

# MIAMI BEACH

## PLANNING DEPARTMENT

### Staff Report & Recommendation

### Design Review Board

TO: DRB Chairperson and Members

DATE: July 5, 2016

FROM: Thomas R. Mooney, AICP   
Planning Director

SUBJECT: **DRB0416-0026 (a.k.a. DRB FILE No. 23147)**  
**25-135 North Shore Drive**

The applicant, Normandy Ventures LLC, is requesting a deletion of a condition of the Final Order of a previously issued Design Review Approval. Specifically, to delete the condition requiring Design Review Board review and approval for any future dock or mooring structure proposed within Normandy Waterway canal along the south side of the subject property.

#### **LEGAL DESCRIPTION:**

See attached Exhibit 'A'

#### **HISTORY:**

On April 7, 2015, the Design Review Board approved an variance application to exceed the maximum projection into the Normandy Waterway canal in order to construct a total of 8 piers along the east side of the townhouse development, pursuant to DRB File No. 23147.

On November 6, 2012, the Design Review Board approved a new 4-story townhouse development consisting of 7 buildings, pursuant to DRB File No. 22929.

#### **STAFF RECOMMENDATION:**

Approval of the deletion of the condition

#### **THE PROJECT:**

The applicant is proposing to delete the following condition of the April 7, 2015, Final Order:

*Condition C(1)(a): That any future dock or mooring structure proposed within Normandy Waterway canal along the south side of the subject property, shall be subject to the review and approval of the Design Review Board.*

#### **STAFF ANALYSIS:**

Staff has no objection to the applicant's request and recommends approval of the deletion in order for the applicant to construct any future docks or mooring structures proposed within Normandy Waterway canal along the south side of the subject property, provided that said structures are constructed in accordance with all applicable zoning regulations.

#### **RECOMMENDATION:**

In view of the foregoing analysis, staff recommends the application be approved.

TRM/JGM

**DESIGN REVIEW BOARD**  
**City of Miami Beach, Florida**

MEETING DATE: July 5, 2016

FILE NO: 23147 (DRB0416-0026)

PROPERTY: 25-135 North Shore Drive

APPLICANT: Normandy Ventures LLC

LEGAL: See attached Exhibit 'A'

IN RE: The Application for Design Review Approval for a deletion of a condition of the Final Order of a previously issued Design Review Approval. Specifically, to delete the condition requiring Design Review Board review and approval for any future dock or mooring structure proposed within Normandy Waterway canal along the south side of the subject property.

**MODIFIED SUPPLEMENTAL ORDER**

The City of Miami Beach Design Review 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. Design Review**

- A. 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 is consistent with Design Review Criteria in Section 118-251 of the Miami Beach Code.
- B. The project would remain consistent with the criteria and requirements of section 118-251 if the following conditions are met:
  - 1. All of the original conditions of approval by this Board shall remain in full force and effect under the Final Order dated January 3, 2006 and April 7, 2015 for DRB File No. 23147 except as modified herein:

Condition (C)(1)(a). ~~That any future dock or mooring structure proposed within Normandy Waterway canal along the south side of the subject property, shall be subject to the review and approval of the Design Review Board.~~

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 adopted by the Board, that the Application for Design Review

approval 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.

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 Design Review 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 Design Review Approval was granted, the Design Review Approval will expire and become null and void, unless the applicant makes 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. At the hearing on any such application, the Board may deny or approve the request and modify the above conditions or impose additional conditions. If the Full Building Permit 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 Design Review Approval will expire and become null and void.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

DESIGN REVIEW BOARD  
THE CITY OF MIAMI BEACH, FLORIDA

BY: \_\_\_\_\_  
DEBORAH J. TACKETT  
DESIGN AND PRESERVATION MANAGER  
FOR THE CHAIR

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

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ by Deborah J. Tackett, Design and Preservation Manager, Planning Department, City of Miami Beach, Florida, a Florida Municipal Corporation, on behalf of the Corporation. He is personally known to me.

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

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

Filed with the Clerk of the Design Review Board on \_\_\_\_\_ ( )

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