

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			
☐ Board of Adjustment ☐ Variance from a provision of the Land Development Regulations ☐ Appeal of an administrative decision			
☐ Planning Board ☐ Conditional use permit ☐ Lot split approval ☐ Amendment to the Land Development Regulations or zoning map ☐ Amendment to the Comprehensive Plan or future land use map			
☐ Other:			
Property Information - Please attach legal Description as "Exhibit A"			
ADDRESS OF PROPERTY			
1351 Lenox Avenue			
FOLIO NUMBER(S)			
02-4203-009-7350			
Property Owner Information			
PROPERTY OWNER NAME			
Jorge Rey			
ADDRESS			
1351 Lenox Avenue			
CITY			
Miami Beach			
STATE			
FL			
ZIP CODE			
33139			
Applicant Information (if different than owner)			
APPLICANT NAME			
ADDRESS			
CITY			
STATE			
ZIP CODE			
BUSINESS PHONE			
CELL PHONE			
EMAIL ADDRESS			
Summary of Request			
PROVIDE A BRIEF SCOPE OF REQUEST			
Determination of appropriateness, variance for second floor setback, & additional second floor area over 70%			

- 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).
- 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.
- 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.

Please note the following information:

Project Information			
Is there an existing building(s) on the site?			
☐ Yes ☐ No			
Does the project include interior or exterior demolition?			
☐ Yes ☐ No			
Provide the total floor area of the new construction.			
899 SQ. FT.			
Provide the gross floor area of the new construction (including required parking and all usable area). 3,236 SQ. FT.			
Party responsible for project design			
NAME Ellert Lewis Architects Studios			
ADDRESS 13063 SW 133 Ct			
CITY Miami			
STATE FL			
ZIPCODE 33186			
☒ Architect ☐ Contractor ☐ Landscape Architect ☐ Engineer ☐ Tenant ☐ Other			
BUSINESS PHONE 3052535786		CELL PHONE	
EMAIL ADDRESS Dan@ELA.studio			
Authorized Representative(s) Information (if applicable)			
NAME		ADDRESS	
☐ Attorney ☐ Contact ☐ Agent ☐ Other		CITY	
STATE		ZIPCODE	
BUSINESS PHONE		CELL PHONE	
EMAIL ADDRESS			
NAME		ADDRESS	
☐ Attorney ☐ Contact ☐ Agent ☐ Other		CITY	
STATE		ZIPCODE	
BUSINESS PHONE		CELL PHONE	
EMAIL ADDRESS			
NAME		ADDRESS	
☐ Attorney ☐ Contact ☐ Agent ☐ Other		CITY	
STATE		ZIPCODE	
BUSINESS PHONE		CELL PHONE	
EMAIL ADDRESS			
NAME		ADDRESS	
☐ Attorney ☐ Contact ☐ Agent ☐ Other		CITY	
STATE		ZIPCODE	
BUSINESS PHONE		CELL PHONE	
EMAIL ADDRESS			

Please read the following and acknowledge below:

- Applications for any board hearing(s) will not be accepted without payment of the required fees. All checks are to be made payable to the "City of Miami Beach".
- Public records notice – All documentation submitted for this application is considered a public record subject to Chapter 119 of the Florida Statutes and shall be disclosed upon request.
- In accordance with the requirements of Section 2-482 of the code of the City of Miami Beach, any individual or group that will be compensated to speak or refrain from speaking in favor or against an application being presented before any of the City's land use boards, shall fully disclose, prior to the public hearing, that they have been, or will be compensated. Such parties include: architects, engineers, landscape architects, contractors, or other persons responsible for project design, as well as authorized representatives attorneys or agents and contact persons who are representing or appearing on behalf of a third party; such individuals must register with the City Clerk prior to the hearing.

- In accordance with Section 118-31. – Disclosure Requirement. Each person or entity requesting approval, relief or other action from the Planning Board, Design Review Board, Historic Preservation Board or the Board of Adjustment shall disclose, at the commencement (or continuance) of the public hearing(s), any consideration provided or committed, directly or on its behalf, for an agreement to support or withhold objection to the requested approval, relief or action, excluding from this requirement consideration for legal or design professional service rendered or to be rendered. The disclosure shall: (i) be in writing, (ii) indicate to whom the consideration has been provided or committed, (iii) generally describe the nature of the consideration, and (iv) be read into the record by the requesting person or entity prior to submission to the secretary/clerk of the respective board. Upon determination by the applicable board that the foregoing disclosure requirement was not timely satisfied by the person or entity requesting approval, relief or other action as provided above, then (i) the application or order, as applicable, shall immediately be deemed null and void without further force or effect, and (ii) no application form said person or entity for the subject property shall be reviewed or considered by the applicable board(s) until expiration of a period of one year after the nullification of the application or order. It shall be unlawful to employ any device, scheme or artifice to circumvent the disclosure requirements of this section and such circumvention shall be deemed a violation of the disclosure requirements of this section.

- When the applicable board reaches a decision a final order will be issued stating the board's decision and any conditions imposed therein. The final order will be recorded with the Miami-Dade Clerk of Courts. The original board order shall remain on file with the City of Miami Beach Planning Department. Under no circumstances will a building permit be issued by the City of Miami Beach without a copy of the recorded final order being included and made a part of the plans submitted for a building permit.

The aforementioned is acknowledged by:

☒ Owner of the subject property ☐ Authorized representative

SIGNATURE

PRINT NAME

DATE SIGNED

Don E. [Signature]
02/25/19

OWNER AFFIDAVIT FOR INDIVIDUAL OWNER

STATE OF Florida
COUNTY OF Isle de

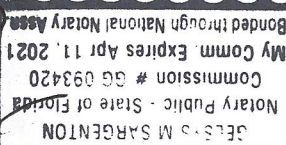
I, Jorge Rey, being first duly sworn, depose and certify as follows: (1) I am the owner of the property that is the subject of this application. (2) This application and all information submitted in support of this application, including sketches, data, and other supplementary materials, are true and 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 25 day of February, 2019. The foregoing instrument was acknowledged before me by _____, who has produced _____ as

NOTARY PUBLIC

PRINT NAME



NOTARY SEAL OR STAMP

My Commission Expires: 4/11/2021

ALTERNATE OWNER AFFIDAVIT FOR CORPORATION, PARTNERSHIP OR LIMITED LIABILITY COMPANY

STATE OF _____

COUNTY OF _____

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

SIGNATURE

Sworn to and subscribed before me this _____ day of _____, 20____. The foregoing instrument was acknowledged before me by _____, who has produced _____ as

NOTARY SEAL OR STAMP

NOTARY PUBLIC

PRINT NAME

My Commission Expires: _____

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.

COMPENSATED LOBBYIST

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

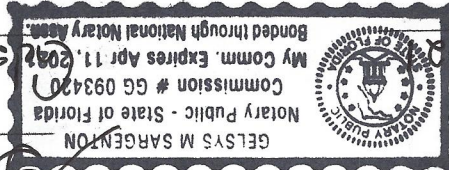
APPLICANT HEREBY ACKNOWLEDGES AND AGREES THAT (1) AN APPROVAL GRANTED BY A LAND DEVELOPMENT BOARD OF THE CITY SHALL BE SUBJECT TO ANY AND ALL CONDITIONS IMPOSED BY SUCH BOARD AND BY ANY OTHER BOARD HAVING JURISDICTION, AND (2) APPLICANT'S PROJECT SHALL COMPLY WITH THE CODE OF THE CITY OF MIAMI BEACH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

APPLICANT AFFIDAVIT

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

SIGNATURE _____
Sworn to and subscribed before me this 25 day of February, 2019. The foregoing instrument was acknowledged before me by Jorge Rey, who has produced _____ as identification and/or is personally known to me and who did/did not take an oath.

NOTARY SEAL OR STAMP



My Commission Expires: 4-11-2021
PRINT NAME Gelsys M. Sargeant
NOTARY PUBLIC