION FEE (TO BE COMPLETED BY PLANNING STAFF) \$ _____

- 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).

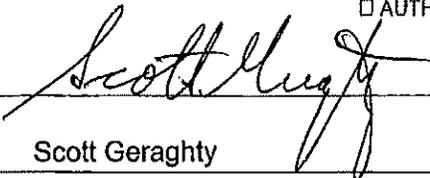
PLEASE READ THE FOLLOWING AND ACKNOWLEDGE BELOW:

- APPLICATIONS FOR ANY BOARD HEARING(S) WILL NOT BE ACCEPTED WITHOUT PAYMENT OF THE REQUIRED FEE. 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 A PROJECT 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, LANDSCAPE ARCHITECTS, ENGINEERS, 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.

FILE NO. _____

- IN ACCORDANCE WITH SEC.118-31. - DISCLOSURE REQUIREMENT. EACH PERSON OR ENTITY REQUESTING APPROVAL, RELIEF OR OTHER ACTION FROM THE PLANNING BOARD, DESIGN REVIEW BOARD, HISTORIC PRESERVATION BOARD (INCLUDING THE JOINT 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 SERVICES 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 FOREGOING 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 FROM 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: 
 PRINT NAME: Scott Geraghty

- IN ACCORDANCE WITH SEC.118-31. - DISCLOSURE REQUIREMENT. EACH PERSON OR ENTITY REQUESTING APPROVAL, RELIEF OR OTHER ACTION FROM THE PLANNING BOARD, DESIGN REVIEW BOARD, HISTORIC PRESERVATION BOARD (INCLUDING THE JOINT 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 SERVICES 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 FOREGOING 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 FROM 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.
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THE AFOREMENTIONED IS ACKNOWLEDGED BY: OWNER OF THE SUBJECT PROPERTY
 AUTHORIZED REPRESENTATIVE

SIGNATURE: _____



PRINT NAME: Howard Lorber, President of 3315 Tower Condominium Association, Inc.

FILE NO. _____

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 removing 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
(Circle one)

STATE OF
COUNTY OF

I, Scott Geraghty, being duly sworn, depose and certify as follows: (1) I am the Manager (print title) of 3201 Hotel, 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 or tenant 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 the subject property for the sole purpose of posting a Notice of Public Hearing on the property, as required by law. (7) I am responsible for removing this notice after the date of the hearing.

SIGNATURE

Sworn to and subscribed before me this 18 day of JULY, 2011. The foregoing instrument was acknowledged before me by Scott Geraghty, Manager of 3201 Hotel LLC, on behalf of such entity, 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:



BARBARA T. YEE
MY COMMISSION # FF 910957
EXPIRES: August 19, 2019
Bonded Thru Budget Notary Service

Barbara Yee
PRINT NAME

FILE NO. _____

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 removing 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**
(Circle one)

STATE OF
COUNTY OF

I, Howard Lorber, being duly sworn, depose and certify as follows: (1) I am the President (print title) of 3315 Tower Condominium Association, Inc. (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 or tenant 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 the subject property for the sole purpose of posting a Notice of Public Hearing on the property, as required by law. (7) I am responsible for removing this notice after the date of the hearing.

Howard Lorber
SIGNATURE

Sworn to and subscribed before me this 25th day of October, 2017. The foregoing instrument was acknowledged before me by Howard Lorber, _____ of _____, on behalf of such entity, who has produced _____ as identification and/or is personally known to me and who did/did not take an oath.

NOTARY SEAL OR STAMP:



My Commission Expires:

Alejandra Pineda
NOTARY PUBLIC
Alejandra Pineda
PRINT NAME

FILE NO. _____

POWER OF ATTORNEY AFFIDAVIT

STATE OF
COUNTY OF

I, Scott Geraghty, being duly sworn and deposed, 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 Neisen Kasdin to be my representative before the HP Board. (3) I also hereby authorize the City of Miami Beach to enter the subject property for the sole purpose of posting a Notice of Public Hearing on the property, as required by law. (4) I am responsible for removing this notice after the date of the hearing.

Scott Geraghty, Manager
PRINT NAME (and Title, if applicable)

Scott Geraghty
SIGNATURE

Sworn to and subscribed before me this 18 day of JULY, 2017. The foregoing instrument was acknowledged before me by Scott Geraghty, Manager of 3201 Hotel LLC who has produced as identification and/or is personally known to me and who did/did not take an oath.

NOTARY SEAL OR STAMP

Barbara Yee
NOTARY PUBLIC

My Commission Expires



BARBARA T. YEE
MY COMMISSION # FF 910957
EXPIRES: August 19, 2019
Bonded Thru Budget Notary Services

Barbara Yee
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 contract purchasers are corporations, partnerships, limited liability companies, trusts, 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. 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 is filed, but prior to the date of a final public hearing, the applicant shall file a supplemental disclosure of interest.

FILE NO. _____

POWER OF ATTORNEY AFFIDAVIT

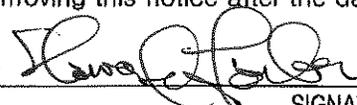
STATE OF
COUNTY OF

Neisen Kasdin, David Haber, David Podein and Jonathan Goldstein

I, Howard Lorber, being duly sworn and deposed, 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 HP Board. (3) I also hereby authorize the City of Miami Beach to enter the subject property for the sole purpose of posting a Notice of Public Hearing on the property, as required by law. (4) I am responsible for removing this notice after the date of the hearing.

Howard Lorber, President of 3315 Tower Condominium, Association Inc.

PRINT NAME (and Title, if applicable)



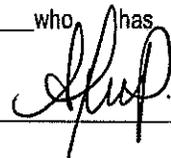
SIGNATURE

Sworn to and subscribed before me this 25th day of October, 2017. The foregoing instrument was acknowledged before me by Howard Lorber of _____ who has produced as identification and/or is personally known to me and who did/did not take an oath.

NOTARY SEAL OR STAMP



My Commission Expires



NOTARY PUBLIC

Alejandra Pineda

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 contract purchasers are corporations, partnerships, limited liability companies, trusts, 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. 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 is filed, but prior to the date of a final public hearing, the applicant shall file a supplemental disclosure of interest.

FILE NO. _____

CITY OF MIAMI BEACH
DEVELOPMENT REVIEW BOARD APPLICATION

DISCLOSURE OF INTEREST

1. 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.*

3201 Hotel, LLC

NAME OF CORPORATE ENTITY

NAME AND ADDRESS

% OF OWNERSHIP

Leonard Blavatnik, 730 5th Avenue, New York, NY 10019

100

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

NAME OF CORPORATE ENTITY

NAME AND ADDRESS

% OF OWNERSHIP

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

IF THERE ARE ADDITIONAL CORPORATE OWNERS, LIST ALL SUCH OWNERS, INCLUDING CORPORATE NAMES AND THE NAME, ADDRESS, AND PERCENTAGE OF OWNERSHIP OF EACH ADDITIONAL OWNER, ON A SEPARATE PAGE.

NOTE: Notarized signature required on page 9

FILE NO. _____

CITY OF MIAMI BEACH
DEVELOPMENT REVIEW BOARD APPLICATION

DISCLOSURE OF INTEREST

1. 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.*

3315 Tower Condominium Association, Inc.

NAME OF CORPORATE ENTITY

NAME AND ADDRESS

% OF OWNERSHIP

Howard Lorber, President

n/a

Daniel Dokos, Vice President

n/a

Alex Blavatnik, Secretary

n/a

all condominium unit owners as noted in the public records

100

NAME OF CORPORATE ENTITY

NAME AND ADDRESS

% OF OWNERSHIP

IF THERE ARE ADDITIONAL CORPORATE OWNERS, LIST ALL SUCH OWNERS, INCLUDING CORPORATE NAMES AND THE NAME, ADDRESS, AND PERCENTAGE OF OWNERSHIP OF EACH ADDITIONAL OWNER, ON A SEPARATE PAGE.

NOTE: Notarized signature required on page 9

FILE NO. _____

CITY OF MIAMI BEACH
DEVELOPMENT REVIEW BOARD APPLICATION
DISCLOSURE OF INTEREST

2. TRUSTEE

If the property that is the subject of this 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.*

TRUST NAME

NAME AND ADDRESS

% INTEREST

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

NOTE: Notarized signature required on page 9

FILE NO. _____

3. 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 #
a.	<u>Neisen Kasdin</u>	<u>98 SE 7 Street, Suite 1100, Miami, FL 33131</u>	<u>305-374-5600</u>
b.	<u>Matthew Barnes</u>	<u>98 SE 7 Street, Suite 1100, Miami, FL 33131</u>	<u>305-374-5600</u>
c.	_____	_____	_____

Additional names can be placed on a separate page attached to this form.

*Disclosure shall not be required of any entity, the equity interests in which are regularly traded on an established securities market in the United States or other country, or of any entity, the ownership interests of which are held in a limited partnership or other entity, consisting of more than 5,000 separate interests, where no one person or entity holds more than a total of 5% of the ownership interests in the entity.

APPLICANT HEREBY ACKNOWLEDGES AND AGREES THAT (1) ANY 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 _____
COUNTY OF _____

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

Scott Geraghty
SIGNATURE

Sworn to and subscribed before me this 10 day of July, 2017. 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

Barbara Yee
NOTARY PUBLIC

My Commission Expires:



BARBARA T. YEE
MY COMMISSION # FF 910957
EXPIRES: August 19, 2019
Bonded Thru Budget Notary Services

Barbara Yee
PRINT NAME

FILE NO. _____

3. 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 #
a.	Neisen Kasdin	98 SE 7 Street, Suite 1100, Miami, FL 33131	305-374-5600
b.	Matthew Barnes	98 SE 7 Street, Suite 1100, Miami, FL 33131	305-374-5600
c.	David Haber	201 South Biscayne Blvd, Suite 1205, Miami, FL 33131	305-379-2400
	David Podein	201 South Biscayne Blvd, Suite 1205, Miami, FL 33131	305-379-2400
	Jonathan Goldstein	201 South Biscayne Blvd, Suite 1205, Miami, FL 33131	305-379-2400

*Disclosure shall not be required of any entity, the equity interests in which are regularly traded on an established securities market in the United States or other country, or of any entity, the ownership interests of which are held in a limited partnership or other entity, consisting of more than 5,000 separate interests, where no one person or entity holds more than a total of 5% of the ownership interests in the entity.

APPLICANT HEREBY ACKNOWLEDGES AND AGREES THAT (1) ANY 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
COUNTY OF

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



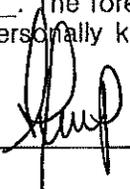
SIGNATURE

Sworn to and subscribed before me this 25th day of October, 2017. 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



My Commission Expires:



NOTARY PUBLIC

Alejandra Pineda

PRINT NAME

FILE NO. _____

FAENA HOTEL

A PARCEL OF LAND BEING A PORTION OF SECTION 26, TOWNSHIP 53 SOUTH, RANGE 42 EAST, LYING WITHIN THE CITY OF MIAMI BEACH, MIAMI-DADE COUNTY, FLORIDA. SAID PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHWEST CORNER OF LOT 8, BLOCK 17 OF THE AMENDED MAP OF THE OCEAN FRONT PROPERTY OF THE MIAMI BEACH IMPROVEMENT COMPANY'S SUBDIVISION, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 5, PAGES 7 AND 8, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

THENCE N 20°01'58" E, ALONG THE WEST LINE OF LOTS 8, 7, 6 AND 5 OF SAID BLOCK 17 AND THE EAST RIGHT OF WAY LINE OF STATE ROAD A1A (COLLINS AVENUE), A DISTANCE OF 199.97 FEET TO THE NORTHWEST CORNER OF SAID LOT 5, BLOCK 17;

THENCE S 69°51'51" E, ALONG THE SOUTHERLY RIGHT OF WAY LINE OF THE VACATED THIRTY-THIRD STREET, PER RESOLUTION VACATING THIRTY-THIRD STREET FROM COLLINS AVENUE TO THE ATLANTIC OCEAN, RECORDED IN OFFICIAL RECORDS BOOK 3560, PAGE 115, AND THE NORTH LINE OF SAID BLOCK 17, A DISTANCE OF 340.47 FEET TO THE NORTHEAST CORNER OF LOT 4, OF SAID BLOCK 17;

THENCE CONTINUE S 69°51'51" E, ALONG THE EASTERLY PROJECTION OF THE SAID SOUTHERLY RIGHT OF WAY LINE OF THIRTY-THIRD STREET, A DISTANCE OF 25.79 FEET TO A POINT ON THE EROSION CONTROL LINE, A STATE DEFINED LINE, RECORDED IN PLAT BOOK 105, PAGE 62, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA;

THENCE S 11°49'20" W, ALONG SAID EROSION CONTROL LINE, A DISTANCE OF 201.27 FEET TO A POINT ON THE EASTERLY PROJECTION OF THE SOUTH LINE OF SAID LOT 1, BLOCK 17;

THENCE N 69°58'58" W, ALONG SAID EASTERLY PROJECTION OF THE SOUTH LINE OF LOT 1, BLOCK 17, A DISTANCE OF 49.81 FEET TO THE SOUTHEAST CORNER OF LOT 1 OF SAID BLOCK 17;

THENCE CONTINUE N 69°58'58" W, ALONG THE SOUTH LINE OF LOTS 1 AND 8 OF SAID BLOCK 17, A DISTANCE OF 345.19 FEET TO THE POINT OF BEGINNING.

SAID LANDS SITUATE, LYING AND BEING WITHIN THE CITY OF MIAMI BEACH, MIAMI-DADE COUNTY, FLORIDA.

AND TOGETHER WITH:

PARCELS LS-2, LS-4, LS-5 AND LS-6, PARCELS OF LAND DESCRIBED IN THAT SPECIAL WARRANTY DEED RECORDED IN OFFICIAL RECORDS BOOK 29753, PAGE 993, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

AND LESS AND EXCEPT:

PARCELS LS-1 AND LS-3, PARCELS OF LAND DESCRIBED IN THAT SPECIAL WARRANTY DEED RECORDED IN OFFICIAL RECORDS BOOK 29753, PAGE 986, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

FAENA HOUSE

A PARCEL OF LAND BEING A PORTION OF SECTION 26, TOWNSHIP 53 SOUTH, RANGE 42 EAST, LYING WITHIN THE CITY OF MIAMI BEACH, MIAMI-DADE COUNTY, FLORIDA. SAID PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHWEST CORNER OF LOT 5, BLOCK 19, OF THE AMENDED MAP OF THE OCEAN FRONT PROPERTY OF THE MIAMI BEACH IMPROVEMENT COMPANY'S SUBDIVISION, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 5, PAGES 7 AND 8, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

THENCE S 82°30'37" E, ALONG THE NORTH LINE OF LOT 5 AND 2 OF SAID BLOCK 19, A DISTANCE OF 343.29 FEET TO THE NORTHEAST CORNER OF SAID LOT 2, BLOCK 19;

THENCE CONTINUE S 82°30'37" E, ALONG THE EASTERLY PROJECTION OF THE NORTH LINE OF SAID LOT 2, BLOCK 19, A DISTANCE OF 28.41 FEET TO A POINT ON THE EROSION CONTROL LINE, A STATE DEFINED LINE RECORDED IN PLAT BOOK 105, PAGE 62, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, A DISTANCE OF 28.41 FEET TO A POINT ON THE EROSION CONTROL LINE, A STATE DEFINED LINE, RECORDED IN PLAT BOOK 105, PAGE 62, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

THENCE S 05°56'15" W, ALONG SAID EROSION CONTROL LINE, A DISTANCE OF 49.66 FEET;

THENCE S 11°49'20" W, ALONG SAID EROSION CONTROL LINE, A DISTANCE OF 175.72 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF THE VACATED THIRTY-THIRD STREET, PER RESOLUTION VACATING THIRTY-THIRD STREET FROM COLLINS AVENUE TO THE ATLANTIC OCEAN, RECORDED IN OFFICIAL RECORDS BOOK 3560, PAGE 115;

THENCE N 69°51'51" W, ALONG THE EASTERLY PROJECTION OF THE SAID SOUTHERLY RIGHT-OF-WAY LINE OF THIRTY-THIRD STREET, A DISTANCE OF 25.79 FEET TO THE NORTHEAST CORNER OF LOT 4, BLOCK 17 OF SAID AMENDED MAP OF THE OCEAN FRONT PROPERTY OF THE MIAMI BEACH IMPROVEMENT COMPANY'S SUBDIVISION;

THENCE CONTINUE N 69°51'51" W, ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE OF THE VACATED THIRTY-THIRD STREET AND THE NORTH LINE OF SAID BLOCK 17, A DISTANCE OF 340.47 FEET TO THE NORTHWEST CORNER OF LOT 5, OF SAID BLOCK 17;

THENCE N 04°51'34" E, ALONG THE EAST RIGHT-OF-WAY LINE OF STATE ROAD A1A (COLLINS AVENUE), A DISTANCE OF 50.30 FEET TO THE SOUTHWEST CORNER OF LOT 6, OF SAID BLOCK 19;

THENCE CONTINUE N 07°25'57" E, ALONG THE WEST LINE OF SAID LOTS 6 AND 5 OF SAID BLOCK 19 AND SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 94.44 FEET TO THE POINT OF BEGINNING;

AND TOGETHER WITH:

PARCELS LS-1 AND LS-3, PARCELS OF LAND DESCRIBED IN THAT SPECIAL WARRANTY DEED RECORDED IN OFFICIAL RECORDS BOOK 29753, PAGE 986, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

AND LESS AND EXCEPT:

PARCELS LS-2, LS-4, LS-5 AND LS-6, PARCELS OF LAND DESCRIBED IN THAT SPECIAL WARRANTY DEED RECORDED IN OFFICIAL RECORDS BOOK 29753, PAGE 993, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

November 9, 2017

VIA HAND DELIVERY

Chair and Members of the Historic Preservation Board
City of Miami Beach
1700 Convention Center Drive
Miami Beach, FL 33139

RE: Faena Hotel/Faena House after-the-fact Variances for Improvements in the Dune Preservation Overlay Zone and Oceanfront Overlay Zone

Our firm represents 3201 Hotel, LLC and 3315 Tower Condominium Association, Inc. (collectively the "Applicant")¹, who are respectively the owners of the former Saxony Hotel, now the Faena Hotel, located at 3201 Collins Ave (the "Hotel Property") and the Faena House condominium property located at 3315 Collins Ave (the "Condo Property" and collectively the "Property").

The purpose of this application is to seek six (6) after-the-fact variances for improvements located on the Property in the Dune Preservation Overlay Zone and Oceanfront Overlay Zone.

In this application, we will demonstrate that certain requested variances are consistent with plans previously approved by the Historic Preservation Board ("HPB"), Board of Adjustment ("BOA") and the Building Department. Moreover, we will demonstrate that certain requested variances reduce previous nonconformities of the historic pattern of development at the Property, and the improvements in the Dune Preservation and Oceanfront Overlay Zones are consistent with the intent of the Land Development Regulations ("LDRs"). Finally, the requested variances meet all of the HPB criteria in the City Code for granting variances.

A. Requested Variances

The Applicant is requesting five (5) after-the-fact variances (the "Variances"), stated below:

1. A variance to waive 7.2' of the required rear setback of 10' in the Dune Preservation Overlay Zone in order to retain a wood deck setback 2.8' from the rear property

¹ Pursuant to a private agreement between the Applicants, 3201 Hotel, LLC is the sole entity responsible for performing any modifications in connection with the application for the Variances.

- line. The two shade structures in the Dune Preservation Overlay Zone are setback 3.6' and 5.9' respectively.
2. A variance to exceed the maximum size of a deck in the Dune Preservation Overlay Zone (400 square feet) by 312 square feet in order to retain a wood deck that is 712 square feet in size.
 3. A variance to waive 10' of the required rear setback of 10' in the Oceanfront Overlay Zone in order to retain a tile pool deck setback 0' from the bulkhead line. Other improvements in the Oceanfront Overlay Zone that encroach into the 10' rear setback include a portion of a tile walkway on the Hotel Property that is setback 7.1', wood steps on the Condo Property that are setback 5'-7", wood steps on the Condo Property that are setback 1'-3" and a portion of a wood deck on the Condo Property that is setback 9'-1".
 4. A variance to exceed the maximum lot coverage in the Oceanfront Overlay Zone (50%) by 5% (955 square feet) in order to retain various permitted structures (wood and tile decks, swimming pool, spa pool, stairs), which have a total lot coverage of 55% (11,290 square feet).
 5. A variance to waive 8.6% (36.75') of the required 50% view corridor in order to provide view corridors that total 41.4% of the frontage along the rear property line.
 6. A variance to exceed the maximum width of a wood walkway in the Dune Preservation Overlay Zone (6') by 3' in order to retain a wood walkway that is 9' wide.

B. Consistency with Approved Plans

The improvements are consistent with site plans previously approved for the pool and deck areas of the Property by various City departments and boards. The HPB/BOA approved site plan for the Property included a pool and deck on the Hotel Property that is generally equivalent to what was constructed on the Hotel Property (see enclosed plans). Under the HPB/BOA approved site plan, the pool deck on the Hotel Property was setback approximately five feet from the bulkhead line where 10' is required. The HPB/BOA approved site plan also had a higher concentration of the lot coverage in the Oceanfront Overlay Zone on the Hotel Property, with the Hotel Property having a lot coverage of approximately 58%. On the HPB/BOA approved site plan the prominent display piece aligning with the axis of the Hotel lobby was further eastward (in the Dune Preservation Overlay Zone), and thus did not count towards lot coverage in the Oceanfront Overlay Zone.

The permit plans approved by the Building Department for the pool and deck on the Hotel Property were more similar to what was constructed at the site (see enclosed plans). Note that the pool deck for the Hotel in the permit plans exceeded the lot coverage in the Oceanfront Overlay Zone – it had a lot coverage of 69%. The approved permit plans for the Hotel Property also called for two shade structures in the NE corner of the Property that did not meet the 10' setback from the rear property line and the wood walkway was shown as exceeding 6' in width. Also, the approved permit plans for the Condo Property showed the exact same improvements encroaching

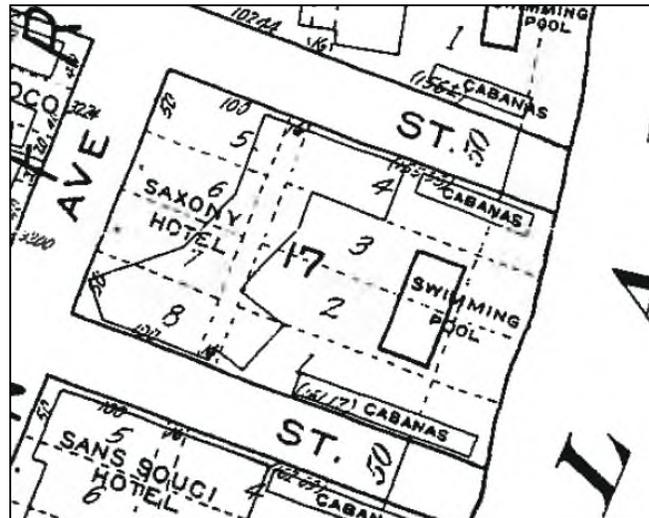
into the 10' bulkhead line setback so the request for these variances are consistent with the approved permit plans.

During construction, the now iconic "Gone But Not Forgotten" golden woolly mammoth enclosure by Damian Hirst was brought westward closer to the Faena Hotel for better view corridors, and also to meet zoning compliance for setbacks associated with the enclosed display. The inclusion of this area in the Oceanfront Overlay Zone increased the lot coverage calculation, which is 74% for the existing condition for just the Hotel Property. But when combined with the Condo Property the lot coverage in the Oceanfront Overlay Zone drops to 55%, which is only 5% greater than the maximum prescribed.

Regarding the view corridors, the Condo Property was issued a building permit for plans showing 74.5' of view corridor provided across 225.5' of rear property line frontage, which is a view corridor percentage of 33%. The landscaping on the Condo Property is consistent with the view corridor percentage found in the approved permit plans. When combined with the Hotel Property, which has view corridors totaling 50.7% of its rear property line, the total view corridors provided across the entire Property is 41.4%. The variance request is to approve the landscaping as-is, which is consistent with the approved permit plans and moreover is consistent with the amount of landscaping typically provided for oceanfront properties.

C. Reduction in Previous Nonconformities

The improvements on the Hotel Property addressed herein reduce the nonconformities of previous structures associated with the Saxony Hotel. Prior to its current reincarnation as the Faena Hotel, the Saxony had an extensive pool deck in the rear portion of the Property. Historic photos of the Property are enclosed with the plans for reference. These photos show that cabanas lined the outside edges of the Property, all the way to the bulkhead line (which was equivalent to the property line until the Erosion Control Line was established in 1975), and also included a walking path on the cabana roofs. Additionally, when the Roy France designed north wing of the hotel was



built in 1958 it pushed the building closer to the ocean and made the pool area and cabanas much more confined. Thus, lot coverage in the Oceanfront Overlay Zone was near 100% (there were small areas with sand and palm trees). The image above and to the right is of a plat book from 1952, showing the footprint of the Saxony prior to the 1958 addition and showing much more open space east of the building. Of course the entire Saxony building is considered a contributing historic structure so demolition of the 1958 addition was never a consideration by Faena. The proposed lot coverage for just the Hotel Property (74%) and the Property as a whole (55%) greatly reduces the prior nonconformity.

D. Consistency with Intent of Regulations

The intent of the Dune Preservation Overlay Zone and Oceanfront Overlay Zone regulations is to gradually reduce the intensity of oceanfront property usage closer to the Atlantic Ocean. The improvements on the Property subject to these variance requests help meet that goal by concentrating the pool uses and the display of art in the Oceanfront Overlay Zone, while 87% of the Dune Preservation Overlay Zone is landscaped open space, which is 7% more than what is required.

The Applicant (more specifically 3201 Hotel, LLC) is also proposing to remove one component of the existing Hotel Property pool deck improvements to eliminate the need for an additional after-the-fact variance and bring the Property more into compliance with the LDRs. A portion of the tile pool deck currently extends into the Dune Preservation Overlay Zone, and only wood decks are permitted in the Dune Preservation Overlay Zone. 3201 Hotel, LLC has agreed to remove the encroaching portion of the tile pool deck in the Dune Preservation Overlay Zone.

E. Compliance with Variance Criteria

The City Code establishes seven (7) individual criteria by which requests for variances are evaluated by the HPB. These criteria are listed below in bold and underline text, with our response following each criterion in plain text.

The City Charter, Subpart B, Article I, Sec. 2 also states, "*Where there are practical difficulties or unnecessary hardships in the way of carrying out the strict letter of said Zoning Ordinance, the Board of Adjustment shall have the power in passing upon appeals, to vary or modify any regulations or provisions of such ordinance relating to the use, construction, or alteration of buildings or structures, or the use of land, so that the spirit of the Zoning Ordinance shall be observed, public safety and welfare secured, and substantial justice done.*"

We believe our responses below will demonstrate that there are both practical difficulties and unnecessary hardships associated with our request for the Variances.

(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;

The improvements in the Dune Preservation and Oceanfront Overlay Zone are consistent in scope and scale with other oceanfront properties in the same zoning district (RM-3). When viewed from the City's boardwalk and when experienced from within the Property, there is a sense of continuity and good design between these oceanfront properties and no sense that the improvements stand apart and do not comply with the RM-3 zoning regulations. The special conditions of the Hotel Property containing a contributing historic structure that pushes the pool amenities closer towards the bulkhead line and into the Oceanfront Overlay Zone does not allow the Property to have normal amenity improvements without the need for the Variances.

Also, the combination of the two properties via a covenant in lieu of unity of title creates a much larger property compared to an average property. This has an effect on the maximum size of a deck in the Dune Preservation Zone in that when applied against the large combined property it has the effect of "cutting in half" the amount of deck area that would be allowed on the combined

property. In other words, if each half of the Property were its own separate property each half could have a 400 square foot deck, which is 800 square feet of total deck. But as a unified property the Property can only have 400 square feet of deck area total. Viewed through this lens, the 712 square foot deck “complies” with the underlying intent of the LDRs.

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

As mentioned above, the Property was improved consistent with pool, deck, and similar improvements of other oceanfront properties in the RM-3 zoning district. The Applicant has not changed the underlying conditions of the Property. Furthermore, the Faena Hotel improvements addressed herein reduce nonconformities of structures associated with the previous Saxony Hotel on the Hotel Property.

(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:

There are many other oceanfront properties in the RM-3 district that have nonconforming improvements in the Dune Preservation and Oceanfront Overlay Zones, and thus granting the Variances will not confer any special privileges to the Applicant. The Applicant is complying with the spirit of these regulations in the LDRs. Amongst 16 different zoning regulations in the Dune Preservation Overlay Zone, the Applicant is seeking Variances from three (rear setback, maximum size of deck and maximum width of a walkway). Amongst 7 different zoning regulations in the Oceanfront Overlay Zone, the Applicant is seeking Variances from three (rear setback, lot coverage and view corridors).

(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:

The improvements in the rear of the Property are consistent with standards of modern luxury oceanfront hotels and condominiums, and consistent with surrounding oceanfront properties in the RM-3 district. These improvements have been in existence for over a year and there have not been any complaints from the public. The Faena Hotel has received numerous awards, including the prestigious Forbes 5-star award (one of only five in the county), for its redevelopment of the Property. Furthermore, in reference to the pertinent zoning regulations and issues raised in the application, these improvements have been constructed and installed consistent with building permit plans that were reviewed and approved by the City. To retroactively apply the zoning standards would work 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:

As depicted in the enclosed plans and compared to the historic development pattern of the Hotel Property, the pool deck improvements on the Hotel Property which are the subject of some of the Variances bring the Property more into compliance with Oceanfront Overlay Zone lot coverage standards. The portion of the Dune Preservation Overlay Zone where the wood deck and shade structure is located is only 25.79’ deep, which means complying with the 10’ rear

setback would only leave 15' within which to provide deck and shade structures. This is below the standard for modern luxury oceanfront hotels and condominiums, and below what many other oceanfront RM-3 properties owners are able to enjoy.

(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;

Approval of the Variances will not be injurious or detrimental to the area or public welfare. As stated, the improvements addressed herein have been in existence for over a year and there have been no complaints from the public. The Faena Hotel has received numerous awards for its design and fueled a successful revitalization of the Property. The Applicant is drastically reducing the degree of nonconformity with the Oceanfront Overlay Zone lot coverage. Historically close to 100% of the Hotel Property in the Oceanfront Overlay Zone was covered with impervious surfaces.

(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.

Granting this request would be consistent with the comprehensive plan and it does not reduce levels of service as set forth in the comprehensive plan.

For all of the foregoing reasons, we respectfully request the Historic Preservation Board's favorable review and approval of the Variances.

Sincerely,



Neisen O. Kasdin

INVOICE (00074763)

BILLING CONTACT

Mathew Barnes
Akerman LLP
98 Se 7
Miami, FL 33131

MIAMIBEACH

1700 Convention Center Drive
Miami Beach, Florida 33139
305.673.7000

INVOICE NUMBER	INVOICE DATE	INVOICE DUE DATE	INVOICE STATUS	INVOICE DESCRIPTION
00074763	07/19/2017	07/19/2017	Paid In Full	NONE

REFERENCE NUMBER	FEE NAME	TOTAL
HPB17-0147	After-the-Fact Upcharge (Planning Department)	\$5,000.00
	New Application	\$2,500.00
3201 Collins Ave Miami Beach, FL -331404023		SUB TOTAL
		\$7,500.00

TOTAL **\$7,500.00**

Any refund associated with this invoice will only be issued to the billing contact listed herein.



public notification packages | lists of property owners within a specific radius + radius maps + mailing labels
www.rdrmiami.com | diana@rdrmiami.com | 305.498.1614

August 1, 2017

City of Miami Beach
Planning Department
1700 Convention Center Dr.
Miami Beach, FL 33139

Re: Property Owners List within 375 feet of:

SUBJECT: 3201 Collins Avenue, Miami Beach, FL 33140

FOLIO NUMBER: 02-3226-001-1390

LEGAL DESCRIPTION: 23-26-27-34 53 42 M B IMPROVEMENT CO SUB PB 5-8 LOTS 1-2-3-4-5-6-7-8 BLK 17 & PORT LYING EAST & ADJACENT WEST OF EROSION LINE PER PB 105-62

SUBJECT: 3315 Collins Avenue, Miami Beach, FL 33140

FOLIO NUMBER: 02-3226-055-0001 (Reference)

LEGAL DESCRIPTION: 3315 TOWER CONDO MIAMI BEACH IMPROVEMENT CO SUB PB 5-8 LOTS 1-2-5 & 6 & 33 ST LYG S& ADJ THEREOF BLK 19 AS DESC IN DECL OR 29759-4481 & PORT LYING EAST & ADJACENT WEST OF EROSION LINE PER PB 105-62

This is to certify that the attached ownership list, map and mailing labels are a complete and accurate representation of the real estate property and property owners within 375 feet radius of the external boundaries of the subject property listed above, including the subject property. This reflects the most current records on the file in Miami-Dade County Property Appraisers' Office.

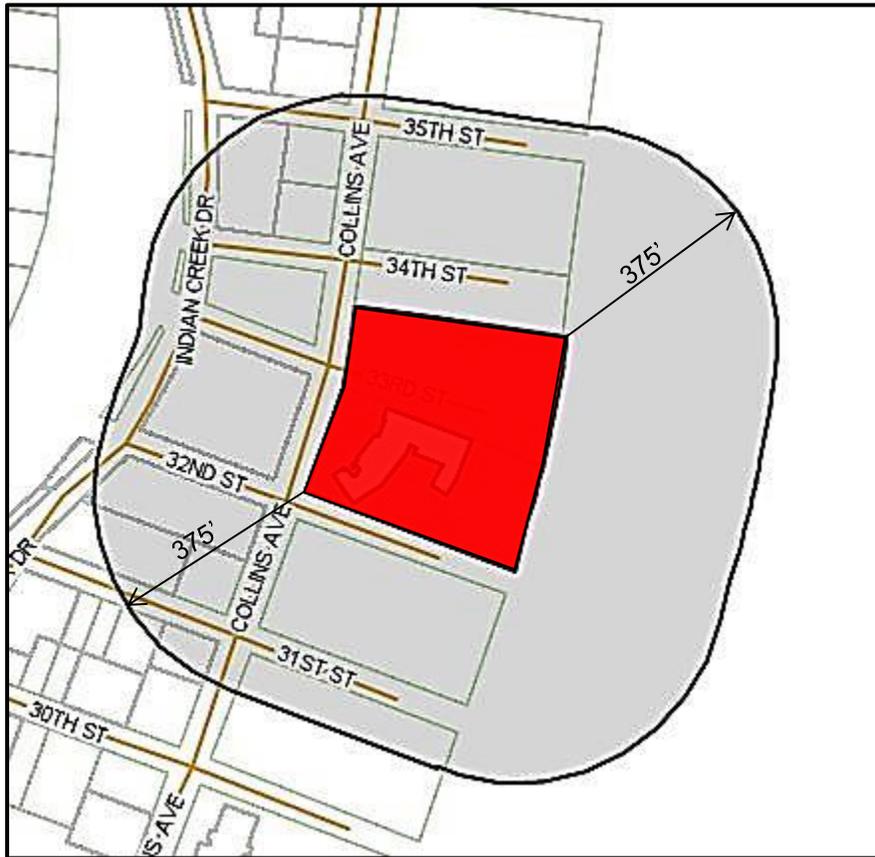
Sincerely,

RDR | Diana B. Rio

Total number of property owners without repetition: **273, including 6 international**

Rio Development Resources, LLC ("RDR") has used its best efforts in collecting the information published in this report and the findings contained in the report are based solely and exclusively on information provided by you and information gathered from public records and that local government. By acceptance of this report, you agree to hold RDR harmless and indemnify RDR from any and all losses, damages, liabilities and expenses which can be claimed against RDR caused by or related to this report.

375' RADIUS MAP



SUBJECT: 3201 Collins Avenue, Miami Beach, FL 33140

FOLIO NUMBER: 02-3226-001-1390

LEGAL DESCRIPTION: 23-26-27-34 53 42 M B IMPROVEMENT CO SUB PB 5-8 LOTS 1-2-3-4-5-6-7-8 BLK 17 & PORT LYING EAST & ADJACENT WEST OF EROSION LINE PER PB 105-62

SUBJECT: 3315 Collins Avenue, Miami Beach, FL 33140

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Name	Address	City	State	Zip	Country
ALAN HOWARD	55 BAKER STREET	LONDON W1U8EW			UNITED KINGDOM
DARYL FOSTER	A LE FORRENTOR 27 AVE PRINCESSE GRACE	MONTE CARLO 9800			MONACO
JONAS LINDEBORG ANDERS JONSSON	BRANKKYRKAGATAN 27	118 22 STOCKHOLM			SWEDEN
JOSE E DA SILVA V ANDRADE JTRS MARIA BERNARDA PEREIRA JTRS JANET DA SILVA JTRS	CALLE LISANDRO ALVARADO QUINTA YALICE SANTA MONICA	CARACAS			VENEZUELA
LEON LAVOIE JTRS BENOIT DESCHAMPS JTRS	3932 RUE CLARK	MONTREAL H2W1W7			CANADA
MICHAEL SHERWOOD MELANIE SHERWOOD	HILL HOUSE INVERFORTH CLOSE	LONDON NW 3 7EX			GREAT BRITAIN
3030 COLLINS 4H LLC	2050 SILVER LAKE ROAD	NEW BRIGHTON	MN	55112	USA
3100 MARBLE TERRACE ASSOCS	3100 COLLINS AVE	MIAMI BEACH	FL	33140-4156	USA
3200 COLLINS AVE UNIT 33 LLC	2 SKILLMAN ST STE 205	BROOKLYN	NY	11205	USA
3201 HOTEL LLC	3201 COLLINS AVE	MIAMI BEACH	FL	33140	USA
3315 TOWER UNIT 11 A INC	3315 COLLINS AVE 11A	MIAMI BEACH	FL	33140	USA
3420 COLLINS AVE LLC	3201 COLLINS AVE	MIAMI BEACH	FL	33140	USA
3420 COLLINS AVENUE LLC	3201 COLLINS AVE	MIAMI BEACH	FL	33140-4006	USA
3425 COLLINS LLC	3201 COLLINS AVE	MIAMI BEACH	FL	33140	USA
3500 HOTEL LLC	3500 COLLINS AVE	MIAMI BEACH	FL	33140	USA
354 ROSE HILL LLC	1165 PARK AVENUE APT 10B	NEW YORK	NY	10128	USA
3F CAPITAL LLC	4421 SHERIDAN AVE	MIAMI BEACH	FL	33140	USA
555 PARTNERS LLC	555 PARK AVE #5W	NEW YORK	NY	10065	USA
AARON CYWAIK &W DEBBIE & SAMUEL CYWAIK &W VIVIAN & EDALS	3200 COLLINS AVE UNIT 6-8	MIAMI BEACH	FL	33140-4030	USA
ABF5A LLC	19955 NE 38 COURT UNIT 2502	AVENTURA	FL	33180	USA
ABF6A LLC	3315 COLLINS AVE 6A	MIAMI BEACH	FL	33140	USA
ABRAHAM FLEISCHER & SHIMSHON FLEISCHER JTRS	PO BOX 190521	BROOKLYN	NY	11219	USA
ABRAHAM GUBITZ TRS	3411 INDIAN CREEK DR #601	MIAMI BEACH	FL	33140-4058	USA
ABRAHAM MORDOWITZ &W MARLENE	141-26 73 AVE	FLUSHING	NY	11367	USA
ALAN HURWITZ	720 STATION RD	AMHERST	MA	01002	USA
ALBERTINA ROCA	3200 COLLINS AVE STE 7-4	MIAMI BEACH	FL	33140	USA
ALEXANDER KORCHEVSKY &W HELEN	3200 COLLINS AVE UNIT 9-8	MIAMI BEACH	FL	33140-4030	USA
ALEXANDRE BOYCHOUK	3101 INDIAN CREEK DR #202	MIAMI BEACH	FL	33140	USA
ALICIA A F GONZALEZ DE MENENDEZ ROGER FERRER	3200 COLLINS AVE 12 6	MIAMI BEACH	FL	33140	USA
ALICIA A F GONZALEZ DE MENENDEZ ROGER FERRER	3200 COLLINS AVE 12-5	MIAMI BEACH	FL	33140	USA
ALPORTEL CORP	3200 COLLINS AVE # 9-7	MIAMI BEACH	FL	33140	USA
ANDREA F MANCA TRS ANDREA F MANCA REVOCABLE TRUST ANDREA F MANCA	3200 COLLINS AVE UNIT 9-6	MIAMI BEACH	FL	33139	USA
ANTHONY PARKER	3030 COLLINS AVE #4C	MIAMI BEACH	FL	33140-4168	USA
ANTONIO R C FIGUEIREDO &W ADELINA	3200 COLLINS AVE UNIT 7-3	MIAMI BEACH	FL	33140-4030	USA
ARIE ROSENBAUM &W GENE	3200 COLLINS AVE UNIT 3-4	MIAMI BEACH	FL	33140-4028	USA
ARMANDO BAEZ	3200 COLLINS AVE UNIT 12-8	MIAMI BEACH	FL	33140-4004	USA
ARTHUR PREISLER TRS P AND K FAMILY TRUST JACOB KLEIN TRS	1766 48 ST	BROOKLYN	NY	11204	USA
ASHER J BERLINER &NATHAN BERLINER MARTIN & ABRAHAM BERLINER	1350 EAST 13 ST	BROOKLYN	NY	11230	USA
ASK FLORIDA LLC	21 LAW DRIVE	FAIRFIELD	NJ	07004	USA
AURA P MORALES	3101 INDIAN CREEK DR #105	MIAMI BEACH	FL	33140-4149	USA
BEATRICE DIB	3200 COLLINS AVE #7-7	MIAMI BEACH	FL	33140-4030	USA
BENNY S AMAR	1901 51 ST #1B	BROOKLYN	NY	11204	USA
BERTHA MANDELBAUM JTRS CHAIM MANDELBAUM JTRS	1324 EAST 23 ST	BROOKLYN	NY	11210	USA
BMP GIRLS LLC	21209 NE 38 AVE	AVENTURA	FL	33180	USA
BRUNO E PEREZ	2625 Collins Ave Apt 411	Miami Beach	FL	33140-4748	USA
CARLOS DIEGO PEREYRA MARIA MARCELA PEREYRA	3919 ANDERSON RD	CORAL GABLES	FL	33134	USA
CARLOS M ACOSTA	3101 INDIAN CREEK DR #308	MIAMI BEACH	FL	33140-4150	USA
CARLOS R GARCIA	3411 INDIAN CREEK #1003	MIAMI BEACH	FL	33140	USA
CARMELA BENTABET	350 W 50 ST #5EE	NEW YORK	NY	10019	USA
CELINA ZYLBERBERG & ESTER BERKO	614 OAK DR	WEST LAWRENCE	NY	11691	USA
CENTRAL FLA INVEST INC	5601 WINDHOVER DR	ORLANDO	FL	32819	USA

CHAIM LIPSCHITZ (TR)	5116 17 AVE	BROOKLYN	NY	11204	USA
CHESKEL SCHWIMMER	211 WALLABOUT ST	BROOKLYN	NY	11206	USA
CITY OF MIAMI BEACH	1700 CONVENTION CENTER DR	MIAMI BEACH	FL	33139	USA
CLAUDIA FERRO	3411 INDIAN CREEK DR APT 902	MIAMI BEACH	FL	33140-4063	USA
COLLINS 3300 LLC	3201 COLLINS AVE	MIAMI BEACH	FL	33140	USA
COOPEAR CORP	3200 COLLINS AVENUE #1-7	MIAMI BEACH	FL	33140	USA
CRAIG EFFRON CARYN EFFRON	129 EAST 73 STREET	NEW YORK	NY	10021	USA
CYRUS SADRI & W NIKTA SHARUZI	5901 NORTH SHERIDAN RD #3-B	CHICAGO	IL	60660	USA
D SOUTH BEACH LLC	3315 COLLINS AVE 5C	MIAMI BEACH	FL	33140	USA
DALIA PAGAN	1657 N TREASURE DR APT# 1	NORTH BAY VILLAGE	FL	33141	USA
DANCELLA FERNANDES	1500 WORCESTER RD #312	FRAMINGHAM	MA	01702	USA
DANIEL S & GARY SIMONSOHN	3200 COLLINS AVE #8-6	MIAMI BEACH	FL	33140-4030	USA
DANIEL S DOKOS MICHAEL BRYAN GRAYBILL	3315 COLLINS AVE 6C	MIAMI BEACH	FL	33140	USA
DAVID & RONALD MARX	24 TIMBERLINE DR	HUNTINGTON	NY	11743	USA
DAVID BRODT & W HALINA	3200 COLLINS AVE UNIT 3-7	MIAMI BEACH	FL	33140-4029	USA
DAVID ELLIOTT & W SVETLANA LYAKHOVA	3411 INDIAN CREEK DR #603	MIAMI BEACH	FL	33140-4058	USA
DAVID L HENRY & MARIA L GARCIA	3411 INDIAN CREEK DR 1001	MIAMI BEACH	FL	33140-4063	USA
DAVID LAURENCE HENRY	3411 INDIAN CREEK DRIVE #1302	MIAMI BEACH	FL	33140	USA
DAVID LEMPEL	3411 INDIAN CREEK DRIVE # 904	MIAMI BEACH	FL	33140	USA
DAVID MARX	24 TIMBERLINE	HUNTINGTON	NY	11743	USA
DAVID POLATSECK BATIA POLATSECK	3411 INDIAN CREEK DR #303	MIAMI BEACH	FL	33140	USA
DEFARIMARI CORP C/O MARIO A LAMAR	3971 SW 8 ST STE 305	CORAL GABLES	FL	33134	USA
DIANA TELLEZ TRS DJTF AND PEPE LIVING TRUST TELONFA CORP	101 CRANDON BLVD 177	KEY BISCAIYNE	FL	33149	USA
DIEGO CESPEDES MARIA DENISE GURGUEIRA	20505 E COUNTRY CLUB DR #2139	AVENTURA	FL	33180	USA
DOU DOU LLC	3101 INDIAN CREEK DR UNIT 400	MIAMI BEACH	FL	33140	USA
EMBROS LLC	15 NW 7 AVE	FORT LAUDERDALE	FL	33311	USA
ERICA F DOVAL ROBERT K DOVAL	29081 GOLDENSTAR WAY	MURRIETA	CA	92563	USA
ERICA FEIGER	2109 AVENUE K	BROOKLYN	NY	11210	USA
ESTEBAN PORCELLI MARIA PORCELLI	3411 INDIAN CREEK DR 903	MIAMI BEACH	FL	33140	USA
ESTHER MARIA HERNANDEZ	8231 NE 12 AVE	MIAMI	FL	33138-4149	USA
ESTHER RIEDER (TR) & ABRAHAM RAPAPORT (TR)	1677 48 ST	BROOKLYN	NY	11204	USA
EUGENIO & VERONIKA WALDMAN	1148 59 ST #2	BROOKLYN	NY	11219	USA
FAENA 10B LLC CO HERMAN KAY	463 7TH AVENUE 12TH FLR	NEW YORK	NY	10018	USA
FAIR PROPERTIES LLC	7 HICKORY PINE CT	PURCHASE	NY	10577	USA
FFCU LLC CO HOUSEHOLD PROPERTY MANAGEMENT LLC	730 FIFTH AVE 20TH FLR	NEW YORK	NY	10019	USA
FLAG14 LLC	145 YACHT CLUB WAY 204	HYPOLUXO	FL	33462	USA
FORTIN ENTERPRISES INC	3315 COLLINS AVE 5D	MIAMI BEACH	FL	33140	USA
FRANCISCO T DOMINGUEZ QUINTANA AURORA DENIZ MATEO MARIA DEL PINO DOMINGUEZ DENIS	3200 COLLINS AVE 6 2	MIAMI BEACH	FL	33140	USA
FRANK BORSA JEFFREY M WALLACE	3411 INDIAN CREEK DR # 1104	MIAMI BEACH	FL	33140-4050	USA
FRISSON LLC CO EDWARD J MINSKOFF EQUITIES INC	1325 AVENUE OF AMERICAS 23RD FL	NEW YORK	NY	10019	USA
FULVIO MAZZUCHI & FLAVIA ROBOTTI	3411 INDIAN CREEK DR #PH-1	MIAMI BEACH	FL	33140-4075	USA
G 3120 COLLINS LLC	200 S BISCAIYNE BLVD STE 4700	MIAMI	FL	33131	USA
G 3120 COLLINS LLC C/O THOMAS V EAGAN ESQ	200 S BISCAIYNE BLVD 4700	MIAMI	FL	33131	USA
GABRIEL GRUNBLATT	1726 49 STR	BROOKLYN	NY	11204	USA
GALENO C RIVERA & W GEORGIANNA	3200 COLLINS AVE #10-2	MIAMI BEACH	FL	33140-4030	USA
GASTON DUPRE	3411 INDIAN CREEK DR #1102	MIAMI BEACH	FL	33140-4063	USA
GEORGE L & JACQUELINE F PUCKETT	10625 SW 127 PL	MIAMI	FL	33186-3530	USA
GERARDO GUERRERO	3200 COLLINS AVE #10-1	MIAMI BEACH	FL	33140-4030	USA
GERARDO GUERRERO	3200 COLLINS AVE #9-3	MIAMI BEACH	FL	33140-4030	USA
GITTY PERLSTEIN ROSE STEG	3200 COLLINS AVE 4 4	MIAMI BEACH	FL	33140	USA
GIUSEPPE CARAMANNO ARIANA & ANGELA CASTELLI	3101 INDIAN CREEK DR APT 110	MIAMI BEACH	FL	33140	USA
GMLB INVESTMENTS LLC	12000 BISCAIYNE BLVD STE 107	NORTH MIAMI	FL	33181	USA

GONZALO ESPINOSA	3030 QUAYSIDE LANE	MIAMI SHORES	FL	33138	USA
GRACIELA TAGLIABUE	3200 COLLINS AVE #11-3	MIAMI BEACH	FL	33140-4031	USA
GRAHAM CHARLES FISH LILIAN CAROL FISH	960 NE 175 ST	NORTH MIAMI BEACH	FL	33162	USA
GRUNFELD FAMILY TRUST	75 WILSON ST #11F	BROOKLYN	NY	11211	USA
GRUPO VDR LLC	2875 NE 191 ST #801	AVENTURA	FL	33180	USA
GUMUCIO FAMILY HOLDING LLC	3411 INDIAN CREEK DRIVE #1301	MIAMI BEACH	FL	33140	USA
HARESH THARANI TANUJA THARANI	3315 COLLINS AVE 4B	MIAMI BEACH	FL	33140	USA
HELEN PERLE LE REM SYLVIA WEST REM LAWRENCE H PERLE	3200 COLLINS AVE 2 1	MIAMI BEACH	FL	33140	USA
HELMUTH ENRIQUE HAEUSLER	3411 INDIAN CREEK DR #1203	MIAMI BEACH	FL	33140	USA
HI PARTNERS SE LLC	723 10 ST	SANTA MONICA	CA	90402	USA
HY PH 7 LLC	3201 COLLINS AVE 1307	MIAMI BEACH	FL	33140	USA
ILANA RIGWAN & JORDAN LEE NEUS	3101 INDIAN CREEK DR #106	MIAMI BEACH	FL	33140-4149	USA
IRMA ESCOBEDO TRS ESCOBEDO 2014 FAMILY TRUST GERARDO FELIBE ESCOBEDO TRS	501 DE LEON DR	MIAMI SPRINGS	FL	33166	USA
JACK ROSENTHAL	5 BARRIE DR	SPRING VALLEY	NY	10977-1616	USA
JAIME R C FIGUEIREDO &W MARIA A	3200 COLLINS AVE UNIT 7-2	MIAMI BEACH	FL	33140-4030	USA
JAMES G DINAN TRS JAMES G DINAN MANAGEMENT TRUST CO JAMES G DINAN YORK CAPITAL	767 FIFTH AVENUE 17TH FLR	NEW YORK	NY	10159	USA
JANUSZ ALAIN IWANOWSKI	3030 COLLINS AVE APT 3C	MIAMI BEACH	FL	33139	USA
JAVIER IGNACIO M DEL BARRIO JTRS CESAR LOZANO AON JTRS	3030 COLLINS AVE #2H	MIAMI BEACH	FL	33140	USA
JENO DAVIDOVICS TRS E AND S FAMILY TRUST ESTHER DAVIDOVICS TRS	248 HEWES ST #B1	BROOKLYN	NY	11211	USA
JENOE KAHAN	164 LYNCH ST	BROOKLYN	NY	11216	USA
JERRY HARTSTEIN	369 GLOUCESTER ST	ENGLEWOOD	NJ	07631	USA
JESSICA FERNANDA RECHANI	3200 COLLINS AVE #11-1	MIAMI BEACH	FL	33140-4031	USA
JESSICA RECHANI DR LUIS RECHANI	3200 COLLINS AVE #11-2	MIAMI BEACH	FL	33140	USA
JESUS RAMON GAONA	3101 INDIAN CREEK DR #311	MIAMI BEACH	FL	33140-4150	USA
JITTA GOLDBERG	1427 55 ST	BROOKLYN	NY	11219	USA
JOEL COHEN	3101 INDIAN CREEK DR #102	MIAMI BEACH	FL	33140-4149	USA
JOEL COHEN & DONA ZEMO	3101 INDIAN CREEK DR #104	MIAMI BEACH	FL	33140-4149	USA
JOEL R CORNIEL	3101 INDIAN CREEK DR #309	MIAMI BEACH	FL	33140-4150	USA
JORGE FERNANDEZ ELENA P FERNANDEZ	2030 SW 123 COURT	MIAMI	FL	33175	USA
JOSE GONCALVES PITA &W MARIA	2900 W 12 AVE #15	HIALEAH	FL	33012	USA
JOSE RODRIGUES FERREIRA % OCEAN BANK	780 NW 42 AVE	MIAMI	FL	33126-5540	USA
JOSEFA TOIRAC	3411 INDIAN CREEK DR #1404	MIAMI BEACH	FL	33140	USA
JOSEPH ABRAHAMS &W SARA	3200 COLLINS AVE UNIT 8-4	MIAMI BEACH	FL	33140-4030	USA
JOSEPH GOLDBERGER &W RYVKIE GOLDBERGER	479 BEDFORD AVE	BROOKLYN	NY	11211	USA
JOSEPH M GUGLIELMO	3101 INDIAN CREEK DR #402	MIAMI BEACH	FL	33140-4150	USA
JOSEPH MENAGED TRS JOSEPH MENAGED REVOCABLE TR	3315 COLLINS AVE 9C	MIAMI BEACH	FL	33140	USA
JOSEPH MOINIAN NAZEE MOINIAN	3315 COLLINS AVE 9A	MIAMI BEACH	FL	33140	USA
JOSEPH MORDOWITZ &W LOLA	141-24 73 AVE	FLUSHING	NY	11367	USA
JOSEPH SCHWARTZ	209 ROSS ST	BROOKLYN	NY	11211	USA
JUAN GUILLERMO GOMEZ VALLECILLA	3411 INDIAN CREEK DR 1103	MIAMI BEACH	FL	33140	USA
JUAN MIGUEL BRICENO &W BERTHA L	3411 INDIAN CREEK DR UNIT 1004	MIAMI BEACH	FL	33140-4063	USA
KAREN E MOODY	3411 INDIAN CREEK DR APT 1303	MIAMI BEACH	FL	33140-4064	USA
KARL KIZELNIK LE REM MOSES KIZELNIK REM AKIVA KIZELNIK	1322 45 ST	BROOKLYN	NY	11219	USA
KENNETH H BELL	3411 INDIAN CREEK DR #1304	MIAMI BEACH	FL	33140-4064	USA
KEVIN MOREAU &W BRIGIE MOREAU	15861 SW 51 ST	MIRAMAR	FL	33027	USA
KJ MIAMI INVESTMENTS CORP	1100 WEST AVE UNIT 1411	MIAMI BEACH	FL	33139	USA
KRISTINA SCHRECK	3101 INDIAN CREEK DR #403	MIAMI BEACH	FL	33140	USA
LAC LLC	895 PARK AVE UNIT 6B	NEW YORK	NY	10075	USA
LAURA MARIA ROBLES PALACIOS	10855 NW 88 TERRACE #208	DORAL	FL	33178	USA
LAURA PANTANO	1521 ALTON RD 277	MIAMI BEACH	FL	33139	USA
LENARD C MORRELL	1939 WATSON HULBERT RD	MACEDON	NY	14502	USA
LEONARD H SCHRANK PATRICIA E SCHRANK	3315 COLLINS AVE 4D	MIAMI BEACH	FL	33140	USA

LIUBO SKRBIC	4012 GARDEN AVE #1	WEST PALM BEACH	FL	33405	USA
LLOYD BLANKFEIN LAURA BLANKFEIN	PO BOX 7138	GARDEN CITY	NY	11530	USA
LUCIA F FREYRE	3200 COLLINS AVE UNIT 12-1	MIAMI BEACH	FL	33140-4031	USA
LUCIA FERNANDA HENRY	3200 COLLINS AVE # 8-1	MIAMI BEACH	FL	33140	USA
LUIS ARAUZ	3030 COLLINS AVE APT 1F	MIAMI BEACH	FL	33140-4165	USA
LUIS CAPALDO ALEJANDRO GOMEZ	2642 COLLINS AVE #501	MIAMI BEACH	FL	33140	USA
LUIS SUAREZ MADELIN SUAREZ	3200 COLLINS AVE #7-1	MIAMI BEACH	FL	33140	USA
LUZER KAUFMAN LEA KAUFMAN	5310 FOURTEENTH AVE	BROOKLYN	NY	11219	USA
LYNDA FELDMAN TRS BERNARD GOLDGLANC FAM TRUST	35 WEDGEWOOD LANE	LAWRENCE	NY	11559	USA
M & S PROPERTY HOLDINGS LP C/O THE BERNSTEIN LAW FIRM	1688 MERIDIAN AVE # 418	MIAMI BEACH	FL	33139	USA
MANUEL DE FARIA	110 NW 34 AVE	MIAMI	FL	33125-4929	USA
MANUEL RODRIGUEZ	3101 INDIAN CREEK DR 310	MIAMI BEACH	FL	33140	USA
MARIA E GONZALEZ C/O BLUE SKY MIAMI	1680 MICHIGAN AVE # 908	MIAMI BEACH	FL	33139-2550	USA
MARIA I ARISSO & HARMONY DURKEE JTRS	650 NE 52 TERR	MIAMI	FL	33137-3041	USA
MARIA I ARISSO & HARMONY F DURKEE	650 NE 52 TERR	MIAMI	FL	33137-3041	USA
MARIA I GRAJECR	3200 COLLINS AVE #12-7	MIAMI BEACH	FL	33140-4031	USA
MARIA OLIVEIRA	8110 SW 17 ST	MIAMI	FL	33155	USA
MARIELA SCHATZ	3101 INDIAN CREEK DR # 205	MIAMI BEACH	FL	33140	USA
MARK RACHESKY	3315 COLLINS AVE 11BD	MIAMI BEACH	FL	33140	USA
MARTHA ARRIETA & BEATRIZ RODRIGUEZ	12389 SW 144 TERR	MIAMI	FL	33186-7482	USA
MARTIN P GARCIA	3101 INDIAN CREEK DR UNIT 103	MIAMI BEACH	FL	33140-4149	USA
MARY ROSENSTEIN TRS MARY ROSENSTEIN REVOCABLE TRUST	210 174 ST 2219	SUNNY ISLES BEACH	FL	33160	USA
MATTHEW KUBIK & W SHARON	5460 EAST OLD TRAIL RD	COLUMBIA CITY	IN	46725	USA
MAYER LAUFER & W DORIS	1402 59 ST	BROOKLYN	NY	11219	USA
MBCU LLC CO HOUSEHOLD PROPERTY MANAGEMENT LLC	730 FIFTH AVE 20TH FLR	NEW YORK	NY	10019	USA
MBFH LLC	125 JERICHO TURNPIKE STE 501	JERICHO	NY	11753	USA
MIAMI CONDO LLC CO HOUSEHOLD PROPERTY MANAGEMENT LLC	730 FIFTH AVE 20TH FLR	NEW YORK	NY	10019	USA
MIGUEL ONTIVEROS	3200 COLLINS AVE UNIT 11-6	MIAMI BEACH	FL	33140-4031	USA
MORDCHAI PREISEROWICZ RACHELLE PREISEROWICZ	1784 E 21 ST	BROOKLYN	NY	11229	USA
MORRIS FORSPAN & W REGINA	3200 COLLINS AVE UNIT 1-3	MIAMI BEACH	FL	33140-4028	USA
MORRIS LOWY	1602 52 ST	BROOKLYN	NY	11204	USA
MOSES LEIFER & W CONSTANCE	3411 INDIAN CREEK DR #802	MIAMI BEACH	FL	33140	USA
MOSES SCHLESINGER FREIDA SCHLESINGER	3411 INDIAN CREEK DR UNIT 701	MIAMI BEACH	FL	33140	USA
MOSHE EHRENFIELD EDITH EHRENFIELD	3200 COLLINS AVE #3-1	MIAMI BEACH	FL	33140	USA
MY FAMILY VALENTINA LLC C/O ANGELO GORDON AND CO	245 PARK AVE 26 FLOOR	NEW YORK	NY	10167	USA
MY VALENTINA LLC	245 PARK AVE 26TH FLR	NEW YORK	NY	10167	USA
NERST LLC	3200 COLLINS AVE UNIT 108	MIAMI BEACH	FL	33140	USA
NUTOVIC FAMILY LP C/O D OSTREICHER	67 42 180 STREET	FLUSHING	NY	11365	USA
OCEAN 46 LLC	145 YACHT CLUB WAY #204	HYPOLUXO	FL	33462	USA
OCEAN GRANDE PROPERTIES LLC	1900 SW 3 AVE	MIAMI	FL	33129	USA
OLGA LUGO TORRES	6422 COLLINS AVE APT 601	MIAMI BEACH	FL	33141	USA
ORLANDO ESQUIVEL & GISELA LEGG JTRS	3200 COLLINS AVE #8-8	MIAMI BEACH	FL	33140-4030	USA
PABLO A GOMES TEIXEIRA VIVIANA F PEREZ NJAIN	3200 COLLINS AVE #11-8	MIAMI BEACH	FL	33140	USA
PADOVA CONSTRUCTION LLC	PO BOX 191095	MIAMI BEACH	FL	33119	USA
PAIS PALMERA LLC	3411 INDIAN CREEK #1403	MIAMI BEACH	FL	33140	USA
PAIS PALMERA LLC	3411 INDIAN CREEK DR #402	MIAMI BEACH	FL	33140	USA
PAOLA ORLANDO	3101 INDIAN CREEK DR #302	MIAMI BEACH	FL	33140-4150	USA
PARADISE LLC CO HOUSEHOLD PROPERTY MANAGEMENT LLC	730 FIFTH AVE 20TH FLR	NEW YORK	NY	10019	USA
PATRICIA KRONFLE	4 PALM AVENUE	MIAMI BEACH	FL	33139	USA
PAUL CEJAS GERTIE CEJAS	420 LINCOLN ROAD 330	MIAMI BEACH	FL	33139	USA
PAULA LEVIN VELASQUEZ JUANITA SEINO	1617 VIA TULIPAN	SAN CLEMENTE	CA	92673	USA
PESSE LISAUER	1450 49 ST	BROOKLYN	NY	11219	USA

PG INVESTMENT AND MANAGEMENT LLC	244 BISCAYNE BLVD 909N	MIAMI BEACH	FL	33132	USA
PHILIP H GREENBERG TRS MIRIAM WEINBERGER TRS	2060 E 22 ST	BROOKLYN	NY	11229	USA
POMES MIAMI BEACH INC	3315 COLLINS AVE PH A	MIAMI BEACH	FL	33140	USA
PORTUGAL TOWERS LLC	3200 COLLINS AVE #9-1	MIAMI BEACH	FL	33140	USA
RACHEL BLUTH TRS MICHAEL BLUTH TRS	339 LIVINGSTON PLACE	CEDARHURST	NY	11516	USA
RALPH R ELEFANT FRIEDA M ELEFANT SHELDON ELEFANT	166 WASHINGTON AVE	STATEN ISLAND	NY	10314	USA
RALPH R ELEFANT JTRS FRIEDA M ELEFANT ETALS JTRS SHELDON ELEFANT JTRS	3200 COLLINS AVE #12-4	MIAMI BEACH	FL	33140	USA
RANDYE KWAIT BRIAN KWAIT	75 ROCK MAPLE ROAD	GREENWICH	CT	06830	USA
RED OAK MIAMI LLC	12000 BISCAYNE BLVD STE 107	NORTH MIAMI	FL	33181	USA
RHAHIME BELL	3315 COLLINS AVE 7D	MIAMI BEACH	FL	33140	USA
RINALDI ROMANO G TR	9580 BAY HARBOR	BAY HARBOR	FL	33154	USA
RIUTEL FLA INC	3101 COLLINS AVE	MIAMI BEACH	FL	33140	USA
ROBERT BRUCE NEWMAN	2899 COLLINS AVE PH A	MIAMI BEACH	FL	33140	USA
ROBERT J QUINTELA & CARLOS M CARRION	3411 INDIAN CREEK DR #502	MIAMI BEACH	FL	33140-4058	USA
ROBERT PRIZONT	3411 INDIAN CREEK DR #1402	MIAMI BEACH	FL	33140-4064	USA
RODRIGO VELENCOSO JTRS LUIS ZAPATA JTRS	1331 LINCOLN RD #1401	MIAMI BEACH	FL	33139	USA
ROGER STERN CLARA STERN	3200 COLLINS AVE #10-8	MIAMI BEACH	FL	33140	USA
ROUAI HOLDING LLC	301 ARTHUR GODFREY RD STE 402	MIAMI BEACH	FL	33140	USA
RUS MBR LLC	3315 COLLINS AVE 14C	MIAMI BEACH	FL	33140	USA
SARA F GOTTLIEB ANN R LAMET	4601 N MERIDIAN AVE	MIAMI BEACH	FL	33140	USA
SARA O CONNELL	3315 COLLINS AVE 10D	MIAMI BEACH	FL	33140-4007	USA
SARA WEINGARTEN	1422 58 ST	BROOKLYN	NY	11219	USA
SARAH EISENBERG TRS SARAH EISENBERG TRUST	3411 INDIAN CREEK DR 403	MIAMI BEACH	FL	33140	USA
SARAH WEINREB	260 CENTRAL AVE APT 123	LAWRENCE	NY	11559-1540	USA
SCOTT GREENSTEIN TRS SCOTT GREENSTEIN 2014 REV TR SHARON GREENSTEIN TRS	1111 PARK AVENUE APT 2E	NEW YORK	NY	10128	USA
SETH GARLAND MILLER TRS SETH G MILLER UNICORN TRUST	3411 INDIAN CREEK DR 703	MIAMI BEACH	FL	33140	USA
SHAI BENAMO	3411 INDIAN CREEK DR #1204	MIAMI BEACH	FL	33140	USA
SHAI BENAMO LLC	3411 INDIAN CREEK DR APT 1204	MIAMI BEACH	FL	33140	USA
SHUN CHI WONG	2020 NE 26TH ST	WILTON MANORS	FL	33305-1534	USA
SIDNEY SCHLESINGER & W HELEN	5520 15 AVE APT 1H	BROOKLYN	NY	11219-4314	USA
SIMON E AMICH AFRA L ALVARADO AMICH	3200 COLLINS AVE 10 5	MIAMI BEACH	FL	33140	USA
SLAVA FRENKEL	3200 COLLINS AVE #1-4	MIAMI BEACH	FL	33140-4028	USA
SOBE 8 C LLC	ONE NORTH CLEMATIS ST STE 200	WEST PALM BEACH	FL	33401	USA
SOFRE INVESTMENTS LLC	12000 BISCAYNE BLVD STE 107	NORTH MIAMI	FL	33181	USA
SOHAIL & IRAJ DELFANI & W NIDA	14595 SW 98 CT	MIAMI	FL	33176	USA
SOL EDELSTEIN TR	2706 AVE N	BROOKLYN	NY	11210	USA
SOL MENCHE & W ROCHELE	241 VIOLA ROAD	MONSEY	NY	10952	USA
SOLOMON MENCHE ROCHELLE MENCHE	241 VIOLA RD	MONSEY	NY	10952	USA
SOLOMON POLL LE REM ERNO POLL & LEAH RAAB ETAL	3200 COLLINS AVE #4-2	MIAMI BEACH	FL	33140-4029	USA
SOUTH BCH BAYSIDE CONDO ASSN INC % THEODORE R BAYER	9400 SOUTH DADELAND BLVD #300	MIAMI	FL	33156-2832	USA
SOUTH BEACH BAYSIDE CONDO ASSOCIATION I INC	3101 INDIAN CREEK	MIAMI BEACH	FL	33141	USA
SOUTH BEACH BAYSIDE CONDO C/O THEODORE R BAYER ESQ ASSOCIATION I INC	9400 S DADELAND BLVD #300	MIAMI	FL	33156	USA
STACIE JONES	1831 MADISON AVE #5B	NEW YORK	NY	10035	USA
STELLA SOUTH BEACH LLC	2 SOUTH BISCAYNE BLVD 2400	MIAMI	FL	33131	USA
STHA LLC	3315 COLLINS AVE PH B	MIAMI BEACH	FL	33140	USA
SUNNY WUYE INVESTMENT LLC	2634 TRYON PL	WINDERMERE	FL	34786	USA
SUSANA M LEVINE	1345 WEST AVE #604	MIAMI BEACH	FL	33139	USA
SUSU APARTMENTS LLC	41 SE 5 ST # 306	MIAMI	FL	33131	USA
THE EG SHELTER TRUST % GLUCK	1647 50 ST	BROOKLYN	NY	11204	USA
THE MIAMI BEACH OCEAN RESORT INC	3025 COLLINS AVE	MIAMI BEACH	FL	33140-4106	USA
THIAGO L GUERRA	3411 INDIAN CREEK DR UNIT 1201	MIAMI BEACH	FL	33140	USA
TICHRI LLC C/O ANDREW FELDMAN ESQ	1111 KANE CONCOURSE #200	BAL HARBOR ISLAND	FL	33154	USA

TIMOTHY HAYNES HAYNES ROBERTS INC KEVIN ROBERTS	601 WEST 26TH ST STE 1655	NEW YORK	NY	10001	USA
TOBIAS PERLSTEIN & W EVA	1325-52 ST	BROOKLYN	NY	11219	USA
TRADEWINDS TAMARIN HOLDINGS LLC C/O ADORNO & YOSS LLP	2525 PONCE DE LEON BLVD FL 4	MIAMI	FL	33134	USA
TWISTER TRADING INC	8213 NW 30 TER	DORAL	FL	33122	USA
VALERIA CASAL TRS VALERIA MENDES CASAL REV TR	7521 BOUNTY AVE	NORTH BAY VILLAGE	FL	33141	USA
VALERIAN E KAGAN ANNA SHVEDOVA KAGAN JTRS	715 DARTMOUTH AVENUE	SILVER SPRING	MD	20910	USA
VICTOR MONEYPENNY	96 WILLOW WOOD LANE	STATEN ISLAND	NY	10308	USA
VIEIRA HOUSE CORP	3200 COLLINS AVE #11-4	MIAMI BEACH	FL	33140-4031	USA
VILLA MELILLA INVESTMENTS LLC	3030 COLLINS AVE 2F	MIAMI BEACH	FL	33140	USA
WIGDOR MENDLOVIC	543 BEDFORD AVE	BROOKLYN	NY	11211	USA
WILLIAM STAR CORPORATION	25 SE 2ND AVE #1235	MIAMI	FL	33131	USA
XIOMARA DIAZ	4120 SW 5 TERR	CORAL GABLES	FL	33134-2043	USA
YOLAN ALTMAN (LE) REM B FOGEL & J ALTMAN	3200 COLLINS AVE UNIT 5-7	MIAMI BEACH	FL	33140-4029	USA
ZIGMOND BRACH & W JENNIE	3411 INDIAN CREEK DR UNIT PH8	MIAMI BEACH	FL	33140-4075	USA

ALAN HOWARD
55 BAKER STREET
LONDON W1U8EW
UNITED KINGDOM

DARYL FOSTER
A LE FORRENTOR 27 AVE
PRINCESSE GRACE
MONTE CARLO 9800
MONACO

JONAS LINDEBORG ANDERS JONSSON
BRANNKYRKAGATAN 27
118 22 STOCKHOLM
SWEDEN

JOSE E DA SILVA V ANDRADE JTRS
MARIA BERNARDA PEREIRA JTRS
JANET DA SILVA JTRS
CALLE LISANDRO ALVARADO
QUINTA YALICE SANTA MONICA
CARACAS
VENEZUELA

LEON LAVOIE JTRS
BENOIT DESCHAMPS JTRS
3932 RUE CLARK
MONTREAL H2W1W7
CANADA

MICHAEL SHERWOOD
MELANIE SHERWOOD
HILL HOUSE INVERFORTH CLOSE
LONDON NW 3 7EX
GREAT BRITAIN

3030 COLLINS 4H LLC
2050 SILVER LAKE ROAD
NEW BRIGHTON, MN 55112

3100 MARBLE TERRACE ASSOCS
3100 COLLINS AVE
MIAMI BEACH, FL 33140-4156

3200 COLLINS AVE UNIT 33 LLC
2 SKILLMAN ST STE 205
BROOKLYN, NY 11205

3201 HOTEL LLC
3201 COLLINS AVE
MIAMI BEACH, FL 33140

3315 TOWER UNIT 11 A INC
3315 COLLINS AVE 11A
MIAMI BEACH, FL 33140

3420 COLLINS AVE LLC
3201 COLLINS AVE
MIAMI BEACH, FL 33140

3420 COLLINS AVENUE LLC
3201 COLLINS AVE
MIAMI BEACH, FL 33140-4006

3425 COLLINS LLC
3201 COLLINS AVE
MIAMI BEACH, FL 33140

3500 HOTEL LLC
3500 COLLINS AVE
MIAMI BEACH, FL 33140

354 ROSE HILL LLC
1165 PARK AVENUE APT 10B
NEW YORK, NY 10128

3F CAPITAL LLC
4421 SHERIDAN AVE
MIAMI BEACH, FL 33140

555 PARTNERS LLC
555 PARK AVE #5W
NEW YORK, NY 10065

AARON CYWAIK &W DEBBIE
& SAMUEL CYWAIK &W VIVIAN & EDALS
3200 COLLINS AVE UNIT 6-8
MIAMI BEACH, FL 33140-4030

ABF5A LLC
19955 NE 38 COURT UNIT 2502
AVENTURA, FL 33180

ABF6A LLC
3315 COLLINS AVE 6A
MIAMI BEACH, FL 33140

ABRAHAM FLEISCHER & SHIMSHON
FLEISCHER JTRS
PO BOX 190521
BROOKLYN, NY 11219

ABRAHAM GUBITZ TRS
3411 INDIAN CREEK DR #601
MIAMI BEACH, FL 33140-4058

ABRAHAM MORDOWITZ &W MARLENE
141-26 73 AVE
FLUSHING, NY 11367

ALAN HURWITZ
720 STATION RD
AMHERST, MA 01002

ALBERTINA ROCA
3200 COLLINS AVE STE 7-4
MIAMI BEACH, FL 33140

ALEXANDER KORCHEVSKY &W HELEN
3200 COLLINS AVE UNIT 9-8
MIAMI BEACH, FL 33140-4030

ALEXANDRE BOYCHOUK
3101 INDIAN CREEK DR #202
MIAMI BEACH, FL 33140

ALICIA A F GONZALEZ DE MENENDEZ
ROGER FERRER
3200 COLLINS AVE 12 6
MIAMI BEACH, FL 33140

ALICIA A F GONZALEZ DE MENENDEZ
ROGER FERRER
3200 COLLINS AVE 12-5
MIAMI BEACH, FL 33140

ALPORTEL CORP
3200 COLLINS AVE # 9-7
MIAMI BEACH, FL 33140

ANDREA F MANCA TRS ANDREA F MANCA
REVOCABLE TRUST ANDREA F MANCA
3200 COLLINS AVE UNIT 9-6
MIAMI BEACH, FL 33139

ANTHONY PARKER
3030 COLLINS AVE #4C
MIAMI BEACH, FL 33140-4168

ANTONIO R C FIGUEIREDO &W ADELINA
3200 COLLINS AVE UNIT 7-3
MIAMI BEACH, FL 33140-4030

ARIE ROSENBAUM &W GENE
3200 COLLINS AVE UNIT 3-4
MIAMI BEACH, FL 33140-4028

ARMANDO BAEZ
3200 COLLINS AVE UNIT 12-8
MIAMI BEACH, FL 33140-4004

ARTHUR PREISLER TRS P AND K FAMILY
TRUST JACOB KLEIN TRS
1766 48 ST
BROOKLYN, NY 11204

ASHER J BERLINER &NATHAN BERLINER
MARTIN & ABRAHAM BERLINER
1350 EAST 13 ST
BROOKLYN, NY 11230

ASK FLORIDA LLC
21 LAW DRIVE
FAIRFIELD, NJ 07004

AURA P MORALES
3101 INDIAN CREEK DR #105
MIAMI BEACH, FL 33140-4149

BEATRICE DIB
3200 COLLINS AVE #7-7
MIAMI BEACH, FL 33140-4030

BENNY S AMAR
1901 51 ST #1B
BROOKLYN, NY 11204

BERTHA MANDELBAUM JTRS CHAIM
MANDELBAUM JTRS
1324 EAST 23 ST
BROOKLYN, NY 11210

BMP GIRLS LLC
21209 NE 38 AVE
AVENTURA, FL 33180

BRUNO E PEREZ
2625 Collins Ave Apt 411
Miami Beach, FL 33140-4748

CARLOS DIEGO PEREYRA
MARIA MARCELA PEREYRA
3919 ANDERSON RD
CORAL GABLES, FL 33134

CARLOS M ACOSTA
3101 INDIAN CREEK DR #308
MIAMI BEACH, FL 33140-4150

CARLOS R GARCIA
3411 INDIAN CREEK #1003
MIAMI BEACH, FL 33140

CARMELA BENTABET
350 W 50 ST #5EE
NEW YORK, NY 10019

CELINA ZYLBERBERG & ESTER BERKO
614 OAK DR
WEST LAWRENCE, NY 11691

CENTRAL FLA INVEST INC
5601 WINDHOVER DR
ORLANDO, FL 32819

CHAIM LIPSCHITZ (TR)
5116 17 AVE
BROOKLYN, NY 11204

CHESKEL SCHWIMMER
211 WALLABOUT ST
BROOKLYN, NY 11206

CITY OF MIAMI BEACH
1700 CONVENTION CENTER DR
MIAMI BEACH, FL 33139

CLAUDIA FERRO
3411 INDIAN CREEK DR APT 902
MIAMI BEACH, FL 33140-4063

COLLINS 3300 LLC
3201 COLLINS AVE
MIAMI BEACH, FL 33140

COOPEAR CORP
3200 COLLINS AVENUE #1-7
MIAMI BEACH, FL 33140

CRAIG EFFRON CARYN EFFRON
129 EAST 73 STREET
NEW YORK, NY 10021

CYRUS SADRI &W NIKTA SHARUZI
5901 NORTH SHERIDAN RD #3-B
CHICAGO, IL 60660

D SOUTH BEACH LLC
3315 COLLINS AVE 5C
MIAMI BEACH, FL 33140

DALIA PAGAN
1657 N TREASURE DR APT# 1
NORTH BAY VILLAGE, FL 33141

DANCELLA FERNANDES
1500 WORCESTER RD #312
FRAMINGHAM, MA 01702

DANIEL S & GARY SIMONSOHN
3200 COLLINS AVE #8-6
MIAMI BEACH, FL 33140-4030

DANIEL S DOKOS
MICHAEL BRYAN GRAYBILL
3315 COLLINS AVE 6C
MIAMI BEACH, FL 33140

DAVID & RONALD MARX
24 TIMBERLINE DR
HUNTINGTON, NY 11743

DAVID BRODT & W HALINA
3200 COLLINS AVE UNIT 3-7
MIAMI BEACH, FL 33140-4029

DAVID ELLIOTT & W SVETLANA LYAKHOVA
3411 INDIAN CREEK DR #603
MIAMI BEACH, FL 33140-4058

DAVID L HENRY & MARIA L GARCIA
3411 INDIAN CREEK DR 1001
MIAMI BEACH, FL 33140-4063

DAVID LAURENCE HENRY
3411 INDIAN CREEK DRIVE #1302
MIAMI BEACH, FL 33140

DAVID LEMPEL
3411 INDIAN CREEK DRIVE # 904
MIAMI BEACH, FL 33140

DAVID MARX
24 TIMBERLINE
HUNTINGTON, NY 11743

DAVID POLATSECK BATIA POLATSECK
3411 INDIAN CREEK DR #303
MIAMI BEACH, FL 33140

DEFARIMARI CORP C/O MARIO A LAMAR
3971 SW 8 ST STE 305
CORAL GABLES, FL 33134

DIANA TELLEZ TRS DJTF AND PEPE LIVING
TRUST TELONFA CORP
101 CRANDON BLVD 177
KEY BISCAYNE, FL 33149

DIEGO CESPEDES
MARIA DENISE GURGUEIRA
20505 E COUNTRY CLUB DR #2139
AVENTURA, FL 33180

DOU DOU LLC
3101 INDIAN CREEK DR UNIT 400
MIAMI BEACH, FL 33140

EMBROS LLC
15 NW 7 AVE
FORT LAUDERDALE, FL 33311

ERICA F DOVAL ROBERT K DOVAL
29081 GOLDENSTAR WAY
MURRIETA, CA 92563

ERICA FEIGER
2109 AVENUE K
BROOKLYN, NY 11210

ESTEBAN PORCELLI MARIA PORCELLI
3411 INDIAN CREEK DR 903
MIAMI BEACH, FL 33140

ESTHER MARIA HERNANDEZ
8231 NE 12 AVE
MIAMI, FL 33138-4149

ESTHER RIEDER (TR)
& ABRAHAM RAPAPORT (TR)
1677 48 ST
BROOKLYN, NY 11204

EUGENIO & VERONIKA WALDMAN
1148 59 ST #2
BROOKLYN, NY 11219

FAENA 10B LLC CO HERMAN KAY
463 7TH AVENUE 12TH FLR
NEW YORK, NY 10018

FAIR PROPERTIES LLC
7 HICKORY PINE CT
PURCHASE, NY 10577

FFCU LLC CO HOUSEHOLD PROPERTY
MANAGEMENT LLC
730 FIFTH AVE 20TH FLR
NEW YORK, NY 10019

FLAG14 LLC
145 YACHT CLUB WAY 204
HYPOLUXO, FL 33462

FORTIN ENTERPRISES INC
3315 COLLINS AVE 5D
MIAMI BEACH, FL 33140

FRANCISCO T DOMINGUEZ QUINTANA
AURORA DENIZ MATEO
MARIA DEL PINO DOMINGUEZ DENIS
3200 COLLINS AVE 6 2
MIAMI BEACH, FL 33140

FRANK BORSA JEFFREY M WALLACE
3411 INDIAN CREEK DR # 1104
MIAMI BEACH, FL 33140-4050

FRISSON LLC CO EDWARD J MINSKOFF
EQUITIES INC
1325 AVENUE OF AMERICAS 23RD FL
NEW YORK, NY 10019

FULVIO MAZZUCHI & FLAVIA ROBOTTI
3411 INDIAN CREEK DR #PH-1
MIAMI BEACH, FL 33140-4075

G 3120 COLLINS LLC
200 S BISCAYNE BLVD STE 4700
MIAMI, FL 33131

G 3120 COLLINS LLC
C/O THOMAS V EAGAN ESQ
200 S BISCAYNE BLVD 4700
MIAMI, FL 33131

GABRIEL GRUNBLATT
1726 49 STR
BROOKLYN, NY 11204

GALENO C RIVERA &W GEORGIANNA
3200 COLLINS AVE #10-2
MIAMI BEACH, FL 33140-4030

GASTON DUPRE
3411 INDIAN CREEK DR #1102
MIAMI BEACH, FL 33140-4063

GEORGE L & JACQUELINE F PUCKETT
10625 SW 127 PL
MIAMI, FL 33186-3530

GERARDO GUERRERO
3200 COLLINS AVE #10-1
MIAMI BEACH, FL 33140-4030

GERARDO GUERRERO
3200 COLLINS AVE #9-3
MIAMI BEACH, FL 33140-4030

GITTY PERLSTEIN ROSE STEG
3200 COLLINS AVE 4 4
MIAMI BEACH, FL 33140

GIUSEPPE CARAMANNO ARIANA
& ANGELA CASTELLI
3101 INDIAN CREEK DR APT 110
MIAMI BEACH, FL 33140

GMLB INVESTMENTS LLC
12000 BISCAYNE BLVD STE 107
NORTH MIAMI, FL 33181

GONZALO ESPINOSA
3030 QUAYSIDE LANE
MIAMI SHORES, FL 33138

GRACIELA TAGLIABUE
3200 COLLINS AVE #11-3
MIAMI BEACH, FL 33140-4031

GRAHAM CHARLES FISH
LILIAN CAROL FISH
960 NE 175 ST
NORTH MIAMI BEACH, FL 33162

GRUNFELD FAMILY TRUST
75 WILSON ST #11F
BROOKLYN, NY 11211

GRUPO VDR LLC
2875 NE 191 ST #801
AVENTURA, FL 33180

GUMUCIO FAMILY HOLDING LLC
3411 INDIAN CREEK DRIVE #1301
MIAMI BEACH, FL 33140

HARESH THARANI TANUJA THARANI
3315 COLLINS AVE 4B
MIAMI BEACH, FL 33140

HELEN PERLE LE REM SYLVIA WEST REM
LAWRENCE H PERLE
3200 COLLINS AVE 2 1
MIAMI BEACH, FL 33140

HELMUTH ENRIQUE HAEUSLER
3411 INDIAN CREEK DR #1203
MIAMI BEACH, FL 33140

HI PARTNERS SE LLC
723 10 ST
SANTA MONICA, CA 90402

HY PH 7 LLC
3201 COLLINS AVE 1307
MIAMI BEACH, FL 33140

ILANA RIGWAN & JORDAN LEE NEUS
3101 INDIAN CREEK DR #106
MIAMI BEACH, FL 33140-4149

IRMA ESCOBEDO TRS
ESCOBEDO 2014 FAMILY TRUS
GERARDO FELIBE ESCOBEDO TRS
501 DE LEON DR
MIAMI SPRINGS, FL 33166

JACK ROSENTHAL
5 BARRIE DR
SPRING VALLEY, NY 10977-1616

JAIME R C FIGUEIREDO &W MARIA A
3200 COLLINS AVE UNIT 7-2
MIAMI BEACH, FL 33140-4030

JAMES G DINAN TRS JAMES G DINAN
MANAGEMENT TRUST CO JAMES G DINAN
YORK CAPITAL
767 FIFTH AVENUE 17TH FLR
NEW YORK, NY 10159

JANUSZ ALAIN IWANOWSKI
3030 COLLINS AVE APT 3C
MIAMI BEACH, FL 33139

JAVIER IGNACIO M DEL BARRIO JTRS
CESAR LOZANO AON JTRS
3030 COLLINS AVE #2H
MIAMI BEACH, FL 33140

JENO DAVIDOVICS TRS E AND
S FAMILY TRUST ESTHER DAVIDOVICS TRS
248 HEWES ST #B1
BROOKLYN, NY 11211

JENOE KAHAN
164 LYNCH ST
BROOKLYN, NY 11216

JERRY HARTSTEIN
369 GLOUCESTER ST
ENGLEWOOD, NJ 07631

JESSICA FERNANDA RECHANI
3200 COLLINS AVE #11-1
MIAMI BEACH, FL 33140-4031

JESSICA RECHANI DR LUIS RECHANI
3200 COLLINS AVE #11-2
MIAMI BEACH, FL 33140

JESUS RAMON GAONA
3101 INDIAN CREEK DR #311
MIAMI BEACH, FL 33140-4150

JITTA GOLDBERG
1427 55 ST
BROOKLYN, NY 11219

JOEL COHEN
3101 INDIAN CREEK DR #102
MIAMI BEACH, FL 33140-4149

JOEL COHEN & DONA ZEMO
3101 INDIAN CREEK DR #104
MIAMI BEACH, FL 33140-4149

JOEL R CORNIEL
3101 INDIAN CREEK DR #309
MIAMI BEACH, FL 33140-4150

JORGE FERNANDEZ ELENA P FERNANDEZ
2030 SW 123 COURT
MIAMI, FL 33175

JOSE GONCALVES PITA &W MARIA
2900 W 12 AVE #15
HIALEAH, FL 33012

JOSE RODRIGUES FERREIRA
% OCEAN BANK
780 NW 42 AVE
MIAMI, FL 33126-5540

JOSEFA TOIRAC
3411 INDIAN CREEK DR #1404
MIAMI BEACH, FL 33140

JOSEPH ABRAHAMS &W SARA
3200 COLLINS AVE UNIT 8-4
MIAMI BEACH, FL 33140-4030

JOSEPH GOLDBERGER &W RYVKIE
GOLDBERGER
479 BEDFORD AVE
BROOKLYN, NY 11211

JOSEPH M GUGLIELMO
3101 INDIAN CREEK DR #402
MIAMI BEACH, FL 33140-4150

JOSEPH MENAGED TRS
JOSEPH MENAGED REVOCABLE TR
3315 COLLINS AVE 9C
MIAMI BEACH, FL 33140

JOSEPH MOINIAN NAZEE MOINIAN
3315 COLLINS AVE 9A
MIAMI BEACH, FL 33140

JOSEPH MORDOWITZ &W LOLA
141-24 73 AVE
FLUSHING, NY 11367

JOSEPH SCHWARTZ
209 ROSS ST
BROOKLYN, NY 11211

JUAN GUILLERMO GOMEZ VALLECILLA
3411 INDIAN CREEK DR 1103
MIAMI BEACH, FL 33140

JUAN MIGUEL BRICENO &W BERTHA L
3411 INDIAN CREEK DR UNIT 1004
MIAMI BEACH, FL 33140-4063

KAREN E MOODY
3411 INDIAN CREEK DR APT 1303
MIAMI BEACH, FL 33140-4064

KARL KIZELNIK LE
REM MOSES KIZELNIK REM
AKIVA KIZELNIK
1322 45 ST
BROOKLYN, NY 11219

KENNETH H BELL
3411 INDIAN CREEK DR #1304
MIAMI BEACH, FL 33140-4064

KEVIN MOREAU &W BRIGIE MOREAU
15861 SW 51 ST
MIRAMAR, FL 33027

KJ MIAMI INVESTMENTS CORP
1100 WEST AVE UNIT 1411
MIAMI BEACH, FL 33139

KRISTINA SCHRECK
3101 INDIAN CREEK DR #403
MIAMI BEACH, FL 33140

LAC LLC
895 PARK AVE UNIT 6B
NEW YORK, NY 10075

LAURA MARIA ROBLES PALACIOS
10855 NW 88 TERRACE #208
DORAL, FL 33178

LAURA PANTANO
1521 ALTON RD 277
MIAMI BEACH, FL 33139

LENARD C MORRELL
1939 WATSON HULBERT RD
MACEDON, NY 14502

LEONARD H SCHRANK
PATRICIA E SCHRANK
3315 COLLINS AVE 4D
MIAMI BEACH, FL 33140

LJUBO SKRBIC
4012 GARDEN AVE #1
WEST PALM BEACH, FL 33405

LLOYD BLANKFEIN LAURA BLANKFEIN
PO BOX 7138
GARDEN CITY, NY 11530

LUCIA F FREYRE
3200 COLLINS AVE UNIT 12-1
MIAMI BEACH, FL 33140-4031

LUCIA FERNANDA HENRY
3200 COLLINS AVE # 8-1
MIAMI BEACH, FL 33140

LUIS ARAUZ
3030 COLLINS AVE APT 1F
MIAMI BEACH, FL 33140-4165

LUIS CAPALDO ALEJANDRO GOMEZ
2642 COLLINS AVE #501
MIAMI BEACH, FL 33140

LUIS SUAREZ MADELIN SUAREZ
3200 COLLINS AVE #7-1
MIAMI BEACH, FL 33140

LUZER KAUFMAN LEA KAUFMAN
5310 FOURTEENTH AVE
BROOKLYN, NY 11219

LYNDA FELDMAN TRS
BERNARD GOLDGLANC FAM TRUST
35 WEDGEWOOD LANE
LAWRENCE, NY 11559

M & S PROPERTY HOLDINGS LP C/O THE
BERNSTEIN LAW FIRM
1688 MERIDIAN AVE # 418
MIAMI BEACH, FL 33139

MANUEL DE FARIA
110 NW 34 AVE
MIAMI, FL 33125-4929

MANUEL RODRIGUEZ
3101 INDIAN CREEK DR 310
MIAMI BEACH, FL 33140

MARIA E GONZALEZ C/O BLUE SKY MIAMI
1680 MICHIGAN AVE # 908
MIAMI BEACH, FL 33139-2550

MARIA I ARISSO &
HARMONY DURKEE JTRS
650 NE 52 TERR
MIAMI, FL 33137-3041

MARIA I ARISSO & HARMONY F DURKEE
650 NE 52 TERR
MIAMI, FL 33137-3041

MARIA I GRAJCER
3200 COLLINS AVE #12-7
MIAMI BEACH, FL 33140-4031

MARIA OLIVEIRA
8110 SW 17 ST
MIAMI, FL 33155

MARIELA SCHATZ
3101 INDIAN CREEK DR # 205
MIAMI BEACH, FL 33140

MARK RACHESKY
3315 COLLINS AVE 11BD
MIAMI BEACH, FL 33140

MARTHA ARRIETA & BEATRIZ RODRIGUEZ
12389 SW 144 TERR
MIAMI, FL 33186-7482

MARTIN P GARCIA
3101 INDIAN CREEK DR UNIT 103
MIAMI BEACH, FL 33140-4149

MARY ROSENSTEIN TRS
MARY ROSENSTEIN REVOCABLE TRUST
210 174 ST 2219
SUNNY ISLES BEACH, FL 33160

MATTHEW KUBIK &W SHARON
5460 EAST OLD TRAIL RD
COLUMBIA CITY, IN 46725

MAYER LAUFER &W DORIS
1402 59 ST
BROOKLYN, NY 11219

MBCU LLC CO HOUSEHOLD PROPERTY
MANAGEMENT LLC
730 FIFTH AVE 20TH FLR
NEW YORK, NY 10019

MBFH LLC
125 JERICO TURNPIKE STE 501
JERICO, NY 11753

MIAMI CONDO LLC CO HOUSEHOLD
PROPERTY MANAGEMENT LLC
730 FIFTH AVE 20TH FLR
NEW YORK, NY 10019

MIGUEL ONTIVEROS
3200 COLLINS AVE UNIT 11-6
MIAMI BEACH, FL 33140-4031

MORDCHAI PREISEROWICZ RACHELLE
PREISEROWICZ
1784 E 21 ST
BROOKLYN, NY 11229

MORRIS FORSPAN &W REGINA
3200 COLLINS AVE UNIT 1-3
MIAMI BEACH, FL 33140-4028

MORRIS LOWY
1602 52 ST
BROOKLYN, NY 11204

MOSES LEIFER &W CONSTANCE
3411 INDIAN CREEK DR #802
MIAMI BEACH, FL 33140

MOSES SCHLESINGER
FREIDA SCHLESINGER
3411 INDIAN CREEK DR UNIT 701
MIAMI BEACH, FL 33140

MOSHE EHRENFIELD EDITH EHRENFIELD
3200 COLLINS AVE #3-1
MIAMI BEACH, FL 33140

MY FAMILY VALENTINA LLC C/O ANGELO
GORDON AND CO
245 PARK AVE 26 FLOOR
NEW YORK, NY 10167

MY VALENTINA LLC
245 PARK AVE 26TH FLR
NEW YORK, NY 10167

NERST LLC
3200 COLLINS AVE UNIT 108
MIAMI BEACH, FL 33140

NUTOVIC FAMILY LP C/O D OSTREICHER
67 42 180 STREET
FLUSHING, NY 11365

OCEAN 46 LLC
145 YACHT CLUB WAY #204
HYPOLUXO, FL 33462

OCEAN GRANDE PROPERTIES LLC
1900 SW 3 AVE
MIAMI, FL 33129

OLGA LUGO TORRES
6422 COLLINS AVE APT 601
MIAMI BEACH, FL 33141

ORLANDO ESQUIVEL &
GISELA LEGG JTRS
3200 COLLINS AVE #8-8
MIAMI BEACH, FL 33140-4030

PABLO A GOMES TEIXEIRA
VIVIANA F PEREZ NJAIN
3200 COLLINS AVE #11-8
MIAMI BEACH, FL 33140

PADOVA CONSTRUCTION LLC
PO BOX 191095
MIAMI BEACH, FL 33119

PAIS PALMERA LLC
3411 INDIAN CREEK #1403
MIAMI BEACH, FL 33140

PAIS PALMERA LLC
3411 INDIAN CREEK DR #402
MIAMI BEACH, FL 33140

PAOLA ORLANDO
3101 INDIAN CREEK DR #302
MIAMI BEACH, FL 33140-4150

PARADISE LLC CO HOUSEHOLD
PROPERTY MANAGEMENT LLC
730 FIFTH AVE 20TH FLR
NEW YORK, NY 10019

PATRICIA KRONFLE
4 PALM AVENUE
MIAMI BEACH, FL 33139

PAUL CEJAS GERTIE CEJAS
420 LINCOLN ROAD 330
MIAMI BEACH, FL 33139

PAULA LEVIN VELASQUEZ JUANITA SEINO
1617 VIA TULIPAN
SAN CLEMENTE, CA 92673

PESSE LISAUER
1450 49 ST
BROOKLYN, NY 11219

PG INVESTMENT AND MANAGEMENT LLC
244 BISCAYNE BLVD 909N
MIAMI BEACH, FL 33132

PHILIP H GREENBERG TRS MIRIAM
WEINBERGER TRS
2060 E 22 ST
BROOKLYN, NY 11229

POMES MIAMI BEACH INC
3315 COLLINS AVE PH A
MIAMI BEACH, FL 33140

PORTUGAL TOWERS LLC
3200 COLLINS AVE #9-1
MIAMI BEACH, FL 33140

RACHEL BLUTH TRS MICHAEL BLUTH TRS
339 LIVINGSTON PLACE
CEDARHURST, NY 11516

RALPH R ELEFANT FRIEDA M ELEFANT
SHELDON ELEFANT
166 WASHINGTON AVE
STATEN ISLAND, NY 10314

RALPH R ELEFANT JTRS
FRIEDA M ELEFANT ETALS JTRS
SHELDON ELEFANT JTRS
3200 COLLINS AVE #12-4
MIAMI BEACH, FL 33140

RANDYE KWAIT BRIAN KWAIT
75 ROCK MAPLE ROAD
GREENWICH, CT 06830

RED OAK MIAMI LLC
12000 BISCAYNE BLVD STE 107
NORTH MIAMI, FL 33181

RHAHIME BELL
3315 COLLINS AVE 7D
MIAMI BEACH, FL 33140

RINALDI ROMANO G TR
9580 BAY HARBOR
BAY HARBOR, FL 33154

RIUTEL FLA INC
3101 COLLINS AVE
MIAMI BEACH, FL 33140

ROBERT BRUCE NEWMAN
2899 COLLINS AVE PH A
MIAMI BEACH, FL 33140

ROBERT J QUINTELA &
CARLOS M CARRION
3411 INDIAN CREEK DR #502
MIAMI BEACH, FL 33140-4058

ROBERT PRIZONT
3411 INDIAN CREEK DR #1402
MIAMI BEACH, FL 33140-4064

RODRIGO VELENCOSO JTRS LUIS ZAPATA
JTRS
1331 LINCOLN RD #1401
MIAMI BEACH, FL 33139

ROGER STERN CLARA STERN
3200 COLLINS AVE #10-8
MIAMI BEACH, FL 33140

ROUAI HOLDING LLC
301 ARTHUR GODFREY RD STE 402
MIAMI BEACH, FL 33140

RUS MBR LLC
3315 COLLINS AVE 14C
MIAMI BEACH, FL 33140

SARA F GOTTLIEB ANN R LAMET
4601 N MERIDIAN AVE
MIAMI BEACH, FL 33140

SARA O CONNELL
3315 COLLINS AVE 10D
MIAMI BEACH, FL 33140-4007

SARA WEINGARTEN
1422 58 ST
BROOKLYN, NY 11219

SARAH EISENBERG TRS
SARAH EISENBERG TRUST
3411 INDIAN CREEK DR 403
MIAMI BEACH, FL 33140

SARAH WEINREB
260 CENTRAL AVE APT 123
LAWRENCE, NY 11559-1540

SCOTT GREENSTEIN TRS
SCOTT GREENSTEIN 2014 REV TR
SHARON GREENSTEIN TRS
1111 PARK AVENUE APT 2E
NEW YORK, NY 10128

SETH GARLAND MILLER TRS
SETH G MILLER UNICORN TRUST
3411 INDIAN CREEK DR 703
MIAMI BEACH, FL 33140

SHAI BENAMO
3411 INDIAN CREEK DR #1204
MIAMI BEACH, FL 33140

SHAI BENAMO LLC
3411 INDIAN CREEK DR APT 1204
MIAMI BEACH, FL 33140

SHUN CHI WONG
2020 NE 26TH ST
WILTON MANORS, FL 33305-1534

SIDNEY SCHLESINGER &W HELEN
5520 15 AVE APT 1H
BROOKLYN, NY 11219-4314

SIMON E AMICH AFRA L ALVARADO AMICH
3200 COLLINS AVE 10 5
MIAMI BEACH, FL 33140

SLAVA FRENKEL
3200 COLLINS AVE #1-4
MIAMI BEACH, FL 33140-4028

SOBE 8 C LLC
ONE NORTH CLEMATIS ST STE 200
WEST PALM BEACH, FL 33401

SOFRE INVESTMENTS LLC
12000 BISCAYNE BLVD STE 107
NORTH MIAMI, FL 33181

SOHAIL & IRAJ DELFANI &W NIDA
14595 SW 98 CT
MIAMI, FL 33176

SOL EDELSTEIN TR
2706 AVE N
BROOKLYN, NY 11210

SOL MENCHE &W ROCHELE
241 VIOLA ROAD
MONSEY, NY 10952

SOLOMON MENCHE ROCHELLE MENCHE
241 VIOLA RD
MONSEY, NY 10952

SOLOMON POLL LE REM ERNO POLL
& LEAH RAAB ETAL
3200 COLLINS AVE #4-2
MIAMI BEACH, FL 33140-4029

SOUTH BCH BAYSIDE CONDO ASSN INC %
THEODORE R BAYER
9400 SOUTH DADELAND BLVD #300
MIAMI, FL 33156-2832

SOUTH BEACH BAYSIDE
CONDO ASSOCIATION I INC
3101 INDIAN CREEK
MIAMI BEACH, FL 33141

SOUTH BEACH BAYSIDE CONDO C/O
THEODORE R BAYER ESQ
ASSOCIATION I INC
9400 S DADELAND BLVD #300
MIAMI, FL 33156

STACIE JONES
1831 MADISON AVE #5B
NEW YORK, NY 10035

STELLA SOUTH BEACH LLC
2 SOUTH BISCAYNE BLVD 2400
MIAMI, FL 33131

STHA LLC
3315 COLLINS AVE PH B
MIAMI BEACH, FL 33140

SUNNY WUYE INVESTMENT LLC
2634 TRYON PL
WINDERMERE, FL 34786

SUSANA M LEVINE
1345 WEST AVE #604
MIAMI BEACH, FL 33139

SUSU APARTMENTS LLC
41 SE 5 ST # 306
MIAMI, FL 33131

THE EG SHELTER TRUST % GLUCK
1647 50 ST
BROOKLYN, NY 11204

THE MIAMI BEACH OCEAN RESORT INC
3025 COLLINS AVE
MIAMI BEACH, FL 33140-4106

THIAGO L GUERRA
3411 INDIAN CREEK DR UNIT 1201
MIAMI BEACH, FL 33140

TICHRI LLC C/O ANDREW FELDMAN ESQ
1111 KANE CONCOURSE #200
BAL HARBOR ISLAND, FL 33154

TIMOTHY HAYNES HAYNES ROBERTS INC
KEVIN ROBERTS
601 WEST 26TH ST STE 1655
NEW YORK, NY 10001

TOBIAS PERLSTEIN &W EVA
1325-52 ST
BROOKLYN, NY 11219

TRADEWINDS TAMARIN HOLDINGS LLC
C/O ADORNO & YOSS LLP
2525 PONCE DE LEON BLVD FL 4
MIAMI, FL 33134

TWISTER TRADING INC
8213 NW 30 TER
DORAL, FL 33122

VALERIA CASAL TRS
VALERIA MENDES CASAL REV TR
7521 BOUNTY AVE
NORTH BAY VILLAGE, FL 33141

VALERIAN E KAGAN
ANNA SHVEDOVA KAGAN JTRS
715 DARTMOUTH AVENUE
SILVER SPRING, MD 20910

VICTOR MONEYPENNY
96 WILLOW WOOD LANE
STATEN ISLAND, NY 10308

VIEIRA HOUSE CORP
3200 COLLINS AVE #11-4
MIAMI BEACH, FL 33140-4031

VILLA MELILLA INVESTMENTS LLC
3030 COLLINS AVE 2F
MIAMI BEACH, FL 33140

WIGDOR MENDLOVIC
543 BEDFORD AVE
BROOKLYN, NY 11211

WILLIAM STAR CORPORATION
25 SE 2ND AVE #1235
MIAMI, FL 33131

XIOMARA DIAZ
4120 SW 5 TERR
CORAL GABLES, FL 33134-2043

YOLAN ALTMAN (LE) REM B FOGEL &
J ALTMAN
3200 COLLINS AVE UNIT 5-7
MIAMI BEACH, FL 33140-4029

ZIGMOND BRACH & W JENNIE
3411 INDIAN CREEK DR UNIT PH8
MIAMI BEACH, FL 33140-4075

**BOARD OF ADJUSTMENT
CITY OF MIAMI BEACH, FLORIDA**

PROPERTY: 3201-3315 Collins Avenue

FILE NO. 3741

IN RE: The application for a variance to waive the minimum required setback for a perimeter fence located in the Dune Overlay District as part of the renovations to the existing Saxony Hotel and the construction of a new 19 story residential building.

LEGAL DESCRIPTION: See attached Exhibit "A".

MEETING DATE: December 5, 2014

ORDER

The applicants, Tower 3315 LLC. and 3201 Hotel LLC., filed an application with the Planning Department for the following variance as part of the renovations to the existing Saxony Hotel and the construction of a new 19 story residential building:

1. A. A variance to waive all of the minimum required setback of 11'-0" from the Erosion Control Line in order to construct a perimeter fence in the Dune Preservation Overlay District along the Erosion Control Line at a maximum height of 16.0 NGVD
- B. A variance to waive 9'-0" of the minimum required setback of 13'-0" from the Erosion Control Line in order to construct a gate in the Dune Preservation Overlay District at 4'-0" from the Erosion Control Line at a maximum height of 18.0 NGVD.

The City of Miami Beach Board of Adjustment 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:

- A. Based on the plans and documents submitted with the application, testimony and information provided by the applicant, and the Planning Department Staff Report, the project as submitted satisfies the requirements of Section 118-353(d) of the Miami Beach Code. Accordingly, the Board of Adjustment has determined the following:

That 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;

That the special conditions and circumstances do not result from the action of the applicant;

MB

That granting the variance requested will not confer on the applicant any special privilege that is denied by this Ordinance to other lands, buildings, or structures in the same zoning district;

That literal interpretation of the provisions of this Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this Ordinance and would work unnecessary and undue hardship on the applicant;

That the variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure;

That the granting of the variance will be in harmony with the general intent and purpose of this Ordinance and that such variance will not be injurious to the area involved or otherwise detrimental to the public welfare; and

That 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.

- B. The Board imposes the following conditions based on its authority in Section 118-354 of the Miami Beach City Code:
1. Substantial modifications to the plans submitted and approved as part of the application, as determined by the Planning Director or designee, may require the applicant to return to the Board for approval of the modified plans, even if the modifications do not affect variances approved by the Board.
 2. 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.
 3. The final building plans shall meet all other requirements of the Land Development Regulations of the City Code.
 4. The applicant shall comply with all conditions imposed by the Public Works Department.
 5. The conditions on this Order are binding on the applicant, the property's owners and all successors in interest and assigns.
 6. This 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.
 7. 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, except to the extent of the variance granted herein.



8. This Order shall be recorded, at the expense of the applicant, in the Public Records of Miami-Dade County; the original or a certified copy shall be provided to the Planning Department prior to the issuance of a Building Permit.

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 staff recommendations, as modified by the Board of Adjustment, that the application for Variance Approval is GRANTED for the above-referenced project, subject to those certain conditions specified in Paragraph B (Condition Nos. 1-8, inclusive) hereof, to which the applicant has agreed.

PROVIDED, the applicant shall build substantially in accordance with the plans approved by the Board of Adjustment, as determined by staff, entitled "Saxony Hotel", as prepared by Fernando Wong, Raymond Jungles Inc., and Revuelta Architect International, dated October 21, 2014, modified in accordance with the conditions set forth in this Order and staff review and approval.

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 have been met. The issuance of this Order 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.

If the Full Building Permit for the project is not issued within eighteen (18) months of the meeting date at which the original Variance Approval was granted, the subject Approval will expire and become null and void, unless the applicant makes 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. At the hearing on any such application, the Board may deny or approve the request and modify the above conditions or impose additional conditions. 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), and not reinstated by the Building Official or designee, the Variance Approval will expire and become null and void.

Dated this 26th day of January, 2015.

BOARD OF ADJUSTMENT
CITY OF MIAMI BEACH, FLORIDA

BY: Michael Belush
Michael Belush, AICP
Planning and Zoning Manager
For the Chair

MB

STATE OF FLORIDA)
COUNTY OF MIAMI-DADE)

The foregoing instrument was acknowledged before me this 26th day of January, 2015, by Michael Belush, Planning and Zoning Manager of the City of Miami Beach, Florida, a Florida Municipal Corporation, on behalf of the corporation. He is personally known to me.

Teresa Maria

Notary:
Print Name: Teresa Maria
Notary Public, State of Florida
My Commission Expires:
Commission Number:

[NOTARIAL SEAL]



TERESA MARIA
MY COMMISSION # FF 042188
EXPIRES: December 2, 2017
Bonded Thru Budget Notary Services

Approved As To Form:
City Attorney's Office

[Signature] 1/23/2015

Filed with the Clerk of the Board of Adjustment on

1/29/15 *[Signature]*

MB

EXHIBIT "A"SAXONY HOTEL

A PARCEL OF LAND BEING A PORTION OF SECTION 26, TOWNSHIP 53 SOUTH, RANGE 42 EAST, LYING WITHIN THE CITY OF MIAMI BEACH, MIAMI-DADE COUNTY, FLORIDA. SAID PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHWEST CORNER OF LOT 8, BLOCK 17 OF THE AMENDED MAP OF THE OCEAN FRONT PROPERTY OF THE MIAMI BEACH IMPROVEMENT COMPANY'S SUBDIVISION, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 5, PAGES 7 AND 8, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

THENCE N 20°01'58" E, ALONG THE WEST LINE OF LOTS 8, 7, 6 AND 5 OF SAID BLOCK 17 AND THE EAST RIGHT OF WAY LINE OF STATE ROAD A1A (COLLINS AVENUE), A DISTANCE OF 199.97 FEET TO THE NORTHWEST CORNER OF SAID LOT 5, BLOCK 17;

THENCE S 69°51'51" E, ALONG THE SOUTHERLY RIGHT OF WAY LINE OF THE VACATED THIRTY-THIRD STREET, PER RESOLUTION VACATING THIRTY-THIRD STREET FROM COLLINS AVENUE TO THE ATLANTIC OCEAN, RECORDED IN OFFICIAL RECORDS BOOK 3560, PAGE 115, AND THE NORTH LINE OF SAID BLOCK 17, A DISTANCE OF 340.47 FEET TO THE NORTHEAST CORNER OF LOT 4, OF SAID BLOCK 17;

THENCE CONTINUE S 69°51'51" E, ALONG THE EASTERLY PROJECTION OF THE SAID SOUTHERLY RIGHT OF WAY LINE OF THIRTY-THIRD STREET, A DISTANCE OF 25.79 FEET TO A POINT ON THE EROSION CONTROL LINE, A STATE DEFINED LINE, RECORDED IN PLAT BOOK 105, PAGE 62, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA;

THENCE S 11°49'20" W, ALONG SAID EROSION CONTROL LINE, A DISTANCE OF 201.27 FEET TO A POINT ON THE EASTERLY PROJECTION OF THE SOUTH LINE OF SAID LOT 1, BLOCK 17;

THENCE N 69°58'58" W, ALONG SAID EASTERLY PROJECTION OF THE SOUTH LINE OF LOT 1, BLOCK 17, A DISTANCE OF 49.81 FEET TO THE SOUTHEAST CORNER OF LOT 1 OF SAID BLOCK 17;

THENCE CONTINUE N 69°58'58" W, ALONG THE SOUTH LINE OF LOTS 1 AND 8 OF SAID BLOCK 17, A DISTANCE OF 345.19 FEET TO THE POINT OF BEGINNING.

SAID LANDS SITUATE, LYING AND BEING WITHIN THE CITY OF MIAMI BEACH, MIAMI-DADE COUNTY, FLORIDA.

Faena House

A PARCEL OF LAND BEING A PORTION OF SECTION 26, TOWNSHIP 53 SOUTH, RANGE 42 EAST, LYING WITHIN THE CITY OF MIAMI BEACH, MIAMI-DADE COUNTY, FLORIDA. SAID PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHWEST CORNER OF LOT 5, BLOCK 19, OF THE AMENDED MAP OF THE OCEAN FRONT PROPERTY OF THE MIAMI BEACH IMPROVEMENT COMPANY'S SUBDIVISION, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 5, PAGES 7 AND 8, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

THENCE S 82°30'37" E, ALONG THE NORTH LINE OF LOT 5 AND 2 OF SAID BLOCK 19, A DISTANCE OF 343.29 FEET TO THE NORTHEAST CORNER OF SAID LOT 2, BLOCK 19;

THENCE CONTINUE S 82°30'37" E, ALONG THE EASTERLY PROJECTION OF THE NORTH LINE OF SAID LOT 2, BLOCK 19, A DISTANCE OF 28.41 FEET TO A POINT ON THE EROSION CONTROL LINE, A STATE DEFINED LINE RECORDED IN PLAT BOOK 105, PAGE 62, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, A DISTANCE OF 28.41 FEET TO A POINT ON THE EROSION CONTROL LINE, A STATE DEFINED LINE, RECORDED IN PLAT BOOK 105, PAGE 62, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

THENCE S 05°56'15" W, ALONG SAID EROSION CONTROL LINE, A DISTANCE OF 49.66 FEET;

THENCE S 11°49'20" W, ALONG SAID EROSION CONTROL LINE, A DISTANCE OF 175.72 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF THE VACATED THIRTY-THIRD STREET, PER RESOLUTION VACATING THIRTY-THIRD STREET FROM COLLINS AVENUE TO THE ATLANTIC OCEAN, RECORDED IN OFFICIAL RECORDS BOOK 3560, PAGE 115;

THENCE N 69°51'51" W, ALONG THE EASTERLY PROJECTION OF THE SAID SOUTHERLY RIGHT-OF-WAY LINE OF THIRTY-THIRD STREET, A DISTANCE OF 25.79 FEET TO THE NORTHEAST CORNER OF LOT 4, BLOCK 17 OF SAID AMENDED MAP OF THE OCEAN FRONT PROPERTY OF THE MIAMI BEACH IMPROVEMENT COMPANY'S SUBDIVISION;

THENCE CONTINUE N 69°51'51" W, ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE OF THE VACATED THIRTY-THIRD STREET AND THE NORTH LINE OF SAID BLOCK 17, A DISTANCE OF 340.47 FEET TO THE NORTHWEST CORNER OF LOT 5, OF SAID BLOCK 17;

THENCE N 04°51'34" E, ALONG THE EAST RIGHT-OF-WAY LINE OF STATE ROAD A1A (COLLINS AVENUE), A DISTANCE OF 50.30 FEET TO THE SOUTHWEST CORNER OF LOT 6, OF SAID BLOCK 19;

THENCE CONTINUE N 07°25'57" E, ALONG THE WEST LINE OF SAID LOTS 6 AND 5 OF SAID BLOCK 19 AND SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 94.44 FEET TO THE POINT OF BEGINNING;

SAID LANDS SITUATE, LYING AND BEING WITHIN THE CITY OF MIAMI BEACH, MIAMI-DADE COUNTY, FLORIDA.



CFN 2012R0068508
 DR Bk 27980 Pgs 2176 - 2184 (9pgs)
 RECORDED 01/31/2012 15:14:03
 HARVEY RUVIN, CLERK OF COURT
 MIAMI-DADE COUNTY, FLORIDA

**BEFORE THE
 BOARD OF ADJUSTMENT
 OF THE CITY OF MIAMI BEACH, FLORIDA**

IN RE: The application of
3201 HOTEL, LLC AND TOWER 3315, LLC
3201-3315 COLLINS AVENUE. MIAMI BEACH,
MIAMI-DADE COUNTY, FLORIDA
 (FOR LEGAL DESCRIPTION PLEASE SEE EXHIBIT A)

MEETING DATE: JANUARY 6, 2012
FILE NO. 3547

ORDER

The applicant, 3201 Hotel, LLC and Tower 3315, LLC, filed an application with the Planning Department for a modification to the approved site plans. The modification requires a new variance for the total height of the new construction and the modification of three (3) previously granted variances in order to permit the renovation of the existing Saxony Hotel and the construction of a new multifamily building, as follows:

1. A variance to waive ~~17'-11"~~ 22'-11" of the minimum required north side interior pedestal setback of 27' - 11", in order to place the pedestal at ~~40'-0"~~ 5'-0" from the north side property line.
2. A variance to waive ~~40'-4 1/2"~~ 45'-4 1/2" of the minimum required sum of the side yards at the pedestal level of 55' - 2" in order to provide a sum of the side yards of ~~14'-9 1/2"~~ 9'-9 1/2".
3. ~~A variance to waive all of the interior side pedestal setback in order to build new stairs from the existing nonconforming building line of 4'-9 1/2" to the south property line. A variance to waive 23'-1 1/2" of the required interior side pedestal setback of 27'-11" in order to build the pavilion, back of house rooms and garden terraces at 4'-9 1/2", following the existing south building line.~~
4. A variance to exceed by 3'-0" the maximum permitted height of 200'-0" as measured from grade in order to build the new residential tower at a height of 203'-0" from grade.

Notice of the request for variance was given as required by law and mailed to owners of property within a distance of 375 feet of the exterior limits of the property on which application was made.

THE BOARD FINDS that the property in question is located in the RM-3 Zoning District.

THE BOARD FURTHER FINDS, based upon evidence, testimony, information and documentation presented to the Board, and portions of the staff report and recommendations, as applicable, which are incorporated herein by this reference, that with regard to the requested variance when conditioned as provided for in this Order:

That 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;

That the special conditions and circumstances do not result from the action of the applicant;

That granting the variance requested will not confer on the applicant any special privilege that is denied by this Ordinance to other lands, buildings, or structures in the same zoning district;

That literal interpretation of the provisions of this Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this Ordinance and would work unnecessary and undue hardship on the applicant;

That the variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure;

That the granting of the variance will be in harmony with the general intent and purpose of this Ordinance and that such variance will not be injurious to the area involved or otherwise detrimental to the public welfare; and

That 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.

IT IS THEREFORE ORDERED, by the Board, that the variances be APPROVED as requested and set forth above; with the following conditions to which the applicant has agreed:

1. The applicant shall comply with all conditions imposed by the Historic Preservation File No. 5015.
2. Pursuant to the Escrow Agreement executed between the owner and the City, signed by both parties in March 2009, the owner has agreed to enter into a Streetscape Agreement for all public right-of-way improvements abutting the subject property, including 32nd Street between Collins Avenue and the Ocean, Collins Avenue, and 34th Street between Collins Avenue and the Ocean, inclusive of the City's public surface parking lot. The following conditions shall be required to be completed, as part of the Streetscape improvements, prior to the issuance of a Partial Certificate of Occupancy (P.C.O), Temporary Certificate of Occupancy (T.C.O.) or final Certificate of Occupancy (C.O.) for the new building.

- a. 32nd Street: Pursuant to Condition 3.a.below, all right-of-way improvements along 32nd Street shall be completed by the owner, prior to the issuance of a C.O for the existing building.
 - b. 34th Street: The owner will install drainage structures and hardscape improvements (including sidewalks, A.D.A. ramps, and vehicular approaches, as described in the City right-of-way plans adjacent to the east side of Collins Avenue at 34th Street), or will provide funding for such work, at the discretion of the City's Capital Improvement Projects Department.
 - c. 34th Street Surface Parking Lot: The owner will provide landscape and irrigation, or will provide funding for such improvements at the discretion of the City's Capital Improvement Projects Department for the 34th Street surface lot.
 - d. Public Beach Access at 34th Street: The owner will construct the paved public beach access, including all associated hardscape, landscape, and irrigation, from Collins Avenue to the Ocean. This shall also include all landscape, hardscape, and irrigation located between the east end of the 34th Street parking lot and the Ocean.
 - e. Pursuant to Condition 3.d.i below, the owner shall provide lighting in all landscape areas constructed or funded by the owner, in a manner to be reviewed and approved by staff.
3. A revised landscape plan, prepared by a Professional Landscape Architect, registered in the State of Florida, and corresponding site plan, shall be submitted. The species type, quantity, dimensions, spacing, location and overall height of all plant material shall be clearly delineated; at a minimum, such plan shall incorporate the following:
- a. The applicant shall provide a fully detailed streetscape plan for 32nd Street, subject to the review and approval of the CIP Department, which is consistent with the CIP Oceanfront Neighborhood Right-of-Way Project, and shall execute such plan at its sole expense prior to the issuance of a Final C.O. for the project; at a minimum, such plan shall include the following:
 - i. A streetscape plan shall include both sides of the street from Collins Avenue to the City of Miami Beach board walk.
 - ii. Street Trees shall be consistent with the approved streetscape plan.
 - iii. The existing Australian Pines at the end of 32nd Street shall be removed and replaced with plaza area and beach access

consistent with the 'City of Miami Beach Proposed Neighborhood Capital Improvements Program' developed for this street.

- b. The applicant shall provide a fully detailed streetscape plan for Collins Avenue and shall execute such plan at its sole expense prior to the issuance of a C.O. for the project; at a minimum, such plan shall include the following:
 - i. Coconut Palm is the designated street tree for Collins Avenue as per CMB Master Street Tree Plan and should be the dominant species on all the fronts facing this avenue (Coconut Palms 'Green Malayan' is the recommended cultivar and shall have a minimum 12' of wood with a straight and heavy trunk at time of installation).
 - ii. Street trees shall be spaced a minimum of 18' on center and planted on 5' x 5' planting cut out when placed on paved pedestrian areas. Tree grates may be utilized. An effort shall be made to provide a continuous palm canopy on both sides of Collins Avenue while providing ample pedestrian circulation.
- c. The applicant shall provide a fully detailed landscape plan for the entire City of Miami Beach Parking Lot at 34th Street, and for both sides of 34th Street from Collins Avenue to the City of Miami Beach board walk, subject to the and approval of the CIP Department. At the discretion of the CIP Department, the applicant shall execute such plan at its sole expense, or fund the plan by posting a performance bond, in a manner to be approved by the City Attorney, prior to the issuance of a Final C.O. for the project; at a minimum, such plan shall include the following:
 - i. The existing Sabal Palms fronting the parking lot shall be replaced with Coconut Palms ('Green Malayan' is the recommended cultivar and shall have a minimum 12' of wood with a straight and heavy trunk at time of installation).
 - ii. Ample landscape setback shall be provided between the existing City Parking lot and the proposed development in order to allow for the planting of a row of Coconut Palm trees in conjunction with a paved public beach access.
 - iii. Additional landscape may be required to be placed in the transition area between the parking and the existing public board walk.
- d. General:

- i. Landscape Up-lighting shall be provided in all landscape areas including planting islands on the street in a manner to be approved by staff.
- ii. Any existing overhead utility lines must be placed underground in a way that doesn't interfere with any planting area.
- iii. All landscape material shall be Florida number 1 or better.
- iv. An irrigation plan for the entire property shall be submitted for review as part of the landscape permit approval.
- v. No solid walls shall be permitted within the required rear yard setback; only open picket type fences shall be permitted.
- vi. No solid walls or structures other than landscape planters shall be permitted within the view corridor provided between the existing and proposed buildings.
- vii. The stone fountain feature fronting Collins Avenue shall be restored to its original condition, removing all paint.
- viii. Cabanas shall not be permitted to occupy greater than 50 percent of the linear frontage along the required rear yards facing 32nd Street and the city parking lot at the north of the site.
- ix. The location of all structures in the Ocean Front and Dune Preservation Overlay District shall fully meet the requirements of the Code.
- x. All exterior walkways and driveways shall consist of decorative pavers, set in sand or other equally semi-pervious material, subject to the review and approval of staff.
- xi. All landscape areas abutting driveways and parking areas shall be defined by decorative bollards.
- xii. The applicant shall verify, prior to the issuance of a Building Permit, the exact location of all post-indicator valves (PIV), fire department connections (FDC) and all other related devices and fixtures, which shall be clearly indicated on the site and landscape plans, and shall be subject to the review and approval of staff.
- xiii. The applicant shall verify, prior to the issuance of a Building Permit, the exact location of all applicable FPL transformers or vault rooms; such transformers and vault rooms, and all other related devices and fixtures, shall not be permitted within any

required yard or any area fronting a street or sidewalk. The location of any exterior transformers, 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.

- xiv. Prior to the issuance of a Certificate of Occupancy, the Landscape Architect for 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.
4. Substantial modifications to the plans submitted and approved as part of the application, as determined by the Planning Director or designee, may require the applicant to return to the Board for approval of the modified plans, even if the modifications do not affect variances approved by the Board.
 5. The applicant shall comply with all conditions imposed by the Public Works Department.
 6. The applicant shall obtain a full building permit within eighteen months (18) months from the date of this hearing. If the full building permit is not obtained within the specified time limits, the applicant shall, prior to expiration of such period, apply to the Board for an extension of time. At the hearing on such application, the Board may deny or approve the request and modify the above conditions or impose additional conditions. Failure to comply with this order shall subject the variance to Section 118-356, City Code, for revocation or modification of the variance.
 7. The conditions on this Order are binding on the applicant, the property's owners and all successors in interest and assigns.
 8. This 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.
 9. 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, except to the extent of the variance granted herein.
 10. This Order shall be recorded, at the expense of the applicant, in the Public Records of Miami-Dade County; the original or a certified copy shall be provided to the Planning Department prior to the issuance of a Building Permit.

PROVIDED, the applicant shall build substantially in accordance with the plans approved by the Board of Adjustment, as determined by staff, entitled "Saxony Miami Beach Hotel

and Residences ", as prepared by Foster + Partners, dated August 12, 2011, modified in accordance with the conditions set forth in this Order and staff review and approval.

The applicant shall have a full building permit for the work contemplated herein issued by the Building Department on or before July 6, 2013 (within eighteen months of the date of this hearing) as per the above conditions. If the full building permit is not obtained within the specified time limits, the applicant shall apply to the Board for an extension of time prior to expiration of such period; otherwise, this Order will expire, and become null and void, unless the issuance of such permit is stayed by an appeal of this Order to a court of competent jurisdiction.

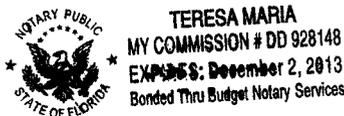
This Order does not constitute a building permit, but upon presentation of a recorded copy of this Order to the Planning Department, a permit shall be processed and approved (subject to compliance with the conditions hereof) in accordance with and pursuant to the ordinances of the City of Miami Beach.

Board of Adjustment of
The City of Miami Beach, Florida

By: 
Richard G. Lorber, AICP, LEED AP
Acting Planning Director
City of Miami Beach
1700 Convention Center Drive
Miami Beach, Florida 33139

STATE OF FLORIDA)
COUNTY OF MIAMI-DADE)

The foregoing instrument was acknowledged before me this 18th day of January, 2012, by Richard G. Lorber, Acting Planning Director 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: TERESA MARIA
Notary Public, State of Florida

[NOTARIAL SEAL]
My Commission Expires:

Approved As To Form:
Legal Department (gskld 1-13-2012)

Filed with the Clerk of the Board of Adjustment on 01/19/12 (AF)

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EXHIBIT "A"

LEGAL DESCRIPTION:

PARCELS A AND C ARE ALSO DESCRIBED AS:

PARCEL 1:

All of Block 17 of AMENDED MAP OF THE OCEAN FRONT PROPERTY OF THE MIAMI BEACH IMPROVEMENT COMPANY, according to the plat thereof as recorded in Plat Book 5, Pages 7 and 8, of the Public Records of Miami-Dade County, Florida and also all that part of a strip of land formerly a public alley, which lies between Lots 1, 2, 3 and 4, of said Block 17 on the East side thereof and Lots 5, 6, 7 and 8 on the West side thereof.

PARCEL 2:

Lots 1, 2, 5 and 6, in Block 19 of AMENDED MAP OF THE OCEAN FRONT PROPERTY OF THE MIAMI BEACH IMPROVEMENT COMPANY, according to the amended plat thereof, as recorded in Plat Book 5, Pages 7 and 8, of the Public Records of Miami-Dade County, Florida and also all of that part of a strip of land formerly a public alley, which lies between Lots 1 and 2 of said Block 19 on the East side thereof and Lots 5 and 6 on the West side thereof.

PARCEL 4:

A portion of Thirty-Third Street, per Resolution Vacating Thirty Third Street from Collins Avenue to the Atlantic Ocean, recorded in Official Records Book 3560, Page 115. Said portion of Thirty-Third Street being more particularly described as follows:

That portion of 33 Street lying adjacent and North of Lots 4 and 5, Block 17 and lying adjacent and South of Lots 1 and 6, Block 19 of AMENDED MAP OF THE OCEAN FRONT PROPERTY OF THE MIAMI BEACH IMPROVEMENT COMPANY, according to the amended Plat thereof recorded in Plat book 5, Pages 7 and 8, of the Public Records of Miami-Dade County, Florida and being bound on the East by a line extending Northeasterly from the Northeast corner of Lot 4, Block 17 to the Southeast corner of Lot 1, Block 19 and being bounded on the West by a line extending Northwesterly from the Northwest corner of Lot 5, Block 17, to the Southwesterly corner of Lot 6, Block 19 of amended map of the Ocean Front Property of the Miami Beach Improvement Company's Subdivision recorded in Plat Book 5, Pages 7 and 8, of the Public Records of Miami-Dade County, Florida.

PARCEL 5:

A parcel of land being a portion of Section 26, Township 53 South, Range 42 East, lying within the City of Miami Beach, Miami-Dade County, Florida. Said parcel of land being more particularly described as follows:

Begins at the Southeast corner of Lot 1, Block 17 of the amended map of AMENDED MAP OF THE OCEAN FRONT PROPERTY OF THE MIAMI BEACH IMPROVEMENT COMPANY according to the plat thereof as recorded in Plat Book 5, Pages 7 and 8, of the Public Records of Miami-Dade County, Florida.

Thence N 18 DEGREES 40' 34" E, along the East line of Lots 1, 2, 3 and 4 of said Block 17, a distance of 199.32 feet to the Northeast corner of said Lot 4, Block 17.

Thence N 10 degrees 19' 30" E, a distance of 49.72 feet to the Southeast corner of Lot 1, Block 19 of said amended map of the Ocean Front Property;

Thence continue N 10 degrees 19' 30" E, along the East line of said Lot 1, Block 19, a distance of 120.04 feet to the Northeast corner of said Lot 1, Block 19;

Thence N 07 degrees 49' 05" E, along the East line of Lot 2 of said Block 19, a distance of 49.67 feet to the northeast corner of said Lot 2, Block 19;

Thence S 82 degrees 30' 37" E, along the Easterly projection of the North line of said Lot 2, Block 19, a distance of 28.41 feet to a point on the Erosion Control Line, a state defined line, recorded in Plat Book 105, Page 62 of the Public Records of Miami-Dade County, Florida.

Thence S 05 degrees 56' 15" W, along said Erosion Control Line, a distance of 49.66 feet;

Thence S 11 degrees 49' 20" W, along said Erosion Control Line, a distance of 376.99 feet to a point on the Easterly Projection of the South line of said Lot 1, Block 17.

Thence N 89 degrees 58' 58" W, along said Easterly projection of the South line of Lot 1, Block 17 a distance of 49.81 feet to the Point of Beginning.

Said lands situate within the City of Miami Beach, Miami-Dade County, Florida.



CFN 2012R0779654
 OR Bk 28336 Pgs 4257 - 42657 (9pgs)
 RECORDED 10/31/2012 14:08:53
 HARVEY RUVIN, CLERK OF COURT
 MIAMI-DADE COUNTY, FLORIDA

HISTORIC PRESERVATION BOARD
 City of Miami Beach, Florida

MEETING DATE: October 9, 2012

FILE NO: 5015

PROPERTY: 3201-3315 Collins Avenue

CERTIFICATION

THIS IS TO CERTIFY THAT THE ATTACHED DOCUMENT
 IS A TRUE AND ACCURATE COPY OF THE ORIGINAL ON
 FILE IN THE OFFICE OF THE PLANNING DEPARTMENT.

[Signature] CITY OF MIAMI BEACH 10-23-2012
 (Signature of Planning Director or Designee) (Date)

Personally known to me or Produced ID: *[Signature]*

Notary Public, State of Florida at Large
 Printed Name: *Teresa Maria*
 My Commission Expires: (Seal) 12-2-13

This document contains 9 pages.



LEGAL: All of Block 17 of Ocean Front Property on the Miami Beach Improvement Company's Subdivision according to the plat recorded in plat book 5, pages 7 & 8 of the Official Records of Miami-Dade County, and also all of that part of a strip of land formerly a public alley, which lies between lots 1, 2, 3, & 4 of Block 17 on the east side thereof and lots 5, 6, 7, & 8 on the west side thereof, together with all of lots 1, 2, 5, and 6 in block 19 of Ocean Front Property on the Miami Beach Improvement Company's Subdivision according to the plat recorded in plat book 5, pages 7 & 8 of the Official Records of Miami-Dade County.

IN RE: The Application for a Certificate of Appropriateness for the substantial rehabilitation, renovation, restoration and partial demolition of the existing Saxony Hotel, along with the construction of a new nineteen (19) story multifamily building. Specifically, the applicant is requesting modifications to the previously approved renovation of the Saxony Hotel, including the construction of a new 3-story building, modifications to the landscape plan and site plan including the construction of a new pergola structure, and modifications to existing window openings along the south elevation and design modifications to the previously approved east elevation.

ORDER

The applicant, 3201 Hotel LLC., filed an application with the City of Miami Beach Planning Department for a Certificate of Appropriateness.

[Handwritten initials]

The City of Miami Beach Historic Preservation 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:

- A. The subject structure is classified as 'Contributing' in the Miami Beach Historic Properties Database and is located within the Collins Waterfront Historic District.
- 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 consistent with the Certificate of Appropriateness Criteria in Section 118-564(a)(1) of the Miami Beach Code, is not consistent with Certificate of Appropriateness Criteria 'c' in Section 118-564(a)(2) of the Miami Beach Code, is consistent with Certificate of Appropriateness Criteria in Section 118-564(a)(3) of the Miami Beach Code, and is consistent with Certificate of Appropriateness for Demolition Criteria in Section 118-564(f)(4) of the Miami Beach Code.
- C. The project would be consistent with the criteria and requirements of section 118-564 if the following conditions are met:
 1. Revised elevation, site plan and floor plan drawings shall be submitted to and approved by staff; at a minimum, such drawings shall incorporate the following:
 - a. The roofing material for the proposed domed Pavilion structure located at the south side of the property shall consist of a high quality exterior material of excellent aesthetic appearance and long term resistance to adverse weathering, subject to the review and approval by staff.
 - b. The final design and details of the exterior and interior surface materials shall submitted, subject to the review and approval by staff.
 - c. The original Crab Orchard Stone wall adjacent to the Saxony curved drive and covered walkway shall be retained and restored; the north ten (10') feet may be removed or relocated, in a manner to be approved by staff. New Crab Orchard stone shall not be permitted on the primary entrance of the east elevation in areas where it did not exist historically.
 - d. The two story addition to the southwest corner of the Saxony shall be restored, including its recessed entrance area.
 - e. The two vertical blue-green tile feature panels on the west façade at the Saxony shall be restored or replicated, in a manner to be approved by staff. Damaged portions of the panels may be replicated.
 - f. 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. The applicant has voluntarily offered, proffered and agreed to construct a grade level public beach walk along the rear of the subject site as part of an easement agreement with the City.
3. Pursuant to the Escrow Agreement executed between the owner and the City, signed by both parties in March 2009, the owner has agreed to enter into a Streetscape Agreement for all public right-of-way improvements abutting the subject property, including 32nd Street between Collins Avenue and the Ocean, Collins Avenue, and 34th Street between Collins Avenue and the Ocean, inclusive of the City's public surface parking lot. The following conditions shall be required to be completed, as part of the Streetscape improvements, prior to the issuance of a Partial Certificate of Occupancy (P.C.O), Temporary Certificate of Occupancy (T.C.O.) or final Certificate of Occupancy (C.O.) for the new building.
 - a. 32nd Street: Pursuant to Condition 3.a.below, all right-of-way improvements along 32nd Street shall be completed by the owner, prior to the issuance of a C.O for the existing building.
 - b. 34th Street: The owner shall install drainage structures and hardscape improvements (including sidewalks, A.D.A. ramps, and vehicular approaches, as described in the City right-of-way plans adjacent to the east side of Collins Avenue at 34th Street), or will provide funding for such work, at the discretion of the City's Capital Improvement Projects Department.
 - c. 34th Street Surface Parking Lot: The owner shall provide landscape and irrigation, or will provide funding for such improvements at the discretion of the City's Capital Improvement Projects Department for the 34th Street surface lot.
 - d. Public Beach Access at 34th Street: The owner shall construct the paved public beach access, including all associated hardscape, landscape, and irrigation, from Collins Avenue to the Ocean. This shall also include all landscape, hardscape, and irrigation located between the east end of the 34th Street parking lot and the Ocean.
 - e. Pursuant to Condition 3.d.i below, the owner shall provide lighting in all landscape areas constructed or funded by the owner, in a manner to be reviewed and approved by staff.
4. A revised landscape plan, prepared by a Professional Landscape Architect, registered in the State of Florida, and corresponding site plan, shall be submitted. The species type, quantity, dimensions, spacing, location and overall height of all plant material shall be clearly delineated; at a minimum, such plan shall incorporate the following:

- a. The applicant shall provide a fully detailed streetscape plan for 32nd Street, subject to the review and approval of the CIP Department, which is consistent with the CIP Oceanfront Neighborhood Right-of-Way Project, and shall execute such plan at its sole expense prior to the issuance of a Final C.O. for the project; at a minimum, such plan shall include the following:
 - i. A streetscape plan shall include both sides of the street from Collins Avenue to the City of Miami Beach board walk.
 - ii. Street Trees shall be consistent with the approved streetscape plan.
 - iii. The existing Australian Pines at the end of 32nd Street shall be removed and replaced with plaza area and beach access consistent with the 'City of Miami Beach Proposed Neighborhood Capital Improvements Program' developed for this street.

- b. General:
 - i. Landscape Up-lighting shall be provided in all landscape areas including planting islands on the street in a manner to be approved by staff.
 - ii. Any existing overhead utility lines must be placed underground in a way that doesn't interfere with any planting area.
 - iii. All landscape material shall be Florida number 1 or better.
 - iv. An irrigation plan for the entire property shall be submitted for review as part of the landscape permit approval.
 - v. No solid walls shall be permitted within the required rear yard setback; only open picket type fences shall be permitted.
 - vi. No solid walls or structures other than landscape planters shall be permitted within the view corridor provided between the existing and proposed buildings.
 - vii. The stone fountain feature fronting Collins Avenue shall be restored to its original condition, removing all paint.
 - viii. Cabanas shall not be permitted to occupy greater than 50 percent of the linear frontage along the required rear yards facing 32nd Street and the city parking lot at the north of the site.
 - ix. The location of all structures in the Ocean Front and Dune Preservation Overlay District shall fully meet the requirements of the Code.

- x. All exterior walkways and driveways shall consist of decorative pavers, set in sand or other equally semi-pervious material, subject to the review and approval of staff.
 - xi. All landscape areas abutting driveways and parking areas shall be defined by decorative bollards.
 - xii. The applicant shall verify, prior to the issuance of a Building Permit, the exact location of all post-indicator valves (PIV), fire department connections (FDC) and all other related devices and fixtures, which shall be clearly indicated on the site and landscape plans, and shall be subject to the review and approval of staff.
 - xiii. The applicant shall verify, prior to the issuance of a Building Permit, the exact location of all applicable FPL transformers or vault rooms; such transformers and vault rooms, and all other related devices and fixtures, shall not be permitted within any required yard or any area fronting a street or sidewalk. The location of any exterior transformers, 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.
 - xiv. Prior to the issuance of a Certificate of Occupancy, the Landscape Architect for 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.
5. All building signage shall be consistent in type, composed of flush mounted, non-plastic, non-illuminated, individual letters and shall require a separate permit.
 6. The final exterior surface color scheme, including color samples, shall be subject to the review and approval of staff and shall require a separate permit.
 7. A traffic mitigation plan, which addresses all roadway Level of Service (LOS) deficiencies relative to the concurrency requirements of the City Code, if required, shall be submitted prior to the issuance of a Building Permit and the final building plans shall meet all other requirements of the Land Development Regulations of the City Code.
 8. Manufacturers drawings and Dade County product approval numbers for all new windows, doors and glass shall be required, prior to the issuance of a building permit.
 9. All roof-top fixtures, air-conditioning units and mechanical devices shall be clearly noted on a revised roof plan and shall be screened from view, in a manner to be approved by staff.

10. Revised drawings, with corresponding color photographs that are separate from the construction documents, drawn to scale and clearly documenting the existing conditions of the subject building, shall be submitted. Such drawings and photographs shall include all four elevations and interior floor plans of the building, as well as a site plan.
11. An historic analysis of the existing structure, inclusive of a photographic and written description of the history and evolution of the original building on site, shall be submitted to and approved by staff, prior to the issuance of a Final C.O.; such historic analysis shall be displayed prominently within the public area of the structure, in a location to be determined by staff.
12. All new and altered elements, spaces and areas shall meet the requirements of the Florida Accessibility Code (FAC).
13. The project shall comply with any landscaping or other sidewalk/street improvement standards as may be prescribed by a relevant Urban Design Master Plan approved prior to the completion of the project and the issuance of a Certificate of Occupancy.
14. The applicant may be required to submit a separate analysis for water and sewer requirements, at the discretion of the Public Works Director, or designee. Based on a preliminary review of the proposed project, the following may be required by the Public Works Department:
 - a. A traffic and neighborhood impact study shall be conducted as a means to measure a proposed development's impact on transportation and neighborhoods. The study shall address all roadway Level of Service (LOS) deficiencies relative to the concurrency requirements of the City Code, and if required, shall be submitted prior to the issuance of a Building Permit. The final building plans shall meet all other requirements of the Land Development Regulations of the City Code. The developer shall refer to the most recent City of Miami Beach's Traffic and Neighborhood Impact Methodology as issued by the Public Works Department.
 - b. Remove/replace sidewalks, curbs and gutters on all street frontages, if applicable. Unless otherwise specified, the standard color for city sidewalks is red, and the standard curb and gutter color is gray.
 - c. Mill/resurface asphalt in rear alley along property, if applicable.
 - d. Provide underground utility service connections and on-site transformer location, if necessary.
 - e. Provide back-flow prevention devices on all water services.
 - f. Provide on-site, self-contained storm water drainage for the proposed development.

- g. Meet water/sewer concurrency requirements including a hydraulic water model analysis and gravity sewer system capacity analysis as determined by the Department and the required upgrades to water and sewer mains servicing this project.
 - h. Payment of City utility impact fees for water meters/services.
 - i. Provide flood barrier ramps to underground parking or minimum slab elevation to be at highest adjacent crown road elevation plus 8".
 - j. Right-of-way permit must be obtained from Public Works.
 - k. All right-of-way encroachments must be removed.
 - l. All planting/landscaping in the public right-of-way must be approved by the Public Works and Parks Departments.
15. A drawn plan and written procedure for the proposed demolition shall be prepared and submitted by a Professional Structural Engineer, registered in the State of Florida, which fully ensures the protection of the public safety, as well as the protection of the existing structure on the subject site and all existing structures adjacent to the subject site during the course of demolition.
16. The Certificate of Appropriateness for Demolition shall only remain in effect for the period of time that there is an active Certificate of Appropriateness for the associated new construction on the subject property.
17. At the time of completion of the project, only a **Final** Certificate of Occupancy (CO) or **Final** Certificate of Completion (CC) may be applied for; the staging and scheduling of the construction on site shall take this into account. All work on site must be completed in accordance with the plans approved herein, as well as any modifications approved or required by the Building, Fire, Planning, CIP and Public Works Departments, inclusive of all conditions imposed herein, and by other Development Review Boards, and any modifications required pursuant to field inspections, prior to the issuance of a CO or CC. This shall not prohibit the issuance of a Partial or Temporary CO, or a Partial or Temporary CC.
18. The Final Order shall be recorded in the Public Records of Miami-Dade County, prior to the issuance of a Building Permit.
19. 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.

20. The conditions of approval herein are binding on the applicant, the property's owners, operators, and all successors in interest and assigns.
21. 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 by the Board, that the Certificate of Appropriateness is GRANTED for the above-referenced project subject to those certain conditions specified in paragraph C of the Findings of Fact (Condition Nos. 1-21, inclusive) hereof, to which the applicant has agreed.

PROVIDED, the applicant shall build substantially in accordance with the plans approved by the Historic Preservation Board, as determined by staff, "The Saxony", as prepared by Roman and Williams Buildings and Interiors, dated 9-24-12.

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. 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, have been met.

The issuance of a Certificate of Appropriateness 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.

If the Full Building Permit for the project is not issued within eighteen (18) months of the meeting date at which the original Certificate of Appropriateness was granted, the Certificate of Appropriateness will expire and become null and void. If the Full Building Permit for the project 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 Certificate of Appropriateness will expire and become null and void.

In accordance with Section 118-561 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 Certificate of Appropriateness to Section 118-564, City Code, for revocation or modification of the Certificate of Appropriateness.

Page 9 of 9
HPB File No. 5015
Meeting Date: October 9, 2012

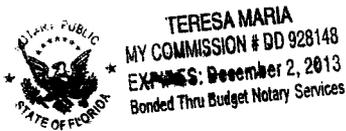
Dated this 19th day of OCTOBER, 2012.

HISTORIC PRESERVATION BOARD
THE CITY OF MIAMI BEACH, FLORIDA

BY: [Signature]
THOMAS R. MOONEY, AICP
DESIGN AND PRESERVATION MANAGER
FOR THE CHAIR

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

The foregoing instrument was acknowledged before me this 19th day of October 2012 by Thomas R. Mooney, Design and Preservation Manager, Planning Department, City of Miami Beach, Florida, a Florida Municipal Corporation, on behalf of the corporation. He is personally known to me.



[Signature]
NOTARY PUBLIC
Miami-Dade County, Florida
My commission expires: 12-2-13

Approved As To Form: _____
Legal Department: [Signature] (10-19-12)

Filed with the Clerk of the Historic Preservation Board on _____ ())

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[Signature]