

July 6, 2018

VIA HAND DELIVERY

The Chairperson and Members of the
Miami Beach Historic Preservation Board
c/o Ms. Deborah J. Tackett
City of Miami Beach Planning Department
1700 Convention Center Drive, 2nd Floor
Miami Beach, Florida 33139

**Re: HPB18-0213 Modification Application for a Certificate of Appropriateness
for Design & Demolition| Sadigo Court Hotel | 334 20th Street, Miami Beach
(the “Property”)**

Dear Chairperson and Members of the Historic Preservation Board:

Our firm represents Sadigo Hotel, LLC (the “Applicant”), relating to land use and zoning matters relating to the Property. Please accept this Application, on behalf of the Applicant, for Modification of a Certificate of Appropriateness for design and demolition (“COA”) in connection with the redevelopment of the Property (the “Project”). The Project was originally approved at the Historic Preservation Board (“HPB”) meeting of September 13, 2016 under File No. HPB0616-0038 (“Order”), see attached.

I. The Property

The Property is located in the Museum Historic District and the Miami Beach Architectural District. The Property is zoned Residential Multifamily, Medium Intensity (RM-2) on the City of Miami Beach Official Zoning Map and designated Residential Multifamily, Medium Intensity (RM-2) on the City’s Future Land Use Map.

The Property contains a 1936 3-story apartment building called the Sadigo Court designed by P.H. Mallory. The Sadigo Court was an apartment building with 54 units. Enclosed with the submittal under separate cover, you will find a copy of a Historic Resource Report (“Historic Report”) prepared by Kobi Karp which includes the building cards for the Property.

The Board approved the Property to be converted from an apartment building into a boutique hotel with approximately 81 rooms and restaurant. The approvals in 2016 included, (i) new construction of a five (5) story addition; (ii) total renovation with slight demolition of the Property; (iii) new rooftop addition on the east side of the Property.

II. Project

Applicant is submitting to the HPB for a Modification of the Order to allow minor demolition of walls to open the space of the approved Hotel to have an adequate lobby servicing the hotel property. Since the Property was originally constructed as an apartment building only had an entryway in the building, it did not have a lobby suitable to accommodate a hotel use. Through the demolition of interior walls what has been an entryway can be expanded into a proper lobby area to service the hotel operation. In addition, the entryway seems to have historic flooring, but upon further research and removal of some tile, it is clear the flooring is not original. In fact, there is another tile underneath what is currently on the entryway. The Applicant is proposing to remove the non-historic tile and then replicate the original tile below, since it not salvageable.

III. Request for Certificate of Appropriateness

Applicant is hereby requesting an approval of the COA to permit the creation of the lobby area to accommodate renovated hotel of this size. The renovation of the property into a boutique hotel within the Museum Historic district it will be make it compatible with the surrounding properties which many have been converted into hotels.

IV. Compliance with COA Criteria

In accordance with Section 118-564 of the Code, the Application complies with the criteria for issuance of a COA. The proposed physical improvements and additions are designed to be compatible with the surrounding properties. The general design, scale and massing of the renovations to the Property are appropriate to the size of the lot and compatible with the surrounding properties. This modification only is requesting the demolition of several interior walls to create a lobby.

V. Sea Level Rise and Resiliency Review Waiver

Section 133-50(a) provides review criteria for compliance with the City's recently adopted sea level rise and resiliency criteria.

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

The minor demolition of the steps on the exterior of the Property should not require any recycling or salvaging. To the extent required, Applicant will comply with this requirement.

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

The new windows will be hurricane proof impact windows.

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

N/A.

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

All new landscaping will consist of Florida friendly plants.

- (v) *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.*

N/A

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

N/A

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

N/A

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

N/A

- (ix) *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 54 of the City Code.*

N/A

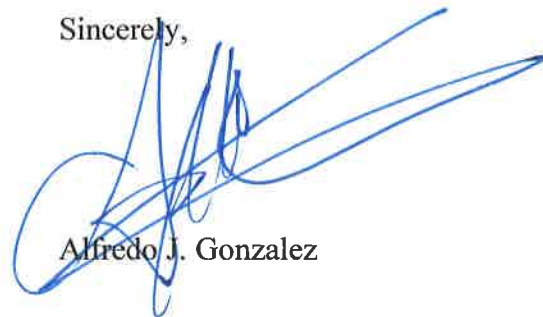
- (x) *Where feasible and appropriate, water retention systems shall be provided.*

N/A

VI. Conclusion

The Applicant is requesting the approval of the COA to enhance Property to create a proper lobby in order to operate a fully functional hotel. Based on the foregoing, we respectfully request your favorable consideration of this Application.

Sincerely,



Alfredo J. Gonzalez

Attachment

HISTORIC PRESERVATION BOARD
City of Miami Beach, Florida

MEETING DATE: September 13, 2016

FILE NO: HPB0616-0038

PROPERTY: 334 20th Street

APPLICANT: Sadigo Hotel LLC

LEGAL: Lots 4, 5 & 6, Block F, Miami Beach Improvement Company Subdivision, According to the Plat Thereof, as Recorded in Plat Book 5, Page 7, of the Public Records of Miami-Dade County, Florida.

IN RE: The application for a Certificate of Appropriateness for the partial demolition, renovation and restoration of the existing 3-story structure, the construction of a 1-story rooftop addition and the construction of a 5-story ground level addition, including variances to reduce the minimum required pedestal rear, side, and sum of the side yard setbacks, and variances from the required room sizes for hotel rooms.

ORDER

The City of Miami Beach Historic Preservation Board makes the following FINDINGS OF FACT, based upon the evidence, information, testimony and materials presented at the public hearing and which are part of the record for this matter:

I. Certificate of Appropriateness

- A. The subject site is located within the Museum Local Historic District.
- B. Based on the plans and documents submitted with the application, testimony and information provided by the applicant, and the reasons set forth in the Planning Department Staff Report, the project as submitted:
 - 1. Is consistent with the Certificate of Appropriateness Criteria in Section 118-564(a)(1) of the Miami Beach Code.
 - 2. Is not consistent with Certificate of Appropriateness Criteria 'c' in Section 118-564(a)(2) of the Miami Beach Code.
 - 3. Is not consistent with Certificate of Appropriateness Criteria 'b' & 'c' in Section 118-564(a)(3) of the Miami Beach Code.
 - 4. Is consistent with Certificate of Appropriateness Criteria for Demolition in Section 118-564(f)(4) of the Miami Beach Code.
- C. The project would be consistent with the criteria and requirements of section 118-564 if the following conditions are met:

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1. Revised elevations, site plan and floor plan drawings shall be submitted and, at a minimum, such drawings shall incorporate the following:
 - a. All through-the-window air conditioning units shall be removed and replaced with a central air conditioning system, in a manner to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board.
 - b. The existing windows shall be removed; new impact single-hung windows shall be provided and shall incorporate a muntin configuration that is consistent available historical documentation, in a manner to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board.
 - c. Prior to an application for a Building Permit, detailed, measured drawings shall be provided for the original balcony structures, including photographic documentation, in a manner to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board.
 - d. Prior to an application for a Building Permit, detailed reconstruction drawings for the existing balcony structures shall be submitted, in a manner to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board.
 - e. Final details of the louver systems located on the new additions shall be submitted, in a manner to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board.
 - f. Shutters shall be reintroduced along the north and west facades of the structure, consistent with available historical documentation, in a manner to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board.
 - g. Final details of all exterior surface finishes and materials, including samples, shall be submitted, in a manner to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board.
 - h. The final location and details of all exterior ramp and railings systems, including materials, dimensions and finishes, shall be provided in a manner to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board.
 - i. All roof-top fixtures, air-conditioning units and mechanical devices shall be clearly noted on a revised roof plan and elevation drawings and shall be screened from view, in a manner to be reviewed and approved by staff, consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board. Any rooftop mechanical equipment, structures or screening visible from the right-of-

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way and not shown on the plans approved by the Board shall require later Board approval.

2. In accordance with Section 118-395(b)(2) of the City Code, the requirement pertaining to an existing structure's setbacks and parking credits, is hereby waived, to allow for the reconstruction of the original ground floor slab.
3. A revised landscape plan, prepared by a Professional Landscape Architect, registered in the State of Florida, and corresponding site plan, shall be submitted to and approved by staff. The species type, quantity, dimensions, spacing, location and overall height of all plant material shall be clearly delineated and subject to the review and approval of staff. At a minimum, such plan shall incorporate the following:
 - a. The utilization of root barriers and/or Silva Cells, as applicable, shall be clearly delineated on the final revised landscape plan.
 - b. A fully automatic irrigation system with 100% coverage and an automatic rain sensor in order to render the system inoperative in the event of rain. Right-of-way areas shall also be incorporated as part of the irrigation system.

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

II. Variance(s)

- A. The applicant filed an application with the Planning Department for the following variance(s):
 1. A variance to reduce by 2'-10" the minimum required pedestal interior side setback of 12'-0" in order to construct a new building addition at 9'-2" from the east property line.
 2. A variance to reduce 5'-8" from the minimum required pedestal sum of the side yards of 24'-0" in order to have a pedestal sum of the side yards of 18'-4" for the construction of a new building addition.
 3. A variance to reduce by 7'-5" the minimum required pedestal rear setback of 12'-6" in order to construct an attached addition at 5'-1" from the south property line.
 4. A variance from the minimum required hotel unit size: 15% of the hotel units shall be between 300-335 SF and 85% of units shall be 335 SF or larger, in order to permit hotel rooms with a minimum area of 226 SF within the existing building, and an average room size of no less than 297 SF on a per floor basis average, within the existing building envelope.

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- B. The applicant has submitted plans and documents with the application that satisfy Article 1, Section 2 of the Related Special Acts, allowing the granting of a variance if the Board finds that practical difficulties exist with respect to implementing the proposed project at the subject property.

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

That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same zoning district;

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

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

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

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

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

That the granting of this request is consistent with the comprehensive plan and does not reduce the levels of service as set forth in the plan.

- C. The Board hereby grants the requested variance(s) and imposes the following conditions based on its authority in Section 118-354 of the Miami Beach City Code:
1. The parking plan shall be consistent with the plan shown on sheet A-1.1B and shall not include more than three (3) parking spaces.
 2. The number of proposed hotel rooms within the existing building shall be decreased so that on a per floor basis, the average hotel room size is not less than 297 SF, subject to the review and approval of staff.
 3. The hotel rooms located within the new ground floor addition shall comply with the hotel room size requirements for new construction.

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4. Substantial modifications to the plans submitted and approved as part of the application, as determined by the Planning Director or designee, may require the applicant to return to the Board for approval of the modified plans, even if the modifications do not affect variances approved by the Board.

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

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

- A. Where one or more parcels are unified for a single development, the property owner shall execute and record a unity of title or a covenant in lieu of unity of title, as may be applicable, in a form acceptable to the City Attorney.
- B. Applicant agrees that in the event Code Compliance receives complaints of unreasonably loud noise from mechanical and/or electrical equipment, and determines the complaints to be valid, even if the equipment is operating pursuant to manufacturer specifications, the applicant shall take such steps to mitigate the noise with noise attenuating materials as reviewed and verified by an acoustic engineer, in a manner to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board.
- C. A copy of all pages of the recorded Final Order shall be scanned into the plans submitted for building permit, and shall be located immediately after the front cover page of the permit plans.
- A. The Final Order shall be recorded in the Public Records of Miami-Dade County, within 30 days of the Board approval.
- B. Applicant shall submit revised plans pursuant to Board conditions no later than 60 days after Board approval, as required.
- C. Satisfaction of all conditions is required for the Planning Department to give its approval on a Certificate of Occupancy; a Temporary Certificate of Occupancy or Partial Certificate of Occupancy may also be conditionally granted Planning Departmental approval.
- D. The Final Order is not severable, and if any provision or condition hereof is held void or unconstitutional in a final decision by a court of competent jurisdiction, the order shall be returned to the Board for reconsideration as to whether the order meets the criteria for approval absent the stricken provision or condition, and/or it is appropriate to modify the remaining conditions or impose new conditions.
- E. The conditions of approval herein are binding on the applicant, the property's owners, operators, and all successors in interest and assigns.

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- F. Nothing in this order authorizes a violation of the City Code or other applicable law, nor allows a relaxation of any requirement or standard set forth in the City Code.

IT IS HEREBY ORDERED, based upon the foregoing findings of fact, the evidence, information, testimony and materials presented at the public hearing, which are part of the record for this matter, and the staff report and analysis, which are adopted herein, including the staff recommendations, which were amended and adopted by the Board, that the application is GRANTED for the above-referenced project subject to those certain conditions specified in Paragraph I, II, III of the Findings of Fact, to which the applicant has agreed.

PROVIDED, the applicant shall build substantially in accordance with the plans entitled "Sadigo Court Hotel" as prepared by Kobi Karp Architecture and Interior Design, Inc., dated August 15, 2016, and as approved by the Historic Preservation Board, as determined by staff.

When requesting a building permit, the plans submitted to the Building Department for permit shall be consistent with the plans approved by the Board, modified in accordance with the conditions set forth in this Order. No building permit may be issued unless and until all conditions of approval that must be satisfied prior to permit issuance, as set forth in this Order, have been met.

The issuance of the approval does not relieve the applicant from obtaining all other required Municipal, County and/or State reviews and permits, including final zoning approval. If adequate handicapped access is not provided on the Board-approved plans, this approval does not mean that such handicapped access is not required. When requesting a building permit, the plans submitted to the Building Department for permit shall be consistent with the plans approved by the Board, modified in accordance with the conditions set forth in this Order.

If the Full Building Permit for the project is not issued within eighteen (18) months of the meeting date at which the original approval was granted, the application will expire and become null and void, unless the applicant makes an application to the Board for an extension of time, in accordance with the requirements and procedures of Chapter 118 of the City Code; the granting of any such extension of time shall be at the discretion of the Board. If the Full Building Permit for the project should expire for any reason (including but not limited to construction not commencing and continuing, with required inspections, in accordance with the applicable Building Code), the application will expire and become null and void.

In accordance with Chapter 118 of the City Code, the violation of any conditions and safeguards that are a part of this Order shall be deemed a violation of the land development regulations of the City Code. Failure to comply with this **Order** shall subject the application to Chapter 118 of the City Code, for revocation or modification of the application.

Dated this 14 day of October, 2016

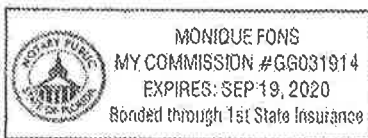
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HISTORIC PRESERVATION BOARD
THE CITY OF MIAMI BEACH, FLORIDA

BY: [Signature]
DEBORAH TACKETT
PRESERVATION AND DESIGN MANAGER
FOR THE CHAIR

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

The foregoing instrument was acknowledged before me this 14th day of October 2016 by Deborah Tackett, Preservation and Design Manager, Planning Department, City of Miami Beach, Florida, a Florida Municipal Corporation, on behalf of the corporation. He is personally known to me.



[Signature]
NOTARY PUBLIC
Miami-Dade County, Florida
My commission expires: 9/19/2020

Approved As To Form: [Signature] (10/14/16)
City Attorney's Office:

Filed with the Clerk of the Historic Preservation Board on [Signature] (10/14/16)