

DESIGN REVIEW BOARD
City of Miami Beach, Florida

MEETING DATE: November 1, 2016

FILE NO: DRB 23129 (a.k.a. DRB16-0063)

PROPERTY: **8701 Collins Avenue**

APPLICANT: 1 Collins Development LLC,

LEGAL: See attached **Exhibit 'A'**

IN RE: The Application for a (1) one-year Extension of Time for a previously issued Design Review Approval for the construction of a new twenty-story residential building to replace an existing building. **(ITEM WAS APPROVED AT THE MARCH 3, 2015 MEETING).**

ORDER

The City of Miami Beach Design Review Board makes the following FINDING 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:

The applicant submitted information establishing, among other things, that delays were encountered in permitting the project. The foregoing constitutes good cause for granting a one (1) year extension of time to the requirement that a Full Building Permit be obtained within eighteen (18) months of the original Design Review Approval.

IT IS HEREBY ORDERED, based upon the foregoing finding of fact and the staff report and analysis, which is adopted herein, including the recommendation, that a one (1) year extension of time to obtain a full building permit (which one [1] year period shall run from the expiration date of the original approval, which was on March 3, 2015) is granted for the above-referenced project conditioned upon the following, to which the applicant has agreed:

1. A full building permit, not a foundation or shell permit, for the project shall be obtained by September 3, 2017.
2. ~~Construction shall commence and continue in accordance with the applicable Building Code.~~
3. This Extension of Time shall run concurrent with any other Extensions of Time that may be provided to the property owner as a result of actions of non-City authorities with jurisdiction over such matters.
4. 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.
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.

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 and the Order for the March 3, 2015 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 and the Final Order for the March 3, 2015 meeting. If the Full Building Permit is not issued by September 3, 2017, the Design Review Approval will expire and become null and void. 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.

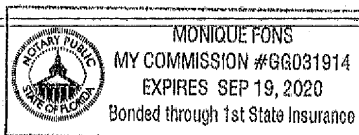
Dated this 3rd day of November, 2016.

DESIGN REVIEW BOARD
THE CITY OF MIAMI BEACH, FLORIDA

BY: [Signature]
DEBORAH J. TACKETT
DESIGN AND PRESERVATION MANAGER
FOR THE CHAIR

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

The foregoing instrument was acknowledged before me this 3rd day of November, 2016 by Deborah J. Tackett, Design and Preservation Manager, Planning Department, City of Miami Beach, Florida, a Florida Municipal Corporation, on behalf of the Corporation. He is personally known to me.



[Signature]
NOTARY PUBLIC
Miami-Dade County, Florida
My commission expires: 9/19/2020

Approved As To Form: [Signature]
City Attorney's Office: [Signature]

Filed with the Clerk of the Design Review Board on [Signature] (11/4/16)
(11/3/16)

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 Airaso 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.