

MIAMI BEACH

PLANNING DEPARTMENT, 1700 CONVENTION CENTER DRIVE, 2ND FLOOR
MIAMI BEACH, FLORIDA 33139, WWW.MIAMI BEACHFL.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 (modification to previous order)
- ☐ 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
- ☐ AMENDMENT 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: 1020-1050 Washington Avenue

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

FOLIO NUMBER (S) 02-4203-009-0270, 02-4203-009-0260, 02-4203-009-0240, 02-4203-009-0230, 02-4203-009-0250

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

NAME CRP/TWG Washington Avenue, LLC

ADDRESS 40 West 57th Street, 16th Floor, New York, NY 10019

BUSINESS PHONE 212-672-4700

CELL PHONE _____

E-MAIL ADDRESS _____

OWNER IF DIFFERENT THAN APPLICANT:

NAME CRP/TWG Washington Avenue, LLC

ADDRESS 40 West 57th Street, 16th Floor, New York, NY 10019

BUSINESS PHONE 212-672-4700

CELL PHONE _____

E-MAIL ADDRESS _____

2. AUTHORIZED REPRESENTATIVE(S):

☒ ATTORNEY:

NAME Neisen O. Kasdin, Esq.

ADDRESS Akerman, LLP- 98 SE 7th Street, Suite 1100, Miami, FL 33131

BUSINESS PHONE 305-982-5629

CELL PHONE _____

E-MAIL ADDRESS neisen.kasdin@akerman.com

☒ Attorney:

NAME Marissa R. Amuial, Esq.

ADDRESS Akerman, LLP- 98 SE 7th Street, Suite 1100, Miami, FL 33131

BUSINESS PHONE 305-982-5614

CELL PHONE _____

E-MAIL ADDRESS marissa.amuial@akerman.com

☒ Architect :

NAME Kobi Karp c/o Jennifer McConney

ADDRESS 2915 Biscayne Blvd, Suite 200, Miami, Florida 33131

BUSINESS PHONE 305-606-4105

CELL PHONE _____

E-MAIL ADDRESS jmmconney@kobikarp.com

3. PARTY RESPONSIBLE FOR PROJECT DESIGN:

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

NAME David Odishoo

ADDRESS PO Box 331615 Coconut Grove, FL 33233

BUSINESS PHONE 305-854-9299

CELL PHONE _____

E-MAIL ADDRESS davidodesign@hotmail.com

FILE NO. 7336

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

Modification to previous condition of HPB Order (File No. 7336) to PTAC units on secondary facades.

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

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

- A SEPARATE DISCLOSURE OF INTEREST FORM MUST BE SUBMITTED WITH THIS APPLICATION IF THE APPLICANT OR OWNER IS A CORPORATION, PARTNERSHIP, LIMITED PARTNERSHIP OR TRUSTEE.
 - ALL APPLICABLE AFFIDAVITS MUST BE COMPLETED AND THE PROPERTY OWNER MUST COMPLETE AND SIGN THE "POWER OF ATTORNEY" PORTION OF THE AFFIDAVIT IF THEY WILL NOT BE PRESENT AT THE HEARING, OR IF OTHER PERSONS ARE SPEAKING ON THEIR BEHALF.
 - TO REQUEST THIS MATERIAL IN ALTERNATE FORMAT, SIGN LANGUAGE INTERPRETER (FIVE-DAY NOTICE IS REQUIRED), INFORMATION ON ACCESS FOR PERSONS WITH DISABILITIES, AND ACCOMMODATION TO REVIEW ANY DOCUMENT OR PARTICIPATE IN ANY CITY-SPONSORED PROCEEDINGS, CALL 305.604.2489 AND SELECT (1) FOR ENGLISH OR (2) FOR SPANISH, THEN OPTION 6; TTY USERS MAY CALL VIA 711 (FLORIDA RELAY SERVICE).
-

PLEASE READ THE FOLLOWING AND ACKNOWLEDGE BELOW:

- APPLICATIONS FOR ANY BOARD HEARING(S) WILL NOT BE ACCEPTED WITHOUT PAYMENT OF THE REQUIRED FEE. ALL CHECKS ARE TO BE MADE PAYABLE TO THE "CITY OF MIAMI BEACH".
- PUBLIC RECORDS NOTICE – ALL DOCUMENTATION, SUBMITTED FOR THIS APPLICATION IS CONSIDERED A PUBLIC RECORD SUBJECT TO CHAPTER 119 OF THE FLORIDA STATUTES AND SHALL BE DISCLOSED UPON REQUEST.
- IN ACCORDANCE WITH THE REQUIREMENTS OF SECTION 2-482 OF THE CODE OF THE CITY OF MIAMI BEACH, ANY INDIVIDUAL OR GROUP THAT WILL BE COMPENSATED TO SPEAK OR REFRAIN FROM SPEAKING IN FAVOR OR AGAINST A PROJECT BEING PRESENTED BEFORE ANY OF THE CITY'S LAND USE BOARDS, SHALL FULLY DISCLOSE, PRIOR TO THE PUBLIC HEARING, THAT THEY HAVE BEEN, OR WILL BE COMPENSATED. SUCH PARTIES INCLUDE: ARCHITECTS, LANDSCAPE ARCHITECTS, ENGINEERS, CONTRACTORS, OR OTHER PERSONS RESPONSIBLE FOR PROJECT DESIGN, AS WELL AS AUTHORIZED REPRESENTATIVES ATTORNEYS OR AGENTS AND CONTACT PERSONS WHO ARE REPRESENTING OR APPEARING ON BEHALF OF A THIRD PARTY; SUCH INDIVIDUALS MUST REGISTER WITH THE CITY CLERK PRIOR TO THE HEARING.

FILE NO. 7336

- 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: _____

Steven C. Wtkoff

FILE NO. 7336

OWNER AFFIDAVIT FOR INDIVIDUAL OWNER

STATE OF
COUNTY OF

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

SIGNATURE

Sworn to and subscribed before me this ____ day of _____, 20____. The foregoing instrument was acknowledged before me by _____, who has produced _____ as identification and/or is personally known to me and who did/did not take an oath.

NOTARY SEAL OR STAMP

NOTARY PUBLIC

My Commission Expires:

PRINT NAME

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

STATE OF New York
COUNTY OF New York

I, STEVEN WITKOFF, being duly sworn, depose and certify as follows: (1) I am the MANAGER (print title) of CRP/TWG WASHINGTON AVENUE, LLC. (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.

SIGNATURE

Sworn to and subscribed before me this 29th day of APRIL, 2016. The foregoing instrument was acknowledged before me by STEVEN C. WITKOFF, MANAGER of CRP/TWG WASHINGTON AVE, on behalf of such entity, who has produced as identification and/or is personally known to me and who did/did not take an oath.

NOTARY SEAL OR STAMP:

HEATHER M. MAZZELLA
Notary Public, State of New York
No. 01MA6246430
Qualified in Queens County
Commission Expires Aug-8, 20

My Commission Expires:

NOTARY PUBLIC

HEATHER MAZZELLA

PRINT NAME

FILE NO. 7334

POWER OF ATTORNEY AFFIDAVITSTATE OF
COUNTY OF

I, Steven Witkoff, being duly sworn and deposed, 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 Akerman LLP to be my representative before the Habitat Board. (3) I also hereby authorize the City of Miami Beach to enter the subject property for the sole purpose of posting a Notice of Public Hearing on the property, as required by law. (4) I am responsible for removing this notice after the date of the hearing.

Steven Witkoff
PRINT NAME (and Title, if applicable)

SIGNATURE

Sworn to and subscribed before me this 29th day of April, 2016. The foregoing instrument was acknowledged before me by Steven C. Witkoff, Manager of CRPTWS Washington Ave who has produced as identification and/or is personally known to me and who did/did not take an oath.

NOTARY SEAL OR STAMP

HEATHER M. MAZZELLA
Notary Public, State of New York
No. 01MA6246430
Qualified in Queens County
My Commission Expires Aug. 8, 20
2/3/2020

NOTARY PUBLIC

HEATHER MAZZELLA

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 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.*

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. 7334

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.*

CRP/TWG Washington Avenue, LLC

NAME OF CORPORATE ENTITY

NAME AND ADDRESS

% OF OWNERSHIP

See attached Exhibit B.

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. 7336

CITY OF MIAMI BEACH
DEVELOPMENT REVIEW BOARD APPLICATION
DISCLOSURE OF INTEREST

2. TRUSTEE

If the property that is the subject of this application is owned or leased by a trust, list any and all trustees and beneficiaries of the trust, and the percentage of interest held by each. If the owners consist of one or more corporations, partnerships, trusts, partnerships, or other corporate entities, the applicant shall further disclose the identity of the individual(s) (natural persons) having the ultimate ownership interest in the entity.*

TRUST NAME

NAME AND ADDRESS

% INTEREST

NOTE: Notarized signature required on page 9

FILE NO. 7336

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.	NELSEN O. KASDIN	98 SE 7 th ST, MIAMI, FL 33131	305-982-5029
b.			
c.	MARISSA P. AMYIAL	98 SE 7 th ST MIAMI, FL 33131	305-982-5014

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
COUNTY OF

I, Steven C. Witkoff, being first 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 2nd day of May, 2016. 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

My Commission Expires:

ZACHARY E. SHEINBERG
Notary Public, State of New York
No. 02SH6250903
Qualified in New York County
Commission Expires October 31, 2019

NOTARY PUBLIC

PRINT NAME

FILE NO. 7334

Exhibit "A"
Legal Description

PARCEL 1

LOTS 1 THROUGH 6, INCLUSIVE, BLOCK 36, OCEAN BEACH, FLA., ADDITION NO. 3, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 81, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA

PARCEL 2

THAT PORTION OF DREXEL AVENUE CONVEYED BY THE CITY OF MIAMI BEACH BY QUITCLAIM DEED RECORDED IN O.R. BOOK 15688, PAGE 557 MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF LOT 1, BLOCK 36, OCEAN BEACH, FLA., ADDITION NO. 3, AS RECORDED IN PLAT BOOK 2, PAGE 81, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA (THE "POINT OF BEGINNING");

THENCE RUN EASTERLY ALONG THE SOUTH RIGHT-OF-WAY LINE OF 11TH STREET, A DISTANCE OF 78.80 FEET TO THE POINT OF INTERSECTION WITH THE WESTERLY RIGHT-OF-WAY LINE OF WASHINGTON AVENUE;

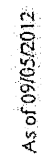
THENCE RUN SOUTHERLY ALONG WITH THE WESTERLY RIGHT-OF-WAY LINE OF WASHINGTON AVENUE, A DISTANCE OF 357.75 FEET TO THE POINT OF INTERSECTION WITH THE EASTERLY LINE OF THE ABOVE MENTIONED BLOCK 36;

THENCE RUN NORTHERLY, ALONG THE EASTERLY LINE OF SAID BLOCK 36, A DISTANCE OF 349.04 FEET TO THE POINT OF BEGINNING;

LESS THAT PORTION OF THE ABOVE DESCRIBED PROPERTY LYING SOUTH OF THE EASTERLY EXTENSION OF THE NORTH LINE OF LOT 7, OF SAID BLOCK 36.

SAID LANDS SITUATE, LYING AND BEING IN THE CITY OF MIAMI BEACH, MIAMI-DADE COUNTY, FLORIDA.

Wyndham Garden (South Beach, FL)



*Managing Member is Carlyle Realty VI, L.L.C.
** Manager is Carlyle Realty VI, L.L.C.



Akerman LLP
Three Brickell City Centre
98 Southeast Seventh Street
Suite 1100
Miami, FL 33131
Tel: 305.374.5600
Fax: 305.374.5095

May 23, 2016

Thomas Mooney
Planning and Zoning Director
City of Miami Beach
1700 Convention Center Drive
Miami Beach, FL 33131

Re: Updated Letter of Intent – 1020-1050 Washington Avenue
Modification to Previous Condition of HPB Order (File No. 7336) and Guardrail

Dear Mr. Mooney:

On behalf of CRP/TWG Washington Avenue, LLC ("**Applicant**"), the owner of the properties located at 1020-1050 Washington Avenue, Miami Beach, Florida (the "**Property**"), Akerman LLP (the "**Firm**") submits this application package in connection with a request to modify a previous condition of an HPB Order (File No. 7336) regarding wall units on secondary facades.

The HPB approved an application for a Certificate of Appropriateness for the partial demolition, renovation and restoration of the existing one (1), two (2), and four (4)-story buildings on the Property, including the construction of roof-top additions, a new one (1)-story meeting room and a new four (4)-story ground level addition, as part of an existing hotel redevelopment (the "**Project**") via three separate orders:

- "Order 1" dated December 11, 2012 (attached hereto as Exhibit A);
- "Order 2" dated January 15, 2013 (attached hereto as Exhibit B); and
- "Order 3" dated April 9, 2013 (attached hereto as Exhibit C).

Order 1 and Order 2 contain the following condition: "The existing through-the-wall units be removed from all primary and street facing facades and flush mounted units shall replace the existing through the wall units on secondary facades not visible from the public right-of-way, in a manner to be reviewed and approved by staff."

akerman.com

All of the previously existing through-the-wall units facing primary streets (Washington Avenue and 11th Street) have been removed, pursuant to the condition stated in Orders 1 and 2. Based on an honest error, potentially due to the discrepancy in the language of the orders, permits were issued such that the units facing secondary facades were to remain. Applicant installed units facing the secondary facades which protrude less than the previously existing units, however the units are still not precisely flush.



The Applicant is proposing to remedy the condition with a multi-faceted approach. Applicant proposes to change certain units that are visible from the public right of way to be flush mounted. See sheets A.003-A.007 which detail the four (4) total units to be replaced from Kenmore, Taft and Davis facades. Furthermore, additional landscaping is proposed to screen the units on Kenmore's internal east and south facades and between Taft and Belaire, to shield the units from view within the public right of way. These remedies preserve the intent of the condition, to conceal the units and preserve the historical character of the Project.

In response to staff's concerns regarding an additional set of units on the north façade of the Davis building, Applicant updated the plans to include extra landscaping to conceal the units. Applicant proposes additional landscaping in lieu of replacing these particular units because of the size constraints and configurations of these rooms. The updated units would create very limited

space between the units and the bed (approximately 1'-2' clearance). Therefore, landscaping is preferable in order to conceal the units on the Davis north façade.

We respectfully request your favorable review of the proposed modification to the condition. Please do not hesitate to contact me should you have any questions related to this matter. Thank you for your consideration.

Sincerely,



Neisen O. Kasdin

INVOICE (00000186)

BILLING CONTACT

Marissa Amual
Akerman
98 Se 7Th St.
Miami, FL 33131

MIAMIBEACH

1700 Convention Center Drive
Miami Beach, Florida 33139
305.673.7000

INVOICE NUMBER	INVOICE DATE	INVOICE DUE DATE	INVOICE STATUS	INVOICE DESCRIPTION
00000186	05/03/2016	05/03/2016	Due	NONE

REFERENCE NUMBER	FEE NAME	TOTAL
HPB0516-0022	New Application	\$2,500.00
1020-1050 Washington Av Miami Beach, FL 33139		SUB TOTAL \$2,500.00

TOTAL **\$2,500.00**

Any refund associated with this invoice will only be issued to the billing contact listed herein.

Amuial, Marissa (Assoc-Mia)

From: Mengistu, Yorusalem [mailto:YorusalemMengistu@miamibeachfl.gov]
Sent: Friday, May 13, 2016 5:09 PM
To: Barnes, Matthew (Cnslt-Mia)
Cc: Amuial, Marissa (Assoc-Mia)
Subject: RE: HPB invoices

The remaining balance for 3301 Indian Creek Drive is \$2,934

The remaining balance for 1020 Washington Avenue is \$2,538

Assuming there are no additional variances.

MIAMIBEACH

Yorusalem Mengistu

Office Associate IV

PLANNING DEPARTMENT

1700 Convention Center Drive, Miami Beach, FL 33139

Tel: 305-673-7000 ext.6562 / Fax: 786-394-4489 / www.miamibeachfl.gov

We are committed to providing excellent public service and safety to all who live, work and play in our vibrant, tropical, historic community.

MIAMI BEACH

Page 1 of 4

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

Property Address: 1020 - 1050 West Av.

Date: 9/25/16

File Number: 7336 Modification

BOARD APPLICATION CHECK LIST

A pre-application meeting must be scheduled with Board staff to review all submittals. Pre-application meetings are scheduled on a first come first serve basis and must occur no later than five (5) business days PRIOR to the First Submittal deadline. Incomplete, or submittals found to be insufficient will not be placed on a Board agenda.

ITEM #	FIRST SUBMITTAL CHECK LIST	Required
	ALL PLANS MUST BE DIMENSIONED AND LEGIBLE. INCLUDE A GRAPHIC SCALE	
1	Make an appointment with Board Liaison for application submittal at least 2 days in advance of the submittal deadline	X
2	Completed Board Application, Affidavits & Disclosures of Interest (original signatures)	X
3	Copies of all current or previously active Business Tax Receipts	X
4	Letter of Intent with details of application request, hardship, etc.	X
5	Application Fee	X
6	Mailing Labels - 1 printed set and a CD including: Property owner's list and Original certified letter from provider.	X
7	School Concurrence Application, for projects with a net increase in residential units (no SFH)	X
8	Provide four (4), 11"X17" collated sets, two (2) of which must be signed & sealed. Sets shall include the following:	X
9	Cover Sheet with bullet point scope of work, clearly labeled "First Submittal" and dated with First Submittal deadline date	X
10	All Applicable Zoning Information on City of Miami Beach Zoning Data Sheet	X
11	Location Plan, Aerial 1/2 mile radius, colored with streets and project site identified	X
12	Survey (original signed & sealed) dated less than 6 months old at the time of application (lot area shall be provided by surveyor), identifying grade (If no sidewalk, provide a letter from Public Works, establishing grade) , spot elevations and Elevation Certificate	X
13	Existing FAR Shaded Diagrams (Single Family Districts: Unit Size and Lot Coverage Shaded Diagrams)	X
14	Proposed FAR Shaded Diagrams (Single Family Districts: Unit Size and Lot Coverage Shaded Diagrams)	X
15	Site Plan (fully dimensioned with setbacks, existing and proposed, including adjacent right-of-way widths)	X
15a	Indicate any backflow preventer and FPL vault if applicable	X
16	Current color photographs, dated, Min 4"x 6" of project site and existing structures (no Google images)	X
17	Current, dated color photographs, min 4"X6" of interior space (no Google images) <i>optional</i>	
18	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)	X
19	Existing Conditions Drawings (Floor Plans & Elevations with dimensions)	X
20	Demolition Plans (Floor Plans & Elevations with dimensions)	X
21	Proposed Floor Plans and Roof Plan, including mechanical equipment plan and section marks	X
22	Proposed Elevations, materials & finishes noted (showing grade, base flood elevation, heights in NGVD values and free board if applicable)	X
23	Proposed Section Drawings	X
24	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.	X
25	Hardscape Plan, i.e. paving materials, pattern, etc. <i>optional</i>	X
26	Color Renderings (elevations and three dimensional perspective drawings)	X

Indicate N/A If Not Applicable

Initials: 

MIAMI BEACH

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

Address:

File Number:

ITEM #	FIRST SUBMITTAL ADDITIONAL INFORMATION AS MAY BE REQUIRED AT THE PRE APPLICATION MEETING	Required
27	Vacant or 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 Department	
28	Copy of original Building Permit Card, & Microfilm, if available	
29	Historic Resources Report (This report shall include, but shall not be limited to, copy of the original Building Permit Card and any subsequent evolution, Microfilm, 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)	✓
30	Contextual Elevation Line Drawings, corner to corner, across the street and surrounding properties (dated)	
31	Line of Sight studies	
32	Structural Analysis of existing building including methodology for shoring and bracing	
33	Proposed exterior and interior lighting plan, including photometric calculations	
34	Exploded Axonometric Diagram (showing second floor in relationship to first floor)	
35	Neighborhood Context Study	
36	Open Space calculations and shaded diagrams	
37	Proposed Operational Plan	
38	Traffic Study (Hard copy), Site plan(s) and AutoCAD in 3 CDs, including calculations for peer review. Send digital version as an attachment via e mail to: Xfalconi@miamibeachfl.gov	
39	Sound Study report (Hard copy) with 1 CD	
40	Set of plans 24"x 36" (when requested by staff)	
41	Copies of previous Recorded Final Orders	
42	Location Plan, Aerial or survey indicating width of canals (Dimension shall be certified by a surveyor)	
43	Scaled, signed, sealed and dated specific purpose survey (Alcohol License/Distance Separation)	
44	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 _____	
45	Floor Plan (dimensioned)	
a	Total floor area _____	
a	Identify # seats indoors _____ outdoors _____ seating in public right of way _____ Total _____	
b	Occupancy load indoors and outdoors per venue _____ Total when applicable _____	

Address:

Indicate N/A If Not Applicable

Initials: 

MIAMI BEACH

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

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46	In the Letter of Intent for Planning Board include and respond to all review guidelines in the code as follows:	
47	For Conditional Use -Section 118-192 (a)(1)-(7) + (b)(1)-(11)	
48	CU -Entertainment Establishments - Section 142-1362 (a)(1)-(9)	
49	CU - Mechanical Parking - Section 130-38 (3)(c)(i)(1)-(2) & (4)(a)-(k)	
50	CU - Structures over 50,000 SQ.FT. - Section 118-192(b) (1)-(11)	
51	CU - Religious Institutions - Section 118-192 (c) (1)-(11)	
52	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>	

#	FINAL SUBMITTAL CHECK LIST:	Required
53	One (1) signed and sealed 11"X17" unbound collated set of all the required documents , as revised and/or supplemented to address Staff comments. Plans should be clearly labeled "Final Submittal" and dated with Final Submittal deadline date. With a CD of this document 11"X17" as a PDF compatible with Adobe 8.0 or higher at 300 DPI resolution.	X
54	14 collated copies of all the above documents	X
55	One (1) CD/DVD with electronic copy of entire final application package	X

NOTES:

- A. Other information/documentation required for first submittal will be identified during pre-application meeting.
- B. Is the responsibility of the applicant to make sure that the sets, 14 copies and electronic version on CD are consistent.
- 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.
- E. 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, as applicable.

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APPLICANT'S OR DESIGNEE'S SIGNATURE

Date

Indicate N/A If Not Applicable

Initials: 