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CMB PLANNING DEPT

**PLANNING DEPARTMENT
STANDARD APPLICATION FORM
DEVELOPMENT REVIEW BOARD HEARING**

PB# 2114

File No:	_____
Date:	_____
MCR No:	_____
Amount:	_____
Zoning Classification:	_____
(For Staff Use Only)	

1. The below listed applicant wishes to appear before the following City Development Review Board for a scheduled public hearing: NOTE: This application form must be completed separately for each applicable Board hearing a matter.

- | | |
|-------------------------------------------------------|------------------------------------------------------|
| <input type="checkbox"/> BOARD OF ADJUSTMENT | <input type="checkbox"/> HISTORIC PRESERVATION BOARD |
| <input type="checkbox"/> DESIGN REVIEW BOARD | <input checked="" type="checkbox"/> PLANNING BOARD |
| <input type="checkbox"/> FLOOD PLAIN MANAGEMENT BOARD | |

NOTE: Applications to the Board of Adjustment will not be heard until such time as the Design Review Board, Historic Preservation Board and/or the Planning Board have rendered decisions on the subject project.

2. THIS REQUEST IS FOR:

- a. ☐ A VARIANCE TO A PROVISION(S) OF THE LAND DEVELOPMENT REGULATIONS (ZONING) OF THE CODE
- b. ☐ AN APPEAL FROM AN ADMINISTRATIVE DECISION
- c. ☐ DESIGN REVIEW APPROVAL
- d. ☐ A CERTIFICATE OF APPROPRIATENESS FOR DESIGN
- e. ☐ A CERTIFICATE OF APPROPRIATENESS TO DEMOLISH A STRUCTURE
- f. ☐ A CONDITIONAL USE PERMIT
- g. ☐ A LOT SPLIT APPROVAL
- h. ☐ AN HISTORIC DISTRICT/SITE DESIGNATION
- i. ☐ AN AMENDMENT TO THE LAND DEVELOPMENT REGULATIONS OR ZONING MAP
- j. ☐ AN AMENDMENT TO THE COMPREHENSIVE PLAN OR FUTURE LAND USE MAP
- k. ☐ TO REHAB. TO ADD TO AND / OR EXPAND A SINGLE FAMILY HOME
- l. ☒ OTHER: Modification of conditions of Lot Split approval (File 2114)

3. NAME & ADDRESS OF PROPERTY: 1747 Bay Road

LEGAL DESCRIPTION: See Exhibit A

4. NAME OF APPLICANT 1747 Bay Road Properties, LLC

Note: If applicant is a corporation, partnership, limited partnership or trustee, a separate Disclosure of Interest Form (Pages 6-7) must be completed as part of this application.

% Crescent Heights 2200 Biscayne Blvd.

Miami

FL

33137

ADDRESS OF APPLICANT

CITY

STATE

ZIP

BUSINESS PHONE # 305-374-5700

FAX # 305-847-3354

CELL PHONE # _____

E-mail address: rgalbut@crescentheights.com

5. NAME OF PROPERTY OWNER (IF DIFFERENT FROM #4, OTHERWISE, WRITE "SAME") Same

If the owner of the property is not the applicant and will not be present at the hearing, the Owner/Power of Attorney Affidavit (Page 4) must be filled out and signed by the property owner. In addition, if the property owner is a corporation, partnership, limited partnership or trustee, a separate Disclosure of Interest Form (Pages 6 - 7) must be completed.

ADDRESS OF PROPERTY OWNER CITY STATE ZIP

BUSINESS PHONE # FAX # CELL PHONE #

E-mail address:

6. NAME OF ARCHITECT, LANDSCAPE ARCHITECT, ENGINEER, CONTRACTOR OR OTHER PERSON RESPONSIBLE FOR PROJECT DESIGN

NAME (please circle one of the above) ADDRESS CITY STATE ZIP

BUSINESS PHONE # FAX # CELL PHONE #

E-mail address:

7. NAME OF AUTHORIZED REPRESENTATIVE(S), ATTORNEY(S), OR AGENT(S) AND/OR CONTACT PERSON:

a. Graham Penn, Esq. 200 S. Biscayne Blvd., Suite 850 Miami FL 33131

NAME ADDRESS CITY STATE ZIP

BUSINESS PHONE # 305-377-6229 FAX # 305-377-6222 CELL PHONE #

E-mail address: gpenn@brzoninglaw.com

b. Russell Galbut 2200 Biscayne Blvd., Miami FL 33137

NAME ADDRESS CITY STATE ZIP

BUSINESS PHONE # 305-573-4127 FAX # 305-573-8489 CELL PHONE #

E-mail address: rgalbut@crescentheights.com

c. NAME ADDRESS CITY STATE ZIP

BUSINESS PHONE # FAX # CELL PHONE #

E-mail address:

NOTE: ALL ARCHITECTS, LANDSCAPE ARCHITECTS, ENGINEERS, CONTRACTORS OR OTHER PERSONS RESPONSIBLE FOR PROJECT DESIGN, AS WELL AS AUTHORIZED REPRESENTATIVE(S), ATTORNEY(S), OR AGENT(S) AND/OR CONTACT PERSONS, WHO ARE REPRESENTING OR APPEARING ON BEHALF OF A THIRD PARTY, UNLESS SOLELY APPEARING AS AN EXPERT WITNESS, ARE REQUIRED TO REGISTER AS A LOBBYIST WITH THE CLERK, PRIOR TO THE SUBMISSION OF AN APPLICATION.

8. SUMMARY OF PROPOSAL: Modification of condition of lot split approval to allow owner to seek variances.

9. IS THERE AN EXISTING BUILDING(S) ON THE SITE? YES ☒ NO ()

10. WILL ALL OR ANY PORTION OF THE BUILDING(S) INTERIOR AND/OR EXTERIOR, BE DEMOLISHED? ☒ YES [] NO

11. TOTAL FLOOR AREA (FAR) OF NEW BUILDING (if applicable): N/A SQ. FT.

12. TOTAL GROSS FLOOR AREA OF NEW BUILDING (including required parking and all usable floor space) N/A SQ. FT.

13. TOTAL FEE: (to be completed by staff) \$ _____

PLEASE NOTE THE FOLLOWING:

- Applications for any Board hearing(s) will not be accepted without payment of the required fee. All checks are to be made payable to: "City of Miami Beach."
- *Public records notice:* all documentation, application forms, maps, drawings, photographs, letters and exhibits will become a part of the public record maintained by the City of Miami Beach Planning Department and shall under Florida Statute, be disclosed upon proper request to any person or entity.
- In accordance with the requirements of Section 2-482 of the Code of the City of Miami Beach, any individual or group (Lobbyist) that has been, or will be, compensated to either speak in favor or against a project being presented before any of the City's Development Review Boards, shall be fully disclosed prior to the public hearing. All such individuals and/or groups must register with the City Clerk prior to the hearing.
- In accordance with Section 118-31 of the Code of the City of Miami Beach, all applicants shall, prior to the public hearing, fully disclose any consideration provided or committed, directly or on its behalf, for an agreement to support or withhold objection to the requested approval, relief or action (exclusive of all legal or professional design services). Such disclosure shall:
 1. Be in writing.
 2. Indicate to whom the consideration has been provided or committed.
 3. Generally describe the nature of the consideration.
 4. Be read into the record by the requesting person or entity prior to submission to the secretary/clerk of the respective board.

In the event the applicable development review board determines that the foregoing disclosure requirement was not timely satisfied by the person or entity requesting approval, relief or other action as provided above, then the application or order, as applicable, shall immediately be deemed null and void without further force or effect, and no application from said person or entity for the subject property shall be reviewed or considered by the applicable board(s) until expiration of a period of one year after the nullification of the application or order. It shall be unlawful to employ any device, scheme or artifice to circumvent the disclosure requirements of this section and such circumvention shall be deemed a violation of the disclosure requirements of this section.

- When the applicable Boards reach a decision, a Final Order will be issued stating the Board's decision and any conditions imposed therein. The Final Order must be recorded in the Office of the Recorder of Miami-Dade County; the original shall remain on file with the board clerk/secretary. Under no circumstances will a building permit be issued by the City of Miami Beach without a copy of the recorded Final Order being tendered along with the construction plans.

To request this material in accessible format, sign language interpreters, information on access for persons with disabilities, and/or any accommodation to review any document or participate in any city-sponsored proceeding, please contact 305-604-2489 (voice) or 305-673-7218 (TTY) five days in advance to initiate your request. TTY users may also call 711 (Florida Relay Service).

PLEASE COMPLETE ONE OR MORE OF THE FOLLOWING THREE AFFIDAVITS, AS APPLICABLE. NOTE: THE PROPERTY OWNER MUST FILL OUT AND SIGN THE "POWER OF ATTORNEY" PORTION IF THEY WILL NOT BE PRESENT AT THE HEARING, OR IS HAVING OTHER PERSONS SPEAK ON THEIR BEHALF.

OWNER AFFIDAVIT FOR INDIVIDUAL OWNER

STATE OF _____

COUNTY OF _____

I, _____, being first duly sworn, depose and say that I am the owner of the property described and which is the subject matter of the proposed hearing; that all the answers to the questions in this application and all sketches data and other supplementary matter attached to and made a part of the application are true and correct to the best of my knowledge and belief. I understand this application must be completed and accurate before a hearing can be advertised. I also hereby authorize the City of Miami Beach to enter my property for the sole purpose of posting a NOTICE OF PUBLIC HEARING on my property as required by law and I take the responsibility of removing this notice after the date of hearing.

PRINT NAME

SIGNATURE

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

NOTARY SEAL OR STAMP

NOTARY PUBLIC

PRINT NAME

My Commission Expires:

ALTERNATE OWNER AFFIDAVIT FOR CORPORATION or PARTNERSHIP

(Circle one)

Ronruss Corporation is the General Partner of Ronruss Partners, Ltd., which is the Managing Member of 1747 Investments, which is the Managing Member of 1747 Bay Road Properties, LLC

STATE OF Florida
COUNTY OF Miami-Dade

I, Russell Galbut being duly sworn, depose and say that I am the Director of Ronruss Corporation and as such, have been authorized by such entity to file this application that all answers to the questions in the application and all sketches, data and other supplementary matter attached to and made a part of the application are true and correct to the best of our knowledge and belief; that the corporation is the owner/tenant of the property described herein and is the subject matter of the proposed hearing. We understand this application must be completed and accurate before a hearing can be advertised. I also hereby authorize the City of Miami Beach to enter the subject property for the sole purpose of posting a NOTICE OF PUBLIC HEARING on the property as required by law and I take the responsibility of removing this notice after the date of hearing.

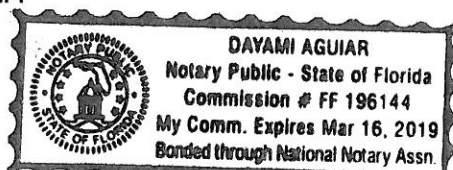
Russell Galbut, Director of Ronruss Corporation

PRINT NAME

[Signature]
SIGNATURE

Sworn to and subscribed before me this 5th day of Feb, 2016. The foregoing instrument was acknowledged before me by Russell W. Galbut, Director of Ronruss Corp, on behalf of such entity, who has produced _____ as identification and/or is personally known to me and who did/did not take an oath.

NOTARY SEAL OR STAMP:



My Commission Expires:

[Signature]
Dayami Aguiar

NOTARY PUBLIC

PRINT NAME

POWER OF ATTORNEY AFFIDAVIT

STATE OF Florida

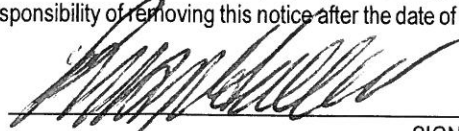
COUNTY OF Miami-Dade

I, Russell Galbut

, being duly sworn and depose say that I am the owner or representative of the owner of the described real property and that I am aware of the nature and effect of the request for Conditional Use Permit/ Lot Split relative to the subject property, which request is hereby made by me OR I am hereby authorizing Bercow Radell & Fernandez PA to be my representative before the Planning Board Board. I also hereby authorize the City of Miami Beach to enter the subject property for the sole purpose of posting a NOTICE OF PUBLIC HEARING on the property as required by law and I take the responsibility of removing this notice after the date of hearing.

Russell Galbut, Director of Ronruss Corporation

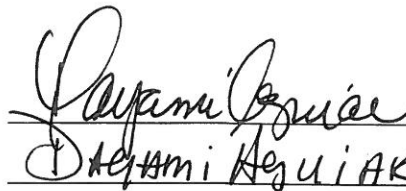
PRINT NAME (and Title, if applicable)



SIGNATURE

Sworn to and subscribed before me this 5 day of Feb 20 16. The foregoing instrument was acknowledged before me by Russell W. Galbut, Director of Ronruss Corp who has produced _____ as identification and/or is personally known to me and who did/did not take an oath.

NOTARY SEAL OR STAMP



NOTARY PUBLIC

PRINT NAME

My Commission Expires:

CONTRACT FOR PURCHASE

If there is a CONTRACT FOR PURCHASE, whether contingent on this application or not, and whether the purchaser is a corporation, trustee or partnership, list the names of the contract purchasers below, including the principal officers, stockholders, beneficiaries or partners. Where the principal officers, stockholders, beneficiaries or partners consist of another corporation, trust, partnership or other similar entity, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the entity. If any contingency clause or contract terms involve additional individuals, corporations, partnerships or trusts, list all individuals and/or complete the appropriate disclosure clause above.*

NAME

DATE OF CONTRACT

NAME, ADDRESS, AND OFFICE

% OF STOCK

For any changes of ownership or changes in contracts for purchase subsequent to the date of the application, but prior to the dates of final public hearing, a supplemental disclosure of interest shall be filed.

**CITY OF MIAMI BEACH
DEVELOPMENT REVIEW BOARD APPLICATION**

DISCLOSURE OF INTEREST

1. CORPORATION

If the property which is the subject of the application is owned or leased by a CORPORATION, list ALL of the stockholders, and the percentage of stock owned by each. Where the stockholders consist of another corporation(s), trustee(s), partnership(s) or other similar entity, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the entity.*

1747 Bay Road Properties, LLC

CORPORATION NAME

NAME AND ADDRESS

% OF STOCK

See attached

Cueto Miami, LLC

CORPORATION NAME

NAME AND ADDRESS

% OF STOCK

See attached

IF THERE ARE ADDITIONAL CORPORATIONS, LIST OTHERS, INCLUDING CORP. NAME(S) AND EACH INDIVIDUAL STOCKHOLDER'S NAME, ADDRESS, OFFICE AND PERCENTAGE OF STOCK, ON A SEPARATE PAGE.

NOTE: Notarized signature required on page 8

**CITY OF MIAMI BEACH
DEVELOPMENT REVIEW BOARD APPLICATION**

DISCLOSURE OF INTEREST

2. TRUSTEE

If the property which is the subject of the application is owned or leased by a TRUSTEE, list the beneficiaries of the trust and the percentage of interest held by each. Where the beneficiary/beneficiaries consist of corporations(s), another trust(s), partnership(s) or other similar entity, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the entity.*

N/A

TRUST NAME

NAME AND ADDRESS

% OF STOCK

3. PARTNERSHIP/LIMITED PARTNERSHIP

If the property which is the subject of the application is owned or leased by a PARTNERSHIP or LIMITED PARTNERSHIP, list the principals of the partnership, including general and limited partners. Where the partner(s) consist of another partnership(s), corporation(s), trust(s) or other similar entity, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the entity.*

N/A

PARTNERSHIP or LIMITED PARTNERSHIP NAME

NAME AND ADDRESS

% OF STOCK

NOTE: Notarized signature required on page 8

4. COMPENSATED LOBBYIST:

The City of Miami Beach Code sub-section 118-31 requires the disclosure of any individual or group which has been, or will be, compensated to either speak in favor of or against a project being presented before any of the City's Development Review Boards, or not to speak at all. Please list below all persons or entities encompassed by this section.

	NAME	ADDRESS	PHONE #
a.	Michael Larkin, Esq.	200 S. Biscayne Blvd., Suite 850 Miami FL 33131	305-374-5300
b.	Graham Penn, Esq.	200 S. Biscayne Blvd., Suite 850 Miami FL 33131	305-374-5300
c.			

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

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

APPLICANT HEREBY ACKNOWLEDGES THAT ANY APPROVAL GRANTED BY THE BOARD SO APPLIED TO, SHALL BE SUBJECT TO ANY AND ALL CONDITIONS IMPOSED BY SUCH BOARD AND BY ANY OTHER BOARD HAVING JURISDICTION, AND THAT THE PROJECT MUST ALSO COMPLY WITH THE CODE OF THE CITY OF MIAMI BEACH AND ALL OTHER APPLICABLE LAW.

APPLICANT AFFIDAVIT

STATE OF Florida

COUNTY OF Miami-Dade

Russell Galbut, Director

I, Ronruss Corporation

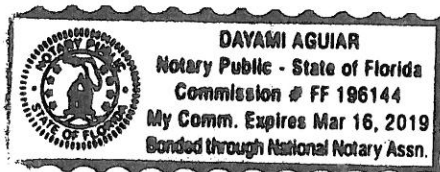
(list name of corporation and office designation as applicable) being first duly sworn, depose and say that I am the applicant, or the representative of the applicant, for the subject matter of the proposed hearing; that all the answers to the questions in this application and all sketches, data and other supplementary matter attached to and made a part of the application and the disclosure information listed on this application is a full disclosure of all parties of interest in this application are true and correct to the best of my knowledge and belief.

Ronruss Corporation is the General Partner of Ronruss Partners, Ltd., which is the Managing Member of 1747 Investments, which is the Managing Member of 1747 Bay Road Properties, LLC


SIGNATURE

Sworn to and subscribed before me this 5 day of Feb, 20 16. The foregoing instrument was acknowledged before me by Russell Galbut, who has produced Director as identification and/or is personally known to me and who did/did not take an oath.

NOTARY SEAL OR STAMP



My Commission Expires:

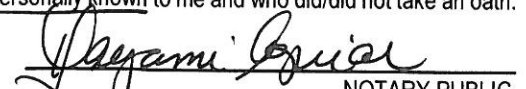

NOTARY PUBLIC
Dayami Aguiar
PRINT NAME

EXHIBIT A – LEGAL DESCRIPTION

Units 1 and 2 of the 1747 Bay Road Condominium, as recorded in Official Record Book 28357, pages 2554-2650 of the Public Records of Miami-Dade County, Florida.

SUPPLEMENTARY DISCLOSURE OF INTEREST

Interests in 1747 Bay Road Properties, LLC.

	Percentage of Interest
1747 Investments, LLC. 2200 Biscayne Blvd. Miami FL 33137	32%
Sharon Mirmelli 2200 Biscayne Blvd. Miami FL 33137	30%
MJK Group, LLC. 2200 Biscayne Blvd. Miami FL 33137	18%
Philip Mirmelli 2200 Biscayne Blvd. Miami FL 33137	10%
Sean Mirmelli 2200 Biscayne Blvd. Miami FL 33137	10%

Interests in 1747 Investments, LLC.

	Percentage of Interest
Ronruss Partners, Ltd. 2200 Biscayne Blvd. Miami FL 33137	100%

Interests in Ronruss Partners, Ltd.

	Percentage of Interest
Ronruss Corporation 2200 Biscayne Blvd.	1%

Miami FL 33137

Russell Galbut 2200 Biscayne Blvd. Miami FL 33137	44.1%
---------------------------------------------------------	-------

Ronalee Galbut 2200 Biscayne Blvd. Miami FL 33137	44.1%
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Marisa Galbut 2200 Biscayne Blvd. Miami FL 33137	5.52%
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Jenna Galbut 2200 Biscayne Blvd. Miami FL 33137	5.52%
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Interests in Ronruss Corporation

Percentage of Interest

Russell Galbut 2200 Biscayne Blvd. Miami FL 33137	49.5%
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Ronalee Galbut 2200 Biscayne Blvd. Miami FL 33137	49.5%
---------------------------------------------------------	-------

Abraham and Nancy Galbut 2200 Biscayne Blvd. Miami FL 33137	1%
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Interests in MJK Group, LLC.

Percentage of Interest

Keith Menin 2200 Biscayne Blvd. Miami FL 33137	33.33%
------------------------------------------------------	--------

Marisa Galbut 2200 Biscayne Blvd. Miami FL 33137	33.33%
--------------------------------------------------------	--------

Jared Galbut 2200 Biscayne Blvd. Miami FL 33137	33.33%
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Interests in Cueto Miami, LLC

Percentage of Interest

Vidal Bada Vazquez 15901 Collins Avenue, Apt. 3706 Sunny Isles Beach, FL 33160	50%
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Alejandra Bada Vazquez 15901 Collins Avenue, Apt. 3706 Sunny Isles Beach, FL 33160	50%
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**PLANNING BOARD
CITY OF MIAMI BEACH, FLORIDA**

PROPERTY: 1861 Bay Road – Towing Facility

FILE NO: 1961

IN RE: The application by Tremont Towing Inc., requesting a Conditional Use approval for a towing yard in the I-1 Light Industrial District.

LEGAL DESCRIPTION: Plat Book 9, Page 146 of Alton Beach Realty Co., Amended Plat Book 13, Lots 8 and 8a, of the Public Records of Miami-Dade County, Florida

MEETING DATE: August 24, 2010

CONDITIONAL USE PERMIT

The applicant, Tremont Towing Inc., filed an application with the Planning Director for a Conditional Use Permit to operate a towing facility at 1861 Bay Road. The towing operation would be moving there from its existing yard at 1916 Bay Road.

The Planning Board of the City of Miami Beach 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:

That the property in question is located in the I -1 Light Industrial Zoning district;

That the intended Use or construction will not result in an impact that will exceed the thresholds for the levels of service as set forth in the Comprehensive Plan;

That structures and Uses associated with the request are consistent with the Ordinance;

That the public health, safety, morals, and general welfare will not be adversely affected;

That necessary safeguards will be provided for the protection of surrounding property, persons, and neighborhood values if the following conditions are met.

IT IS THEREFORE 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 is adopted herein, including the staff recommendation, that the modification to the previously approved Conditional Use Permit as requested and set forth above be GRANTED, subject to the conditions listed below:

1. The Planning Board shall maintain jurisdiction of this Conditional Use Permit. The applicant shall provide a progress report to the Board in 90 days after the Certificate of Use/Business Tax Receipt has been issued. The Board reserves the right to modify the Conditional Use approval at the time of a progress report in a non-substantive manner, to impose additional conditions to address possible problems and to determine the

timing and need for future progress reports. This Conditional Use is also subject to modification or revocation under City Code Sec. 118-184 (c).

2. This Conditional Use Permit is issued to Tremont Towing, Inc. Any change of owner/operator shall require review and approval by the Planning Board as a modification to this conditional use permit. Subsequent owners/operators shall be required to appear before the Board to affirm their understanding of the conditions listed herein.
3. The conditions of approval for this Conditional Use Permit are binding on the applicant, the property's owners, and all successors in interest and assigns.
4. The applicant, now and in the future, shall abide by all the documents submitted with this application for a towing yard Conditional Use Permit and all statements made at the public hearings.
5. The hours of operation shall be as proposed by the applicant, seven days a week 24 hours a day, pursuant to the towing permit agreement with the City.
6. The maximum number of vehicles permitted to be stored in the facility shall be 49.
7. The applicant shall apply for a Modified Certificate of Use/Business Tax Receipt to reflect the new total of permitted vehicles after the required alterations have been completed.
8. The nine parking spaces required with the change of use from warehouse to towing shall be maintained and shown as such on the plans prior to the issuance of a building permit or a Certificate of Use/Business Tax Receipt.
9. The applicant shall obtain a full building permit, for the work proposed herein within 18 months from the date of the meeting, and work shall proceed in accordance with the Florida Building Code. Extensions of time for good cause, not to exceed a total of one year for all extensions, may be granted by the Planning Board, provided a request in writing is submitted to the Planning Director in advance of the expiration of the original approval.
10. Security personnel shall take measures to keep noise disturbances and vehicles blocking the driveway and street to a minimum.
11. A Closed Circuit TV system facing the street that maintains video surveillance at all times shall be installed prior to the issuance of a Certificate of Use/Business Tax receipt.
12. The applicant shall satisfy outstanding liens and past due City bills, if any, to the satisfaction of the City prior to the issuance of a Certificate of Use/Business Tax receipt.
13. The applicant shall be responsible for maintaining the adjacent areas fronting Bay Road and all around the property in excellent condition, keeping these areas clean and free of all refuse at all times.

14. The Planning Board shall retain the right to call the applicant back before them and modify the hours of operation or impose additional conditions should there be issuance of written warnings and/or notices of violation about loud, excessive, unnecessary, or unusual noise.
15. A violation of Chapter 46, Article IV, "Noise," of the Code of the City of Miami Beach, Florida (a/k/a "noise ordinance"), as may be amended from time to time, shall be deemed a violation of this Conditional Use Permit and subject to the remedies as described in section 118-194, Code of the City of Miami Beach, Florida.
16. The entire area shall be fenced off in such a way so as to obscure the operations from the street. A new metal fence shall be provided with a solid metal shield on the back in order to completely block views of the business operation from the public right-of-way subject to the review and approval of Design Review Board staff.
17. The entire area shall be gated at all times. Vehicular access gates shall only be open when vehicles are entering or exiting the property, otherwise gates shall be closed at all times.
18. No vehicle tow trucks, towed vehicles, other vehicles shall ever be staged/parked or in any other way be on the right of way or the sidewalk. All tow trucks shall be stored on the site and not on the right-of-way or the sidewalk.
19. Tow trucks shall be prohibited from traveling on Purdy Ave (Sunset Harbour Drive) at all times.
20. At no time shall tow trucks be in the right of way or blocking the flow of traffic on Bay Road.
21. Tow trucks and all vehicles shall be strictly prohibited from backing into or out of the property.
22. In consideration of the proximity of the Publix exit ramp and safety concerns, all business operations shall be conducted off the right-of-way or the sidewalk, and there shall not be a walk up window that allows people to congregate on the sidewalk.
23. All of the existing Coconut Palms shall be retained and protected during construction and appropriate landscaping shall be installed in order to provide buffer between the business and the surrounding neighborhood subject to the review and approval of staff. The proposed palm trees facing the right-of-way shall be replaced with shade trees to match the same species as those approved for the future garage across the street inclusive of irrigation and landscape uplighting.
24. All tow trucks shall operate within the speed limits and obey all traffic signals and signs.
25. All car alarms and other such devices shall be disabled or be prevented from sounding within the lot or operational area.

26. A violation of any of these conditions shall subject the applicant to an immediate call back before the Board for a Progress Report and possible setting for modification or revocation hearing.
27. This Conditional Use Permit listing all the conditions of approval shall be recorded in the Public Records of Miami-Dade County, Florida at the expense of the applicant.
28. This order is not severable, and if any provision or condition hereof is held void or unconstitutional in a final decision by a court of competent jurisdiction, the order shall be returned to the Board for reconsideration as to whether the order meets the criteria for approval absent the stricken provision or condition, and/or it is appropriate to modify the remaining conditions or impose new conditions.
29. The establishment and operation of this Conditional Use shall comply with all the aforementioned conditions of approval; non-compliance shall constitute a violation of the Code of the City of Miami Beach, Florida, and shall be subject to enforcement procedures set forth in Section 114-7 of the Code and such enforcement procedures as are otherwise available. Any failure by the applicant to comply with the conditions of this Order shall also constitute a basis for consideration by the Planning Board for a revocation of this Conditional Use permit.
30. 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.

Dated this 1st day of October, 2010.

PLANNING BOARD OF THE
CITY OF MIAMI BEACH, FLORIDA

BY: [Signature]
Richard G. Lorber, AICP, LEED AP,
Acting Planning Director
For The Chairman

STATE OF FLORIDA)
COUNTY OF MIAMI-DADE)

The foregoing instrument was acknowledged before me this 1st day of October, 2010, by Richard G. Lorber, AICP, LEED AP, Acting Planning Director of the City of Miami Beach, Florida, a Florida Municipal Corporation, on behalf of the corporation. He is personally known to me.

[Signature]
Notary:



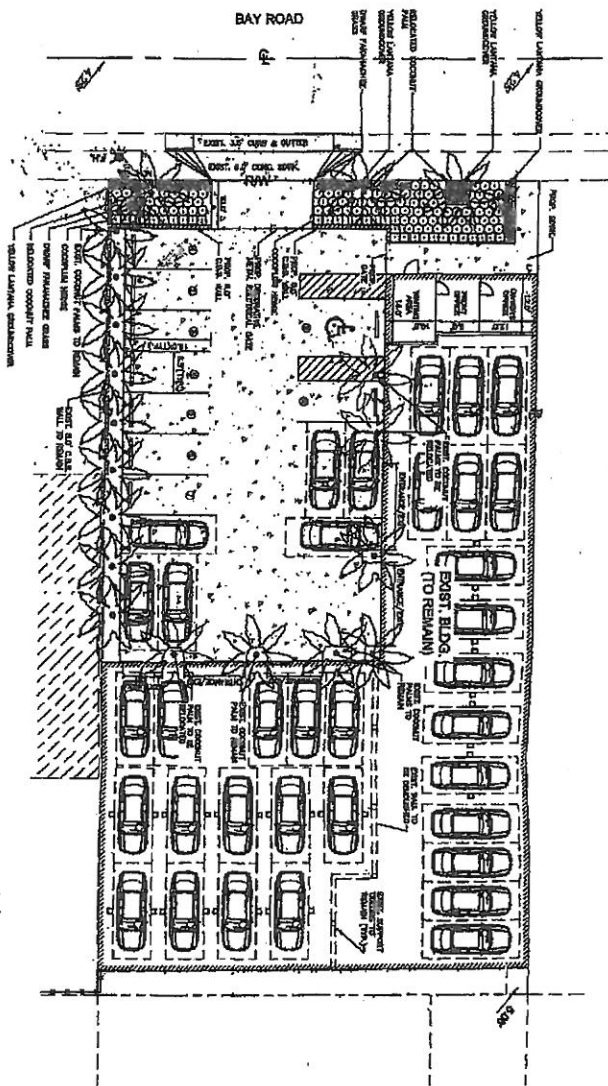
TERESA MARIA
MY COMMISSION # DD 928148
EXPIRES: December 2, 2013
Bonded Thru Budget Notary Services

{NOTARIAL SEAL}

Print Name Teresa Maria
Notary Public, State of Florida
My Commission Expires: 12-2-13
Commission Number: DD 928148

Approved As To Form: Filed 10-1-10
Legal Department

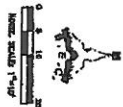
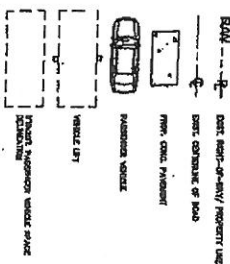
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SITE AND LAND DESCRIPTION									
NO.	DATE	REVISION	BY	DATE	REVISION	BY	DATE	REVISION	BY
1	10/1/80	Initial Design	J.E.	10/1/80	Final Design	J.E.	10/1/80	Final Design	J.E.
2	10/1/80	Revised Design	J.E.	10/1/80	Final Design	J.E.	10/1/80	Final Design	J.E.
3	10/1/80	Revised Design	J.E.	10/1/80	Final Design	J.E.	10/1/80	Final Design	J.E.
4	10/1/80	Revised Design	J.E.	10/1/80	Final Design	J.E.	10/1/80	Final Design	J.E.
5	10/1/80	Revised Design	J.E.	10/1/80	Final Design	J.E.	10/1/80	Final Design	J.E.
6	10/1/80	Revised Design	J.E.	10/1/80	Final Design	J.E.	10/1/80	Final Design	J.E.
7	10/1/80	Revised Design	J.E.	10/1/80	Final Design	J.E.	10/1/80	Final Design	J.E.
8	10/1/80	Revised Design	J.E.	10/1/80	Final Design	J.E.	10/1/80	Final Design	J.E.
9	10/1/80	Revised Design	J.E.	10/1/80	Final Design	J.E.	10/1/80	Final Design	J.E.
10	10/1/80	Revised Design	J.E.	10/1/80	Final Design	J.E.	10/1/80	Final Design	J.E.

NOTES:

1. TOTAL OF 50 SPACES CAN BE ACCOMMODATED WITHIN THIS LOT.
2. A TOTAL OF 10 SPACES CAN BE ACCOMMODATED WITHIN THIS LOT.
3. A TOTAL OF 10 SPACES CAN BE ACCOMMODATED WITHIN THIS LOT.
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10. A TOTAL OF 10 SPACES CAN BE ACCOMMODATED WITHIN THIS LOT.



SITE/LANDSCAPE PLAN

BISCAYNE ENGINEERING COMPANY, INC.
Consulting Civil Engineers & Surveyors

PROJECT: BAY ROAD TRUCK/ PASSENGER VEHICLE SUPERMARKET
SCALE: AS SHOWN
DATE: 10/1/80
BY: J.E.
CHECKED BY: J.E.
CLIENT: BAY ROAD TRUCK/ PASSENGER VEHICLE

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

PROPERTY: 1747 – 1759 Bay Road

FILE NO. 1991

IN RE: The application by 1747 Bay Road Properties, LLC requesting Conditional Use approval to redevelop an existing warehouse into restaurant/retail use with approximately 18 valet parking spaces, and a towing operation service, to include parking lifts for vehicle storage, with 54 towing storage spaces. Subject to the conditions set forth below, this Conditional Use Permit is issued for the operation of a towing service, a towing storage facility with mechanical lifts, a restaurant, retail stores, and associated valet parking.

**LEGAL
DESCRIPTION:** See attached Exhibit "A"

MEETING DATE: December 13, 2011

CONDITIONAL USE PERMIT

The applicant, 1747 Bay Road Properties, LLC., filed an application with the Planning Director for a Conditional Use Permit pursuant to Sections 142-483, and 118-191 and 192, of the City Code. Notice of the request for Conditional Use was given as required by law and mailed out to owners of property within a distance of 375 feet of the exterior limits of the property, upon which the application was made.

The Planning Board of the City of Miami Beach 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:

That the property in question is located in the I-1, Urban Light Industrial zoning district;

That the intended Use or construction will not result in an impact that will exceed the thresholds for the levels of service as set forth in the Comprehensive Plan;

That structures and Uses associated with the request are consistent with the Ordinance;

That the public health, safety, morals, and general welfare will not be adversely affected;

That necessary safeguards will be provided for the protection of surrounding property, persons, and neighborhood values if the following conditions are met.



IT IS THEREFORE ORDERED, based upon the foregoing findings of fact and the staff report and analysis, which are adopted herein, including the recommendations, that the Conditional Use Permit be approved as requested, upon the following conditions to which the applicant has agreed:

1. The Planning Board shall maintain jurisdiction of this Conditional Use Permit. The applicant shall provide a progress report to the Board in 90 days after the Certificate of Use/Business Tax Receipt has been issued. The Board reserves the right to modify the Conditional Use approval at the time of a progress report in a non-substantive manner, to impose additional conditions to address possible problems and to determine the timing and need for future progress reports. This Conditional Use is also subject to modification or revocation under City Code Sec. 118-194 (c).
2. This Conditional Use Permit is issued to 1747 Bay Road Properties, LLC as owner of the property, including for use by Tremont Towing, Inc. as a towing service in accordance with these conditions. Any change of owner/operator, including those of the proposed towing service and/or the proposed restaurant, shall require review and approval by the Planning Board as a modification to this conditional use permit. Subsequent owners/operators shall be required to appear before the Board to affirm their understanding of the conditions listed herein.
3. The conditions of approval for this Conditional Use Permit are binding on the applicant, the property owners, tenants, operators, and all successors in interest and assigns.
4. The applicant, and the operator, now and in the future, shall abide by all the plans and documents submitted with this application for a Conditional Use Permit and all statements made at the public hearings. Any substantial modifications to the plans submitted and approved as part of the application, as determined by the Planning Director or designee, may require the applicant to return to the Board for approval of the modified plans.
5. Simultaneous to the issuance of any Certificate of Occupancy for the property, or Certificate of Use, Annual Fire Fee, and Business Tax Receipt to operate a towing/wrecker related service at the property, Tremont Towing, Inc., and/or its assigns or successors in interest or any subsidiary or affiliate thereof, shall irrevocably surrender and abandon the Conditional Use Permit granted to Tremont Towing, Inc., by the Planning Board on August 24, 2010, and any and all Certificate(s) of Use, Annual Fire Fee, and Business Tax Receipt(s) for a towing/wrecker related service or use and/or storage yard at 1861 Bay Road, including, but not limited to, Certificate of Use, Annual Fire Fee, and Business Tax Receipt number RL10001764, and all occupations listed thereunder. The surrender and abandonment of the Conditional Use Permit and Business Tax Receipt related to 1861 Bay Road shall not become effective until such time as the applicant and/or Tremont Towing, Inc., receives a Business Tax Receipt to operate a towing/wrecker related service at the property pursuant to this Conditional Use Permit, and said Business Tax Receipt becomes final and not appealable. At no time shall towing and wrecking operations occur at this property while towing operations occur at 1861 Bay Road.
6. Storage of vehicles by valet operators for off-site facilities shall not be permitted.

7. The hours of operation of the towing facility shall be as proposed by the applicant, seven days a week 24 hours a day, pursuant to the towing permit agreement with the City.
8. The maximum number of towed vehicles permitted to be stored in the facility shall be 54. The towing storage lot shall consist of 18 single vehicle spaces, 4 scooter spaces and 36 vehicle spaces in the building containing parking lifts.
9. A mechanical parking plan, indicating specifications, maintenance requirements, noise specifications, and emergency procedures for the mechanical parking lifts, shall be submitted to the Planning Department for review and approval by staff prior to the approval of any building permit or certificate of use.
10. The proposed accessory use restaurant on the site shall be limited to the ground floor only as proposed. The restaurant seating shall be restricted to no more than 64 seats and an occupant load that shall not exceed 100 persons or any lesser number as may be determined by the Chief Fire Marshal. All required parking shall be located on the subject property.
11. "Entertainment," as defined in the City Code is prohibited. Use of the rooftop area for commercial use shall also be prohibited.
12. There shall be security personnel of at least one person on site monitoring the garage operation 24 hours a day, seven days a week. Security personnel shall take measures to keep noise disturbances and vehicles blocking the driveway and street to a minimum.
13. A Closed Circuit TV system facing the street that maintains video surveillance at all times shall be installed prior to the issuance of a Certificate of Use/Business Tax receipt.
14. For all uses and operations authorized by this Conditional Use Permit, deliveries and trash and garbage pickups shall be conducted directly on site and not on the street. The trash/garbage container shall have rubber wheels and shall not be permitted to be wheeled to curbside for pick-up.
15. The applicant shall submit an MOT (Method of Transportation) to Public Works Department staff for review and approval prior to the issuance of a building permit. The MOT shall address any traffic flow disruption due to construction activity on the site.
16. The applicant shall be responsible for maintaining the adjacent areas fronting Bay Road and 18th Street and all around the property in excellent condition, keeping these areas clean and free of all refuse at all times.
17. No vehicle tow trucks, towed vehicles, other vehicles shall ever be staged or parked on the right of way or the sidewalk. All tow trucks shall be stored on the site and not on the right-of-way or the sidewalk.
18. Tow trucks shall be prohibited from traveling on Purdy Ave and 20th Street [Purdy to Alton] at all times, unless the towing call is located on that street, or in cases of obstruction of the normal approved paths.
19. At no time shall tow trucks be staged or parked in the right of way or blocking the flow of traffic on 18th Street or Bay Road.

20. Tow trucks and all vehicles shall be strictly prohibited from backing into or out of the property.
21. The noise or vibration from the operation of the proposed mechanical parking lifts shall not be plainly audible to nearby residents. Noise and vibration barriers shall be utilized to ensure that surrounding walls decrease sound and vibration emissions outside of the enclosed building;
22. The parking lift platform of the mechanical lifts must be sealed and of a sufficient width and length (minimum of eight feet by 16 feet) to completely cover the bottom of the vehicle on the platform to prevent dripping liquids or debris onto the vehicle below;
23. The mechanical parking lifts must be designed so that power is required to lift the car, but that no power is required to lower the car, in order to ensure that the lift can be lowered and the top vehicle can be accessed in the event of a power outage;
24. The mechanical lifts must be designed to prevent lowering of the lift when a vehicle is parked below the lift;
25. The ceiling heights of any building containing parking lifts shall be a minimum of 11 feet, six inches;
26. All parking lifts shall only be operated using a spring loaded underwriters laboratories (UL) approved key switch control. No push button is allowed;
27. All electrical components of the lifts shall be underwriters laboratories (UL) approved;
28. All mechanical parking lifts must be inspected and serviced at least once per year with an annual safety report signed by a licensed mechanical engineer; and
29. All parking lifts shall be maintained and kept in good working order.
30. All car alarms and other such devices shall be disabled or be prevented from sounding within the lot or operational area.
31. All business operations of the towing operator shall be conducted on private property. Use of the right-of-way or the sidewalk by the towing operator is prohibited, except for sidewalk café as may be approved by the Public Works Department. There shall not be a walk up window that allows people to congregate on the sidewalk. All transactions with towing customers shall occur within the towing office.
32. The areas containing towing service operations shall be fenced off in such a way so as to obscure the operations from the street. A new metal gate shall be provided with a solid metal shield on the back in order to completely block views of the business operation from the public right-of-way subject to the review and approval of Design Review Board staff.
33. Prior to the issuance of a building permit, the applicant shall participate in a Transportation Concurrency Management Area Plan (TCMA Plan), if deemed necessary, by paying its fair share cost, as may be determined as determined by the Concurrency Management Division.

34. A final concurrency determination shall be conducted prior to the issuance of a Building Permit. Mitigation fees and concurrency administrative costs shall be paid prior to the project receiving any Building Permit.
35. A landscape plan for the entire site, prepared by a Professional Landscape Architect, inclusive of street trees as per the City of Miami Beach Master Street Tree Plan, shall be submitted to and approved by staff before a building permit is issued for construction.
36. The applicant shall obtain a full building permit within 18 months from the date of the meeting, and the work shall proceed in accordance with the Florida Building Code. Extensions of time for good cause, not to exceed a total of one year for all extensions, may be granted by the Planning Board.
37. The applicant shall satisfy outstanding liens and past due City bills, if any, to the satisfaction of the City prior to the issuance of a Building Permit.
38. Without limiting the generality or the applicability of the other provisions of this Conditional Use Permit, the Planning Board shall retain the right to call the owner or operator back before them and modify the hours of operation or the occupant load of the restaurant or other conditions of this Conditional Use Permit should there be valid complaints about loud, excessive, unnecessary, or unusual noise or violations issued concerning the towing operation.
39. Without limiting the generality or the applicability of the other provisions of this Conditional Use Permit, a violation of Chapter 46, Article IV, "Noise," of the Code of the City of Miami Beach, Florida (a/k/a "noise ordinance"), as may be amended from time to time, shall be deemed a violation of this Conditional Use Permit and subject to the remedies as described in section 118-194, Code of the City of Miami Beach, Florida.
40. A violation of any of these conditions shall subject the applicant to an immediate call back before the Board for a Progress Report and possible setting for modification or revocation hearing.
41. This order is not severable, and if any provision or condition hereof is held void or unconstitutional in a final decision by a court of competent jurisdiction, the order shall be returned to the Board for reconsideration as to whether the order meets the criteria for approval absent the stricken provision or condition, and/or it is appropriate to modify the remaining conditions or impose new conditions.
42. Within a reasonable time after applicant's receipt of this Conditional Use Permit as signed and issued by the Planning Director, the applicant shall record it in the Public Records of Miami-Dade County at applicant's expense and then return the recorded instrument to the Planning Department. No building permit or certificate of completion certificate of use, certificate of occupancy, certificate of completion or occupational license shall be issued until this requirement has been satisfied.
43. The establishment and operation of this Conditional Use shall comply with all the aforementioned conditions of approval; non-compliance shall constitute a violation of the Code of the City of Miami Beach, Florida, and shall be subject to enforcement procedures set forth in Section 114-8 of said Code and such enforcement procedures as are otherwise available. Any failure by the applicant to comply with the conditions of this

procedures set forth in Section 114-8 of said Code and such enforcement procedures as are otherwise available. Any failure by the applicant to comply with the conditions of this Order shall also constitute a basis for consideration by the Planning Board for a revocation of this Conditional Use.

44. 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.
45. This Conditional Use Permit shall not vest or become effective until the final resolution of all pending administrative and court proceedings, however, this shall not toll the thirty day period for the filing of a Petition for Writ of Certiorari with respect to this Permit that may be filed by an aggrieved party, if any. No building permit, or certificate of occupancy, or Business Tax Receipt, dependent upon this Conditional Use shall be issued until the final resolution of all administrative and court proceedings related to use of the property as permitted in this Conditional Use, as certified by the City Attorney.

Dated this 27th day of February, 2012.

PLANNING BOARD OF THE
CITY OF MIAMI BEACH, FLORIDA

BY: [Signature]
Richard G. Lorber, AICP, LEED AP Acting Planning
Director FOR THE CHAIRMAN

STATE OF FLORIDA)
COUNTY OF MIAMI-DADE)

The foregoing instrument was acknowledged before me this 27th day of February, 2012, by Richard G Lorber, AICP, LEED AP Acting Planning Director of the City of Miami Beach, Florida, a Florida Municipal Corporation, on behalf of the corporation. He is personally known to me.



TERESA MARIA
MY COMMISSION # DD 928148
EXPIRES: December 2, 2013
Bonded Thru Budget Notary Services

{NOTARIAL SEAL}

Notary: [Signature]
Print Name: TERESA MARIA
Notary Public, State of Florida
My Commission Expires: 12-2-13
Commission Number: DD 928148

Approved As To Form:

Legal Department

[Signature] 1-9-2012

STATE OF FLORIDA, COUNTY OF DADE
I HEREBY CERTIFY THIS IS A TRUE COPY OF THE
ORIGINAL FILED IN THE OFFICE OF THE
CLERK OF THE COUNTY OF DADE

MAR 06 2012

WITNESS MY HAND AND SEAL OF OFFICE
HARVEY BLUM, CLERK OF THE COUNTY OF DADE
By [Signature]





CFN 2013R0997227
DR Bk 28960 Pgs 2763 - 2766 (4pgs)
RECORDED 12/20/2013 10:06:05
HARVEY RUVIN, CLERK OF COURT
MIAMI-DADE COUNTY, FLORIDA

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

PROPERTY: 1747-1759 Bay Road

FILE NO. 2114

IN RE: The application by 1747 Bay Road Properties, LLC and Cueto Miami, LLC, requesting approval for a division of land/lot split, pursuant to Chapter 118, Article VII, of the Miami Beach City Code, to divide the existing single property, into two separate parcels.

LEGAL

DESCRIPTION: Lots 7, 8 and 9, Block 16A, of Island View Subdivision, according to the plat thereof, as recorded in Plat Book 6, page 115, of the Public Records of Miami-Dade County, Florida.

MEETING DATE: August 27, 2013

**DIVISION OF LAND/LOT SPLIT
FINAL ORDER**

The applicants, 1747 Bay Road Properties, LLC and Cueto Miami, LLC, filed an application with the Planning Director pursuant to Article VII, "Division of Land/Division of Land/Lot Split" of the Land Development Regulations of the Code of the City of Miami Beach, Florida. Notice of the request was given as required by law and mailed out to owners of property within a distance of 375 feet of the exterior limits of the property, upon which the application was made.

The Planning Board of the City of Miami Beach 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:

That the property in question is located in the I-1, Urban Light Industrial zoning district;

That the lots that would be created are divided in such a manner that they are in compliance with the regulations of the land development regulations of the City Code;

That the building site that would be created would be equal to the most common existing lot size, and of the same character as the surrounding area;

That the scale of any proposed new construction is compatible with the as-built character of the surrounding area;

That the building site that would be created is free of encroachments from abutting buildable sites;

That the proposed Division of Land/Lot Split does not adversely affect architecturally significant or historic homes;

IT IS THEREFORE 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 is adopted herein, including the staff recommendations which were amended by the Board, that the Division of Land/Lot Split as requested and set forth above be GRANTED, subject to the following conditions to which the Applicant has agreed:

1. The two (2) lots created pursuant to this lot split application at 1747-1759 Bay Road, shall comply with the following:
 - a. The building parcels created by this lot split shall be as depicted on the signed and sealed surveys by Exacta Commercial Land Surveyors, dated July 1, 2013, amended to continue the southern boundary of Parcel B westward for 80 feet, or the width of lot 7, rather than 55.06 feet as proposed, in order to reduce the irregularity of the property boundary between Parcels A and B.
 - b. As indicated in the Easement and Operating Agreement between 1747 Bay Road Properties, LLC, and Cueto Miami, LLC, dated November 2012, "The Parties agree that neither Parcel may be developed with a floor area that exceeds that permitted by the Land Development Regulations of the City of Miami Beach based on the Parcel's size"... "In the event it is determined that the existing development on Parcel B exceeds the maximum floor area ratio of 1.0, additional floor area will be assigned to Parcel B from Parcel A."... "Once the existing development on Parcel B is modified in any fashion to reduce its existing floor area, any floor area previously assigned shall return to Parcel A."
 - c. No variances from the regulations of Chapter 142, Article II, Division 2, of the City Code, shall be permitted for either parcel.
 - d. Individual underground utility, water, sewer, electric, telephone and cable connections, payment, as well as the payment of any applicable impact fees, shall be the responsibility of the owners of each respective lot.
 - e. If required, the removal and replacement of all or portions of the sidewalk, curb and gutter along all portions of each lot shall be the responsibility of the applicant.
2. The applicant and/or owner, for each lot created herein, both now and in the future, shall abide by all the documents and statements submitted with this application for Division of Land/Lot Split, as well as all conditions of this Order. The conditions of approval for this Lot Split are binding on the applicant, the property owners, and all successors in interest and assigns.
3. The Planning Board shall maintain jurisdiction of this Lot Split approval. If deemed necessary, at the request of the Planning Director, the applicant shall provide a progress report to the Board. The Board reserves the right to modify the Lot Split approval at the time of a progress report in a non-substantive manner, to impose additional conditions to address problems and to determine the timing and need for future progress reports. This Lot Split is also subject to modification or revocation under City Code Sec. 118-323.
4. The applicant and/or owner of each property shall resolve all outstanding violations and fines on each respective property, if any, prior to the issuance of a building permit.

5. This order is not severable, and if any provision or condition hereof is held void or unconstitutional in a final decision by a court of competent jurisdiction, the order shall be returned to the Board for reconsideration as to whether the order meets the criteria for approval absent the stricken provision or condition, and/or it is appropriate to modify the remaining conditions or impose new conditions.
6. Within a reasonable period of time after receipt of the executed Order for the Division of Land/Lot Split approved herein, the applicant or owner, at its sole expense, shall record it in the Public Records of Miami-Dade County, and return the recorded instrument to the Planning Department. No building permit, certificate of occupancy, or certificate of completion shall be issued until this requirement has been satisfied.
7. The Lot Split approval approved herein shall comply with all the aforementioned conditions of approval; non-compliance shall constitute a violation of the City Code, and shall be subject to enforcement procedures set forth in Section 114-8 of the Code and such other enforcement procedures as are permitted by law. Any failure by the applicant to comply with the conditions of this Order shall also constitute a basis for consideration by the Planning Board for a revocation of this approval.
8. 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.

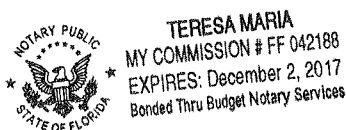
Dated this 4th day of December, 2013.

PLANNING BOARD OF THE
CITY OF MIAMI BEACH, FLORIDA

BY: [Signature]
Richard G. Lorber, AICP, LEED AP Acting Planning
Director FOR THE CHAIRMAN

STATE OF FLORIDA)
COUNTY OF MIAMI-DADE)

The foregoing instrument was acknowledged before me this 4th day of December, 2013, by Richard G Lorber, AICP, LEED AP Acting Planning Director of the City of Miami Beach, Florida, a Florida Municipal Corporation, on behalf of the corporation. He is personally known to me.



{NOTARIAL SEAL}

[Signature]
Notary:
Print Name Teresa Maria
Notary Public, State of Florida
My Commission Expires: 12-2-17
Commission Number: FF042188

Approved As To Form:
Legal Department (*gfiled 11-13-13*)

Filed with the Clerk of the Planning Board on 12/10/2013 (*JL*)

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