

# MIAMI BEACH

## PLANNING DEPARTMENT

### Staff Report & Recommendation

### Historic Preservation Board

TO: Chairperson and Members  
Historic Preservation Board

DATE: April 10, 2017

FROM: Thomas R. Mooney, AICP  
Planning Director



SUBJECT: HPB16-0083, **960 Ocean Drive – Ocean's Ten**.

The applicant, Sobe USA, LLC d/b/a Ocean's Ten South Beach, is requesting a Certificate of Appropriateness for the installation of retractable awning structures attached to the east façade and freestanding retractable umbrellas along the east side of the property.

#### **STAFF RECOMMENDATION**

**Denial** of the Certificate of Appropriateness

#### **BACKGROUND**

On March, 13, 2017 the Board reviewed and continued the subject application to a date certain of April 10, 2017.

#### **EXISTING STRUCTURE**

Local Historic District:	Ocean Drive/Collins Avenue
Status:	Contributing
Original Architect:	Henry Hohauser
Construction Date:	1935

#### **ZONING / SITE DATA**

Legal Description:	Lot 1 and 2, Block 14, Ocean Beach Addition No. 2, According to the Plat Thereof, as Recorded in Plat Book 2, Page 56, of the Public Records of Miami-Dade County, Florida.
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Zoning:	MXE, Mixed use entertainment
Future Land Use Designation:	MXE, Mixed use entertainment

#### **THE PROJECT**

The applicant has submitted plans entitled "Oceans Ten at the Edison Hotel" as prepared by Telesco Associates, dated January 23, 2017.

**The applicant is requesting a Certificate of Appropriateness for the installation of retractable awning structures attached to the east façade and freestanding retractable umbrellas along the east side of the property.**

### **COMPLIANCE WITH ZONING CODE**

A preliminary review of the project indicates that the application, as proposed, appears to be consistent with the City Code.

The above noted comments 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 2025 COMPREHENSIVE PLAN**

A preliminary review of the project indicates that the **mixed-use** use appears to be **consistent** with the Future Land Use Map of the Comprehensive Plan.

### **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 118-564(a)(1) of the Miami Beach Code (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 Satisfied**

**The introduction of retractable awnings spanning across the five bay arcaded loggia significantly obscures this important architectural feature. Additionally, the proposed retractable awnings introduce a strong horizontal emphasis at the ground level interrupting the delicate balance of horizontal and vertical elements as designed by Henry Hohaus.**

**The proposed freestanding retractable umbrellas are out of character with the Ocean Drive/Collins Avenue Local Historic District and have an adverse impact on the courtyard space, the adjacent 'Contributing' structures and the surrounding historic district.**

- b. 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 Board shall consider the following criteria pursuant to Section 118-564(a)(2) of the Miami Beach Code (it is recommended that the listed criteria be found Satisfied, Not Satisfied or Not Applicable, as so noted):

- a. Exterior architectural features.

**Not Satisfied**

**The introduction of retractable awnings spanning across the five bay arcaded loggia significantly obscures this important architectural feature. Additionally, the proposed retractable awnings introduce a strong**

horizontal emphasis at the ground level interrupting the delicate balance of horizontal and vertical elements as designed by Henry Hohauser.

The proposed freestanding retractable umbrellas are out of character with the Ocean Drive/Collins Avenue Local Historic District and have an adverse impact on the courtyard space, the adjacent 'Contributing' structures and the surrounding historic district.

- b. General design, scale, massing and arrangement.

**Not Satisfied**

The introduction of retractable awnings spanning across the five bay arcaded loggia significantly obscures this important architectural feature. Additionally, the proposed retractable awnings introduce a strong horizontal emphasis at the ground level interrupting the delicate balance of horizontal and vertical elements as designed by Henry Hohauser.

The proposed freestanding retractable umbrellas are out of character with the Ocean Drive/Collins Avenue Local Historic District and have an adverse impact on the courtyard space, the adjacent 'Contributing' structures and the surrounding historic district.

- c. Texture and material and color.

**Satisfied**

- d. The relationship of a, b, c, above, to other structures and features of the district.

**Not Satisfied**

The proposed freestanding retractable umbrellas are out of character with the Ocean Drive/Collins Avenue Local Historic District and have an adverse impact on the courtyard space, the adjacent 'Contributing' structures and the surrounding historic district.

- e. The purpose for which the district was created.

**Not Satisfied**

The introduction of retractable awnings spanning across the five bay arcaded loggia significantly obscures this important architectural feature. Additionally, the proposed retractable awnings introduce a strong horizontal emphasis at the ground level interrupting the delicate balance of horizontal and vertical elements as designed by Henry Hohauser.

The proposed freestanding retractable umbrellas are out of character with the Ocean Drive/Collins Avenue Local Historic District and have an adverse impact on the courtyard space, the adjacent 'Contributing' structures and the surrounding historic district.

- f. The relationship of the size, design and siting of any new or reconstructed structure to the landscape of the district.

**Not Satisfied**

The introduction of retractable awnings spanning across the five bay arcaded loggia significantly obscures this important architectural feature. Additionally, the proposed retractable awnings introduce a strong

**horizontal emphasis at the ground level interrupting the delicate balance of horizontal and vertical elements as designed by Henry Hohaus.**

**The proposed freestanding retractable umbrellas are out of character with the Ocean Drive/Collins Avenue Local Historic District and have an adverse impact on the courtyard space, the adjacent 'Contributing' structures and the surrounding historic district.**

- g. An historic resources report, containing all available data and historic documentation regarding the building, site or feature.

**Not Applicable**

**An historic resources report was not required.**

- h. The original architectural design or any subsequent modifications that have acquired significance.

**Not Satisfied**

**The introduction of retractable awnings spanning across the five bay arcaded loggia significantly obscures this important architectural feature. Additionally, the proposed retractable awnings introduce a strong horizontal emphasis at the ground level interrupting the delicate balance of horizontal and vertical elements as designed by Henry Hohaus.**

- III. The examination of architectural drawings for consistency with the criteria pursuant to Section 118-564(a)(3) of the Miami Beach Code 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 118-503.

**Not Satisfied**

**The introduction of retractable awnings spanning across the five bay arcaded loggia significantly obscures this important architectural feature. Additionally, the proposed retractable awnings introduce a strong**

**horizontal emphasis at the ground level interrupting the delicate balance of horizontal and vertical elements as designed by Henry Hohauser.**

**The proposed freestanding retractable umbrellas are out of character with the Ocean Drive/Collins Avenue Local Historic District and have an adverse impact on the courtyard space, the adjacent 'Contributing' structures and the surrounding historic district.**

- 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.

**Not Satisfied**

**The introduction of retractable awnings spanning across the five bay arcaded loggia significantly obscures this important architectural feature. Additionally, the proposed retractable awnings introduce a strong horizontal emphasis at the ground level interrupting the delicate balance of horizontal and vertical elements as designed by Henry Hohauser.**

**The proposed freestanding retractable umbrellas are out of character with the Ocean Drive/Collins Avenue Local Historic District and have an adverse impact on the courtyard space, the adjacent 'Contributing' structures and the surrounding historic district.**

- 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.

**Not Satisfied**

**The introduction of retractable awnings spanning across the five bay arcaded loggia significantly obscures this important architectural feature. Additionally, the proposed retractable awnings introduce a strong horizontal emphasis at the ground level interrupting the delicate balance of horizontal and vertical elements as designed by Henry Hohauser.**

**The proposed freestanding retractable umbrellas are out of character with the Ocean Drive/Collins Avenue Local Historic District and have an adverse impact on the courtyard space, the adjacent 'Contributing' structures and the surrounding historic district.**

- 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.

**Not Satisfied**

**A lighting plan has not been submitted.**

- h. Landscape and paving materials shall be reviewed to ensure an adequate relationship with and enhancement of the overall site plan design.

**Not Applicable**

- 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.

**Not Applicable**

- 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).

**Not Satisfied**

**The introduction of retractable awnings spanning across the five bay arcaded loggia significantly obscures this important architectural feature. Additionally, the proposed retractable awnings introduce a strong horizontal emphasis at the ground level interrupting the delicate balance of horizontal and vertical elements as designed by Henry Hohauser.**

**The proposed freestanding retractable umbrellas are out of character with the Ocean Drive/Collins Avenue Local Historic District and have an adverse impact on the courtyard space, the adjacent 'Contributing' structures and the surrounding historic district.**

- 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).

**Not Satisfied**

**The introduction of retractable awnings spanning across the five bay arcaded loggia significantly obscures this important architectural feature. Additionally, the proposed retractable awnings introduce a strong horizontal emphasis at the ground level interrupting the delicate balance of horizontal and vertical elements as designed by Henry Hohauser.**

**The proposed freestanding retractable umbrellas are out of character with the Ocean Drive/Collins Avenue Local Historic District and have an adverse impact on the courtyard space, the adjacent 'Contributing' structures and the surrounding historic district.**

- 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.

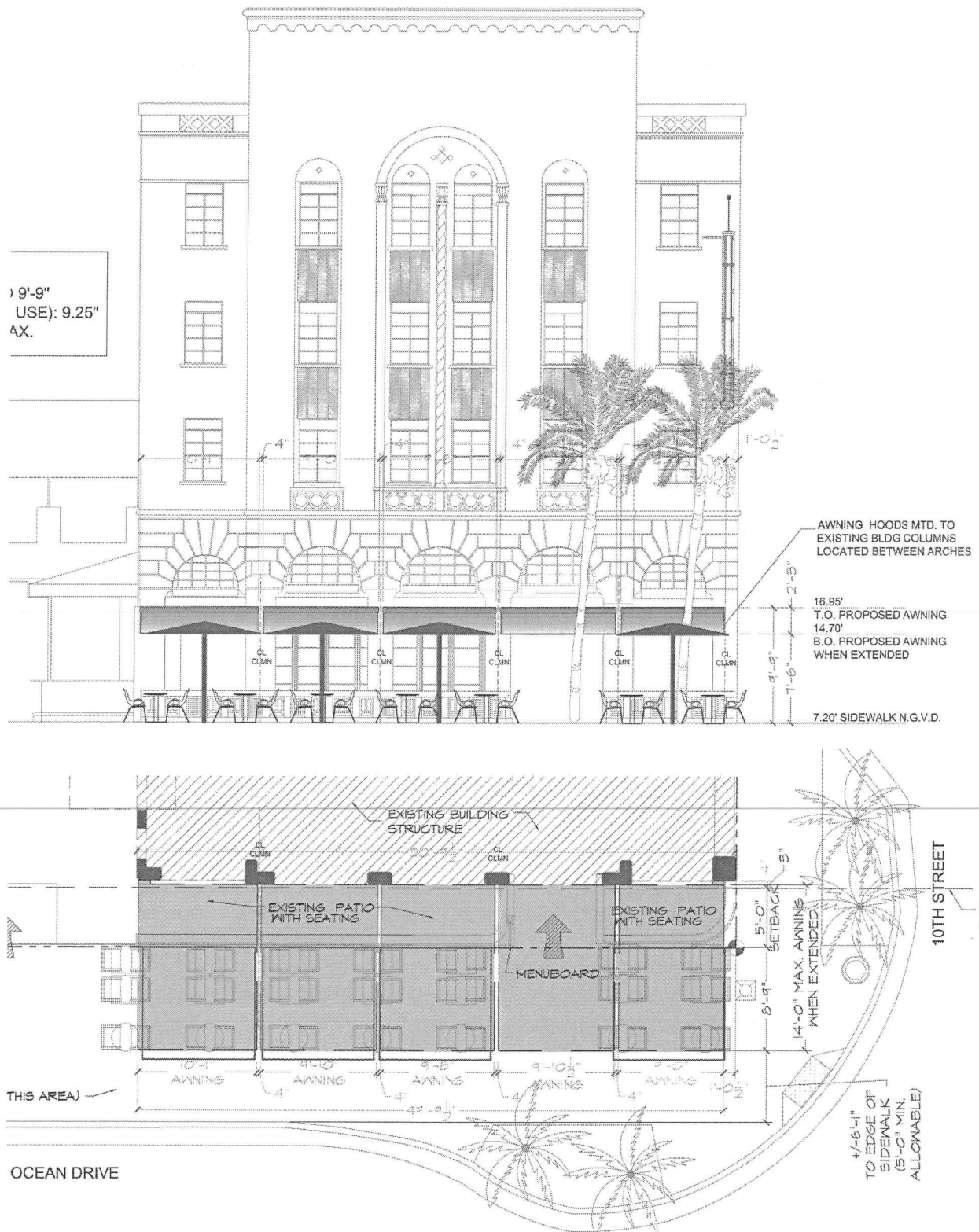
**Not Applicable**

**STAFF ANALYSIS**

The Edison Hotel, constructed in 1935 and designed by Henry Hohauser is an excellent example of the Mediterranean Revival style of architecture. Notable architectural characteristics of the 'Contributing' 4-story building include a symmetrical front façade featuring a five bay arcaded loggia terrace and a three story twisted column element separating the central bays of windows at the upper floors.

Staff would preface this analysis by indicating that on October 19, 2016, the City Commission reviewed and approved the Ocean Drive Sidewalk Café Design Guidelines. The approved design guidelines allow for retractable awnings that are attached to a building to extend a maximum distance of 9'-6" into the right-of-way, in lieu of providing sidewalk café umbrellas, subject to the review and approval of the Historic Preservation Board (see sketch on the following page which illustrates a 9'-6" square center post umbrella in red).

The applicant is currently requesting approval for the installation of five retractable awning structures attached to east façade of the 'Contributing' building. The awnings are proposed to project 9'-0" into the right of way with an overall projection of 14'-0" from the east face of the building. While understanding of the applicant's desire for near total coverage of the terrace and adjacent sidewalk in order to operate the outdoor restaurant seating during periods of inclement weather, staff believes that the proposed retractable awnings will have an adverse impact on the character and integrity of the structure. Specifically, the introduction of retractable awnings spanning across the five bay arcaded loggia significantly obscures this important architectural feature. Further, the proposed retractable awnings introduce a strong horizontal emphasis at the ground level interrupting the delicate balance of horizontal and vertical elements as designed by Henry Hohauser.



Sketch diagram illustrating a 9'-6" center post umbrella, shown in red, superimposed over the applicants proposal.



In addition to the proposed retractable awnings, the applicant is proposing to install one freestanding retractable umbrella within the courtyard area along Ocean Drive. The retractable umbrella is 27'-0" wide with overall projection of 14'-0". Staff believes that the proposed freestanding retractable umbrellas are out of character with the Ocean Drive/Collins Avenue Local Historic District and have an adverse impact on the courtyard space, the adjacent 'Contributing' structures and the surrounding historic district.

As such, staff cannot support the introduction of retractable awnings or freestanding retractable awnings. As an alternative to the proposed retractable awnings, staff would recommend the applicant provide umbrellas within the sidewalk café area consistent with the Ocean Drive Sidewalk Café Design Guidelines which does not require review of the Board.

Finally, staff would note that it appears as though a number of items have been installed on the building and within the courtyard without a Certificate of Appropriateness. These elements include: signage, speakers, lighting, shade devices, stage style trusses, artificial plants etc. Staff recommends that all of these unpermitted elements be removed.

If the Board finds that the applicant's request satisfies the Certificate of Appropriateness criteria, staff would recommend at a minimum that the awning and umbrella systems have a maximum projection of 8'-6" into the right-of-way. Additionally, staff recommends that all items have been installed on the building and within the courtyard without a Certificate of Appropriateness shall be removed. Further, staff recommends that nothing be permitted to be attached to the awning and umbrella structures including but not limited to lighting, speakers, fans, heaters, misters, side panels shall not be permitted to be attached to the awning.

In summary, staff is seriously concerned that the proposed retractable structures would have an adverse impact on the character of the Edison Hotel building and surrounding historic district and that approval of this application would likely result in a proliferation of similar requests throughout the Ocean Drive. Consequently, staff recommends that the application be denied.

In the event that the Board finds the proposed project to be appropriate, staff has included a draft order of approval with a series of recommended conditions.

### **RECOMMENDATION**

In view of the foregoing analysis, and the inconsistencies with the aforementioned Certificate of Appropriateness criteria, staff recommends the application be **DENIED**. In the event the Board moves to approve the project, staff recommends any such approval be subject to the conditions in the attached draft order.

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

MEETING DATE: April 10, 2017

FILE NO: HPB16-0083

PROPERTY: 960 Ocean Drive

APPLICANT: Sobe USA, LLC d/b/a Ocean's Ten South Beach

LEGAL: Lot 1 and 2, Block 14, Ocean Beach Addition No. 2, According to the Plat Thereof, as Recorded in Plat Book 2, Page 56, of the Public Records of Miami-Dade County, Florida.

IN RE: The Application for a Certificate of Appropriateness for the installation of retractable awning structures attached to the east façade and freestanding retractable umbrellas along the east side of the property.

**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.
- 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 not consistent with the Certificate of Appropriateness Criteria 'a' in Section 118-564(a)(1) of the Miami Beach Code.
  - 2. Is not consistent with Certificate of Appropriateness Criteria 'a', 'b', 'd', 'e', 'f' & 'h' in Section 118-564(a)(2) of the Miami Beach Code.
  - 3. Is not consistent with Certificate of Appropriateness Criteria 'c', 'd', 'e', 'g', 'j' & 'm' in Section 118-564(a)(3) of the Miami Beach Code.

**II. Variance(s)**

- A. No variance(s) were filed as part of this application.

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 recommendation, that the application is DENIED for the above-referenced project.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Meeting Date: April 10, 2017

HISTORIC PRESERVATION BOARD  
THE CITY OF MIAMI BEACH, FLORIDA

BY: \_\_\_\_\_  
DEBORAH TACKETT  
CHIEF OF HISTORIC PRESERVATION  
FOR THE CHAIR

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The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_ by Deborah Tackett, Chief of Historic Preservation, 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 \_\_\_\_\_ ( )

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

MEETING DATE: April 10, 2017

FILE NO: HPB16-0083

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**I. Certificate of Appropriateness**

- A. The subject site is located within the Ocean Drive/Collins Avenue.
- 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 not consistent with the Certificate of Appropriateness Criteria 'a' in Section 118-564(a)(1) of the Miami Beach Code.
  - 2. Is not consistent with Certificate of Appropriateness Criteria 'a', 'b', 'd', 'e', 'f' & 'h' in Section 118-564(a)(2) of the Miami Beach Code.
  - 3. Is not consistent with Certificate of Appropriateness Criteria 'c', 'd', 'e', 'g', 'j' & 'm' in Section 118-564(a)(3) of the Miami Beach Code.
- C. The project would be consistent with the criteria and requirements of section 118-564 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. All items which have been installed on the exterior of the building and within the courtyard without a Certificate of Appropriateness, shall be removed prior to the issuance of a building permit for the awning and canopy structures, 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 awning and umbrella structures shall project a maximum of 8'-6" into the right-of-way when fully extended, 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. Final details of all exterior surface finishes and materials for the frames of the structures, including samples, 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.
- d. Fixtures, including but not limited to lighting, speakers, fans, heaters, misters shall not be permitted to be attached to the awning and umbrella structures.
- e. Any lighting, fans or heaters or similar fixtures proposed to be located within the porch shall be free standing and shall not be permanently attached, 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. No exterior speakers, except as may be required for Fire or Building Code/Life Safety Code purposes may be permitted within the porch.
- g. Vertical side panels and/or gutters, including those for weather protection, shall not be permitted to be attached to the awning or umbrella structures.
- h. Televisions or similar digital screens shall not be permitted to be located within the porch.

## **II. Variance(s)**

- A. No variance(s) were filed as part of this application.

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

- A. Where one or more parcels are unified for a single development, the property owner shall execute and record an unity of title or a covenant in lieu of unity of title, as may be applicable, in a form acceptable to the City Attorney.
- B. 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.
- C. The Final Order shall be recorded in the Public Records of Miami-Dade County, prior to the issuance of a Building Permit.



- D. 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.
- E. 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.
- F. The conditions of approval herein are binding on the applicant, the property's owners, operators, and all successors in interest and assigns.
- G. 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.

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 entitled "Oceans Ten at the Edison Hotel" as prepared by Telesco Associates, dated January 23, 2017, and 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 Chapter 118 of the City Code; 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.

Meeting Date: April 10, 2017

In accordance with Chapter 118 of the City Code, the violation of any conditions and safeguards that are a part of this Order shall be deemed a violation of the land development regulations of the City Code. Failure to comply with this **Order** shall subject the application to Chapter 118 of the City Code, for revocation or modification of the application.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

HISTORIC PRESERVATION BOARD  
THE CITY OF MIAMI BEACH, FLORIDA

BY: \_\_\_\_\_  
DEBORAH TACKETT  
CHIEF OF HISTORIC PRESERVATION  
FOR THE CHAIR

[illegible]

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_ by Deborah Tackett, Chief of Historic Preservation, Planning Department, City of Miami Beach, Florida, a Florida Municipal Corporation, on behalf of the corporation. He 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 \_\_\_\_\_ ( )