

# MIAMI BEACH

## PLANNING DEPARTMENT

### Staff Report & Recommendation

### Historic Preservation Board

TO: Chairperson and Members  
Historic Preservation Board

DATE: September 12, 2023

FROM: Thomas R. Mooney, AICP  
Planning Director



SUBJECT: HPB23-0575, **100 Block of Lincoln Road Right-of-Way and 1 Lincoln Road.**

An application has been filed requesting a Certificate of Appropriateness for improvements to Lincoln Road between Collins Avenue and the Beachwalk.

#### **RECOMMENDATION**

Approval of the Certificate of Appropriateness with conditions.

#### **BACKGROUND**

On September 14, 2022, at the request of Commissioner Alex Fernandez, the City Commission referred a discussion item (C4 AB) to the Land Use and Sustainability Committee (LUSC), the Public Safety Neighborhood and Quality of Life Committee (PSNQLC), and the Finance and Economic Resiliency Committee (FERC) regarding the possibility of improvements to the 100-300 blocks of Lincoln Road to enhance the pedestrian and vehicular experience with a vision to revitalize the area.

In response to the FERC discussion, the owners of 1 Lincoln Road (Ritz-Carlton Hotel, South Beach) and 1671 Collins Avenue (Sagamore Hotel South Beach), proposed to design and engineer, subject to direction from, and approval by, the City, certain pedestrian, vehicular and other improvements within the Lincoln Road right-of-way from Washington Avenue east to the Beachwalk in conjunction with a separate redevelopment project for the privately owned property.

On December 14, 2022, the Mayor and City Commission unanimously adopted Resolution No. 2022-32444, authorizing the Administration to engage in negotiations with the Developer in regard to a development agreement which would, among other terms, memorialize the framework for the Lincoln Road improvements, and further, directing the Administration to further analyze all aspects of the potential pedestrianization of the 200 and 300 blocks of Lincoln Road, between Washington Avenue and Collins Avenue and the reduction of vehicular traffic east of Collins Avenue.

On June 28, 2023, the Mayor and City Commission adopted Resolution No. 2023-32629 directing the Administration to negotiate an improvement and maintenance agreement for the 100-300 Block of the Lincoln Road right-of-way and authorizing the City Manager to execute the necessary Land Use Board applications related to the proposed improvements.

#### **EXISTING STRUCTURES**

Local Historic District:

Ocean Drive/Collins Avenue

### **1 Lincoln Road (Ritz-Carlton Hotel)**

Classification: Contributing  
Construction Date: 1953  
Architect: Melvin Grossman & Morris Lapidus

### **1 Lincoln Road (Retail & Office Building)**

Classification: Contributing  
Construction Date: 1949  
Architect: Igor Polevitsky

### **ZONING / SITE DATA**

Legal Description: That portion of the Lincoln Road right-of-way located east of Collins Avenue and Lots 1 thru 4, Lot 17 & South ½ of Lots 5 & 16, Block 29 and a strip of land described in DB 3781-543 and Lots 18-19 & 20, Block 29 and a portion of land being a being a part of the platted Lincoln Road right-of-way, according to the plat thereof recorded in Plat Book 2, Page 77 of the public records of Miami Dade County, Florida.

Zoning: RM-3, Residential Multi-family, high intensity  
Future Land Use Designation: RM-3, Residential Multi-family, high intensity

### **THE PROJECT**

The applicant has submitted plans entitled “Lincoln Road – 100 Block”, as prepared by Kobi Karp Architecture and Interior Design, Inc., dated July 6, 2023.

### **COMPLIANCE WITH ZONING CODE**

The application for Certificate of Appropriateness, as submitted, appears to be consistent with the requirements of the City Code.

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 right-of-way improvements are **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.  
**Not Applicable**

- (3) Where feasible and appropriate, passive cooling systems, such as operable windows, shall be provided.  
**Not Applicable**
- (4) Resilient landscaping (salt tolerant, highly water-absorbent, native or Florida friendly plants) shall be provided, in accordance with Chapter 4 of 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.  
**Not Applicable**
- (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.  
**Not Applicable**
- (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.  
**Not Applicable**
- (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**
- (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.  
**Not Applicable**
- (10) In all new projects, water retention systems shall be provided.  
**Satisfied**  
**Additional information shall be provided at the time of building permit and right-of-way 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.  
**Not Applicable**
  - 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 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.  
**Not Applicable**
  - h. The original architectural design or any subsequent modifications that have acquired significance.

**Not Applicable**

- 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.  
**Satisfied**
  - 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, and/or additions to an existing structure is appropriate to and compatible with the environment and adjacent structures, and enhances 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.

**Not Applicable**

- 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**

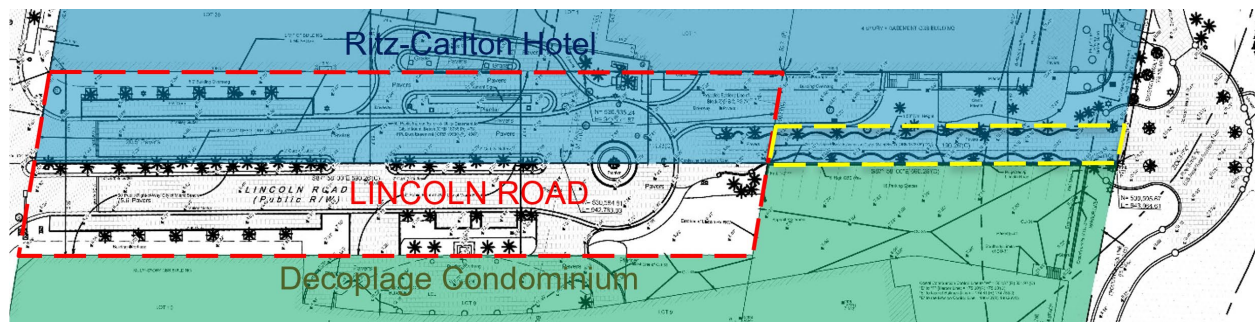
- o. The location, design, screening and buffering of all required service bays, delivery bays, trash and refuse receptacles, as well as trash rooms shall be arranged so as to have a minimal impact on adjacent properties.

**Not Applicable**

- 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.**

### **ANALYSIS**

Staff would preface this analysis by noting the unique ownership conditions of the portion of Lincoln Road east of Collins Avenue. As can be seen in the diagram below, the northern half of what is recognized as Lincoln Road (red) is actually part of the Ritz-Carlton Hotel property (blue). Additionally, the northeastern corner of the Decoplage Condominium (green) property extends north to meet the Ritz-Carton property. In order to provide access to the Beachwalk, the City has a 20'-0" wide pedestrian access agreement (yellow) within the southwestern corner of the property.



The subject application is limited to improvements to Lincoln Road (including the portion owned by the Ritz-Carlton and the pedestrian easement area (the areas outlined in red and yellow)). Improvements include the reconfiguration of the roadway and sidewalks, the introduction of decorative paving and enhanced landscaping. Additionally, the applicant is proposing to modify the Ritz-Carlton Hotel drop off area including the widening of the pedestrian walkway along this portion of the building and the introduction of a new driveway and loading area configuration. Staff would note that as part of a separate application (HPB23-0574), the application is also proposing the introduction of a new porte-cochere to provide protection for the proposed drop off area.

Staff is extremely supportive of the proposed improvements to this highly traveled corridor which will enhance the pedestrian experience and will reduce potential conflicts with pedestrians, bicyclists, and vehicles. The proposed plan will also substantially improve the existing loading conditions of the hotel. Additionally, staff appreciates the design of the decorative paving pattern proposed for the vehicular and pedestrian surfaces which has been inspired by the Morris Lapidus piano key design of Lincoln Road Mall.

At the end of the Lincoln Road right-of-way, the applicant is proposing to introduce a gateway element inspired by the Morris Lapidus designed folly structures of the Lincoln Road Mall. This gateway area also serves as the connection between Lincoln Road and the Beachwalk. Staff is

generally supportive of the gateway design; however, staff recommends that the paving be expanded to the north to provide a safer and smoother transition (especially for bicyclists) from Lincoln Road to the Beachwalk.

Further, the path between Lincoln Road and the Beachwalk (the yellow pedestrian access easement area) is proposed to be reconfigured, including a new wider pedestrian walkway, the introduction of several pedestals for future sculptures and a decorative wall along the perimeter of the Ritz-Carlton loading area. Additionally, staff would note that the applicant is proposing enhancements to the Beachwalk connection, however, this area is outside of the Ocean Drive/Collins Avenue Historic District and is not within the jurisdiction of the Board.

Finally, it is important to note that the project has been developed in coordination multiple City Departments including Transportation, Public Works, Parking, Fire, Police, Capital Improvements Projects, and the City Manager's Office. The applicant has provided traffic impact studies to the City and the proposed modifications to the 100 Block of Lincoln Road are not anticipated to result in a significant impact on the operational level of service or vehicular delay at the affected intersections. Further, the Parking Department has provided feedback and recommendations regarding on-street parking and loading zone configurations and the Fire Department has reviewed the proposed modifications with regard to serviceability including fire truck access.

Additionally, the Public Works Department has reviewed the proposed project and is recommending the below-ground infrastructure be enhanced including the replacement of stormwater, sewer and water lines within the 100 Block.

In summary, staff is highly supportive of the proposed project which should significantly increase the pedestrian experience and safety within this area of the City.

### **RECOMMENDATION**

In view of the foregoing analysis, staff recommends the request for a Certificate of Appropriateness be **approved**, subject to the conditions enumerated in the attached draft Order, which address the inconsistencies with the aforementioned Certificate of Appropriateness criteria, as applicable.



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

MEETING DATE: September 12, 2023

PROPERTY/FOLIO: 100 Block of Lincoln Road Right-of-Way and 1 Lincoln Road / 02-3234-123-0001, 02-3234-123-0021, 02-3234-123-0030 & 02-3234-123-0010

FILE NO: HPB23-0575

APPLICANTS: Di Lido Beach Commercial Lessor, LLC, Di Lido Beach Commercial, LLC, Di Lido Beach Resort, LLC and Di Lido Beach Resort Land, LLC

IN RE: An application has been filed requesting a Certificate of Appropriateness for improvements to Lincoln Road between Collins Avenue and the Beachwalk.

LEGAL: That portion of the Lincoln Road right-of-way located east of Collins Avenue and Lots 1 thru 4, Lot 17 & South ½ of Lots 5 & 16, Block 29 and a strip of land described in DB 3781-543 and Lots 18-19 & 20, Block 29 and a portion of land being a part of the platted Lincoln Road right-of-way, according to the plat thereof recorded in Plat Book 2, Page 77 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 located within the Ocean Drive/Collins Avenue Local Historic District.
- 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 consistent with Certificate of Appropriateness Criteria in section 2.13.7(d)(ii)(3) of the Land Development Regulations.

- C. The project would remain consistent with the criteria and requirements of sections 2.13.7(d) and 7.1.2.4(a) of 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 pedestrian walkway paving shall be expanded to the north of the gateway structure to provide a smoother transition from Lincoln Road to the path to the Beachwalk, 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 final design and details of the roadway configuration and on street parking and loading spaces shall be provided, in a manner to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board and shall be subject to the review and approval of the Transportation and Parking Departments and all other applicable departments.
    - c. The applicant shall revise the lane marking to remove the right-turn markings shown on the outside lane into the Decoplage Condominium in a manner to for all the design vehicles while keeping the traffic circle to the minimum radius and maximizing the pedestrian sidewalk width. In addition, the applicant shall modify the landscaping to minimize the deflection angle near the gateway, in a manner to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board and all other applicable departments.
    - d. The final design and details of the decorative paving shall be provided, in a manner to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board and subject to the review and approval of the Transportation and Public Works Departments and all other applicable departments.
    - e. The final design and details of the decorative wall, sculptures and gateway structure shall be provided, in a manner to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board.
    - f. 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.
  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. 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.
- b. The project design shall minimize the potential for a project causing a heat island effect on site.
- c. Cool pavement materials or porous pavement materials shall be utilized, if applicable.

**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. No Variances have been requested as part of this application.

**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.

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- 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 Paragraph I, II, III of the Findings of Fact, to which the applicant has agreed.

PROVIDED, the applicant shall build substantially in accordance with the **plans "Lincoln Road – 100 Block", as prepared by Kobi Karp Architecture and Interior Design, Inc., dated July 6, 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

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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 \_\_\_\_\_ ( )

DRAFT