

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.

- | | |
|---|--|
| ☐ 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: Own Hotel - 8011, 8017, 8021 & 8035 Harding Avenue

LEGAL DESCRIPTION: Lots 2, 3, 4 and 5 of Block 6 Less the Westerly two and half (2.5) feet thereof "ALTOS DEL MAR NO. 3"

according to the map or plat thereof as recorded in Plat Book 8, Page 41, Public Records of Miami-Dade County, Florida

4. NAME OF APPLICANT Harding Excalibur, 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.

1444 Biscayne Boulevard, Suite 306

Miami

Florida

33132

ADDRESS OF APPLICANT

CITY

STATE

ZIP

BUSINESS PHONE # 305.200.8825

CELL PHONE # _____

E-mail address: aeskenazi@spider-investments.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 # CELL PHONE #

E-mail address:

6. NAME OF ARCHITECT, LANDSCAPE ARCHITECT, ENGINEER, CONTRACTOR OR OTHER PERSON RESPONSIBLE FOR PROJECT DESIGN

Behar Font & Partners, P.A. 4533 Ponce de Leon Blvd. Coral Gables Florida 33146
NAME (please circle one of the above) ADDRESS CITY STATE ZIP

BUSINESS PHONE # 305.740.5442 CELL PHONE #

E-mail address: dmotta@beharfont.com

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

a. Andres Goldenberg 1395 Brickell Avenue, Suite 800 Miami Florida 33131
NAME ADDRESS CITY STATE ZIP

BUSINESS PHONE # 305.200.8825 CELL PHONE #

E-mail address: agoldenberg@spider-investments.com

b. Alejandro Eskenazi 1395 Brickell Avenue, Suite 800 Miami Florida 33131
NAME ADDRESS CITY STATE ZIP

BUSINESS PHONE # 305.200.8825 CELL PHONE #

E-mail address: aeskenazi@spider-investments.com

c. Gabriel Andjell 1395 Brickell Avenue, Suite 800 Miami Florida 33131
NAME ADDRESS CITY STATE ZIP

BUSINESS PHONE # 305.200.8825 CELL PHONE #

E-mail address: gandjell@spider-investments.com

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:

A new four (4) story boutique hotel of approximately 44 rooms and approximately 22 parking spaces.

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): 27,486 SQ. FT.

12. TOTAL GROSS FLOOR AREA OF NEW BUILDING (including required parking and all usable floor space) 49,853 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, _____, 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, Andres Goldenberg being duly sworn, depose and say that I am the Manager of Harding Excalibur, 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.

Andres Goldenberg

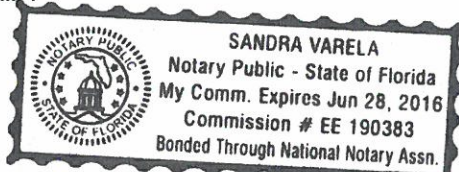
PRINT NAME

[Signature]

SIGNATURE

Sworn to and subscribed before me this 26 day of January, 2016. The foregoing instrument was acknowledged before me by Andres Goldenberg, Manager of Harding Excalibur, 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 Varela

NOTARY PUBLIC

Sandra Varela

PRINT NAME

POWER OF ATTORNEY AFFIDAVIT

STATE OF Florida

COUNTY OF Miami-Dade

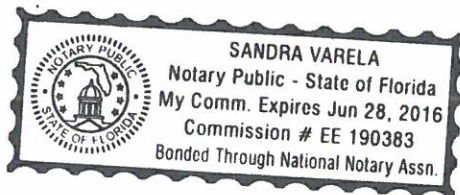
I, Andres Goldenberg, being duly sworn and depose say that I am the owner or representative of the owner of the described real property and that I am aware of the nature and effect of the request for design review approval relative to the subject property, which request is hereby made by me OR I am hereby authorizing Behar Font & Partners, P.A. to be my representative before the Development 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.

Andres Goldenberg, MGR
PRINT NAME (and Title, if applicable)

[Signature]
SIGNATURE

Sworn to and subscribed before me this 26 day of January, 2016. The foregoing instrument was acknowledged before me by Andres Goldenberg, MGR of Harding Exalibur 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 Varela
NOTARY PUBLIC
Sandra Varela
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.*

NAME
NAME, ADDRESS, AND OFFICE

DATE OF CONTRACT
% 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.*

Harding Excalibur, LLC.

CORPORATION NAME

NAME AND ADDRESS

% OF STOCK

Harding Excalibur, LLC. - 1444 Biscayne Boulevard, Suite 306
Miami, Florida 33132

100%

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

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. Robert Behar	4533 Ponce de Leon Blvd., Coral Gables, Florida 33146	305.740.5442
b. Alejandro Eskenazi	1395 Brickell Avenue, Suite 800, Miami, Florida 33131	305.200.8825
c. Gabriel Andjell	1395 Brickell Avenue, Suite 800, Miami, Florida 33131	305.200.8825

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

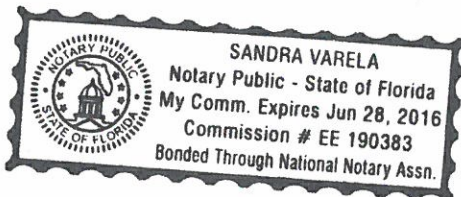
COUNTY OF Miami-Dade

I, Harding Excalibur, 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]
SIGNATURE

Sworn to and subscribed before me this 26 day of January, 2016. The foregoing instrument was acknowledged before me by Andres Goldenberg, 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 Varela
NOTARY PUBLIC

Sandra Varela
PRINT NAME



January 28, 2016

City of Miami Beach
Development Review Board
1700 Convention Center Drive
Miami Beach, Florida 33139

Re: *Own Hotel*
8011, 8017, 2081 & 8035 Harding Avenue
Miami Beach, Florida

Dear Development Review Board:

Please accept this letter as a formal letter of intent for the above referenced project.

ARCHITECTURE
PLANNING
INTERIORS

The property is currently composed of several two story office buildings that will be demolished to accommodate the new project.

The project is designed as a four story boutique hotel with approximately 44 rooms and approximately 22 on-grade parking spaces. The project features a main entry on Harding Avenue. Vehicular access to the parking is along an alley way and Harding Avenue.

We are requesting a variance to reduce side setbacks for on-grade parking from the required 10'-0" to 5'-0" in order to accommodate the required parking spaces.

We are certain that this project will be in keeping with the zoning ordinance and further enhancing this mixed-use neighborhood and becoming an asset and landmark in the City of Miami Beach.

Thank you in advance for your support. If you require any additional information please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to be "R Behar", written over a horizontal line.

Robert Behar
AR14339

4533 Ponce de Leon, Blvd.
Coral Gables, FL 33146
Tel.: 305.740.5442
Fax : 305.740.5443
E-Mail: info@beharfont.com
Certification No. AA2451