



Application Forms - executed.pdf

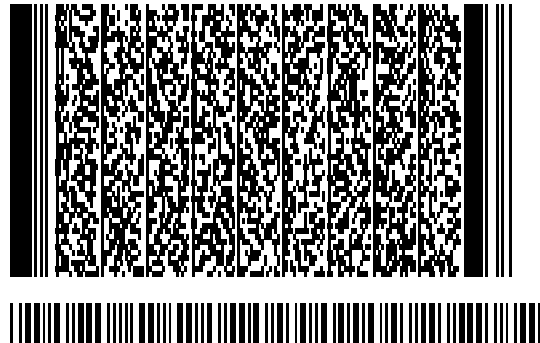
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E-Signature Summary

E-Signature Notary: Diana Ramos (DR)
December 15, 2022 10:17:41 -8:00 [23002E89E11C] [74.220.90.117]
dramos@brzoninglaw.com



MIAMIBEACH

PLANNING DEPARTMENT

1700 Convention Center Drive, Miami Beach, Florida 33139; Tel: 305.673.7550; Web: www.miamibeachfl.gov/planning

LAND USE BOARD HEARING APPLICATION

The following application is submitted for review and consideration of the project described herein by the land use board selected below. A separate application must be completed for each board reviewing the proposed project.

Application Information			
FILE NUMBER HPB22-0560		Is the property the primary residence & homestead of the applicant/property owner? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No (if "Yes," provide office of the property appraiser summary report)	
Board of Adjustment <input type="checkbox"/> Variance from a provision of the Land Development Regulations <input type="checkbox"/> Appeal of an administrative decision <input type="checkbox"/> Modification of existing Board Order		Design Review Board <input type="checkbox"/> Design review approval <input type="checkbox"/> Variance <input type="checkbox"/> Modification of existing Board Order	
Planning Board <input type="checkbox"/> Conditional Use Permit <input type="checkbox"/> Lot Split <input type="checkbox"/> Amendment to the Land Development Regulations or Zoning Map <input type="checkbox"/> Amendment to the Comprehensive Plan or Future Land Use Map <input type="checkbox"/> Modification of existing Board Order		Historic Preservation Board <input checked="" type="checkbox"/> Certificate of Appropriateness for design <input type="checkbox"/> Certificate of Appropriateness for demolition <input type="checkbox"/> Historic District/Site Designation <input checked="" type="checkbox"/> Variance <input type="checkbox"/> Modification of existing Board Order	
<input type="checkbox"/> Other:			
Property Information – Please attach Legal Description as “Exhibit A”			
ADDRESS OF PROPERTY 663 Alton Road			
FOLIO NUMBER(S) 02-4203-009-8530, 02-4203-009-8540			
Property Owner Information			
PROPERTY OWNER NAME South Beach Heights II, LLC			
ADDRESS 2200 Biscayne Blvd.		CITY Miami	STATE FL
BUSINESS PHONE		CELL PHONE	EMAIL ADDRESS mgalbut@crescentheights.com
ZIPCODE 33137			
Applicant Information (if different than owner)			
APPLICANT NAME Same			
ADDRESS		CITY	STATE
BUSINESS PHONE		CELL PHONE	EMAIL ADDRESS
ZIPCODE			
Summary of Request			
PROVIDE A BRIEF SCOPE OF REQUEST COA approval for new Miami-Dade County Community Health Center and Library.			



Project Information			
Is there an existing building(s) on the site?		<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If previous answer is "Yes", is the building architecturally significant per sec. 142-108?		<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Does the project include interior or exterior demolition?		<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Provide the total floor area of the new construction.		22,486	SQ. FT.
Provide the gross floor area of the new construction (including required parking and all usable area).		22,486	SQ. FT.
Party responsible for project design			
NAME Robert Bistry		<input checked="" type="checkbox"/> Architect <input type="checkbox"/> Contractor <input type="checkbox"/> Landscape Architect <input type="checkbox"/> Engineer <input type="checkbox"/> Tenant <input type="checkbox"/> Other _____	
ADDRESS 935 W Chestnut Street, #520		CITY Chicago	STATE IL ZIPCODE 60642
BUSINESS PHONE 305 902 8629	CELL PHONE	EMAIL ADDRESS BBistry@built-form.net	
Authorized Representative(s) Information (if applicable)			
NAME Graham Penn		<input checked="" type="checkbox"/> Attorney <input type="checkbox"/> Contact <input type="checkbox"/> Agent <input type="checkbox"/> Other _____	
ADDRESS 200 S Biscayne Blvd, Suite 300		CITY Miami	STATE FL ZIPCODE 33131
BUSINESS PHONE 305 377 6229	CELL PHONE 305 775 0340	EMAIL ADDRESS gpenn@brzoninglaw.com	
NAME		<input type="checkbox"/> Attorney <input type="checkbox"/> Contact <input type="checkbox"/> Agent <input type="checkbox"/> Other _____	
ADDRESS		CITY	STATE ZIPCODE
BUSINESS PHONE	CELL PHONE	EMAIL ADDRESS	
NAME		<input type="checkbox"/> Attorney <input type="checkbox"/> Contact <input type="checkbox"/> Agent <input type="checkbox"/> Other _____	
ADDRESS		CITY	STATE ZIPCODE
BUSINESS PHONE	CELL PHONE	EMAIL ADDRESS	

Please note the following information:

- A separate disclosure of interest form must be submitted with this application if the applicant or owner is a corporation, partnership, limited partnership or trustee.
- All applicable affidavits must be completed and the property owner must complete and sign the "Power of Attorney" portion of the affidavit if they will not be present at the hearing, or if other persons are speaking on their behalf.
- To request this material in alternate format, sign language interpreter (five-day notice is required), information on access for persons with disabilities, and accommodation to review any document or participate in any City sponsored proceedings, call 305.604.2489 and select (1) for English or (2) for Spanish, then option 6; TTY users may call via 711 (Florida Relay Service).

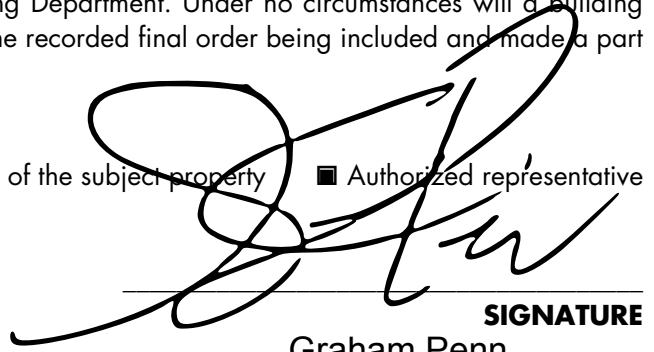


Please read the following and acknowledge below:

- Applications for any board hearing(s) will not be accepted without payment of the required fees. All checks are to be made payable to the "City of Miami Beach".
- All disclosures must be submitted in CMB Application format and be consistent with CMB Code Sub-part A Section 2-482(c):
 - (c) If the lobbyist represents a corporation, partnership or trust, the chief officer, partner or beneficiary shall also be identified. Without limiting the foregoing, the lobbyist shall also identify all persons holding, directly or indirectly, a five percent or more ownership interest in such corporation, partnership, or trust.
- Public records notice – All documentation submitted for this application is considered a public record subject to Chapter 119 of the Florida Statutes and shall be disclosed upon request.
- In accordance with the requirements of Section 2-482 of the code of the City of Miami Beach, any individual or group that will be compensated to speak or refrain from speaking in favor or against an application being presented before any of the City's land use boards, shall fully disclose, prior to the public hearing, that they have been, or will be compensated. Such parties include: architects, engineers, landscape architects, contractors, or other persons responsible for project design, as well as authorized representatives attorneys or agents and contact persons who are representing or appearing on behalf of a third party; such individuals must register with the City Clerk prior to the hearing.
- In accordance with Section 118-31. – Disclosure Requirement. Each person or entity requesting approval, relief or other action from the Planning Board, Design Review Board, Historic Preservation Board or the Board of Adjustment shall disclose, at the commencement (or continuance) of the public hearing(s), 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, excluding from this requirement consideration for legal or design professional service rendered or to be rendered. The disclosure shall: (I) be in writing, (II) indicate to whom the consideration has been provided or committed, (III) generally describe the nature of the consideration, and (IV) be read into the record by the requesting person or entity prior to submission to the secretary/clerk of the respective board. Upon determination by the applicable board that the forgoing disclosure requirement was not timely satisfied by the person or entity requesting approval, relief or other action as provided above, then (I) the application or order, as applicable, shall immediately be deemed null and void without further force or effect, and (II) no application form 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 board reaches a decision a final order will be issued stating the board's decision and any conditions imposed therein. The final order will be recorded with the Miami-Dade Clerk of Courts. The original board order shall remain on file with the City of Miami Beach Planning Department. Under no circumstances will a building permit be issued by the City of Miami Beach without a copy of the recorded final order being included and made a part of the plans submitted for a building permit.

The aforementioned is acknowledged by:

Owner of the subject property Authorized representative



SIGNATURE
Graham Penn

PRINT NAME

11/29/22

DATE SIGNED

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OWNER AFFIDAVIT FOR INDIVIDUAL OWNER

STATE OF _____

COUNTY OF _____

I, _____, being first duly sworn, depose and certify as follows: (1) I am the owner of the property that is the subject of this application. (2) This application and all information submitted in support of this application, including sketches, data, and other supplementary materials, are true and correct to the best of my knowledge and belief. (3) I acknowledge and agree that, before this application may be publicly noticed and heard by a land development board, the application must be complete and all information submitted in support thereof must be accurate. (4) 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. (5) I am responsible for remove this notice after the date of the hearing.

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

My Commission Expires: _____

PRINT NAME

ALTERNATE OWNER AFFIDAVIT FOR CORPORATION, PARTNERSHIP OR LIMITED LIABILITY COMPANY

STATE OF Florida

COUNTY OF Miami-Dade

I, Marisa Galbut, being first duly sworn, depose and certify as follows: (1) I am the President (print title) of South Beach Heights II, L (print name of corporate entity). (2) I am authorized to file this application on behalf of such entity. (3) This application and all information submitted in support of this application, including sketches, data, and other supplementary materials, are true and correct to the best of my knowledge and belief. (4) The corporate entity named herein is the owner of the property that is the subject of this application. (5) I acknowledge and agree that, before this application may be publicly noticed and heard by a land development board, the application must be complete and all information submitted in support thereof must be accurate. (6) 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. (7) I am responsible for remove this notice after the date of the hearing.

DocuSigned by:

Marisa Galbut

7FAB78686F9342A...
SIGNATURE

Sworn to and subscribed before me this _____ day of 12/15/2022, 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


Signed on 2022/12/15 11:17:41 -8:00

NOTARY PUBLIC

Diana Ramos

My Commission Expires: _____

Diana Ramos
Commission # GG 308355
Notary Public - State of Florida
My Commission Expires Apr 10, 2023
Notary Stamp 2022/12/15 11:17:41 PST 20002E86E11C

PRINT NAME

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POWER OF ATTORNEY AFFIDAVIT

STATE OF Florida

COUNTY OF Miami-Dade

I, Marisa Galbut, being first duly sworn, depose and certify as follows: (1) I am the owner or representative of the owner of the real property that is the subject of this application. (2) I hereby authorize BRFTL to be my representative before the Historic Preservation Board. (3) 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. (4) I am responsible for remove this notice after the date of the hearing.

Marisa Galbut, President
PRINT NAME (and Title, if applicable)

DocuSigned by:
Marisa Galbut
7FAB78696F9342A...
SIGNATURE

Sworn to and subscribed before me this _____ day of 12/15/2022, 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



My Commission Expires: _____



Diana Ramos **NOTARY PUBLIC**
PRINT NAME

CONTRACT FOR PURCHASE

If the applicant is not the owner of the property, but the applicant is a party to a contract to purchase the property, whether or not such contract is contingent on this application, the applicant shall list the names of the contract purchasers below, including any and all principal officers, stockholders, beneficiaries or partners. If any of the contact purchasers are corporations, partnerships, limited liability companies, trusts, or other corporate entities, the applicant shall further disclose the identity of the individuals(s) (natural persons) having the ultimate ownership interest in the entity. If any contingency clause or contract terms involve additional individuals, corporations, partnerships, limited liability companies, trusts, or other corporate entities, list all individuals and/or corporate entities.

N/A
NAME **DATE OF CONTRACT**

NAME, ADDRESS AND OFFICE % OF STOCK

Four sets of horizontal lines for listing contract purchasers and their stock percentages.

In the event of any changes of ownership or changes in contracts for purchase, subsequent to the date that this application if filed, but prior to the date of a final public hearing, the applicant shall file a supplemental disclosure of interest.

E6A1012B-E910-4A66-9124-92FBF83EE95F --- 2022/12/15 10:08:27 -8:00

**DISCLOSURE OF INTEREST
CORPORATION, PARTNERSHIP OR LIMITED LIABILITY COMPANY**

If the property that is the subject of the application is owned or leased by a corporation, partnership or limited liability company, list ALL of the owners, shareholders, partners, managers and/or members, and the percentage of ownership held by each. If the owners consist of one or more corporations, partnerships, trusts, partnerships or other corporate entities, the applicant shall further disclose the identity of the individual(s) (natural persons) having the ultimate ownership interest in the entity.

See attached

NAME OF CORPORATE ENTITY	
NAME AND ADDRESS	% OF OWNERSHIP

See attached

NAME OF CORPORATE ENTITY	
NAME AND ADDRESS	% OF OWNERSHIP

If there are additional corporate owners, list such owners, including corporate name and the name, address and percentage of ownership of each additional owner, on a separate page.

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DISCLOSURE OF INTEREST
TRUSTEE

If the property that is the subject of the application is owned or leased by a trust, list any and all trustees and beneficiaries of the trust, and the percentage of interest held by each. If the owners consist of one or more corporations, partnerships, trusts, partnerships or other corporate entities, the applicant shall further disclose the identity of the individual(s) (natural persons) having the ultimate ownership interest in the entity.

See attached

TRUST NAME	
NAME AND ADDRESS	% INTEREST

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COMPENSATED LOBBYIST

Pursuant to Section 2-482 of the Miami Beach City Code, all lobbyists shall, before engaging in any lobbying activities, register with the City Clerk. Please list below any and all persons or entities retained by the applicant to lobby City staff or any of the City's land development boards in support of this application.

NAME	ADDRESS	PHONE
Graham Penn	200 S. Biscayne Blvd. Miami FL 33131	305 377 6229
Robert Bistry	935 W. Chesnut Street, #520 Chicago IL	305-902-8629
Joaquin Vargas	8400 W University Tamarac FL 33321	954 582 0988

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

APPLICANT HEREBY ACKNOWLEDGES AND AGREES THAT (1) AN APPROVAL GRANTED BY A LAND DEVELOPMENT BOARD OF THE CITY SHALL BE SUBJECT TO ANY AND ALL CONDITIONS IMPOSED BY SUCH BOARD AND BY ANY OTHER BOARD HAVING JURISDICTION, AND (2) APPLICANT'S PROJECT SHALL COMPLY WITH THE CODE OF THE CITY OF MIAMI BEACH AND ALL OTHER APPLICABLE CITY, STATE AND FEDERAL LAWS.

APPLICANT AFFIDAVIT

Florida
STATE OF _____
Miami-Dade
COUNTY OF _____
Graham Penn

I, _____, being first duly sworn, depose and certify as follows: (1) I am the applicant or representative of the applicant. (2) This application and all information submitted in support of this application, including sketches, data, and other supplementary materials, are true and correct to the best of my knowledge and belief.

[Handwritten Signature]

SIGNATURE

Sworn to and subscribed before me this 14 day of February, 2023. The foregoing instrument was acknowledged before me by Graham Penn, who has produced _____ as identification and/or is personally known to me and who did take an oath.

NOTARY SEAL OR STAMP

[Handwritten Signature]

NOTARY PUBLIC

My Commission Expires: MARCH 5, 2026

Betty Llerena

PRINT NAME

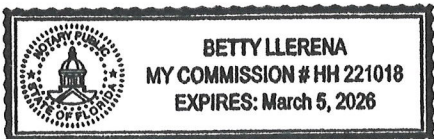


Exhibit A

Legal Description:

Lots 15 and 16, Block 105, of the Ocean Beach Addition No. 3 Subdivision, Plat Book 2, Page 81 of the Public Records of Miami-Dade County, Florida.

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SUPPLEMENTARY DISCLOSURE OF INTEREST

Interests in South Beach Heights II, LLC

	Percentage of Interest
SBH Holdings II, LLC 2200 Biscayne Blvd. Miami FL 33137	99%
SBH Management Company, LLC 2200 Biscayne Blvd. Miami FL 33137	1%

Interests in SBH Holdings II, LLC

	Percentage of Interest
CH Investment Holdings, LLC 2200 Biscayne Blvd. Miami FL 33137	89.89%
David Galbut and Gita Galbut 2200 Biscayne Blvd. Miami FL 33137	10.11%

Interests in SBH Management Company, LLC

	Percentage of Interest
CH Investment Holdings, LLC 2200 Biscayne Blvd. Miami FL 33137	100%

Interests in CH Investment Holdings, LLC

	Percentage of Interest
S Kahn CH Investments, LLLP 2200 Biscayne Blvd. Miami FL 33137	18.685%
S Kahn CH Holdings, LLLP 2200 Biscayne Blvd. Miami FL 33137	18.351%

Galbut CH Investments, LLLP 2200 Biscayne Blvd. Miami FL 33137	18.685%
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Galbut CH Holdings, LLLP 2200 Biscayne Blvd. Miami FL 33137	18.351%
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Menin CH-BT Co, LLLP 2200 Biscayne Blvd. Miami FL 33137	19.56%
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Menin CH Holdings, LLLP 2200 Biscayne Blvd. Miami FL 33137	6.435%
--	--------

Interests in S Kahn CH Investments, LLLP

	Percentage of Interest
S Kahn CH Investments 1, LLC 2200 Biscayne Blvd. Miami FL 33137	1%
SK Business Trust 2200 Biscayne Blvd. Miami FL 33137	99%

Interests in S Kahn CH Investments 1, LLC

	Percentage of Interest
SK Business Trust 2200 Biscayne Blvd. Miami FL 33137	100%

Interests in SK Business Trust

	Percentage of Interest
Sonny Kahn 2200 Biscayne Blvd. Miami FL 33137	100%

Interests in S Kahn CH Holdings, LLLP

	Percentage of Interest
S Kahn CH Management, LLC 2200 Biscayne Blvd. Miami FL 33137	1%
Kahn 2009 Investments Irrevocable Trust 2200 Biscayne Blvd. Miami FL 33137	99%

Interests in S Kahn Management, LLC

	Percentage of Interest
Kahn Management Trust 2200 Biscayne Blvd. Miami FL 33137	100%

Interests in Kahn Management Trust

	Percentage of Interest
Sonny Kahn 2200 Biscayne Blvd. Miami FL 33137	100%

Interests in Kahn 2009 Investments Irrevocable Trust

	Percentage of Interest
Sonny Kahn 2200 Biscayne Blvd. Miami FL 33137	100%

Interests in Galbut CH Investments, LLLP

	Percentage of Interest
Galbut CH Investments 1, LLC 2200 Biscayne Blvd. Miami FL 33137	1%

RF Business Trust 2200 Biscayne Blvd. Miami FL 33137	99%
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Interests in Galbut CH Investments 1, LLC

	Percentage of Interest
RF Business Trust 2200 Biscayne Blvd. Miami FL 33137	100%

Interests in RF Business Trust

	Percentage of Interest
Russell W. Galbut 2200 Biscayne Blvd. Miami FL 33137	100%

Interests in Galbut CH Holdings, LLLP

	Percentage of Interest
Galbut CH Management, LLC 2200 Biscayne Blvd. Miami FL 33137	1%
Galbut 2009 Investments Irrevocable Trust 2200 Biscayne Blvd. Miami FL 33137	99%

Interests in Galbut CH Management, LLC

	Percentage of Interest
Galbut Management Trust 2200 Biscayne Blvd. Miami FL 33137	100%

Interests in Galbut Management Trust

	Percentage of Interest
Russell W. Galbut 2200 Biscayne Blvd. Miami FL 33137	100%

Interests in Galbut 2009 Investments Irrevocable Trust

	Percentage of Interest
Russell W. Galbut 2200 Biscayne Blvd. Miami FL 33137	100%

Interests in Menin CH-BT Co., LLLP

	Percentage of Interest
Menin CH-BT Co., LLC 2200 Biscayne Blvd. Miami FL 33137	1%
Menin 1998 Business Trust 2200 Biscayne Blvd. Miami FL 33137	99%

Interests in Menin CH-BT Co., LLC

	Percentage of Interest
Menin 1998 Business Trust 2200 Biscayne Blvd. Miami FL 33137	100%

Interests in Menin 1998 Business Trust

	Percentage of Interest
Bruce Menin 2200 Biscayne Blvd. Miami FL 33137	100%

Interests in Menin CH Holdings, LLLP

	Percentage of Interest
Menin CH Management, LLC 2200 Biscayne Blvd. Miami FL 33137	1%
Menin CH Holdings, LLC 2200 Biscayne Blvd. Miami FL 33137	99%

Interests in Menin CH Management, LLC

	Percentage of Interest
Menin Management Trust 2200 Biscayne Blvd. Miami FL 33137	100%

Interests in Menin Management Trust

	Percentage of Interest
Bruce Menin 2200 Biscayne Blvd. Miami FL 33137	100%

Interests in Menin CH Holdings, LLC

	Percentage of Interest
Menin 2009 Investments Irrevocable Trust 2200 Biscayne Blvd. Miami FL 33137	100%

Interests in Menin 2009 Investments Irrevocable Trust

	Percentage of Interest
Bruce Menin 2200 Biscayne Blvd. Miami FL 33137	100%