



CFN 2014R0005268  
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 HARVEY RUVIN, CLERK OF COURT  
 MIAMI-DADE COUNTY, FLORIDA

**HISTORIC PRESERVATION BOARD**  
 City of Miami Beach, Florida

MEETING DATE: August 13, 2013

FILE NO: 7355

PROPERTY: 4041 Collins Avenue


LEGAL: Lots 1-8, Block 33, Miami Beach Improvement Company Subdivision, as recorded in the plat thereof, Plat Book 5, Page 7 and 8 of the Public Record of Miami-Dade County, FL.

IN RE: The Application for modifications to a previously issued Certificate of Appropriateness for the partial demolition, alteration, renovation and rehabilitation of the existing multi-family complex as part of a new hotel development. Specifically, the application is requesting approval for modifications to the east elevation of the existing 12-story tower addition built in 2007 and the reconstruction of an original 1940 back-of-house structure located on the east elevation of the existing historic building.


**CERTIFICATION**

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

CITY OF MIAMI BEACH



9-13-13

(Signature of Planning Director or Designee) (Date)  
 Personally known to me or Produced ID: \_\_\_\_\_

  
 Notary Public, State of Florida at Large  
 Printed Name: TERESA MARIA  
 My Commission Expires: (Seal) 12-2-1

This document contains 4 pages.

TERESA MARIA  
 MY COMMISSION # DD 920148  
 EXPIRES: December 2, 2013  
 Bonded thru Budget Notary Services



**SUPPLEMENTAL ORDER**

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

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

- A. The subject structure is classified as 'Contributing' in the Miami Beach Historic Properties Database and is located within the Collins Waterfront Historic District.
- B. The subject Certificate of Appropriateness was originally approved by the Historic Preservation Board on March 12, 2013. A Modification to the original approval was approved on July 9, 2013.
- C. 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

*gm*

Staff Report, the project as submitted is consistent with the Certificate of Appropriateness Criteria in Section 118-564(a)(1) of the Miami Beach Code, is consistent with Certificate of Appropriateness Criteria in Section 118-564(a)(2) of the Miami Beach Code, is consistent with Certificate of Appropriateness Criteria in Section 118-564(a)(3) of the Miami Beach Code, and is consistent with Certificate of Appropriateness Criteria for Demolition in Section 118-564(f)(4) of the Miami Beach Code.

D. The project would remain consistent with the criteria and requirements of section 118-564 if the following conditions are met:

1. Revised elevation, site plan and floor plan drawings shall be submitted; at a minimum, such drawings shall incorporate the following:
  - a. The final design and details of the proposed tower balconies, including material samples, shall match the materials and detailing of the existing balconies, and shall be provided in a manner to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board.
  - b. The ground floor of the original 1940 back-of-house structure located at the northeast portion of the building shall be reconstructed in a manner substantially consistent with the original microfilm plans and available historic documentation. Final design and details of the proposed structure shall be provided, in a manner to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board.
  - c. A plaque, inclusive of a written description of the reconstructed portion of the original structure and its changes of use over time, shall be submitted to and approved by staff, prior to the issuance of a Certificate of Occupancy or a Temporary Certificate of Occupancy; such historic analysis shall be displayed prominently within the public area of the historic structure, in a location to be determined by staff.
2. In accordance with Section 118-395(b)(2) of the City Code, the requirement pertaining to an existing structure's floor area, is hereby waived, to allow for the reconstruction of the original ground floor back-of-house structure located at the northeast portion of the building.
3. At the time of completion of the project, only a **Final** Certificate of Occupancy (CO) or **Final** Certificate of Completion (CC) may be applied for; the staging and scheduling of the construction on site shall take this into account. All work on site must be completed in accordance with the plans approved herein, as well as any modifications approved or required by the Building, Fire, Planning, CIP and Public Works Departments, inclusive of all conditions imposed herein, and by other Development Review Boards, and any modifications required pursuant to field inspections, prior to the issuance of a CO or CC. This shall not prohibit the issuance of a Partial or Temporary CO, or a Partial or Temporary CC.

4. The Supplemental Final Order shall be recorded in the Public Records of Miami-Dade County, prior to the issuance of a Building Permit.
5. The Supplemental Final Order is not severable, and if any provision or condition hereof is held void or unconstitutional in a final decision by a court of competent jurisdiction, the order shall be returned to the Board for reconsideration as to whether the order meets the criteria for approval absent the stricken provision or condition, and/or it is appropriate to modify the remaining conditions or impose new conditions.
6. The previous Final Orders dated March 12, 2003 and July 9, 2013 shall remain in full force and effect.
7. The conditions of approval herein are binding on the applicant, the property's owners, operators, and all successors in interest and assigns.
8. Nothing in this order authorizes a violation of the City Code or other applicable law, nor allows a relaxation of any requirement or standard set forth in the City Code.

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

PROVIDED, the applicant shall build substantially in accordance with the plans approved by the Historic Preservation Board, as determined by staff, entitled "Crown Hotel", as prepared by Kobi Karp Architecture, Interior Design, Planning, dated June 12, 2013.

When requesting a building permit, the plans submitted to the Building Department for permit shall be consistent with the plans approved by the Board, modified in accordance with the conditions set forth in this Final Order. No building permit may be issued unless and until all conditions of approval that must be satisfied prior to permit issuance, as set forth in this Final Order, have been met.

The issuance of this Certificate of Appropriateness does not relieve the applicant from obtaining all other required Municipal, County and/or State reviews and permits, including final zoning approval. If adequate handicapped access is not provided on the Board-approved plans, this approval does not mean that such handicapped access is not required. When requesting a building permit, the plans submitted to the Building Department for permit shall be consistent with the plans approved by the Board, modified in accordance with the conditions set forth in this Order.

If the Full Building Permit for the project is not issued within eighteen (18) months of the meeting date at which the original Certificate of Appropriateness was granted, this Certificate of Appropriateness will expire and become null and void. If the Full Building Permit for the project should expire for any reason (including but not limited to construction not commencing and

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continuing, with required inspections, in accordance with the applicable Building Code), this Certificate of Appropriateness will expire and become null and void.

In accordance with Section 118-561 of the City Code, the violation of any conditions and safeguards that are a part of this Order shall be deemed a violation of the land development regulations of the City Code. Failure to comply with this **Order** shall subject this Certificate of Appropriateness to Section 118-564, City Code, for revocation or modification of the Certificate of Appropriateness.


Dated this 12<sup>th</sup> day of September, 2013

HISTORIC PRESERVATION BOARD  
THE CITY OF MIAMI BEACH, FLORIDA

BY: [Signature]  
THOMAS R. MOONEY, AICP  
DESIGN AND PRESERVATION MANAGER  
FOR THE CHAIR

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

The foregoing instrument was acknowledged before me this 12<sup>th</sup> day of September 2013 by Thomas R. Mooney, 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.

 **TERESA MARIA**  
MY COMMISSION # DD 928148  
EXPIRES: December 2, 2013  
Bonded Thru Budget Notary Services

[Signature]  
NOTARY PUBLIC  
Miami-Dade County, Florida  
My commission expires: 12-2-13

Approved As To Form:  
Legal Department: [Signature] ( 9-11-2013 )

Filed with the Clerk of the Historic Preservation Board on 9-12-2013 ( WJR )

Underscore denotes new language  
~~Strikethrough~~ denotes deleted language

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