



MIAMIBEACH

File No: 23129
Date: 12-18-14
MCR No: _____
Amount: \$ 10,428.80
Zoning Classification _____
(For Staff Use Only)

**PLANNING DEPARTMENT
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: 8701 Collins Avenue

LEGAL DESCRIPTION: See attached

4. NAME OF APPLICANT 8701 Collins Development, LLC

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.

2665 S Bayshore Drive Miami FL 33133
ADDRESS OF APPLICANT CITY STATE ZIP
BUSINESS PHONE # see attorney FAX # see attorney CELL PHONE # _____
E-mail address: dmartin@terrargroup.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 # _____ FAX # _____ CELL PHONE # _____
E-mail address: _____

6. NAME OF ARCHITECT, LANDSCAPE ARCHITECT, ENGINEER, CONTRACTOR OR OTHER PERSON RESPONSIBLE FOR PROJECT DESIGN
Kobi Karp and Associates 2915 Biscayne Blvd. Miami FL 33137

NAME (please circle one of the above) _____ ADDRESS _____ CITY _____ STATE _____ ZIP _____
BUSINESS PHONE # 305-573-1818 FAX # 305 573 3766 CELL PHONE # _____
E-mail address: kobikarp@kopikarp.com

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

a. Graham Penn, Esq. 200 S. Biscayne Blvd., Suite 850 Miami FL 33131
NAME _____ ADDRESS _____ CITY _____ STATE _____ ZIP _____
BUSINESS PHONE # 305-377-6229 FAX # 305-377-6222 CELL PHONE # _____
E-mail address: gpenn@brzoninglaw.com

b. _____
NAME _____ ADDRESS _____ CITY _____ STATE _____ ZIP _____
BUSINESS PHONE # _____ FAX # _____ CELL PHONE # _____
E-mail address: _____

c. _____
NAME _____ ADDRESS _____ CITY _____ STATE _____ ZIP _____
BUSINESS PHONE # _____ FAX # _____ 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: Design approval for new condominium building. See letter for details.

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

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

11. TOTAL FLOOR AREA (FAR) OF NEW BUILDING (if applicable): 202,593 SQ. FT.

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

13. TOTAL FEE: (to be completed by staff) \$ 10,000 plus mailing

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 _____

COUNTY OF _____

I, _____, 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.

PRINT NAME

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 PUBLIC

NOTARY SEAL OR STAMP

PRINT NAME

My Commission Expires:

**ALTERNATE OWNER AFFIDAVIT FOR
CORPORATION or PARTNERSHIP**

(Circle one)

STATE OF Florida

COUNTY OF Miami-Dade

I, David P. Martin being duly sworn, depose and say that I am the Managing Member of 8701 Collins Development, LLC 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.

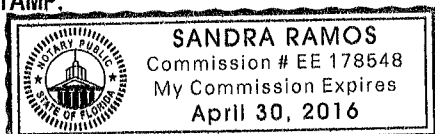
David P. Martin, Managing Member

PRINT NAME


SIGNATURE

Sworn to and subscribed before me this 17 day of December, 2014. The foregoing instrument was acknowledged before me by David Martin, Manager of 8701 Collins Development, LLC 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:



My Commission Expires:

Sandra Ramos
NOTARY PUBLIC

PRINT NAME

POWER OF ATTORNEY AFFIDAVIT

STATE OF Florida
COUNTY OF Miami-Dade

I, David P. Martin, being duly sworn and depose 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 DRB approvals relative to the subject property, which request is hereby made by me OR I am hereby authorizing Bercow Radell & Fernandez PA to be my representative before the Design Review 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.

David P. Martin, Managing Member

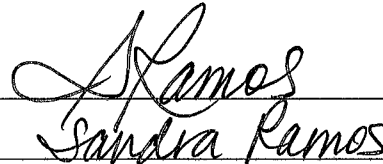
PRINT NAME (and Title, if applicable)



SIGNATURE

Sworn to and subscribed before me this 17 day of December, 2014. The foregoing instrument was acknowledged before me by David Martin, Manager of 8701 Collins Development, LLC 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: 4/30/16

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.*

N/A

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.*

8701 Collins Development, LLC

CORPORATION NAME

NAME AND ADDRESS

% OF STOCK

see attached

N/A

CORPORATION NAME

NAME AND ADDRESS

% OF STOCK

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.*

N/A

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.*

N/A

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.	Kobi Karp	2915 Biscayne Blvd. Miami FL 33137	305-573-1818
b.	Michael Larkin, Esq.	200 S. Biscayne Blvd., Suite 850 Miami FL 33131	305-374-5300
c.	Graham Penn, Esq.	200 S. Biscayne Blvd., Suite 850 Miami FL 33131	305-374-5300

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.

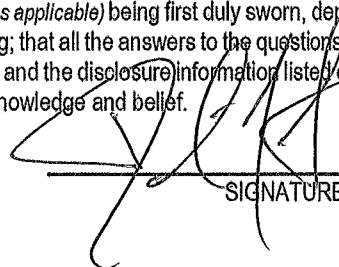
APPLICANT AFFIDAVIT

STATE OF Florida

COUNTY OF Miami-Dade

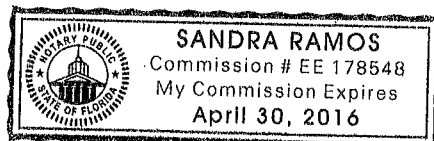
David P. Martin, Managing Member of

I, 8701 Collins Development, LLC, (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.

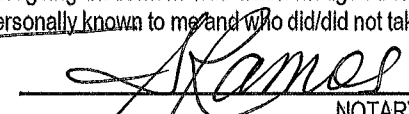

SIGNATURE

Sworn to and subscribed before me this 17 day of December, 2014. The foregoing instrument was acknowledged before me by David Martin, who has produced _____ as identification and/or is personally known to me and who did/did not take an oath.

NOTARY SEAL OR STAMP



My Commission Expires:


NOTARY PUBLIC
Sandra Ramos
PRINT NAME

SUPPLEMENTARY DISCLOSURE OF INTEREST
Interests in 8701 Collins Development, LLC

	Percentage of Interest
8701 Collins Avenue, LLC	100%
c/o Terra Group	
2665 South Bayshore Drive, Suite 1020	
Miami FL 33133	

Interests in 8701 Collins Avenue, LLC

	Percentage of Interest
Terra 8701 Investments, LLC	50%
c/o Terra Group	
2665 South Bayshore Drive, Suite 1020	
Miami FL 33133	

8701 Associates 2, LLC	50%
c/o Terra Group	
2665 South Bayshore Drive, Suite 1020	
Miami FL 33133	

Interests in Terra 8701 Investments, LLC

	Percentage of Interest
NV Collins, LLC	50%
c/o Terra Group	
2665 South Bayshore Drive, Suite 1020	
Miami FL 33133	

Terra 8701 Investments Holdings, LLC	50%
c/o Terra Group	
2665 South Bayshore Drive, Suite 1020	
Miami FL 33133	

Interests in NV Collins, LLC

	Percentage of Interest
New Valley, LLC	100%
c/o Terra Group	
2665 South Bayshore Drive, Suite 1020	

Miami FL 33133

New Valley, LLC is 100% owned by Vector Group, Ltd., which is a publicly traded corporation.

Interests in Terra 8701 Investments Holdings, LLC

	Percentage of Interest
Terra 8701 IH Holdings, LLC	100%
c/o Terra Group	
2665 South Bayshore Drive, Suite 1020	
Miami FL 33133	

Interests in Terra 8701 IH Holdings, LLC

	Percentage of Interest
Pedro Martin	50%
c/o Terra Group	
2665 South Bayshore Drive, Suite 1020	
Miami FL 33133	
David Martin	50%
c/o Terra Group	
2665 South Bayshore Drive, Suite 1020	
Miami FL 33133	

Interests in 8701 Associates, LLC

	Percentage of Interest
8701 Associates 2, LLC	100%
c/o Terra Group	
2665 South Bayshore Drive, Suite 1020	
Miami FL 33133	

Interests in 8701 Associates 2, LLC

	Percentage of Interest
Stephen Della Sala	100%
c/o Terra Group	
2665 South Bayshore Drive, Suite 1020	
Miami FL 33133	

Exhibit A

LEGAL DESCRIPTION:

The land referred to herein below is situated in the County of Miami-Dade, State of Florida, and is described as follows:

All of Block 1; all of Block 10; and that portion of what was known as Airoso Way lying and including between the West line of said Block 1, and the East line of said Block 10; all of ALTOS DEL MAR NO. 2, according to the Plat thereof, recorded in Plat Book 4, Page 162, of the Public Records of Miami-Dade County, Florida; together with all right, title and interest in that land lying between the Easterly boundary of Block 1, of ALTOS DEL MAR No. 2, according to the Plat thereof, as recorded in Plat Book 4, Page 162, of the Public Records of Miami-Dade County, Florida, and the Erosion Control Line, according to the Plat thereof, recorded in Plat Book 105, Page 62, of the Public Records of Miami-Dade County, Florida.

AND

That portion of 87th Terrace (Nasturtium Street per Plat) as shown on the Plat of ALTOS DEL MAR SUBDIVISION NUMBER 2, according to the plat thereof, as recorded in Plat Book 4 at Page 162 of the Public Records of Miami-Dade County, Florida, being more particularly described as follows:

Begin at the Southeast corner of said 87th Terrace, said Southeast corner also being the Southwest corner of Tract "A" as shown on said Plat Book 4 at Page 162; thence South 86°54'22" West along the South Right-of-Way line of said 87th Terrace (Nasturtium Street) for 360.48 feet to the Northwest corner of Lot 1, Block 10 of said Plat Book 4 at Page 162; thence North 04°31'52" West along the East Right-of-Way line of Collins Avenue, also known as State Road No. A-1-A and the Northerly extension of the West line of said Block 10 for 25.76 feet to a point of curvature; thence Northerly along a 328.27 foot radius curve, leading to the right, through a central angle of 04°14'00" for an arc distance of 24.25 feet; thence North 86°54'22" East along the North Right-of-Way line of said 87th Terrace (Nasturtium Street) also being the South line and Westerly extension thereof of Block 4 of SECOND AMENDED PLAT OF NORMANDY BEACH, according to the plat thereof, as recorded in Plat Book 16 at Page 44 of said Public Records of Miami-Dade County, Florida, for 360.84 feet to the Northwest corner of said Tract "A"; thence South 03°05'38" East along the West line of said Tract "A" for 50.00 feet to the Point of Beginning.

The above described parcel of land lying and being in the City of Miami Beach, County of Miami-Dade, State of Florida.