

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: 46 Star Island Drive, Miami Beach, Florida

LEGAL DESCRIPTION: _____

FOLIO NUMBER (S) 02-4204-001-0410

FILE NO. _____

1. APPLICANT: ☒ OWNER OF THE SUBJECT PROPERTY ☐ TENANT ☐ ARCHITECT ☐ LANDSCAPE ARCHITECT
☐ ENGINEER ☐ CONTRACTOR ☐ OTHER _____

NAME Marco Iacovelli
ADDRESS 46 Star Island Drive, Miami Beach, FL 33139
BUSINESS PHONE (305) 538-3429 CELL PHONE (305) 776-9811
E-MAIL ADDRESS m@marco22.com

OWNER IF DIFFERENT THAN APPLICANT:

NAME N/A
ADDRESS _____
BUSINESS PHONE _____ CELL PHONE _____
E-MAIL ADDRESS _____

2. AUTHORIZED REPRESENTATIVE(S):

- ☒ ATTORNEY:

NAME Monika Entin
ADDRESS 200 South Biscayne Boulevard, Suite 850, Miami, FL 33131
BUSINESS PHONE 305-377-6237 CELL PHONE N/A
E-MAIL ADDRESS MEntin@BRZoningLaw.com

- ☐ AGENT:

NAME _____
ADDRESS _____
BUSINESS PHONE _____ CELL PHONE _____
E-MAIL ADDRESS _____

- ☐ CONTACT:

NAME _____
ADDRESS _____
BUSINESS PHONE _____ CELL PHONE _____
E-MAIL ADDRESS _____

3. PARTY RESPONSIBLE FOR PROJECT DESIGN:

- ☒ ARCHITECT ☐ LANDSCAPE ARCHITECT ☐ ENGINEER ☐ CONTRACTOR ☐ OTHER _____

NAME Jorge G. Nuche
ADDRESS 3170 SW 111 Avenue, Miami, FL 33165
BUSINESS PHONE 786-290-8616 CELL PHONE N/A
E-MAIL ADDRESS jnuche1@mac.com

FILE NO. _____

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

The Applicant proposes a new two-story addition to the existing home. The Applicant seeks a variance of City Code Section 142-106 requiring a minimum interior side setback of ten percent of the lot width or ten feet, whichever is greater, for lots greater than 60 feet width. Please refer to attached letter of intent for further details.

- 4A IS THERE AN EXISTING BUILDING(S) ON THE SITE ☒ YES ☐ NO
- 4B DOES THE PROJECT INCLUDE INTERIOR OR EXTERIOR DEMOLITION ☒ YES ☐ NO
- 4C PROVIDE THE TOTAL FLOOR AREA OF THE NEW BUILDING (IF APPLICANT) _____ 762 _____ SQ. FT.
- 4D PROVIDE THE TOTAL GROSS FLOOR AREA OF THE NEW BUILDING (INCLUDING REQUIRED PARKING AND ALL USABLE FLOOR SPACE). _____ 762 _____ 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: _____



PRINT NAME: Marco Iacovelli

FILE NO. _____

OWNER AFFIDAVIT FOR INDIVIDUAL OWNERSTATE OF FLCOUNTY OF Miami Dade

I, Marco Iacovelli, 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.

Marco Iacovelli
SIGNATURE

Sworn to and subscribed before me this 12 day of July, 2016. The foregoing instrument was acknowledged before me by Marco Iacovelli, who has produced _____ as identification and/or is personally known to me and who did/did not take an oath.

NOTARY SEAL OR STAMP



Ofelia Nunez
NOTARY PUBLIC
STATE OF FLORIDA
Comm# FF949663
Expires 3/11/2020

Ofelia Nunez
NOTARY PUBLIC

OFELIA NUNEZ

PRINT NAME

My Commission Expires:

**ALTERNATE OWNER AFFIDAVIT FOR
CORPORATION, PARTNERSHIP, OR LIMITED LIABILITY COMPANY**
(Circle one)

STATE OF _____

COUNTY OF _____

I, N/A, being duly sworn, depose and certify as follows: (1) I am the _____ (print title) of _____ (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.

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.

SIGNATURE

NOTARY SEAL OR STAMP

NOTARY PUBLIC

PRINT NAME

My Commission Expires:

FILE NO. _____

POWER OF ATTORNEY AFFIDAVITSTATE OF FLCOUNTY OF Miami Dade

I, Marco Iacovelli, 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 Monika Entin and/or Bercow Radell & Fernandez, PLLC to be my representative before the Board of Adjustment. (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.

Marco Iacovelli

Print name (and Title, if applicable)

Monika Entin

SIGNATURE

Sworn to and subscribed before me this 12 day of July, 2016. The foregoing instrument was acknowledged before me by Marco Iacovelli, who has produced ✓ as identification and/or is personally known to me and who did/did not take an oath.

NOTARY SEAL OR STAMP



Ofelia Nunez
NOTARY PUBLIC
STATE OF FLORIDA
Comm# FF949663
Expires 3/11/2020

Ofelia Nunez

NOTARY PUBLIC

OFELIA NUNEZ

PRINT NAME

My Commission Expires

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.*

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 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.*

N/A

NAME OF CORPORATE ENTITY

NAME AND ADDRESS

% OF OWNERSHIP

N/A

NAME OF CORPORATE ENTITY

NAME AND ADDRESS

% OF OWNERSHIP

IF THERE ARE ADDITIONAL CORPORATE OWNERS, LIST ALL SUCH OWNERS, INCLUDING 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.*

N/A

TRUST NAME

NAME AND ADDRESS

% OF INTEREST

NOTE: Notarized signature required on page 9

FILE NO. _____

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. <u>Monika Entin, 200 South Biscayne Boulevard, Suite 850, Miami, FL 33131</u>		<u>305-377-6237</u>
b. <u>Jorge G. Nuche, 3170 SW 111 Avenue, Miami, FL 33165</u>		<u>786-290-8616</u>
c. _____		

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, Marco Iacovelli, 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 12 day of July, 2016. The foregoing instrument was acknowledged before me by Marco Iacovelli, 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



Ofelia Nunez
NOTARY PUBLIC
STATE OF FLORIDA
Comm# FF949663
Expires 3/11/2020

My Commission Expires:

OFELIA NUNEZ
PRINT NAME

FILE NO. _____



BERCOW RADELL & FERNANDEZ

ZONING, LAND USE AND ENVIRONMENTAL LAW

DIRECT LINE: (305) 377-6237
E-Mail: MEntin@BRZoningLaw.com

July 27, 2016

VIA ELECTRONIC SUBMISSION

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

Re: Board of Adjustment Application for a Setback for the Single-Family Home
located at 46 Star Island Drive, Miami Beach – Revised Letter of Intent

Dear Tom:

As you know, this law firm represents Marco R. Iacovelli (the "Applicant"), the owner of the above-referenced parcel, located at 46 Star Island Drive (the "Property"). Please consider this letter the Applicant's revised hardship letter for an interior side yard setback variance.

The Property. The Property is located in Single Family Residential District 1 (RS-1) and is approximately 61,301 square feet in size, with a structure amassing approximately 16,301 square feet. It is identified by Miami-Dade County Folio No. 02-4204-001-0410. The residential structure on the property was constructed in 1923 and has ten (10) bedrooms and nine (9) bathrooms.

Applicant's Proposal. The Applicant has owned this Property since December of 1987. He appreciates the original architecture and has a desire to preserve same. In recent years, the Code has been amended to incentivize the retention of architecturally significant homes which were constructed prior to 1942. In this instance, the owner feels a strong desire to retain the original structure and is seeking a minor deviation from the Code in order to fully retain same.

The Applicant seeks to provide an eight foot three inch (8'-3") interior side-yard setback, where fifteen feet four inches (15'-4") are required. Refer to the proposed plans. This request will permit the Applicant to expand and create more appropriate living spaces. It will also fully preserve the existing home.

As is evident from the plans, the configuration of this Property is severely pie-shaped. That shape results in the requirement of this request. The Board of Adjustment (BOA) has granted these types of variances a number of times in the City, often for homes on similarly configured lots.

Satisfaction of Hardship Criteria. Section 118-353(d) of the City's Code sets forth the hardship criteria for a variance request. The Applicant's request satisfies 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;**

The requested interior side yard setback variance for the expansion of the home is due to the location of the existing structure and the Applicant desires to retain the existing pre-1942 home, currently on the site. Thus, the maintenance of the existing structure and the severe pie-shape of the lot result in the hardship requiring the requested variance.

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

The need for the requested variance directly results from the Property's physical condition and the existing structure, which are not the result of any action by the Applicant.

- (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;**

Granting the requested variance will enable the Applicant to renovate the existing home without requiring demolition of a pre-1942 home. The Code allows other similarly situated property owners to seek similar variances to accommodate the preservation of existing structures while allowing for the construction of additional features. The granting of this variance is in line with the purpose and intent of the Code and 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;

A literal interpretation of the provisions of these land development regulations would work an unnecessary and undue hardship on the Applicant. The variance is being requested in order to maintain the existing structure and effectuate the restoration of the Property. Other property owners have sought and been approved for setback variances in order to construct additional amenities on their properties.

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

This request is the minimum necessary in order to allow for the retention and restoration of the existing structure.

(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

This variance will not be injurious to the area or otherwise detrimental to the public welfare. This variance facilitates the preservation and utilization of the Property. The request is also consistent with the purpose, intent and welfare of the Code, and promotes the restoration and rehabilitation of existing structures.

(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 requested is consistent with the City's comprehensive plan.

Conclusion. For a number of years, the topic of preservation of pre-1942 homes has been in the forefront of important issues in the City. The City has created limitations, and likewise incentives, to preserve as many homes as appropriate. This is an instance where the Applicant is willingly preserving the home and seeks to avail himself of the incentives set forth in the Code in order to preserve the home while making much needed renovations. The proposed home expansion is compatible with the prevailing character of the existing single-family neighborhood and will be a great improvement to the area. The granting of the requested variance will be in harmony

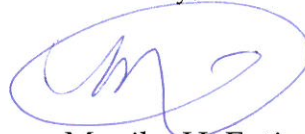
Mr. Thomas Mooney

July 27, 2016

Page 4 of 4

with the intent and purpose of the Code, will not be injurious to the area involved or otherwise detrimental to the public welfare. Furthermore, the granting of the request will provide the Applicant with a reasonable use of the Property. Based on these reasons, the Applicant respectfully requests your favorable review and recommendation of this application.

Sincerely,



Monika H. Entin

MHE

cc: Mr. Michael Belush
Mrs. Irina Villegas

Carlos J. Maradiaga

Georgina Cabrera

Property Owners Data Research

3802 SW 79th Avenue, #117

Miami, Florida 33155

Phone: (305) 262-8965 Fax: (305) 269-3801

E-mail: DataResearchAssociates@gmail.com

Date: July 5, 2016

Number of Owners: 21 including Subject)

COVER LETTER & CERTIFICATION

To: CITY OF MIAMI BEACH
Department OF COMMUNITY PLANNING
& ZONING.
1700 CONVENTION CENTER DRIVE
MIAMI BEACH, FL 33139

RE: Property Owners within a 375'Foot Radius of:
46 STAR ISLAND DR, MIAMI BEACH, FL, 33139

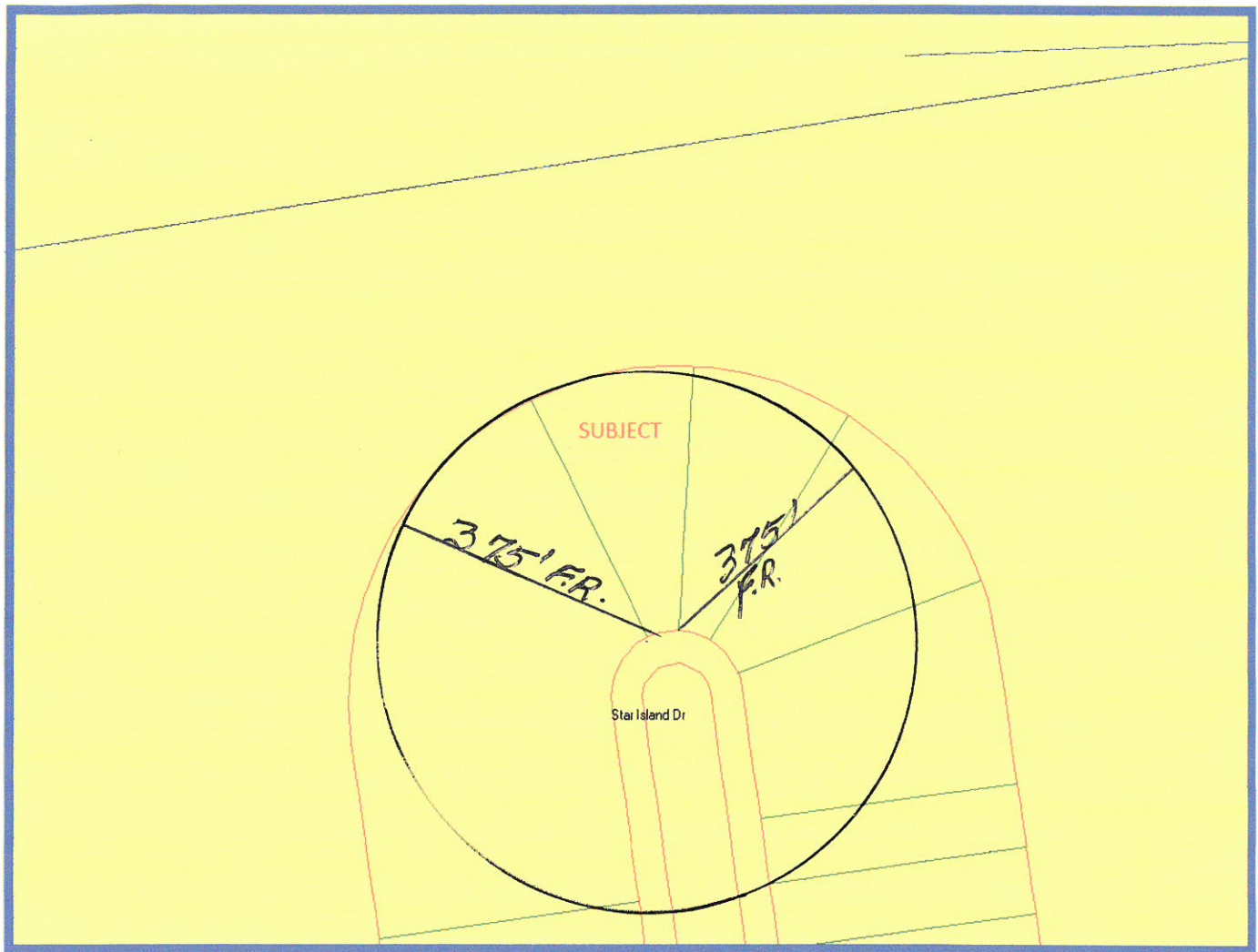
Legal Description: As described in Exhibit "A"
Star Island Corr PL PB 31-60
PORTION OF LOTS 46 & 21 DES IN
DB 3781-511
LOT SIZE 61301 SQ FT OR 13564-2124 1287 1

I hereby certify that I have prepared the attached ownership list, map, and mailing labels which are a complete and accurate representation of all real estate property and property owners live (or own) real estate property within **375'FOOT RADIUS** of the external boundaries of the subject property listed above. All of which reflects the latest ad-valorem tax records on file in the Miami-Dade County Tax Assessor's Office.

NOTE: Unless otherwise specified, all property owners are listed in numerical order by folio number.

Sincerely,


DATA RESEARCH ASSOCIATES



375' FOOT RADIUS MAP

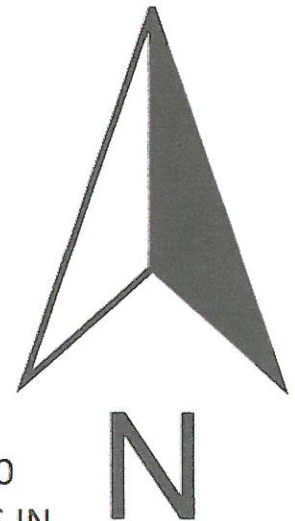
APPROXIMATE SCALE=

1" = 375'

PROPERTY ADDRESS:

46 STAR ISLAND DR.
MIAMI BEACH, 33139

PROPERTY LEGAL DESCRIPTION: STAR ISLAND CORR PL PB 31-60
PORTION OF LOTS 46 & 21 DES IN
DB 3781-511
LOT SIZE 61301 SQ FT
OR 13564-2124 1287 1



AS DESCRIBE IN EXHIBIT "A"
COUNTY OF MIAMI DADE, FLORIDA



OFFICE OF THE PROPERTY APPRAISER

Summary Report

Property Information	
Folio:	02-4204-001-0410
Property Address:	46 STAR ISLAND DR Miami Beach, FL 33139-5146
Owner	MARCO R IACOVELLI
Mailing Address	46 STAR ISLAND DR MIAMI BEACH, FL 33139-5146
Primary Zone	2200 ESTATES - 25000 SQFT LOT
Primary Land Use	0101 RESIDENTIAL - SINGLE FAMILY : 1 UNIT
Beds / Baths / Half	10 / 9 / 2
Floors	2
Living Units	1
Actual Area	Sq.Ft
Living Area	Sq.Ft
Adjusted Area	18,356 Sq.Ft
Lot Size	61,301 Sq.Ft
Year Built	1923



Assessment Information			
Year	2016	2015	2014
Land Value	\$16,857,775	\$13,792,725	\$11,769,792
Building Value	\$3,796,797	\$3,827,963	\$3,846,640
XF Value	\$171,157	\$133,259	\$134,851
Market Value	\$20,825,729	\$17,753,947	\$15,751,283
Assessed Value	\$5,558,231	\$5,519,594	\$5,475,788

Benefits Information				
Benefit	Type	2016	2015	2014
Save Our Homes Cap	Assessment Reduction	\$15,267,498	\$12,234,353	\$10,275,495
Homestead	Exemption	\$25,000	\$25,000	\$25,000
Second Homestead	Exemption	\$25,000	\$25,000	\$25,000
Note: Not all benefits are applicable to all Taxable Values (i.e. County, School Board, City, Regional).				

Short Legal Description	
STAR ISLAND CORR PL PB 31-60 PORTION OF LOTS 46 & 21 DES IN DB 3781-511 LOT SIZE 61301 SQ FT OR 13564-2124 1287 1	

Taxable Value Information			
	2016	2015	2014
County			
Exemption Value	\$50,000	\$50,000	\$50,000
Taxable Value	\$5,508,231	\$5,469,594	\$5,425,788
School Board			
Exemption Value	\$25,000	\$25,000	\$25,000
Taxable Value	\$5,533,231	\$5,494,594	\$5,450,788
City			
Exemption Value	\$50,000	\$50,000	\$50,000
Taxable Value	\$5,508,231	\$5,469,594	\$5,425,788
Regional			
Exemption Value	\$50,000	\$50,000	\$50,000
Taxable Value	\$5,508,231	\$5,469,594	\$5,425,788

Sales Information			
Previous Sale	Price	OR Book-Page	Qualification Description
12/01/1987	\$1,825,000	13564-2124	Sales which are qualified
01/01/1980	\$490,000	10636-2109	Sales which are qualified
06/01/1972	\$145,000	00000-00000	Sales which are qualified

EXHIBIT "A"
46 STAR ISLAND DR.

FROST PHILLIP
21 STAR ISLAND DR.
MIAMI BEACH, FL 33139

TWENTY TWO STAR ISLAND LLC
22 STAR ISLAND DR.
MIAMI BEACH, FL 33139

SUSAN MILLER
23 STAR ISLAND DR.
MIAMI BEACH, FL 33139

GARDEN ISLANDS INTL LLC
2525 PONCE DE LEON BLVD FL4
CORAL GABES, FL 33134

STARBOARD FLORIDA LLC
P.O. BOX 31408
KNOXVILLE, TN 37930

MIP 28 STAR ISLAND LLC
27 STAR ISLAND DR.
MIAMI BEACH, FL 33139

PAUL L CEJAS TRS
29 STAR ISLAND DR.
MIAMI BEACH, FL 33139

WAYNE HOLMAN
50 S. POINT DR. APT. 1101
MIAMI BEACH, FL 33139

WAYNE AND HOLMAN WENDY
30 STAR ISLAND DR.
MIAMI BEACH, FL 33139

ROBINS GERALD
33 STAR ISLAND DR.
MIAMI BEACH, FL 33139

IDA KIRSNER
34 STAR ISLAND DR.
MIAMI BEACH, FL 33139

FCC PROPERTIES INC
135 SAN LORENZO AVE STE 670
MIAMI BEACH, FL 33139

36 STAR ISLAND HOLDINGS LLC
999 BRICKELL AVE PH 1101
MIAMI BEACH, FL 33131

YALE R BROWN
37 STAR ISLAND DR.
MIAMI BEACH, FL 33139

EMILIO ESTEFAN
39 STAR ISLAND DR.
MIAMI BEACH, FL 33139

ENGIN YESIL
40 STAR ISLAND DR.
MIAMI BEACH, FL 33139

LEONARD M HOCHSTEIN
1221 BISCAYNE BLVD # 1600
MIAMI BEACH, FL 33131

DAVID F & LINDA S FRANKEL
20 NIBANG AVE
OLD SAYBROOK, CT 0

SHAY KOSTINER
1521 ALTON RD # 304
MIAMI BEACH, FL 33139

45 STAR ISLAND LLC
201 S BISCAYNE BLVD STE 1300
MIAMI BEACH, FL 33131

MARCO R IACOVELLI
46 STAR ISLAND DR.
MIAMI BEACH, FL 33139



NAME	ADDRESS	CITY	STATE	ZIP
FROST PHILLIP	21 STAR ISLAND DR.	MIAMI BEACH	FL	33139
TWENTY TWO STAR ISLAND LLC	22 STAR ISLAND DR.	MIAMI BEACH	FL	33139
SUSAN MILLER	23 STAR ISLAND DR.	MIAMI BEACH	FL	33139
GARDEN ISLANDS INTL LLC	2525 PONCE DE LEON BLVD FL4	CORAL GABES	FL	33134
STARBOARD FLORIDA LLC	P.O. BOX 31408	KNOXVILLE	TN	37930
MIP 28 STAR ISLAND LLC	27 STAR ISLAND DR.	MIAMI BEACH	FL	33139
PAUL L CEJAS TRS	29 STAR ISLAND DR.	MIAMI BEACH	FL	33139
WAYNE HOLMAN	50 S. POINT DR. APT. 1101	MIAMI BEACH	FL	33139
WAYNE AND HOLMAN WENDY	30 STAR ISLAND DR.	MIAMI BEACH	FL	33139
ROBINS GERALD	33 STAR ISLAND DR.	MIAMI BEACH	FL	33139
IDA KIRSNER	34 STAR ISLAND DR.	MIAMI BEACH	FL	33139
FCC PROPERTIES INC	135 SAN LORENZO AVE STE 670	MIAMI BEACH	FL	33139
36 STAR ISLAND HOLDINGS LLC	999 BRICKELL AVE PH 1101	MIAMI BEACH	FL	33131
YALE R BROWN	37 STAR ISLAND DR.	MIAMI BEACH	FL	33139
EMILIO ESTEFAN	39 STAR ISLAND DR.	MIAMI BEACH	FL	33139
ENGİN YESİL	40 STAR ISLAND DR.	MIAMI BEACH	FL	33139
LEONARD M HOCHSTEIN	1221 BISCAYNE BLVD # 1600	MIAMI BEACH	FL	33131
DAVID F & LINDA S FRANKEL	20 NIBANG AVE	OLD SAYBROOK	CT	06475
SHAY KOSTINER	1521 ALTON RD # 304	MIAMI BEACH	FL	33139
45 STAR ISLAND LLC	201 S BISCAYNE BLVD STE 1300	MIAMI BEACH	FL	33131
CITY OF MIAMI BEACH	1700 CONVENTION CENTER DR.	MIAMI BEACH	FL	33139
MARCO R IACOVELLI	46 STAR ISLAND DR.	MIAMI BEACH	FL	33139

#	Folio #	Address	Owner Name - Full	Owners Company Name	Legal Description 1	Legal Description 2	Legal Description 3
1	02-42-04-001-0190	21 STAR ISLAND DR	PHILLIP FROST & W PATRICIA	TWENTY TWO STAR ISLAND LLC	STAR ISLAND CORRECTED PL	PB 31-60	LOTS 16 THRU 20 & LOT 21
2	02-42-04-001-0191	22 STAR ISLAND DR	TWENTY TWO STAR ISLAND	TWENTY TWO STAR ISLAND LLC	STAR ISLAND CORR PL PB 31-60	LOT 22 & PORTION LOT 46 DES IN	DB 3752-331
3	02-42-04-001-0200	23 STAR ISLAND DR	MILLER SUSAN TRUST		STAR ISLAND CORR PL PB 31-60	LOT 23 & N1/2 LOT 24	LOT SIZE 80664 SQ FT
4	02-42-04-001-0210	26 STAR ISLAND DR	GARDEN ISLANDS INTL LLC	GARDEN ISLANDS INTL LLC	STAR ISLAND CORR PL PB 31-60	S1/2 OF LOT 24 & ALL OF LOT 25 &	26
5	02-42-04-001-0230	27 STAR ISLAND DR	STARBOARD FLORIDA IV LLC	STARBOARD FLORIDA IV LLC	4 54 42	STAR ISLAND CORR PL PB 31-60	LOT 27
6	02-42-04-001-0235		MIP 28 STAR ISLAND LLC	MIP 28 STAR ISLAND LLC	STAR ISLAND CORR PL	PB 31-60	LOT 28
7	02-42-04-001-0240	29 STAR ISLAND DR	PAUL L CEJAS TRS PAUL L CI		STAR ISLAND CORR PL PB 31-60	LOT 29	LOT SIZE 100,000 X 400
8	02-42-04-001-0250	30 STAR ISLAND DR	WAYNE HOLMAN		4 54 42	STAR ISLAND CORR PL PB 31-60	LOT 30
9	02-42-04-001-0260	31 STAR ISLAND DR	WAYNE HOLMAN WENDY HO		4 54 42	STAR ISLAND CORR PL PB 31-60	LOT 31 & N1/2 LOT 32
10	02-42-04-001-0270	33 STAR ISLAND DR	GERALD ROBINS & W JOAN JR		STAR ISLAND CORR PL PB 31-60	LOT 33 & S1/2 LOT 32	LOT SIZE 150,000 X 400
11	02-42-04-001-0280	34 STAR ISLAND DR	IDA KIRSNER TRS		STAR ISLAND CORR PL PB 31-60	LOT 34	LOT SIZE 100,000 X 400
12	02-42-04-001-0290	35 STAR ISLAND DR	FCC PROPERTIES INC	FCC PROPERTIES INC	STAR ISLAND CORR PL PB 31-60	LOT 35	LOT SIZE 100,000 X 400
13	02-42-04-001-0300	36 STAR ISLAND DR	36 STAR ISLAND HOLDINGS LLC	36 STAR ISLAND HOLDINGS LLC	4 54 42	STAR ISLAND CORR PL PB 31-60	LOT 36
14	02-42-04-001-0310	37 STAR ISLAND DR	YALE R BROWN		STAR ISLAND CORR PL PB 31-60	LOTS 37	LOT SIZE 100,000 X 400
15	02-42-04-001-0330	39 STAR ISLAND DR	EMILIO ESTEFAN JR & W GLC		4 54 42	STAR ISLAND CORR PL PB 31-60	LOTS 38 & 39 & RIP RTS
16	02-42-04-001-0340	40 STAR ISLAND DR	ENGIN YESIL		STAR ISLAND CORR PL PB 31-60	LOTS 40-41 & 10FT STRIP ADJ ON E	LOT SIZE 88266 SQ FT
17	02-42-04-001-0350	42 STAR ISLAND DR	LEONARD M HOCHSTEIN C/O		STAR ISLAND CORR PL PB 31-60	LOT 42	LOT SIZE 48266 SQ FT
18	02-42-04-001-0360	43 STAR ISLAND DR	DAVID F FRANKEL LINDA S FI		STAR ISLAND CORR PL PB 31-60	LOT 43	LOT SIZE 48266 SQ FT
19	02-42-04-001-0370	44 STAR ISLAND DR	SHAY KOSTINER		STAR ISLAND CORR PL PB 31-60	LOT 44	LOT SIZE 48266 SQ FT
20	02-42-04-001-0380	45 STAR ISLAND DR	45 STAR ISLAND LLC	45 STAR ISLAND LLC	STAR ISLAND CORR PL PB 31-60	LOT 45	LOT SIZE 48374 SQ FT
21	02-42-04-001-0390		CITY OF MIAMI BEACH CITY OF MIAMI BEACH		STAR ISLAND CORR PL PB 31-60	UNNUMBERED TRACT LYING BETWEEN	EAST & WEST DR
22	02-42-04-001-0410	46 STAR ISLAND DR	MARCO R IACOVELLI		STAR ISLAND CORR PL PB 31-60	PORTION OF LOTS 46 & 21 DES IN	DB 3781-511