

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.

- | | |
|---|--|
| <input type="checkbox"/> BOARD OF ADJUSTMENT | <input type="checkbox"/> HISTORIC PRESERVATION BOARD |
| <input checked="" type="checkbox"/> DESIGN REVIEW BOARD | <input type="checkbox"/> PLANNING BOARD |
| <input type="checkbox"/> 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: 1675 Alton Road

LEGAL DESCRIPTION: Lot 17, Block 39, 1st ADDITION TO COMMERCIAL SUBDIVISION, according to
the Plat thereof, recorded in Plat Book 6, Page 30, of the Public Records of Miami-Dade
County, Florida.

4. NAME OF APPLICANT E&S Shull Inc. c/o Aaron Flint

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.

<u>1235 Seabay Road</u>	<u>Weston</u>	<u>FL</u>	<u>33326</u>
ADDRESS OF APPLICANT	CITY	STATE	ZIP

BUSINESS PHONE # (305) 925-0675 CELL PHONE # _____

E-mail address: aaron@acousticarchitects.net

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

Luis Jauregui, Eastshore Architects 2727 Salzedo Street Coral Gables FL 33134

NAME (please circle one of the above) ADDRESS CITY STATE ZIP

BUSINESS PHONE # (305) 648-2006 CELL PHONE #

E-mail address: luis.jauregui@me.com

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

a. Michael W. Larkin, 200 S. Biscayne Blvd, Suite 850 Miami FL 33131

NAME ADDRESS CITY STATE ZIP

BUSINESS PHONE # (305) 374-5300 CELL PHONE #

E-mail address: mlarkin@brzoninglaw.com

b. Matthew Amster, 200 S. Biscayne Blvd, Suite 850 Miami FL 33131

NAME ADDRESS CITY STATE ZIP

BUSINESS PHONE # (305) 374-5300 CELL PHONE #

E-mail address: mamster@brzoninglaw.com

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:

Replacement of existing 1-story commercial building with a new 1-story commercial building.

Please see letter of intent for more details.

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

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

11. TOTAL FLOOR AREA (FAR) OF NEW BUILDING (if applicable): _____ 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) \$ _____

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, N/A, 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 SEAL OR STAMP

NOTARY PUBLIC

PRINT NAME

My Commission Expires:

**ALTERNATE OWNER AFFIDAVIT FOR
CORPORATION or PARTNERSHIP**

(Circle one)

STATE OF FLORIDA

COUNTY OF BROWARD

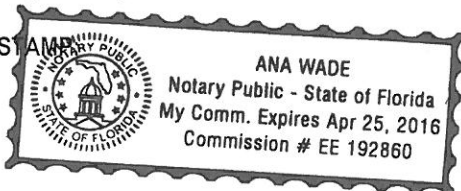
I, SANDRA FLINT being duly sworn, depose and say that I am the PRESIDENT of E&S Shull, Inc. and as such, have been authorized by such entity to file this application that all answers to the questions in the application and all sketches, data and other supplementary matter attached to and made a part 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.

SANDRA FLINT
PRINT NAME

Sandra Flint
SIGNATURE

Sworn to and subscribed before me this 26 day of January, 2016. The foregoing instrument was acknowledged before me by Sandra Flint, President of E&S Shull, Inc., 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



ANA WADE
NOTARY PUBLIC

PRINT NAME

My Commission Expires:

POWER OF ATTORNEY AFFIDAVIT

STATE OF FLORIDA

COUNTY OF BROWARD

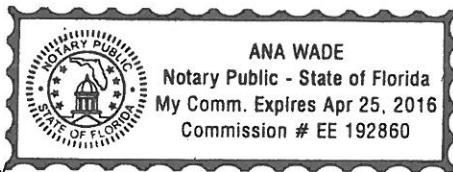
I, SANDRA FLINT, being duly sworn and deposed say that I am the owner or representative of the owner of the described real property and that I am aware of the nature and effect of the request for Design review approval relative to the subject property, which request is hereby made by me OR I am hereby authorizing Michael W. Larkin & Matthew Amster, Bercow Radell & Fernandez, PLLC 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.

SANDRA FLINT, PRESIDENT
PRINT NAME (and Title, if applicable)

Sandra Flint
SIGNATURE

Sworn to and subscribed before me this 26 day of January, 2016. The foregoing instrument was acknowledged before me by Sandra Flint, President of E&S Shull, Inc. who has produced Florida Driver 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:

April 25 2016

ANA WADE
NOTARY PUBLIC
PRINT NAME

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.*

E&S Shull, Inc.

CORPORATION NAME

NAME AND ADDRESS

% OF STOCK

Sandra Flint, President

100%

1235 Seabay Road

Weston, Florida 33326

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

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.	Luis Jauregui	2727 Salzedo Street, Coral Gables, FL	(305) 648-2006
b.	Michael W. Larkin	200 S. Biscayne Blvd, Suite 850, Miami, FL	(305) 374-5300
c.	Matthew Amster	200 S. Biscayne Blvd, Suite 850, Miami, FL	(305) 374-5300


* 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 AFFIDAVIT

STATE OF FLORIDA
COUNTY OF BROWARD


SIGNATURE

Sworn to and subscribed before me this 26 day of January, 2016. The foregoing instrument was acknowledged before me by Sandra Flitt, who has produced Florida Driver License as identification and/or is personally known to me and who did/did not take an oath.

 ANA WADE
Notary Public - State of Florida
My Comm. Expires Apr 25, 2016
Commission # EE 192860

My Commission Expires: April 25, 2016

NOTARY PUBLIC

AKA WIDE

PRINT NAME



BERCOW RADELL & FERNANDEZ

ZONING, LAND USE AND ENVIRONMENTAL LAW

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

RECEIVED
2016 JAN 29 PM 3:36
CMB PLANNING DEPT

VIA HAND DELIVERY

January 29, 2016

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

Re: Design Review Approval Request for the Property located at 1675 Alton Road

Dear Tom:

This law firm represents E&S Shull, Inc. (the "Applicant") in its application concerning the property located at 1675 Alton Road (the "Property"). Please accept this correspondence as the Applicant's letter of intent in support of a design review approval for the Property.

Property Description. Identified by Miami-Dade County Folio No. 02-3234-017-0120, the Property is located on the east side of Alton Road, midblock between 17th Street and Lincoln Road. It is within the CD-2 (Commercial, Medium Intensity) Zoning District and Parking District No. 6. The Property is a 7,500 square foot lot improved with a 1-story commercial building that formerly contained a small grocery store and market. Several commercial retail stores are immediately adjacent to the north and south of the Property, and a City-owned surface parking lot is located to the rear of the Property across Lenox Court. The surrounding commercial area contains a mix of 1- and 2- story buildings, such as 1111 Lincoln Road (9-stories) and 1700 Alton Road (5-stories).

Proposed Development Program. Given its current poor condition, the Applicant proposes to completely replace the existing building on the Property with construction of new 1-story building. The proposed structure will contain entirely

Thomas Mooney, Director
January 29, 2016
Page 2

commercial uses, featuring two retail units fronting on Alton Road and a 60-seat restaurant with primary frontage on Lenox Court.

A prominent feature of the proposed development design is a covered, open breezeway that will connect Alton Road with the alley in the rear, Lenox Court. Spanning the length of the Property's north lot line, the breezeway will be tastefully designed with a custom-made graphic mural, attractive landscaping, permanent seating furniture, and long-term bicycle racks. The public passageway will not only increase visibility throughout the Property and access to its various uses, but it will further activate Lenox Court and enhance connectivity for pedestrians along Lincoln and Alton Roads.

The easternmost portion of the Property will contain an open-air communal space offering outdoor seating that is accessible to all and is not limited to patrons of the indoor restaurant. Similar to the remainder of the Property, the communal area will be designed with lush landscaping, including a picturesque wall fountain and ficus-adorned walls.

The proposed structure measures a modest 4,980 gross square feet, therefore, it is well below the CD-2 limitations on FAR (0.66 proposed where 1.5 permitted) and building height (1 story proposed where 4 stories permitted). Together, the two commercial retail units contain approximately 3,136 square feet (1,568 square feet each) and the 60-seat indoor restaurant use contains approximately 1,448 square feet. Accordingly, pursuant to Section 130-33(c)(2)&(3) of the regulations for Parking District No. 6, the project does not trigger any off-street parking requirement. A covenant will be proffered to the City to ensure that future operation of the project complies with this benefit available for properties located in Parking District No. 6.

In further promotion of alternative means of transportation, the project satisfies the Code's standards for the provision of long-term and short-term bicycle parking facilities. The fashionable design of these amenities will match that of all other architecture and improvements on the site.

Conclusion. The Applicant proposes a stylish redevelopment of the Property that does not maximize development allowances and emphasizes aesthetic and decorative elements. We believe that approval of the proposed request will promote quality design that is commensurate with other high caliber redevelopment occurring throughout the Lincoln West neighborhood. We look forward to your favorable

Thomas Mooney, Director
January 29, 2016
Page 3

review. Please contact my direct line at (305) 377-6236 should you have any questions or concerns.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Matthew Amster', followed by a long horizontal line extending to the right.

Matthew Amster, Esq.

cc: Aaron Flint
Michael Larkin, Esq.