

MIAMI BEACH

PLANNING DEPARTMENT

Staff Report & Recommendation

Historic Preservation Board

TO: Chairperson and Members
Historic Preservation Board

DATE: December 18, 2017

FROM: Thomas R. Mooney, AICP
Planning Director



SUBJECT: HPB17-0159, **601-685 Washington Avenue.**

The applicant, Washington Squared Owner, LLC, c/o Andrew Joblon, is requesting modifications of the previously issued Certificate of Appropriateness for the substantial demolition and restoration of five existing structures, the total demolition of three existing structures and the construction of a new 7-story ground level addition, including a variances for the triple stacking of vehicles, to reduce the minimum required rear setback, and to reduce the minimum number of required off-street loading spaces. Specifically, the applicant is requesting approval for facade modifications and a variance to reduce the required street setback for residential uses.

STAFF RECOMMENDATION

Approval of Certificate of Appropriateness with conditions
Approval of the variance with conditions

BACKGROUND

On May 10, 2016, the Board reviewed and approved a Certificate of Appropriateness for the substantial demolition and restoration of five structures, the total demolition of three structures and the construction of a new 7-story ground level addition, including variances for the triple stacking of vehicles and to reduce the minimum required rear setback.

On July 26, 2016, the Planning Board reviewed and approved a Conditional Use Permit for the construction of a new 7-story hotel development exceeding 50,000 square feet including a parking garage and a Neighborhood Impact Establishment with outdoor entertainment, pursuant to Section 118, Article IV, Section 142, Article II, and Section 142, Article V of the City Code (PB File No. 2320).

EXISTING STRUCTURES

Local Historic District: Flamingo Park

601-615 Washington Avenue

Original Construction Date: 1934
Original Architect: E.L. Robertson
Status: Contributing

617-619 & 621 Washington Avenue

Original Construction Date: 1939

Original Architect: J. Monfils (owner)
Status: Non-Contributing

623-625 Washington Avenue

Original Construction Date: 1926
Original Architect: John A. Bradley
Status: Contributing

633-637 Washington Avenue

Original Construction Date: 1930
Original Architect: Alexander Lewis
Status: Contributing

641-647 Washington Avenue

Original Construction Date: 1925
Original Architect: J. C. Devine (owner)
Status: Contributing

657-665 Washington Avenue

Original Construction Date: 1932
Original Architect: E.L. Robertson
Status: Contributing

669-675 Washington Avenue

Original Construction Date: 1933
Original Architect: E.L. Robertson
Status: Contributing

679-685 Washington Avenue

Original Construction Date: 1934
Original Architect: E.L. Robertson
Status: Contributing

See the historic resources report for additional information.

ZONING / SITE DATA

Legal Description: Lots 11, 12, 13, 14, 15, 16, 17, 18, 19 20 and 21 of Block 34, Of Ocean Beach, Fla. Addition No 1, According to the Plat Thereof, as Recorded in Plat Book 3, Page 11, of the Public Records of Miami-Dade County, Florida.

Zoning: CD-2, Commercial, medium intensity
Future Land Use Designation: CD-2, Commercial, medium intensity
Lot Size: 69,437 S.F. (Max FAR 2.0)
Existing FAR: not provided
Proposed FAR: 138,796.42 S.F. / 1.99 FAR, as represented by the architect
Existing Height: 1 and 2-stories / maximum of ~30'-0"
Proposed Height: 7-stories / 75'-0"
Existing Use/Condition: Commercial (retail, restaurant & nightclub)

Proposed Use: 312 room hotel & 46,849.29 sq. ft. of retail

THE PROJECT

The applicant has submitted plans entitled “Historic Preservation Board Modification: Final Submittal” as prepared by Morris Adjmi Architects, dated October 23, 2017.

The applicant is requesting modifications to a previously approved Certificate of Appropriateness, including a variance to reduce the required side yard facing a street setback and modifications of the façade design of the new addition.

The applicant is requesting the following variance(s):

1. A variance to reduce by 3'-10" the minimum required side yard facing a street setback of 20'-0" for the construction of a new building at 16'-2" from the south side property line facing 6th Street.

- Variance requested from:

Sec. 142-309. Washington Avenue development regulations and area requirements.

The following regulations shall apply to properties that front Washington Avenue between 6th Street and 16th Street; where there is conflict within this division, the criteria below shall apply:

- (3) For lots that have a frontage that is equal to or less than 100 feet, the setbacks shall be pursuant to section 142-307. For lots that have a frontage that is greater than 100 feet, the setbacks shall be as follows:*

c. Side, facing a street:

iii. Residential uses: Sum of the side setbacks shall equal 16 percent of lot width or a minimum of 7½ feet and up to 20 feet.

The applicant is proposing the reduction of the required street side setback for residential uses from 20'-0" to 16'-2". As the project was under process for a building permit an error in the survey was detected that resulted in a reduction of 5'-0" of the lot width of the site. As the property has an irregular shape, the correction of the lot dimensions resulted in the encroachment of the proposed building on the required street side yard. Only a triangular portion of the building is part of the variance and not the entire side of the building. Staff finds that the shape of the lot is a practical difficulty that justifies the variance requested. The granting of this variance would not have an adverse impact in the surrounding historic district. Therefore, staff recommends approval of the variance.

PRACTICAL DIFFICULTY AND HARDSHIP CRITERIA

The applicants have submitted plans and documents with the application that staff has concluded (as noted) satisfy Article 1, Section 2 of the Related Special Acts, allowing the granting of a variance if the Board finds that practical difficulties exist with respect to implementing the proposed project at the subject property.

Additionally, staff has concluded that the plans and documents submitted with the application satisfy compliance with the following hardship criteria, as they relate to the requirements of Section 118-353(d), Miami Beach City Code:

- 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;
Satisfied
- That the special conditions and circumstances do not result from the action of the applicant;
Satisfied
- 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;
Satisfied
- 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;
Satisfied
- That the variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure;
Satisfied
- 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
Satisfied
- 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.
Satisfied

COMPLIANCE WITH ZONING CODE

A preliminary review of the project indicates that the application, as proposed, appears to be consistent with the applicable sections of the City Code, with the exception of the variances requested.

The above noted comments shall not be considered final zoning review or approval. These and all zoning matters shall require final review and verification by the Zoning Administrator prior to the issuance of a Building Permit.

CONSISTENCY WITH 2025 COMPREHENSIVE PLAN

A preliminary review of the project indicates that the proposed **hotel** and **retail uses** appear to be **consistent** with the Future Land Use Map of the Comprehensive Plan.

COMPLIANCE WITH CERTIFICATE OF APPROPRIATENESS CRITERIA

A decision on an application for a Certificate of Appropriateness shall be based upon the following:

- I. Evaluation of the compatibility of the physical alteration or improvement with surrounding properties and where applicable, compliance with the following criteria pursuant to Section 118-564(a)(1) of the Miami Beach Code (it is recommended that the listed criteria be found Satisfied, Not Satisfied or Not Applicable, as so noted):
 - a. The Secretary of Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings as revised from time to time.
Satisfied
 - b. Other guidelines/policies/plans adopted or approved by Resolution or Ordinance by the City Commission.
Satisfied
- II. In determining whether a particular application is compatible with surrounding properties, the Board shall consider the following criteria pursuant to Section 118-564(a)(2) of the Miami Beach Code (it is recommended that the listed criteria be found Satisfied, Not Satisfied or Not Applicable, as so noted):
 - a. Exterior architectural features.
Satisfied
 - b. General design, scale, massing and arrangement.
Satisfied
 - c. Texture and material and color.
Satisfied
 - d. The relationship of a, b, c, above, to other structures and features of the district.
Satisfied
 - e. The purpose for which the district was created.
Satisfied
 - f. The relationship of the size, design and siting of any new or reconstructed structure to the landscape of the district.
Satisfied
 - g. An historic resources report, containing all available data and historic documentation regarding the building, site or feature.
Satisfied
 - h. The original architectural design or any subsequent modifications that have acquired significance.
Satisfied
- III. The examination of architectural drawings for consistency with the criteria pursuant to Section 118-564(a)(3) of the Miami Beach Code and stated below, with regard to the aesthetics, appearances, safety, and function of any new or existing structure, public interior space and physical attributes of the project in relation to the site, adjacent structures and properties, and surrounding community. The criteria referenced above

are as follows (it is recommended that the listed criteria be found Satisfied, Not Satisfied or Not Applicable, as so noted):

- a. The location of all existing and proposed buildings, drives, parking spaces, walkways, means of ingress and egress, drainage facilities, utility services, landscaping structures, signs, and lighting and screening devices.
Satisfied
- b. The dimensions of all buildings, structures, setbacks, parking spaces, floor area ratio, height, lot coverage and any other information that may be reasonably necessary to determine compliance with the requirements of the underlying zoning district, and any applicable overlays, for a particular application or project.
Satisfied
- c. The color, design, surface finishes and selection of landscape materials and architectural elements of the exterior of all buildings and structures and primary public interior areas for developments requiring a building permit in areas of the city identified in section 118-503.
Satisfied
- d. The proposed structure, and/or additions to an existing structure is appropriate to and compatible with the environment and adjacent structures, and enhances the appearance of the surrounding properties, or the purposes for which the district was created.
Satisfied
- e. The design and layout of the proposed site plan, as well as all new and existing buildings and public interior spaces shall be reviewed so as to provide an efficient arrangement of land uses. Particular attention shall be given to safety, crime prevention and fire protection, relationship to the surrounding neighborhood, impact on preserving historic character of the neighborhood and district, contiguous and adjacent buildings and lands, pedestrian sight lines and view corridors.
Satisfied
- f. Pedestrian and vehicular traffic movement within and adjacent to the site shall be reviewed to ensure that clearly defined, segregated pedestrian access to the site and all buildings is provided for and that any driveways and parking spaces are usable, safely and conveniently arranged and have a minimal impact on pedestrian circulation throughout the site. Access to the site from adjacent roads shall be designed so as to interfere as little as possible with vehicular traffic flow on these roads and pedestrian movement onto and within the site, as well as permit both pedestrians and vehicles a safe ingress and egress to the site.
Satisfied
- g. Lighting shall be reviewed to ensure safe movement of persons and vehicles and reflection on public property for security purposes and to minimize glare and reflection on adjacent properties and consistent with a City master plan, where applicable.
Satisfied

- h. Landscape and paving materials shall be reviewed to ensure an adequate relationship with and enhancement of the overall site plan design.
Satisfied
- i. Buffering materials shall be reviewed to ensure that headlights of vehicles, noise, and light from Structures are adequately shielded from public view, adjacent properties and pedestrian areas.
Satisfied
- j. Any proposed new structure shall have an orientation and massing which is sensitive to and compatible with the building site and surrounding area and which creates or maintains important view corridor(s).
Satisfied
- k. All buildings shall have, to the greatest extent possible, space in that part of the ground floor fronting a sidewalk, street or streets which is to be occupied for residential or commercial uses; likewise, the upper floors of the pedestal portion of the proposed building fronting a sidewalk street, or streets shall have residential or commercial spaces, or shall have the appearance of being a residential or commercial space or shall have an architectural treatment which shall buffer the appearance of a parking structure from the surrounding area and is integrated with the overall appearance of the project.
Satisfied
- l. All buildings shall have an appropriate and fully integrated rooftop architectural treatment which substantially screens all mechanical equipment, stairs and elevator towers.
Satisfied
- m. Any addition on a building site shall be designed, sited and massed in a manner which is sensitive to and compatible with the existing improvement(s).
Satisfied
- n. All portions of a project fronting a street or sidewalk shall incorporate an amount of transparency at the first level necessary to achieve pedestrian compatibility.
Satisfied
- o. The location, design, screening and buffering of all required service bays, delivery bays, trash and refuse receptacles, as well as trash rooms shall be arranged so as to have a minimal impact on adjacent properties.
Satisfied

CERTIFICATE OF APPROPRIATENESS FOR DEMOLITION EVALUATION CRITERIA

Section 118-564 (f)(4) of the Land Development Regulations of the Miami Beach Code provides criteria by which the Historic Preservation Board evaluates requests for a Certificate of Appropriateness for Demolition. The following is an analysis of the request based upon these criteria:

- a. The Building, Structure, Improvement, or Site is designated on either a national or state level as a part of an Historic Preservation District or as a Historic Architectural Landmark or Site, or is designated pursuant to Division 4, Article X, Chapter 118 of the Miami Beach Code as a Historic Building, Historic Structure or Historic Site, Historic Improvement, Historic Landscape Feature, historic interior or the Structure is of such historic/architectural interest or quality that it would reasonably meet national, state or local criteria for such designation.

Satisfied

The existing structures are designated as part of the Flamingo Park Local Historic District.

- b. The Building, Structure, Improvement, or Site is of such design, craftsmanship, or material that it could be reproduced only with great difficulty and/or expense.

Satisfied

Five of the eight structures on the site possess surviving original detailing, craftsmanship and materials that would be difficult and costly to reproduce today, and hence should be preserved.

- c. The Building, Structure, Improvement, or Site is one of the last remaining examples of its kind in the neighborhood, the country, or the region, or is a distinctive example of an architectural or design style which contributes to the character of the district.

Satisfied

Five of the eight structures on the site possess surviving original detailing, craftsmanship and materials that would be difficult and costly to reproduce today, and hence should be preserved; each of these structures make a significant contribution to the special design character of the Flamingo Park Local Historic District as well as the National Register District.

- d. The building, structure, improvement, or site is a contributing building, structure, improvement, site or landscape feature rather than a noncontributing building, structure, improvement, site or landscape feature in a historic district as defined in section 114-1, or is an architecturally significant feature of a public area of the interior of a historic or contributing building.

Satisfied

Seven of the eight structures are listed as 'Contributing' buildings within the Flamingo Park Local Historic District.

- e. Retention of the Building, Structure, Improvement, Landscape Feature or Site promotes the general welfare of the City by providing an opportunity for study of local history, architecture, and design or by developing an understanding of the importance and value of a particular culture and heritage.

Satisfied

Retention of the five original structures will promote and benefit the general welfare of the City by providing an opportunity to experience.

- f. If the proposed demolition is for the purpose of constructing a parking garage, the Board shall consider it if the parking garage is designed in a manner that is consistent with the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings, U.S. Department of the Interior (1983), as amended, and/or the design review guidelines for that particular district.

Not Applicable

The demolition proposed in the subject application is not for the purpose of constructing a parking garage.

- g. In the event an applicant or property owner proposes the total demolition of a contributing structure, historic structure or architecturally significant feature, there shall be definite plans presented to the board for the reuse of the property if the proposed demolition is approved and carried out.

Satisfied

The applicant has presented plans for renovation and restoration of the property.

- h. The Dade County Unsafe Structures Board has ordered the demolition of a Structure without option.

Not Applicable

The Miami-Dade County Unsafe Structures Board has not ordered the demolition of any of the subject structures.

COMPLIANCE WITH SEA LEVEL RISE AND RESILIENCY REVIEW CRITERIA

Section 133-50(a) of the Land Development establishes review criteria for sea level rise and resiliency that must be considered as part of the review process for board orders. The following is an analysis of the request based upon these criteria:

- (1) A recycling or salvage plan for partial or total demolition shall be provided.

Not Applicable

- (2) Windows that are proposed to be replaced shall be hurricane proof impact windows.

Not Applicable

- (3) Where feasible and appropriate, passive cooling systems, such as operable windows, shall be provided.

Not Applicable

- (4) Whether resilient landscaping (salt tolerant, highly water-absorbent, native or Florida friendly plants) will be provided.

Not Applicable

- (5) Whether adopted sea level rise projections in the Southeast Florida Regional Climate Action Plan, as may be revised from time-to-time by the Southeast Florida Regional Climate Change Compact, including a study of land elevation and elevation of surrounding properties were considered.

Not Applicable

- (6) The ground floor, driveways, and garage ramping for new construction shall be adaptable to the raising of public rights-of-ways and adjacent land.

Not Applicable

- (7) Where feasible and appropriate, all critical mechanical and electrical systems shall be located above base flood elevation.

Not Applicable

- (8) Existing buildings shall be, where reasonably feasible and appropriate, elevated to the base flood elevation.

Not Applicable

- (9) When habitable space is located below the base flood elevation plus City of Miami Beach Freeboard, wet or dry flood proofing systems will be provided in accordance with Chapter of 54 of the City Code.

Not Applicable

- (10) Where feasible and appropriate, water retention systems shall be provided.

Not Applicable

ANALYSIS

The subject site is comprised of ten lots that constitute an entire city block on the eastern side of Washington Avenue between 6th and 7th Streets. This block contains a total of eight structures, seven of which are listed as 'Contributing' within the Miami Beach Historic Properties Database.

On May 10, 2016, the Board reviewed and approved a Certificate of Appropriateness for the redevelopment of this block including the partial demolition and restoration of five structures, the total demolition of three structures and the construction of a new 7-story ground level addition.

The design modification requested is limited to the east and west elevations of the new 7-story addition. Specifically, the applicant is requesting approval for a change in material and finish of the center portion of the tower. Staff has no objection to the proposed modification, which will create greater differentiation within the façades.

VARIANCE ANALYSIS

The Board previously approved two variances for the project including the allowance of triple stacking of vehicles for tandem parking and a variance from the required rear setback. The project also obtained a Conditional Use Permit from the Planning Board (File PB0616-0031). The applicant found that the survey presented as part of the previous application contained an error regarding the lot dimensions. Due to the irregular lot configuration, a small corner of the proposed building does not comply with the required setback and a variance is now requested. As noted in the project section of this report, due to the lot configuration and minor area affected by the variance, staff recommends that the Board approve the variance as proposed.

RECOMMENDATION

In view of the foregoing analysis, staff recommends the application be **approved** as to the Certificate of Appropriateness and variance request, subject to the conditions enumerated in the attached draft Order, which address the inconsistencies with the aforementioned Certificate of Appropriateness criteria and Practical Difficulty and Hardship criteria, as applicable.

HISTORIC PRESERVATION BOARD
City of Miami Beach, Florida

MEETING DATE: December 18, 2017

FILE NO: HPB17-0159

PROPERTY: 601-685 Washington Avenue

APPLICANT: Washington Squared Owner, LLC, c/o Andrew Joblon

LEGAL: Lots 11, 12, 13, 14, 15, 16, 17, 18, 19 20 and 21 of Block 34, Of Ocean Beach, Fla. Addition No 1, According to the Plat Thereof, as Recorded in Plat Book 3, Page 11, of the Public Records of Miami-Dade County, Florida.

IN RE: The application for modifications to a previously issued Certificate of Appropriateness for the substantial demolition and restoration of five existing structures, the total demolition of three existing structures and the construction of a new 7-story ground level addition, including a variances for the triple stacking of vehicles, to reduce the minimum required rear setback, and to reduce the minimum number of required off-street loading spaces. Specifically, the applicant is requesting approval for facade modifications and a variance to reduce the required street setback for residential uses.

SUPPLEMENTAL ORDER

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:

I. Certificate of Appropriateness

- A. The subject site is located within the Flamingo Park Local 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:
 - 1. Is consistent with the Certificate of Appropriateness Criteria in Section 118-564(a)(1) of the Miami Beach Code.
 - 2. Is consistent with Certificate of Appropriateness Criteria in Section 118-564(a)(2) of the Miami Beach Code.
 - 3. Is consistent with Certificate of Appropriateness Criteria in Section 118-564(a)(3) of the Miami Beach Code.

4. Is consistent with Sea Level Rise and Resiliency Review Criteria in Section 133-50(a) of the Miami Beach Code.
 5. Is consistent with Certificate of Appropriateness Criteria in Section 118-564(f)(4) of the Miami Beach Code.
- C. The project would remain consistent with the criteria and requirements of section 118-564 and 133-50(a) if the following conditions are met:
1. Revised elevation, site plan and floor plan drawings shall be submitted and, at a minimum, such drawings shall incorporate the following:
 - a. The material and finish for the upper five levels of the east and west elevation of the center portion of the new addition shall consist of smooth stucco surface painted to match the GFRC façade of the north and south bookend portions of the addition, in a manner to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board.

II. Variance(s)

- A. The applicant filed an application with the Planning Department for the following variance(s):
1. An variance to reduce by 3'-10" the minimum required side yard facing a street setback of 20'-0" for the construction of a new building at 16'-2" from the south side property line facing 6th Street.
- B. The applicant has submitted plans and documents with the application that satisfy Article 1, Section 2 of the Related Special Acts, allowing the granting of a variance if the Board finds that practical difficulties exist with respect to implementing the proposed project at the subject property.

The applicant has submitted plans and documents with the application that also indicate the following, as they relate to the requirements of Section 118-353(d), Miami Beach City Code:

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.

- C. The Board hereby grants the requested variance(s) based on its authority in Section 118-354 of the Miami Beach City Code.

The decision of the Board regarding variances shall be final and there shall be no further review thereof except by resort to a court of competent jurisdiction by petition for writ of certiorari.

III. General Terms and Conditions applying to both 'I. Certificate of Appropriateness' and 'II. Variances' noted above.

- A. A copy of all pages of the recorded Supplemental 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.
- B. The Supplemental Final Order shall be recorded in the Public Records of Miami-Dade County, prior to the issuance of a Building Permit.
- C. Where one or more parcels are unified for a single development, the property owner shall execute and record an unity of title or a covenant in lieu of unity of title, as may be applicable, in a form acceptable to the City Attorney.
- D. Applicant agrees that in the event Code Compliance receives complaints of unreasonably loud noise from mechanical and/or electrical equipment, and determines the complaints to be valid, even if the equipment is operating pursuant to manufacturer specifications, the applicant shall take such steps to mitigate the noise with noise attenuating materials as reviewed and verified by an acoustic engineer, in a manner to

be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board.

- E. Satisfaction of all conditions is required for the Planning Department to give its approval on a Certificate of Occupancy; a Temporary Certificate of Occupancy or Partial Certificate of Occupancy may also be conditionally granted Planning Departmental approval.
- F. The Supplemental 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.
- G. The previous Final Order dated May 10, 2016 shall remain in full force and effect, except to the extent modified herein.
- H. The conditions of approval herein are binding on the applicant, the property's owners, operators, and all successors in interest and assigns.
- I. 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 and adopted by the Board, that the application is GRANTED for the above-referenced project subject to those certain conditions specified in Paragraph I, II, III of the Findings of Fact, to which the applicant has agreed.

PROVIDED, the applicant shall build substantially in accordance with the plans entitled "601-685 Washington Avenue" as prepared by Morris Adjmi Architects, dated March 21, 2016 and the plans entitled "Historic Preservation Board Modification: Final Submittal" as prepared by Morris Adjmi Architects, dated October 23, 2017, and as approved by the Historic Preservation Board, as determined by staff.

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 the approval does not relieve the applicant from obtaining all other required Municipal, County and/or State reviews and permits, including final zoning approval. If adequate handicapped access is not provided on the Board-approved plans, this approval does not mean that such handicapped access is not required. When requesting a building permit,

the plans submitted to the Building Department for permit shall be consistent with the plans approved by the Board, modified in accordance with the conditions set forth in this Order.

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

In accordance with Chapter 118 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 application to Chapter 118 of the City Code, for revocation or modification of the application.

Dated this _____ day of _____, 20____.

HISTORIC PRESERVATION BOARD
THE CITY OF MIAMI BEACH, FLORIDA

BY: _____
DEBORAH TACKETT
CHIEF OF HISTORIC PRESERVATION
FOR THE CHAIR

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

The foregoing instrument was acknowledged before me this _____ day of _____, 20____ by Deborah Tackett, Chief of Historic Preservation, Planning Department, City of Miami Beach, Florida, a Florida Municipal Corporation, on behalf of the corporation. She is personally known to me.

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

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

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

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Meeting Date: December 18, 2017

~~Strike-Thru~~ denotes deleted language
Underscore denotes new language

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