

# MIAMIBEACH

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: 4344 Alton Road, Miami Beach, FL

LEGAL DESCRIPTION: LOT 19, BLOCK 6, NAUTILUS SUBDIVISION, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 8

PAGE 95, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

4. NAME OF APPLICANT 4344 Alton Road, 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.

44 Coconut Row, Suite T-8 Palm Beach, FL 33480

ADDRESS OF APPLICANT

CITY

STATE

ZIP

BUSINESS PHONE # \_\_\_\_\_

CELL PHONE # \_\_\_\_\_

E-mail address: \_\_\_\_\_

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  
Manuel D. Fernandez V3 Architectural Group 13944 S.W. 8 St. Suite 206, Miami FL 33184  
NAME (please circle one of the above) \_\_\_\_\_ ADDRESS \_\_\_\_\_ CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_  
BUSINESS PHONE # 305-559-1496 CELL PHONE # 305-967-0404  
E-mail address: manuel@v3architecturalgroup.com

7. NAME OF AUTHORIZED REPRESENTATIVE(S), ATTORNEY(S), OR AGENT(S) AND/OR CONTACT PERSON:  
a. Ethan B. Wasserman, Esq. c/o Greenberg Traurig, P.A. 333 SE 2nd Ave., 4400 Miami. FL 33131  
NAME \_\_\_\_\_ ADDRESS \_\_\_\_\_ CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_  
BUSINESS PHONE # 305-579-0784 CELL PHONE # \_\_\_\_\_  
E-mail address: wassermane@gtlaw.com

b. \_\_\_\_\_  
NAME \_\_\_\_\_ ADDRESS \_\_\_\_\_ CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_  
BUSINESS PHONE # \_\_\_\_\_ CELL PHONE # \_\_\_\_\_  
E-mail address: \_\_\_\_\_

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:  
See attached Letter of Intent  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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, \_\_\_\_\_, 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 Palm Beach

I, Martin Sweren being duly sworn, depose and say that I am the Manager of 4344 Alton Road, LLC, a Florida limited liability company 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.

Martin Sweren

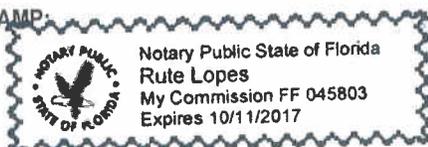
PRINT NAME

[Signature]

SIGNATURE

Sworn to and subscribed before me this 21 day of January, 2016. The foregoing instrument was acknowledged before me by Martin Sweren, Manager of 4344 Alton Road, LLC, 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



[Signature]  
Rute Lopes

NOTARY PUBLIC

PRINT NAME

My Commission Expires:

**POWER OF ATTORNEY AFFIDAVIT**

STATE OF Florida

COUNTY OF Palm Beach

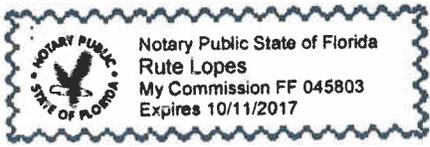
I, Martin Sweren, Manager of 4344 Alton Road, LLC, being duly sworn and deposed say that I am the owner or representative of the owner of the described real property and that I am aware of the nature and effect of the request for Design Review Approval relative to the subject property, which request is hereby made by me OR I am hereby authorizing Greenberg Traurig, P.A. / Ethan B. Wasserman 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.

Martin Sweren, Manager  
PRINT NAME (and Title, if applicable)

[Signature]  
SIGNATURE

Sworn to and subscribed before me this 21 day of January, 2016. The foregoing instrument was acknowledged before me by Martin Sweren, Manager of 4344 Alton Road, LLC who has produced \_\_\_\_\_ as identification and/or is personally known to me and who did/did not take an oath.

NOTARY SEAL OR STAMP



[Signature]  
Rute Lopes  
NOTARY PUBLIC  
PRINT NAME

My Commission Expires:

**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	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.\*

N/A \_\_\_\_\_  
CORPORATION NAME

NAME AND ADDRESS	% OF STOCK
N/A _____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

\_\_\_\_\_ \_\_\_\_\_  
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
N/A	

**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.\*

4344 Alton Road, LLC	
PARTNERSHIP or LIMITED PARTNERSHIP NAME	
NAME AND ADDRESS	% OF STOCK
Stephen A. Levin	80%
Petra Levin	20%
44 Coconut Row, Suite J-8	
Palm Beach, Florida 33480	

**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. Ethan B. Wasserman	333 SE 2nd Ave, 4400 Miami FL 33131	305-579-0784
b. Manuel D. Fernandez	13944 S. W. 8 Street, Suite 206, Miami FL 33184	305-559-1496
c.		

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 Palm Beach

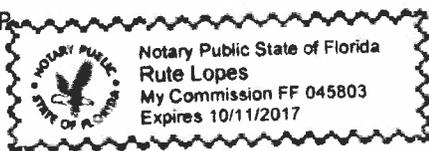
I, Martin Sweren, manager of 4344 Alton Road, LLC, (list name of corporation and office designation as applicable) being first duly sworn, depose and say that I am the applicant, or the representative of the applicant, for the subject matter of the proposed hearing; that all the answers to the questions 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.

Martin Sweren  
SIGNATURE

Sworn to and subscribed before me this 21 day of January, 2016. The foregoing instrument was acknowledged before me by Martin Sweren, who has produced \_\_\_\_\_ as identification and/or is personally known to me and who did not take an oath.

Rute Lopes  
NOTARY PUBLIC  
Rute Lopes  
PRINT NAME

NOTARY SEAL OR STAMP



My Commission Expires:

January 29, 2016

**VIA HAND DELIVERY**

**City of Miami Beach Design Review Board**

c/o Mr. Thomas Mooney  
City of Miami Beach  
Planning Department  
1700 Convention Center Drive  
Miami Beach, Florida 33139

RECEIVED  
2016 JAN 29 PM 4:21  
CMB PLANNING DEPT

**Re: Application for Design Review Approval (“Application”)  
4344 Alton Road, Miami Beach, Florida 33140 (“Property”)**

Dear Design Review Board Members:

Our Firm represents 4344 Alton Road, LLC, a Florida limited liability company (“Applicant”), owner of the Property. Please accept this Application, on behalf of the Applicant, requesting design review approval for the demolition of a home built prior to 1942, and the new construction of a single family home on the Property.

**I. Property**

The Property is zoned RS-4 Single Family Residential on the City of Miami Beach (“City”) Official Zoning Map and designated RS Single Family Residential on the City’s Future Land Use Map. The RS-4 zoning district permits single family residential uses. According to that certain Boundary Survey prepared by Royal Point Land Surveyors, Inc., a copy of which is enclosed, the Property contains 6,500 +/- square feet and is legally described as Lot 19 of Block 6 of “Plat of Nautilus Subdivision” According to the Plat there of as Recorded in Plat Book 8, at Page 95, of the Public Records of Miami-Dade County, Florida.

The Property is surrounded on the North by a 12,000 square foot vacant lot, on the East by Alton Road, on the South by a 3,317 +/- square foot home on a 6,500 square foot lot, and on the West by a 3,166 +/- square foot home on a 7,500 square foot lot. The existing home does not have central air conditioning and the finish floor elevation is just over four (4) feet, which is three (3) feet below the current base flood elevation.

## II. Design Review Approval

Applicant intends to demolish the existing home and construct a new two (2) story, 2,876 square foot residence on the Property. According to the City's Code of Ordinances ("Code"), the Property may be developed with a maximum unit size of 3,250 square feet (50% unit size), covering no more than 1,950 square feet (30% lot coverage) of the Property. As shown on the enclosed plans, the proposed home contains 2,876 square feet (44% unit size), covering only 1,621 square feet (24.9% lot coverage), and satisfies all other Code requirements.

Notwithstanding that the current Code allows 7.5' side setbacks, the proposed home is designed with over 10' of side setbacks on the North and South. The added setback will create enhanced space between the existing home on the South, which appears to encroach into its setback. Additionally, the 10' North setback will replace the existing home's non-conforming North setback which is just 3.8' from the North Property line.

The proposed home is compatible with the as built context of the neighborhood. Although the home's proposed unit size is less than the neighboring structures (including the proposed home on the vacant parcel to the North), the design and placement of the home will complement the as-built architecture of the neighborhood. The height of the home is below the maximum height allowed by Code. Furthermore, the current Property lacks any significant landscape elements. As shown on the enclosed plans, Applicant will significantly improve and enhance the landscape conditions with a tropical character that will also provide privacy between neighbors.

The pedestrian view from Alton Road includes a fluctuating wall area interlaced with glass windows and natural stone. The internal design is influenced by the Applicant's desire to create an efficiently designed home that takes advantage of outdoor spaces. The first floor contains one bedroom and an open floor plan for the kitchen, dining and living room areas. The second floor is reserved for bedrooms. As stated above, the proposed lot coverage is under 25%; the Applicant designed the non-covered areas with vibrant landscaping and open-spaces to enjoy the outdoors.

Prior to filing this application, the Applicant consulted with City Staff on the proposed design of the new home. We appreciate your consideration and request your approval of the Application.

Sincerely,



Ethan B. Wasserman, Esq.