

MIAMI BEACH

PLANNING DEPARTMENT

Staff Report & Recommendation

Historic Preservation Board

TO: Chairperson and Members
Historic Preservation Board

DATE: August 9, 2016

FROM: Thomas R. Mooney, AICP
Planning Director

SUBJECT: HPB0616-0038, **334 20th Street – Sadigo Court Hotel**.

The applicant, Sadigo Hotel LLC, is requesting a Certificate of Appropriateness for the partial demolition, renovation and restoration of the existing 3-story structure, the construction of a 1-story rooftop addition and the construction of a 5-story ground level addition, including variances to reduce the minimum required pedestal rear, side, and sum of the sideyard setbacks, and variances from the required room sizes for hotel rooms.

STAFF RECOMMENDATION

Approval with of the Certificate of Appropriateness and variances with conditions

EXISTING STRUCTURE

Local Historic District:	Museum
Status:	Contributing
Original Construction Date:	1936
Original Architect:	P. H. Mallory

ZONING / SITE DATA

Legal Description:	Lots 4, 5 & 6, Block F, Miami Beach Improvement Company Subdivision, According to the Plat Thereof, as Recorded in Plat Book 5, Page 7, of the Public Records of Miami-Dade County, Florida.
--------------------	--

Zoning:	RM-2, Residential Multifamily, medium intensity
Future Land Use Designation:	RM-2, Residential Multifamily, medium intensity
Lot Size:	18,750 S.F.
Existing FAR:	24,200 S.F. / 1.29
Proposed FAR:	36,827 S.F. / 1.96 (Max FAR: 2.0)
Existing Height:	~32'-0" / 3-stories
Proposed Height:	50'-0" / 5-stories
Existing Use:	Multifamily residential (54 units)
Proposed Use:	Hotel (81 units) with accessory cafe (85 seats)

THE PROJECT

The applicant has submitted plans entitled “Sadigo Court Hotel” as prepared by Kobi Karp Architecture and Interior Design, Inc., dated June 23, 2016.

The applicant is requesting a Certificate of Appropriateness for the partial demolition, renovation and restoration of the existing 3-story structure, the construction of a 1-story rooftop addition and the construction of a 5-story ground level addition, including variances to reduce the minimum required pedestal rear, side, and sum of the sideyard setbacks, and variances from the required room sizes for hotel rooms.

The applicant is requesting the following variances:

1. A variance to reduce by 2'-10" the minimum required pedestal interior side setback of 12'-0" in order to construct a new building addition at 9'-2" from the east property line.

- Variance requested from:

Sec. 142-218. Setback requirements.

The setback requirements in the RM-2 residential multifamily, medium density district are as follows:

Pedestal, side interior —Minimum: 7.5 feet or 8% of lot width, whichever is greater.

The proposed addition follows the existing building interior side yard setback of 9'-2". As the applicant is retaining the existing contributing building with non-conforming setbacks, this condition creates challenges in order to accommodate a building addition with minimal impact to the existing structure. As the proposed addition will follow the established building side setback, staff finds that the existing building creates the practical difficulties that justify the variance requested.

2. A variance to reduce 5'-8" from the minimum required pedestal sum of the side yards of 24'-0" in order to have a pedestal sum of the side yards of 18'-4" for the construction of a new building addition.

- Variance requested from:

Sec. 142-218. Setback requirements.

The setback requirements in the RM-2 residential multifamily, medium density district are as follows:

Pedestal: Sum of the side yards shall equal 16% of lot width.

The proposed addition has been designed to follow both existing non-conforming side setbacks. The retention of the building and its existing setbacks creates the practical difficulties that result in the variance requested. The construction of additional floor area following the existing setbacks is the minimum necessary to improve the property while preserving the “Contributing” building. The addition continues the same building setback along the street, similar to the street side setbacks of other buildings along Park Avenue. Staff would note that the addition is proposed with larger setbacks at the 4th and 5th floors facing the street.

3. A variance to reduce by 7'-5" the minimum required pedestal rear setback of 12'-6" in order to construct an attached addition at 5'-1" from the south property line.

- Variance requested from:

Sec. 142-218. Setback requirements.

The setback requirements in the RM-2 residential multifamily, medium density district are as follows:

Pedestal, rear—Non-oceanfront lots—10% of lot depth.

The existing building has a rear setback of 5'-1" where 12'-6" is required. The new addition follows the same setback at the rear, which is consistent with the adjacent property to the south. Again, the existing building constructed with setbacks that are non-conforming with today's Code creates practical difficulties for the applicant to make reasonable improvements to the property and comply with the Certificate of Appropriateness Criteria. The granting of this variance will also enable the substantial retention of the significant courtyard area.

4. A variance from the minimum required hotel unit size: 15% of the hotel units shall be between 300-335 s.f. and 85% of units shall be 335 s.f. or larger, in order to permit 29 hotel units (35.8%) at less than 300 s.f. (the smallest at 226 s.f.), 31 hotel units between 300 s.f. and 335 s.f. (38.2% of the units) and 21 hotel units exceeding 335 s.f. (26% of units).

- Variance requested from:

Sec. 142-217. Area requirements.

The area requirements in the RM-2 residential multifamily, medium intensity district are as follows:

Minimum Unit Size (Square Feet): Hotel Units: 15%: 300 - 335, 85%: 335+

The improvements to the property include the redesign of the interior spaces and the addition of new floor area. The property will be converted to a hotel development with 81 units. The retention of the existing exterior window configuration and architectural features of the building are sometimes in conflict with the interior renovation of the spaces in historic structures. This variance to reduce the requirements for unit size in hotel rooms is created by the existing building and its historic character. The City has recognized that a variance may be granted when the repair or rehabilitation of a building does not preclude the structure's continued designation as a "historic" structure and the variance is the minimum to preserve the historic character and design of the structure. In this case, staff finds that the existing building and the retention of most of its original architectural features creates the practical difficulties that justify the variance requested.

The sizes of the non-conforming units are consistent with the area of similar hotel units located within the historic district. Similar variances for hotel unit size have been previously approved by the Board of Adjustment and Historic Preservation Board within historic buildings. The City Code allows for the retention of original hotel rooms with a minimum area of 200 s.f. However, as this building was originally constructed as an apartment building, variances are required from the hotel room size requirements for new construction. Despite general support for the room size variance within the existing building, based upon the extensive demolition proposed, as well as changes to the window configurations in the courtyard, staff does recommend that the overall number of units be slightly decreased and the hotel room size increased, so that the

average room size is a minimum of 300 SF on a per floor basis.

Although supportive of the variances requested to a degree within the existing building, staff recommends that the rooms within the new building located at the south side of the courtyard, as well as the roof-top addition, comply with the size requirements for hotel rooms. As proposed, the average size of the rooms in the roof-top addition is only 294 SF. Decreasing the number of units by one would bring the average up to 353 SF, and comply with the code requirements.

PRACTICAL DIFFICULTY AND HARDSHIP CRITERIA

The applicant has submitted plans and documents with the application that satisfy Article 1, Section 2 of the Related Special Acts, allowing the granting of a variance if the Board finds that practical difficulties exist with respect to implementing the proposed project at the subject property. In this case, the requested variance is necessary in order to satisfy the Certificate of Appropriateness criteria and not to adversely impact the existing historic building.

The applicant has submitted plans and documents with the application that also indicate the following, as they relate to the requirements of Section 118-353(d), Miami Beach City Code:

That 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;

That the special conditions and circumstances do not result from the action of the applicant;

That granting the variance requested will not confer on the applicant any special privilege that is denied by this Ordinance to other lands, buildings, or structures in the same zoning district;

That literal interpretation of the provisions of this Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this Ordinance and would work unnecessary and undue hardship on the applicant;

That the variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure;

That the granting of the variance will be in harmony with the general intent and purpose of this Ordinance and that such variance will not be injurious to the area involved or otherwise detrimental to the public welfare; and

That 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.

CONSISTENCY WITH 2025 COMPREHENSIVE PLAN

A preliminary review of the project indicates that the proposed **hotel use** appears to be **consistent** with the Future Land Use Map of the Comprehensive Plan.

COMPLIANCE WITH ZONING CODE

A preliminary review of the project indicates that, in addition to the variances requested herein, the application, as proposed, may be inconsistent with the following portions of the City Code:

1. Sec. 130-32(25). Off-street parking requirements
 - a. The parking requirement is 0.5 space/ hotel unit and 1 space/7 restaurant seats.

These and all zoning matters shall require final review and verification by the Zoning Administrator prior to the issuance of a Building Permit.

COMPLIANCE WITH CERTIFICATE OF APPROPRIATENESS CRITERIA:

A decision on an application for a Certificate of Appropriateness shall be based upon the following:

- I. Evaluation of the compatibility of the physical alteration or improvement with surrounding properties and where applicable, compliance with the following criteria pursuant to Section 118-564(a)(1) of the Miami Beach Code (it is recommended that the listed criteria be found Satisfied, Not Satisfied or Not Applicable, as so noted):
 - a. The Secretary of Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings as revised from time to time.
Satisfied
 - b. Other guidelines/policies/plans adopted or approved by Resolution or Ordinance by the City Commission.
Satisfied
- II. In determining whether a particular application is compatible with surrounding properties, the Board shall consider the following criteria pursuant to Section 118-564(a)(2) of the Miami Beach Code (it is recommended that the listed criteria be found Satisfied, Not Satisfied or Not Applicable, as so noted):
 - a. Exterior architectural features.
Satisfied
 - b. General design, scale, massing and arrangement.
Satisfied
The proposed 5-story addition is set back approximately 80'- 0" feet from the north façade of the existing structure, greatly minimizing the impact on the existing structure and the surrounding 2 and 3-story 'Contributing' buildings.
 - c. Texture and material and color.
Not Satisfied
Material Samples have not been provided.
 - d. The relationship of a, b, c, above, to other structures and features of the district.
Satisfied

The proposed 5-story addition is set back approximately 80'- 0" feet from the north façade of the existing structure, greatly minimizing the impact on the existing structure and the surrounding 2 and 3-story 'Contributing' buildings.

- e. The purpose for which the district was created.

Satisfied

The applicant is proposing to substantially retain the existing 'Contributing' building while constructing additions which are compatible to and differentiated from the existing Colonial Revival style architecture.

- f. The relationship of the size, design and siting of any new or reconstructed structure to the landscape of the district.

Satisfied

The proposed 5-story addition is set back approximately 80'- 0" feet from the north façade of the existing structure, greatly minimizing the impact on the existing structure and the surrounding 2 and 3-story 'Contributing' buildings.

- g. An historic resources report, containing all available data and historic documentation regarding the building, site or feature.

Satisfied

- h. The original architectural design or any subsequent modifications that have acquired significance.

Satisfied

The applicant is proposing to substantially retain the existing 'Contributing' building.

- III. The examination of architectural drawings for consistency with the criteria pursuant to Section 118-564(a)(3) of the Miami Beach Code and stated below, with regard to the aesthetics, appearances, safety, and function of any new or existing structure, public interior space and physical attributes of the project in relation to the site, adjacent structures and properties, and surrounding community. The criteria referenced above are as follows (it is recommended that the listed criteria be found Satisfied, Not Satisfied or Not Applicable, as so noted):

- a. The location of all existing and proposed buildings, drives, parking spaces, walkways, means of ingress and egress, drainage facilities, utility services, landscaping structures, signs, and lighting and screening devices.

Satisfied

- b. The dimensions of all buildings, structures, setbacks, parking spaces, floor area ratio, height, lot coverage and any other information that may be reasonably necessary to determine compliance with the requirements of the underlying zoning district, and any applicable overlays, for a particular application or project.

Not Satisfied

See compliance with zoning code.

- c. The color, design, surface finishes and selection of landscape materials and architectural elements of the exterior of all buildings and structures and primary public interior areas for developments requiring a building permit in areas of the city identified in section 118-503.
Not Satisfied
Material Samples have not been provided.
- d. The proposed structure, and/or additions to an existing structure is appropriate to and compatible with the environment and adjacent structures, and enhances the appearance of the surrounding properties, or the purposes for which the district was created.
Satisfied
The proposed 5-story addition is set back approximately 80'- 0" feet from the north façade of the existing structure, greatly minimizing the impact on the existing structure and the surrounding 2 and 3-story 'Contributing' buildings.
- e. The design and layout of the proposed site plan, as well as all new and existing buildings and public interior spaces shall be reviewed so as to provide an efficient arrangement of land uses. Particular attention shall be given to safety, crime prevention and fire protection, relationship to the surrounding neighborhood, impact on preserving historic character of the neighborhood and district, contiguous and adjacent buildings and lands, pedestrian sight lines and view corridors.
Satisfied
The proposed 5-story addition is massed and sited in a manner which will not have an adverse impact on any significant pedestrian view corridors or pedestrian site lines as viewed from the public right-of-way.
- f. Pedestrian and vehicular traffic movement within and adjacent to the site shall be reviewed to ensure that clearly defined, segregated pedestrian access to the site and all buildings is provided for and that any driveways and parking spaces are usable, safely and conveniently arranged and have a minimal impact on pedestrian circulation throughout the site. Access to the site from adjacent roads shall be designed so as to interfere as little as possible with vehicular traffic flow on these roads and pedestrian movement onto and within the site, as well as permit both pedestrians and vehicles a safe ingress and egress to the site.
Satisfied
- g. Lighting shall be reviewed to ensure safe movement of persons and vehicles and reflection on public property for security purposes and to minimize glare and reflection on adjacent properties and consistent with a City master plan, where applicable.
Satisfied
- h. Landscape and paving materials shall be reviewed to ensure an adequate relationship with and enhancement of the overall site plan design.
Satisfied

- i. Buffering materials shall be reviewed to ensure that headlights of vehicles, noise, and light from Structures are adequately shielded from public view, adjacent properties and pedestrian areas.
Satisfied
- j. Any proposed new structure shall have an orientation and massing which is sensitive to and compatible with the building site and surrounding area and which creates or maintains important view corridor(s).
Satisfied
- k. All buildings shall have, to the greatest extent possible, space in that part of the ground floor fronting a sidewalk, street or streets which is to be occupied for residential or commercial uses; likewise, the upper floors of the pedestal portion of the proposed building fronting a sidewalk street, or streets shall have residential or commercial spaces, or shall have the appearance of being a residential or commercial space or shall have an architectural treatment which shall buffer the appearance of a parking structure from the surrounding area and is integrated with the overall appearance of the project.
Satisfied
- l. All buildings shall have an appropriate and fully integrated rooftop architectural treatment which substantially screens all mechanical equipment, stairs and elevator towers.
Satisfied
- m. Any addition on a building site shall be designed, sited and massed in a manner which is sensitive to and compatible with the existing improvement(s).
Satisfied
- n. All portions of a project fronting a street or sidewalk shall incorporate an amount of transparency at the first level necessary to achieve pedestrian compatibility.
Satisfied
- o. The location, design, screening and buffering of all required service bays, delivery bays, trash and refuse receptacles, as well as trash rooms shall be arranged so as to have a minimal impact on adjacent properties.
Satisfied

CERTIFICATE OF APPROPRIATENESS FOR DEMOLITION EVALUATION CRITERIA:

Section 118-564 (f)(4) of the Land Development Regulations of the Miami Beach Code provides criteria by which the Historic Preservation Board evaluates requests for a Certificate of Appropriateness for Demolition. The following is an analysis of the request based upon these criteria:

- a. The Building, Structure, Improvement, or Site is designated on either a national or state level as a part of an Historic Preservation District or as a Historic Architectural Landmark or Site, or is designated pursuant to Division 4, Article X, Chapter 118 of the Miami Beach Code as a Historic Building, Historic Structure or Historic Site, Historic Improvement, Historic Landscape Feature, historic interior or the Structure is of such

historic/architectural interest or quality that it would reasonably meet national, state or local criteria for such designation.

Satisfied

The existing structure is located within the Museum Local Historic District.

- b. The Building, Structure, Improvement, or Site is of such design, craftsmanship, or material that it could be reproduced only with great difficulty and/or expense.

Satisfied

The existing structure is of such design, craftsmanship, or material that it could be reproduced only with great difficulty and/or expense.

- c. The Building, Structure, Improvement, or Site is one of the last remaining examples of its kind in the neighborhood, the country, or the region, or is a distinctive example of an architectural or design style which contributes to the character of the district.

Satisfied

The existing structure is one of the last remaining examples of its kind and contributes to the defining character of the district.

- d. The building, structure, improvement, or site is a contributing building, structure, improvement, site or landscape feature rather than a noncontributing building, structure, improvement, site or landscape feature in a historic district as defined in section 114-1, or is an architecturally significant feature of a public area of the interior of a historic or contributing building.

Satisfied

The existing structure is designated as a 'Contributing' building in the Miami Beach Historic Properties Database.

- e. Retention of the Building, Structure, Improvement, Landscape Feature or Site promotes the general welfare of the City by providing an opportunity for study of local history, architecture, and design or by developing an understanding of the importance and value of a particular culture and heritage.

Satisfied

The retention of the subject structure is critical to developing an understanding of an important early Miami Beach architectural style.

- f. If the proposed demolition is for the purpose of constructing a parking garage, the Board shall consider it if the parking garage is designed in a manner that is consistent with the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings, U.S. Department of the Interior (1983), as amended, and/or the design review guidelines for that particular district.

Not Applicable

The demolition proposed is not for the purpose of constructing a parking garage.

- g. In the event an applicant or property owner proposes the total demolition of a contributing structure, historic structure or architecturally significant feature, there shall be definite plans presented to the board for the reuse of the property if the proposed demolition is approved and carried out.

Not Applicable

The applicant is not proposing the total demolition of the building.

ANALYSIS

The subject structure originally known as the 'Sadigo Court Apartments' was constructed in 1936 and designed by P.H. Mallory in the Colonial Revival style of architecture. The applicant is proposing the partial demolition, renovation and restoration of the existing 3-story 'Contributing' structure, the construction of a 1-story rooftop addition and the construction of a 5-story ground level addition as part of a new 81 unit hotel development.

Demolition

The original 3-story apartment structure was designed with 10 stairwells located within the interior and on the exterior of the building. In order to achieve more efficient circulation, the applicant is proposing to reconfigure the floor plates to reduce the number of stairwells and provide internal corridors within the structure. This will require the demolition of the upper floor plates and roof structure. The applicant has provided shoring and bracing plans prepared by Youssef Hachem Consulting Engineering demonstrating how the exterior walls will be maintained during demolition and construction.

Additionally, in order to construct the 5-story addition, the applicant is proposing to demolish the approximately 15'-0" of the southernmost portion of the east and west wings of the building. Staff is not opposed to this request which is necessary in order to provide new code compliant egress stairs for the proposed hotel use. Additionally, staff would note that these portions of the building will be rebuilt in a manner substantially consistent with the original design.

The applicant is also requesting approval for the demolition and reconstruction of the balcony structures within the courtyard. Overtime these structures were haphazardly enclosed, in order to expand the floor area of the apartment units. Staff is supportive of this request as the existing enclosures are not in compliance with the Florida Building Code. Detailed, measured drawings shall be provided for the existing balcony structures, including photographic documentation, in order to ensure accurate reconstruction, prior to the application for building permit.

Further, the applicant is requesting approval for the demolition of the pool pump room located at the south end of the courtyard. This utility room was built in 1954 concurrently with the swimming pool which was filled in in 1975.

Renovation and Restoration

The applicant is proposing the renovation and restoration of the 3-story building including the removal of the non-original windows and replacement with new single-hung impact windows with a historically accurate muntin configuration.

Further, the applicant is proposing the removal of the inappropriate through-the-window air conditioning units and replacement with a central air conditioning system. Additionally, the applicant is proposing to restore the original public lobby in a manner that is consistent with available historical documentation. Finally, the applicant is proposing to replace all of the existing exterior railings and guardrails throughout the building. Although some historical documentation of the structure has been located, the exact configuration of the railings is not evident for the entire building. Staff has no objection to the proposed railing design as it appears to be substantially consistent with the available documentation.

New Additions

Staff is generally supportive of the proposed design for the proposed 5-story ground level addition, as it is has been developed in a manner that responds well to the existing building and site conditions. The proposed louver system references the balconies and railings of the original structure reinterpreted in a contemporary manner. Further, the 5-story addition has been set back approximately 80'-0" feet from the north façade of the existing structure, greatly minimizing its visual impact on the existing building and the surrounding historic district.

Additionally, the applicant is proposing the construction of a 1-story rooftop addition located on the east wing of the structure. Staff has no objection to this request as the addition has been appropriately setback from the primary facade and has been designed in a manner which is compatible with the historic structure. Finally, the applicant is proposing to vertically extend and enclose the open-air stairwells on the east and west facades to be incorporated into the interior circulation corridors.

VARIANCE ANALYSIS

The site is a corner lot located within the Museum Historic District containing a contributing building with non-conforming front, sides and rear setbacks. The project proposes the conversion to a hotel development, with 81 hotel rooms, and restaurant space. Four variances are requested for the project in order to increase the floor area in the property, make a reasonable use of the land, and retain the historic integrity of the existing building and site. Staff is supportive of the setback variances 1 through 3 as requested.

Regarding the fourth variance for room size, based upon the extensive demolition proposed, as well as changes to the window configurations in the courtyard, staff recommends that the overall number of units be slightly decreased and the hotel room size increased, so that the average room size is a minimum of 300 SF on a per floor basis. Additionally, staff recommends that the rooms within the new building located at the south side of the courtyard, as well as the roof-top addition, comply with the size requirements for hotel rooms.

RECOMMENDATION

In view of the foregoing analysis, staff recommends the application be **approved** subject to the following conditions, which address the inconsistencies with the aforementioned Certificate of Appropriateness criteria and Practical Difficulty and Hardship criteria, as applicable.

HISTORIC PRESERVATION BOARD
City of Miami Beach, Florida

MEETING DATE: August 9, 2016

FILE NO: HPB0616-0038

PROPERTY: 334 20th Street

APPLICANT: Sadigo Hotel LLC

LEGAL: Lots 4, 5 & 6, Block F, Miami Beach Improvement Company Subdivision, According to the Plat Thereof, as Recorded in Plat Book 5, Page 7, of the Public Records of Miami-Dade County, Florida.

IN RE: The application for a Certificate of Appropriateness for the partial demolition, renovation and restoration of the existing 3-story structure, the construction of a 1-story rooftop addition and the construction of a 5-story ground level addition, including variances to reduce the minimum required pedestal rear, side, and sum of the side yard setbacks, and variances from the required room sizes for hotel rooms.

ORDER

The City of Miami Beach Historic Preservation 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:

I. Certificate of Appropriateness

- A. The subject site is located within the Museum Local Historic District.
- B. 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:
 - 1. Is consistent with the Certificate of Appropriateness Criteria in Section 118-564(a)(1) of the Miami Beach Code.
 - 2. Is not consistent with Certificate of Appropriateness Criteria 'c' in Section 118-564(a)(2) of the Miami Beach Code.
 - 3. Is not consistent with Certificate of Appropriateness Criteria 'b' & 'c' in Section 118-564(a)(3) of the Miami Beach Code.
 - 4. Is consistent with Certificate of Appropriateness Criteria for Demolition in Section 118-564(f)(4) of the Miami Beach Code.
- C. The project would be consistent with the criteria and requirements of section 118-564 if the following conditions are met:

1. Revised elevations, site plan and floor plan drawings shall be submitted and, at a minimum, such drawings shall incorporate the following:
 - a. All through-the-window air conditioning units shall be removed and replaced with a central air conditioning system, in a manner to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board.
 - b. The existing windows shall be removed; new impact single-hung windows shall be provided and shall incorporate a muntin configuration that is consistent with available historical documentation, in a manner to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board.
 - c. Prior to an application for a Building Permit, detailed, measured drawings shall be provided for the original balcony structures, including photographic documentation, in a manner to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board.
 - d. Prior to an application for a Building Permit, detailed reconstruction drawings for the existing balcony structures shall be submitted, in a manner to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board.
 - e. Final details of the louver systems located on the new additions shall be submitted, in a manner to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board.
 - f. Shutters shall be reintroduced along the north and west facades of the structure, consistent with available historical documentation, in a manner to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board.
 - g. Final details of all exterior surface finishes and materials, including samples, shall be submitted, in a manner to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board.
 - h. The final location and details of all exterior ramp and railings systems, including materials, dimensions and finishes, shall be provided in a manner to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board.
 - i. All roof-top fixtures, air-conditioning units and mechanical devices shall be clearly noted on a revised roof plan and elevation drawings and shall be screened from view, in a manner to be reviewed and approved by staff, consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board.

2. A revised landscape plan, prepared by a Professional Landscape Architect, registered in the State of Florida, and corresponding site plan, shall be submitted to and approved by staff. The species type, quantity, dimensions, spacing, location and overall height of all plant material shall be clearly delineated and subject to the review and approval of staff. At a minimum, such plan shall incorporate the following:
 - a. The utilization of root barriers and/or Silva Cells, as applicable, shall be clearly delineated on the final revised landscape plan.
 - b. A fully automatic irrigation system with 100% coverage and an automatic rain sensor in order to render the system inoperative in the event of rain. Right-of-way areas shall also be incorporated as part of the irrigation system.

In accordance with Section 118-537, the applicant, the owner(s) of the subject property, the City Manager, Miami Design Preservation League, Dade Heritage Trust, or an affected person may appeal the Board's decision on a Certificate of Appropriateness to a special master appointed by the City Commission.

II. Variance(s)

- A. The applicant filed an application with the Planning Department for the following variance(s):
 1. A variance to reduce by 2'-10" the minimum required pedestal interior side setback of 12'-0" in order to construct a new building addition at 9'-2" from the east property line.
 2. A variance to reduce 5'-8" from the minimum required pedestal sum of the side yards of 24'-0" in order to have a pedestal sum of the side yards of 18'-4" for the construction of a new building addition.
 3. A variance to reduce by 7'-5" the minimum required pedestal rear setback of 12'-6" in order to construct an attached addition at 5'-1" from the south property line.
 4. A variance from the minimum required hotel unit size: 15% of the hotel units shall be between 300-335 SF and 85% of units shall be 335 SF or larger, in order to permit hotel rooms with a minimum area of 226 SF within the existing building, and an average room size of no less than 300 SF on a per floor basis average, within the existing building envelope.
- B. The applicant has submitted plans and documents with the application that satisfy Article 1, Section 2 of the Related Special Acts, allowing the granting of a variance if the Board finds that practical difficulties exist with respect to implementing the proposed project at the subject property.

The applicant has submitted plans and documents with the application that also indicate the following, as they relate to the requirements of Section 118-353(d), Miami Beach City

Code:

That 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;

That the special conditions and circumstances do not result from the action of the applicant;

That granting the variance requested will not confer on the applicant any special privilege that is denied by this Ordinance to other lands, buildings, or structures in the same zoning district;

That literal interpretation of the provisions of this Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this Ordinance and would work unnecessary and undue hardship on the applicant;

That the variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure;

That the granting of the variance will be in harmony with the general intent and purpose of this Ordinance and that such variance will not be injurious to the area involved or otherwise detrimental to the public welfare; and

That 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.

C. The Board hereby grants the requested variance(s) and imposes the following conditions based on its authority in Section 118-354 of the Miami Beach City Code:

1. The parking plan shall be consistent with the plan shown on sheet A-1.1B and shall not include more than three (3) parking spaces.
2. The number of proposed hotel rooms within the existing building shall be decreased so that on a per floor basis, the average hotel room size is not less than 300 SF, subject to the review and approval of staff.
3. The hotel rooms located within the new ground floor addition and within the new roof-top addition shall comply with the hotel room size requirements for new construction.
4. Substantial modifications to the plans submitted and approved as part of the application, as determined by the Planning Director or designee, may require the applicant to return to the Board for approval of the modified plans, even if the modifications do not affect variances approved by the Board.

The decision of the Board regarding variances shall be final and there shall be no further review thereof except by resort to a court of competent jurisdiction by petition for writ of certiorari.

III. General Terms and Conditions applying to both 'I. Certificate of Appropriateness' and 'II. Variances' noted above.

- A. Where one or more parcels are unified for a single development, the property owner shall execute and record an unity of title or a covenant in lieu of unity of title, as may be applicable, in a form acceptable to the City Attorney.
- B. Applicant agrees that in the event Code Compliance receives complaints of unreasonably loud noise from mechanical and/or electrical equipment, and determines the complaints to be valid, even if the equipment is operating pursuant to manufacturer specifications, the applicant shall take such steps to mitigate the noise with noise attenuating materials as reviewed and verified by an acoustic engineer, in a manner to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board.
- C. A copy of all pages of the recorded Final Order shall be scanned into the plans submitted for building permit, and shall be located immediately after the front cover page of the permit plans.
- A. The Final Order shall be recorded in the Public Records of Miami-Dade County, within 30 days of the Board approval.
- B. Applicant shall submit revised plans pursuant to Board conditions no later than 60 days after Board approval, as required.
- C. Satisfaction of all conditions is required for the Planning Department to give its approval on a Certificate of Occupancy; a Temporary Certificate of Occupancy or Partial Certificate of Occupancy may also be conditionally granted Planning Departmental approval.
- D. The Final 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.
- E. The conditions of approval herein are binding on the applicant, the property's owners, operators, and all successors in interest and assigns.
- F. 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 are adopted herein, including the staff recommendations, which were amended and adopted by the Board, that the application is GRANTED for the above-referenced project subject to those certain conditions specified in Paragraph I, II, III of the Findings of Fact, to which the applicant has agreed.

PROVIDED, the applicant shall build substantially in accordance with the plans entitled "Sadigo Court Hotel" as prepared by Kobi Karp Architecture and Interior Design, Inc., dated June 23, 2016, and as approved by the Historic Preservation Board, as determined by staff.

When requesting a building permit, the plans submitted to the Building Department for permit shall be consistent with the plans approved by the Board, modified in accordance with the conditions set forth in this Order. No building permit may be issued unless and until all conditions of approval that must be satisfied prior to permit issuance, as set forth in this Order, have been met.

The issuance of the approval does not relieve the applicant from obtaining all other required Municipal, County and/or State reviews and permits, including final zoning approval. If adequate handicapped access is not provided on the Board-approved plans, this approval does not mean that such handicapped access is not required. When requesting a building permit, the plans submitted to the Building Department for permit shall be consistent with the plans approved by the Board, modified in accordance with the conditions set forth in this Order.

If the Full Building Permit for the project is not issued within eighteen (18) months of the meeting date at which the original approval was granted, the application will expire and become null and void, unless the applicant makes an application to the Board for an extension of time, in accordance with the requirements and procedures of Chapter 118 of the City Code; the granting of any such extension of time shall be at the discretion of the Board. If the Full Building Permit for the project should expire for any reason (including but not limited to construction not commencing and continuing, with required inspections, in accordance with the applicable Building Code), the application will expire and become null and void.

In accordance with Chapter 118 of the City Code, the violation of any conditions and safeguards that are a part of this Order shall be deemed a violation of the land development regulations of the City Code. Failure to comply with this **Order** shall subject the application to Chapter 118 of the City Code, for revocation or modification of the application.

Dated this _____ day of _____, 20____.

HISTORIC PRESERVATION BOARD
THE CITY OF MIAMI BEACH, FLORIDA

BY: _____
DEBORAH TACKETT
PRESERVATION AND DESIGN MANAGER
FOR THE CHAIR

STATE OF FLORIDA)

COUNTY OF MIAMI-DADE)SS
)

The foregoing instrument was acknowledged before me this _____ day of _____ 20__ by Deborah Tackett, Preservation and Design Manager, Planning Department, City of Miami Beach, Florida, a Florida Municipal Corporation, on behalf of the corporation. He is personally known to me.

NOTARY PUBLIC
Miami-Dade County, Florida
My commission expires: _____

Approved As To Form:
City Attorney's Office: _____ ()

Filed with the Clerk of the Historic Preservation Board on _____ ()

F:\PLAN\SHPB\16HPB\08-09-2016\Draft Orders\HPB0616-0038_334 20th St.Aug16.FO.DRAFT.docx