



BERCOW RADELL FERNANDEZ & LARKIN

ZONING, LAND USE AND ENVIRONMENTAL LAW

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VIA ELECTRONIC SUBMITTAL AND HAND DELIVERY

December 10, 2018

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

Re: DRB18-0322 – Design Review and Variance Request for the North Lot Located at
4354 Alton Road, Miami Beach, Florida

Dear James:

This law firm represents 4354 Alton Homes, LLC, (the “Applicant”), the owner of the above-referenced property (the “Property”). The Property is the subject of Planning Board application number PB18-0215 to split the Property into two lots – the “North Lot” and the “South Lot.” The Planning Board approved the lot split on September 25, 2018. See Exhibit A, PB18-0215 Recorded Order. Please allow this letter to serve as the revised letter of intent in connection with a request to the Design Review Board (“DRB”) for design review and variance for a new single-family home on the Property.

The Property. The Property is a small, irregular-shaped corner lot comprised of approximately 6,030 square feet, and is currently vacant. The Property as platted has non-parallel lot lines, with a narrow lot frontage of only 60 feet at Alton Road that expands slightly towards the rear. Located just north of Mount Sinai Medical Center and west of Alton Road, the Property is in the RS-4, Single Family Residential Zoning District. The Property is identified by Miami-Dade County Folio No. 02-3222-011-1430. This residential area contains a mix of 1- and 2-story single-family homes.

Description of Proposed Development. The Applicant proposes to construct an exquisitely-designed, modern two-story residence with long vertical windows and black accents framing the windows and doors. At the intersection of West 44 Street and Alton Road, the home features continuous floor to ceiling windows that will showcase the

floating spiral stair case inside the home. The proposed home is low-scale and designed around the dual frontages and existing landscaping.

When viewed from Alton Road, the home is centrally located, and the vehicular and pedestrian entrances are on West 44 Street, which is the more appropriate neighborhood roadway as opposed to the main thoroughfare of Alton Road. A pool and pool deck will be located in the rear yard. To accommodate the parking and pool in the rear, the home has a much larger than required rear setback of 31' where only 20' are required. The landscaping is purposefully designed to incorporate the existing trees and will include a variety of palms and shrubs. The additional tree locations are purposefully placed on the perimeter of the Property in order to frame the dual frontages and provide privacy between the homes to the west and south. The Applicant will also maintain and expand the existing hedge at the rear property line for additional privacy for the homes to the west.

While development of this narrow, corner lot poses a challenge, the proposed new home complies with the City of Miami Beach Code of Ordinances (the "Code") requirements for height, unit size, and lot coverage. The height of the home is 24', which is within the maximum height for a flat roof. The size of the proposed home is approximately 2,892 square feet (47.9% of the lot size), which is below the allowable 50% unit size limit. The lot coverage is approximately 24.9%, which is considerably below the 30% permitted. In order to create a modestly-sized home on this particular corner Property requires a minimal variance of the front setback.

Variance Request. The Applicant's proposal substantially complies with the single-family home regulations, including lot coverage, unit size, height, and most setbacks. The front setback 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:

1. A variance of Code Section 142-106(1)b., to permit the front setback to be 20' when 30' is required for a two-story home in the RS-4 District.

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;**

In order to conform to the original platted lot lines as approved by the Planning Board, the result is a narrow, irregularly-shaped, corner lot. The irregularly-shaped lot, combined with non-parallel side property lines, and the dual frontage conditions create a challenge in laying out the home and parking. Further, the platted lot has a 60' lot frontage, which would otherwise allow a 7.5' side setback. However, when taken at the 20' front setback, the lot width increases minimally to 60'-6", which mandates a 10' side setback that is more akin to a lot of 100' width. In essence, a 6" exceedance at the 20' setback line requires a 2.5' additional setback. This, along with the 15' required setback in the north facing 44 Street, significantly confines the developable area to a narrow portion of the center of the lot that creates a special condition that is peculiar to this lot. These parameters reduce the 60' wide lot to approximately 35' for a home and driveway.

Further, the highly trafficked Alton Road is an FDOT roadway subject to significant spacing requirements for ingress/egress points. The narrow lot is too close to West 44 Street to allow for safe ingress/egress by vehicles. There is also a bus stop at the southeast corner of the Property that requires significant spacing for visibility and safety of passenger drop off and pick up that significantly restricts locating a driveway on Alton Road. These conditions are additional special conditions peculiar to this Property.

To remedy these conditions, the Applicant proposes to locate the home closer to the front and provide the parking and driveway in the north and the pool in the west, all at the rear of the Property. By doing so, the home has less impact on the neighboring structures. Notably, the minor encroachment into the front setback does not result in a larger home, as mentioned, the home is smaller with regards to lot coverage and unit size than what is permitted in the RS-4 zoning district, and has a significantly larger rear setback. Therefore, the minor reduced front side setback is necessary in order to accommodate an appropriate driveway on the north side of the Property that is sensitive and compatible to the neighbors.

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

The Applicant is returning the Property to its originally platted condition. The Property's narrow, irregularly-shaped lot, non-parallel side lot lines with 60' lot frontage at Alton Road but 60'-6" at front setback line and dual frontages with a 15' setback facing West 44 Street are existing conditions and do not result from the action of the Applicant. The neighborhood is comprised of a variety of home and lot sizes. Specifically, the block South of West 44 Street and between North

Bay Road and Alton Road is a large curved block. The irregular-shaped block created the irregularity of this particular Property when the area was originally platted.

Additionally, Alton Road as an FDOT roadway and FDOT's stringent spacing requirements for ingress/egress points for the safety of vehicles and pedestrians, and the bus stop at the front of the Property are existing conditions that are not the result of action by the Applicant. For safety in the neighborhood, the Applicant must modify the placement of the home and its parking to accommodate the FDOT roadway and bus stop.

(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;

The Code allows other similarly situated property owners to seek similar variances to accommodate development and allow for the construction of certain features, such as required parking, especially on irregular lots with dual frontages that follow the original platted condition and are subject to restrictive FDOT ingress/egress spacing requirements. As previously stated, the homes and lots in this area of the City vary greatly. At the 20' setback, the lot is 60'-6", which is only slightly over the threshold for the larger setback requirements. Additionally, the frontage on West 44 Street requires the home to be further setback and the design complies. The provided side setbacks are significantly larger than 25% of the lot width. The driveway and parking are setback significantly from Alton Road for safe access and West 44 Street is only 1 block long with just 4 homes, 2 on each side. Therefore, the design and placement of this home and its parking complies with the purpose and intent of the Code, as well as conforms to the variety of lots and homes in the neighborhood. Therefore, granting of this encroachment into the front setback for a minimal portion of the Property 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;

The home substantially complies with the land development regulations with regards to unit size, lot coverage, and height requirements for homes in the RS-4 zoning district. A literal interpretation of the provisions of these land

development regulations, specifically treating what is essentially a 60' lot as a 100' lot, would force the Applicant to build a much smaller structure than what is permitted, without the required parking in a safe location. The slight deviation from the land development regulations is necessary to construct a viable home, with certain amenities and safe parking in the north setback area, towards the rear of the Property, for its residents. Further, in order to adhere to FDOT's safe ingress/egress spacing requirements and to allow sufficient space for the bus stop located on Alton Road, the Property must accommodate the parking on West 44 Street. As a result, the Code would deprive the Applicant of the right to build what is enjoyed by other properties and would work an unnecessary and undue hardship on the Applicant.

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

The placement of the home encroaching into the front setback is the minimum necessary to make reasonable use of the land. This encroachment occurs because of the narrow and irregularly-shaped corner lot with non-parallel lot lines, and is necessary in order to provide a modestly-sized home with a design that is sensitive to the dual frontages and the abutting neighbors. The home complies with the 15' side yard facing West 44 Street in the north and is pushed further away from the abutting neighbors at the rear. The Applicant proposes open air parking on the driveway, not any structure that would increase the scale and massing of the home. The drive on this very short neighborhood road, as opposed to the very busy Alton Road, allows for good visibility when entering and leaving the Property to ensure safe conditions for the residents and permits safe usability of the bus stop on Alton Road.

(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 and its parking will be in harmony with the surrounding properties, and aims to further the intent and purpose of the land development regulations, including providing much needed safety for vehicles and pedestrians. The home fully complies with side setbacks for a greater than 60' lot even though this Property is more akin to a 60' lot. Further, the sum of the side yards exceeds 25% of this narrow lot. The entrance to the home will be off of West 44 Street, which has significantly less traffic than Alton Road and is therefore safer. This street is only 1 block long with 4 abutting homes, 2 on each side, and it connects to

North Bay Road in the west, which parallels Biscayne Bay. Therefore, unlike Alton Road, this street is not well-traveled. The lush landscaping frames the front of the home and provides sufficient buffers between the west and south abutting neighbors. Additionally, the home's low-scale design, larger than required rear setback and the architectural design are sensitive to the neighbors.

- (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 requests are consistent with the City's comprehensive plan and do not reduce the levels of service as set forth in the plan.

Practical Difficulty. The irregular-shaped narrow lot with non-parallel lot lines and dual frontage conditions as platted, especially with a frontage of 60' but a lot width of 60'-6", as well as strict FDOT ingress/egress spacing requirements and the bus stop located in front of the Property on Alton Road, all represent practical difficulties inhibiting the Applicant from meeting all of the land development regulations. The additional required setback on the north side setback, with which the Applicant complies, and the abnormally larger south setback that treats the lot as if it were 100' wide, create a challenge in providing a suitable home on the Property. The proposal of placing the home further towards the front with the parking at the northwest corner does not maximize lot coverage and the encroachment in the front does not increase the scale of the home, and will permit the residence certain amenities, including an appropriate driveway. The parking area is much better suited in the north on a very limited neighborhood roadway as opposed to the main thoroughfare of Alton Road. This location for the driveway will not interfere with the bus stop on Alton Road and will provide for safety of all vehicles and pedestrians in the area. The Applicant's proposal satisfies the intent and purposes of the Code to provide a modestly-sized home that is compatible with 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.**

The windows on the new home will be hurricane-impact.

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

Operable windows will be provided on the new home.

- (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 be comprised of native and Florida-friendly plants, including trees and shrubs that are compatible with 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 9 feet NGVD, one 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 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 the Property is vacant and the Applicant proposes a new 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 variance will permit the development of a beautifully-designed modern 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

Attachment

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

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

PROPERTY: 4354 Alton Road

FILE NO. PB 18-0206

IN RE: The applicant, 4354 Alton Homes, LLC, requested a Division of Land/Lot Split, pursuant to Chapter 118, Article VII of the City Code, to divide the existing site comprised of two platted lots, into two individual buildable parcels.

LEGAL DESCRIPTION: Lots 20 and 21, Block 6, PLAT OF NAUTILUS SUBDIVISION, according to the map or plat thereof as recorded in Plat Book 8, Page 95, Public Records of Miami-Dade County, Florida.

MEETING DATE: September 25, 2018

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

The applicant, 4354 Alton Homes, LLC, requested a Division of Land/Lot Split, pursuant to Chapter 118, Article VII of the City Code, to divide the existing site into two individual buildable parcels.

The City of Miami Beach Planning 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:

- 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 Planning Board "Division of Land/Division of Land/Lot Split" criteria in Section 118-321.B of the Miami Beach Code.
- B. The project would remain consistent with the criteria and requirements of Section 118-321.B subject to the following conditions, to which the Applicant has agreed:
 - 1. The two (2) lots created pursuant to this lot split application at 4354 Alton Road, shall comply with the following:
 - a. The subject lots shall not be subdivided any further.
 - b. Design Review Board review and approval shall be required for the proposed home(s) on each lot.

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PB 18-0215– 4354 Alton Road

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- c. The building parcels created by this lot split shall be as depicted on the signed and sealed surveys by Longitude Survey, dated 07-26-2018.
 - d. Individual underground utility, water, sewer, electric, telephone and cable connections, as well as the payment of any applicable impact fees, shall be the responsibility of the owners of each respective lot.
 - e. If required, the removal and replacement of all or portions of the sidewalk curb and gutter along all portions of each lot shall be the responsibility of the applicant.
 - f. The maximum unit size for each lot shall be limited to the lesser of 50% or the maximum permitted at the administrative level at the time of building permit, as per Section 142-105 (b), as may be revised from time to time.
 - g. The maximum lot coverage for each lot shall be limited to the lesser of 30% or the maximum permitted at the administrative level at the time of building permit, as per Section 142-105 (b), as may be revised from time to time.
 - h. Any proposed new home on each lot shall fully adhere to the review criteria and development regulations identified in Sections 142-105, *Development regulations and area requirements*. Enhancements of these applicable development regulations through Design Review Board review and approval, including variances, shall not be permitted from Section 142-105. Notwithstanding the foregoing, the Design Review Board may consider waiver requests for the second floor volumes of the proposed homes in accordance with the applicable design review criteria.
 - i. The proposed driveway layout on the south lot (Lot 20) shall be designed in such a manner to accommodate the maneuvering of vehicles inside the property, subject to the review and approval of staff. Backing into or backing out of the site (from Alton Road) shall not be permitted.
 - j. Prior to the issuance of a Building Permit, a tree report prepared by a certified arborist for all of the existing trees on site shall be submitted for the review and evaluation of the CMB Urban Forester. Any trees identified to be in good health shall be retained or relocated if determined to be feasible by the CMB Urban Forester.
2. The applicant and/or owner, for each lot created herein, both now and in the future, shall abide by all the documents and statements submitted with this application for Division of Land/Lot Split, as well as all conditions of this Order. The conditions of approval for this Lot Split are binding on the applicant, the property owners, and all successors in interest and assigns.

MKB

*PB 18-0215- 4354 Alton Road**Page 3 of 4*

3. The Planning Board shall maintain jurisdiction of this Lot Split approval. If deemed necessary, at the request of the Planning Director, the applicant shall provide a progress report to the Board. The Board reserves the right to modify the Lot Split approval at the time of a progress report in a non-substantive manner, to impose additional conditions to address problems and to determine the timing and need for future progress reports. This Lot Split is also subject to modification or revocation under City Code Sec. 118-323.
4. The applicant and/or owner of each property shall resolve all outstanding violations and fines on each respective property, if any, prior to the issuance of a building permit for any home proposed.
5. This order is not severable, and if any provision or condition hereof is held void or unconstitutional in a final decision by a court of competent jurisdiction, the order shall be returned to the Board for reconsideration as to whether the order meets the criteria for approval absent the stricken provision or condition, and/or it is appropriate to modify the remaining conditions or impose new conditions.
6. The executed Order for the Division of Land/Lot Split shall be recorded in the Public Records of Miami-Dade County, Florida, at the expense of the applicant and returned to the Planning Department. A building permit, certificate of occupancy, or certificate of completion shall not be issued until this requirement has been satisfied.
7. The Lot Split approval approved herein shall comply with all the aforementioned conditions of approval; non-compliance shall constitute a violation of the City Code, and shall be subject to enforcement procedures set forth in Section 114-8 of the Code and such other enforcement procedures as are permitted by law. Any failure by the applicant to comply with the conditions of this Order shall also constitute a basis for consideration by the Planning Board for a revocation of this approval.
8. Nothing in this order authorizes a violation of the City Code or other applicable law, nor allows a relaxation of any requirement or standard set forth in the City Code.

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 is adopted herein, including staff recommendations, as modified by the Planning Board that the Division of Land/Lot Split as requested and set forth above be GRANTED, subject to those certain conditions specified in Paragraph B of the Findings of Fact (Condition Nos. 1-8, inclusive) hereof, to which the applicant has agreed.



PB 18-0215- 4354 Alton Road

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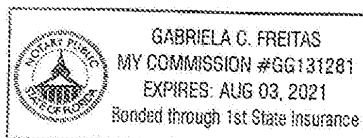
Dated this 3RD day of OCTOBER, 2018.

PLANNING BOARD OF THE
CITY OF MIAMI BEACH, FLORIDA

BY: Michael Belush
Michael Belush,
Chief of Planning & Zoning
For Chairman

STATE OF FLORIDA)
COUNTY OF MIAMI-DADE)

The foregoing instrument was acknowledged before me this 3rd day of October, 2018, by Michael Belush, Planning and Zoning Manager of the City of Miami Beach, Florida, a Florida Municipal Corporation, on behalf of the corporation. He is personally known to me.



[NOTARIAL SEAL]

Gabriela C. Freitas
Notary:
Print Name: Gabriela C. Freitas
Notary Public, State of Florida
My Commission Expires: 8-3-21
Commission Number: GG131281

Approved As To Form:
Legal Department

Approved: [Signature], 9/28/18
Filed with the Clerk of the Planning Board on [Signature] 10/3/18)

MB

MIAMI BEACH

PLANNING DEPARTMENT

1700 Convention Center Drive, Miami Beach, Florida 33139; Tel: 305.673.7550; Web: 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 DRB 18-0322			
<input type="radio"/> Board of Adjustment <input type="checkbox"/> Variance from a provision of the Land Development Regulations <input type="checkbox"/> Appeal of an administrative decision		<input checked="" type="radio"/> Design Review Board <input checked="" type="checkbox"/> Design review approval <input checked="" type="checkbox"/> Variance	
<input type="radio"/> Planning Board <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		<input type="radio"/> Historic Preservation Board <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"/> Other:			
Property Information - Please attach Legal Description as "Exhibit A"			
ADDRESS OF PROPERTY 4354 Alton Road - North			
FOLIO NUMBER(S) 02-3222-011-1430			
Property Owner Information			
PROPERTY OWNER NAME 4354 Alton Homes, LLC			
ADDRESS 418 Meridian Avenue	CITY Miami Beach	STATE FL	ZIPCODE 33139
BUSINESS PHONE (786) 543-2356	CELL PHONE	EMAIL ADDRESS dc@urbanica.us	
Applicant Information (if different than owner)			
APPLICANT NAME Same as Above			
ADDRESS	CITY	STATE	ZIPCODE
BUSINESS PHONE	CELL PHONE	EMAIL ADDRESS	
Summary of Request			
PROVIDE A BRIEF SCOPE OF REQUEST New 2-story single-family on north lot of vacant lot in association with lot split application PB18-0215. Variances for interior side yard and sum of side yards and one or more waivers. See letter of intent for more details.			

Project Information			
Is there an existing building(s) on the site?		<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Does the project include interior or exterior demolition?		<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Provide the total floor area of the new construction.		SQ. FT.	
Provide the gross floor area of the new construction (including required parking and all usable area).		SQ. FT.	
Party responsible for project design			
NAME Jennifer McConney-Gayoso		<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 7580 NE 4th Court, Studio 100		CITY Miami	STATE FL
		ZIPCODE 33138	
BUSINESS PHONE (305) 606-4105	CELL PHONE	EMAIL ADDRESS jennifer@mccg-architecture.com	
Authorized Representative(s) Information (if applicable)			
NAME Michael W. Larkin, Esq., Bercow Radell Fernandez & Larkin		<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		<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		<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:

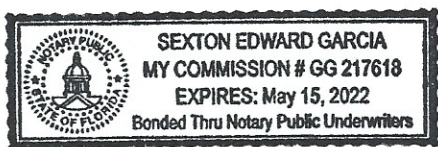
- A separate disclosure of interest form must be submitted with this application if the applicant or owner is a corporation, partnership, limited partnership or trustee.
- All applicable affidavits must be completed and the property owner must complete and sign the "Power of Attorney" portion of the 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 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



[Handwritten Signature]

SIGNATURE

Roberto Diego Colmenero, Manager of 4354 Alton Homes, LLC

PRINT NAME

8/16/18

DATE SIGNED

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 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: _____

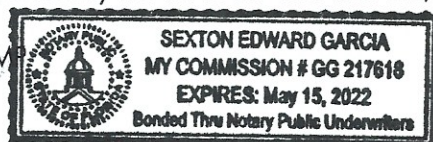
PRINT NAME**ALTERNATE OWNER AFFIDAVIT FOR CORPORATION, PARTNERSHIP OR LIMITED LIABILITY COMPANY**STATE OF FloridaCOUNTY OF Miami Dade

I, Roberto Diego Colmenero, being first duly sworn, depose and certify as follows: (1) I am the Manager (print title) of 4354 Alton Homes, 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 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 16 day of August, 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.

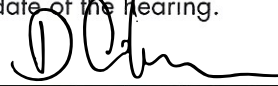
NOTARY SEAL OR STAMP

**NOTARY PUBLIC**My Commission Expires: 5/15/22**PRINT NAME**

POWER OF ATTORNEY AFFIDAVITSTATE OF FloridaCOUNTY OF Miami Dade

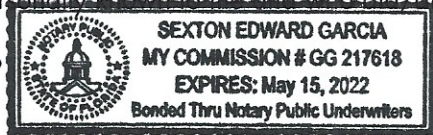
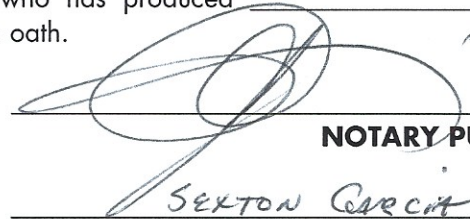
I, Roberto Diego Colmenero, Manager of 4354 Alton Homes, LLC, being first duly sworn, depose and certify as follows: (1) I am the owner or representative of the owner of the real property that is the subject of this application. (2) I hereby authorize Michael Larkin, Matthew Amster & Emily Balter to 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.

Roberto Diego Colmenero, Manager of 4354 Alton Homes, LLC

PRINT NAME (and Title, if applicable)

SIGNATURE

Sworn to and subscribed before me this 16 day of August, 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



NOTARY PUBLICMy Commission Expires: 5/15/22**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 contact 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.

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.

4354 Alton Homes, LLC

NAME OF CORPORATE ENTITY

NAME AND ADDRESS	% OF OWNERSHIP
Roberto D. Colmenero, 1617 S. Bayshore Drive, Miami, FL	50%
Carlos Porchetto, 4354 Alton Road, Miami Beach, FL	50%

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 W. Larkin, Esq., Bercow Rade	200 S. Biscayne Blvd, Suite 850	(305) 374-5300
Matthew Amster, Esq. & Emily Balter, Esq.	200 S. Biscayne Blvd, Suite 850	(305) 374-5300
Jennifer McConney-Gayoso	7580 NE 4th Court, Studio 100	(305) 606-4105

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

Roberto Diego Colmenero, Manager of 4354 Alton Homes, LLC

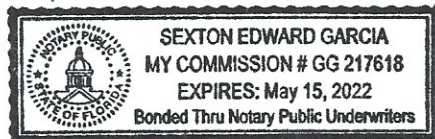
I, Roberto Diego Colmenero, being first duly sworn, depose and certify as follows: (1) I am the applicant or representative of the applicant. (2) This application and all information submitted in support of this application, including sketches, data, and other supplementary materials, are true and correct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

[Signature]

SIGNATURE

Sworn to and subscribed before me this 16 day of August, 2018. The foregoing instrument was acknowledged before me by Roberto Diego Colmenero, who has produced identification as identification and/or is personally known to me and who did/did not take an oath.

NOTARY SEAL OR STAMP



My Commission Expires: 5/15/22

[Signature]

NOTARY PUBLIC

SEXTON GARCIA

PRINT NAME

Exhibit A
Legal Description

LEGAL DESCRIPTION:

Lot 21, Block 6, of "PLAT OF NAUTILUS SUBDIVISION", according to the Plat thereof, as recorded in Plat Book 8, Page 95, of the Public Records of Miami-Dade County, Florida.

Containing 6,030 sq. ft. and/or 0.14 acres, more or less, by calculations.

Folio No.: 02-3222-011-1430

Property Address: 4354 ALTON ROAD Miami Beach, FL 33140-2800



RDR Miami | Rio Development Resources

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

rdrmiami.com | diana@rdrmiami.com | 305.498.1614

July 6, 2018

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

Re: Property Owners List within 375 feet of:

SUBJECT: 4354 Alton Road, Miami Beach, FL 33140

FOLIO NUMBER: 02-3222-011-1430

LEGAL DESCRIPTION: 22-27 53 42 NAUTILUS SUB PB 8-95 LOTS 20 & 21 BLK 6

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: **51, including 0 international**

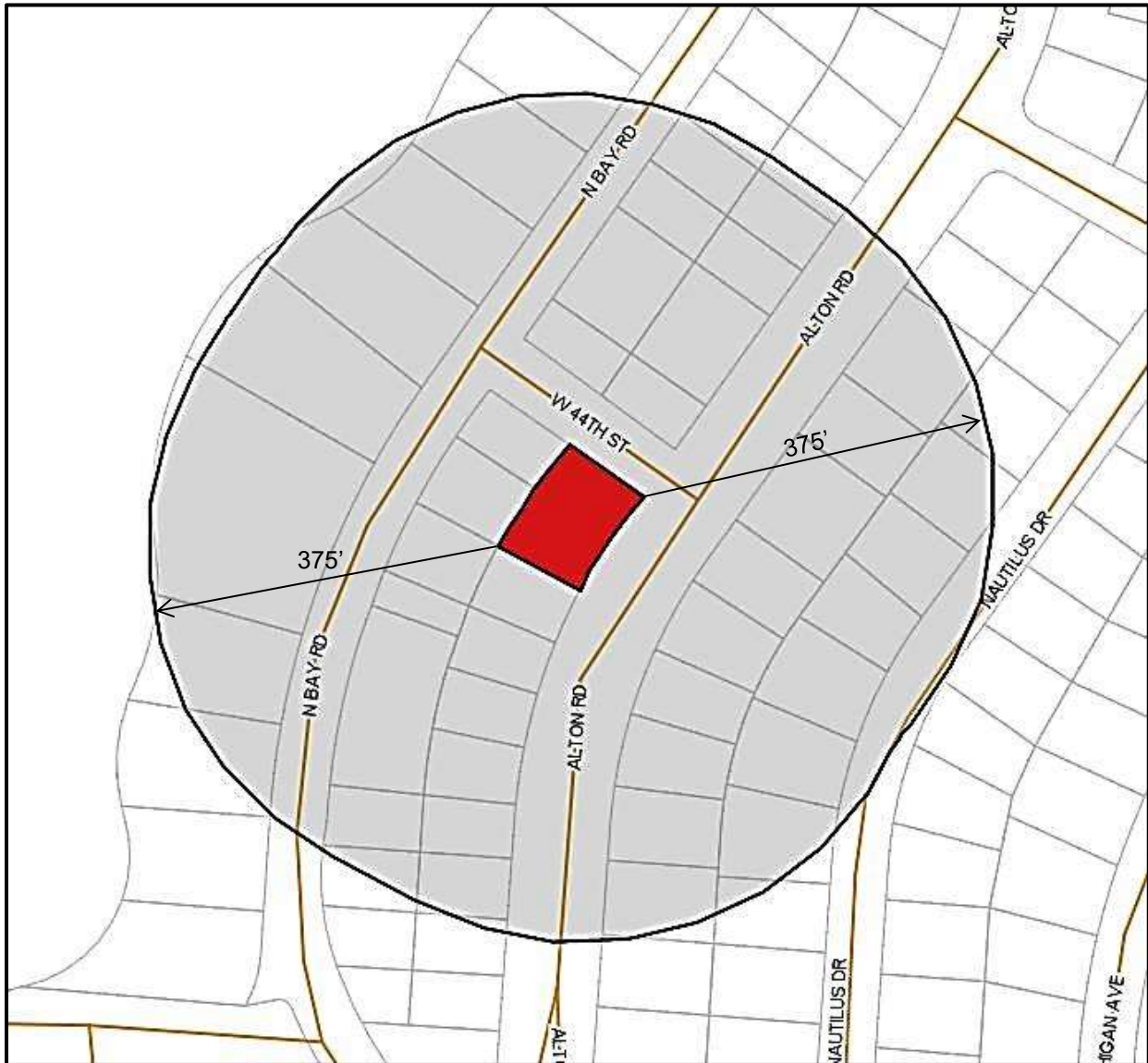


RDR Miami | Rio Development Resources

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

rdrmiami.com | diana@rdrmiami.com | 305.498.1614

375' RADIUS MAP



SUBJECT: 4354 Alton Road, Miami Beach, FL 33140

FOLIO NUMBER: 02-3222-011-1430

LEGAL DESCRIPTION: 22-27 53 42 NAUTILUS SUB PB 8-95 LOTS 20 & 21 BLK 6

Name	Address	City	State	Zip	Country
4334 ALTON ROAD LLC	PO BOX 402249	MIAMI BEACH	FL	33140	USA
4344 ALTON ROAD LLC	44 COCOANUT ROW STE T 8	PALM BEACH	FL	33480	USA
ABRAHAM FRANCO TRS ABRAHAM FRANCO REV TRUST	4380 N BAY RD	MIAMI BEACH	FL	33140-2855	USA
ALBERT CANAS & STEWART STEIN	4373 N BAY RD	MIAMI BEACH	FL	33140-2856	USA
ALEXANDER SVERDLOV DINA SVERDLOV	4365 ALTON RD	MIAMI BEACH	FL	33139	USA
ANA O COWLEY & H RAUL G	4345 ALTON RD	MIAMI BEACH	FL	33140-2850	USA
ARTHUR CHOLODOFSKY & W SHARON	4340 NAUTILUS DR	MIAMI BEACH	FL	33140-2824	USA
CARLOS PORCHETTO MARIA JULIETA MARTEDI	4353 ALTON RD	MIAMI BEACH	FL	33140	USA
CARMEN GUERRERO	4420 ALTON RD	MIAMI BEACH	FL	33140-2851	USA
CASA UNITED HOLDING LLC	4322 NAUTILUS DR	MIAMI BEACH	FL	33140	USA
CLAUDIO M KOJUSNER & W ADRIANA B	4425 ALTON RD	MIAMI BEACH	FL	33140-2862	USA
DANIEL MOSKOVITZ & W SUSAN LEITNER	4416 NAUTILUS DR	MIAMI BEACH	FL	33140-2826	USA
DANIEL SIRLIN & W DOMINIQUE SIRLIN	1000 VENETIAN WAY APT 101	MIAMI BEACH	FL	33139-1010	USA
DOMIX LLC	900 BAY DR APT 904	MIAMI BEACH	FL	33141-5633	USA
DOV DUNAEVSKY & W CAROL S	4409 ALTON RD	MIAMI BEACH	FL	33140-2862	USA
EDWARD HARDYMAN GOMEZ RHIANON MARY PEDRO	400 ALTON RD #2001	MIAMI BEACH	FL	33139	USA
FEDERICO INTRIAGO ELISA INTRIAGO	4344 NORTH BAY RD	MIAMI BEACH	FL	33140	USA
GARY HENNES	4400 ALTON RD	MIAMI BEACH	FL	33140-2851	USA
GLORIA BIERMAN	4376 N BAY RD	MIAMI BEACH	FL	33140-2855	USA
GUILLERMO CUETO & W NORMA L	4318 ALTON RD	MIAMI BEACH	FL	33140-2800	USA
ISAAC KODSI & W TERE M	4412 N BAY RD	MIAMI BEACH	FL	33140	USA
ISRAEL AMINOV DORIT AMINOV	4404 NAUTILUS DR	MIAMI BEACH	FL	33140	USA
JAMES SAKA FANCY SAKA	4330 NAUTILUS DR	MIAMI BEACH	FL	33140	USA
JARED MICHAEL LOPEZ VARIO AMANDA LOPEZ	4401 N BAY RD	MIAMI BEACH	FL	33140	USA
JORGE L SOSA JTRS REGINA S SUAREZ JTRS	4410 ALTON RD	MIAMI BEACH	FL	33140	USA
JOSEPH S STEEN LORRAINE COHEN STEEN	4331 ALTON RD	MIAMI BEACH	FL	33140	USA
KBG REAL ESTATE HOLDINGS LLC	3 GROVE ISLE DR #206	MIAMI	FL	33133	USA
KEVIN ABRAMS & W JUDITH	4410 NAUTILUS DR	MIAMI BEACH	FL	33140-2826	USA
LESLIE J ZIGEL & W ITA	4335 N BAY RD	MIAMI BEACH	FL	33140-2856	USA
LEWIS G GORDON & PAUL W KRESS	4370 NAUTILUS DR	MIAMI BEACH	FL	33140-2824	USA
LINDA BINDER (QRT) ELIZABETH BINDER TRUSTEE	4404 N BAY RD	MIAMI BEACH	FL	33140-2857	USA
MARCELLA KAUFER ROLNICK TRS JARON LEWIS KANFER MANAGEMENT TR PATRICK J WESCHLER TRS	4411 N BAY RD	MIAMI BEACH	FL	33140	USA
MARGARET GREENE & GERALDINE GREENE (TRUST)	4350 NAUTILUS DR	MIAMI BEACH	FL	33140-2824	USA
MARIA C LORENZO & HILDA L DOMINGUEZ	4326 ALTON RD	MIAMI BEACH	FL	33140-2800	USA
NEIL EISENBERG	4425 N BAY RD	MIAMI BEACH	FL	33140-2858	USA
PAUL C SCHILLER	4315 ALTON RD	MIAMI BEACH	FL	33140-2850	USA
PETER R RESTANI JTRS MARIA E DALMANIERAS JTRS	4321 ALTON RD	MIAMI BEACH	FL	33140	USA
PETER SCHILLE TRS PETER SCHILLE REVOCABLE TRUST	4365 N BAY RD	MIAMI BEACH	FL	33140	USA
PHALYN GEBER BENEDICT GEBER	4422 ALTON RD	MIAMI BEACH	FL	33140	USA
PHILIP J RYAN & W ANNE	4322 ALTON RD	MIAMI BEACH	FL	33140-2800	USA
RANDY BULLARD TRS RANDY BULLARD	4343 NORTH BAY RD	MIAMI BEACH	FL	33140	USA
R CRISOSTOMO NIDA & W NINFA BUFFE	4342 ALTON RD	MIAMI BEACH	FL	33140-2800	USA
RICARDO M ALIETTI	4351 N BAY RD	MIAMI BEACH	FL	33140-2856	USA

RICHARD F DELISLE III &W MELISSA	4423 ALTON RD	MIAMI BEACH	FL	33140-2862	USA
ROBERT ADAM SIEGEL CORI HOPE SIEGEL	4328 ALTON RD	MIAMI BEACH	FL	33140	USA
ROBERT VINITSKY TRS ROBERT VINITSKY	4401 ALTON RD	MIAMI BEACH	FL	33140	USA
SPIRAL UNLIMITED CORP	2 10 50 AVE 25G	LONG ISLAND CITY	NY	11101	USA
STEPHEN A LEVIN PETRA LEVIN	4358 N BAY RD	MIAMI BEACH	FL	33140	USA
STEPHEN LEVIN PETRA LEVIN	4358 N BAY RD	MIAMI BEACH	FL	33140	USA
SUNLITE LLC	220 RIVERSIDE BLVD PH-1	NEW YORK	NY	10069	USA
TERRY EVANGELIOU TRS TERRY EVANGELIOU REVOCABLE TRUST	4416 ALTON RD	MIAMI BEACH	FL	33140	USA

4334 ALTON ROAD LLC
PO BOX 402249
MIAMI BEACH, FL 33140

4344 ALTON ROAD LLC
44 COCOANUT ROW STE T 8
PALM BEACH, FL 33480

ABRAHAM FRANCO TRS
ABRAHAM FRANCO REV TRUST
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4345 ALTON RD
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4420 ALTON RD
MIAMI BEACH, FL 33140-2851

CASA UNITED HOLDING LLC
4322 NAUTILUS DR
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MIAMI BEACH, FL 33139-1010

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AMANDA LOPEZ
4401 N BAY RD
MIAMI BEACH, FL 33140

JORGE L SOSA JTRS
REGINA S SUAREZ JTRS
4410 ALTON RD
MIAMI BEACH, FL 33140

JOSEPH S STEEN
LORRAINE COHEN STEEN
4331 ALTON RD
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KBG REAL ESTATE HOLDINGS LLC
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PATRICK J WESCHLER TRS
4411 N BAY RD
MIAMI BEACH, FL 33140

MARGARET GREENE &
GERALDINE GREENE (TRUST)
4350 NAUTILUS DR
MIAMI BEACH, FL 33140-2824

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ROBERT VINITSKY TRS
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SPIRAL UNLIMITED CORP
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LONG ISLAND CITY, NY 11101

STEPHEN A LEVIN
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4358 N BAY RD
MIAMI BEACH, FL 33140

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PETRA LEVIN
4358 N BAY RD
MIAMI BEACH, FL 33140

SUNLITE LLC
220 RIVERSIDE BLVD PH-1
NEW YORK, NY 10069

TERRY EVANGELIOU TRS
TERRY EVANGELIOU REVOCABLE TRUST
4416 ALTON RD
MIAMI BEACH, FL 33140

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

Property address: 4354 Alton Road North Board: DRB Date: 7/18/18

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.

Incomplete, or submittals found to be insufficient will not be placed on a Board agenda.

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. Letter must outline application details and identify hardships if Variances are requested. (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	Architectural Plans and Exhibits (must be 11"x 17")	✓
a	Cover Sheet with bullet point scope of work, clearly labeled "First Submittal" and dated with First Submittal deadline date. Include copies of previous recorded board orders, if applicable.	✓
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: FSL

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

Property address: 4354 Alton Road South

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. Include entry portion of lounge, to show need for canopy	✓
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	Landscape Plans and Exhibits (must be 11"x 17")	✓
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. http://www.miamibeachfl.gov/publicworks/engineering/engineeringmanual.aspx?id=12920	
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 ***Division of land should not include any variance provision	✓
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.	

***Division of land should not include any variance provision

Indicate N/A If Not Applicable

Initials: 

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Miami Beach, Florida 33139, www.miamibeachfl.gov
305.673.7550

Property address: 4354 Alton Road South

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.	
40	Site Plan (Identify streets and alleys)	
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	✓
41	Floor Plan (dimensioned)	
a	Total floor area	
b	Identify # seats indoors ____ outdoors ____ seating in public right of way ____ Total ____	
c	Occupancy load indoors and outdoors per venue ____ Total when applicable ____	
42	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.	✓
43	The Letter of Intent for Variances shall include and respond to all review guidelines in the code as follows:	✓
a	Section 118-353 (d) of the City Code for each Variance.	✓
44	The Letter of Intent for Planning Board shall include and respond to all review guidelines in the code as follows:	
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

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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 #	FINAL SUBMITTAL (via CAP)
	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.
- 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)
- E.



Applicant's or designee's signature

7/18/18

Date

Indicate N/A If Not Applicable

Initials: 

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.

MIAMI BEACH

PLANNING DEPARTMENT

1700 Convention Center Drive, Miami Beach, Florida 33139; Tel: 305.673.7550; Web: 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
AUGUST RECESS									
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
AUGUST RECESS							
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