MIAMI BEACH

PLANNING DEPARTMENT, 1700 CONVENTION CENTER DRIVE, 2ND FLOOR
MIAMI BEACH, FLORIDA 33139, www.MIAMIBEACHFL.GOV
305-673-7550

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.

- ☐ BOARD OF ADJUSTMENT
  - ☐ VARIANCE FROM A PROVISION OF THE LAND DEVELOPMENT REGULATIONS
  - ☐ APPEAL OF AN ADMINISTRATIVE DECISION

- ☐ DESIGN REVIEW BOARD
  - ☐ DESIGN REVIEW APPROVAL
  - ☐ VARIANCE RELATED TO PROJECT BEING CONSIDERED OR APPROVED BY DRB.

- ☐ HISTORIC PRESERVATION BOARD
  - ☐ CERTIFICATE OF APPROPRIATENESS FOR DESIGN
  - ☐ CERTIFICATE OF APPROPRIATENESS TO DEMOLISH A STRUCTURE
  - ☐ HISTORIC DISTRICT / SITE DESIGNATION
  - ☐ VARIANCE RELATED TO PROJECT BEING CONSIDERED OR APPROVED BY HPB.

- ■ PLANNING BOARD
  - ☐ CONDITIONAL USE PERMIT
  - ■ LOT SPLIT APPROVAL
  - ☐ MENDMENT TO THE LAND DEVELOPMENT REGULATIONS OR ZONING MAP
  - ☐ AMENDMENT TO THE COMPREHENSIVE PLAN OR FUTURE LAND USE MAP

- ☐ FLOOD PLAIN MANAGEMENT BOARD
  - ☐ FLOOD PLAIN WAIVER

- ☐ OTHER _____

SUBJECT PROPERTY ADDRESS: *5840 North Bay Road*

LEGAL DESCRIPTION: PLEASE ATTACH LEGAL DESCRIPTION AS "EXHIBIT A"

FOLIO NUMBER (S) *02-3215-003-0240*

FILE NO. _____

1. APPLICANT: ☐ OWNER OF THE SUBJECT PROPERTY ☐ TENANT ☐ ARCHITECT ☐ LANDSCAPE ARCHITECT ☐ ENGINEER ☐ CONTRACTOR ■ OTHER *Contract purchaser*

NAME *NBR 5840, LP*
ADDRESS *200 S. Biscayne Blvd., Suite 850, Miami, FL 33131*
BUSINESS PHONE CELL PHONE
E-MAIL ADDRESS

OWNER IF DIFFERENT THAN APPLICANT:

NAME *Northeast America Development, LLC*
ADDRESS *100 SW 2nd Street, 17th Floor, Miami, FL 33131*
BUSINESS PHONE CELL PHONE
E-MAIL ADDRESS

2. AUTHORIZED REPRESENTATIVE(S):

■ ATTORNEY:

NAME *Monika Entin*
ADDRESS *200 S. Biscayne Blvd., Suite 850, Miami, FL 33131*
BUSINESS PHONE *305-374-5300* CELL PHONE
E-MAIL ADDRESS *MEntin@BRZoningLaw.com*

■ ATTORNEY:

NAME *Greg Fontela*
ADDRESS *200 S. Biscayne Blvd., Suite 850, Miami, FL 33131*
BUSINESS PHONE *305-374-5300* CELL PHONE
E-MAIL ADDRESS *GFontela@BRZoningLaw.com*

■ CONTACT:

NAME *Same as attorney*
ADDRESS
BUSINESS PHONE CELL PHONE
E-MAIL ADDRESS

3. PARTY RESPONSIBLE FOR PROJECT DESIGN:

■ ARCHITECT ☐ LANDSCAPE ARCHITECT ☐ ENGINER ☐ CONTRACTOR ☐ OTHER

NAME *Jason Adams – STRANG Architecture*
ADDRESS *3326 Mary Street, Miami, FL 33133*
BUSINESS PHONE *305-373-4990* CELL PHONE
E-MAIL ADDRESS *Jason@strang.design*

FILE NO.

4. SUMMARY OF APPLICATION - PROVIDE BRIEF SCOPE OF PROJECT:

Lot split

4A IS THERE AN EXISTING BUILDING(S) ON THE SITE ☐ YES ■ NO

4B DOES THE PROJECT INCLUDE INTERIOR OF EXTERIOR DEMOLITION ☐ YES ■ NO

4C PROVIDE THE TOTAL FLOOR AREA OF THE NEW BUILDING (IF APPLICANT) *N/A* SQ. FT.

4D PROVIDE THE TOTAL GROSS FLOOR AREA OF THE NEW BUILDING (INCLUDING REQUIRED PARKING AND ALL USABLE FLOOR SPACE). *N/A* SQ. FT.

5. APPLICATION FEE (TO BE COMPLETED BY PLANNING STAFF) $_____

- 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 FEE. 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 A PROJECT 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, LANDSCAPE ARCHITECTS, ENGINEERS, 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.

FILE NO. _____

- IN ACCORDANCE WITH SEC.118-31. - DISCLOSURE REQUIREMENT. EACH PERSON OR ENTITY REQUESTING APPROVAL, RELIEF OR OTHER ACTION FROM THE PLANNING BOARD, DESIGN REVIEW BOARD, HISTORIC PRESERVATION BOARD (INCLUDING THE JOINT 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 SERVICES 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 FROM SAID PERSON OR ENTITY FOR THE SUBJECT PROPERTY SHALL BE REVIEWED OR CONSIDERED BY THE APPLICABLE BOARD(S) UNTIL EXPIRATION OF A PERIOD OF ONE YEAR AFTER THE NULLIFICATION OF THE APPLICATION OR ORDER. IT SHALL BE UNLAWFUL TO EMPLOY ANY DEVICE, SCHEME OR ARTIFICE TO CIRCUMVENT THE DISCLOSURE REQUIREMENTS OF THIS SECTION AND SUCH CIRCUMVENTION SHALL BE DEEMED A VIOLATION OF THE DISCLOSURE REQUIREMENTS OF THIS SECTION.
- WHEN THE APPLICABLE 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: Edith Ann Barish

Edith Ann Barish, Member

PRINT NAME: Northeast America Development, LLC f/k/a EA Development and Sales, LLC, a New York limited liability company

FILE NO. _____

OWNER AFFIDAVIT FOR INDIVIDUAL OWNER

STATE OF _____

COUNTY OF _____

I, _____, 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 removing 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 PUBLIC

NOTARY SEAL OR STAMP

_____
PRINT NAME

My Commission Expires:

ALTERNATE OWNER ~~AFFIDAVIT FOR~~ CORPORATION, PARTNERSHIP, OR LIMITED LIABILITY COMPANY

(Circle one)

STATE OF Florida

COUNTY OF Miami-Dade

I, Edith Ann Barish, being duly sworn, depose and certify as follows: (1) I am the Member (print title) of *Northeast America Development, LLC* (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 or tenant 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 the subject property for the sole purpose of posting a Notice of Public Hearing on the property, as required by law. (7) I am responsible for removing this notice after the date of the hearing.

Edith Ann Barish
SIGNATURE

Sworn to and subscribed before me this 1 day of May, 2018. The foregoing instrument was acknowledged before me by Edith Ann Barish, who has produced _____ as identification and/or is personally known to me and who did/did not take an oath.

Gilda E. Gutierrez
NOTARY PUBLIC

NOTARY SEAL OR STAMP

Gilda E. Gutierrez
PRINT NAME

My Commission Expires:

GILDA E. GUTIERREZ
Notary Public – State of Florida
Commission # GG 127008
My Comm. Expires Jul 23, 2021

FILE NO. _____

OWNER AFFIDAVIT FOR INDIVIDUAL OWNER

STATE OF _____

COUNTY OF _____

I, _____, 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 removing 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 PUBLIC

NOTARY SEAL OR STAMP

_____
PRINT NAME

My Commission Expires:

ALTERNATE CONTRACT PURCHASER AFFIDAVIT FOR CORPORATION, PARTNERSHIP, OR LIMITED LIABILITY COMPANY

(Circle one)

STATE OF FL

COUNTY OF MIAMI DADE

I, Kevin Flaherty, being duly sworn, depose and certify as follows: (1) I am the MANAGING PARTNER (print title) of NBR 5840, LP (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 contract purchaser 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 the subject property for the sole purpose of posting a Notice of Public Hearing on the property, as required by law. (7) I am responsible for removing this notice after the date of the hearing.

_____
SIGNATURE

Sworn to and subscribed before me this 25 day of APRIL, 2018. 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

ARLYN VAZQUEZ
MY COMMISSION # FF203837
EXPIRES March 06, 2019
(407) 398-0153 FloridaNotaryService.com

_____
NOTARY PUBLIC

ARLYN VAZQUEZ
_____
PRINT NAME

My Commission Expires:: 3.6.19.

FILE NO. _____

POWER OF ATTORNEY AFFIDAVIT

STATE OF FL

COUNTY OF MIAMI DADE.

I, Kevin Flaherty, being 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 BRF+L to be my representative before the Planning Board. (3) I also hereby authorize the City of Miami Beach to enter the subject property for the sole purpose of posting a Notice of Public Hearing on the property, as required by law. (4) I am responsible for removing this notice after the date of the hearing.

Kevin Flaherty, MANAGING PARTNER
Print name (and Title, if applicable)

SIGNATURE

Sworn to and subscribed before me this 25 day of APRIL, 2018. The foregoing instrument was acknowledged before me by KEVIN FLAHERTY, of ~~SAVILE BAY CAPITAL~~, who has produced _____ as identification and/or is personally known to me and who did/did not take an oath.

NOTARY SEAL OR STAMP:

ARLYN VAZQUEZ
MY COMMISSION # FF203837
EXPIRES March 06, 2019
(407) 398-0153 FloridaNotaryService.com

NOTARY PUBLIC

ARLYN VAZQUEZ.
PRINT NAME

My Commission Expires 3.6.19.

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 individual(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.*

NBR 5840, LP
NAME

DATE OF CONTRACT

NAME, ADDRESS AND OFFICE

% OF STOCK

See Exhibit B

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.

FILE NO. _____

CITY OF MIAMI BEACH

DEVELOPMENT REVIEW BOARD APPLICATION

DISCLOSURE OF INTEREST

1. 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.*

Northeast America Development, LLC, 100 SW 2nd Street, 17th Floor, Miami, FL 33131

NAME OF CORPORATE ENTITY

NAME AND ADDRESS	% OF OWNERSHIP
Nick Moss	*1%*
Edith Ann Barish	*99%*

NAME OF CORPORATE ENTITY

NAME AND ADDRESS	% OF OWNERSHIP

IF THERE ARE ADDITIONAL CORPORATE OWNERS, LIST ALL SUCH OWNERS, INCLUNG CORPORATE NAMES AND THE NAME, ADDRESS, AND PERCENTAGE OF OWNERSHIP OF EACH ADDITIONAL OWNER, ON A SEPARATE PAGE.

NOTE: Notarized signature required on page 9

FILE NO. _____

CITY OF MIAMI BEACH
DEVELOPMENT REVIEW BOARD APPLICATION
DISCLOSURE OF INTEREST

2. TRUSTEE

If the property that is the subject of this 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.*

_____

TRUST NAME

NAME AND ADDRESS	% OF INTEREST

NOTE: Notarized signature required on page 9

3. 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 #
a.	*Monika Entin*	*200 S. Biscayne Blvd., Suite 850, Miami, FL 33131*	*305-374-5300*
b.	*Greg Fontela*	*200 S. Biscayne Blvd., Suite 850, Miami, FL 33131*	*305-374-5300*
c.	*Jason Adams*	*3326 Mary Street, Miami, FL 33133*	*305-373-4990*

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

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

APPLICANT HEREBY ACKNOWLEDGES AND AGREES THAT (1) ANY 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, Kevin Flaherty, being duly sworn, depose and certify as follows: (1) I am the applicant, or the representative of the applicant. (2) This application and all information submitted in support of this application, including disclosures, 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 25 day of APRIL, 2018. 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

ARLYN VAZQUEZ
MY COMMISSION # FF203837
EXPIRES March 06, 2019
(407) 398-0153 FloridaNotaryService.com

NOTARY PUBLIC

ARLYN VAZQUEZ

PRINT NAME

My Commission Expires: 3.6.19

FILE NO. _____

EXHIBIT A

PROPERTY ADDRESS:

5840 North Bay Road Miami Beach, Florida 33140.

LEGAL DESCRIPTIONS:

(PARENT TRACT)
Lots 28 and 29, and the South 2/3 of Lot 27, in Block 1A, of LA GORCE GOLF SUBDIVISION; according to the Plat thereof as recorded in Plat Book 14, at Page 43, of the Public Records of Miami-Dade County, Florida.

(PARCEL A)
The Northerly 97.5 feet of the following described proprety:
Lots 28 and 29, and the South 2/3 of Lot 27, in Block 1A, of LA GORCE GOLF SUBDIVISION; according to the Plat thereof as recorded in Plat Book 14, at Page 43, of the Public Records of Miami-Dade County, Florida.

(PARCEL B)
Lots 28 and 29, and the South 2/3 of Lot 27, in Block 1A, LESS the Northerly 97.5 feet thereof, of LA GORCE GOLF SUBDIVISION; according to the Plat thereof as recorded in Plat Book 14, at Page 43, of the Public Records of Miami-Dade County, Florida.

EXHIBIT B

Disclosure of Interest for Contract Purchaser

NBR 5840 LP
18 Savile Row
London, United Kingdom, W1S 3PW

- **Miami Ventures II Corporation (95%)**
  Unit 1210-1214
  41 Heung Yip Road
  Wong Chuk Hang, Hong Kong

    - 465 Holdings Ltd. (100%)
      Unit 1210-1214
      41 Heung Yip Road
      Wong Chuk Hang, Hong Kong

        - Jamie Williams (100%)
          Flat 19, 9/F
          8 Mansfield Road
          The Peak, Hong Kong

- **Kevin Flaherty (5%)**
  30 Albert Embankment, Flat 33
  London, UK, SE1 7GS

BERCOW RADELL FERNANDEZ & LARKIN
ZONING, LAND USE AND ENVIRONMENTAL LAW

DIRECT LINE: (305) 377-6233
E-Mail: GFontela@brzoninglaw.com

May 25, 2018

VIA HAND DELIVERY

Thomas Mooney, Director
Planning Department
City of Miami Beach
1700 Convention Center Drive, 2nd Floor
Miami Beach, Florida 33139

Re: Revised Request for a Lot Split of the Property Located at 5840 North Bay Road in Miami Beach, Florida

Dear Tom:

This law firm represents NBR 5840, LP (the "Applicant"), the contract purchaser of the above-referenced property (the "Property"). Please consider this letter the Applicant's letter of intent in support of a lot split application to divide the existing building site into two individual building sites.

The Property. The Property is situated along North Bay Road fronting Biscayne Bay. Due to the shape of the coast line, the Property is irregularly shaped and narrower than many of the neighboring lots to the north and to the south. The Property is situated at a segment where the coast line is inverted. The Property is identified by Miami-Dade County Folio No. 02-3215-003-0240 and is located within the RS-2 Single-Family Residential zoning district. Collectively, the Property is approximately 37,895 square feet (0.87 acres) in size. The Property is currently vacant.

Lot Split Request. The Applicant is under contract to purchase the Property and is seeking to split it into two equal-sized lots – North Lot and South Lot. The dimensions of the resulting lots will be in compliance with the City's land development regulations. The proposed lots do not follow the platted lines on the Property because doing so would result in three (3) distinct lots that would fall short of the minimum lot sizes for the RS-2 district. Further, the resulting lots will be more compatible with the properties within the surrounding area. The winding coast line paired with the

winding North Bay Road makes it so that the Property is narrower than many of the neighboring lots to the north and the south. Nonetheless, the proposed lots are still sufficient in size and consistent with or larger than many of the surrounding lots to the east of the Property. The unit sizes of each of the proposed homes on the resulting split lots will be appropriately sized for the lot for the lot on which it sits.

Lot Split Review Criteria. According to Section 118-321.B. of the City of Miami Beach's Code of Ordinances (the "Code"), the Planning Board shall apply the following criteria to the review of any lot split application:

(1) Whether the lots that would be created are divided in such a manner that they are in compliance with the regulations of these land development regulations.

According to Section 142-105(b), the minimum lot size in the RS-2 zoning district is 18,000 square feet. The proposed resulting lots will be approximately 18,947.5 square feet each, which satisfy the minimum requirements required in the Code.

(2) Whether the building site that would be created would be equal to or larger than the majority of the existing building sites, or the most common existing lot size, and of the same character as the surrounding area.

The resulting building sites will be consistent with the existing building sites and of the same character as the surrounding area. The inversion of the coast line along the Property creates a scenario where the lot is narrower than many of the neighboring lots, yet the proposed lot split will still result in adequately sized lots.

(3) Whether the scale of any proposed new construction is compatible with the as-built character of the surrounding area, or creates adverse impacts on the surrounding area; and if so, how the adverse impacts will be mitigated. To determine whether this criterion is satisfied, the applicant shall submit massing and scale studies reflecting structures and uses that would be permitted under the land development regulations as a result of the proposed lot split, even if the applicant presently has no specific plans for construction.

The scale of the proposed homes are compatible with the as-built character of the surrounding area. In fact, if the Property were redeveloped as a single site, a significantly larger home could be constructed; this hypothetical single-site home would be incompatible with the surrounding area.

(4) Whether the building site that would be created would result in existing structures becoming nonconforming as they relate to setbacks and other applicable regulations of these land development regulations, and how the resulting nonconformities will be mitigated.

The Property is currently vacant. As such, there will be no resulting nonconformities.

(5) Whether the building site that would be created would be free of encroachments from abutting buildable sites.

The building sites created by the lot split will free of encroachments from abutting buildable lots. There are no existing or proposed encroachments.

(6) Whether the proposed lot split adversely affects architecturally significant or historic homes, and if so, how the adverse effects will be mitigated. The board shall have the authority to require the full or partial retention of structures constructed prior to 1942 and determined by the planning director or designee to be architecturally significant under subsection 142-108(a).

The lot split does not adversely affect architecturally significant or historic homes. The Property is currently vacant.

Sea Level Rise and Resiliency Criteria. The proposed single-family homes resulting from the lot split will advance 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.

The Applicant proposes hurricane impact windows.

(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 will provide appropriate landscaping at the Property. Proposed species include native and Florida-friendly plants appropriate for the area, including salt tolerant species.

(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 has considered the elevation of the right-of-way and surrounding properties, and plans to grade the front and side yards appropriately to remain compatible with the existing conditions, while slowly sloping-up as you get closer to the home in order to adapt to future raised elevations. The property will slope from the existing front yard elevation and gradually arrive at the first floor slab. The Applicant will work with the Public Works Department to further address sea level rise projections with respect to the right-of-way connections.

(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 has taken into consideration the raising of public rights-of-ways and has designed the proposed home accordingly. The additional 1′ of freeboard used to elevate the home will allow raising of the front yard to address the future raising of the streets.

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

Proper precautions will be taken to ensure the critical mechanical and electrical systems are located above base flood elevation.

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

This is not applicable as the Property is vacant and the lot split application will result in construction of two (2) new single family homes.

(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 wet or dry flood proofing will be necessary as all habitable space will be located above base flood elevation plus City of Miami Beach Freeboard of 1'.

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

The Applicant has incorporated Shallow Retention Areas ("SRAs") to direct and collect rainwater on the proposed plan. At time of permitting, the Applicant will engage the services of a civil engineer to analyze and provide the subsurface drainage design. Accordingly, a water retention system will be provided

Conclusion. We believe that the approval of the application will permit the development of two beautiful single-family homes on the Property that will be compatible with the character of the residential 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 305-374-5300

Sincerely,

FAR

Greg Fontela