

# MIAMI BEACH

## PLANNING DEPARTMENT

1700 Convention Center Drive, Miami Beach, Florida 33139; Tel: 305.673.7550; Web: [www.miamibeachfl.gov/planning](http://www.miamibeachfl.gov/planning)

### LAND USE BOARD HEARING APPLICATION

The following application is submitted for review and consideration of the project described herein by the land use board selected below. A separate application must be completed for each board reviewing the proposed project.

Application Information			
FILE NUMBER			
<b>Board of Adjustment</b> <input type="checkbox"/> Variance from a provision of the Land Development Regulations <input type="checkbox"/> Appeal of an administrative decision		<b>Design Review Board</b> <input type="checkbox"/> Design review approval <input type="checkbox"/> Variance	
<b>Planning Board</b> <input type="checkbox"/> Conditional use permit <input type="checkbox"/> Lot split approval <input type="checkbox"/> Amendment to the Land Development Regulations or zoning map <input type="checkbox"/> Amendment to the Comprehensive Plan or future land use map		<b>Historic Preservation Board</b> <input type="checkbox"/> Certificate of Appropriateness for design <input type="checkbox"/> Certificate of Appropriateness for demolition <input type="checkbox"/> Historic district/site designation <input type="checkbox"/> Variance	
<input type="checkbox"/> <b>Other:</b>			
Property Information – Please attach Legal Description as “Exhibit A”			
ADDRESS OF PROPERTY			
FOLIO NUMBER(S)			
Property Owner Information			
PROPERTY OWNER NAME			
ADDRESS		CITY	STATE
			ZIPCODE
BUSINESS PHONE	CELL PHONE	EMAIL ADDRESS	
Applicant Information (if different than owner)			
APPLICANT NAME			
ADDRESS		CITY	STATE
			ZIPCODE
BUSINESS PHONE	CELL PHONE	EMAIL ADDRESS	
Summary of Request			
PROVIDE A BRIEF SCOPE OF REQUEST			

<b>Project Information</b>			
Is there an existing building(s) on the site?		<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Does the project include interior or exterior demolition?		<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Provide the total floor area of the new construction.		3,660	SQ. FT.
Provide the gross floor area of the new construction (including required parking and all usable area).		4,785	SQ. FT.
<b>Party responsible for project design</b>			
NAME Matias Alem , BRG Studio, LLC		<input checked="" type="checkbox"/> Architect <input type="checkbox"/> Contractor <input type="checkbox"/> Landscape Architect <input type="checkbox"/> Engineer <input type="checkbox"/> Tenant <input type="checkbox"/> Other _____	
ADDRESS 605 Lincoln Road, Suite 302		CITY Miami Beach	STATE FL      ZIPCODE 33139
BUSINESS PHONE 305-397-8788	CELL PHONE	EMAIL ADDRESS ma@brghomes.com	
<b>Authorized Representative(s) Information (if applicable)</b>			
NAME Michael W. Larkin, Esq., Bercow Radell Fernandez & Larkin, PLLC		<input checked="" type="checkbox"/> Attorney <input type="checkbox"/> Contact <input type="checkbox"/> Agent <input type="checkbox"/> Other _____	
ADDRESS 200 S. Biscayne Blvd, Suite 850		CITY Miami	STATE FL      ZIPCODE 33131
BUSINESS PHONE (305) 374-5300	CELL PHONE	EMAIL ADDRESS mlarkin@brzoninglaw.com	
NAME Matthew Amster, Esq., Bercow Radell Fernandez & Larkin, PLLC.		<input checked="" type="checkbox"/> Attorney <input type="checkbox"/> Contact <input type="checkbox"/> Agent <input type="checkbox"/> Other _____	
ADDRESS 200 S. Biscayne Blvd, Suite 850		CITY Miami	STATE FL      ZIPCODE 33131
BUSINESS PHONE (305) 374-5300	CELL PHONE	EMAIL ADDRESS mamster@brzoninglaw.com	
NAME Emily Balter, Esq., Bercow Radell Fernandez & Larkin, PLLC.		<input checked="" type="checkbox"/> Attorney <input type="checkbox"/> Contact <input type="checkbox"/> Agent <input type="checkbox"/> Other _____	
ADDRESS 200 S. Biscayne Blvd, Suite 850		CITY Miami	STATE FL      ZIPCODE 33131
BUSINESS PHONE (305) 374-5300	CELL PHONE	EMAIL ADDRESS ebalter@brzoninglaw.com	

**Please note the following information:**

- A separate disclosure of interest form must be submitted with this application if the applicant or owner is a corporation, partnership, limited partnership or trustee.
- All applicable affidavits must be completed and the property owner must complete and sign the "Power of Attorney" portion of the affidavit if they will not be present at the hearing, or if other persons are speaking on their behalf.
- To request this material in alternate format, sign language interpreter (five-day notice is required), information on access for persons with disabilities, and accommodation to review any document or participate in any City sponsored proceedings, call 305.604.2489 and select (1) for English or (2) for Spanish, then option 6; TTY users may call via 711 (Florida Relay Service).

**Please read the following and acknowledge below:**

- Applications for any board hearing(s) will not be accepted without payment of the required fees. All checks are to be made payable to the "City of Miami Beach".
- Public records notice – All documentation submitted for this application is considered a public record subject to Chapter 119 of the Florida Statutes and shall be disclosed upon request.
- In accordance with the requirements of Section 2-482 of the code of the City of Miami Beach, any individual or group that will be compensated to speak or refrain from speaking in favor or against an application being presented before any of the City's land use boards, shall fully disclose, prior to the public hearing, that they have been, or will be compensated. Such parties include: architects, engineers, landscape architects, contractors, or other persons responsible for project design, as well as authorized representatives attorneys or agents and contact persons who are representing or appearing on behalf of a third party; such individuals must register with the City Clerk prior to the hearing.
- In accordance with Section 118-31. – Disclosure Requirement. Each person or entity requesting approval, relief or other action from the Planning Board, Design Review Board, Historic Preservation Board or the Board of Adjustment shall disclose, at the commencement (or continuance) of the public hearing(s), any consideration provided or committed, directly or on its behalf, for an agreement to support or withhold objection to the requested approval, relief or action, excluding from this requirement consideration for legal or design professional service rendered or to be rendered. The disclosure shall: (I) be in writing, (II) indicate to whom the consideration has been provided or committed, (III) generally describe the nature of the consideration, and (IV) be read into the record by the requesting person or entity prior to submission to the secretary/clerk of the respective board. Upon determination by the applicable board that the foregoing disclosure requirement was not timely satisfied by the person or entity requesting approval, relief or other action as provided above, then (I) the application or order, as applicable, shall immediately be deemed null and void without further force or effect, and (II) no application form said person or entity for the subject property shall be reviewed or considered by the applicable board(s) until expiration of a period of one year after the nullification of the application or order. It shall be unlawful to employ any device, scheme or artifice to circumvent the disclosure requirements of this section and such circumvention shall be deemed a violation of the disclosure requirements of this section.
- When the applicable board reaches a decision a final order will be issued stating the board's decision and any conditions imposed therein. The final order will be recorded with the Miami-Dade Clerk of Courts. The original board order shall remain on file with the City of Miami Beach Planning Department. Under no circumstances will a building permit be issued by the City of Miami Beach without a copy of the recorded final order being included and made a part of the plans submitted for a building permit.

The aforementioned is acknowledged by:

☒ Owner of the subject property    ☐ Authorized representative



**SIGNATURE**

Matias Alem

**PRINT NAME**

6/15/2018

**DATE SIGNED**

**Please read the following and acknowledge below:**

- Applications for any board hearing(s) will not be accepted without payment of the required fees. All checks are to be made payable to the "City of Miami Beach".
- Public records notice – All documentation submitted for this application is considered a public record subject to Chapter 119 of the Florida Statutes and shall be disclosed upon request.
- In accordance with the requirements of Section 2-482 of the code of the City of Miami Beach, any individual or group that will be compensated to speak or refrain from speaking in favor or against an application being presented before any of the City's land use boards, shall fully disclose, prior to the public hearing, that they have been, or will be compensated. Such parties include: architects, engineers, landscape architects, contractors, or other persons responsible for project design, as well as authorized representatives attorneys or agents and contact persons who are representing or appearing on behalf of a third party; such individuals must register with the City Clerk prior to the hearing.
- In accordance with Section 118-31. – Disclosure Requirement. Each person or entity requesting approval, relief or other action from the Planning Board, Design Review Board, Historic Preservation Board or the Board of Adjustment shall disclose, at the commencement (or continuance) of the public hearing(s), any consideration provided or committed, directly or on its behalf, for an agreement to support or withhold objection to the requested approval, relief or action, excluding from this requirement consideration for legal or design professional service rendered or to be rendered. The disclosure shall: (I) be in writing, (II) indicate to whom the consideration has been provided or committed, (III) generally describe the nature of the consideration, and (IV) be read into the record by the requesting person or entity prior to submission to the secretary/clerk of the respective board. Upon determination by the applicable board that the forgoing disclosure requirement was not timely satisfied by the person or entity requesting approval, relief or other action as provided above, then (I) the application or order, as applicable, shall immediately be deemed null and void without further force or effect, and (II) no application form said person or entity for the subject property shall be reviewed or considered by the applicable board(s) until expiration of a period of one year after the nullification of the application or order. It shall be unlawful to employ any device, scheme or artifice to circumvent the disclosure requirements of this section and such circumvention shall be deemed a violation of the disclosure requirements of this section.
- When the applicable board reaches a decision a final order will be issued stating the board's decision and any conditions imposed therein. The final order will be recorded with the Miami-Dade Clerk of Courts. The original board order shall remain on file with the City of Miami Beach Planning Department. Under no circumstances will a building permit be issued by the City of Miami Beach without a copy of the recorded final order being included and made a part of the plans submitted for a building permit.

The aforementioned is acknowledged by:

☒ Owner of the subject property    ☐ Authorized representative


**SIGNATURE**

Christina W. Alem

**PRINT NAME**

6/15/18

**DATE SIGNED**

**OWNER AFFIDAVIT FOR INDIVIDUAL OWNER**STATE OF FLCOUNTY OF Miami Dade

I, Matias Alem, being first duly sworn, depose and certify as follows: (1) I am the owner of the property that is the subject of this application. (2) This application and all information submitted in support of this application, including sketches, data, and other supplementary materials, are true and correct to the best of my knowledge and belief. (3) I acknowledge and agree that, before this application may be publicly noticed and heard by a land development board, the application must be complete and all information submitted in support thereof must be accurate. (4) I also hereby authorize the City of Miami Beach to enter my property for the sole purpose of posting a Notice of Public Hearing on my property, as required by law. (5) I am responsible for remove this notice after the date of the hearing.

**SIGNATURE**

Sworn to and subscribed before me this 15<sup>th</sup> day of June, 2018. The foregoing instrument was acknowledged before me by Matias Alem, who has produced \_\_\_\_\_ as identification and/or is personally known to me and who did/did not take an oath.

NOTARY SEAL OR STAMP



My Commission Expires: \_\_\_\_\_

**NOTARY PUBLIC**

Janette Maldonado  
Janette Maldonado

**PRINT NAME****ALTERNATE OWNER AFFIDAVIT FOR CORPORATION, PARTNERSHIP OR LIMITED LIABILITY COMPANY**

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

I, N/A, being first duly sworn, depose and certify as follows: (1) I am the \_\_\_\_\_ (print title) of \_\_\_\_\_ (print name of corporate entity). (2) I am authorized to file this application on behalf of such entity. (3) This application and all information submitted in support of this application, including sketches, data, and other supplementary materials, are true and correct to the best of my knowledge and belief. (4) The corporate entity named herein is the owner of the property that is the subject of this application. (5) I acknowledge and agree that, before this application may be publicly noticed and heard by a land development board, the application must be complete and all information submitted in support thereof must be accurate. (6) I also hereby authorize the City of Miami Beach to enter my property for the sole purpose of posting a Notice of Public Hearing on my property, as required by law. (7) I am responsible for remove this notice after the date of the hearing.

**SIGNATURE**

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

NOTARY SEAL OR STAMP

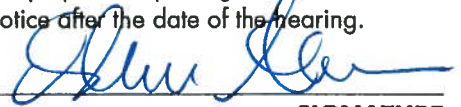
**NOTARY PUBLIC**

My Commission Expires: \_\_\_\_\_

**PRINT NAME**

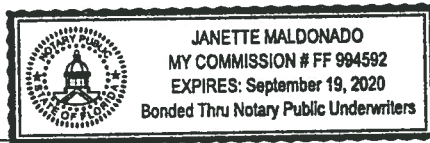
**OWNER AFFIDAVIT FOR INDIVIDUAL OWNER**STATE OF FloridaCOUNTY OF Miami-Dade

I, Christina W. Alem, being first duly sworn, depose and certify as follows: (1) I am the owner of the property that is the subject of this application. (2) This application and all information submitted in support of this application, including sketches, data, and other supplementary materials, are true and correct to the best of my knowledge and belief. (3) I acknowledge and agree that, before this application may be publicly noticed and heard by a land development board, the application must be complete and all information submitted in support thereof must be accurate. (4) I also hereby authorize the City of Miami Beach to enter my property for the sole purpose of posting a Notice of Public Hearing on my property, as required by law. (5) I am responsible for remove this notice after the date of the hearing.

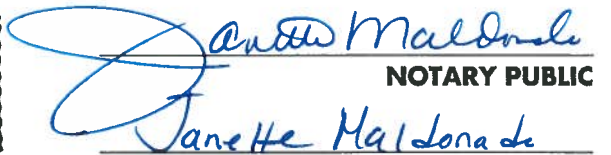

**SIGNATURE**

Sworn to and subscribed before me this 15<sup>th</sup> day of June, 2018. The foregoing instrument was acknowledged before me by Christina W. Alem, who has produced Fla. License 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****PRINT NAME****ALTERNATE OWNER AFFIDAVIT FOR CORPORATION, PARTNERSHIP OR LIMITED LIABILITY COMPANY**STATE OF N/A

COUNTY OF \_\_\_\_\_

I, \_\_\_\_\_, being first duly sworn, depose and certify as follows: (1) I am the \_\_\_\_\_ (print title) of \_\_\_\_\_ (print name of corporate entity). (2) I am authorized to file this application on behalf of such entity. (3) This application and all information submitted in support of this application, including sketches, data, and other supplementary materials, are true and correct to the best of my knowledge and belief. (4) The corporate entity named herein is the owner of the property that is the subject of this application. (5) I acknowledge and agree that, before this application may be publicly noticed and heard by a land development board, the application must be complete and all information submitted in support thereof must be accurate. (6) I also hereby authorize the City of Miami Beach to enter my property for the sole purpose of posting a Notice of Public Hearing on my property, as required by law. (7) I am responsible for remove this notice after the date of the hearing.

**SIGNATURE**

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

NOTARY SEAL OR STAMP

**NOTARY PUBLIC**

My Commission Expires: \_\_\_\_\_

**PRINT NAME**



**POWER OF ATTORNEY AFFIDAVIT**STATE OF FLCOUNTY OF Miami Dade

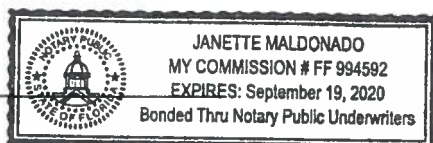
I, Matias Alem, being first duly sworn, depose and certify as follows: (1) I am the owner or representative of the owner of the real property that is the subject of this application. (2) I hereby authorize Michael Larkin, Matthew Amster & Emily Balter to be my representative before the Design Review Board. (3) 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. (4) I am responsible for remove this notice after the date of the hearing.

Matias Alem**PRINT NAME (and Title, if applicable)****SIGNATURE**

Sworn to and subscribed before me this 15<sup>th</sup> day of June, 2018. The foregoing instrument was acknowledged before me by Matias Alem, 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: \_\_\_\_\_



Janette Maldonado  
**NOTARY PUBLIC**  
Janette Maldonado  
**PRINT NAME**

**CONTRACT FOR PURCHASE**

If the applicant is not the owner of the property, but the applicant is a party to a contract to purchase the property, whether or not such contract is contingent on this application, the applicant shall list the names of the contract purchasers below, including any and all principal officers, stockholders, beneficiaries or partners. If any of the contract purchasers are corporations, partnerships, limited liability companies, trusts, or other corporate entities, the applicant shall further disclose the identity of the individuals(s) (natural persons) having the ultimate ownership interest in the entity. If any contingency clause or contract terms involve additional individuals, corporations, partnerships, limited liability companies, trusts, or other corporate entities, list all individuals and/or corporate entities.

N/A**NAME****DATE OF CONTRACT**

NAME, ADDRESS AND OFFICE

% OF STOCK

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

In the event of any changes of ownership or changes in contracts for purchase, subsequent to the date that this application if filed, but prior to the date of a final public hearing, the applicant shall file a supplemental disclosure of interest.

**POWER OF ATTORNEY AFFIDAVIT**STATE OF FloridaCOUNTY OF Miami - Dade

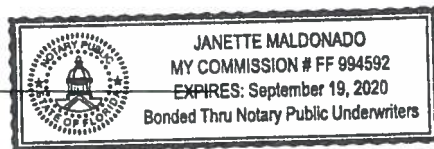
I, Christina W. Alem, being first duly sworn, depose and certify as follows: (1) I am the owner or representative of the owner of the real property that is the subject of this application. (2) I hereby authorize Michael Larkin, Matthew Amster & Emily Balter to be my representative before the Design Review Board. (3) 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. (4) I am responsible for remove this notice after the date of the hearing.

Christina W. Alem**PRINT NAME (and Title, if applicable)****SIGNATURE**

Sworn to and subscribed before me this 15<sup>th</sup> day of June, 2018. The foregoing instrument was acknowledged before me by \_\_\_\_\_, who has produced Fla Driver's License as identification and/or is personally known to me and who did/did not take an oath.

NOTARY SEAL OR STAMP

My Commission Expires: \_\_\_\_\_



Janette Maldonado  
**NOTARY PUBLIC**  
Janette Maldonado  
**PRINT NAME**

**CONTRACT FOR PURCHASE**

If the applicant is not the owner of the property, but the applicant is a party to a contract to purchase the property, whether or not such contract is contingent on this application, the applicant shall list the names of the contract purchasers below, including any and all principal officers, stockholders, beneficiaries or partners. If any of the contract purchasers are corporations, partnerships, limited liability companies, trusts, or other corporate entities, the applicant shall further disclose the identity of the individuals(s) (natural persons) having the ultimate ownership interest in the entity. If any contingency clause or contract terms involve additional individuals, corporations, partnerships, limited liability companies, trusts, or other corporate entities, list all individuals and/or corporate entities.

N/A

**NAME****DATE OF CONTRACT**

NAME, ADDRESS AND OFFICE

% OF STOCK

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

In the event of any changes of ownership or changes in contracts for purchase, subsequent to the date that this application is filed, but prior to the date of a final public hearing, the applicant shall file a supplemental disclosure of interest.



**DISCLOSURE OF INTEREST  
CORPORATION, PARTNERSHIP OR LIMITED LIABILITY COMPANY**

If the property that is the subject of the application is owned or leased by a corporation, partnership or limited liability company, list ALL of the owners, shareholders, partners, managers and/or members, and the percentage of ownership held by each. If the owners consist of one or more corporations, partnerships, trusts, partnerships or other corporate entities, the applicant shall further disclose the identity of the individual(s) (natural persons) having the ultimate ownership interest in the entity.

N/A

**NAME OF CORPORATE ENTITY**

NAME AND ADDRESS

% OF OWNERSHIP

---

---

---

---

---

---

---

---



---

---

---

---

---

---

---

---

**NAME OF CORPORATE ENTITY**

NAME AND ADDRESS

% OF OWNERSHIP

---

---

---

---

---

---

---

---



---

---

---

---

---

---

---

---

If there are additional corporate owners, list such owners, including corporate name and the name, address and percentage of ownership of each additional owner, on a separate page.

**DISCLOSURE OF INTEREST**  
**TRUSTEE**

If the property that is the subject of the application is owned or leased by a trust, list any and all trustees and beneficiaries of the trust, and the percentage of interest held by each. If the owners consist of one or more corporations, partnerships, trusts, partnerships or other corporate entities, the applicant shall further disclose the identity of the individual(s) (natural persons) having the ultimate ownership interest in the entity.

N/A

TRUST NAME	
NAME AND ADDRESS	% INTEREST

**COMPENSATED LOBBYIST**

Pursuant to Section 2-482 of the Miami Beach City Code, all lobbyists shall, before engaging in any lobbying activities, register with the City Clerk. Please list below any and all persons or entities retained by the applicant to lobby City staff or any of the City's land development boards in support of this application.

NAME	ADDRESS	PHONE
Michael Larkin, Matthew Amster & Emily Balter	200 S. Biscayne Blvd, Suite 850	(305) 374-5300
Matias Alem	605 Lincoln Road, Suite 302	(305) 397-8788

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

**APPLICANT HEREBY ACKNOWLEDGES AND AGREES THAT (1) AN APPROVAL GRANTED BY A LAND DEVELOPMENT BOARD OF THE CITY SHALL BE SUBJECT TO ANY AND ALL CONDITIONS IMPOSED BY SUCH BOARD AND BY ANY OTHER BOARD HAVING JURISDICTION, AND (2) APPLICANT'S PROJECT SHALL COMPLY WITH THE CODE OF THE CITY OF MIAMI BEACH AND ALL OTHER APPLICABLE CITY, STATE AND FEDERAL LAWS.**

**APPLICANT AFFIDAVIT**

STATE OF FL

COUNTY OF Miami Dade

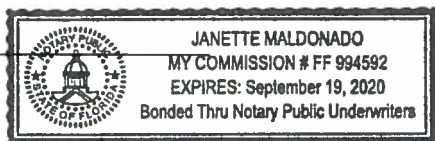
I, Matias Alem, being first duly sworn, depose and certify as follows: (1) I am the applicant or representative of the applicant. (2) This application and all information submitted in support of this application, including sketches, data, and other supplementary materials, are true and correct to the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

**SIGNATURE**

Sworn to and subscribed before me this 15<sup>th</sup> day of June, 2018. The foregoing instrument was acknowledged before me by Matias Alem, who has produced \_\_\_\_\_ as identification and/or is personally known to me and who did/did not take an oath.

NOTARY SEAL OR STAMP

My Commission Expires: \_\_\_\_\_



**NOTARY PUBLIC**  
Janette Maldonado  
**PRINT NAME**

**COMPENSATED LOBBYIST**

Pursuant to Section 2-482 of the Miami Beach City Code, all lobbyists shall, before engaging in any lobbying activities, register with the City Clerk. Please list below any and all persons or entities retained by the applicant to lobby City staff or any of the City's land development boards in support of this application.

NAME	ADDRESS	PHONE
Michael Larkin, Matthew Amster & Emily Balter	200 S. Biscayne Blvd, Suite 850	(305) 374-5300
Matias Alem	605 Lincoln Road, Suite 302	(305) 397-8788

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

**APPLICANT HEREBY ACKNOWLEDGES AND AGREES THAT (1) AN APPROVAL GRANTED BY A LAND DEVELOPMENT BOARD OF THE CITY SHALL BE SUBJECT TO ANY AND ALL CONDITIONS IMPOSED BY SUCH BOARD AND BY ANY OTHER BOARD HAVING JURISDICTION, AND (2) APPLICANT'S PROJECT SHALL COMPLY WITH THE CODE OF THE CITY OF MIAMI BEACH AND ALL OTHER APPLICABLE CITY, STATE AND FEDERAL LAWS.**

**APPLICANT AFFIDAVIT**

STATE OF Florida

COUNTY OF Miami-Dade

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

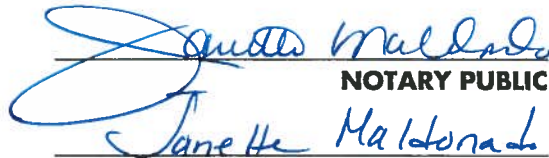


**SIGNATURE**

Sworn to and subscribed before me this 15<sup>th</sup> day of June, 2018. The foregoing instrument was acknowledged before me by Christina W. Alem, who has produced Fla. Driver's License 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**

**PRINT NAME**

## **Exhibit A**

### **Legal Description:**

Lot 16, Block 13, AMENDED PLAT OF SUNSET LAKE  
SUBDIVISION, according to the Plat thereof, recorded in Plat Book 8, at  
Page 52, of the Public Records of Miami-Dade County, Florida.

---



# BERCOW RADELL FERNANDEZ & LARKIN

ZONING, LAND USE AND ENVIRONMENTAL LAW

DIRECT LINE: (305) 377-6236  
E-Mail: MAMster@brzoninglaw.com

## VIA ELECTRONIC SUBMITTAL AND HAND DELIVERY

July 6, 2018

James G. Murphy, Chief of Urban Design  
Planning Department  
City of Miami Beach  
1700 Convention Center Drive, 2<sup>nd</sup> Floor  
Miami Beach, Florida 33139

Re: Design Review and Variance Approvals for the Property Located at  
2421 North Bay Road, Miami Beach, Florida

---

Dear James:

This law firm represents Matias and Christina Alem (collectively the "Applicant"), the owners of the above-referenced property (the "Property"). Please allow this letter to serve as the required letter of intent in connection with a request to the Design Review Board ("DRB") for design review approval, a design waiver and variance for a new single-family home on the Property.

Property Description. The Property, identified by Miami-Dade County Folio No. 02-3227-008-0930, is a mid-block lot located on the east side of North Bay Road with the Miami Beach Golf Club nearby to the east and the Sunset Islands to the west. The Property is comprised of approximately 7,305 square feet and is in the RS-4, Single Family Residential Zoning District.

Proposed Development. The Applicant proposes to replace the existing house and construct a beautifully-designed two-story residence of approximately 3,601 square feet in size. The proposed home has a sloped roof and is very low-scale. The house is centrally located on the Property, and a pool will be located in the rear yard. The second floor contains open air amenity areas – a balcony in the front and a terrace at the rear.



The proposed driveway and parking area will be comprised of spaced pavers with grassy vegetation filling the spaces that provide permeable areas throughout the front yard. The entirety of the second floor and portions of first floor windows will feature wood lattice shutters that filter an appropriate amount of natural light and add tasteful character to the Project's Tropical Modern design.

The proposed new home complies with the City of Miami Beach Code (the "Code") requirements for unit size and lot coverage. The size of the proposed home is approximately 3,601 square feet (49.3% of the lot size), which is below the allowable 50% unit size limit. The lot coverage is approximately 25.5%, which is significantly below the 30% permitted. Lastly, the height of the home is 25'-7.5", which is within the maximum allowable 27' height for a sloped roof in the RS-4.

Waiver Request. The Applicant respectfully requests DRB approval of the following waiver:

1. Code Section 142-105(b)(4)(c), to permit 96.7% second floor volume where 70% maximum is permissible.

Regarding the request, the proposed home will only have a slight increase over the preferred two-story volume amount and is appropriately designed to reduce the two-story elevation. The home is centrally located on the Property and well within the permitted maximum lot coverage and height. The intent of the second floor area volume requirement is to reduce the scale and massing of the second story portion of the home, and the Applicant has very effectively addressed this in the design. The second story portion is further setback in order to feature a covered balcony at the front and at the rear, and therefore, reduce the mass of the second story. The numerous architectural articulations offered will also reduce the impact of the size of the second story portion. For example, the front entrance of the home is not flush with the front façade, and there is a juxtaposition effect between the materials used for the first and second floor facades. The entire design significantly reduces the size of the home and matches the character of the neighborhood. The intent of the Code will be accomplished in the proposed design.

Variance Request. The Applicant's proposal substantially complies with the single-family home regulations, including lot coverage, unit size, setbacks, and height. The one variance requested is minor and does not contradict the intent of the Code. In order to fully realize its development and due to the Property's confining characteristics, the Applicant requests the following variance:

1. Code Section 142-1132(h)(1)(b), to exceed the 7' maximum height for fences walls and gates within the required side yard for a guardrail at 8'-11".

Satisfaction of Hardship Criteria. The Applicant's requests satisfy all hardship criteria as follows:

- (1) Special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same zoning district;**

The proposed new home is centrally located on the lot and has taken the sea level rise and resiliency into consideration with the design. The walkway located within the north side yard is a permissible projection pursuant to the Code. In order to accommodate an acceptable height of the walkway to the home, the safety railing must also be appropriate. From adjusted grade, the height of the landing is 2' and the guardrail is 3'-6", which is the appropriate and safe height for an average size adult. The variance is required, however, because Code Section 142-1132(h)(1)(b) measures fences, walls and gates from grade. "Grade" is the city sidewalk elevation at the centerline of the front of the Property, 3.1' NGVD, which is beneath the surface of the ground. This difference between the elevation of the yard and the elevation of the sidewalk is a special condition that must be addressed for sea level rise, but should not hinder the safety of the outdoor portions of the home.

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

The grade elevation and the required elevation of the yard and home, as well as the additional height of the walkway railing are required to address sea level rise and provide a safe walkway within the side yard of a home of this height. All these requirements are not of any action of the Applicant.

- (3) Granting the variance requested will not confer on the applicant any special privilege that is denied by these land development regulations to other lands, buildings, or structures in the same zoning district;**

As many homes in the surrounding area are renovated on lots of similar dimensions, there will be a significant difference between the sidewalk height and the height of the finished floor elevations. Granting the requested variances will enable the Applicant to construct the proposed home with a proportional and safe walkway railing and preserve the general aesthetic character of the neighborhood. The Code allows other similarly situated property owners to seek similar variances to accommodate development and allow for the construction of certain

features, especially if the proposed homes substantially comply with all other parts of the Code. The granting of these variances is in line with the purpose and intent of the Code and does not confer any special privilege on the Applicant.

- (4) Literal interpretation of the provisions of these land development regulations would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of these land development regulations and would work unnecessary and undue hardship on the applicant;**

A literal interpretation of the provisions of these land development regulations would force the Applicant to build a much lower railing than what is allowed by the pertinent regulations and/or force the design to not provide the necessary safety railing. As a result, the Code would deprive the Applicant of the right to build what is enjoyed by other properties, and may give rise to a safety issue. Further, a literal interpretation of the provisions of these land development regulations would work an unnecessary and undue hardship on the Applicant. The variance is requested in order to safely effectuate the development of the proposed structure with certain integral design elements, while still maintaining the intent of the Code because overall the new home minimizes the scale and massing from impacting the abutting neighbors.

- (5) The variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure;**

As stated, the house is centrally positioned on the Property and is well within the permitted limits of the Code in all respects, including lot coverage. The minor increase in the height of the railing is the minimum necessary to provide a safe railing for the walkway.

- (6) The granting of the variance will be in harmony with the general intent and purpose of these land development regulations and that such variance will not be injurious to the area involved or otherwise detrimental to the public welfare; and**

The residence will be in harmony with the surrounding properties, and aims to further the intent and purpose of the land development regulations. The railing will not add to the overall massing of the home. Notably, all abutting neighbors and properties provide concrete perimeter walls. The walkway railing will be transparent and buffered from the abutting property with thick landscaping.

- (7) The granting of this request is consistent with the comprehensive plan and does not reduce the levels of service as set forth in the plan. The planning and zoning director may require applicants to submit documentation to support this requirement prior to the scheduling of a public hearing or any time prior to the board of adjustment voting on the applicant's request.**

The variance request is consistent with the City's comprehensive plan and does not reduce the levels of service as set forth in the plan.

Practical Difficulty. The drastic difference between the height of the sidewalk (grade) and the height of the livable areas of the home (finished floor elevation) represents a practical difficulty in complying with the side yard height requirement for the safety railing. The Applicant's proposal satisfies the intent and purposes of the Code to provide a modestly-sized symmetrical home centrally located on the lot that does not adversely impact the neighborhood. The walkway is a permitted projection into the side yard and the height of the walkway landing is permitted to be proportional to the height of the home. The slight increase in height does not increase the scale of the home and will allow the design to fit the general character of the neighborhood.

Sea Level Rise and Resiliency Criteria. The proposed project advances the sea level rise and resiliency criteria in Section 133-50(a) as follows:

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

The Applicant will provide a recycling or salvage plan during permitting.

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

Windows will be hurricane-impact.

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

Operable windows will be provided.

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

The Applicant's proposed landscape plan is resilient as it will serve to be comprised of native and Florida-friendly plants that are appropriate for the area.

- (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.**

The Applicant proposes the new structure to have a finished floor elevation at nine (9) feet NGVD, one (1) foot above the Base Floor Elevations (BFE).

- (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.**

The Applicant proposes a finished floor elevation of nine (9) feet NGVD, with appropriate ramping from the street to the parking area and entrance to the home that will be compatible to future raising of public right-of-ways and adjacent land.

- (7) **Where feasible and appropriate. All critical mechanical and electrical systems are located above base flood elevation.**

All critical mechanical and electrical systems will be located above BFE.

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

Not applicable as Applicant proposes a new replacement home at BFE +1'.

- (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.**

No habitable space is located below BFE.

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

The Applicant has engaged the services of an engineer to analyze and provide an appropriate drainage plan for the Property. Accordingly, a water retention system will be implemented.

Conclusion. Granting this design review application and associated waiver and variance will permit the development of a beautifully-designed single-family home that is compatible with the surrounding neighborhood. We look forward to your favorable review of the application. If you have any questions or comments in the interim, please give me a call at 305-377-6236.

Sincerely,



Matthew Amster

cc: Michael Larkin, Esq.  
Emily K. Balter, Esq.





**rdr miami** | rio development resources

public hearing notification packages: lists of property owners within a specific radius + radius maps + mailing labels  
mailouts + site posting

**rdrmiami.com | diana@rdrmiami.com | 305.498.1614**

June 15, 2018

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

**Re: Property Owners List within 375 feet of:**

**SUBJECT:** 2421 N Bay Road, Miami Beach, FL 33140

**FOLIO NUMBER:** 02-3227-008-0930

**LEGAL DESCRIPTION:** SUNSET LAKE SUB AMD PL PB 8-52 LOT 16 BLK 13

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

Sincerely,

---

Diana B. Rio

Total number of property owners without repetition: **34, including 0 international**



**rdr miami** | rio development resources

public hearing notification packages: lists of property owners within a specific radius + radius maps + mailing labels  
mailouts + site posting

**rdrmiami.com** | **diana@rdrmiami.com** | **305.498.1614**

## 375' RADIUS MAP



**SUBJECT:** 2421 N Bay Road, Miami Beach, FL 33140

**FOLIO NUMBER:** 02-3227-008-0930

**LEGAL DESCRIPTION:** SUNSET LAKE SUB AMD PL PB 8-52 LOT 16 BLK 13

2354 ALTON LLC  
1730 W 25 ST  
MIAMI BEACH, FL 33140

2372 MIAMI BEACH LLC  
2372 ALTON RD  
MIAMI BEACH, FL 33140

AARON M KARLTON TRS  
2344 NBR IRREVOCABLE TRUST  
2344 N BAY RD  
MIAMI BEACH, FL 33140

BSS MIAMI LLC C/O JAWS CAPITAL  
591 WEST PUTNAM AVE  
GREENWICH, CT 06830

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

DAVID KADKO TRS  
DAVID KADKO TRUST  
2385 N BAY RD  
MIAMI BEACH, FL 33140

DOUGLAS LEVINE  
2760 N BAY RD  
MIAMI BEACH, FL 33140-4265

ELIZABETH BEATTIE  
2355 N BAY RD  
MIAMI BEACH, FL 33140-4260

FDSR PARTICIPATION INC  
C/O JOSE MARIA CARNEIRO  
1900 SW 3 AVE  
MIAMI, FL 33129-1419

GEORGE GUNDES  
2410 ALTON RD  
MIAMI BEACH, FL 33140

GILAD GOLDENHOLZ  
REBEKAH STEVENS  
2701 N BAY RD  
MIAMI BEACH, FL 33140

HAROLD GOLEN  
2363 N BAY RD  
MIAMI BEACH, FL 33140-4260

J H COOK &W SANDRA  
2410 NO BAY RD  
MIAMI BEACH, FL 33140-4263

JESUS CABARCOS JR  
2413 N BAY RD  
MIAMI BEACH, FL 33140-4262

JIG FAMILY HOLDINGS LLLP  
3158 NORTH BAY ROAD  
MIAMI BEACH, FL 33140

JOSE LUIS RODRIGUEZ  
LUISA CAROLINA RODRIGUEZ  
2655 N BAY RD  
MIAMI BEACH, FL 33140-4272

LAWRENCE J WICKENHEISER TRS  
LAWRENCE J WICKENHEISER  
2740 OLD ALTON RD  
MIAMI BEACH, FL 33140

LOUIS J PUIG  
CORINNE PUIG  
2700 N BAY RD  
MIAMI BEACH, FL 33140

MARIO MANUEL RAMOS  
2750 N ALTON RD  
MIAMI BEACH, FL 33140-4259

MARK DANIEL BALZLI  
2383 N BAY RD  
MIAMI BEACH, FL 33140-4260

MATIAS ALEM  
CHRISTINA W ALEM  
11 ISLAND AVE #1511  
MIAMI BEACH, FL 33139

MICHAEL R HAMMON  
2371 NORTH BAY RD  
MIAMI BEACH, FL 33140

MICHAEL TILSON THOMAS &  
JOSHUA M ROBISON  
1745 BROADWAY 18TH FL  
NEW YORK, NY 10019

NADIM ACHI &W MARLENE  
2424 N BAY RD  
MIAMI BEACH, FL 33140-4263

OLGA A BELLAS  
2390 ALTON RD  
MIAMI BEACH, FL 33140-4256

PEDRO J LOPEZ  
2402 ALTON RD  
MIAMI BEACH, FL 33140

POPINA LLC  
345 OCEAN DRIVE UNIT 803  
MIAMI BEACH, FL 33139

ROBERT BARRY GREEN  
MINDEE GREEN  
706 BUTTERNUT DR  
FRANKLIN LAKES, NJ 07417

SILVIA NUNEZ TRS  
SILVIA NUNEZ REVOCABLE TRUST  
5555 COLLINS AVE 7F  
MIAMI BEACH, FL 33141

SIMONE MECHALI  
SIMONE DRAY  
1677 COLLINS AVE  
MIAMI BEACH, FL 33139

STEPHEN TC GIBB  
2721 N BAY RD  
MIAMI BEACH, FL 33140-4264

SUSAN ROSENBLATT TRS  
THE 2744 NORTH BAY ROAD TRUST  
2821 LAKE AVE  
MIAMI BEACH, FL 33140

TODD J FLORIN &W ALICE C  
2401 N BAY RD  
MIAMI BEACH, FL 33140-4262

VICTOR MARRA  
2702 ALTON RD  
MIAMI BEACH, FL 33140-4259

Name	Address	City	State	Zip	Country
2354 ALTON LLC	1730 W 25 ST	MIAMI BEACH	FL	33140	USA
2372 MIAMI BEACH LLC	2372 ALTON RD	MIAMI BEACH	FL	33140	USA
AARON M KARLTON TRS 2344 NBR IRREVOCABLE TRUST	2344 N BAY RD	MIAMI BEACH	FL	33140	USA
BSS MIAMI LLC C/O JAWS CAPITAL	591 WEST PUTNAM AVE	GREENWICH	CT	06830	USA
CITY OF MIAMI BEACH	1700 CONVENTION CENTER DR	MIAMI BEACH	FL	33139	USA
DAVID KADKO TRS DAVID KADKO TRUST	2385 N BAY RD	MIAMI BEACH	FL	33140	USA
DOUGLAS LEVINE	2760 N BAY RD	MIAMI BEACH	FL	33140-4265	USA
ELIZABETH BEATTIE	2355 N BAY RD	MIAMI BEACH	FL	33140-4260	USA
FDSR PARTICIPATION INC C/O JOSE MARIA CARNEIRO	1900 SW 3 AVE	MIAMI	FL	33129-1419	USA
GEORGE GUNDES	2410 ALTON RD	MIAMI BEACH	FL	33140	USA
GILAD GOLDENHOLZ REBEKAH STEVENS	2701 N BAY RD	MIAMI BEACH	FL	33140	USA
HAROLD GOLEN	2363 N BAY RD	MIAMI BEACH	FL	33140-4260	USA
J H COOK &W SANDRA	2410 NO BAY RD	MIAMI BEACH	FL	33140-4263	USA
JESUS CABARCOS JR	2413 N BAY RD	MIAMI BEACH	FL	33140-4262	USA
JIG FAMILY HOLDINGS LLLP	3158 NORTH BAY ROAD	MIAMI BEACH	FL	33140	USA
JOSE LUIS RODRIGUEZ LUISA CAROLINA RODRIGUEZ	2655 N BAY RD	MIAMI BEACH	FL	33140-4272	USA
LAWRENCE J WICKENHEISER TRS LAWRENCE J WICKENHEISER	2740 OLD ALTON RD	MIAMI BEACH	FL	33140	USA
LOUIS J PUIG CORINNE PUIG	2700 N BAY RD	MIAMI BEACH	FL	33140	USA
MARIO MANUEL RAMOS	2750 N ALTON RD	MIAMI BEACH	FL	33140-4259	USA
MARK DANIEL BALZLI	2383 N BAY RD	MIAMI BEACH	FL	33140-4260	USA
MATIAS ALEM CHRISTINA W ALEM	11 ISLAND AVE #1511	MIAMI BEACH	FL	33139	USA
MICHAEL R HAMMON	2371 NORTH BAY RD	MIAMI BEACH	FL	33140	USA
MICHAEL TILSON THOMAS & JOSHUA M ROBISON	1745 BROADWAY 18TH FL	NEW YORK	NY	10019	USA
NADIM ACHI &W MARLENE	2424 N BAY RD	MIAMI BEACH	FL	33140-4263	USA
OLGA A BELLAS	2390 ALTON RD	MIAMI BEACH	FL	33140-4256	USA
PEDRO J LOPEZ	2402 ALTON RD	MIAMI BEACH	FL	33140	USA
POPINA LLC	345 OCEAN DRIVE UNIT 803	MIAMI BEACH	FL	33139	USA
ROBERT BARRY GREEN MINDEE GREEN	706 BUTTERNUT DR	FRANKLIN LAKES	NJ	07417	USA
SILVIA NUNEZ TRS SILVIA NUNEZ REVOCABLE TRUST	5555 COLLINS AVE 7F	MIAMI BEACH	FL	33141	USA
SIMONE MECHALI SIMONE DRAY	1677 COLLINS AVE	MIAMI BEACH	FL	33139	USA
STEPHEN TC GIBB	2721 N BAY RD	MIAMI BEACH	FL	33140-4264	USA
SUSAN ROSENBLATT TRS THE 2744 NORTH BAY ROAD TRUST	2821 LAKE AVE	MIAMI BEACH	FL	33140	USA
TODD J FLORIN &W ALICE C	2401 N BAY RD	MIAMI BEACH	FL	33140-4262	USA
VICTOR MARRA	2702 ALTON RD	MIAMI BEACH	FL	33140-4259	USA

Planning Department, 1700 Convention Center Drive 2<sup>nd</sup> Floor  
Miami Beach, Florida 33139, www.miamibeachfl.gov  
305.673.7550

Property address: 2421 North Bay Road Board: DRB Date: 6/11/18

## BOARD APPLICATION CHECK LIST

A Pre-Application meeting must be scheduled via CAP to obtain a plan case number and for board staff review of all submittals.
Pre-Application meetings for applications that do not require a traffic study are scheduled on a first come-first served basis and must occur no later than five(5) business days prior to CAP First submittal.
Applications requiring a traffic study must meet with Planning, Transportation, and peer reviewer sixty (60) days* prior to First submittal deadline to determine the methodology for the traffic impact study. This meeting is considered the "Pre-Application meeting" and must be scheduled via CAP to obtain a plan case number for review and payment of fees. Thirty (30) days before First submittal, applicant must provide the traffic study via CAP (see Transportation Department's requirements check list). The Transportation Department/Peer Reviewer will submit first round of comments 15 days prior to First submittal. Applicant must address comments and submit revised traffic study/plans for CAP First submittal deadline.
<b>Incomplete, or submittals found to be insufficient will not be placed on a Board agenda.</b>

ITEM #	FIRST SUBMITTAL (VIA CAP) ** To be uploaded online (CAP) by the applicant before 5:00 pm by First submittal deadline. ALL PLANS MUST BE DIMENSIONED AND LEGIBLE. INCLUDE A GRAPHIC SCALE.	Required
1	Application Fee and Peer review fees shall be paid after Pre-Application meeting and before the First submittal. It is the applicant's responsibility to make this payment, if an invoice is not generated by the CAP system, the applicant should contact staff prior to first submittal to be invoiced and make payment.	✓
2	Copy of signed and dated check list issued at Pre-Application meeting.	✓
3	Completed Board Application, Affidavits & Disclosures of Interest (original signatures).	✓
4	Signed and dated Letter of Intent. <b>Letter must outline application details and identify hardships if Variances are requested.</b> (see also Items # 42,43 and 44).	✓
5	Mailing Labels: Upload property owner's list and copy of original certified letter from provider. See #52 for submittal of Hard copy / originals of these items.	✓
6	Copies of all current or previously active Business Tax Receipts.	
7	School Concurrency Application for projects with a net increase in residential units (no SFH). Provide Planning Department - Miami Dade - School Concurrency Application for Transmittal	
8	Survey: Electronic version of original signed & sealed, dated no more than six months from date of application. Survey must provide: lot area, grade per Section 114-1 of the City Code. (If no sidewalk exists, provide the elevation of the crown of the road) and spot elevations.	✓
9	<b>Architectural Plans and Exhibits (must be 11"x 17")</b>	✓
a	Cover Sheet with bullet point scope of work, clearly labeled "First Submittal" and dated with First Submittal deadline date. <b>Include copies of previous recorded board orders, if applicable.</b>	✓
b	Copy of the original survey included in plan package. See No. 8 above for survey requirements	✓
c	All Applicable Zoning Information (Use Planning Department zoning data sheet format).	✓
d	Context Location Plan, Min 8.5"x11" Color Aerial 1/2 mile radius, identifying project and showing name of streets. (no Google images)	✓
e	Full legal description of the property if not included in survey (for lengthy legal descriptions, attach as a separate document - label clearly).	✓
f	Existing FAR Shaded Diagrams (Single Family Districts: Unit Size and Lot Coverage Shaded Diagrams), if applicable	✓
g	Proposed FAR Shaded Diagrams(Single Family Districts: Unit Size and Lot Coverage Shaded Diagrams), if applicable.	✓
h	Site Plan (fully dimensioned with setbacks, existing and proposed, including adjacent right-of-way widths).	✓

\* 60 day lead time for projects including traffic studies is necessary to ensure completion of review and required corrections by Final submittal deadline. Applications cannot be scheduled without evaluated and corrected traffic studies.

Indicate N/A If Not Applicable

Initials: FSC



Planning Department, 1700 Convention Center Drive 2<sup>nd</sup> Floor  
Miami Beach, Florida 33139, [www.miamibeachfl.gov](http://www.miamibeachfl.gov)  
305.673.7550

**Property address:** 2421 North Bay Road

i	Current color photographs, dated, Min 4"x 6" of project site and existing structures (no Google images)	✓
j	Current, color photographs, dated, Min 4"x6" of interior space (no Google images)	✓
k	Current color photographs, dated, Min 4"x 6" of context, corner to corner, across the street and surrounding properties with a key directional plan (no Google images)	✓
l	Existing Conditions Drawings (Floor Plans & Elevations with dimensions). Number of seats, furniture layout if applicable	✓
m	Demolition Plans (Floor Plans & Elevations with dimensions)	
n	Proposed Floor Plans and Roof Plan, including mechanical equipment plan and section marks. Plans shall indicate location of all property lines and setbacks.	✓
o	Proposed Elevations, materials & finishes noted (showing grade, base flood elevation, heights in NGVD values and free board if applicable)	✓
p	Proposed Section Drawings	✓
q	Color Renderings (elevations and three dimensional perspective drawings).	✓
10	<b>Landscape Plans and Exhibits (must be 11"x 17")</b>	✓
a	Landscape Plan - street and onsite - identifying existing, proposed landscape material, lighting, irrigation, raised curbs, tree survey and tree disposition plan, as well as underground and overhead utilities when street trees are required.	✓
b	Hardscape Plan, i.e. paving materials, pattern, etc.	✓
11	Copy of original Building Permit Card, & Microfilm, if available.	✓
12	Copy of previously approved building permits. (provide building permit number).	
13	Existing and Proposed detailed topographic survey depicting existing spot grades (NAVD) as well as all underground/overhead utilities and easements/agreements with recording data. See Part 1 / Section 1 / A. Surveying & Mapping Standards and submittal Requirements of the Public Works Manual. <a href="http://www.miamibeachfl.gov/publicworks/engineering/engineeringmanual.aspx?id=12920">http://www.miamibeachfl.gov/publicworks/engineering/engineeringmanual.aspx?id=12920</a>	
14	Vacant/Unoccupied structures or sites shall provide recent photographic evidence that the site and structure are secured and maintained. The applicant shall obtain and post a No Trespassing Sign from the City's Police Dept.	
15	Historic Resources Report (This report shall include, but not be limited to, copy of the original Building Permit Card and subsequent modifications, Microfilm records, existing condition analysis, photographic and written description of the history and evolution of the original building on the site, all available historic data including original plans, historic photographs and permit history of the structure and any other related information on the property.	
16	Contextual Elevation Line Drawings, corner to corner, across the street and surrounding properties (dated).	
17	Line of Sight studies.	
18	Structural Analysis of existing building including methodology for shoring and bracing.	
19	Proposed exterior and interior lighting plan, including photometric calculations.	
20	Exploded Axonometric Diagram (showing second floor in relationship to first floor).	✓
21	Neighborhood Context Study. (Planning will provide guidance if necessary for application.)	✓
22	Required yards open space calculations and shaded diagrams.	✓
23	Required yards section drawings.	✓
24	Variance and/or Waiver Diagram	✓
25	Schematic signage program	
26	Detailed sign(s) with dimensions and elevation drawings showing exact location.	
27	Elevation drawings showing area of building façade for sign calculation (Building ID signs).	
28	Daytime and nighttime renderings for illuminated signs.	

Indicate N/A If Not Applicable

FSC  
Initials: \_\_\_\_\_

Planning Department, 1700 Convention Center Drive 2<sup>nd</sup> Floor  
Miami Beach, Florida 33139, www.miamibeachfl.gov  
305.673.7550

**Property address:** 2421 North Bay Road

29	Floor Plan Indicating area where alcoholic beverages will be displayed.	
30	Survey showing width of the canal (Dimension shall be certified by a surveyor)	
31	Site Plan showing total projection of structures from seawall, location and dimension of all structures inclusive of dock, mooring piles, boat lift, etc.	
32	DERM recommendation/preliminary approval. Docks or any structures shall have approval stamp from DERM or other regulatory agency before submitting for a variance. A letter from DERM or other agency, explaining specific requirements for the project is recommended.	
33	Technical specifications of the boat lift and/ or boat, ship of vessel to be docked or moored.	
34	Survey shall include spot elevations in rear yard and elevation points on the dune adjacent to the property. Provide highest elevation point on the due within the property. Erosion control line and Bulkhead line shall be indicated if present.	
35	Scaled, signed, sealed and dated specific purpose survey (Alcohol License/Distance Separation) distance shown on survey with a straight line.	
36	Proposed Operational Plan: Include deliveries and trash pickup times, hours of operations, number of employees, security and restaurant menu (if applicable).	
37	Maneuvering plan for loading within the existing/proposed conditions, delivery and garbage trucks size (length and width).	
38	Traffic Study, Site plan(s) : Revised version addressing first round of comments from Transportation Department and peer review. (See Transportation Department check list for requirements.)	
39	Sound Study report (Hard copy) with 1 CD.	
<b>40</b>	<b>Site Plan (Identify streets and alleys)</b>	
a	Identify: setbacks _____ Height _____ Drive aisle widths _____ Streets and sidewalks widths _____	
b	# parking spaces & dimensions _____ Loading spaces locations & dimensions _____	
c	# of bicycle parking spaces _____	
d	Interior and loading area location & dimensions _____	
e	Street level trash room location and dimensions _____	
f	Delivery route _____ Sanitation operation _____ Valet drop-off & pick-up _____ Valet route in and out _____	
g	Valet route to and from _____ auto-turn analysis for delivery and sanitation vehicles _____	
h	Indicate any backflow preventer and FPL vault if applicable	
i	Indicate location of the area included in the application if applicable	
j	Preliminary on-street loading plan	
<b>41</b>	<b>Floor Plan (dimensioned)</b>	
a	Total floor area	
b	Identify # seats indoors _____ outdoors _____ seating in public right of way _____ Total <input checked="" type="checkbox"/>	
c	Occupancy load indoors and outdoors per venue _____ Total when applicable _____	
<b>42</b>	<b>The letter of Intent shall include and respond to all sea level rise and resiliency review criteria per section 133-50 of the City Code.</b>	<input checked="" type="checkbox"/>
<b>43</b>	<b>The Letter of Intent for Variances shall include and respond to all review guidelines in the code as follows:</b>	
a	Section 118-353 (d) of the City Code for each Variance.	
<b>44</b>	<b>The Letter of Intent for Planning Board shall include and respond to all review guidelines in the code as follows:</b>	
a	For Conditional Use -Section 118-192 (a)(1)-(7)	
b	CU -Entertainment Establishments - Section 142-1362 (a)(1)-(9)	
c	CU - Mechanical Parking - Section 130-38 (3)(c )(i)(1)-(2) & (4)(a)-(k)	
d	CU - Structures over 50,000 SQ.FT. - Section 118-192 (b) (1)-(11)	
e	CU - Religious Institutions - Section 118-192 (c) (1)-(11)	

Indicate N/A If Not Applicable

Initials: FSC

Planning Department, 1700 Convention Center Drive 2<sup>nd</sup> Floor  
 Miami Beach, Florida 33139, www.miamibeachfl.gov  
 305.673.7550

Property Address: 2421 North Bay Road

f	For Lot Splits - Section 118-321 (B) (1)-(6). Also see application instructions	
	<i>Notes: The applicant is responsible for checking above referenced sections of the Code. If not applicable write N/A</i>	

**\*\*ADDITIONAL INFORMATION AS MAY BE REQUIRED AT THE PRE-APPLICATION MEETING**

ITEM #	<b>FINAL SUBMITTAL (via CAP)</b> Revised and/or supplemented documents and drawings to address staff comments. Plans should be clearly labeled "Final Submittal" and dated with Final Submittal deadline date. Upload documents online (via CAP) before 5:00 pm on final submittal deadline. Staff will review and issue a notice to proceed to Paper Final submittal or to continue submittal to a future meeting if the application is found incomplete.	
	45 Traffic Study, Site plan(s): This is the final traffic study including any modifications required to address comments from the City's Transportation Department. City's required permit by FDOT should be obtained prior to Final submittal (via CAP).	

ITEM #	PAPER FINAL SUBMITTAL:	Required
46	Original application with all signed and notarized applicable affidavits and disclosures.	✓
47	Original of all applicable items.	✓
48	One (1) signed and sealed 11"X17" bound, collated set of all the required documents.	✓
49	14 collated copies of all required documents	✓
50	One (1) CD/DVD with electronic copy of entire final application package (plans, application, Letter of Intent, traffic/sound study, etc.) see CD/DVD formatting attached, for instructions.	✓
51	Traffic Study (Hard copy)	
52	Mailing Labels -2 sets of gummed labels and a CD including: Property owner's list and Original certified letter from provider.	✓

**ADDITIONAL INFORMATION AND ACKNOWLEDGEMENTS**

- A. Other information/documentation required for First submittal will be identified during Pre-Application meeting but may be modified based on further analysis.
- B. It is the responsibility of the applicant to confirm that documents submitted via CAP, Paper Submittal sets (14 copies), and electronic version on CD are consistent with each other and legible.
- C. Plan revisions and supplemental documentation will not be accepted after the Final Submittal deadline
- D. All documents required for Board applications must be submitted in an electronic format (PDF) via CD in the manner prescribed herein. The CD is considered the "Formal Submission", and must include the electronic version of all hard copy documents associated with the application. A new Updated CD will be required if any modifications are made before or after hearing. Failure to comply with the aforementioned may result in a rehearing before the applicable board at the applicant's expense.
- E. Please note that the applicant will be required to submit revised plans pursuant to applicable Board Conditions no later than 60 days after Board Approval. (If applicable)



Applicant's or designee's signature

6/11/18

Date

Indicate N/A If Not Applicable

Initials: FSC

### **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.
- (2) Windows that are proposed to be replaced shall be hurricane proof impact windows.
- (3) Where feasible and appropriate, passive cooling systems, such as operable windows, shall be provided.
- (4) Whether resilient landscaping (salt tolerant, highly water-absorbent, native or Florida friendly plants) will be provided.
- (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.
- (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.
- (7) Where feasible and appropriate, all critical mechanical and electrical systems shall be located above base flood elevation.
- (8) Existing buildings shall be, where reasonably feasible and appropriate, elevated to the base flood elevation.
- (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.
- (10) Where feasible and appropriate, water retention systems shall be provided.

# MIAMIBEACH

## PLANNING DEPARTMENT

1700 Convention Center Drive, Miami Beach, Florida 33139; Tel: 305.673.7550; Web: [www.miamibeachfl.gov/planning](http://www.miamibeachfl.gov/planning)

### DESIGN REVIEW BOARD CAP SUBMITTAL FILE NAMING

All PDF files must be named with the submittal deadline date and the type of document in the following format 'MM-DD-YYYY Document Name'. For example, if the deadline for first submittal is October 29, 2017 the file name would be '10-29-2017 Application'. Use this naming format for first and final CAP submittals. The uploaded file retains the name as it has been saved on your computer. The file name cannot be changed and the file cannot be deleted once it is uploaded.

Please use names for the most common types of files. If the document type is not listed below, please use a document name that clearly identifies the file.

Document Name	Description
Application	Completed Land Use Board Application form including Exhibit A
LOI	Letter of Intent
Checklist	Pre-application Checklist
Labels	Mailing Labels, List of Property Owners, Certified Letter and Map
BTR	Copies of Previous Business Tax Receipts
Survey	Recent Signed and Sealed Survey
Plans	Architectural Plans and Exhibits
Landscape	Landscaping Plans and Exhibits
Microfilm	Building Card and Microfilm
Traffic	Traffic Study
Sound	Sound Study

**All pages of a document must be uploaded in one PDF file. Do not upload individual pages of a document. Documents that have not been revised from first to final submittal do not have to be re-uploaded.**

## 2018 SCHEDULE OF LAND USE BOARD MEETINGS

All meetings are held in the Commission Chambers, Third Floor, Miami Beach City Hall unless otherwise noticed. Please note that only complete applications are scheduled for consideration by Land Use Boards and the number of applications placed on an agenda may not exceed 15 in order to allow sufficient time for the applicants to present, and the board to duly consider each item during the scheduled meeting. Complete applications will be scheduled for the next available agenda on a first come – first serve basis unless the applicant requests to be scheduled on a future agenda. The timeline represented herein may be extended if application is incomplete or submittals not made on a timely manner.

DESIGN REVIEW BOARD, BOARD OF ADJUSTMENT & HISTORIC PRESERVATION BOARD									
PRE-APP MEETING NO LATER THAN	NEW FILE FEE PAY-BY DATE	CAP FIRST SUBMITTAL	COMMENTS ISSUED	FINAL SUBMITTAL (CAP & PAPER)	NOTICE TO PROCEED ISSUED	AGENDA FINALIZED & ALL FEES MUST BE PAID BY	MEETING DATE		
							DRB	BOA	HPB
10/19/17	10/23/17	10/24/17	11/02/17	11/09/17	11/16/17	11/18/17	01/02/18	01/05/18	01/09/18
11/13/17	11/17/17	11/20/17	12/01/17	12/08/17	12/18/17	12/20/17	02/06	02/02	02/13
12/11/17	12/15/17	12/18/17	12/29/17	01/05/18	01/15/18	01/17/18	03/06	03/02	03/12
01/08/18	01/12/18	01/15/18	01/26/18	02/02	02/12	02/14	04/03	04/06	04/10
02/05	02/09	02/12	02/23	03/02	03/12	03/14	05/01	05/04	05/08
03/12	03/16	03/19	03/30	04/06	04/16	04/18	06/05	06/01	06/11
04/09	04/13	04/16	04/27	05/04	05/14	05/16	07/03	07/06	07/10
<b>AUGUST RECESS</b>									
06/11	06/15	06/18	06/29	07/06	07/16	07/18	09/04	09/07	09/17
07/09	07/13	07/16	07/27	08/03	08/13	08/15	10/02	10/05	10/09
08/13	08/17	08/20	08/31	09/07	09/17	09/19	11/06	11/02	11/09
09/10	09/14	09/17	09/28	10/05	10/15	10/17	12/04	12/07	12/11

PLANNING BOARD							
PRE-APP MEETING NO LATER THAN	NEW FILE FEE PAY-BY DATE	CAP FIRST SUBMITTAL	COMMENTS ISSUED	FINAL SUBMITTAL (CAP & PAPER)	NOTICE TO PROCEED ISSUED	AGENDA FINALIZED & ALL FEES MUST BE PAID BY	MEETING DATE
11/09/17	11/13/17	11/14/17	11/23/17	11/30/17	12/07/17	12/11/17	01/23/18
12/01/17	12/08/17	12/11/17	12/22/17	12/29/17	01/08/18	01/10/18	02/27
12/29/17	01/05/18	01/08/18	01/19/18	01/26/18	02/05/18	02/07/18	03/27
01/19	01/26	01/29	02/09	02/16	02/26	02/28	04/17
02/23	03/02	03/05	03/16	03/23	04/02	04/04	05/22
03/30	04/06	04/09	04/20	04/27	05/07	05/09	06/26
04/27	05/04	05/07	05/18	05/25	06/04	06/06	07/24
<b>AUGUST RECESS</b>							
06/29	07/06	07/09	07/20	07/27	08/06	08/08	09/25
07/27	08/03	08/06	08/17	08/24	09/03	09/05	10/23
08/31	09/07	09/10	09/21	09/28	10/08	10/10	11/27
09/21	09/28	10/01	10/12	10/19	10/29	10/31	12/18