

# MIAMI BEACH

## PLANNING DEPARTMENT

1700 Convention Center Drive, Miami Beach, Florida 33139; Tel: 305.673.7550; Web: [www.miamibeachfl.gov/planning](http://www.miamibeachfl.gov/planning)

### LAND USE BOARD HEARING APPLICATION

The following application is submitted for review and consideration of the project described herein by the land use board selected below. A separate application must be completed for each board reviewing the proposed project.

<b>Application Information</b>			
FILE NUMBER HPB20-0387		Is the property the primary residence & homestead of the applicant/property owner? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No (if "Yes," provide office of the Property Appraiser Summary Report)	
<b>Board of Adjustment</b> <input type="checkbox"/> Variance from a provision of the Land Development Regulations <input type="checkbox"/> Appeal of an administrative decision		<b>Design Review Board</b> <input type="checkbox"/> Design review approval <input type="checkbox"/> Variance	
<b>Planning Board</b> <input type="checkbox"/> Conditional use permit <input type="checkbox"/> Lot split approval <input type="checkbox"/> Amendment to the Land Development Regulations or zoning map <input type="checkbox"/> Amendment to the Comprehensive Plan or future land use map		<b>Historic Preservation Board</b> <input checked="" type="checkbox"/> Certificate of Appropriateness for design <input checked="" type="checkbox"/> Certificate of Appropriateness for demolition <input type="checkbox"/> Historic district/site designation <input checked="" type="checkbox"/> Variance	
<input type="checkbox"/> Other:			
<b>Property Information – Please attach Legal Description as "Exhibit A"</b>			
ADDRESS OF PROPERTY 334 Ocean Drive			
FOLIO NUMBER(S) 02-4203-003-0470			
<b>Property Owner Information</b>			
PROPERTY OWNER NAME Villa Cuatro, LLC			
ADDRESS 1300 S. Miami Avenue #3604		CITY Miami	STATE FL
ZIP CODE 33130			
BUSINESS PHONE 305-331-4707	CELL PHONE	EMAIL ADDRESS jlaguera@surinvest.cl	
<b>Applicant Information (if different than owner)</b>			
APPLICANT NAME Same			
ADDRESS		CITY	STATE
ZIP CODE			
BUSINESS PHONE	CELL PHONE	EMAIL ADDRESS	
<b>Summary of Request</b>			
PROVIDE A BRIEF SCOPE OF REQUEST Renovation of existing hotel with 1 new ADA unit and a café located in historic lobby, along with associated variances. See letter of intent for more details.			

<b>Project Information</b>			
Is there an existing building(s) on the site?		<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Does the project include interior or exterior demolition?		<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Provide the total floor area of the new construction.		SQ. FT.	
Provide the gross floor area of the new construction (including required parking and all usable area).		SQ. FT.	
<b>Party responsible for project design</b>			
NAME Thomas Weber, The Weber Studio		<input checked="" type="checkbox"/> Architect <input type="checkbox"/> Contractor <input type="checkbox"/> Landscape Architect <input type="checkbox"/> Engineer <input type="checkbox"/> Tenant <input type="checkbox"/> Other _____	
ADDRESS 104 Crandon Boulevard, Suite 414		CITY Key Biscayne	STATE FL
		ZIP CODE 33149	
BUSINESS PHONE 305-361-9935	CELL PHONE	EMAIL ADDRESS tweber@weberstudiomia.com	
<b>Authorized Representative(s) Information (if applicable)</b>			
NAME Michael Larkin		<input checked="" type="checkbox"/> Attorney <input type="checkbox"/> Contact <input type="checkbox"/> Agent <input type="checkbox"/> Other _____	
ADDRESS 200 S. Biscayne Boulevard, Suite 850		CITY Miami	STATE FL
		ZIP CODE 33131	
BUSINESS PHONE 305-377-6231	CELL PHONE	EMAIL ADDRESS mlarkin@brzoninglaw.com	
NAME Matthew Amster		<input checked="" type="checkbox"/> Attorney <input type="checkbox"/> Contact <input type="checkbox"/> Agent <input type="checkbox"/> Other _____	
ADDRESS 200 S. Biscayne Boulevard, Suite 850		CITY Miami	STATE FL
		ZIP CODE 33131	
BUSINESS PHONE 305-377-6236	CELL PHONE	EMAIL ADDRESS mamster@brzoninglaw.com	
NAME Emily Balter		<input checked="" type="checkbox"/> Attorney <input type="checkbox"/> Contact <input type="checkbox"/> Agent <input type="checkbox"/> Other _____	
ADDRESS 200 S. Biscayne Boulevard, Suite 850		CITY Miami	STATE FL
		ZIP CODE 33131	
BUSINESS PHONE 305-377-6232	CELL PHONE	EMAIL ADDRESS ebalter@brzoninglaw.com	

**Please note the following information:**

- A separate disclosure of interest form must be submitted with this application if the applicant or owner is a corporation, partnership, limited partnership or trustee.
- All applicable affidavits must be completed and the property owner must complete and sign the "Power of Attorney" portion of the affidavit if they will not be present at the hearing, or if other persons are speaking on their behalf.
- To request this material in alternate format, sign language interpreter (five-day notice is required), information on access for persons with disabilities, and accommodation to review any document or participate in any City sponsored proceedings, call 305.604.2489 and select (1) for English or (2) for Spanish, then option 6; TTY users may call via 711 (Florida Relay Service).

**Please read the following and acknowledge below:**

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

- Applications for any board hearing(s) will not be accepted without payment of the required fees. All checks are to be made payable to the "City of Miami Beach".
- All disclosures must be submitted in CMB Application format and be consistent with CMB Code Sub-part A Section 2-482(c):
  - (c) If the lobbyist represents a corporation, partnership or trust, the chief officer, partner or beneficiary shall also be identified. Without limiting the foregoing, the lobbyist shall also identify all persons holding, directly or indirectly, a five percent or more ownership interest in such corporation, partnership, or trust.
- Public records notice – All documentation submitted for this application is considered a public record subject to Chapter 119 of the Florida Statutes and shall be disclosed upon request.
- In accordance with the requirements of Section 2-482 of the code of the City of Miami Beach, any individual or group that will be compensated to speak or refrain from speaking in favor or against an application being presented before any of the City's land use boards, shall fully disclose, prior to the public hearing, that they have been, or will be compensated. Such parties include: architects, engineers, landscape architects, contractors, or other persons responsible for project design, as well as authorized representatives attorneys or agents and contact persons who are representing or appearing on behalf of a third party; such individuals must register with the City Clerk prior to the hearing.
- In accordance with Section 118-31. – Disclosure Requirement. Each person or entity requesting approval, relief or other action from the Planning Board, Design Review Board, Historic Preservation Board or the Board of Adjustment shall disclose, at the commencement (or continuance) of the public hearing(s), any consideration provided or committed, directly or on its behalf, for an agreement to support or withhold objection to the requested approval, relief or action, excluding from this requirement consideration for legal or design professional service rendered or to be rendered. The disclosure shall: (I) be in writing, (II) indicate to whom the consideration has been provided or committed, (III) generally describe the nature of the consideration, and (IV) be read into the record by the requesting person or entity prior to submission to the secretary/clerk of the respective board. Upon determination by the applicable board that the foregoing disclosure requirement was not timely satisfied by the person or entity requesting approval, relief or other action as provided above, then (I) the application or order, as applicable, shall immediately be deemed null and void without further force or effect, and (II) no application form said person or entity for the subject property shall be reviewed or considered by the applicable board(s) until expiration of a period of one year after the nullification of the application or order. It shall be unlawful to employ any device, scheme or artifice to circumvent the disclosure requirements of this section and such circumvention shall be deemed a violation of the disclosure requirements of this section.
- When the applicable board reaches a decision a final order will be issued stating the board's decision and any conditions imposed therein. The final order will be recorded with the Miami-Dade Clerk of Courts. The original board order shall remain on file with the City of Miami Beach Planning Department. Under no circumstances will a building permit be issued by the City of Miami Beach without a copy of the recorded final order being included and made a part of the plans submitted for a building permit.

The aforementioned is acknowledged by:

☐ Owner of the subject property ☒ Authorized representative

  
**SIGNATURE**

Jose Luis Aguera Gimeno, COO

**PRINT NAME**

02/12/2020  
**DATE SIGNED**

**OWNER AFFIDAVIT FOR INDIVIDUAL OWNER**

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

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

N/A**SIGNATURE**

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

NOTARY SEAL OR STAMP

**NOTARY PUBLIC**

My Commission Expires: \_\_\_\_\_

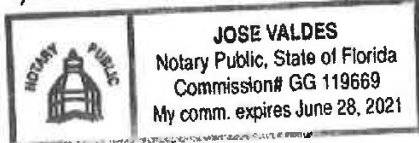
**PRINT NAME****ALTERNATE OWNER AFFIDAVIT FOR CORPORATION, PARTNERSHIP OR LIMITED LIABILITY COMPANY**STATE OF FLORIDACOUNTY OF MIAMI-DADE

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

**SIGNATURE**

Sworn to and subscribed before me this 27 day of February, 2020. The foregoing instrument was acknowledged before me by Jose Luis Aguera Gimeno who has produced Florida DL 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: \_\_\_\_\_

Jose Valdes

**PRINT NAME****POWER OF ATTORNEY AFFIDAVIT**STATE OF FLORIDACOUNTY OF MIAMI-DADE

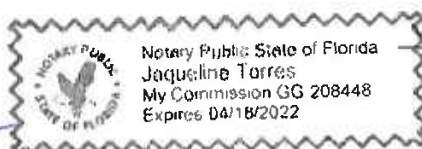
I, Jose Luis Aguera Gimeno, being first duly sworn, depose and certify as follows: (1) I am the owner or representative of the owner of the real property that is the subject of this application. (2) I hereby authorize \* to be my representative before the Historic Preservation Board. (3) I also hereby authorize the City of Miami Beach to enter my property for the sole purpose of posting a Notice of Public Hearing on my property, as required by law. (4) I am responsible for remove this notice after the date of the hearing.

Jose Luis Aguera Gimeno, COO**PRINT NAME (and Title, if applicable)**

[Signature]  
**SIGNATURE**

Sworn to and subscribed before me this 14 day of Feb, 2020. The foregoing instrument was acknowledged before me by Jose Luis Aguera Gimeno who has produced DL as identification and/or is personally known to me and who did/did not take an oath.

NOTARY SEAL OR STAMP

My Commission Expires: 04/18/22

[Signature]  
**NOTARY PUBLIC**  
Jaqueline Torres  
**PRINT NAME**

\*Michael Larkin, Matthew Amster, Emily Balter, Bercow Radell Fernandez Larkin &amp; Tapanes, PLLC.

**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 individuals(s) (natural persons) having the ultimate ownership interest in the entity. If any contingency clause or contract terms involve additional individuals, corporations, partnerships, limited liability companies, trusts, or other corporate entities, list all individuals and/or corporate entities.

N/A

**NAME****DATE OF CONTRACT**

NAME, ADDRESS AND OFFICE

% OF STOCK

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\_\_\_\_\_  
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In the event of any changes of ownership or changes in contracts for purchase, subsequent to the date that this application if

filed, but prior to the date of a final public hearing, the applicant shall file a supplemental disclosure of interest.

**DISCLOSURE OF INTEREST  
CORPORATION, PARTNERSHIP OR LIMITED LIABILITY COMPANY**

If the property that is the subject of the application is owned or leased by a corporation, partnership or limited liability company, list ALL of the owners, shareholders, partners, managers and/or members, and the percentage of ownership held by each. If the owners consist of one or more corporations, partnerships, trusts, partnerships or other corporate entities, the applicant shall further disclose the identity of the individual(s) (natural persons) having the ultimate ownership interest in the entity.

Villa Cuatro, LLC

**NAME OF CORPORATE ENTITY**

NAME AND ADDRESS

% OF OWNERSHIP

See Exhibit B attached.

**NAME OF CORPORATE ENTITY**

NAME AND ADDRESS

% OF OWNERSHIP

If there are additional corporate owners, list such owners, including corporate name and the name, address and percentage of ownership of each additional owner, on a separate page.

**DISCLOSURE OF INTEREST**  
**TRUSTEE**

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

N/A

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**TRUST NAME**

NAME AND ADDRESS

% INTEREST

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**COMPENSATED LOBBYIST**

Pursuant to Section 2-482 of the Miami Beach City Code, all lobbyists shall, before engaging in any lobbying activities, register with the City Clerk. Please list below any and all persons or entities retained by the applicant to lobby City staff or any of the City's land development boards in support of this application.

NAME	ADDRESS	PHONE
Michael Larkin	200 S. Biscayne Boulevard, Suite 850	305-374-5300
Matthew Amster	200 S. Biscayne Boulevard, Suite 850	305-374-5300
Emily Balter	200 S. Biscayne Boulevard, Suite 850	305-374-5300
Thomas Weber	104 Crandon Boulevard, Suite 414	305-361-9935

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

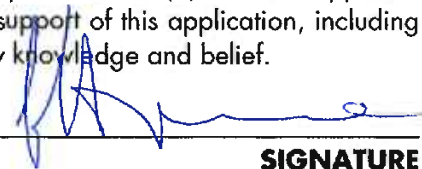
**APPLICANT HEREBY ACKNOWLEDGES AND AGREES THAT (1) AN APPROVAL GRANTED BY A LAND DEVELOPMENT BOARD OF THE CITY SHALL BE SUBJECT TO ANY AND ALL CONDITIONS IMPOSED BY SUCH BOARD AND BY ANY OTHER BOARD HAVING JURISDICTION, AND (2) APPLICANT'S PROJECT SHALL COMPLY WITH THE CODE OF THE CITY OF MIAMI BEACH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

**APPLICANT AFFIDAVIT**

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

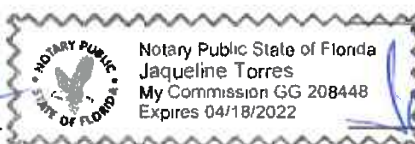
I, Jose Luis Aguerre Gimeno, COO, being first duly sworn, depose and certify as follows: (1) I am the applicant or representative of the applicant. (2) This application and all information submitted in support of this application, including sketches, data, and other supplementary materials, are true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


  
SIGNATURE

Sworn to and subscribed before me this 14 day of Feb, 2020. The foregoing instrument was acknowledged before me by Jose Luis Aguerre Gimeno, who has produced SL as identification and/or is personally known to me and who did/did not take an oath.

NOTARY SEAL OR STAMP

My Commission Expires: 04/18/22



  
NOTARY PUBLIC  
Jaqueline Torres  
PRINT NAME



## EXHIBIT A

### LEGAL DESCRIPTION

LOT 4, IN BLOCK 4, OF OCEAN BEACH, FLORIDA, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, AT PAGE 38, OF PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, LESS AND EXCEPT THE EAST 15 FEET THEREOF FOR STREET RIGHT-OF-WAY PURPOSES.

## Exhibit B

### Ownership of Villa Cuatro, LLC:

- 100% of Ownership of Villa Cuatro, LLC is held by **Florda Casa LLC**
  - Florda Casa, LLC is owned 50% by Montesur Investments, LLC
    - Montesur Investments, LLC is owned 10% by Oviedo Investments LLC,
      - Oviedo Investments LLC is owned 100% by Inversiones Oviedo USA Spa.
        - 65% of Inversiones Oviedo Spa is owned by **Jose Luis Aguera**.
          - Address: 1300 S Miami ave, STE. 3604, MIAMI, FL 33130
        - 35% of Inversiones Oviedo Spa is owned by **Maria Teresa Gimeno**.
          - Address: 1300 S Miami ave, STE. 3604, MIAMI, FL 33130
    - Montesur Investments, LLC is owned 90% by HPDM USA, which is owned 100% by Inmobiliaria e Inversiones Pie de Monte Ltda.
      - Inmobiliaria e Inversiones Pie de Monte Ltda is owned 93.93% by Inversiones San Luis S.A.
        - Inversiones San Luis S.A. is owned 98.72% by Tooshi Shintaku Co.
          - Tooshi Shintaku Co. is owned 100% by Zetaeme Fundacion Inc.
            - 33% of Zetaeme Fundacion Inc. is owned by **Pilar Zabala**.
              - Address: AVENIDA PRESIDENTE RIESCO NO. 5711 SANTIAGO, CHILE
            - 33% of Zetaeme Fundacion Inc. is owned by **Mariela Zabala**.
              - Address: AVENIDA PRESIDENTE RIESCO NO. 5711 SANTIAGO, CHILE
            - 34% of Zetaeme Fundacion Inc. is owned by **Maite Zabala**.
              - Address: AVENIDA PRESIDENTE RIESCO NO. 5711 SANTIAGO, CHILE
  - Florda Casa, LLC is owned 25% by SounHonor Ltd.
    - SoundHonor Ltd. is owned 100% by Amicitia Investments Corp.
      - 51.98% of Amicitia Investments Corp. is owned by **Enrique Hasbun**
        - Address: Kennedy 7900 of. 301, Vitacura, Santiago, Chile
      - 22.02% of Amicitia Investments Corp. is owned by ELTA SpA held by **Enzo Lubiano**
        - Address: Del Inca 4421 dp. 161, Las Condes, Santiago, Chile
      - 25.99% of Amicitia Investments Co. is owned by lunctus SpA.,
        - 50% lunctus SpA. is owned by **Marisa Lubiano**
          - Address: Camino La Viña 12.025 CASA 4, Las Condes, Santiago,
        - 50% lunctus SpA. is owned by **Juan Fernando Lafuente**
          - Address: Camino La Viña 12.025 CASA 4, Las Condes, Santiago, Chile
- Florda Casa, LLC is owned 25% by Sasep Overseas Ltd.
  - Sasep Overseas Ltd. is owned 100% by **Jorge Selume Zaror**
    - Address: Kennedy 5454 of. 1701, Vitacura, Santiago, Chile



# BERCOW RADELL FERNANDEZ & LARKIN

ZONING, LAND USE AND ENVIRONMENTAL LAW

DIRECT LINE: (305) 377-6236  
E-Mail: MAmster@BRZoningLaw.com

## VIA ELECTRONIC SUBMITTAL AND HAND DELIVERY

March 9, 2020

Debbie Tackett, Chief of Historic Preservation  
Planning Department  
City of Miami Beach  
1700 Convention Center Drive, 2<sup>nd</sup> Floor  
Miami Beach, Florida 33131

Re: **HPB20-0387** Certificate of Appropriateness Request for the Property Located at 334 Ocean Drive, Miami Beach, Florida

Dear Ms. Tackett:

This law firm represents Villa Cuatro, LLC (the "Applicant"), owner of the existing hotel located at 334 Ocean Drive (the "Property"). The Applicant proposes to renovate and preserve the existing 2-story historic hotel and introduce essential accessibility elements. Please allow this letter to serve as the letter of intent in connection with a request to the Historic Preservation Board ("HPB") for a Certificate of Appropriateness, and associated Variances for reduced hotel unit sizes and reduced setbacks for a canopy structure in the front and side yards.

Description of Property. The Property consists of one, narrow 50 (fifty)-foot wide lot located mid-block on the west side of Ocean Drive between 3<sup>rd</sup> and 4<sup>th</sup> Streets. The Miami-Dade County Property Appraiser's Office identifies the Property with tax Folio No. 02-4203-003-0470. The Property is located within the R-PS3, Medium-High Density Performance Standard Zoning District. According to the Miami Beach Historic Properties Database, the Property is classified as contributing within the Ocean Beach Local Historic District. See below Figure 1, Historic Properties Database Excerpt.

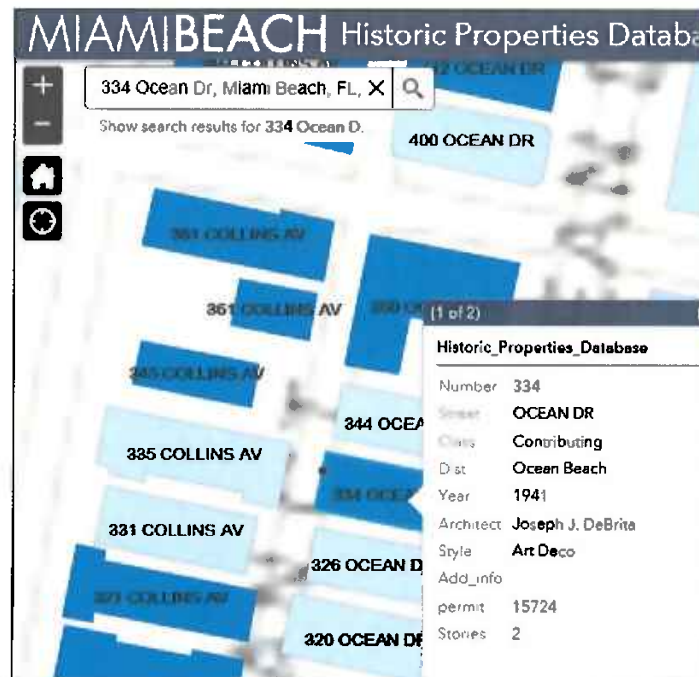


Figure 1, Historic Properties Database Excerpt

The Property is located between Lummus Park and Marjory Stoneman Douglas Park. The immediate surrounding area is a mix of multi-story hotel, apartment, and condominium buildings. The buildings on the east of Ocean Drive are larger, ranging from three (3) to eleven (11) stories. The buildings on the west of Ocean Drive are smaller, ranging from two (2) to three (3) stories. The two boutique hotels located at the intersection of 4<sup>th</sup> Street and Ocean Drive contain small cafes on the ground floor.

*Existing Structure.* The Property contains a 2-story, flat-roofed building originally known as the Ocean Blue Hotel. Pursuant to the Historic Resources Report<sup>1</sup> written by Carolyn Klepser, the original hotel appears mostly intact without any major alterations. Notably in the lobby, the terrazzo floor, recessed ceiling, accented archways and reception desk all appear to be original. The front eyebrow at the second-floor level contains an added aluminum extension, and the front door is now flanked with glass blocks, that may or may not be original.

In 1941, Joseph J. De Brita designed the structure in the Art Deco style as a twenty-eight (28) room hotel.<sup>2</sup> The hotel has a modestly-sized lobby on the ground floor, with two small office rooms on the north side. Central steps lead up to the twelve (12) double-

<sup>1</sup> The Historic Resources Report is included in the Historic Preservation Board application materials.

<sup>2</sup> The original construction records on file with the City and the Miami-Dade County Property Appraiser's Office note that the hotel contains twenty-eight (28) rooms. See composite Exhibit A, City Building Card and County Tax Records.

loaded first floor rooms and two stairways, one behind the reception desk and one at the west end of the building lead up to the sixteen (16) second floor double-loaded rooms. It is well known that the Ocean Blue Hotel was one of the numerous buildings U.S. Army Air Forces used for World War II housing.

Prior Approvals. In 2014, the Board of Adjustment ("BOA") and HPB reviewed and approved Variances and a Certificate of Appropriateness for renovations of the lobby to retain the existing undersized hotel rooms, as well as introduce a café, with ADA access on the south side, a new elevator and elevator bulkhead on the south side, a sundeck on the roof, and a new trash room at the southwest corner of the Property. See Composite Exhibit B, BOA 3682 and HPB 7428 Final Orders. While these approvals remain valid, the prior owner chose not to construct the improvements.

Development Program. Today, the Applicant's goal is more simply to renovate and preserve the historic hotel, returning the exterior and public portions of the interior to its original appearance with Art Deco inspired accents, and introduce a small café in the lobby as a necessary amenity to serve its guests and the public (the "Project"). The Applicant believes that these efforts are essential to restore this historic structure and ensure a viable hotel use for many years to come.

In the process of this renovation, the Applicant proposes retain the existing hotel rooms on the first and second floor. Additionally, the proposed renovations include removing A/C wall units, updating windows, and replacing bathroom finishes and fixtures. The Project includes converting the existing "lounge" to a modest kitchen and trash room for the new café located in the lobby, and repurposing the "office" to a required ADA accessible hotel unit. The terrazzo floor, recessed ceiling and accented archways in the lobby will be completely preserved.

On the façade, the Applicant will remove the aluminum overhang, which is not original or consistent with Art Deco style. A new canopy will be supported with thin bronze columns in the Art Deco "3-pattern," and vertical moss on the existing columns for a welcoming, natural new design element. These design elements are essential to the esthetic of the new ownership and are a cohesive interpretation of a contemporary Art Deco style. The front porch area will also provide cross-railing patterns between the original concrete framing. This architectural detail is evidenced on the original microfilm. Patrons of the café and guests of the hotel can enjoy this covered outdoor amenity space. The present front entrance has a stoop that precludes adequate accessibility. A new accessible ramp will be placed in the south side yard to lead into a new lobby entrance in the south elevation. In order to comply with required open space and maintain more of the original elevations, the air conditioned trash enclosure will be located within the building envelope. The trash room will be accessible from a small, nondescript doorway

in the middle of the north façade by the existing stairwell. The Applicant does not propose any rooftop activity.

Compliance with Certificate of Appropriateness Criteria. The Project satisfies the applicable criteria for the renovation and preservation of the historic structure and the modest amount of interior demolition. The design, scale and massing of the building remains sensitive to and compatible with the surrounding area, which contains many taller, newer buildings. The Art Deco style hotel is the most prevalent architectural style in the Ocean Beach Local Historic District. The proposed renovations highlight the strong symmetrical and vertical accenting on the façade. The materials and colors proposed in the exterior front porch and public portions of the interior space are consistent with the distinctive Art Deco vocabulary.

Variance Requests. The Project substantially complies with the City of Miami Beach Code of Ordinances (the "City Code"). The requested Variances are necessary to preserve the historic hotel building, accommodate for handicap accessibility, and retain the existing, original undersized hotel rooms. In order to fully realize its renovations, and due to the Property's confining characteristics, the Applicant requests the following:

1. A Variance of City Code Section 142-696, to permit one (1) new handicap accessible unit on the ground floor and the existing twenty-eight (28) hotel units below the minimum required floor area per hotel unit at 255 square feet when fifteen percent (15%) of the hotels units can be between 300 to 335 square feet and the remaining eighty-five percent (85%) of the hotel units must be 335 square feet or more ("Variance 1"); and
2. A Variance of City Code Section Sec. 142-697(a), to permit reduced front and interior side setbacks for an updated canopy structure. Specifically, a front setback at zero (0) feet when five (5) feet is required ("Variance 2"); a north interior side setback at one (1) foot ten (10) inches, when five (5) feet is required ("Variance 3"); and a south interior side setback at two (2) feet one (1) inch, when five (5) feet is required ("Variance 4").

*Satisfaction of Hardship Criteria.* The Variances requested satisfy the hardship criteria pursuant to Section 118-353(d) of the City Code, 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;**



For all variances, there are special conditions and circumstances that exist which are peculiar to the land and uses, such as the historic preservation of the interior public space and exterior of the building. The Property is a very narrow, fifty (50) foot wide, mid-block lot with minimal existing setbacks that must incorporate handicap access and an ADA-compliant room. A portion of the ground floor space is the only location for a fully handicap accessible room. The existing hotel has hotel units on the first floor that can only be accessed from an additional five (5) steps. There is insufficient space for proper ramping or lifts to the first-floor units. These are special conditions of the ground floor configuration that is not applicable to other buildings in the same zoning district.

The size of the existing hotel units is a special condition peculiar to the existing building because the hotel was originally built and operated with twenty-eight (38) hotel rooms all under 300 square feet. Additionally, Variances 2, 3, and 4 are necessary based on the special condition that the contributing structure is built on a lot only fifty (50) feet wide at a five (5) foot front setback with minimal side setbacks. The Applicant proposes to preserve the front porch area, remove the non-original aluminum awning, and incorporate a covered handicap accessible ramp on the south side. These circumstances are peculiar to this historic building.

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

The special circumstances, in this case, do not result from the actions of the Applicant. The hotel is a contributing structure in a local historic district with minimal existing setbacks. City and Miami-Dade County records note that the hotel originally contained twenty-eight (28) hotel units. The Applicant is not proposing to add density or massing to the structure, besides the one (1) handicap accessible room within the existing building envelope. The Applicant's goal is to make the hotel more viable with necessary updates such as handicap accessibility, a small café and an associated enclosed trash room.

**3. Granting the variance requested will not confer on the applicant any special privilege that is denied by these land development regulations to other lands, buildings, or structures in the same zoning district;**

The City Code allows other similarly situated property owners, renovating historic properties, to seek similar variances to accommodate sensitive and accessible development. The Variances ensure that the Project can retain the existing hotel rooms, and provide a handicap accessible room and covered ramping to the Property's existing entrance. The Variances are necessary for the preservation of the hotel, functionality of the site, and introduction of a needed amenity café. These are not special privileges, but rather necessary for the preservation of the hotel and guest experiences.

- 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 the land development regulations would deprive the Applicant, and future handicap guests, rights enjoyed by other properties in the same zoning district.

Variance 1 preserves the existing interior layout of the hotel. It allows the Applicant to add an ADA accessible room, without further compromising the historic elements of the lobby, especially the terrazzo flooring and tiered soffits on the ceiling. Redesigning the layout, including plumbing, electrical doors and windows, of each floor to comply with the provisions of the R-PS3 district would contravene historic preservation and be an unnecessary and undue hardship.

Variances 2, 3, and 4 are necessary to preserve the existing hotel setbacks on the mid-block, narrow lot. The function of the proposed design must accommodate covered ramps and the front porch area. It would be an unnecessary and undue hardship on the Applicant to make the historic structure narrower to comply with the land development regulations.

- 5. The variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure**

The Variances are the minimum variations of the City Code that will make possible the reasonable use of the Property. The Project provides an ADA accessible room, ramping to the ground floor lobby and café, and a well-designed canopy to cover guests from weather conditions. Accessibility is required to accommodate all hotel guests. Reconfiguration of the existing floor plans and additional setbacks would require significant modification of the contributing structure, which the Applicant is seeking to preserve. Enlarging each of the existing units or the new ADA accessible guest room on the ground floor will require serious reconfiguration of the historic lobby.

The existing rooms range from 195 square feet to 229 square feet. Therefore, the ADA hotel unit is compatible with the existing units at 255 square feet in size. The new unit allows a guest to enter from the south ramp to the newly renovated lobby, where they can check-in and immediately enter their unit without maneuvering additional steps. The canopy, within the setbacks, is a utilitarian design feature to ensure that patrons can enter the hotel protected from Miami's variety of weather conditions.

- 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**

Granting of the Variances will be in harmony with the general intent and purpose of these land development regulations, and preservation of structures with historical significance in local historic districts. The proposed modifications are intended to serve the guests and also residents in the area.

The only area of this historic hotel that can be converted into an ADA accessible hotel unit is the office in the lobby. If the room is made larger than 225 square feet, it will cut into the existing front windows, recessed ceiling, and terrazzo floors, which the Applicant plans to preserve. Additionally, keeping the existing layout of the first and second floor will not be injurious to the area. The Project substantially retains the existing structure, and therefore, benefits the public welfare and historic district. Therefore, the Project substantially complies with the intent of the Code and will be in harmony with the properties on Ocean Drive.

- 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.**

Maintaining the hotel use, and incorporating a modest café is consistent with the Comprehensive Plan and permitted by the R-PS3 regulations. The performance standards allow greater flexibility, and incentives for certain amenities, encouraging more flexible and innovative design and development, in accordance with the goals and objectives of the City's comprehensive plan. The Applicant is proposing an innovative design that maintains the interior and exterior historic significance of the hotel, while incorporating ADA accessibility and back-of-house requirements.

Granting of the Variances is necessary for the design and function of the site, and do not reduce levels of service along a major thoroughfare. The granting of the Variances ensures that local residents can walk to a café and provides an amenity space for hotel guests. The covered front porch will serve as a secondary seating area for hotel guests and nearby neighbors with protection from the elements.

*Practical Difficulty.* The innovative design does the most possible to provide a functional and viable hotel that preserves many of its original characteristics. The Property is a mid-block, narrow lot, with existing narrow setbacks, and no handicap

accessibility. These are multiple practical difficulties that must be addressed in order to make practical use of the Property.

In order to preserve the hotel building, reintroduce some of the original design features on the façade, update doors and windows, and add an accessibility room and ramping with proper covering, the Applicant is left with a confined developable area. Strict compliance with the land development regulations would contradict the historic preservation of the contributing structure and prevent redevelopment of the hotel with proper handicap access and a café amenity.

Sea Level Rise and Resiliency Criteria. The Project advances the sea level rise and resiliency criteria in Section 133-50(a) of the City Code, as follows:

**1. A recycling or salvage plan for partial or total demolition shall be provided.**

A recycling and salvage plan for the partial demolition proposed will be provided at permitting.

**2. Windows that are proposed to be replaced shall be hurricane proof impact windows.**

Hurricane proof impact windows will be provided.

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

The Applicant will provide, where feasible, passive cooling systems.

**4. Whether resilient landscaping (salt tolerant, highly water-absorbent, native or Florida friendly plants) will be provided.**

Any new landscaping provided will be resilient.

**5. Whether adopted sea level rise projections in the Southeast Florida Regional Climate Action Plan, as may be revised from time-to-time by the Southeast Florida Regional Climate Change Compact, including a study of land elevation and elevation of surrounding properties were considered.**

Sea level rise projections are being considered.

**6. The ground floor, driveways, and garage ramping for new construction shall be adaptable to the raising of public rights-of-ways and adjacent land.**

This is a renovation of a historic hotel. The ground floor areas will be maintained, which features a front porch raised from the abutting sidewalk grade. Notably, the lobby, which is the lowest floor of the existing building, is at BFE +1' and the first floor units are even higher.

**7. Where feasible and appropriate. All critical mechanical and electrical systems are located above base flood elevation.**

All mechanical and electrical systems will be located above base flood elevation.

**8. Existing buildings shall be, where reasonably feasible and appropriate, elevated to the base flood elevation.**

The lobby, which is the lowest floor of the existing building, is at BFE +1' and the first floor units are even higher.

**9. When habitable space is located below the base flood elevation plus City of Miami Beach Freeboard, wet or dry flood proofing systems will be provided in accordance with Chapter of 54 of the City Code.**

There is no habitable space below BFE. The lobby, which is the lowest floor of the existing building, is at BFE + 1'.

**10. Where feasible and appropriate, water retention systems shall be provided.**

Where feasible, water retention systems will be provided.

**11. Cool pavement materials or porous pavement materials shall be utilized.**

These materials will be utilized.

**12. The design of each project shall minimize the potential for heat island effects on-site.**

Debbie Tackett, Chief of Historic Preservation  
March 9, 2020  
Page 10 of 10

The Applicant proposes additional landscaping in the north side yard and the canopy will provide a non-airconditioned amenity space for hotel guests and local residents.

Conclusion. The Applicant will provide a much-needed renovation and preservation of the historic hotel, with the introduction of a small café, ADA accessible room on the ground floor, and proper handicap ramping. The massing, scale and design of the project will remain compatible with and sensitive to the surrounding neighborhood.

The Project will beautify all four exterior elevations by removing the A/C units and updating the windows and doors. The new café will provide an amenity for residents in close proximity and hotel guests. Granting of this Certificate of Appropriateness, with associated Variances, is in harmony with the intent and purpose of the City's Comprehensive Plan and Land Development Regulations and will enhance the local historic district.

Based on these reasons, the Applicant respectfully request your favorable review and recommendation of this application. If you have any questions or comments with regard to the application, please contact me at (305) 377-6236.

Sincerely,



Matthew Amster

Enclosures

CC: Emily K. Balter



BLUE HOTEL  
 SEY CONSTRUCTION CO. Mailing Address Permit No. 15724 Cost 30,000

Lot 4 Block 4 Subdivision Ocean Beach Address 334 Ocean Drive

General Contractor Sey Construction Company Bond No. 2829 Paid 4203 03 047

Architect Joseph J. DeBrita 1044 Engineer

Zoning Regulations: Use RE Area 24 Lot Size 50 X 115

Building Size: Front 40' Depth 105' Height 25' Stories 12 apts. two 4 Hotel/Rm

Certificate of Occupancy No. Use HOTEL - 28 rooms:

Type of Construction o-b-s Foundation Reinf. concrete Roof Comp: Date May 29-1941

Plumbing Contractor Markowitz & Resnick # 15397 Sewer Connection 1 Date 6/2/1941

Temporary Closet 2

Plumbing Contractor

Water Closets 30, Bath Tubs 34, Floor Drains # 15651- Markowitz & Resnick

Lavatories 30, Showers 4, 1 water closet- 1 lavatory,

Urinals slop Sinks 2, Grease Traps 1 shower - 7/30/41

Gas Stoves Gas Heaters 4, Drinking Fountains 1,

Gas Radiators Gas Turn On Approved Rough Approved Bell Date 7-15-1941

Septic Tank Contractor Tank Size Date

Oil Burner Contractor # 16206 - Gibbs Oil Co: 1 burner Tank Size 275 gals- Date Nov. 17-1941

Sprinkler System

Electrical Contractor Alex Baird # 17385 Address Date 7-25-41

Switch 64 Range Motors 1 Fans Temporary Service 9-10-41

OUTLETS Light 70 HEATERS Water Alex. Baird # 17585

Receptacles 95 Space Centers of Distribution 3

Refrigerators

Irons Sign Outlets

No. FIXTURES 70 Electrical Contractor Date

FINAL APPROVED BY Lincoln Brown, Jr. Date of Service April 1, 1942

Alterations or Repairs—Over

Electrical # 17882- Griffin & Bauer - 1 motor- for oil burner- Oct. 31, 1941- final O.K. Brown 11-4-41

USAFPTC returned to owner June 12, 1944

2nd floor to be converted to kitchen) with parking  
Bldg. Permit Court Case 2/10/60 ALTERATIO & ADDITIONS

Building Permits: # 16657 - 1 SIGN - Neon Sign & Service- \$ 200: Dec. 23, 1941

# 18525... Painting (inside & out) day labor..... \$ 650..... June 15, 1944

# 30672 Painting - Owner \$ 75..... Sept. 1, 1949

# 51925 Painting exterior..by owner \$100..... Oct. 29, 1956

# 54848 Lawrence Parks: Exterior Painting - \$350.00 - Oct. 31, 1957

# 63015 Owner: Convert 28 hotel rooms to 14 apts. Remove 1 bath in each apt for remodeling into a kitchen unit. Approved by Council as per above in red. No hotel rooms remaining. Hotel Rooms 1 & 2; 3 & 4; 5 & 6; 7 & 8; 9 & 10; 11 & 12; all on 1st floor. Same no room on 2nd floor & also 13 & 14; 15 & 16 - \$1000 - Sept. 26, 1960 *only 12 apts and 4 hotel rooms*

~~# 42578 Neway Plbg: 14 sinks, 14 gas ranges - Sept. 26, 1960 OK 11/1/60 Cox~~

~~Plumbing Permits:~~

~~# 42578 Neway Plbg: 14 sinks, 14 gas ranges - Sept. 26, 1960 OK 11/1/60 Cox~~

PLUMBING PERMITS: # 42578 Neway Plbg: 14 sinks, 14 gas ranges - Sept. 26, 1960 OK 11/1/60 Cox

Electrical Permits: # 18190 - Neon Sign & Service- 1 neon transformer - Dec. 23-1941

# 20485.. Biscayne Electric.. 2 Receptacles... Sept. 15, 1944

# 31677 Television Installation Co: 1 television antenna - July 7, 1950

# 42840 Astor Electric...one motor....August 23, 1954 OK, Plaag 12/29/54

# 55810 Jonesey Elec: 14 refrigerator outlets, 14 iron outlets, 1 center of distrib, 1 service equip-9/22/60 OK Fidler 6/22/61

# 60059 C. J. Kay Electric Co.: 3 space heaters (other); 2 motors, 0-1 hp - 8/20/63

Lot

Block

Subdivision

# ALTERATIONS & ADDITIONS

Building Permits: #26100 10/29/84 Gordon Roofing - reroof 35 sqs use alley \$3,000.

---

## Plumbing Permits:

#52563-Pitsch Plumbing- 1 gas piping-6-10-75

#52629-Peoples Gas- 1 meter set(gas)-6-19-75

#56238-Serota Plumbing-repair hot water line-7-2-78

#56340-Serota Plumbing-repair hot water line-8-7-78

---

## Electrical Permits:

#70478-Friedman Electric- 280 amps service- 30 a/c window-4-11-73

#72398-D & Z Electric- control panel ademco(508) 4 pull , 4 bell-7-8-75

---



**METROPOLITAN DADÉ COUNTY TAX ASSESSMENT DEPARTMENT**

PERMIT ADDITIONS                      PERMIT ADDITIONS                      SITUS   APR -- 2001

**Site**

FOLIO 02-4203-003-0470    DIST 01  
 ADDRESS 334 OCEAN DR  
 PERMIT NO. 02BS941712  
 BLDG C                      CLUC 0021  
 APARTMENT HOTEL  
 VALUE                      \$6,500 ALTER INTERIOR  
 TYPE 600                      INTERIOR ALTER  
 LEGAL: ISSUE 05/94    ACT 05/24/94  
 3 54 42  
 OCEAN BEACH FLA SUB    PB 2-38  
 LOT 4                      BLK 4

02-4203-03-0470  
 334    OCEAN                      0021  
 3 54 42  
 OCEAN BEACH FLA SUB    PB 2-38  
 LOT 4                      BLK 4  
 LOT SIZE                      50.000 X    115  
 LAND USE 21 = HOTELS

NOTES

NOTES

NOTES

Code 91 C/pmt to grade 4-11-01 CW

NIC 95    4-11-95    CW

NIC 92    4-11-92    CW

Code 95 C/pmt to grade 4-28-05 BL

93 FICK N/C 2/18/93 HAWKINS

CODE 93 C/E/A 9/6 6/11/93

93 LOT 6-17-93 D CUEVAS

NOTES

NOTES

NOTES

FOLIO 02 4265 03 247	
OWNER	
PERMIT NO.	DATE
AMOUNT	TYPE
ADDR 334 Ocean Dr	
LEGAL DESCRIPTION	

PERMIT	DATE	AMOUNT	TYPE

BUILDING POINTS	
FOUNDATION	10
EXTERIOR	17
STRUCTURAL FRAME	5
ROOF TYPE	8
ROOF MATERIAL	6
DECKING	-
FLOOR FINISH	6
ELECTRICAL	7
PLUMBING	9
INTERIOR	4
MISCELLANEOUS	
TOTAL POINTS	112
GRADE	36
GRADE + POINTS	
FIELD CHECKED BY	148
DATE	

BEDROOMS	2
BATHS	2
LIVING UNITS	2
1-B/R UNITS	
2-B/R UNITS	
3-B/R UNITS	
STUDIO UNITS	
ROOMS/OFFICE	

FLOORS	2
STORES	
INC. FUNCT.	
CUR. FUNCT.	
ECON. OBS.	
PHYS. DEPR.	
% COMPLETE	100
SITE VALUE	2300

CARD 1 OF	
BUILDING NO.	
YEAR BUILT	
EFF. AGE	
RATE	
RATE KEY	
LAND USE	20-3

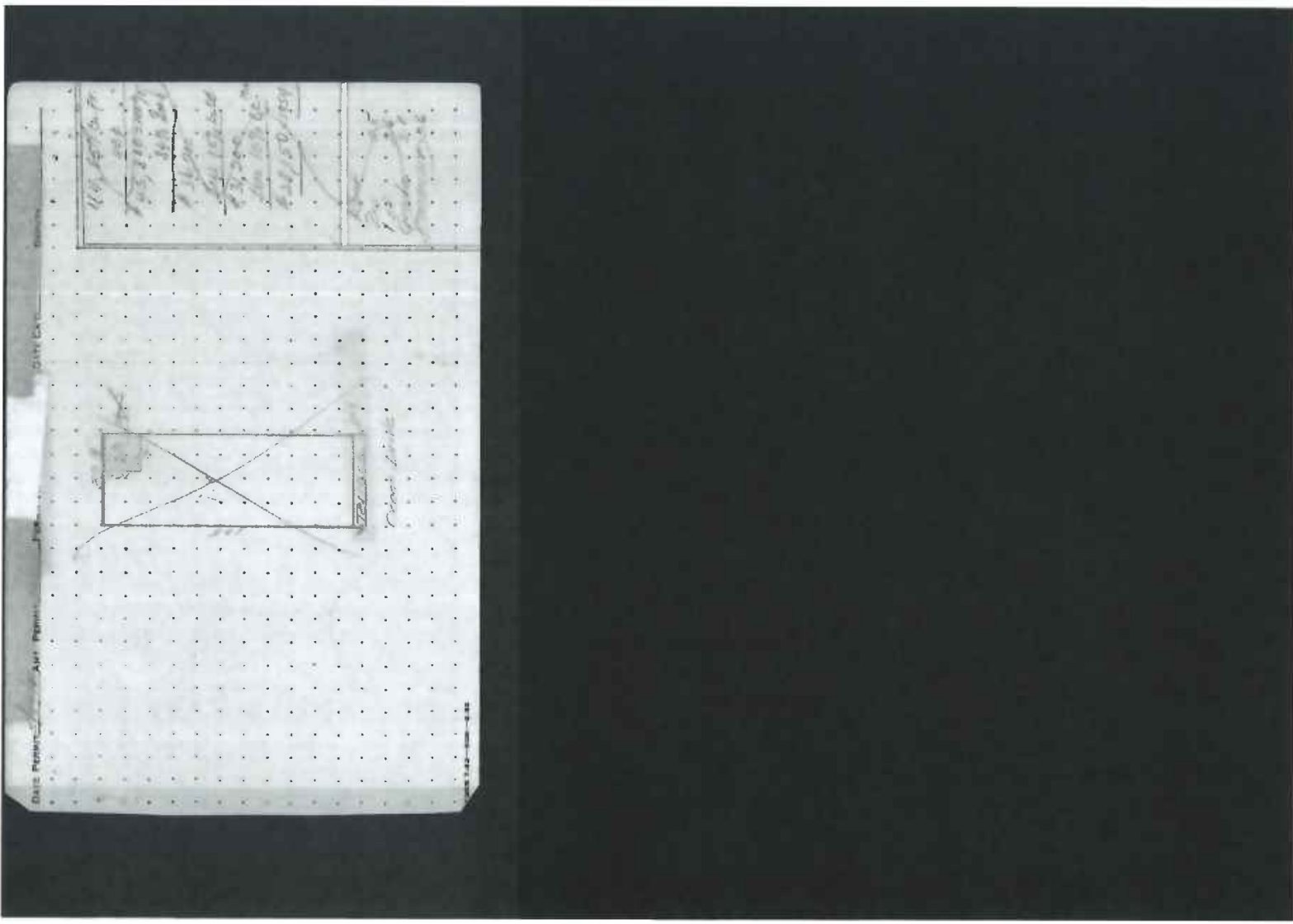
NO	DIMENSIONS				ADJ SQ FT
1	16	X	12.6	X	
2	105	X	27.2	X	
		X		X	
		X	X	X	
		X	X	X	
		X	X	X	
		X	X	X	
		X	X	X	
		X	X	X	
		X	X	X	
		X	X	X	
		X	X	X	
		X	X	X	
		X	X	X	
		X	X	X	

TOTAL ADJUSTED SQUARE FEET	
----------------------------	--

REMARKS
---------

EXTRA FEATURES EF <input type="checkbox"/>					ADJ SQ FT
NO	CD	YR	E/A	OPR	

PROPERTY APPRAISERS - BUILDING PERMITS 509.01-280



DATE RECEIVED: \_\_\_\_\_

DATE PAID: \_\_\_\_\_

NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

CITY: \_\_\_\_\_

STATE: \_\_\_\_\_

ZIP: \_\_\_\_\_

TELEPHONE: \_\_\_\_\_

ACCOUNT NO.: \_\_\_\_\_

AMOUNT: \_\_\_\_\_

REMARKS: \_\_\_\_\_

INITIALS: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_

DATE: \_\_\_\_\_



MIAMI-DADE  
DEPARTMENT OF PROPERTY APPRAISAL  
CONSTRUCTION COMPLETION REPORT

[illegible]

FOLIO  
LEGAL DESC'PT

BOOK PAGE No

NAME  
ADDRESS OF PROP

SCHOOL DIST PB

MAIL ADDRESS

BUILDINGS

CONDITION OF BUILDING

TYPE BLDG

% COMPL FOR YEAR

MATERIAL

FURN UNFURN PT. FURN

STORIES

RECHECK

FOUND

FLOORS

BED RM S

DATE POSTED BY

BATHS

POSTED TO F N

ROOF

POSTED TO PLATES

PAV

LAND BLDG TOTAL

PLUMBING

ELECTRIC

NEW VALUE

INT. FINISH

AIR COND

HEATING

GAR./CAR P

FIREPLACE

POOL

MISC L

NET GAIN OR LOSS

FOLIO 02 4203 003 0470 PROP ADDR 334 OCEAN DR, MCD 0200  
 04/28/2005 LAST INSP 04/2001 ZNG 3003 CLUC 0002 BLDG YR 1941 SLUC 3900  
 NAME AND LEGAL PREV CHG 01/01/2005 VALUE HISTORY RES YR  
 BLUE OCEAN CORP HOTEL YEAR 2003 2004 04/05/2005  
 334 OCEAN DR LAND 585500 632500 776250  
 MIAMI BCH FL BLDG 371550 521840 569247  
 MARKET 957050 1154340 1345497  
 331396905  
 3 54 42 ASSESS 957050 1154340 1345497  
 OCEAN BEACH FLA SUB PB 2-38 HEX  
 LOT 4 BLK 4 WVDB  
 LOT SIZE 50.000 X 115 TOT EX  
 106761704 TAXABLE 957050 1154340 1345497  
 MUNICIPAL TAX STATUS: TAXABLE STATE EXEMPT:  
 STRF#/LOC PLATE 003 SALE AMT DATE TYPE I/V TINC 9002  
 XF BATH 28 165000 02/1980 1 I SALE 1  
 BDR 28 UNIT 28  
 ADJFT 7631 BLDS 1  
 NBHD 0010 DIST 06  
 PF7-PREV OWNERS  
 PF2-LGL PF3-SP DIST PF4-FOLIO SEARCH PF8-INTV MENU PF9-R/C MENU PF10-EXIT

\* \* \* \* BUILDING INQUIRY \* \* \* \* PTXM0580  
 POLIG \*02 4203 003 0470 PROP ADDR 334 OCEAN DR  
 TYPE MLC DATE 04052005 NO 42032 CALCULATED FOLIO VALUE 569247  
 LAST CHGE DTE 04052005 SITED BY FOLIO SITE VALUE  
 XF CLUC 0021 SLUC 3900 HOTEL OR MOTEL INSP 04 2001 C/PTS  
 BLDG SITE VALUE  
 LOT SIZE 5750.00 SQ FT PERMIT 0000000000 BLDG VALUE 568891  
 BLDG 01 RATE KEY 01 ROOM BLDG X-FEATURES VALUE 356  
 CONST CD 1 A/C N  
 EXTERIOR 17 ROOF MAT. 6 RATE CD 1 YR BLT 1941  
 ELECTRIC 10 DECKING ADJUST CD 2 EFF AGE 1955  
 PLUMBING 11 FOUNDATN 14 FLOORS 1 1BR  
 INTERIOR 48 STR FR 5 LIV UNITS 28 2BDR  
 PL.FINISH 6 MISC BEDROOMS 28 3BDR  
 ROOF TYPE 8 GRADE 125 BATHS 28 EPF/APT  
 PTS&GD 250 1/2 BATHS RM/OFC  
 STORES  
 TOTAL ADJUSTED SQUARE FEET 7631  
 BASE RATE 42.00 TOTAL RATE 105.00 BATH ADJ REPL COST 801255  
 PC COMP 100 FUN ECO PHY MKT 71 PC GD 71 ADJUST 232364  
 TOTAL DEPR VALUE 568891 # ITEMS 1.00 TOTAL RATE KEY VALUE 568891

ENTER-NEXT BLDG/RATE PF2-DIM PF3-XFEA PF8-MENU PF9-R/C MENU PF10-FINISH 5\_\_\_\_  
 \*\*\* ALL BUILDING INFORMATION HAS BEEN DISPLAYED \*\*\*



**NARRATIVE HISTORY CARD**

FOLIO NUMBER 62 426.5 10 1426

[illegible]



**NARRATIVE HISTORY CARD**

FOLIO NUMBER: 1.2-4263-012-0100

DATE	COMMENTS
2-18-93	SPECIMEN FILE ? INT. TEXT
	Source 11-12-87, 15 IN ALL
	Cond. No. 7 1941 51.0g. 62.0g. 15
	MADE 100% D
	Recommendation 10-18-93
	SETUP SITE VALUE
	Most Common
	10-18-93

00000-010-000

## My Home

miamidade.gov

ACTIVE TOOL: ZOOM IN



## Show Me:

Property Information

## Search By:

Select Item

Text Entry

Color Aerial Photography

Use for Black &amp; White

## Summary Details

Photo No.	2002 0004 04
Property	134 OCEAN DR
Mailing Address	BLUE OCEAN CORP HOTEL
Address	134 OCEAN DR MIAMI BCH FL 33138-6905

## Property Information:

Primary Zone	0003 RESIDENTIAL PERFORMANCE STANDARD MED-HIG
CLUC	0021 HOTEL
Beds/Baths	28/28
Floors	1
Living Units	28
Adj Sq Footage	7,631
Lot Size	5,750 SQ FT
Year Built	1941
Legal Description	3 64 42 OCEAN BEACH FLA SUB P8 2-38 LOT 4 BLK 4 LOT SIZE 50,000 X 115 OR 10678-1704 0280

## Sale Information:

Sale OR	100 61704
Sale Date	07/1980
Sale Amount	\$1,500,000

## Assessment Information:

Year	2004	2003
Land Value	\$632,500	\$585,500
Building Value	\$521,840	\$371,550
Market Value	\$1,154,340	\$957,050
Assessed Value	\$1,154,340	\$957,050
Total Exemptions	\$0	\$0
Taxable Value	\$1,154,340	\$957,050



Aerial Photography AirPhoto USA 2004

0 112 ft

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E-mail your comments, questions and suggestions to Webmaster

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\* \* \* \* \* VALUE INQUIRY \* \* \* \* \*

PTXM0175

FOLIO 02 4203 003 0470 PROP ADDR 334 OCEAN DR MCD 0200  
 04/13/2005 LAST INSP 04/2001 ZNG 3003 CLUC 0021 BLDG YR 1941 SLUC 3900  
 NAME AND LEGAL PREV CHG 01/01/2005 VALUE HISTORY RES YR  
 BLUE OCEAN CORP HOTEL YEAR 2003 2004 04/05/2005  
 334 OCEAN DR LAND 585500 632500 776250  
 MIAMI BCH FL BLDG 371550 521840 569247  
 MARKET 957050 1154340 1345497  
 331396905  
 3 54 42 ASSESS 957050 1154340 1345497  
 OCEAN BRACH FLA SUB PB 2-38 HEX  
 LOT 4 BLK 4 WVDB  
 LOT SIZE 50.000 X 115 TOT EX  
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 MUNICIPAL TAX STATUS: TAXABLE STATE EXEMPT:  
 STRP#/LOC PLATE 003 SALE AMT DATE TYPE I/V TINC 9002  
 XF BATH 28 165000 02/1980 1 I SALE 1  
 BDR 28 UNIT 28  
 ADJFT 7631 BLDG 1  
 NBHD 0010 DIST 06  
 PF7-PREV OWNERS  
 PF2-LGL PF3-SP DIST PF4-FOLIO SEARCH PF8-INTV MENU PF9-R/C MENU PF10-EXIT

**KEEP BUILDING DOCUMENTS IN SEQUENCE ORDER**

FOLIO NUMBER 121-100-0 093 1427

INSPECTION  
DATE: 1st 85  
MONTH YEAR

\*\*\*\*\* BUILDING MENU \*\*\*\*\*

- ☐ 01 - ADD A BUILDING/RATE KEY  
BLD NO. \_\_\_\_\_  
RK NO. \_\_\_\_\_
- ☐ 02 - CHANGES TO BUILDING/RATE KEY  
BLD NO. \_\_\_\_\_  
RK NO. \_\_\_\_\_
- ☐ 03 - ADD. CHANGE OR DELETE DIMENSION LINE  
BLD NO. \_\_\_\_\_  
RK NO. \_\_\_\_\_
- ☐ 04 - ADD. CHANGE OR DELETE EXTRA FEATURE LINES  
BLD NO. \_\_\_\_\_
- ☐ 05 - CANCEL BUILDING  
BLD NO. \_\_\_\_\_
- ☐ 06 - CANCEL RATE KEY  
BLD NO. \_\_\_\_\_  
RK NO. \_\_\_\_\_
- ☐ 07 - CANCEL ALL BUILDINGS WITHIN A FOLIO  
AUTHORIZED BY: \_\_\_\_\_
- ☐ 08 - ADD. CHANGE OR REMOVE FOLIO SITE VALUE  
AUTHORIZED BY: \_\_\_\_\_  
change type \_\_\_\_\_ NUMBER \_\_\_\_\_

INSPECTION  
DESCRIPTION: 0/1/85

ADDITION  
DESCRIPTION  
BY RATE KEY \_\_\_\_\_

*0/1/85 6000  
line 6000  
0/1/85 5000  
1/1/85*

ANY ADDITIONAL INFO. OR COMMENTS

DATE ENTERED 1/1/85  
IDENTIFICATION: \_\_\_\_\_

VERIFIED BY: One DATE: 2/2/85

FOLIO 02 4203 003 0470 PROP ADDR 334 OCEAN DR

A/C: N BLDG 01 RATE 01



DATE PRINTED: 4/29/2005

BUILDING TYP

DESC ROOM

LEGAL: 3 54 42  
OCEAN BEACH FLA SUB PB 2-38  
LOT 4 BLK 4  
LOT SIZE 50.000 X 115  
OR 10676-1704 0280 1

BASE PERMIT REALTY CGG  
00 00 00 0000 TYPE MISC  
DT 04/29/2005  
NO. 0000119

DIMENSIONS:  
1 763.1000X 10.0000X .0000X .0000X .0000

TOTAL 7,631

SPECIFICATION POINTS

GRADE 36  
FOUNDATION 10  
EXTERIOR 17  
STRUCTURAL FRAME 5  
ROOF TYPE 8  
ROOF MATERIAL 6  
DECKING

DATA:

CONST CD 1  
RATE CD 1 BED RMS 28 RM/OFF 0 FLOOR FINISH 6  
ADJ CD 2 BATHS 28 1BR APT 0 ELECTRICAL 7  
YR BLT 1941 1/2 BATHS 0 2BR APT 0 PLUMBING 9  
EFF AGE 1955 LIV UNIT 28 3BR APT 0 INTERIOR 44  
FLOORS 1 WF CODE 0 EFF APT 0 MISCELLANEOUS  
CLUC 3 ZONING 3003 STORES TOT PTS & GRADE 148  
SLUC 300 INSP DATE 04/2005

BASE RATE 42.00 TOTAL PTS & GRADE 148 TOTAL RATE 62.16 BATH ADJ +0 REPLACEMENT COST 474,343  
% COMP 100 FLN ADJ 0 ECO ADJ 0 PHY ADJ 0 260 71 ADJUST 137,559 TOTAL ADJUSTMENT VALUE 336,784  
TOTAL ADJUST VALUE 336,784 NO. OF ITEMS 1.00 TOTAL VALUE ALL ITEMS 336,784

LN	PRC	EXTRA FEATURE	PRICE	NUMBER	D	YR	EF	NO	FN	EC	PH	Z	TOTAL\$	LINE	N/C	GROUPING
CD	DESCRIPTION	PER UNIT	OF UNITS	C	BL	AG	ITEMS	AD	AD	AD	GD	ADJUST	VALUE	NEM	ADD	/ERROR
1	97 PAVING CONC	2.75	199.00	2	1941		1.00					65	191	356	0	0

TOTAL ADJUSTED VALUE EXTRA FEATURE 356  
TOTAL ADJUSTED VALUE THIS BUILDING(S) 337,140  
TOTAL ADJUSTED VALUE FOR ALL BUILDINGS 337,140  
TOTAL ADJUSTED SQFT FOR ALL BUILDINGS 7,631

## NARRATIVE HISTORY CARD

29-400000, 970

[illegible]

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

**PROPERTY:** 334 Ocean Drive

**FILE NO.** 3682

**IN RE:** The application for the following variances: a variance to waive the required minimum hotel unit size in order to retain the existing undersized hotel rooms, a variance to waive the minimum required rear pedestal setback to permit the construction of a trash room enclosure, and a variance to waive the maximum permitted projection into the required side yard in order to build a stair on the north side up to the property line.

**LEGAL DESCRIPTION:** Lot 4 of Block 4 as shown on the plat of "OCEAN BEACH FLORIDA", according to the Plat thereof, as recorded in Plat Book 2, at Page 38 of the Public Records of Miami-Dade County, Florida.

**MEETING DATE:** February 7, 2014

**ORDER**

The applicant, Hilma, LLC., filed an application with the Planning Department for the following variances in order to make interior and exterior renovations to the existing building:

1. A variance to waive the required minimum hotel unit size within the Historic structure: 15% of the hotel units shall be between 300-335 s.f. and 85% of the hotel units shall be 335 s.f. or larger in order to retain 22 hotel units at less than 300 s.f. (the smallest at 185 s.f.) and to reconstruct 3 hotel units at less than 300 s.f. (the smallest at 163 s.f.) with a total of 25 hotel units at less than 300 s.f.
2. A variance to waive 6'-6" of the minimum required rear pedestal setback of 11'-6" in order to permit the construction of a trash room enclosure up to the rear property line.
3. A variance to waive 5'-0" of the minimum required interior side pedestal setback of 5'-0" in order to build a stair and handrails up to the north property line.

The City of Miami Beach Board of Adjustment makes the following FINDINGS OF FACT, based upon the evidence, information, testimony and materials presented at the public hearing and which are part of the record for this matter:

- A. Based on the plans and documents submitted with the application, testimony and information provided by the applicant, and the Planning Department Staff Report, the project as submitted satisfies the requirements of Section 118-353(d) of the Miami Beach Code. Accordingly, the Board of Adjustment has determined the following:



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.

B. The Board imposes the following conditions based on its authority in Section 118-354 of the Miami Beach City Code:

1. 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.
2. The stairwell and elevator bulkheads, as proposed, shall require the review and approval of the Historic Preservation Board.
3. Revised elevation, site plan and floor plan drawings shall be submitted to and approved by staff; at a minimum, such drawings shall incorporate the following:
  - a. The total number of seats associated with the accessory food and beverage use shall not exceed 18, with the exception of any sidewalk café seating consisting of a maximum of 8 seats as may be approved through the sidewalk café permit process.
  - b. The projection of the awnings on the north side and south side shall be modified to be a maximum of 4'-6" from the exterior wall.
  - c. The walkway on the south side of the property shall be removed to provide for additional landscape area, in a manner to be approved by staff.

- d. The walkway on the north side of the property shall consist of pervious paving material and shall be relocated closer to the exterior walls, to allow for additional landscape, along the north property line, in a manner to be approved by staff.
  - e. The final design and dimensions of the proposed trash room shall be provided, subject to the review and approval of staff.
  - f. All mechanical and air conditioning equipment located on the roof shall be screened from view, in a manner to be approved by staff. In the event Code Compliance receives complaints of unreasonably loud noise from the mechanical and air conditioning equipment and determines the complaints to be valid, the applicant shall take such steps to mitigate the noise with noise attenuating materials as reviewed and verified by an acoustic engineer, subject to the review and approval of staff based upon the design review criteria, and/or directions received from the board.
  - g. All required hand rails and guard rails at the first floor shall consist of horizontal rails, glass, mesh or similar material, in a manner to be approved by staff. Verticals pickets shall not be permitted.
4. A revised landscape plan, and corresponding site plan, shall be submitted to and approved by staff, prior to the issuance of a building permit. The species type, quantity, dimensions, spacing, location and overall height of all plant material shall be clearly delineated. At a minimum, such plan shall incorporate the following:
- a. Hedges or similar material that exceeds 18" in height at maturity shall not be permitted at the roof or the first level.
  - 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.
  - c. The utilization of root barriers and/or Silva Cells, as applicable, shall be clearly delineated on the revised landscape plan.
5. The Applicant agrees to the following operational conditions for any and all permitted hotel and accessory uses and shall bind itself, lessees, permittees, concessionaires, renters, guests, users, and successors and assigns and all successors in interest in whole or in part to comply with the following operational and noise attenuation requirements and/or limitations.
- a. OUTDOOR CONDITIONS
    - i. The applicant shall ensure through appropriate contracts, assignments and management rules that these restrictions are enforced. Owner agrees to include the rules and regulations set forth in these conditions in any contract or assignment.

- ii. No exterior loudspeakers are permitted except those necessary for fire and life safety purposes, nor may television sets be mounted or operated on exterior areas.
- iii. All DJ or live music on the property is prohibited. Accessory outdoor bar counters are prohibited. No special events are permitted on the premises. All music shall be limited to background music only, not to interfere with normal conversation.
- iv. The applicant will establish rules that prohibit guests from bringing electronic amplification devices on the decks, terraces, the rooftop and balconies, with the exception of headphones or earphones.
- v. Commercial use of the rooftop, inclusive of restaurant use and alcoholic beverage service is prohibited.
- vi. Owner agrees to install an exhaust system, if required by code, for the future kitchen that will substantially reduce grease and smoke that would otherwise escape to the surrounding area. This may include the installation of a fan in connection with the kitchen exhaust system within the interior of the building in order to reduce noise levels at the exhaust outlet. All duct work required shall be chased internally.
- vii. The outdoor restaurant seating, inclusive of a sidewalk café if approved through the sidewalk café permit process, shall be closed from 8 PM to 8 AM, seven days a week.
- viii. The rooftop shall be closed from 8 PM to 8 AM, seven days a week.

b. NOISE CONDITIONS

- i. The Board of Adjustment (BOA) and the Planning Director shall retain the right to call the owners and/or operators back before the BOA, at the expense of the owners and/ or operators, to impose and/or modify any operating conditions if necessary. An adverse adjudication of a violation against the owner or operator is not necessary for the Board of Adjustment to have jurisdiction over the matter under this condition. This condition vests jurisdiction independent of any other condition hereof.
- ii. A valid violation of Chapter 46, Article IV, "Noise," of the Code of the City of Miami Beach, Florida (a/k/a "noise ordinance"), as amended, shall be deemed a violation of this Order and subject the approval to modification in accordance with the procedures for modification of prior approvals as provided for in the Code, and subject the applicant to the review provided for in the first sentence of this subparagraph.
- iii. Notwithstanding the occupancy and seat counts shown on the plans submitted, calculations for concurrency for the project shall be

determined by the Planning Department prior to approval of a building permit. Such calculations shall be based upon the intensity of any proposed accessory uses as measured by the number of seats in dining areas.

c. OPERATIONAL CONDITIONS

- i. All trash containers shall utilize inflatable or other noise mitigating rubber wheels, or the path for the trash containers shall consist of a suitable finish that reduces noise, in a manner to be reviewed and approved by staff.
  - ii. Adequate trash room space, air conditioned and noise baffled, shall be provided, in a manner to be approved by the Planning and Public Works Departments. Doors shall remain closed and secured when not in active use.
  - iii. Garbage and recycling dumpsters / containers shall be closed at all times except when in active use.
  - iv. Garbage pickups and service deliveries shall not take place between 7 PM and 8 AM, seven days a week.
  - v. Applicant shall ensure that hotel personnel do not place trash or recycling into the dumpsters between 7 PM and 8 AM, seven days a week.
  - vi. The rooftop areas are for the sole use of hotel guests and their invitees.
  - vii. Commercial use, meaning events or activities open to the general public, shall be prohibited on the rooftop areas.
  - viii. All rooftop lights shall be shielded from nearby residential uses, and shall not exceed 42" in height above the roof deck.
  - ix. Any kitchens and other venting shall be chased to the nearest roof and venting systems shall be employed as necessary to minimize or dissipate smoke, fumes and odors.
  - x. Equipment and supplies shall not be stored in areas visible from streets, alleys or nearby buildings.
  - xi. Applicant agrees not to seek an entertainment or dance hall license for the restaurant space or the rooftop.
6. The applicant shall comply with all conditions imposed by the Public Works Department.

7. The applicant shall obtain a full building permit within eighteen months (18) months from the date of this hearing. If the full building permit is not obtained within the specified time limits, the applicant shall, prior to expiration of such period, apply to the Board for an extension of time. At the hearing on such application, the Board may deny or approve the request and modify the above conditions or impose additional conditions. Failure to comply with this order shall subject the variance to Section 118-356, City Code, for revocation or modification of the variance.
8. The conditions on this Order are binding on the applicant, the property's owners and all successors in interest and assigns.
9. This order is not severable, and if any provision or condition hereof is held void or unconstitutional in a final decision by a court of competent jurisdiction, the order shall be returned to the Board for reconsideration as to whether the order meets the criteria for approval absent the stricken provision or condition, and/or it is appropriate to modify the remaining conditions or impose new conditions.
10. 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, except to the extent of the variance granted herein.
11. This Order shall be recorded, at the expense of the applicant, in the Public Records of Miami-Dade County; the original or a certified copy shall be provided to the Planning Department prior to the issuance of a Building Permit.

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 staff recommendations, as modified by the Board of Adjustment, that the application for Variance Approval is GRANTED for the above-referenced project, subject to those certain conditions specified in Paragraph B (Condition Nos. 1-11, inclusive) hereof, to which the applicant has agreed.

PROVIDED, the applicant shall build substantially in accordance with the plans approved by the Board of Adjustment, as determined by staff, entitled "Remodeling for 334 Ocean Drive", as prepared by 3D Design Architecture, dated December 5, 2013, modified in accordance with the conditions set forth in this Order and staff review and approval.

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 this Order 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.

BY: \_\_\_\_\_  
Thomas R. Mooney, AICP  
Acting Planning Director  
For the Chair

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, by Thomas R. Mooney, Acting Planning Director of the City of Miami Beach, Florida, a Florida Municipal Corporation, on behalf of the corporation. He is personally known to me.

Notary:  
Print Name:  
Notary Public, State of Florida  
My Commission Expires:  
Commission Number:

Filed with the Clerk of the Board of Adjustment on \_\_\_\_\_ ( )

HISTORIC PRESERVATION BOARD  
City of Miami Beach, Florida

MEETING DATE: May 13, 2014

FILE NO: 7428

PROPERTY: 334 Ocean Drive

LEGAL: Lot 4, Block 4 of the Ocean Beach Fla Subdivision, according to the plat thereof, as recorded in Plat Book 2 at page 38 of the public records of Miami-Dade County, Florida.

IN RE: The application for a Certificate of Appropriateness for the construction of a new elevator and elevator bulkhead at the south side of the structure and modifications to the lobby.

**ORDER**

The applicant, Hilma, LLC., filed an application with the City of Miami Beach Planning Department for a Certificate of Appropriateness.

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:

- A. The subject structure is classified as 'Contributing' in the Miami Beach Historic Properties Database and is located within the Ocean Beach 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 is not consistent with the Certificate of Appropriateness Criteria 'a' in Section 118-564(a)(1) of the Miami Beach Code, is not consistent with Certificate of Appropriateness Criteria 'a' & 'b' in Section 118-564(a)(2) of the Miami Beach Code, is consistent with Certificate of Appropriateness Criteria in Section 118-564(a)(3) of the Miami Beach Code, and is consistent with Certificate of Appropriateness Criteria for Demolition in Section 118-564(f)(4) of the Miami Beach Code.

**CERTIFICATION**

THIS IS TO CERTIFY THAT THE ATTACHED DOCUMENT  
IS A TRUE AND ACCURATE COPY OF THE ORIGINAL ON  
FILE IN THE OFFICE OF THE PLANNING DEPARTMENT.

CITY OF MIAMI BEACH

(Signature of Planning Director or Designee)

(Date)

Personally known to me or Produced ID:

Notary Public, State of Florida at Large

Printed Name:

My Commission Expires: (Seal)

This document contains 5 pages.



*gm*



- C. The project would be consistent with the criteria and requirements of section 118-564 if the following conditions are met:
1. Revised elevation, site plan and floor plan drawings shall be submitted to and approved by staff; at a minimum, such drawings shall incorporate the following:
    - a. A Stucco reveal which references the height of the horizontal banding at the Ocean Drive façade shall be incorporated along the south elevation which visually separates the new elevator structure from the wall below, 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 finished floor within the proposed café shall consist of a neutral colored terrazzo, 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. Final details of all exterior surface finishes and materials shall be required, including samples, 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. 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.
  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. Street trees shall be required along Ocean Drive, placed with a minimum 36" clear space between the tree trunk and the back of curb, 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. Silva Cells in tree pits, with the City Standard black and white bound aggregate system and fertilization trench, irrigation, and two (2) up-lights per City standards, shall be required for all street and shade trees, in a manner to be reviewed and approved the Board.
    - c. The utilization of root barriers and/or Silva Cells, as applicable, shall be clearly delineated on the final revised landscape plan.



- d. 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.
  - e. FPL transformers or vault rooms and all other related devices and fixtures shall not be permitted within any required yard or any area fronting a street or sidewalk. Their location and how they are screened with landscape material from the right-of-way, shall be clearly indicated on the site and landscape plans in a manner to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board.
- 3. 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.
  - 4. The Final Order shall be recorded in the Public Records of Miami-Dade County, prior to the issuance of a Building Permit.
  - 5. 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.
  - 6. This approval incorporates by reference the conditions of approval for the subject property of Board of Adjustment File No. 3682, which, together with the conditions herein, are binding on the applicant, the property's owners, operators, and all successors in interest and assigns.
  - 7. The conditions of approval herein are binding on the applicant, the property's owners, operators, and all successors in interest and assigns.
  - 8. Nothing in this order authorizes a violation of the City Code or other applicable law, nor allows a relaxation of any requirement or standard set forth in the City Code.

IT IS HEREBY ORDERED, based upon the foregoing findings of fact, the evidence, information, testimony and materials presented at the public hearing, which are part of the record for this matter, and the staff report and analysis, which are adopted herein, including the staff recommendations, which were amended by the Board, that the Certificate of Appropriateness is GRANTED for the above-referenced project subject to those certain conditions specified in paragraph C of the Findings of Fact (Condition Nos. 1-8 inclusive) hereof, to which the applicant has agreed.



PROVIDED, the applicant shall build substantially in accordance with the plans approved by the Historic Preservation Board, as determined by staff, entitled "Remodeling for 334 Ocean Drive", as prepared by 3Design Architecture, dated March 19, 2014.

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 Final 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 Final Order, have been met.

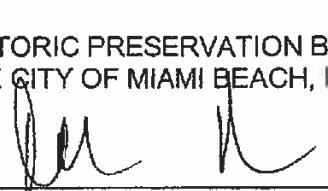
The issuance of this Certificate of Appropriateness does not relieve the applicant from obtaining all other required Municipal, County and/or State reviews and permits, including final zoning approval. If adequate handicapped access is not provided on the Board-approved plans, this approval does not 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 Certificate of Appropriateness was granted, this Certificate of Appropriateness will expire and become null and void. 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), this Certificate of Appropriateness will expire and become null and void.

In accordance with Section 118-561 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 this Certificate of Appropriateness to Section 118-564, City Code, for revocation or modification of the Certificate of Appropriateness.

Dated this 20<sup>th</sup> day of MAY, 2014.

HISTORIC PRESERVATION BOARD  
THE CITY OF MIAMI BEACH, FLORIDA

BY:   
THOMAS R. MOONEY, AICP  
PLANNING DIRECTOR  
FOR THE CHAIR

STATE OF FLORIDA           )  
  )SS  
COUNTY OF MIAMI-DADE   )



The foregoing instrument was acknowledged before me this 20<sup>th</sup> day of May 2014 by Thomas R. Mooney, Planning Director, Planning Department, City of Miami Beach, Florida, a Florida Municipal Corporation, on behalf of the corporation. He is personally known to me.



Teresa Maria  
NOTARY PUBLIC  
Miami-Dade County, Florida  
My commission expires: 12-2-17

Approved As To Form: \_\_\_\_\_  
City Attorney's Office: gued (5-20-2014)

Filed with the Clerk of the Historic Preservation Board on 5-21-14 (WJR)

gued

# MIAMI BEACH

LAST UPDATED: 10/09/18

## PLANNING DEPARTMENT

1700 Convention Center Drive, Miami Beach, Florida 33139; Tel: 305.673.7550; Web: [www.miamibeachfl.gov/planning](http://www.miamibeachfl.gov/planning)

### BOARD APPLICATION CHECKLIST

A Pre-Application meeting must be scheduled via CAP to obtain a plan case number and for board staff review of all submittals.
Pre-Application meetings for applications that do not require a traffic study are scheduled on a first come-first served basis and must occur no later than five (5) business days prior to CAP First submittal.
Applications requiring a traffic study must meet with the Transportation Department and peer reviewer thirty (30) calendar days prior to the CAP First Submittal deadline to determine the methodology for the traffic impact study and obtain the Transportation Department's checklist. Fifteen (15) days prior to the First submittal the applicant must submit the traffic study via CAP. Seven (7) days prior to First submittal the Transportation Department/Peer Reviewer will provide first round of comments to the applicant. The applicant must address the comments and submit revised traffic study/plans by the CAP First Submittal deadline including a narrative responding to Transportation/Peer Reviewer comments.
<b>Incomplete, or submittals found to be insufficient will not be placed on a Board agenda.</b>

Property address: 334 Ocean Dr

Board: HPB20-0387 Date: 02/05/2020

ITEM #	ITEM DESCRIPTION	REQUIRED
<b>CAP FIRST SUBMITTAL</b>		
To be uploaded online (CAP) by the applicant before 12:00 pm by First submittal deadline. <b>ALL PLANS MUST BE DIMENSIONED AND LEGIBLE. INCLUDE A GRAPHIC SCALE.</b>		
1	Application Fee and Peer review fees shall be paid after Pre-Application meeting and before the First submittal. It is the applicant's responsibility to make this payment, if an invoice is not generated by the CAP system, the applicant should contact staff prior to first submittal to be invoiced and make payment.	✓
a	Is the property the primary residence & homestead of the applicant/property owner? (If yes, provide office of the Property Appraiser Summary Report).	
2	Copy of signed and dated check list issued at Pre-Application meeting.	✓
3	Completed Board Application, Affidavits & Disclosures of Interest (original signatures).	✓
4	Signed and dated Letter of Intent. <b>Letter must outline application details and identify hardships if Variances are requested.</b> (see also Items # 42,43 and 44).	✓
5	Mailing Labels: Upload property owner's list and copy of original certified letter from provider. See #52 for submittal of Hard copy / originals of these items.	✓
6	Copies of all current or previously active Business Tax Receipts.	
7	School Concurrency Application for projects with a net increase in residential units (no SFH). Provide Planning Department - Miami Dade - School Concurrency Application for Transmittal	
8	Survey: Electronic version of original signed & sealed, dated no more than six months from date of application. Survey must provide: lot area, grade per Section 114-1 of the City Code. (If no sidewalk exists, provide the elevation of the crown of the road) and spot elevations.	✓
9	<b>Architectural Plans and Exhibits (must be 11"x 17")</b>	
a	Cover Sheet with bullet point scope of work, clearly labeled "First Submittal" and dated with First Submittal deadline date. <b>Include copies of previous recorded board orders, if applicable.</b>	✓

*[Handwritten signature]*

Property address: 334 Ocean Dr Board: HPB Date: 02/05/2020

ITEM #	ITEM DESCRIPTION	REQUIRED
b	Copy of the original survey included in plan package. See No. 8 above for survey requirements	✓
c	All Applicable Zoning Information (Use Planning Department zoning data sheet format).	✓
d	Context Location Plan, Min 8.5"x11" Color Aerial 1/2 mile radius, identifying project and showing name of streets. (no Google images)	✓
e	Full legal description of the property if not included in survey (for lengthy legal descriptions, attach as a separate document - label clearly).	✓
f	Existing FAR Shaded Diagrams (Single Family Districts: Unit Size and Lot Coverage Shaded Diagrams), if applicable	
g	Proposed FAR Shaded Diagrams (Single Family Districts: Unit Size and Lot Coverage Shaded Diagrams), if applicable.	
h	Site Plan (fully dimensioned with setbacks, existing and proposed, including adjacent right-of-way widths).	✓
i	Current color photographs, dated, Min 4"x 6" of project site and existing structures (no Google images)	✓
j	Current, color photographs, dated, Min 4"x6" of interior space (no Google images) Lobby only	✓
k	Current color photographs, dated, Min 4"x 6" of context, corner to corner, across the street and surrounding properties with a key directional plan (no Google images)	✓
l	Existing Conditions Drawings (Floor Plans & Elevations with dimensions). Number of seats, furniture layout if applicable	✓
m	Demolition Plans (Floor Plans & Elevations with dimensions)	✓
n	Proposed Floor Plans and Roof Plan, including mechanical equipment plan and section marks. Plans shall indicate location of all property lines and setbacks.	✓
o	Proposed Elevations, materials & finishes noted (showing grade, base flood elevation, heights in NGVD values and free board if applicable)	✓
p	Proposed Section Drawings	
q	Color Renderings (elevations and three dimensional perspective drawings).	✓
10	<b>Landscape Plans and Exhibits (must be 11"x 17")</b>	
a	Landscape Plan - street and onsite - identifying existing, proposed landscape material, lighting, irrigation, raised curbs, tree survey and tree disposition plan, as well as underground and overhead utilities when street trees are required. Partial landscape plan if adding on porch	✓
b	Hardscape Plan, i.e. paving materials, pattern, etc.	
11	Copy of original Building Permit Card, & Microfilm, if available.	
12	Copy of previously approved building permits (provide building permit number) and/or Board Orders.	
13	Existing and Proposed detailed topographic survey depicting existing spot grades (NAVD) as well as all underground/overhead utilities and easements/agreements with recording data. See Part 1 / Section 1 / A. Surveying & Mapping Standards and submittal Requirements of the Public Works Manual. <a href="http://www.miamibeachfl.gov/publicworks/engineering/engineeringmanual.aspx?id=12920">http://www.miamibeachfl.gov/publicworks/engineering/engineeringmanual.aspx?id=12920</a>	
14	Vacant/Unoccupied structures or sites shall provide recent photographic evidence that the site and structure are secured and maintained. The applicant shall obtain and post a No Trespassing Sign from the City's Police Dept.	



Property address: 334 Ocean Dr Board: HPB Date: 02/05/2020

ITEM #	ITEM DESCRIPTION	REQUIRED
15	Historic Resources Report (This report shall include, but not be limited to, copy of the original Building Permit Card and subsequent modifications, Microfilm records, existing condition analysis, photographic and written description of the history and evolution of the original building on the site, all available historic data including original plans, historic photographs and permit history of the structure and any other related information on the property.	✓
16	Contextual Elevation Line Drawings, corner to corner, across the street and surrounding properties (dated).	
17	Line of Sight studies.	
18	Structural Analysis of existing building including methodology for shoring and bracing.	
19	Proposed exterior and interior lighting plan, including photometric calculations.	
20	Exploded Axonometric Diagram (showing second floor in relationship to first floor).	
21	Neighborhood Context Study. (Planning will provide guidance if necessary for application.)	
22	Required yards open space calculations and shaded diagrams.	
23	Required yards section drawings.	
24	Variance and/or Waiver Diagram	✓
25	Schematic signage program	
26	Detailed sign(s) with dimensions and elevation drawings showing exact location.	
27	Elevation drawings showing area of building façade for sign calculation (Building ID signs).	
28	Daytime and nighttime renderings for illuminated signs.	
29	Floor Plan Indicating area where alcoholic beverages will be displayed.	
30	Survey showing width of the canal (Dimension shall be certified by a surveyor)	
31	Site Plan showing total projection of structures from seawall, location and dimension of all structures inclusive of dock, mooring piles, boat lift, etc.	
32	DERM recommendation/preliminary approval. Docks or any structures shall have approval stamp from DERM or other regulatory agency before submitting for a variance. A letter from DERM or other agency, explaining specific requirements for the project is recommended.	
33	Technical specifications of the boat lift and/ or boat, ship of vessel to be docked or moored.	
34	Survey shall include spot elevations in rear yard and elevation points on the dune adjacent to the property. Provide highest elevation point on the dune within the property. Erosion control line and Bulkhead line shall be indicated if present.	
35	Scaled, signed, sealed and dated specific purpose survey (Alcohol License/Distance Separation) distance shown on survey with a straight line.	
36	Proposed Operational Plan: Include deliveries and trash pickup times, hours of operations, number of employees, security and restaurant menu (if applicable).	
37	Maneuvering plan for loading within the existing/proposed conditions, delivery and garbage trucks size (length and width).	
38	Traffic Study, Site plan(s) : Revised version and narrative addressing first round of comments from Transportation Department and peer review, provide a narrative. (See Transportation Department check list for requirements.)	
39	Sound Study report (Hard copy) with 1 CD.	
40	<b>Site Plan (Identify streets and alleys)</b>	
a	Identify: setbacks _____ Height _____ Drive aisle widths _____ Streets and sidewalks widths _____	

Property address: 334 Ocean Dr Board: HPB Date: 02/05/2020

ITEM #	ITEM DESCRIPTION	REQUIRED
b	# parking spaces & dimensions _____ Loading spaces locations & dimensions _____	
c	# of bicycle parking spaces _____	
d	Interior and loading area location & dimensions _____	
e	Street level trash room location and dimensions _____	
f	Delivery route _____ Sanitation operation _____ Valet drop-off & pick-up _____ Valet route in and out _____	
g	Valet route to and from _____ auto-turn analysis for delivery and sanitation vehicles _____	
h	Indicate any backflow preventer and FPL vault if applicable	
i	Indicate location of the area included in the application if applicable	
j	Preliminary on-street loading plan	
<b>41</b>	<b>Floor Plan (dimensioned)</b>	
a	Total floor area	
b	Identify # seats indoors _____ outdoors _____ seating in public right of way _____ Total _____	
c	Occupancy load indoors and outdoors per venue _____ Total when applicable _____	
<b>42</b>	<b>The letter of Intent shall include and respond to all sea level rise and resiliency review criteria per section 133-50 of the City Code.</b>	✓
<b>43</b>	<b>The Letter of Intent for Variances shall include and respond to all review guidelines in the code as follows:</b>	
a	Section 118-53 (d) of the City Code for each Variance.	✓
<b>44</b>	<b>The Letter of Intent for Planning Board shall include and respond to all review guidelines in the code as follows:</b>	
a	For Conditional Use -Section 118-192 (a)(1)-(7)	
b	CU - NIE and or outdoor Entertainment Establishments - Section 142-1362 (a)(1)-(9)	
c	CU - Mechanical Parking - Section 130-38 (3)(c)(i)(1)-(2) & (4)(a)-(k)	
d	CU - Structures over 50,000 SQ.FT. - Section 118-192 (b) (1)-(11)	
e	CU - Religious Institutions - Section 118-192 (c) (1)-(11)	
f	For Lot Splits - Section 118-321 (B) (1)-(6). Also see application instructions	
	<b>Notes: The applicant is responsible for checking above referenced sections of the Code. If not applicable write N/A</b>	
Other	Lobby interior elevations, floor plan with terrazzo pattern, reflected ceiling plan	✓
Other	Material samples page	✓
Other		

**\*\*ADDITIONAL INFORMATION AS MAY BE REQUIRED AT THE PRE-APPLICATION MEETING**

Property address: 334 Ocean Dr Board: HPB Date: 02/05/2020

ITEM #	ITEM DESCRIPTION	REQUIRED
<b>FINAL SUBMITTAL (CAP &amp; PAPER)</b>		
<b>Plans should be clearly labeled "Final Submittal" and dated with Final Submittal deadline date. Final Submittal Documents must be uploaded to the CAP and hard copies must be submitted to the Planning Department prior to 12:00 P.M. on final submittal deadline. Staff will review and issue a notice to proceed or to continue submittal to a future meeting if the application is found incomplete.</b>		
45	Traffic Study, Site plan(s): This is the final traffic study including any modifications required to address comments from the City's Transportation Department. City's required permit by FDOT should be obtained prior to Final submittal (via CAP).	
	<b>PAPER FINAL SUBMITTAL:</b>	
46	Original application with all signed and notarized applicable affidavits and disclosures.	✓
47	Original of all applicable items.	✓
48	One (1) signed and sealed 11"X17" bound, collated set of all the required documents.	✓
49	14 collated copies of all required documents	✓
50	One (1) CD/DVD with electronic copy of entire final application package (plans, application, Letter of Intent, traffic/sound study, etc.) see CD/DVD formatting attached, for instructions.	✓
51	Traffic Study (Hard copy)	
52	Mailing Labels -2 sets of gummed labels and a CD including: Property owner's list and Original certified letter from provider.	✓

#### ADDITIONAL INFORMATION AND ACKNOWLEDGEMENTS

- A. Other information/documentation required for First submittal will be identified during Pre-Application meeting but may be modified based on further analysis.
- B. It is the responsibility of the applicant to confirm that documents submitted via CAP, Paper Submittal sets (14 copies), and electronic version on CD are consistent with each other and legible.
- C. Plan revisions and supplemental documentation will not be accepted after the Final Submittal deadline
- D. All documents required for Board applications must be submitted in an electronic format (PDF) via CD in the manner prescribed herein. The CD is considered the "Formal Submission", and must include the electronic version of all hard copy documents associated with the application. A new Updated CD will be required if any modifications are made before or after hearing. Failure to comply with the aforementioned may result in a rehearing before the applicable board at the applicant's expense.
- 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. (If applicable)

Emily K. Balter  
Applicant or Designee's Name

Emily K. Balter  
Applicant or Designee's Signature

2/14/2020  
Date

*AB*

**THE WEBER STUDIO**  
ARCHITECTURE

March 6, 2020,

**RE:               Revision Narrative No. 1**  
**HPB20-0387**

**PROJECT:    Casa Ocean**  
**334 Ocean Drive**  
**Miami Beach, Florida 33139**

**DEFICIENCIES IN ARCHITECTURAL PRESENTATION**

1. Provide details of the green moss walls on the east façade.

**a. Please see new sheet A6.1.**

2. It is unclear if the existing concrete eyebrow on the east façade is proposed to be removed, if so please clearly indicate on demo elevations and plan.

**a. The existing eyebrow is proposed to be removed, please refer to sheets A2.4, A2.5 & A2.6**

**DESIGN/APPROPRIATENESS COMMENTS (Recommendations)**

a.       Staff recommends that the proposed canopy and columns have an aluminum color or silver/gray finish which is more consistent with the Art Deco period.

**a. The design intent of the proposed bronze color is to define the contemporary character of the canopy, while contrasting to the white colors of the architecture.**

b.       Staff recommends plants in pots in lieu of the moss walls on the east façade.

**a. Plants in pots would interfere with the functional walkable surface of the covered terrace.**

c.       Staff recommends that the windows at the second floor of the east façade have offset muntins consistent with the historical documentation.

**a. Windows at the second floor have been changed to mimic the historic configuration, please see elevation on sheet A4.1**

d.       Staff recommends that the bamboo ceiling covering and the wallpaper within the lobby be used in more limited areas.

**a. Please see schematic initial detail of the bamboo ceiling on the Interior Design Package.**

**ZONING REVIEW**

Comments issued on February 28.

1. Provide a narrative responding to staff comments.

2. It appears that the property does not comply with the minimum required open space resulting from the area of required setbacks. See section 142-704(b)(4). As such, the trash room cannot be constructed in the location proposed, as variances cannot be requested front his section of the code. The trash room would have to be accommodated within one of the existing rooms.

**a. The trash room has been relocated to be part of the existing building envelope. Please see corrected set.**

**THE WEBER STUDIO**  
ARCHITECTURE

3. Update survey to less than 6-month-old at the time of application.

**a. Please see attached survey**

4. Provide a diagram showing open space provided. Canopy over new ramp and front is ok to count in open space.

**a. Please see new open space diagram on sheet A2.2**

5. Please clarify if the existing demo plans are approved with a permit, as the latest approvals for the building are associated with 12 apartments and 4 hotel units with one of the bathrooms as kitchen. There is no evidence of that conversion to original building configuration.

**a. The Demolition Plans reflect the existing conditions of the building. The current permit BC1912458 reflects the same demolition layout. After numerous meetings and site visits with the Building Department, it has been established that the existing floorplan remains as per the original description on the Building Card, and the building has been considered to have a Hotel Occupancy, please see attached email correspondence.**

6. As the work proposed is considered substantial improvement, the project requires a variance to reduce the minimum unit size for hotels for the entire building.

7. As presented the project requires the following variances:

- 1). A variance to eliminate the required front setback.
- 2). A variance to eliminate the required rear setback.
- 3). A variance to exceed the maximum 25% projection allowed on the north side yard for a canopy
- 4). A variance to exceed the maximum 25% projection allowed on the south side yard for a canopy.

8. The new trash room shall be air conditioned.

**a. The new Trash room will be air conditioned, see corrected sheet A3.1**

9. Indicate use of the utility room at the rear.

**a. The use is Storage.**

10. Fence and gates within required yards cannot exceed the maximum height allowed. Provide details of the fence and gates.

**a. Fences and gates are existing to remain.**

Should you have any questions, please do not hesitate to contact our office. Thank you in advance for your time.

Thomas Weber, Architect  
*The Weber Studio, LLC*