

MIAMIBEACH

PLANNING DEPARTMENT

Staff Report & Recommendation

Historic Preservation Board

TO: Chairperson and Members
Historic Preservation Board

DATE: July 11, 2023

FROM: Thomas R. Mooney, AICP
Planning Director

SUBJECT: HPB23-0578, **2301 Normandy Drive.**

An application has been filed requesting a Certificate of Appropriateness for the partial demolition, renovation and restoration of the existing building, site improvements, the construction of an attached addition and variances from the off-street parking regulations and setbacks.

STAFF RECOMMENDATION

Approval of the Certificate of Appropriateness with conditions.
Approval of variance requests 1, 2 & 3.
Denial of variance requests 4 & 5.

BACKGROUND

On February 10, 2021, the Mayor and City Commission adopted the designation of the International Inn as a local historic site.

EXISTING SITE

Local Historic Site:	International Inn
Original Construction Date:	1956
Original Architect:	Melvin Grossman

ZONING / SITE DATA

Folio:	02-3210-011-0620
Legal Description:	Lots 15, 16, 17, and 18, Block 40, of the Miami View Section of Isle of Normandy, Part 3, according to the plat thereof, as recorded in Plat Book 40, Page 33, of the Public Records of Miami-Dade County, Florida.

Zoning:	RM-1, Residential multi-family, low intensity
Future Land Use Designation:	RM-1, Residential multi-family, low intensity

Lot Size:	37,316 sq. ft. (1.25 Max FAR)
Existing FAR:	31,492 sq. ft. / 0.84 FAR
Proposed FAR:	31,909 sq. ft. / 0.85 FAR

Existing Building Height: 20'-7" measured from design flood elevation, as represented by the applicant
Proposed Building Height: No change
Existing Use/Condition: Hotel
Proposed Use: No change

THE PROJECT

The applicant has submitted plans entitled "International Inn", as prepared by Studio 3, dated May 8, 2023.

COMPLIANCE WITH ZONING CODE

A preliminary review of the project indicates that the application, with the exception of the variances requested herein, appears to be consistent with the following provisions of the Land Development Regulations. This shall not be considered final zoning review or approval. These and all zoning matters shall require final review and verification by the Zoning Administrator prior to the issuance of a Building Permit.

CONSISTENCY WITH 2040 COMPREHENSIVE PLAN

A preliminary review of the project indicates that the proposed use is **consistent** with the Future Land Use Map of the Comprehensive Plan.

COMPLIANCE WITH SEA LEVEL RISE AND RESILIENCY REVIEW CRITERIA

Section 7.1.2.4(a)(i) of the Land Development Regulations establishes review criteria for sea level rise and resiliency that must be considered as part of the review process for board orders. The following is an analysis of the request based upon these criteria:

- (1) A recycling or salvage plan for partial or total demolition shall be provided.
Not Applicable
- (2) Windows that are proposed to be replaced shall be hurricane proof impact windows.
Satisfied
- (3) Where feasible and appropriate, passive cooling systems, such as operable windows, shall be provided.
Satisfied
- (4) Resilient landscaping (salt tolerant, highly water-absorbent, native or Florida friendly plants) shall be provided, in accordance with Chapter 4 in the Land Development Regulations.
Satisfied
- (5) The project applicant shall consider the adopted sea level rise projections in the Southeast Florida Regional Climate Action Plan, as may be revised from time-to-time by the Southeast Florida Regional Climate Change Compact. The applicant shall also specifically study the land elevation of the subject property and the elevation of surrounding properties.
Satisfied

- (6) The ground floor, driveways, and garage ramping for new construction shall be adaptable to the raising of public rights-of-ways and adjacent land and shall provide sufficient height and space to ensure that the entry ways and exits can be modified to accommodate a higher street height of up to three (3) additional feet in height.
Satisfied
- (7) In all new projects, all critical mechanical and electrical systems shall be located above base flood elevation. Due to flooding concerns, all redevelopment projects shall, whenever practicable, and economically reasonable, move all critical mechanical and electrical systems to a location above base flood elevation.
Satisfied
- (8) Existing buildings shall be, where reasonably feasible and economically appropriate, elevated up to base flood elevation, plus City of Miami Beach Freeboard.
Not Applicable
It would not be reasonable feasible or economically appropriate to elevate the existing building to Freeboard.
- (9) When habitable space is located below the base flood elevation plus City of Miami Beach Freeboard, wet or dry flood proofing systems will be provided in accordance with Chapter of 54 in General Ordinances.
Satisfied
Additional information shall be provided at the time of building permit review.
- (10) In all new projects, water retention systems shall be provided.
Satisfied
Additional information shall be provided at the time of building permit review.
- (11) Cool pavement materials or porous pavement materials shall be utilized.
Satisfied
Additional information shall be provided at the time of building permit review.
- (12) The project design shall minimize the potential for a project causing a heat island effect on site.
Satisfied

COMPLIANCE WITH CERTIFICATE OF APPROPRIATENESS CRITERIA

A decision on an application for a certificate of appropriateness shall be based upon the following:

- I. Evaluation of the compatibility of the physical alteration or improvement with surrounding properties and where applicable, compliance with the following criteria pursuant to section 2.13.7(d)(ii)(1) of the Land Development Regulations (it is recommended that the listed criteria be found Satisfied, Not Satisfied or Not Applicable, as so noted):
- a. The Secretary of Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings as revised from time to time.
Satisfied

- b. The Secretary of Interior's Standards for Reconstruction as may be amended from time to time.
Not Applicable
 - c. Other guidelines/policies/plans adopted or approved by resolution or ordinance by the city commission.
Satisfied
- II. In determining whether a particular application is compatible with surrounding properties the historic preservation board shall consider the following criteria pursuant to section 2.13.7(d)(ii)(2) of the Land Development Regulations (it is recommended that the listed criteria be found Satisfied, Not Satisfied or Not Applicable, as so noted):
- a. Exterior architectural features.
Satisfied
 - b. General design, scale, massing and arrangement.
Satisfied
 - c. Texture and material and color.
Satisfied
 - d. The relationship of subsections a., b., c., above, to other structures and features of the district.
Satisfied
 - e. The purpose for which the district was created.
Satisfied
 - f. The relationship of the size, design and siting of any new or reconstructed structure to the landscape of the district.
Satisfied
 - g. An historic resources report, containing all available data and historic documentation regarding the building, site or feature.
Satisfied
 - h. The original architectural design or any subsequent modifications that have acquired significance.
Satisfied
- III. The examination of architectural drawings for consistency with the criteria pursuant to section 2.13.7(d)(ii)(3) of the Land Development Regulations and stated below, with regard to the aesthetics, appearances, safety, and function of any new or existing structure, public interior space and physical attributes of the project in relation to the site, adjacent structures and properties, and surrounding community. The criteria referenced above are as follows (it is recommended that the listed criteria be found Satisfied, Not Satisfied or Not Applicable, as so noted):

- a. The location of all existing and proposed buildings, drives, parking spaces, walkways, means of ingress and egress, drainage facilities, utility services, landscaping structures, signs, and lighting and screening devices.
Satisfied
- b. The dimensions of all buildings, structures, setbacks, parking spaces, floor area ratio, height, lot coverage and any other information that may be reasonably necessary to determine compliance with the requirements of the underlying zoning district, and any applicable overlays, for a particular application or project.
Not Satisfied
See Compliance with Zoning Code section of this report.
- c. The color, design, surface finishes and selection of landscape materials and architectural elements of the exterior of all buildings and structures and primary public interior areas for developments requiring a building permit in areas of the city identified in section 2.13.1(c).
Satisfied
- d. The proposed structure, or additions to an existing structure are appropriate to and compatible with the environment and adjacent structures, and enhance the appearance of the surrounding properties, or the purposes for which the district was created.
Satisfied
- e. The design and layout of the proposed site plan, as well as all new and existing buildings and public interior spaces shall be reviewed so as to provide an efficient arrangement of land uses. Particular attention shall be given to safety, crime prevention and fire protection, relationship to the surrounding neighborhood, impact on preserving historic character of the neighborhood and district, contiguous and adjacent buildings and lands, pedestrian sight lines and view corridors.
Satisfied
- f. Pedestrian and vehicular traffic movement within and adjacent to the site shall be reviewed to ensure that clearly defined, segregated pedestrian access to the site and all buildings is provided for and that any driveways and parking spaces are usable, safely and conveniently arranged and have a minimal impact on pedestrian circulation throughout the site. Access to the site from adjacent roads shall be designed so as to interfere as little as possible with vehicular traffic flow on these roads and pedestrian movement onto and within the site, as well as permit both pedestrians and vehicles a safe ingress and egress to the site.
Satisfied
- g. Lighting shall be reviewed to ensure safe movement of persons and vehicles and reflection on public property for security purposes and to minimize glare and reflection on adjacent properties and consistent with a city master plan, where applicable.
Satisfied

- h. Landscape and paving materials shall be reviewed to ensure an adequate relationship with and enhancement of the overall site plan design.
Satisfied
- i. Buffering materials shall be reviewed to ensure that headlights of vehicles, noise, and light from structures are adequately shielded from public view, adjacent properties and pedestrian areas.
Satisfied
- j. Any proposed new structure shall have an orientation and massing which is sensitive to and compatible with the building site and surrounding area and which creates or maintains important view corridor(s).
Satisfied
- k. All buildings shall have, to the greatest extent possible, space in that part of the ground floor fronting a sidewalk, street or streets which is to be occupied for residential or commercial uses; likewise, the upper floors of the pedestal portion of the proposed building fronting a sidewalk street, or streets shall have residential or commercial spaces, or shall have the appearance of being a residential or commercial space or shall have an architectural treatment which shall buffer the appearance of a parking structure from the surrounding area and is integrated with the overall appearance of the project.
Satisfied
- l. All buildings shall have an appropriate and fully integrated rooftop architectural treatment which substantially screens all mechanical equipment, stairs and elevator towers.
Satisfied
- m. Any addition on a building site shall be designed, sited and massed in a manner which is sensitive to and compatible with the existing improvement(s).
Satisfied
- n. All portions of a project fronting a street or sidewalk shall incorporate an amount of transparency at the first level necessary to achieve pedestrian compatibility.
Satisfied
- o. The location, design, screening and buffering of all required service bays, delivery bays, trash and refuse receptacles, as well as trash rooms shall be arranged so as to have a minimal impact on adjacent properties.
Satisfied
- p. In addition to the foregoing criteria, the requirements of chapter 104, of the General Ordinances, shall apply to the historic preservation board's review of any proposal to place, construct, modify or maintain a wireless communications facility or other over the air radio transmission or radio reception facility in the public rights-of-way.
Not Applicable

- q. The structure and site comply with the sea level rise and resiliency review criteria in chapter 7, article I, as applicable.

Satisfied

See Compliance with Sea Level Rise and Resiliency Review Criteria section of this report.

STAFF ANALYSIS

The subject hotel structure, the International Inn, was constructed in 1956 and designed by architect Melvin Grossman in Post War Modern style of architecture. On February 10, 2021 the hotel property was designated as a local historic site. The applicant is currently proposing a welcome renovation and restoration of the historic building including general upgrades to the entire property and the construction of a small attached 1-story addition.

Exterior building improvements

The building has an I-shaped plan with the central guest room bar flanked on the north by an additional guest room wing and on the south by a lobby and restaurant. The exterior renovations include the replacement of all windows and doors with impact resistant systems, the replacement of the exterior railings, the conversion of the porte-cochere to a pedestrian entrance and the restoration of all exterior architectural features including the roof sign. Staff is extremely supportive of the restoration proposed and, would particularly commend the architect for the thoughtful new railing designs.

Lobby and guest room improvements

Within the interior of the building, the lobby and public areas are proposed to be renovated in a manner that is generally consistent with the Post War Modern era. Staff does, however, recommend that the design of the screen element proposed to be located in front of the likely original mosaic tile accent wall be further developed in a manner that better reveals this existing design feature. The hotel rooms are proposed to be renovated including the conversion of the existing exterior catwalks within the central portion of the building to private terraces and the introduction of interior corridors. Staff has no objection to this modification as it will be nearly imperceptible and will provide a modest amenity for the guest rooms.

1-story attached addition

A small approximately 150 sq. ft. addition is proposed to be constructed on the south side of the building between the existing south building wall and an existing decorative breezeblock site wall. The addition will allow for the expansion of the existing kitchen and will not require the demolition of any interior or exterior architectural details. Further, as the addition is proposed to be constructed within the space between the building and the site wall, the addition will not have any adverse visual impact. To ensure the addition remains compatible with the historic building, staff recommends that any mechanical equipment located on the roof of the addition not exceed the height of the 2nd level floor slab and include appropriately designed screening.

Site improvements

Finally, the applicant is proposing site improvements including cosmetic and drainage enhancements to the surface parking lot and the introduction of a new rear yard plan. The rear yard plan includes a new pool and pool deck, a dining terrace with a new canopy structure, a new seawall and landscaping improvements.

In summary, staff is extremely supportive of the primarily restorative renovation project and is confident that the recommendations outlined can be addressed at a staff level and recommends approval of the Certificate of Appropriateness.

VARIANCE ANALYSIS

The applicant is requesting five variances:

1. A variance to reduce by 4'-0" the required interior drive aisle width of 22'-0" in order to provide an interior drive aisle width of 18'-0". Variance requested from:

Section 5.3.3 Interior Aisles

Interior aisles shall meet or exceed the following minimum dimensions permitted:

- a. 90° parking—22 feet, with columns parallel to the interior drive on each side of the required drive, set back an additional one foot six inches, measured from the edge of the required interior drive to the face of the column.

Variance 1 is related to the minor reconfiguration of the existing 18-space surface parking lot. The lot has a non-conforming interior drive aisle width of 20'-11" where a minimum width of 22'-0" is currently required. The applicant is proposing to reduce the existing interior aisle width by 2'-11" resulting in a proposed aisle width of 18'-0". This modification would allow for the introduction of code compliant parking spaces including accessible parking and a landscape buffer along the west side to screen vehicular headlights. Staff would note that the surface parking area was constructed with the original building, as was customary for motels (motor hotels) which were generally traveled to by car. Staff finds that the existing site conditions including the retention of the historic structure and associated parking and the need to provide the minimum parking space dimensions creates practical difficulties warranting the granting of a variance.

2. A variance to reduce by 12'-9" the minimum required side interior setback of 16'-6" in order to construct a 1-story attached addition at a setback of 3'-9" from the south property line.
3. A variance to reduce by 2'-11" the existing non-conforming sum of the side yard setback of 11'-9" in order to construct a 1-story attached addition at a setback of 3'-9" from the south property line.
4. A variance to reduce by 15'-0" the minimum required front yard setback of 20'-0" in order to locate a pad mounted FPL transformer at a setback of 5'-0" from the east property line.
5. A variance to reduce by 11'-6" the minimum required side interior setback of 16'-6" in order to locate a pad mounted FPL transformer at a setback of 5'-0" from the north property line. Variances requested from:

Section 7.2.4.3 Development Regulations (RM-1)

- a. *The development regulations in the RM-1 residential multifamily, low density district are as follows:*

Front Setback: 20 feet

Side, Interior Setback, lots equal or greater than 65 feet in width: 10 feet or 8% of the lot width, whichever is greater, and sum of the side yards shall equal 16% of lot width

Variances 2 & 3 are related to the construction of a small 1-story ground level addition at the south side of the building in order to expand an existing kitchen. The addition will “fill in” an open space located between the south side of the building and a decorative breeze block site wall and will be nearly imperceptible to passersby. Staff finds that the existing site conditions including non-conforming side setbacks and the retention of the existing historic hotel justify the granting of the variance for this limited area.

Variances 4 & 5 are related to the proposed introduction of a new pad mounted FPL transformer at the northeast corner of the site within the required front and side interior setbacks. Staff is not supportive of these variance requests as this equipment could be accommodated elsewhere on the site. Staff would note that the plans submitted provide an alternate location for the transformer that complies with the required setbacks. As such, staff has concluded that variances 4 & 5 do not satisfy the practical difficulties or hardship criteria and recommends denial these variances.

RECOMMENDATION

In view of the foregoing analysis, staff recommends that the request for a Certificate of Appropriateness and variances 1, 2 & 3 be approved and variances 4 & 5 be denied, subject to the conditions enumerated in the attached draft Order, which address the inconsistencies with the aforementioned Certificate of Appropriateness criteria and Hardship and Practical Difficulties criteria, as applicable.

HISTORIC PRESERVATION BOARD
City of Miami Beach, Florida

MEETING DATE: July 11, 2023

PROPERTY/FOLIO: 2301 Normandy Drive / 02-3210-011-0620

FILE NO: HPB23-0578

APPLICANT: Tsay International Inc.

IN RE: An application has been filed requesting a Certificate of Appropriateness for the partial demolition, renovation and restoration of the existing building, site improvements, the construction of an attached addition and variances from the off-street parking regulations and setbacks.

LEGAL: Lots 15, 16, 17, and 18, Block 40, of the Miami View Section of Isle of Normandy, Part 3, according to the plat thereof, as recorded in Plat Book 40, Page 33, of the Public Records of Miami-Dade County, Florida.

ORDER

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:

I. Certificate of Appropriateness

- A. The subject site is a designated historic site.
- B. 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 Staff Report, the project as submitted:
 1. Is consistent with Sea Level Rise and Resiliency Review Criteria in Section 7.1.2.4(a)(i) of the Land Development Regulations.
 2. Is consistent with Certificate of Appropriateness Criteria in section 2.13.7(d)(ii)(1) of the Land Development Regulations.
 3. Is consistent with Certificate of Appropriateness Criteria in section 2.13.7(d)(ii)(2) of the Land Development Regulations.
 4. Is not consistent with Certificate of Appropriateness Criteria 'b' in section 2.13.7(d)(ii)(3) of the Land Development Regulations.
 5. Is consistent with Certificate of Appropriateness Criteria in 2.13.7(d)(vi)(4) of the Land Development Regulations.

- C. The project would be consistent with the criteria and requirements of sections 2.13.7(d) and 7.1.2.4(a) of the Land Development Regulations if the following conditions are met:
1. Revised elevation, site plan and floor plan drawings shall be submitted and, at a minimum, such drawings shall incorporate the following:
 - a. The hotel building shall be fully renovated and restored, in a manner to be reviewed and approved by staff consistent with the plans submitted and the Certificate of Appropriateness Criteria and/or the directions from the Board; at a minimum, this shall include the following:
 - i. The existing exterior windows and doors shall be replaced with new impact resistant systems and shall incorporate a muntin configuration that is consistent with available historical documentation, 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 design of the screen element proposed to be located in front of the likely original mosaic tile accent wall within the lobby shall be further developed in a manner that better reveals the existing tile cladding, 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. Any mechanical equipment located on the roof of the addition shall not exceed the height of the 2nd level floor slab and shall include appropriately designed screening designed by the project architect, in a manner to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board.
 - d. Final details of all exterior surface finishes and materials, including samples, shall be submitted, in a manner to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board.
 - e. All roof-top fixtures, air-conditioning units and mechanical devices shall be clearly noted on a revised roof plan and elevation drawings and shall be screened from view, in a manner to be reviewed and approved by staff, consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board.
 2. A revised landscape plan, prepared by a Professional Landscape Architect, registered in the State of Florida, and corresponding site plan, shall be submitted to and approved by staff. The species type, quantity, dimensions, spacing, location and overall height of all plant material shall be clearly delineated and subject to the review and approval of staff. At a minimum, such plan shall incorporate the following:
 - a. All hedge and ground cover plantings within the street facing yards shall not exceed 42" in height at maturity.

- b. Prior to issuance of a Building Permit, the applicant shall provide a Tree Report prepared by a Certified Arborist for any existing canopy shade trees with a DBH of 3" or greater located in public or private property, which may be scheduled for removal or relocation for the review and approval of the City of Miami Beach Urban Forester.
- c. A fully automatic irrigation system with 100% coverage and an automatic rain sensor in order to render the system inoperative in the event of rain.
- d. The project design shall minimize the potential for a project causing a heat island effect on site.
- e. Cool pavement materials or porous pavement materials shall be utilized.

In accordance with section 2.2.4.8(c) of the Land Development Regulations, the applicant, the City Manager, Miami Design Preservation League, Dade Heritage Trust, or an affected person may appeal the Board's decision on a Certificate of Appropriateness to a special magistrate appointed by the City Commission.

II. Variance(s)

- A. The applicant filed an application with the Planning Department for the following variance(s):
 1. A variance to reduce by 4'-0" the required interior drive aisle width of 22'-0" in order to provide an interior drive aisle width of 18'-0".
 2. A variance to reduce by 12'-9" the minimum required side interior setback of 16'-6" in order to construct a 1-story attached addition at a setback of 3'-9" from the south property line.
 3. A variance to reduce by 2'-11" the existing non-conforming sum of the side yard setback of 11'-9" in order to construct a 1-story attached addition at a setback of 3'-9" from the south property line.
 4. A variance to reduce by 15'-0" the minimum required front yard setback of 20'-0" in order to locate a pad mounted FPL transformer at a setback of 5'-0" from the east property line.
 5. A variance to reduce by 11'-6" the minimum required side interior setback of 16'-6" in order to locate a pad mounted FPL transformer at a setback of 5'-0" from the north property line.
- B. The applicant has submitted plans and documents with the application that satisfy Article 1, Section 2 of the Related Special Acts with respect to variance requests 1,2 & 3, allowing the granting of a variance if the Board finds that practical difficulties exist with respect to implementing the proposed project at the subject property.

The applicant has submitted plans and documents with the application that indicate the following, as they relate to the requirements of section 2.8.3(a) of the Land Development Regulations:

That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same zoning district.

That the special conditions and circumstances do not result from the action of the applicant.

That granting the variance requested will not confer on the applicant any special privilege that is denied by these land development regulations to other lands, buildings, or structures in the same zoning district.

That literal interpretation of the provisions of these land development regulations would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of these land development regulations and would work unnecessary and undue hardship on the applicant.

That the variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure.

That the granting of the variance will be in harmony with the general intent and purpose of these land development regulations and that such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

That the granting of this request is consistent with the comprehensive plan and does not reduce the levels of service as set forth in the plan.

The granting of the variance will result in a structure and site that complies with the sea level rise and resiliency review criteria in chapter 7, article I, as applicable.

- C. The applicant has submitted plans and documents with the application that do not satisfy Article 1, Section 2 of the Related Special Acts with respect to variance requests 4 & 5.
- D. The Board finds that the application satisfies Article 1, Section 2 of the Related Special Acts and the requirements of section 2.8.3(a) of the Land Development Regulations, with respect to variance requests 1, 2 & 3 and hereby **approves** variances 1, 2 & 3; and the Board finds that the application does not satisfy Article 1, Section 2 of the Related Special Acts and the requirements of section 2.8.3(a) of the Land Development Regulations, with respect to variance requests 4 & 5, and hereby **denies** variances 4 & 5, as noted; and imposes the following condition based on its authority in section 2.8.4 of the Land Development Regulations:
1. Substantial modifications to the plans submitted and approved as part of the application, as determined by the Planning Director or designee, may require the applicant to return to the Board for approval of the modified plans, even if the

modifications do not affect variances approved by the Board.

The decision of the Board regarding variances shall be final and there shall be no further review thereof except by resort to a court of competent jurisdiction by petition for writ of certiorari.

III. General Terms and Conditions applying to both 'I. Certificate of Appropriateness' and 'II. Variances' noted above.

- A. The applicant agrees and shall be required to provide access to areas subject to this approval (not including private residences or hotel rooms) for inspection by the City (i.e.: Planning, Code Compliance, Building Department, Fire Safety), to ensure compliance with the plans approved by the Board and conditions of this order.
- B. The issuance of a building permit is contingent upon meeting Public School Concurrency requirements, if applicable. Applicant shall obtain a valid School Concurrency Determination Certificate (Certificate) issued by the Miami-Dade County Public Schools. The Certificate shall state the number of seats reserved at each school level. In the event sufficient seats are not available, a proportionate share mitigation plan shall be incorporated into a tri-party development agreement and duly executed. No building permit may be issued unless and until the applicant obtains a written finding from Miami-Dade County Public Schools that the applicant has satisfied school concurrency.
- C. The relocation of any tree shall be subject to the approval of the Environment & Sustainability Director and/or Urban Forester, as applicable.
- D. The applicant shall comply with the electric vehicle parking requirements, pursuant to section 5.1.13 of the land development regulations, as applicable.
- E. Where one or more parcels are unified for a single development, the property owner shall execute and record a unity of title or a covenant in lieu of unity of title, as may be applicable, in a form acceptable to the City Attorney.
- F. All applicable FPL transformers or vault rooms and backflow prevention devices shall be located within the building envelope with the exception of the valve (PIV) which may be visible and accessible from the street.
- G. A copy of all pages of the recorded Final Order shall be scanned into the plans submitted for building permit and shall be located immediately after the front cover page of the permit plans.
- H. The Final Order shall be recorded in the Public Records of Miami-Dade County, prior to the issuance of a Building Permit.
- I. Satisfaction of all conditions is required for the Planning Department to give its approval on a Certificate of Occupancy; a Temporary Certificate of Occupancy or Partial Certificate of Occupancy may also be conditionally granted Planning Departmental approval.

- J. The 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.
- K. The conditions of approval herein are binding on the applicant, the property's owners, operators, and all successors in interest and assigns.
- L. 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.
- M. Upon the issuance of a final Certificate of Occupancy or Certificate of Completion, as applicable, the project approved herein shall be maintained in accordance with the plans approved by the board and shall be subject to all conditions of approval herein, unless otherwise modified by the Board. Failure to maintain shall result in the issuance of a Code Compliance citation, and continued failure to comply may result in revocation of the Certificate of Occupancy, Completion and Business Tax Receipt.

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 and adopted by the Board, that the application is GRANTED for the above-referenced project subject to those certain conditions specified in Paragraphs I, II and III of the Findings of Fact, to which the applicant has agreed.

PROVIDED, the applicant shall build substantially in accordance with the plans entitled "**International Inn**", as prepared by Studio 3, dated May 8, 2023, as approved by the Historic Preservation Board, as determined by staff.

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. 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 Order, have been met.

The issuance of the approval 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 approval was granted, the application will expire and become null and void, unless the applicant makes an application to the Board for an extension of time, in accordance with the requirements and procedures of section 2.13.7 of the Land Development Regulations; the granting of any such extension of time shall be at the discretion of the Board. If the Full Building Permit for the project should expire for any reason (including but not limited to

construction not commencing and continuing, with required inspections, in accordance with the applicable Building Code), the application will expire and become null and void.

In accordance with chapter 2 of the Land Development Regulations, the violation of any conditions and safeguards that are a part of this Order shall be deemed a violation of the land development regulations. Failure to comply with this Order shall subject the application to chapter 2 of the Land Development Regulations, for revocation or modification of the application.

Dated this _____ day of _____, 20__.

HISTORIC PRESERVATION BOARD
THE CITY OF MIAMI BEACH, FLORIDA

BY: _____
DEBORAH TACKETT
HISTORIC PRESERVATION & ARCHITECTURE OFFICER
FOR THE CHAIR

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

The foregoing instrument was acknowledged before me this _____ day of _____ 20__ by Deborah Tackett, Historic Preservation & Architecture Officer, Planning Department, City of Miami Beach, Florida, a Florida Municipal Corporation, on behalf of the corporation. She is personally known to me.

NOTARY PUBLIC
Miami-Dade County, Florida
My commission expires: _____

Approved As To Form:
City Attorney's Office: _____ ())

Filed with the Clerk of the Historic Preservation Board on _____ ())