

# MIAMI BEACH

## PLANNING DEPARTMENT

### Staff Report & Recommendation

### Historic Preservation Board

TO: Chairperson and Members  
Historic Preservation Board

DATE: January 9, 2018

FROM: Thomas R. Mooney, AICP  
Planning Director



SUBJECT: HPB17-0150, **7409-7449 Collins Avenue & 7400-7450 Ocean Terrace.**

The applicant Ocean Terrace Holdings, LLC, is requesting a Certificate of Appropriateness for the substantial demolition and partial restoration of eight existing structures, the total demolition of two existing structures, the partial demolition, renovation and partial restoration of two existing structures and the construction of a new 22-story ground level addition including one or more waivers and variances to reduce the required pedestal and tower front and street side setbacks and to exceed the maximum allowable projection into required yards.

#### **STAFF RECOMMENDATION**

Approval of Certificate of Appropriateness with conditions  
Denial of the variances.

#### **BACKGROUND**

On June 8, 2016, the City Commission adopted an Ordinance Amendment to the Land Development Regulations establishing the "Ocean Terrace Overlay" which increased the maximum height for residential and hotel uses, modified setbacks, established a maximum floor plate limitation, and established a minimum tower separation.

#### **EXISTING STRUCTURES**

Local Historic District: Harding Townsite/South Altos del Mar

##### **7409 Collins Avenue**

Original Construction Date:	1950
Original Architect:	Mackay & Gibbs
Status:	Contributing

##### **7421 Collins Avenue**

Original Construction Date:	1941
Original Architect:	David T. Ellis
Status:	Contributing

##### **7433 Collins Avenue**

Original Construction Date:	1938
Original Architect:	Wahl Snyder
Status:	Contributing

**7439 Collins Avenue**

Original Construction Date: 1940  
Original Architect: T. Hunter Henderson  
Status: Contributing

**7441 Collins Avenue**

Original Construction Date: 1952  
Original Architect: Norman M. Giller  
Status: Contributing

**7449 Collins Avenue**

Original Construction Date: 1948  
Original Architect: Harry O. Nelson  
Status: Contributing

**7400 Ocean Terrace**

Original Construction Date: 1961  
Original Architect: Gilbert M. Fein  
Status: Contributing

**7410 Ocean Terrace**

Original Construction Date: 1951  
Original Architect: Gilbert M. Fein  
Status: Contributing

**7420 Ocean Terrace**

Original Construction Date: 1947  
Original Architect: Donald G. Smith  
Status: Contributing

**7430 Ocean Terrace**

Original Construction Date: 1951  
Original Architect: Gilbert M. Fein  
Status: Contributing

**7436 Ocean Terrace**

Original Construction Date: 1940  
Original Architect: Anton Skislewicz  
Status: Contributing

**7450 Ocean Terrace**

Original Construction Date: 1940  
Original Architect: Harry O. Nelson  
Status: Contributing

See the historic resources report for additional information.

## **ZONING / SITE DATA**

### **Legal Description:**

#### **Parcel 1 (7409 Collins Avenue):**

Lot 13, Block 1, of the Harding Townsite, According to the Plat thereof, as Recorded in Plat Book 34, Page 4, of the Public Records of Miami-Dade County, Florida.

#### **Parcel 2 (7421 Collins Avenue):**

Lot 12, Block 1, of the Harding Townsite, According to the Plat thereof, as Recorded in Plat Book 34, Page 4, of the Public Records of Miami-Dade County, Florida.

#### **Parcel 3 (7433 Collins Avenue):**

Lot 11, Block 1, of the Harding Townsite, According to the Plat thereof, as Recorded in Plat Book 34, Page 4, of the Public Records of Miami-Dade County, Florida.

#### **Parcel 4 (7439 Collins Avenue):**

Lot 10, Block 1, of the Harding Townsite, According to the Plat thereof, as Recorded in Plat Book 34, Page 4, of the Public Records of Miami-Dade County, Florida.

#### **Parcel 5 (7441 Collins Avenue):**

Lot 9, Block 1, of the Harding Townsite, According to the Plat thereof, as Recorded in Plat Book 34, Page 4, of the Public Records of Miami-Dade County, Florida.

#### **Parcel 6 (7449 Collins Avenue):**

Lot 8, Block 1, of the Harding Townsite, According to the Plat thereof, as Recorded in Plat Book 34, Page 4, of the Public Records of Miami-Dade County, Florida.

#### **Parcel 7 (7400 Ocean Terrace):**

Lot 7, Block 1, of the Harding Townsite, According to the Plat thereof, as Recorded in Plat Book 34, Page 4, of the Public Records of Miami-Dade County, Florida.

#### **Parcel 8 (7410 Ocean Terrace):**

Lot 6, Block 1, of the Harding Townsite, According to the Plat thereof, as Recorded in Plat Book 34, Page 4, of the Public Records of Miami-Dade County, Florida.

#### **Parcel 9 (7420 Ocean Terrace):**

Lot 5, Block 1, of the Harding Townsite, According to the Plat thereof, as Recorded in Plat Book 34, Page 4, of the Public Records of Miami-Dade County, Florida.

#### **Parcel 10 (7430 Ocean Terrace):**

Lot 4, Block 1, of the Harding Townsite, According to the Plat thereof, as Recorded in Plat Book 34, Page 4, of the Public Records of Miami-Dade County, Florida.

**Parcel 11 (7436 Ocean Terrace):**

Lot 3, Block 1, of the Harding Townsite, According to the Plat thereof, as Recorded in Plat Book 34, Page 4, of the Public Records of Miami-Dade County, Florida.

**Parcel 12 (7436 Ocean Terrace):**

Lots 1 & 2, Block 1, of the Harding Townsite, According to the Plat thereof, as Recorded in Plat Book 34, Page 4, of the Public Records of Miami-Dade County, Florida.

Zoning:	CD-2, Commercial, medium intensity & MXE, Mixed use entertainment
Future Land Use Designation:	CD-2, Commercial, medium intensity & MXE, Mixed use entertainment
Lot Size:	96,300 S.F. (Max FAR 2.0)
Existing FAR:	139,285 S.F. / 1.44 FAR
Proposed FAR:	<b>202,521 S.F. / 2.10 FAR*</b>

\*FAR Calculation per proposed “Unified Development Site – FAR” Ordinance Amendment:  
7450 Ocean Terrace:

Lot Size:	15,000 S.F. (Max FAR 2.0)
Existing FAR:	<b>41,375 S.F. / 2.75 FAR</b>
Proposed FAR:	<b>40,329 S.F. / 2.68 FAR</b>

Remainder of unified development:

Lot Size:	81,300 S.F. (Max FAR 2.0)
Existing FAR:	97,310 S.F. / 1.19 FAR
Proposed FAR:	162,292 S.F. / 1.99 FAR

Existing Heights:	1, 2, 3 & 7-stories
Proposed Height:	16-stories / 235'-0"
Existing Use/Condition:	Commercial (retail, restaurant & hotel)
Proposed Use:	78 hotel units, 58 residential units, 18,060 sq ft of retail and 5,728 sq ft of restaurant

**THE PROJECT**

The applicant has submitted plans entitled “Ocean Terrace” as prepared by Revuelta Architecture International, dated November 10, 2017.

**The applicant is requesting a Certificate of Appropriateness for the substantial demolition and partial restoration of eight existing structures, the total demolition of two existing structures, the partial demolition, renovation and partial restoration of two existing structures and the construction of a new 22-story ground level addition including one or more waivers and variances to reduce the required pedestal and tower front and street side setbacks and to exceed the maximum allowable projection into required yards.**

The applicant is requesting the following variance(s):



1. A variance to reduce by 3'-5" the minimum required pedestal front setback of 5'-0" for the construction of a new canopy with vertical columns setback at 1'-7" from the front property line facing Ocean Terrace.

- Variance requested from:

**Sec. 142-870.1. – Compliance with Regulations**

*The following overlay regulations shall apply to the Ocean Terrace Overlay. All development regulations in the underlying regulations shall apply, except as follows:*

**(a) Setbacks.**

*(2) Pedestal. Pedestal shall mean that portion of a building or structure which is equal to or less than 40 feet in height. The Historic Preservation Board may allow for an increase in the pedestal height not to exceed 45 feet in height in accordance with the certificate of appropriateness criteria in chapter 118, article X of these land development regulations.*

**a. Front:**

*2. For buildings situated on properties with an underlying designation of MXE, five (5) feet for the first 20 feet of building height or the height of the existing building, whichever is greater.*

The applicant is proposing the replacement of the existing canopy with supporting columns at 1'-7" where 5'-0" is required. The canopy was not part of the original building architecture and as proposed, would negatively impact the existing historic façade of the building, including the three (3) very distinctive projecting windows. Although the desire to provide guests with weather protection is reasonable, staff has significant concerns with the design as noted in the analysis portion of this report. Additional coverage could be achieved by introducing individual, non-permanent table umbrellas, or other elements that could be approved at the administrative level and would not require a variance. Staff recommends denial of this variance request.

2. A variance to reduce by 12'-0" the minimum required pedestal street side setback of 20'-0" for the construction of a new gym terrace and pool deck at 8'-0" from the property line facing 74<sup>th</sup> Street.

- Variance requested from:

**Sec. 142-870.1. – Compliance with Regulations**

*The following overlay regulations shall apply to the Ocean Terrace Overlay. All development regulations in the underlying regulations shall apply, except as follows:*

**(a) Setbacks.**

*(2) Pedestal. Pedestal shall mean that portion of a building or structure which is equal to or less than 40 feet in height. The Historic Preservation Board may allow for an increase in the pedestal height not to exceed 45 feet in height in accordance with the certificate of appropriateness criteria in chapter 118, article X of these land development regulations.*

*b. Side street. For properties fronting 75th Street, zero (0) feet, regardless of the underlying zoning designation. For properties fronting 73rd or 74th Street, regardless of the underlying zoning designation, zero (0) feet for the first 20 feet of building height, or the height of the existing building, whichever is greater and 20 feet for those portions of new buildings within the remaining pedestal height.*

3. A variance to reduce by 29'-10" the minimum required tower front setback of 55'-0" for the construction of a new mechanical room at 25'-2" from the property line facing Ocean Terrace.
  4. A variance to reduce by 18'-1" the minimum required tower street side setback of 25'-0" for the construction of a new mechanical room at 6'-11" from the property line facing 75<sup>th</sup> Street.
  5. A variance to exceed by 2'-0" the maximum allowed projection of 6'-0" within the side yard in order to construct balconies with a projection of 8'-0" into the street side yard facing 74<sup>th</sup> street.
- Variances requested from:

**Sec. 142-870.1. – Compliance with Regulations**

*The following overlay regulations shall apply to the Ocean Terrace Overlay. All development regulations in the underlying regulations shall apply, except as follows:*

*(a) Setbacks.*

*(3) Tower. Tower means that portion of a building or structure which exceeds 40 feet in height. Notwithstanding the foregoing, should the Historic Preservation Board allow for an increase in the pedestal height not to exceed 45 feet in height, in accordance with the certificate of appropriateness criteria in chapter 118, article X of these land development regulations, the tower height shall be measured from the pedestal height approved by the Historic Preservation Board.*

*a. Front.*

*2. For buildings situated on properties with an underlying designation of MXE, 55 feet.*

*b. Side street. Twenty-five feet for the first 125 feet of building height, 50 feet for those portions of new buildings within the remaining tower height, regardless of the underlying zoning designation.*

*(b) Allowable encroachments and projections, consistent with Section 142-1132(o), within required yards.*

*(1) Exterior unenclosed private balconies and pool decks.*

*b. For buildings situated on properties with an underlying designation of MXE:*

*2. Allowable side interior yard encroachment is six (6) feet.*

These variances are associated with new construction of portions of the gym terrace, pool deck, a new mechanical room on the rooftop of the Broadmoor Hotel, and new balconies for the new residential tower at the pedestal and tower levels. These elements can be easily redesigned to comply with the required setbacks and not be so close to the street as proposed. The further reduction of the front and street side setbacks will overwhelm the retained portions of the existing 2-story buildings and such construction is contrary to the purpose of the newly created overlay district. Further, the applicant has failed to describe the type of mechanical equipment proposed, and has not presented any reason for its placement on the roof of the existing Broadmoor Hotel. These variances are design-driven and not related to the retention of the contributing structures or the character of the historic district. Staff recommends the redesign of these elements to comply with the required setbacks as practical difficulties or hardships related to the variances were not identified.

### **PRACTICAL DIFFICULTY AND HARDSHIP CRITERIA**

The applicants have submitted plans and documents with the application that staff has concluded **DO NOT** satisfy Article 1, Section 2 of the Related Special Acts.

Additionally, staff has concluded that the plans and documents submitted with the application **DO NOT** 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;  
**Not Satisfied**
- That the special conditions and circumstances do not result from the action of the applicant;  
**Not 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;  
**Not 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;  
**Not Satisfied**
- That the variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure;  
**Not 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  
**Not 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.  
**Not 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, and final review of detailed FAR drawings. Additionally, any approval of this application is subject to the adoption of an Ordinance pending before the City Commission, pertaining to "Unified Development Sites and FAR." The subject Ordinance is scheduled for second reading/adoption on January 17, 2018, and the applicant has provided indemnification and acknowledgement that changes to the design of the project may be required in the event that the subject Ordinance is not adopted.

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, residential, and commercial 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.  
**Not Satisfied**  
**The fourth level elevated amenities deck and associated understructure overwhelms the 2-story Contributing structures located at 7400, 7410, 7420 and 7430 Ocean Terrace.**
  - 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.  
**Not Satisfied**  
**The fourth level elevated amenities deck and associated understructure overwhelms the 2-story Contributing structures located at 7400, 7410, 7420 and 7430 Ocean Terrace.**
  - b. General design, scale, massing and arrangement.  
**Not Satisfied**  
**The fourth level elevated amenities deck and associated understructure overwhelms the 2-story Contributing structures located at 7400, 7410, 7420 and 7430 Ocean Terrace.**
  - c. Texture and material and color.  
**Satisfied**

- d. The relationship of a, b, c, above, to other structures and features of the district.  
**Not Satisfied**  
**The fourth level elevated amenities deck and associated understructure overwhelms the 2-story Contributing structures located at 7400, 7410, 7420 and 7430 Ocean Terrace.**
  - e. The purpose for which the district was created.  
**Not Satisfied**  
**The fourth level elevated amenities deck and associated understructure overwhelms the 2-story Contributing structures located at 7400, 7410, 7420 and 7430 Ocean Terrace. Further, the near total demolition proposed for the 2-story Contributing structures along Ocean Terrace is excessive.**
  - f. The relationship of the size, design and siting of any new or reconstructed structure to the landscape of the district.  
**Not Satisfied**  
**The fourth level elevated amenities deck and associated understructure overwhelms the 2-story Contributing structures located at 7400, 7410, 7420 and 7430 Ocean Terrace.**
  - 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.  
**Not Satisfied**  
**The near total demolition proposed for the 2-story Contributing structures along Ocean Terrace is excessive.**
- 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.  
**Not Satisfied**  
**The location of mechanical and electrical equipment including a large FPL transformer vault, water pumps, emergency generator and electrical switchgear along 74<sup>th</sup> Street has an adverse impact on the existing structure and the surrounding historic district.**
  - 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.

**Not Satisfied**

**See Compliance with Zoning Code section of this report.**

- 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.

**Not Satisfied**

**The level of alteration proposed for the ground level of the building located at 7436 Ocean Terrace is out of character with the original design and has an adverse impact on the original public interior spaces of the hotel.**

- 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.

**Not Satisfied**

**The fourth level elevated amenities deck and associated understructure overwhelms the 2-story Contributing structures located at 7400, 7410, 7420 and 7430 Ocean Terrace.**

- 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.

**Not Satisfied**

**The fourth level elevated amenities deck and associated understructure overwhelms the 2-story Contributing structures located at 7400, 7410, 7420 and 7430 Ocean Terrace.**

**Additionally, the location of mechanical and electrical equipment including a large FPL transformer vault, water pumps, emergency generator and electrical switchgear along 74<sup>th</sup> Street has an adverse impact on the existing structure and the surrounding historic district.**

- 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.  
**Not Satisfied**  
**A lighting plan has not been submitted.**
- 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).  
**Not Satisfied**  
**The fourth level elevated amenities deck and associated understructure overwhelms the 2-story Contributing structures located at 7400, 7410, 7420 and 7430 Ocean Terrace.**
- 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.  
**Not Satisfied**  
**Mechanical and electrical equipment including a large FPL transformer vault, water pumps, emergency generator and electrical switchgear is proposed to be located along 74<sup>th</sup> Street.**
- 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).  
**Not Satisfied**  
**The fourth level elevated amenities deck and associated understructure overwhelms the 2-story Contributing structures located at 7400, 7410, 7420 and 7430 Ocean Terrace.**

- 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.

**Not Satisfied**

**Mechanical and electrical equipment including a large FPL transformer vault, water pumps, emergency generator and electrical switchgear is proposed to be located along 74<sup>th</sup> Street.**

- 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**

#### **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 Satisfied**

**A recycling or salvage plan has not been provided.**

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

**Satisfied**

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

**Partially Satisfied**

**Operable windows are proposed for residential and hotel uses.**

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

**Satisfied**

- (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.

**Satisfied**

**Sea Level Rise projections were taken into account. The land elevation of the site is consistent with surrounding properties. The building will require flood proofing mechanisms in order to increase its resiliency.**

- (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.

**Satisfied**

**The floor to ceiling height is proposed to be increased for the buildings along Collins Avenue making it possible for future adaptation in response to road elevation.**

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



**Satisfied**

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

**Not Satisfied**

**The applicant has not submitted a feasibility study for the raising of the existing structures.**

- (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.

**Satisfied**

**Flood proofing is required by the Florida Building Code.**

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

**Not Satisfied**

**A plan for water retention has not been submitted.**

**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 Harding Townsite/South Altos del Mar Local Historic District and the North Shore National Register 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**

**Seven of the twelve 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**

**Seven of the twelve 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 Harding Townsite/South Altos**

**del Mar Local Historic District as well as the North Shore 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**

**All twelve structures are listed as Contributing buildings within the Harding Townsite/South Altos del Mar 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 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.

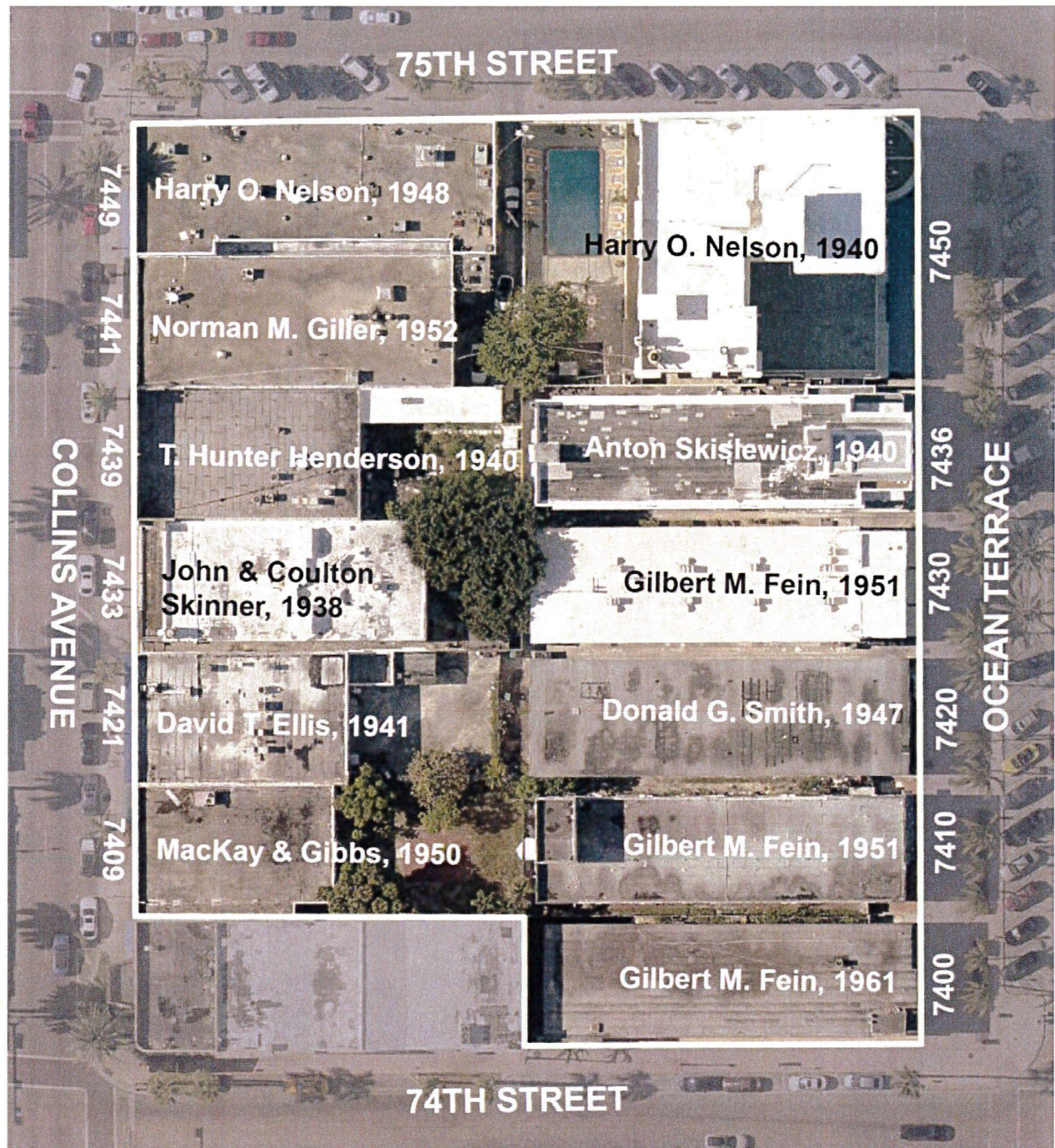
**Satisfied**

**Emergency demolition orders have been issued for two of the twelve structure.**

**ANALYSIS**

The subject unified development site is located within the Harding Townsite/South Altos del Mar Local Historic District, designated in 1996. The site is comprised of thirteen platted lots that constitute nearly an entire city block bounded by 74<sup>th</sup> Street to the south, Ocean Terrace to the east, 75<sup>th</sup> Street to the north and Collins Avenue to the west. The site contains a total of twelve structures, all of which are classified as Contributing within the Miami Beach Historic Properties Database. In order to accommodate the new 16-story ground level addition, parking and amenity decks, the applicant is proposing the near total demolition of nine structures and the total demolition of two structures.





The proposed redevelopment project consists of 78 hotel units, 58 residential units, 18,060 sq. ft. of retail space, 5,728 sq. ft. of restaurant space and 175 parking spaces. The Broadmoor Hotel structure located at 7450 Ocean Terrace is proposed to be retained, renovated and partially restored and the Ocean Surf Hotel building located at 7436 Ocean Terrace is proposed to be partially demolished, renovated and partially restored. These two structures will function as one hotel connected via a ground level breezeway and pedestrian bridges at the second through sixth levels.



In order to accommodate a new 16-story residential structure and amenity decks on the east side of the site the applicant is proposing the near total demolition of 7400, 7410 and 7430 Ocean Terrace with the exception of the primary facades and the total demolition of 7420 Ocean Terrace. Further, along the west side of the site, the applicant is proposing the near total demolition of 7409, 7421, 7433, 7439 and 7741 Collins Avenue with the exception of the primary facades and the total demolition of the 7449 Collins Avenue in order to construct new ground level retail space, two levels of parking and rooftop amenity decks for both the hotel and the new residential tower. The hotel is proposed to be accessed via a new driveway along 75<sup>th</sup> Street and the residential tower is proposed to be accessed via 74<sup>th</sup> Street.

### **Broadmoor Hotel – 7450 Ocean Terrace**

The Broadmoor Hotel was constructed in 1940 and designed by Harry O. Nelson in the Streamline Moderne style of architecture. The L-shaped structure is 5-stories tall with a 7-story portion fronting Ocean Terrace. A 1-story section of the hotel is located within the courtyard area and includes an rooftop outdoor terrace accessed from the second level. A ground level terrace extends from the south end of the building along Ocean Terrace and intersects with a 2-story semicircular structure which contains a portion of the original lobby.



*Broadmoor Hotel Postcard, postmarked 1945*

The applicant is proposing the partial demolition, renovation and restoration of this building including the replacement of all windows with impact resistant windows and the removal of all of the through-the-wall air conditioning units and replacement with central air conditioning. Additionally, a number of window openings on the north, west and south elevations are proposed to be expanded in order to introduce larger windows. The sizes of the proposed window openings are consistent with sizes of existing window openings on the building. On the west (rear) façade a series of new projecting balconies are proposed which requires the demolition of portions of wall below existing window openings in order to introduce doors. The shape of the new balconies references the existing projecting eyebrows located throughout the building. Staff has no objection to these modifications as they are generally consistent with the existing architectural vocabulary of the structure and they are located on secondary facades.





*Broadmoor Hotel Postcard, ca 1950's*

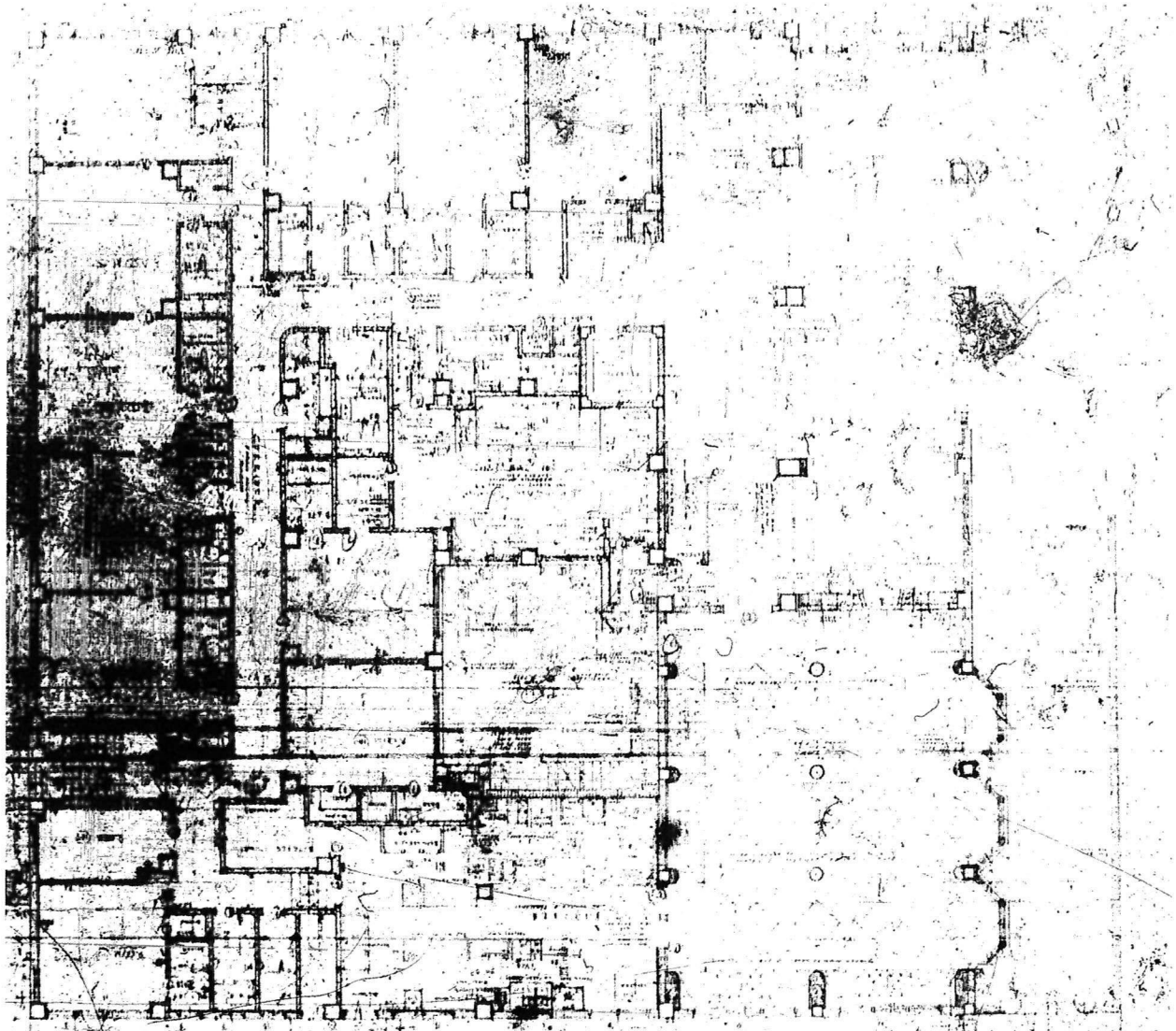
The applicant is proposing to remove the existing canopy structure located at the ground level terrace fronting Ocean Terrace and install a new canopy. The proposed canopy design closely resembles a canopy that was likely installed in the 1950's (see image above). Staff has some concern regarding the reintroduction the canopy structure. The extent of the proposed continuous covered canopy will obscure significant character defining elements at the ground level, including the three projecting windows and the main hotel entrance. Further, the termination of the canopy into the 2-story semi-circular volume is very awkward and unresolved. Consequently, staff cannot support the introduction of this element.

#### **Ground level interior modifications**

The ground level of the Broadmoor Hotel consists of a substantially intact original lobby and dining room spaces located along Ocean Terrace. The rooms are separated by a wall which features an original faux fireplace flanked by original etched glass windows. Back of house areas and several guest rooms are located a half level above the lobby toward the rear of the structure.

Within the original public lobby and dining room spaces, the applicant is proposing to retain and restore significant architectural features including ceiling details, terrazzo flooring, the lobby stair and faux fireplace. Additionally, the applicant is proposing to remove the non-original kitchen which was constructed within the original dining room space. In combination with the proposed restoration, the applicant is proposing to reconfigure the entirety of the ground level of the hotel in order to introduce a new restaurant with full kitchen and meeting rooms. This alteration includes the demolition of the raised half level floor slab and the construction of a new floor slab flush with the lobby level.

Notwithstanding the proposed restoration outline above, staff has minor concerns with regard to the alterations. First, although the original reception desk no longer exists, after examination of the original ground level floor plan, staff has determined that the original desk was located in the in the approximate location of the current desk. While staff recognizes that the lobby functions of the hotel, including the reception desk, are proposed to be relocated to the Ocean Surf Hotel (7436 Ocean Terrace) immediately adjacent to the south, staff would recommend that a new desk be provided in the approximate location of the original and would have no objection to the new desk being repurposed for a new use.



*Original ground level plan, building permit no. 14319*

Second, staff has identified several inconsistencies contained within the demolition plan, proposed ground level floor plan and interior elevation drawings. Specifically, a number of decorative rectangular columns located within the lobby are shown to be substantially reduced in size; this reduction in column size is not however, shown in the proposed demolition plan. Further, due to these inconsistencies, it is not clear whether or not some or all of the decorative rounded columns along the south wall of the original dining room are proposed to be retained.



Staff would recommend that the demolition plans and proposed elevation drawings be revised to indicate that all of the decorative columns located within the original public lobby and dining room spaces will be retained and restored or recreated consistent with the ground level plan (on the previous page).

Third, several alterations are proposed to the wall which separates the original lobby and dining room spaces. This wall features a faux fireplace with flanking etched glass windows (see Image 4 below). The applicant is proposing to demolish a portion of the wall above the fireplace in order to introduce a new window. Staff believes that the introduction of a window in this location where one would expect to find the chimney, contradicts the original design. Consequently, staff is not supportive of this modification. Additionally, the applicant is proposing to introduce new swing doors in the locations of the etched glass windows which will incorporate the panels. While staff understands the applicants wish to increase the connectivity between the proposed restaurant and bar, staff is seriously concerned that the incorporation of the original etched glass panes into operable doors will increase the likelihood of damage and/or loss to the decorative glass.



*Faux fireplace and flanking etched glass windows*

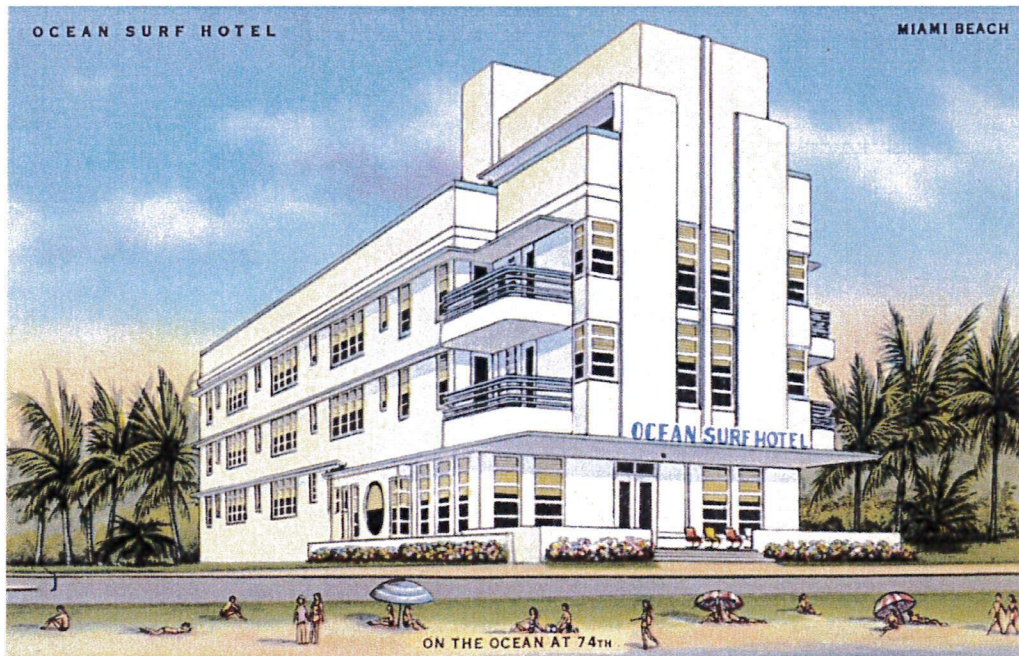
Finally, the rear (west) wall of the original dining room is proposed to be removed in order to expand this space. While not opposed to this general concept, staff would recommend that a soffit be introduced between the columns in order to delineate the extent of the original dining room.

### **Ocean Surf Hotel – 7436 Ocean Terrace**

The Ocean Surf Hotel, constructed in 1940 and designed by Anton Skislewicz is an outstanding example of the Art Deco style of architecture. Notable architectural characteristics of the 3-story building include a symmetrical front façade featuring raised wide vertical bands with large porthole windows and flanking projecting balconies to either side of the main volume. Staff would note that although the four porthole windows are not original to the design of the



structure, they were likely added shortly after its initial construction. The front façade contains a strong vertical emphasis that is reinforced by the extension of wide vertical bands features to either side of a central narrow vertical band. The ground level recessed porch features a terrazzo floor with a circle design radiating out from the two slender columns which support the upper floors.



*Ocean Surf Hotel Postcard, ca early 1940's*

The applicant is proposing the partial demolition, renovation and partial restoration of the structure including replacement of the existing windows with impact resistant windows and the removal of all of the through-the-wall air conditioning units to be replaced with a central air conditioning system. The demolition requested includes the demolition of the rear approximately 40% of the building, the demolition of all partition walls, fixtures and finishes within the ground level and the demolition of the rooftop penthouse. Additionally, on the north and south façades, new projecting balconies are proposed which will require the demolition of portions of wall below the existing window openings in order to introduce doors. The shape of the new balconies closely resembles the existing balconies located on the building.

Staff would note that while the amount of demolition is extensive, all significant architectural features located on the primary façade are proposed to be retained and restored. Further, the portion of the building proposed to be demolished contains little to no significant architectural details. Staff is concerned however, with the level of demolition proposed within the original public interior spaces located at the ground level including the original lobby. The demolition plans indicate demolition of all interior features located within the ground floor with the exception of the terrazzo floor and ceiling details located within the lobby. After review of the original building permit plans, staff has determined that the existing lobby spaces are substantially intact including the original faux fireplace and reception desk. Further, staff would note that the applicant has provided extremely limited information regard to the new lobby design. The proposed plans for this area indicate only that there will be one large room with an elevator, stairs and office. At a minimum, staff would recommend that the original reception desk and faux fireplace be retained and restored. Further, staff recommends that the design of the new



hotel lobby be consistent with the character of the Art Deco period of architecture in Miami Beach.

Additionally, staff has a concern with regard to the modifications proposed for the penthouse portion of the building. The applicant is proposing to demolish the roof and side walls including the projecting overhangs which are horizontal extensions of the vertical banding features located on the primary façade. Staff believes that this modification will have an adverse impact on the three-dimensional quality of the building design and would strongly recommend that the entire penthouse volume be retained, restored and if desired, repurposed.

Finally, the applicant is proposing to construct a raised rooftop deck on top of the existing roof deck which requires 42" guardrails to be installed around the perimeter. The proposed glass guardrails will be visible from the right-of-way and will have an adverse impact of the character of the building. As such, staff recommends that the glass railings be setback from the east edges of the building so as to be out of the line of sight. Alternatively, staff would recommend that the deck not be raised within the front portion of the building, eliminating the need for new guardrails.

#### **New 16-story addition and amenity deck**

The applicant is proposing to construct a new 16-story residential multifamily addition on the site. The addition includes a double height ground level lobby, a gym at the third level, expansive amenity deck at the fourth level, residential units on levels five through fifteen and two penthouse units on level sixteen each with its own rooftop pool deck. The undulating architectural form of the tower addition has taken inspiration from the Post War Modern style architecture and the shape of ocean waves. While generally supportive of the addition, staff does have a serious concern with regard to the proposed fourth level amenity deck.

As currently designed the deck, which is elevated approximately 40'-0" above grade, extends to within 5'-0" of the primary facades of the 2-story existing Contributing structures along Ocean Terrace. According to Section 142-1161(d) of the City Code, the proposed deck would be considered a detached roof-top addition and would be limited to a height of 12'-0" above the roof decks of the existing structures. As the height of the currently proposed deck exceeds 12'-0", the portions of the buildings located below the proposed deck are required to be demolished. Consequently, the applicant is requesting approval for the near total demolition of the buildings located at 7400, 7410 and 7430 Ocean Terrace with the exception of the Ocean Terrace façades and a portion of the 74<sup>th</sup> Street façade of the 7400 Ocean Terrace building.

As currently designed, staff believes that the amenity deck significantly overwhelms the existing 2-story Contributing buildings. Further, staff is concerned with the level of demolition requested by the applicant. The applicant is proposing to retain only the primary (east) facades of these buildings. Unlike the commercial buildings along Collins Avenue, the buildings fronting onto Ocean Terrace have side setbacks of approximately 5'-0" allowing for light and air to penetrate what were originally constructed as residential and hotel buildings. For this reason, staff believes it is important to retain in part the side walls. Consequently, staff recommends that the elevated amenities deck at the fourth level be set back from Ocean Terrace an additional 20'-0" (30' from the Ocean Terrace property line). This will allow for the retention of the first approximately 25'-0" of the Contributing structures. Further, this additional setback should significantly reduce the additions impact on the existing structures.

### **Ocean Way Apartments – 7430 Ocean Terrace**

The Ocean Way Apartment Hotel was also constructed in 1951 and designed by Gilbert M. Fein in the Post War Modern style of Architecture. The applicant is proposing the near total demolition of this structure with the exception of the primary façade. Further, the applicant is proposing modifications to this façade including the partial demolition of the projecting window surrounds and the enlargement of the openings to either side of the entrance door in order to introduce larger window openings. Staff is not supportive of this modification as it is not consistent with the original design and significantly alters some of its character defining features. As such, staff recommends that the projecting window surrounds be retained and, if desired, new window openings below the window surrounds be introduced within the existing opening width.



*Ocean Way Apartments Postcard, ca 1950's*

### **Ocean Horizon Apartments – 7420 Ocean Terrace**

The Ocean Horizon Apartment Hotel was constructed in 1947 and designed by Donald G. Smith in the Post War Modern style of architecture. According to photographic evidence, the structure has been vacant since at least 1996. In 2013, an unsafe structures violation (BV13000782) was issued to a previous owner for failure to receive 40-recertification and the general state of disrepair of the building.



**THE OCEAN HORIZON**  
IN QUIET, SPACIOUS SURROUNDINGS  
WITH THE OCEAN AT YOUR FRONT DOOR!

Facing the Ocean at 74th Street, the Ocean Horizon Apartment Hotel combines the matchless advantages of a restful, secluded setting with immediate accessibility to shopping facilities of every description. The two short blocks of Ocean Terrace (only oceanside street on Miami Beach—see map) form an exclusive hotel and residential neighborhood practically devoid of vehicular traffic, yet busy Collins Avenue, the city's main north-south thoroughfare, is just a block away.

The fine, wide beach, unobstructed by buildings or bulkheads, invites real vacation pleasure. At the Ocean Horizon you may enjoy all the comforts of home, combined with the distinctive features and conveniences of finest hotel living. Maid service and all utilities are included at no extra charge. There is ample free parking space for your car.

The Ocean Horizon offers twenty delightfully furnished, spic-and-span bedroom apartments, all with outside exposure and ocean breeze. Rentals include maid service and all utilities. Bathing is permitted directly from your apartment.

Our apartments feature comfortable living rooms, bedrooms with exceptionally large closet, tile baths with tub and shower, pullman kitchen completely equipped with four-burner gas stove and oven and electric refrigerator.

For reservations address:  
**OCEAN HORIZON**  
7420 OCEAN TERRACE  
MIAMI BEACH, FLORIDA  
*Rentals by Day, Week, Month or Season*

**ONLY A FEW STEPS FROM A COMPLETE SHOPPING AREA**

*Ocean Horizon Apartments Brochure, ca 1950's*

The applicant is proposing the total demolition of the existing building to be replaced with a new structure which will serve as a main entrance to the new 16-story residential addition. The design of the new open air structure draws direct inspiration from currently existing building. Although the architect has presented a highly developed concept, staff is concerned that the elevations and renderings do not accurately depict the laminated tempered translucent glass panels with a white opaque interlayer and the structural framing systems that will be required to support such a system. While staff is aware there may be serious structural issues with the building, the applicant has not provided evidence outlining whether or not it would be possible to retain a portion of this structure to be incorporated into the new entrance feature. In order for staff to support the total demolition of this building, the applicant would need to provide additional documentation regarding the existing conditions of the buildings as determined by a structural engineer licensed in the state of Florida.

### **Ocean Terrace Apartments – 7410 Ocean Terrace**

The Ocean Terrace Apartment Hotel was constructed in 1951 and designed by Gilbert M. Fein in the Post War Modern style of architecture. The applicant is proposing the near total demolition of this structure with the exception of the primary façade. Further, the applicant is proposing modifications including the removal of the original crab orchard stone cladding and the enlargement of the window openings to either side of the entrance door. Staff is not



supportive of these modifications as they are not consistent with the original design, and remove character defining features of the remaining portion of the building. Consequently, staff recommends that the primary façade be restored consistent with available historical documentation including the retention of the stone material and original window openings.



*Ocean Terrace Apartments Postcard, ca 1960's*

### **Ocean Front Apartments – 7400 Ocean Terrace**

The Ocean Front Apartment Hotel was constructed in 1961 and designed by Gilbert M. Fein in the Post War Modern style of Architecture. The applicant is proposing the near total demolition of this structure with the exception of the façade facing Ocean Terrace and portions of the 74<sup>th</sup> Street facing facade. The applicant is proposing to repurpose the building primarily for mechanical and electrical equipment including a large FPL transformer vault, water pumps, emergency generator and electrical switchgear. In place of the existing windows and doors facing 74<sup>th</sup> Street, the applicant is proposing to install non-operable windows and doors with spandrel glass. Staff is not supportive of the location of these service rooms along 74<sup>th</sup> Street and recommends that they be relocated to the interior of the block. This will allow for the activation of this portion of the street, greatly enhancing the pedestrian experience.

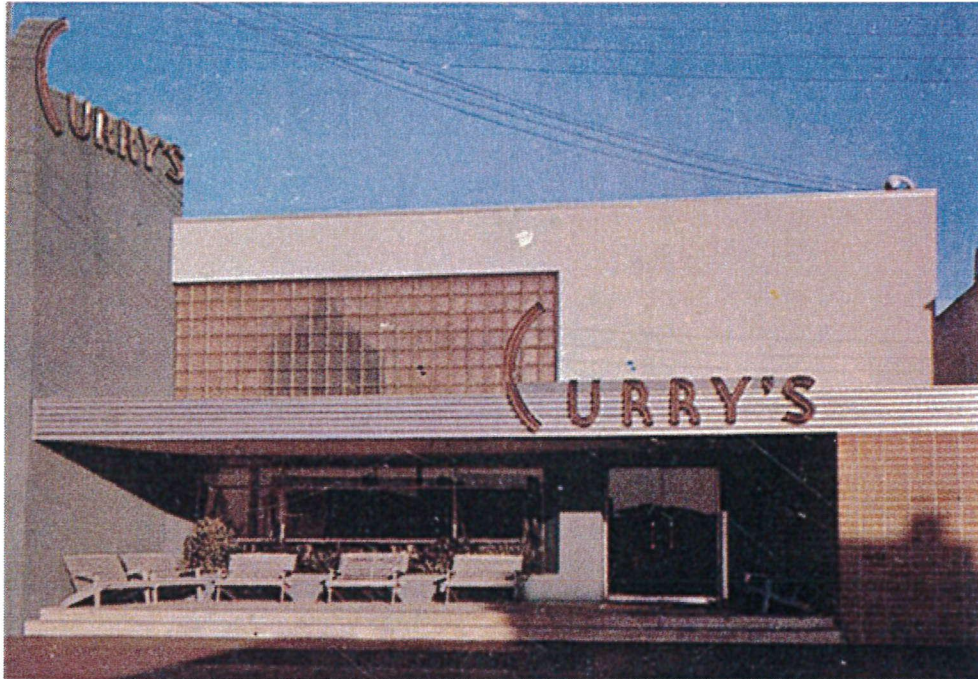
### **New 3-story Collins Avenue retail and parking pedestal**

The applicant is proposing to construct a new 3-story pedestal containing retail and loading areas at the ground level, two levels of parking containing 175 spaces. Further, the rooftop of the pedestal contains amenity decks for the hotel and residential uses which are connected via bridges to the main structures along Ocean Terrace. Staff is pleased with the overall design of the pedestal which features green screen planting systems along the north and west elevations. Staff believes this is a successful design option and should complement the recently approved Altos del Mar Park located a half block to the North.

In order to construct the new pedestal the applicant is requesting approval for the near total demolition of the buildings located at 7409, 7421, 7433, 7439 and 7441 Collins Avenue with the



exception of the Collins Avenue facades. Staff would note that while the amount of demolition is substantial, all significant architectural features located on the primary façades of these five buildings are proposed to be retained and restored. Further, the applicant has submitted shoring plans and sections demonstrating how the facades will be maintained during the course of demolition and construction. Staff is supportive of the façade restoration plans which are generally consistent with available historical documentation. Further, staff commends the applicant for proposing to recreate the historic 'Curry's' signage on the façade of 7433 Collins Avenue.



*Curry's Restaurant Postcard, ca 1950's*

In addition to the demolition noted above, the applicant is requesting the total demolition of the structure located at 7449 Collins Avenue. This building was originally constructed in 1948 as a 1-story commercial structure. In 1958, the entire structure was renovated including a 1-story rooftop addition and a 2-story rear addition. In 1977, the structure was again remodeled for a bank use. No building permit plans have been located for within building department records for any of the abovementioned permits. The existing structure contains little to no significant architecture details with the exception of two projecting eyebrows and a raised stucco frame around the Collins Avenue upper façade.

The design for the corner portion of the pedestal is compatible with, yet distinguishable from the existing Contributing buildings. Staff's only recommendation would be to eliminate the decorative screening located above 7419 and 7441 Collins Avenue, which would create more emphasis on the corner feature.

### **Waivers**

The applicant is requesting that the Board grant three waivers for the proposed development. The first waiver pertains to the maximum floor plate size. According to the regulations outlined in the Ocean Terrace Overlay district (Section 142-870.1(d)), the maximum floor plate size for the tower portion of a building is 10,000 sq. ft., including balconies, per floor. The Historic

Preservation Board may allow for an increase in the overall floor plate, up to a maximum of 15,000 sq. ft., including balconies, per floor, in accordance with the Certificate of Appropriateness criteria. The proposed floor plate size, per floor is 12,407 sq. ft.

The second waiver relates to building separation. According to the regulations outlined in the Ocean Terrace Overlay district (Section 142-870.1(e)), any portion of new construction greater than 60'-0" in height shall have a minimum horizontal separation between tower portions, including balconies, of 60'-0". The Historic Preservation Board may waive the separation requirement in accordance with the Certificate of Appropriateness criteria. The proposed building separation between the new tower and the building located at 7436 Ocean Terrace is 34'-9".

Finally, staff would note that the amount of demolition proposed exceeds 25% of the first floor slab for the structures at 7436 and 7450 Ocean Terrace and the buildings would not be permitted to retain existing parking credits and setbacks. However, if the Board finds that the project satisfies the criteria for the retention and restoration of the Contributing buildings, as outlined in Section 118-395 of the City Code below, a waiver can be granted.

**Sec. 118-395. - Repair and/or rehabilitation of nonconforming buildings and uses.**

\* \* \*

(b) *Nonconforming buildings.*

\* \* \*

- (2) Nonconforming buildings which are repaired or rehabilitated by more than 50 percent of the value of the building as determined by the building official shall be subject to the following conditions:

\* \* \*

d. Development regulations for buildings located within a designated historic district or for an historic site:

1. The existing structure's floor area, height, setbacks and any existing parking credits may remain, if the following portions of the building remain substantially intact, and are retained, preserved and restored:
  - i. At least 75 percent of the front and street side facades;
  - ii. At least 75 percent of the original first floor slab;
  - iii. For structures that are set back two or more feet from interior side property lines, at least 66 percent of the remaining interior side walls; and
  - iv. All architecturally significant public interiors.
2. For the replication or restoration of contributing buildings, but not for noncontributing buildings, the historic preservation board may, at their discretion, waive the requirements of subsection(b)(2)d.1. above, and allow for the retention of the existing structure's floor area, height, setbacks or parking credits, if at least one of the following criteria is satisfied, as determined by the historic preservation board:
  - i. The structure is architecturally significant in terms of design, scale, or massing;
  - ii. The structure embodies a distinctive style that is unique to Miami Beach or the historic district in which it is located;
  - iii. The structure is associated with the life or events of significant persons in the City;

- iv. The structure represents the outstanding work of a master designer, architect or builder who contributed to our historical, aesthetic or architectural heritage;
- v. The structure has yielded or is likely to yield information important in prehistory or history; or
- vi. The structure is listed in the National Register of Historic Places.

Staff has found that Criteria i., ii., iv., v. & vi., above are satisfied for both buildings.

### **VARIANCE ANALYSIS**

The site is the subject of a new overlay district created by the applicant in order to encourage new development and renovation of the important historic buildings within the Ocean Terrace/Collins Avenue corridor. The main purpose of the district is to encourage the improvement of pedestrian environment of the neighborhood while maintaining the scale, massing and character of the buildings adjacent to the public sidewalks. The new regulations, among other things, reduce the height of the pedestal portion of the buildings and reduce the underlying districts required setbacks for the construction of new structures and allow larger projections in required yards. However, the project as proposed requires five (5) variances, to reduce further, the required pedestal and tower front and street side setbacks and to exceed the maximum allowable projection into required yards.

Variance #1 for the new canopy structure does not comply with the Certificate of Appropriateness, as it would negatively impact the front of the 'Contributing' building. Variances #2, #3, #4 and # 5 are not in keeping with the purpose of the district regarding improvement of pedestrian environment of the neighborhood and maintaining the scale, massing and character of the buildings adjacent to the public sidewalks. These variances will place the new structures, closer to the sidewalk than what the district regulations require.

Staff has concluded that these variances are triggered by the proposed design and not by the retention or enhancement of the contributing structures. The granting of the variances requested would grant a benefit to the applicant that is denied to other properties within the MXE and CD-2 zoning districts. Further, staff was unable to find hardship or practical difficulties for the variances requested. Based on these findings, staff recommends denial of the variances #1, #2, #3, #4, and #5.

### **RECOMMENDATION**

In view of the foregoing analysis, staff recommends the application be **approved** as to the Certificate of Appropriateness and that the application for variances be **denied**, 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: January 9, 2018

FILE NO: HPB17-0150

PROPERTY: 7409-7449 Collins Avenue & 7400-7450 Ocean Terrace

APPLICANT: Ocean Terrace Holdings, LLC

LEGAL: Parcel 1 (7409 Collins Avenue):  
Lot 13, Block 1, of the Harding Townsite, According to the Plat thereof, as  
Recorded in Plat Book 34, Page 4, of the Public Records of Miami-Dade  
County, Florida.

Parcel 2 (7421 Collins Avenue):  
Lot 12, Block 1, of the Harding Townsite, According to the Plat thereof, as  
Recorded in Plat Book 34, Page 4, of the Public Records of Miami-Dade  
County, Florida.

Parcel 3 (7433 Collins Avenue):  
Lot 11, Block 1, of the Harding Townsite, According to the Plat thereof, as  
Recorded in Plat Book 34, Page 4, of the Public Records of Miami-Dade  
County, Florida.

Parcel 4 (7439 Collins Avenue):  
Lot 10, Block 1, of the Harding Townsite, According to the Plat thereof, as  
Recorded in Plat Book 34, Page 4, of the Public Records of Miami-Dade  
County, Florida.

Parcel 5 (7441 Collins Avenue):  
Lot 9, Block 1, of the Harding Townsite, According to the Plat thereof, as  
Recorded in Plat Book 34, Page 4, of the Public Records of Miami-Dade  
County, Florida.

Parcel 6 (7449 Collins Avenue):  
Lot 8, Block 1, of the Harding Townsite, According to the Plat thereof, as  
Recorded in Plat Book 34, Page 4, of the Public Records of Miami-Dade  
County, Florida.

Parcel 7 (7400 Ocean Terrace):  
Lot 7, Block 1, of the Harding Townsite, According to the Plat thereof, as  
Recorded in Plat Book 34, Page 4, of the Public Records of Miami-Dade  
County, Florida.

Parcel 8 (7410 Ocean Terrace):  
Lot 6, Block 1, of the Harding Townsite, According to the Plat thereof, as  
Recorded in Plat Book 34, Page 4, of the Public Records of Miami-Dade  
County, Florida.



Parcel 9 (7420 Ocean Terrace):  
Lot 5, Block 1, of the Harding Townsite, According to the Plat thereof, as Recorded in Plat Book 34, Page 4, of the Public Records of Miami-Dade County, Florida.

Parcel 10 (7430 Ocean Terrace):  
Lot 4, Block 1, of the Harding Townsite, According to the Plat thereof, as Recorded in Plat Book 34, Page 4, of the Public Records of Miami-Dade County, Florida.

Parcel 11 (7436 Ocean Terrace):  
Lot 3, Block 1, of the Harding Townsite, According to the Plat thereof, as Recorded in Plat Book 34, Page 4, of the Public Records of Miami-Dade County, Florida.

Parcel 12 (7436 Ocean Terrace):  
Lots 1 & 2, Block 1, of the Harding Townsite, According to the Plat thereof, as Recorded in Plat Book 34, Page 4, of the Public Records of Miami-Dade County, Florida.

IN RE: The applicant Ocean Terrace Holdings, LLC, is requesting a Certificate of Appropriateness for the substantial demolition and partial restoration of eight existing structures, the total demolition of two existing structures, the partial demolition, renovation and partial restoration of two existing structures and the construction of a new 22-story ground level addition including one or more waivers and variances to reduce the required pedestal and tower front and street side setbacks and to exceed the maximum allowable projection into required yards.

### **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 Harding Townsite/South Altos del Mar 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 not consistent with the Certificate of Appropriateness Criteria 'a' in Section 118-564(a)(1) of the Miami Beach Code.
  - 2. Is not consistent with Certificate of Appropriateness Criteria 'a', 'b', 'd', 'e', 'f' & 'h' in Section 118-564(a)(2) of the Miami Beach Code.

3. Is not consistent with Certificate of Appropriateness Criteria 'a', 'b', 'c', 'd', 'e', 'g', 'j', 'k', 'm' & 'n' in Section 118-564(a)(3) of the Miami Beach Code.
  4. Is not consistent with Sea Level Rise and Resiliency Review Criteria (1), (8) & (10) 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 be 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 fourth level elevated amenities deck of the new 16-story addition shall be setback 30'-0" from the Ocean Terrace (east) property line.
    - b. The existing structure located at 7450 Ocean Terrace (Broadmoor Hotel) shall be renovated, in a manner to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board; at a minimum, this shall include the following:
      - i. The ground level continuous canopy structure located at the raised terrace along the front property line shall not be approved.
      - ii. The faux fireplace shall be retained and restored and no new openings above the fireplace shall be permitted, in a manner to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board.
      - iii. The etched glass panels located to either side of the faux fireplace shall be retained and restored and new doors shall not be permitted, in a manner to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board.
      - iv. A new reception desk shall be provided in the approximate location of the existing reception desk. The design of the new desk shall be consistent with the Art Deco time period, in a manner to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board.
      - v. The decorative columns located within the original lobby and dining room shall be retained and restored, consistent with the original microfilm permit plans, in a manner to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board.

- vi. The existing terrazzo flooring shall be retained and restored to the greatest extent possible. In the public areas of the proposed restaurant and bar, new neutral colored terrazzo flooring shall be provided in areas where no existing terrazzo flooring is present, in a manner to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board.
  - vii. The ground level raised terrace railings shall be restored consistent with available historical documentation, in a manner to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board.
  - viii. The ground level lobby and dining room windows shall incorporate a muntin configuration consistent with the original microfilm permit plans, in a manner to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board.
  - ix. The etched glass located within the phone booth doors shall be retained and incorporated into the new lobby design or an historical display, in a manner to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board.
  - x. A soffit shall be provided between columns in the location of the original west wall of the dining room, in a manner to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board.
  - xi. The original 'Broadmoor' sign located above the main entrance door along Ocean Terrace shall be recreated, consistent with available historical documentation, , in a manner to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board.
  - xii. Impact windows shall be provided and shall incorporate a muntin configuration that is consistent with the with the architectural style of the building, in a manner to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board.
  - xiii. Any existing through-the-wall or through-the window air conditioning units shall be removed; a new central system shall be provided, in a manner to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board.
- c. The existing structure located at 7436 Ocean Terrace (Ocean Surf Hotel) shall be renovated, in a manner to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board; at a minimum, this shall include the following:

- i. The four widow openings located in the center bay of the upper two floor along the primary (east) façade shall be restored to their original size, consistent with available historical documentation, 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. The existing reception desk shall be retained and restored or a new reception desk shall be provided in the approximate location of the existing reception desk. The design of the new desk shall be consistent with the Art Deco time period, in a manner to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board.
- iii. The existing original faux fireplace shall be retained and restored, in a manner to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board.
- iv. The existing terrazzo flooring shall be retained and restored to the greatest extent possible. In the public areas of the ground floor, new neutral colored terrazzo flooring shall be provided in areas where no existing terrazzo flooring is present, in a manner to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board.
- v. The original elevator door shall be retained and incorporated into the new lobby design or an historical display, in a manner to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board.
- vi. The character of the new expanded lobby shall be consistent with the Art Deco time period, in a manner to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board.
- vii. The rooftop penthouse structure shall be retained and the roof deck shall not be permitted to be raised within 5'-0" of the west side of the penthouse structure, in a manner to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board.
- viii. The original 'Ocean Surf Hotel' sign shall be recreated, consistent with available historical documentation, in a manner to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board.
- ix. Impact windows shall be provided and shall incorporate a muntin configuration that is consistent with the architectural style of the building, in a manner to be reviewed and approved by staff consistent with

the Certificate of Appropriateness Criteria and/or the directions from the Board.

- x. Any existing through-the-wall or through-the window air conditioning units shall be removed; a new central system shall be provided, in a manner to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board.
- d. The existing structure located at 7430 Ocean Terrace (Ocean Way Apartments) shall be renovated, in a manner to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board; at a minimum, this shall include the following:
  - i. The primary façade and the first approximately 25'-0" of the side walls of the structure shall be retained and restored, consistent with available historical documentation, 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. The ground level projecting window surrounds shall be retained and restored and new windows may be introduced below the existing window openings, 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. The existing structure located at 7420 Ocean Terrace (Ocean Horizon Apartments) shall be renovated, in a manner to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board; at a minimum, this shall include the following:
  - i. The primary façade and the first approximately 25'-0" of the side walls of the structure shall be retained and restored, consistent with available historical documentation, in a manner to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board.
- f. The existing structure located at 7410 Ocean Terrace (Ocean Terrace Apartments) shall be renovated, in a manner to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board; at a minimum, this shall include the following:
  - i. Additional documentation regarding the existing structural conditions of the building, as determined by a structural engineer licensed in the state of Florida, shall be provided, in a manner to be reviewed and approved by the Board. In the event the Board approves the total demolition of the building, the applicant shall provide further information regarding the laminated tempered translucent glass panels and associated structural framing system, in a manner to be reviewed and approved by the Board.

- g. The existing structure located at 7400 Ocean Terrace (Ocean Way Apartments) shall be renovated, in a manner to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board; at a minimum, this shall include the following:
  - i. The primary façade and the first approximately 25'-0" of the north side wall and the first approximately 83'-0" of the south side wall of the structure shall be retained and restored, consistent with available historical documentation, 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. The mechanical and electrical rooms shall be relocated so that they are not directly adjacent to 74<sup>th</sup> Street, spandrel glass windows and doors shall not be approved and the south façade shall be activated with an active use, in a manner to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board.
- h. The extent of the proposed prefabricated concrete block or metal panels proposed to be installed on sides of the podium along Collins Avenue shall be limited to the new corner building located at 7449 Collins Avenue, in a manner to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board.
- i. All interior fixtures, including, but not limited to, shelving, partitions, and checkout counters, shall be setback a minimum of ten (5') feet from any ground level of an exterior wall fronting a street, in a manner to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board. This shall not prohibit moveable tables and chairs or substantially transparent fixtures for display purposes only.
- j. Interior lighting shall be designed in a manner to not have an adverse overwhelming impact upon the surrounding historic district. Intensive 'white' lighting shall not be permitted within the retail area, in a manner to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board.
- k. The final design and details of all exterior and interior lighting shall be provided, in a manner to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board. All proposed interior lighting located within the retail area shall be recessed or small pendant lighting.
- l. Final details of all exterior surface finishes and materials, including samples, shall be submitted, in a manner to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board.
- m. The final location and details of all exterior ramp and railings systems, including materials, dimensions and finishes, shall be provided in a manner to be reviewed

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

- n. All roof-top fixtures, air-conditioning units and mechanical devices shall be clearly noted on a revised roof plan and elevation drawings and shall be screened from view, in a manner to be reviewed and approved by staff, consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board.
2. In accordance with Section 142-870.1(d)) of the City Code, the requirement pertaining to an existing structure's setbacks and parking credits, is hereby waived.
3. In accordance with Section 142-870.1(d) of the City Code, the requirement pertaining to maximum floor plate size is hereby waived.
4. In accordance with Section 142-870.1(e) of the City Code, the requirement pertaining to building separation is hereby waived.
5. A revised landscape plan, prepared by a Professional Landscape Architect, registered in the State of Florida, and corresponding site plan, shall be submitted to and approved by staff. The species type, quantity, dimensions, spacing, location and overall height of all plant material shall be clearly delineated and subject to the review and approval of staff. At a minimum, such plan shall incorporate the following:
  - a. A fully automatic irrigation system with 100% coverage and an automatic rain sensor in order to render the system inoperative in the event of rain.
  - b. The utilization of root barriers and Silva Cells as applicable, shall be clearly delineated on the revised landscape plan.

**In accordance with Section 118-537, the applicant, the owner(s) of the subject property, the City Manager, Miami Design Preservation League, Dade Heritage Trust, or an affected person may appeal the Board's decision on a Certificate of Appropriateness to a special master appointed by the City Commission.**

## **II. Variance(s)**

- A. The applicant filed an application with the Planning Department for the following variance(s):

The following variances were **denied** by the Board:

1. A variance to reduce by 3'-5" the minimum required pedestal front setback of 5'-0" for the construction of a new canopy with vertical columns setback at 1'-7" from the front property line facing Ocean Terrace.

2. A variance to reduce by 12'-0" the minimum required pedestal street side setback of 20'-0" for the construction of a new gym terrace and pool deck at 8'-0" from the property line facing 74th Street.
  3. A variance to reduce by 29'-10" the minimum required tower front setback of 55'-0" for the construction of a new mechanical room at 25'-2" from the property line facing Ocean Terrace.
  4. A variance to reduce by 18'-1" the minimum required tower street side setback of 25'-0" for the construction of a new mechanical room at 6'-11" from the property line facing 75th Street.
  5. A variance to exceed by 2'-0" the maximum allowed projection of 6'-0" within the side yard in order to construct balconies with a projection of 8'-0" into the street side yard facing 74th street.
- B. The applicant has submitted plans and documents with the application that the Board has concluded **DO NOT** satisfy Article 1, Section 2 of the Related Special Acts.

Additionally, the Board has concluded that the plans and documents submitted with the application **DO NOT** comply 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;

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 **Denies** the requested variance(s), as noted.

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. All new construction over 7,000 square feet or ground floor additions (whether attached or detached) to existing structures that encompass over 10,000 square feet of additional floor area shall be required to be, at a minimum, certified as **LEED Gold by USGBC**. In lieu of achieving LEED Gold certification, properties can elect to pay a sustainability fee, pursuant to Chapter 133 of the City Code. This fee is set as a percentage of the cost of construction.
- B. A recycling/salvage plan shall be provided as part of the submittal for a demolition/building permit, in a manner to be reviewed and approved by staff.
- C. Where one or more parcels are unified for a single development, the property owner shall execute and record a 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. All applicable FPL transformers or vault rooms and backflow prevention devices shall be located within the building envelope with the exception of the valve (PIV) which may be visible and accessible from the street.
- E. 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.
- F. The Final Order shall be recorded in the Public Records of Miami-Dade County, prior to the issuance of a Building Permit.
- G. 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.
- H. 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.
- I. The conditions of approval herein are binding on the applicant, the property's owners, operators, and all successors in interest and assigns.

- J. 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 "Ocean Terrace" as prepared by Revuelta Architecture International, dated November 10, 2017, 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 \_\_\_\_\_ (                    )