

MIAMI BEACH

PLANNING DEPARTMENT

City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139

File No: _____
Date: _____
MCR No: _____
Amount: _____
Zoning Classification: _____
(For Staff Use Only)

STANDARD APPLICATION FORM DEVELOPMENT REVIEW BOARD HEARING

1. The below listed applicant wishes to appear before the following City Development Review Board for a scheduled public hearing: NOTE: This application form must be completed separately for each applicable Board hearing a matter.

- ☐ BOARD OF ADJUSTMENT ☐ HISTORIC PRESERVATION BOARD
☒ DESIGN REVIEW BOARD ☐ PLANNING BOARD
☐ FLOOD PLAIN MANAGEMENT BOARD

NOTE: Applications to the Board of Adjustment will not be heard until such time as the Design Review Board, Historic Preservation Board and/or the Planning Board have rendered decisions on the subject project.

2. THIS REQUEST IS FOR:

- a. ☒ A VARIANCE TO A PROVISION(S) OF THE LAND DEVELOPMENT REGULATIONS (ZONING) OF THE CODE
b. ☐ AN APPEAL FROM AN ADMINISTRATIVE DECISION
c. ☒ DESIGN REVIEW APPROVAL
d. ☐ A CERTIFICATE OF APPROPRIATENESS FOR DESIGN
e. ☐ A CERTIFICATE OF APPROPRIATENESS TO DEMOLISH A STRUCTURE
f. ☐ A CONDITIONAL USE PERMIT
g. ☐ A LOT SPLIT APPROVAL
h. ☐ AN HISTORIC DISTRICT/SITE DESIGNATION
i. ☐ AN AMENDMENT TO THE LAND DEVELOPMENT REGULATIONS OR ZONING MAP
j. ☐ AN AMENDMENT TO THE COMPREHENSIVE PLAN OR FUTURE LAND USE MAP
k. ☐ TO REHAB, TO ADD TO AND / OR EXPAND A SINGLE FAMILY HOME
l. ☐ OTHER: _____

3. NAME & ADDRESS OF PROPERTY: 7 FARREY LANE MIAMI BEACH FLORIDA 33139

LEGAL DESCRIPTION: LOT 7 OF SECOND SECTION BELLE ISLE VILLAS ACCORDING TO THE PLAT
THEREOF AS RECORDED IN PLAT BOOK 42 AT PAGE 100 OF THE PUBLIC
RECORDS MIAMI-DADE COUNTY, FLORIDA

4. NAME OF APPLICANT RENE GONZALEZ

Note: If applicant is a corporation, partnership, limited partnership or trustee, a separate Disclosure of Interest Form (Pages 6-7) must be completed as part of this application.

670 NE 50TH TERRACE MIAMI FL 33137
ADDRESS OF APPLICANT CITY STATE ZIP

BUSINESS PHONE # 305-762-5895 CELL PHONE # 305.803.6670

E-mail address: rene@renegonzalezarchitect.com

5. NAME OF PROPERTY OWNER (IF DIFFERENT FROM #4, OTHERWISE, WRITE "SAME") SAME

If the owner of the property is not the applicant and will not be present at the hearing, the Owner/Power of Attorney Affidavit (Page 4) must be filled out and signed by the property owner. In addition, if the property owner is a corporation, partnership, limited partnership or trustee, a separate Disclosure of Interest Form (Pages 6 - 7) must be completed.

ADDRESS OF PROPERTY OWNER CITY STATE ZIP

BUSINESS PHONE # CELL PHONE #

E-mail address:

6. NAME OF ARCHITECT, LANDSCAPE ARCHITECT, ENGINEER, CONTRACTOR OR OTHER PERSON RESPONSIBLE FOR PROJECT DESIGN

RENE GONZALEZ ARCHITECT INC 670 NE 50 TER MIAMI FL 33137
NAME (please circle one of the above) ADDRESS CITY STATE ZIP

BUSINESS PHONE # 305.762.5895 CELL PHONE # 305.803.6670

E-mail address: RENE@RENEGONZALEZARCHITECT.COM

7. NAME OF AUTHORIZED REPRESENTATIVE(S), ATTORNEY(S), OR AGENT(S) AND/OR CONTACT PERSON:

a. NAME ADDRESS CITY STATE ZIP

BUSINESS PHONE # CELL PHONE #

E-mail address:

b. NAME ADDRESS CITY STATE ZIP

BUSINESS PHONE # CELL PHONE #

E-mail address:

c. NAME ADDRESS CITY STATE ZIP

BUSINESS PHONE # CELL PHONE #

E-mail address:

NOTE: ALL ARCHITECTS, LANDSCAPE ARCHITECTS, ENGINEERS, CONTRACTORS OR OTHER PERSONS RESPONSIBLE FOR PROJECT DESIGN, AS WELL AS AUTHORIZED REPRESENTATIVE(S), ATTORNEY(S), OR AGENT(S) AND/OR CONTACT PERSONS, WHO ARE REPRESENTING OR APPEARING ON BEHALF OF A THIRD PARTY, UNLESS SOLELY APPEARING AS AN EXPERT WITNESS, ARE REQUIRED TO REGISTER AS A LOBBYIST WITH THE CLERK, PRIOR TO THE SUBMISSION OF AN APPLICATION.

8. SUMMARY OF PROPOSAL:

A VARIANCE TO WAIVE THE REQUIRED 7'-6" MIN. EAST SIDE SETBACK IN ORDER TO PROVIDE A STAIR FROM THE GROUND FLOOR TO THE ROOF.

9. IS THERE AN EXISTING BUILDING(S) ON THE SITE? YES () NO (X)

10. WILL ALL OR ANY PORTION OF THE BUILDING(S) INTERIOR AND/OR EXTERIOR, BE DEMOLISHED? [] YES (X) NO

11. TOTAL FLOOR AREA (FAR) OF NEW BUILDING (if applicable): N.A. SQ. FT.

12. TOTAL GROSS FLOOR AREA OF NEW BUILDING (including required parking and all usable floor space) N.A. SQ. FT.

13. TOTAL FEE: (to be completed by staff) \$ _____

PLEASE NOTE THE FOLLOWING:

- *Applications for any Board hearing(s) will not be accepted without payment of the required fee. All checks are to be made payable to: "City of Miami Beach."*
- *Public records notice: all documentation, application forms, maps, drawings, photographs, letters and exhibits will become a part of the public record maintained by the City of Miami Beach Planning Department and shall under Florida Statute, be disclosed upon proper request to any person or entity.*
- *In accordance with the requirements of Section 2-482 of the Code of the City of Miami Beach, any individual or group (Lobbyist) that has been, or will be, compensated to either speak in favor or against a project being presented before any of the City's Development Review Boards, shall be fully disclosed prior to the public hearing. All such individuals and/or groups must register with the City Clerk **prior** to the hearing.*
- *In accordance with Section 118-31 of the Code of the City of Miami Beach, all applicants shall, prior to the public hearing, fully disclose 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 (exclusive of all legal or professional design services). Such disclosure shall:*
 1. *Be in writing.*
 2. *Indicate to whom the consideration has been provided or committed.*
 3. *Generally describe the nature of the consideration.*
 4. *Be read into the record by the requesting person or entity prior to submission to the secretary/clerk of the respective board.*

In the event the applicable development review board determines that the foregoing disclosure requirement was not timely satisfied by the person or entity requesting approval, relief or other action as provided above, then the application or order, as applicable, shall immediately be deemed null and void without further force or effect, and no application from said person or entity for the subject property shall be reviewed or considered by the applicable board(s) until expiration of a period of one year after the nullification of the application or order. It shall be unlawful to employ any device, scheme or artifice to circumvent the disclosure requirements of this section and such circumvention shall be deemed a violation of the disclosure requirements of this section.

- *When the applicable Boards reach a decision, a Final Order will be issued stating the Board's decision and any conditions imposed therein. The Final Order must be recorded in the Office of the Recorder of Miami-Dade County; the original shall remain on file with the board clerk/secretary. Under no circumstances will a building permit be issued by the City of Miami Beach without a copy of the recorded Final Order being tendered along with the construction plans.*

To request this material in accessible format, sign language interpreters, information on access for persons with disabilities, and/or any accommodation to review any document or participate in any city-sponsored proceeding, please contact 305-604-2489 (voice) or 305-673-7218 (TTY) five days in advance to initiate your request. TTY users may also call 711 (Florida Relay Service).

PLEASE COMPLETE ONE OR MORE OF THE FOLLOWING THREE AFFIDAVITS, AS APPLICABLE. NOTE: THE PROPERTY OWNER MUST FILL OUT AND SIGN THE "POWER OF ATTORNEY" PORTION IF THEY WILL NOT BE PRESENT AT THE HEARING, OR IS HAVING OTHER PERSONS SPEAK ON THEIR BEHALF.

OWNER AFFIDAVIT FOR INDIVIDUAL OWNER

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

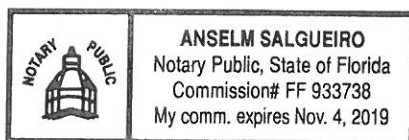
I, RENE GONZALEZ, being first duly sworn, depose and say that I am the owner of the property described and which is the subject matter of the proposed hearing; that all the answers to the questions in this application and all sketches data and other supplementary matter attached to and made a part of the application are true and correct to the best of my knowledge and belief. I understand this application must be completed and accurate before a hearing can be advertised. 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 and I take the responsibility of removing this notice after the date of hearing.

RENE GONZALEZ
PRINT NAME

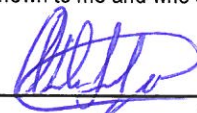

SIGNATURE

Sworn to and subscribed before me this 24 day of July, 2016. The foregoing instrument was acknowledged before me by Rene Gonzalez, who has produced Florida Driver's License as identification and/or is personally known to me and who did/did not take an oath.

NOTARY SEAL OR STAMP



My Commission Expires:


NOTARY PUBLIC
Anselm Salgueiro
PRINT NAME

**ALTERNATE OWNER AFFIDAVIT FOR
CORPORATION or PARTNERSHIP**
(Circle one)

STATE OF _____
COUNTY OF _____

I, _____ being duly sworn, depose and say that I am the _____ of _____ and as such, have been authorized by such entity to file this application that all answers to the questions in the application and all sketches, data and other supplementary matter attached to and made a part of the application are true and correct to the best of our knowledge and belief; that the corporation is the owner/tenant of the property described herein and is the subject matter of the proposed hearing. We understand this application must be completed and accurate before a hearing can be advertised. I also hereby authorize the City of Miami Beach to enter the subject property for the sole purpose of posting a NOTICE OF PUBLIC HEARING on the property as required by law and I take the responsibility of removing this notice after the date of hearing.

PRINT NAME

SIGNATURE

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

NOTARY SEAL OR STAMP:

NOTARY PUBLIC

PRINT NAME

My Commission Expires:

POWER OF ATTORNEY AFFIDAVIT

STATE OF _____

COUNTY OF _____

I, _____, being duly sworn and deposed say that I am the owner or representative of the owner of the described real property and that I am aware of the nature and effect of the request for _____ relative to the subject property, which request is hereby made by me OR I am hereby authorizing _____ to be my representative before the _____ Board. I also hereby authorize the City of Miami Beach to enter the subject property for the sole purpose of posting a NOTICE OF PUBLIC HEARING on the property as required by law and I take the responsibility of removing this notice after the date of hearing.

PRINT NAME (and Title, if applicable)

SIGNATURE

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

PRINT NAME

My Commission Expires:

CONTRACT FOR PURCHASE

If there is a CONTRACT FOR PURCHASE, whether contingent on this application or not, and whether the purchaser is a corporation, trustee or partnership, list the names of the contract purchasers below, including the principal officers, stockholders, beneficiaries or partners. Where the principal officers, stockholders, beneficiaries or partners consist of another corporation, trust, partnership or other similar entity, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the entity. If any contingency clause or contract terms involve additional individuals, corporations, partnerships or trusts, list all individuals and/or complete the appropriate disclosure clause above.*

NAME

DATE OF CONTRACT

NAME, ADDRESS, AND OFFICE

% OF STOCK

For any changes of ownership or changes in contracts for purchase subsequent to the date of the application, but prior to the dates of final public hearing, a supplemental disclosure of interest shall be filed.

**CITY OF MIAMI BEACH
DEVELOPMENT REVIEW BOARD APPLICATION**

DISCLOSURE OF INTEREST

1. CORPORATION

If the property which is the subject of the application is owned or leased by a CORPORATION, list ALL of the stockholders, and the percentage of stock owned by each. Where the stockholders consist of another corporation(s), trustee(s), partnership(s) or other similar entity, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the entity.*

<hr/>	
CORPORATION NAME	
NAME AND ADDRESS	% OF STOCK
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CORPORATION NAME	
NAME AND ADDRESS	% OF STOCK
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IF THERE ARE ADDITIONAL CORPORATIONS, LIST OTHERS, INCLUDING CORP. NAME(S) AND EACH INDIVIDUAL STOCKHOLDER'S NAME, ADDRESS, OFFICE AND PERCENTAGE OF STOCK, ON A SEPARATE PAGE.

NOTE: Notarized signature required on page 8

**CITY OF MIAMI BEACH
DEVELOPMENT REVIEW BOARD APPLICATION**

DISCLOSURE OF INTEREST

2. TRUSTEE

If the property which is the subject of the application is owned or leased by a TRUSTEE, list the beneficiaries of the trust and the percentage of interest held by each. Where the beneficiary/beneficiaries consist of corporations(s), another trust(s), partnership(s) or other similar entity, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the entity.*

TRUST NAME	
NAME AND ADDRESS	% OF STOCK

3. PARTNERSHIP/LIMITED PARTNERSHIP

If the property which is the subject of the application is owned or leased by a PARTNERSHIP or LIMITED PARTNERSHIP, list the principals of the partnership, including general and limited partners. Where the partner(s) consist of another partnership(s), corporation(s), trust(s) or other similar entity, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the entity.*

PARTNERSHIP or LIMITED PARTNERSHIP NAME	
NAME AND ADDRESS	% OF STOCK

NOTE: Notarized signature required on page 8

4. COMPENSATED LOBBYIST:

The City of Miami Beach Code sub-section 118-31 requires the disclosure of any individual or group which has been, or will be, compensated to either speak in favor of or against a project being presented before any of the City's Development Review Boards, or not to speak at all. Please list below all persons or entities encompassed by this section.

NAME

ADDRESS

PHONE #

a. _____

b. _____

c. _____

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

* Disclosure shall not be required of any entity, the equity interest in which are regularly traded on an established securities market in the United States or other country, or of any entity, the ownership interests of which are held in a limited partnership or other entity consisting of more than 5,000 separate interests and where no one person or entity holds more than a total of 5% of the ownership interests in the limited partnership or other entity.

APPLICANT HEREBY ACKNOWLEDGES THAT ANY APPROVAL GRANTED BY THE BOARD SO APPLIED TO, SHALL BE SUBJECT TO ANY AND ALL CONDITIONS IMPOSED BY SUCH BOARD AND BY ANY OTHER BOARD HAVING JURISDICTION, AND THAT THE PROJECT MUST ALSO COMPLY WITH THE CODE OF THE CITY OF MIAMI BEACH AND ALL OTHER APPLICABLE LAW.

APPLICANT AFFIDAVIT

STATE OF FLORIDA

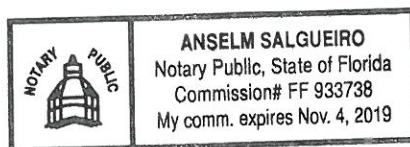
COUNTY OF MIAMI-DADE

I, RENE GONZALEZ, (list name of corporation and office designation as applicable) being first duly sworn, depose and say that I am the applicant, or the representative of the applicant, for the subject matter of the proposed hearing; that all the answers to the questions in this application and all sketches, data and other supplementary matter attached to and made a part of the application and the disclosure information listed on this application is a full disclosure of all parties of interest in this application are true and correct to the best of my knowledge and belief.

[Signature]
SIGNATURE

Sworn to and subscribed before me this 29 day of July, 2016. The foregoing instrument was acknowledged before me by Rene Gonzalez, who has produced Florida Drivers License as identification and/or is personally known to me and who did/did not take an oath.

NOTARY SEAL OR STAMP



My Commission Expires:

[Signature]
NOTARY PUBLIC
Anselm Salgueiro
PRINT NAME



August 12, 2016

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

Re: Board of Adjustment Application for a Setback for the Single-Family Home
located at 7 Farrey Lane, Miami Beach – Revised Letter of Intent

Dear Tom:

As you know, I am the owner (the "Applicant"), of the above-referenced parcel, located at 7 Farrey Lane (the "Property"). Please consider this letter the Applicant's revised hardship letter for an interior side yard setback variance.

The Property. The Property is located in Residential Multifamily, Low Density District (RM-1) and is approximately 4,222 square feet in size (non-conforming lot), with an approved house of approximately 2,535 square feet. It is identified by Miami-Dade County Folio No. 02-3233-003-0070.

Applicant's Proposal. I, the Applicant, have designed an elevated house that responds to sea level rise. The home will be one of the first elevated homes built in Miami Beach and is expected to serve as an example of how we can address climatic and environmental conditions and specifically address rising waters in residential design. As a result and in order to accommodate the house on this very tight non-conforming lot, the outdoor usable decks for sunbathing, the swimming pool and the outdoor living of the home are split on 3 different levels. The home has an outdoor living space/BBQ/dock area on the ground level, a swimming pool on the second level and a sun deck on the roof. The project received a unanimous DRB approval and was praised for a house design that was highly compatible with the neighborhood. But in order to accomplish this in such a tight site, the outdoor living areas had to be distributed amongst the different levels.

In recent years, sea level rise has become a pressing issue and the Code has been amended to incentivize and find solutions for elevated living.



I, the Applicant seek to provide a two foot six inch (2'-6") interior side-yard setback, where seven foot six inches (7'-6") is required for a length of only six feet (6'-0"). This accounts for 6.8% of the overall depth of the lot and is recessed back 43 feet from the front property line. Refer to the proposed plans. This request will permit me, the Applicant, to build a spiral stair and have direct access from the different outdoor living areas. It will also provide direct access from the ground floor in order to service the swimming pool without having to go through the interior spaces and living room. As is evident from the plans, the size and configuration of this Property has severe constraints. That size results in the requirement of this request.

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

(1) Special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same zoning district;

The requested interior side yard setback variance for the expansion of the home is due to the fact that this is a non-conforming lot which is only 4,222 square feet in size. Thus, the constraints of such a small lot result in the hardship requiring the requested variance.

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

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

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

The Code allows other similarly situated property owners to seek similar variances and has granted many in the past due to the non-conforming nature of the lots on Farrey Lane. The granting of this variance is in line with the purpose and intent of the Code and does not confer any special privilege on the Applicant.



- (4) Literal interpretation of the provisions of these land development regulations would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of these land development regulations and would work unnecessary and undue hardship on the applicant;**

A literal interpretation of the provisions of these land development regulations would work an unnecessary and undue hardship on the Applicant. The variance is being requested in order to fully utilize the outdoor spaces of the home for this Property and to provide direct access from the exterior from the ground to the pool and the sundeck. Other property owners have sought and been approved for setback variances on their properties.

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

This request is the minimum necessary in order to allow access from the ground floor to the roof level.

- (6) The granting of the variance will be in harmony with the general intent and purpose of these land development regulations and that such variance will not be injurious to the area involved or otherwise detrimental to the public welfare; and**

This variance will not be injurious to the area or otherwise detrimental to the public welfare. The request is also consistent with the purpose, intent and welfare of the Code, and promotes the development of structures that address sea level rise. Furthermore, the adjoining owner of the property to the east, adjacent to the proposed stair, has provided support and has no objection.

- (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.**

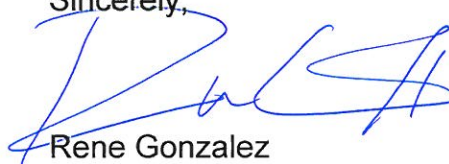


RENE GONZALEZ architect

The variance requested is consistent with the City's comprehensive plan.

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

Sincerely,



Rene Gonzalez

cc: Mr. Michael Belush
Mrs. Irina Villegas

[Home](#)[Planning](#)[Permits](#)[Code](#)[Business](#)[Other](#)
 Subscribe / Follow On:
 [!\[\]\(4fe57c3593bf1b21d272ae7ac8dfaf77_img.jpg\)](#)
[!\[\]\(67b4b7a7e28d2fb85c0437cda45ea068_img.jpg\)](#)
[!\[\]\(5f992809aed8ba67de57ee25efabc58b_img.jpg\)](#)

 Welcome Joshua Sperduti! [[Log Off](#)] / [[Manage My Account](#)]

Invoice Number: 00020575



Invoice Details

Billing Contact : Rene Gonzalez Architect
(Sperduti, Joshua)

Invoice Status : Paid In Full

Invoice Date : 8/9/2016

Invoice Number : 00020575

Invoice Due Date : 8/9/2016

Invoice Description :
Invoice Total : \$0.00

Primary Fees

Fee Name	Fee Total	Amount Due	Reference Entity #	Entry	Notes
Advertisement	\$1,500.00	\$0.00	DRB16-0053	Plan	
Courier (per package)	\$70.00	\$0.00	DRB16-0053	Plan	
Mail Notice Per Label	\$92.00	\$0.00	DRB16-0053	Plan	
Variance (MF, CM, I, MXU)	\$500.00	\$0.00	DRB16-0053	Plan	
Posting (per site)	\$100.00	\$0.00	DRB16-0053	Plan	
<div>1</div> <div>Displaying items 1 - 5 of 5</div>					

Misc Fees

Fee Name	Paid Amount	Fee Total
No records to display.		
<div>Displaying items 0 - 0 of 0</div>		

Attachment Details

File Name	
No records to display.	
Displaying items 0 - 0 of 0	

Payments

Receipt Number	Status	Transaction Type	Payment Type	Payment Amount	Payment Date

8/12/2016

Invoice

TRC-010792-12-08-2016	Complete	Fee Payment	Credit Card	\$2,262.00	8/12/2016
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1

Displaying items 1 - 1 of 1

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zoning public notification packages | ownership lists + mailing labels + radius maps
diana@rdrmiami.com | 305.498.1614

July 27, 2016

City of Miami Beach
Planning Department
1700 Convention Center Dr.
Miami Beach, FL 33139

Re: Property Owners List within 375 feet of:

SUBJECT: 7 Farrey Lane, Miami Beach, FL 33139

FOLIO NUMBER: 02-3233-003-0070

LEGAL DESCRIPTION: BELLE ISLE VILLAS 2ND SEC PB 42-100 LOT 7

This is to certify that the attached ownership list, map and mailing labels are a complete and accurate representation of the real estate property and property owners within 375 feet radius of the external boundaries of the subject property listed above, including the subject property. This reflects the most current records on the file in Miami-Dade County Property Appraisers' Office.

Sincerely,

Rio Development Resources, LLC

Diana B. Rio

Total number of property owners without repetition: **23**

Rio Development Resources, LLC ("RDR") has used its best efforts in collecting the information published in this report and the findings contained in the report are based solely and exclusively on information provided by you and information gathered from public records and that local government. By acceptance of this report, you agree to hold RDR harmless and indemnify RDR from any and all losses, damages, liabilities and expenses which can be claimed against RDR caused by or related to this report.

123 NW 51 ST LLC 85 NW 71 ST LLC 3D 85
LLC
45 NE 39 ST
MIAMI, FL 33137

ANA GIORMERZIAN EUGENIO TORRES
MUNGUIA
6 FARREY LN
MIAMI BEACH, FL 33139

ANA MARIA MESAS
3 FARREY LANE
MIAMI BEACH, FL 33139

BRIGITTE EVA ALFRED LLC
253 NE 2 STREET #2401
MIAMI, FL 33132

B S EDELSTEIN & A J EDELSTEIN % LIDO
SPA HOTEL
201 E DILIDO DR
MIAMI BEACH, FL 33139

CHABAD LUBAVITCH OF VENETIAN CSWY
& SURROUNDING ISLANDS INC
14 FARREY LANE
MIAMI BEACH, FL 33139-8801

DANIEL BAJAROFF KEREN BAJAROFF
1800 SUNSET HARBOUR DR #1
MIAMI BEACH, FL 33139

F1EA LLC
11420 SW 238 ST
MIAMI, FL 33032

FERRADO LIDO LLC
20411 SW BIRCH ST
NEWPORT BEACH, CA 92660

FOXMAN TILTON LLC
6 PRINCETON LANE
LINWOOD, NJ 8221

HERIBERTO SANCHEZ
10 CENTURY LN
MIAMI BEACH, FL 33139-8803

IVO VASSILEV MARIA VASSILEV
11 FARREY LN
MIAMI BEACH, FL 33139-8801

JEFFERSON TERRACE APARTMENTS LLC
C/C AARON J EDELSTEIN
201 E DILIDO DR
MIAMI BEACH, FL 33139

JOANNA T FERRONE JTRS JILL PETERS
JTRS
9 FARREY LANE
MIAMI BEACH, FL 33138

JOHN H HAMPTON &W MONICA
12 CENTURY LN
MIAMI BEACH, FL 33139-8803

KIMBERLY MARTIN
4 FARREY LN
MIAMI BEACH, FL 33139-8801

LIDA BURITCA BICHEL ALEXANDER
BICHEL
5 FARREY LN
MIAMI BEACH, FL 33139-8801

MARIA ESPERANSA UGARTE MARIA
ESTHER UGARTE
9 CENTURY LN
MIAMI BEACH, FL 33139-8804

MICHAEL A SAIGER
8 CENTURY LN
MIAMI BEACH, FL 33139

RENE GONZALEZ
670 NE 50 TER
MIAMI, FL 33137

STEVEN M RHODES JESSICA R RHODES
8 FARREY LN
MIAMI BEACH, FL 33139

STORTFORD NV EUROAMERICAN GROUP
INC
407 LINCOLN RD PH-N
MIAMI BEACH, FL 33139

WILLIAM G FEHR
12 FARREY LN
MIAMI BEACH, FL 33139-8801

375' RADIUS MAP



SUBJECT: 7 Farrey Lane, Miami Beach, FL 33139

FOLIO NUMBER: 02-3233-003-0070

LEGAL DESCRIPTION: BELLE ISLE VILLAS 2ND SEC PB 42-100 LOT 7

DESIGN REVIEW BOARD
City of Miami Beach, Florida

MEETING DATE: April 07, 2015

FILE NO: 23155

CERTIFICATION

THIS IS TO CERTIFY THAT THE ATTACHED DOCUMENT
IS A TRUE AND ACCURATE COPY OF THE ORIGINAL ON
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CITY OF MIAMI BEACH

[Signature] 4/16/15
(Signature of Planning Director or Designee) (Date)

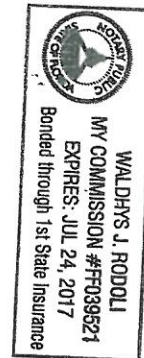
Personally known to me or Produced ID: _____

PROPERTY: 7 Farrey Lane

Waldhys J. Rodoli
Notary Public, State of Florida at Large
Printed Name: *Waldhys J. Rodoli*
My Commission Expires: (Seal)

APPLICANT: Rene Gonzalez

This document contains 7 pages.



LEGAL: Lot 7 of "2nd Section of Belle Isle Villas", according to the plat thereof filed for record and recorded in Plat Book 42 at Page 100 of the Public Records of Miami-Dade County, Florida.

IN RE: The Application for Design Review Approval for the construction of a new three-story single-family residence on a vacant parcel, including variances to waive the required side setbacks to reconstruct an existing dock, to waive the required front setback for parking, and to waive the minimum lot size to construct a new single family home.

ORDER

The applicant filed an application with the City of Miami Beach Planning Department for Design Review Approval and for one or more variances.

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

I. **I. Design Review Approval**

- A. 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 inconsistent with Design Review Criteria 2, 3, 5 and 9 in Section 118-251 of the Miami Beach Code.



- B. The project would be consistent with the criteria and requirements of section 118-251 if the following conditions are met:
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.
 - a. Material samples for all exterior paving areas shall be submitted in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
 - b. The final design details of all exterior surface materials and finishes shall be submitted, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
 - c. All roof-top fixtures, air-conditioning units and mechanical devices shall be clearly noted on a revised roof plan and shall be screened from view on all sides, in a manner to be approved by staff.
 - 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.
 - e. Prior to the issuance of a Certificate of Occupancy, the project Architect shall verify, in writing, that the subject project has been constructed in accordance with the plans approved by the Planning Department for Building Permit
 2. A revised landscape plan, 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. Canopy trees shall be incorporated adjacent to the public right of way in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
 - b. The driveway shall be constructed of an erosion resistant material and the paved area shall be kept to the minimum required for a drive aisle width, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
 - c. Street trees shall be required within the swale at the front of the property if not in conflict with existing utilities, in a manner to be reviewed and approved by the Public Works Department.



- d. Any existing plant material within the public right-of-way may be required to be removed, at the discretion of the Public Works Department.
- e. 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.
- f. The utilization of root barriers and/or Silva Cells, as applicable, shall be clearly delineated on the revised landscape plan.
- g. The applicant shall verify, prior to the issuance of a Building Permit, the exact location of all backflow preventors and all other related devices and fixtures. The location of backflow preventors, siamese pipes or other related devices and fixtures, if any, and how they are screened with landscape material from the right-of-way, shall be clearly indicated on the site and landscape plans and shall be subject to the review and approval of staff.
- h. The applicant shall verify, prior to the issuance of a Building Permit, the exact location of all applicable FPL transformers or vault rooms. The location of any exterior transformers, and how they are screened with landscape material from the right-of-way, shall be clearly indicated on the site and landscape plans and shall be subject to the review and approval of staff.
- i. Prior to the issuance of a Certificate of Occupancy, the Landscape Architect or the project architect shall verify, in writing, that the project is consistent with the site and landscape plans approved by the Planning Department for Building Permit.

In accordance with Section 118-262, the applicant, or the city manager on behalf of the city administration, or an affected person, Miami Design Preservation League or Dade Heritage Trust may seek review of any order of the Design Review Board by the city commission, except that orders granting or denying a request for rehearing shall not be reviewed by the commission.

II. Variance(s)

- A. The applicant filed an application with the Planning Department for the following variance(s):
 - 1. A variance to waive 4'-6" of the minimum required side setback of 7'-6" in order to reconstruct a dock at 3'-0" from the west and east side property lines.
 - 2. A variance to waive all the required front setback of 20'-0" in order to park 0'-0" from the front property line.



3. A variance to waive 1,322 SF of the minimum required lot area of 5,600 SF in order to construct a new three-story single family residence on a lot with a lot area of 4,278 SF.
- B. The applicant has submitted plans and documents with the application that satisfy Article 1, Section 2 of the Related Special Acts, allowing the granting of a variance if the Board finds that practical difficulties exist with respect to implementing the proposed project at the subject property.

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

That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same zoning district;

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

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

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

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

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

That the granting of this request is consistent with the comprehensive plan and does not reduce the levels of service as set forth in the plan.

- C. The Board hereby grants the requested variances and imposes the following conditions based on its authority in Section 118-354 of the Miami Beach City Code:
 1. The applicant shall comply with the following standards and operational conditions, which shall be submitted to and approved by staff as part of the permitting process:
 - a. The subject dock and mooring structures shall be for the sole use of the single family home. Any type of sub-leasing, or the commercial use of the dock and mooring structures shall be prohibited.



- b. All marine vessels shall be required to meet the required 7'-6" side yard setbacks at all times.
 - c. The only lights permitted shall be those required by Miami Dade County Department of Regulatory and Economic Resources, Environmental Resources Management (RER), the U.S. Coast Guard, and any other permitting agency for navigational safety, including but not limited to navigational reflectors on the mooring piles. One electric light equipped with a motion sensor may be installed at the terminal platform for security purposes. Any required lights and reflectors shall be indicated on the permit plans and shall be subject to the review and approval of staff prior to the issuance of a building permit.
 - d. The design of any handrails shall be submitted to staff for review and approval prior to the issuance of a building permit.
 - e. All lighting associated with, but not limited to, the deck, vessel or marine structures shall be installed in such a manner so as to minimize glare and reflection on surrounding properties and not to impede navigation. All lighting shall be erected so as to direct light only on the premises on which they are located, and shall be contained within the subject area.
2. The project shall receive final approval by all county, state or federal permitting agency as may be required.

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

III. General Terms and Conditions applying to both 'I. Design Review Approval' and 'II. Variances' noted above.

- A. During construction of the new home, the Applicant will maintain gravel at the front of the construction site within the first 15'-0" of the required front yard to mitigate disturbance of soil and mud by related personal vehicles exiting and entering the site, and with an 8'-0" high fence with a wind resistant green mesh material along the front property line. All construction materials, including dumpsters and portable toilets, shall be located behind the construction fence and not visible from the right-of-way. All construction vehicles shall either park on the private property or at alternate overflow parking sites with a shuttle service to and from the property. The Applicant shall ensure that the contractor(s) observe good construction practices and prevent construction materials and debris from impacting the right-of-way
- B. The final building plans shall meet all other requirements of the Land Development Regulations of the City Code.
- C. The Final Order shall be recorded in the Public Records of Miami-Dade County, prior to the issuance of a Building Permit.



- D. 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.
- E. 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.
- F. The conditions of approval herein are binding on the applicant, the property's owners, operators, and all successors in interest and assigns.
- G. 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 adopted by the Board, that the Application for Design Review approval is GRANTED for the above-referenced project subject to those certain conditions specified in Paragraph I, II, III of the Findings of Fact, to which the applicant has agreed.

PROVIDED, the applicant shall build substantially in accordance with the plans approved by the Design Review Board, as determined by staff, entitled "7 Farrey Lane", as prepared by **Rene Gonzalez architect** dated, signed and sealed February 17, 2015, 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 Design Review Approval does not relieve the applicant from obtaining all other required Municipal, County and/or State reviews and permits, including final zoning approval. If adequate handicapped access is not provided on the Board-approved plans, this approval does not mean that such handicapped access is not required.

When requesting a building permit, the plans submitted to the Building Department for permit shall be consistent with the plans approved by the Board, modified in accordance with the conditions set forth in this Order.

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



