

# MIAMI BEACH

PLANNING DEPARTMENT, 1700 CONVENTION CENTER DRIVE, 2<sup>ND</sup> FLOOR  
MIAMI BEACH, FLORIDA 33139, WWW.MIAMIBEACHFL.GOV  
305-673-7550

## LAND USE BOARD HEARING APPLICATION

THE FOLLOWING APPLICATION IS SUBMITTED FOR REVIEW AND CONSIDERATION OF THE PROJECT DESCRIBED HEREIN BY THE LAND USE BOARD SELECTED BELOW. A SEPARATE APPLICATION MUST BE COMPLETED FOR EACH BOARD REVIEWING THE PROPOSED PROJECT.

- ☐ BOARD OF ADJUSTMENT
- ☐ VARIANCE FROM A PROVISION OF THE LAND DEVELOPMENT REGULATIONS
  - ☐ APPEAL OF AN ADMINISTRATIVE DECISION
- ☒ DESIGN REVIEW BOARD
- ☒ DESIGN REVIEW APPROVAL
  - ☒ VARIANCE RELATED TO PROJECT BEING CONSIDERED OR APPROVED BY DRB.
- ☐ HISTORIC PRESERVATION BOARD
- ☐ CERTIFICATE OF APPROPRIATENESS FOR DESIGN
  - ☐ CERTIFICATE OF APPROPRIATENESS TO DEMOLISH A STRUCTURE
  - ☐ HISTORIC DISTRICT / SITE DESIGNATION
  - ☐ VARIANCE RELATED TO PROJECT BEING CONSIDERED OR APPROVED BY HPB.
- ☐ PLANNING BOARD
- ☐ CONDITIONAL USE PERMIT
  - ☐ LOT SPLIT APPROVAL
  - ☐ AMENDMENT TO THE LAND DEVELOPMENT REGULATIONS OR ZONING MAP
  - ☐ AMENDMENT TO THE COMPREHENSIVE PLAN OR FUTURE LAND USE MAP
- ☐ FLOOD PLAIN MANAGEMENT BOARD
- ☐ FLOOD PLAIN WAIVER
- ☐ OTHER \_\_\_\_\_

SUBJECT PROPERTY ADDRESS: 6 Star Island Drive

LEGAL DESCRIPTION: PLEASE ATTACH LEGAL DESCRIPTION AS "EXHIBIT A"

FOLIO NUMBER (S) 02-4204-001-0060

1. APPLICANT: ☐ OWNER OF THE SUBJECT PROPERTY ☐ TENANT ☐ ARCHITECT ☐ LANDSCAPE ARCHITECT  
☐ ENGINEER ☐ CONTRACTOR ☒ OTHER Trustee

NAME Brian L. Bilzin, Trustee

ADDRESS 1450 Brickell Avenue, Suite 2300, Miami FL 33131

BUSINESS PHONE \_\_\_\_\_ CELL PHONE \_\_\_\_\_

E-MAIL ADDRESS \_\_\_\_\_

OWNER IF DIFFERENT THAN APPLICANT:

NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

BUSINESS PHONE \_\_\_\_\_ CELL PHONE \_\_\_\_\_

E-MAIL ADDRESS \_\_\_\_\_

2. AUTHORIZED REPRESENTATIVE(S):

☒ ATTORNEY:

NAME Jeffrey Bercow Esq., Michael W. Larkin Esq., & Matthew Amster Esq., Bercow Radell Fernandez & Larkin, PLLC

ADDRESS 200 S. Biscayne Blvd, Suite 850, Miami, FL 33131

BUSINESS PHONE (305) 374-5300 CELL PHONE \_\_\_\_\_

E-MAIL ADDRESS mamster@brzoninglaw.com

☐ AGENT:

NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

BUSINESS PHONE \_\_\_\_\_ CELL PHONE \_\_\_\_\_

E-MAIL ADDRESS \_\_\_\_\_

☐ CONTACT:

NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

BUSINESS PHONE \_\_\_\_\_ CELL PHONE \_\_\_\_\_

E-MAIL ADDRESS \_\_\_\_\_

3. PARTY RESPONSIBLE FOR PROJECT DESIGN:

☒ ARCHITECT ☐ LANDSCAPE ARCHITECT ☐ ENGINEER ☐ CONTRACTOR ☐ OTHER: \_\_\_\_\_

NAME Robert Moehring & Francisco Llado, Domo Design Studio

ADDRESS 420 Lincoln Rd #506, Miami Beach, FL 33139

BUSINESS PHONE (305) 674-8031 CELL PHONE \_\_\_\_\_

E-MAIL ADDRESS robert@domodesignstudio.com & francisco@domodesignstudio.com

FILE NO. \_\_\_\_\_

4. SUMMARY OF APPLICATION – PROVIDE BRIEF SCOPE OF PROJECT:

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- 4A. IS THERE AN EXISTING BUILDING(S) ON THE SITE ☒ YES ☐ NO
- 4B. DOES THE PROJECT INCLUDE INTERIOR OR EXTERIOR DEMOLITION ☒ YES ☐ NO
- 4C. PROVIDE THE TOTAL FLOOR AREA OF THE NEW BUILDING (IF APPLICABLE) 0 SQ. FT.
- 4D. PROVIDE THE TOTAL GROSS FLOOR AREA OF THE NEW BUILDING (INCLUDING REQUIRED PARKING AND ALL USEABLE FLOOR SPACE). \_\_\_\_\_ SQ. FT.

5. APPLICATION FEE (TO BE COMPLETED BY PLANNING STAFF) \$ \_\_\_\_\_

- A SEPARATE DISCLOSURE OF INTEREST FORM MUST BE SUBMITTED WITH THIS APPLICATION IF THE APPLICANT OR OWNER IS A CORPORATION, PARTNERSHIP, LIMITED PARTNERSHIP OR TRUSTEE.
- ALL APPLICABLE AFFIDAVITS MUST BE COMPLETED AND THE PROPERTY OWNER MUST COMPLETE AND SIGN THE "POWER OF ATTORNEY" PORTION OF THE AFFIDAVIT IF THEY WILL NOT BE PRESENT AT THE HEARING, OR IF OTHER PERSONS ARE SPEAKING ON THEIR BEHALF.
- TO REQUEST THIS MATERIAL IN ALTERNATE FORMAT, SIGN LANGUAGE INTERPRETER (FIVE-DAY NOTICE IS REQUIRED), INFORMATION ON ACCESS FOR PERSONS WITH DISABILITIES, AND ACCOMMODATION TO REVIEW ANY DOCUMENT OR PARTICIPATE IN ANY CITY-SPONSORED PROCEEDINGS, CALL 305.604.2489 AND SELECT (1) FOR ENGLISH OR (2) FOR SPANISH, THEN OPTION 6; TTY USERS MAY CALL VIA 711 (FLORIDA RELAY SERVICE).

PLEASE READ THE FOLLOWING AND ACKNOWLEDGE BELOW:

- APPLICATIONS FOR ANY BOARD HEARING(S) WILL NOT BE ACCEPTED WITHOUT PAYMENT OF THE REQUIRED FEE. ALL CHECKS ARE TO BE MADE PAYABLE TO THE "CITY OF MIAMI BEACH".
- PUBLIC RECORDS NOTICE – ALL DOCUMENTATION, SUBMITTED FOR THIS APPLICATION IS CONSIDERED A PUBLIC RECORD SUBJECT TO CHAPTER 119 OF THE FLORIDA STATUTES AND SHALL BE DISCLOSED UPON REQUEST.
- IN ACCORDANCE WITH THE REQUIREMENTS OF SECTION 2-482 OF THE CODE OF THE CITY OF MIAMI BEACH, ANY INDIVIDUAL OR GROUP THAT WILL BE COMPENSATED TO SPEAK OR REFRAIN FROM SPEAKING IN FAVOR OR AGAINST A PROJECT BEING PRESENTED BEFORE ANY OF THE CITY'S LAND USE BOARDS, SHALL FULLY DISCLOSE, PRIOR TO THE PUBLIC HEARING, THAT THEY HAVE BEEN, OR WILL BE COMPENSATED. SUCH PARTIES INCLUDE: ARCHITECTS, LANDSCAPE ARCHITECTS, ENGINEERS, CONTRACTORS, OR OTHER PERSONS RESPONSIBLE FOR PROJECT DESIGN, AS WELL AS AUTHORIZED REPRESENTATIVES ATTORNEYS OR AGENTS AND CONTACT PERSONS WHO ARE REPRESENTING OR APPEARING ON BEHALF OF A THIRD PARTY; SUCH INDIVIDUALS MUST REGISTER WITH THE CITY CLERK PRIOR TO THE HEARING.

FILE NO. \_\_\_\_\_

- IN ACCORDANCE WITH SEC.118-31. - DISCLOSURE REQUIREMENT. EACH PERSON OR ENTITY REQUESTING APPROVAL, RELIEF OR OTHER ACTION FROM THE PLANNING BOARD, DESIGN REVIEW BOARD, HISTORIC PRESERVATION BOARD (INCLUDING THE JOINT DESIGN REVIEW BOARD/HISTORIC PRESERVATION BOARD), OR THE BOARD OF ADJUSTMENT SHALL DISCLOSE, AT THE COMMENCEMENT (OR CONTINUANCE) OF THE PUBLIC HEARING(S), ANY CONSIDERATION PROVIDED OR COMMITTED, DIRECTLY OR ON ITS BEHALF, FOR AN AGREEMENT TO SUPPORT OR WITHHOLD OBJECTION TO THE REQUESTED APPROVAL, RELIEF OR ACTION, EXCLUDING FROM THIS REQUIREMENT CONSIDERATION FOR LEGAL OR DESIGN PROFESSIONAL SERVICES RENDERED OR TO BE RENDERED. THE DISCLOSURE SHALL: (i) BE IN WRITING, (ii) INDICATE TO WHOM THE CONSIDERATION HAS BEEN PROVIDED OR COMMITTED, (iii) GENERALLY DESCRIBE THE NATURE OF THE CONSIDERATION, AND (iv) BE READ INTO THE RECORD BY THE REQUESTING PERSON OR ENTITY PRIOR TO SUBMISSION TO THE SECRETARY/CLERK OF THE RESPECTIVE BOARD. UPON DETERMINATION BY THE APPLICABLE BOARD THAT THE FOREGOING DISCLOSURE REQUIREMENT WAS NOT TIMELY SATISFIED BY THE PERSON OR ENTITY REQUESTING APPROVAL, RELIEF OR OTHER ACTION AS PROVIDED ABOVE, THEN (i) THE APPLICATION OR ORDER, AS APPLICABLE, SHALL IMMEDIATELY BE DEEMED NULL AND VOID WITHOUT FURTHER FORCE OR EFFECT, AND (ii) NO APPLICATION FROM SAID PERSON OR ENTITY FOR THE SUBJECT PROPERTY SHALL BE REVIEWED OR CONSIDERED BY THE APPLICABLE BOARD(S) UNTIL EXPIRATION OF A PERIOD OF ONE YEAR AFTER THE NULLIFICATION OF THE APPLICATION OR ORDER. IT SHALL BE UNLAWFUL TO EMPLOY ANY DEVICE, SCHEME OR ARTIFICE TO CIRCUMVENT THE DISCLOSURE REQUIREMENTS OF THIS SECTION AND SUCH CIRCUMVENTION SHALL BE DEEMED A VIOLATION OF THE DISCLOSURE REQUIREMENTS OF THIS SECTION.
- WHEN THE APPLICABLE BOARD REACHES A DECISION A FINAL ORDER WILL BE ISSUED STATING THE BOARD'S DECISION AND ANY CONDITIONS IMPOSED THEREIN. THE FINAL ORDER WILL BE RECORDED WITH THE MIAMI-DADE CLERK OF COURTS. THE ORIGINAL BOARD ORDER SHALL REMAIN ON FILE WITH THE CITY OF MIAMI BEACH PLANNING DEPARTMENT. UNDER NO CIRCUMSTANCES WILL A BUILDING PERMIT BE ISSUED BY THE CITY OF MIAMI BEACH WITHOUT A COPY OF THE RECORDED FINAL ORDER BEING INCLUDED AND MADE A PART OF THE PLANS SUBMITTED FOR A BUILDING PERMIT.

THE AFOREMENTIONED IS ACKNOWLEDGED BY: ☐ OWNER OF THE SUBJECT PROPERTY  
☒ AUTHORIZED REPRESENTATIVE

SIGNATURE: \_\_\_\_\_

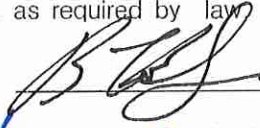
PRINT NAME: Brian L. Bilzin, Trustee

FILE NO. \_\_\_\_\_

## OWNER AFFIDAVIT FOR INDIVIDUAL OWNER

STATE OF FLORIDA  
 COUNTY OF MIAMI-DADE

I, Brian L. Bilzin, being first duly sworn, depose and certify as follows: (1) I am the owner of the property that is the subject of this application. (2) This application and all information submitted in support of this application, including sketches, data, and other supplementary materials, are true and correct to the best of my knowledge and belief. (3) I acknowledge and agree that, before this application may be publicly noticed and heard by a land development board, the application must be complete and all information submitted in support thereof must be accurate. (4) I also hereby authorize the City of Miami Beach to enter my property for the sole purpose of posting a Notice of Public Hearing on my property, as required by law. (5) I am responsible for removing this notice after the date of the hearing.



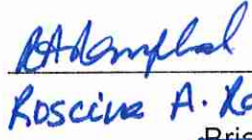
SIGNATURE

Sworn to and subscribed before me this 14 day of March, 2017. The foregoing instrument was acknowledged before me by Brian Bilzin, who has produced \_\_\_\_\_ as identification and/or is personally known to me and who did/did not take an oath.

NOTARY SEAL OR STAMP



ROSCINA A. RAMPHAL  
 MY COMMISSION # FF 238175  
 EXPIRES: October 4, 2019  
 Bonded Thru Budget Notary Services



NOTARY PUBLIC

Brian L. Bilzin

PRINT NAME

My Commission Expires:

ALTERNATE OWNER AFFIDAVIT FOR  
 CORPORATION, PARTNERSHIP, OR LIMITED LIABILITY COMPANY  
 (Circle one)

STATE OF \_\_\_\_\_  
 COUNTY OF \_\_\_\_\_

I, N/A, being duly sworn, depose and certify as follows: (1) I am the \_\_\_\_\_ (print title) of \_\_\_\_\_ (print name of corporate entity). (2) I am authorized to file this application on behalf of such entity. (3) This application and all information submitted in support of this application, including sketches, data, and other supplementary materials, are true and correct to the best of my knowledge and belief. (4) The corporate entity named herein is the owner or tenant of the property that is the subject of this application. (5) I acknowledge and agree that, before this application may be publicly noticed and heard by a land development board, the application must be complete and all information submitted in support thereof must be accurate. (6) I also hereby authorize the City of Miami Beach to enter the subject property for the sole purpose of posting a Notice of Public Hearing on the property, as required by law. (7) I am responsible for removing this notice after the date of the hearing.

SIGNATURE

Sworn to and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_. The foregoing instrument was acknowledged before me by \_\_\_\_\_ of \_\_\_\_\_, on behalf of such entity, who has produced \_\_\_\_\_ as identification and/or is personally known to me and who did/did not take an oath.

NOTARY SEAL OR STAMP:

NOTARY PUBLIC

My Commission Expires:

PRINT NAME

FILE NO. \_\_\_\_\_



## POWER OF ATTORNEY AFFIDAVIT

STATE OF FLORIDA  
COUNTY OF MIAMI-DADE

Jeffrey Bercow, Michael Larkin &amp; Matthew Amster

I, Brian L. Bilzin, being duly sworn and deposed, certify as follows: (1) I am the owner or representative of the owner of the real property that is the subject of this application. (2) I hereby authorize Jeffrey Bercow, Michael Larkin & Matthew Amster to be my representative before the DRB Board. (3) I also hereby authorize the City of Miami Beach to enter the subject property for the sole purpose of posting a Notice of Public Hearing on the property, as required by law. (4) I am responsible for removing this notice after the date of the hearing.

Brian L. Bilzin, Trustee

PRINT NAME (and Title, if applicable)

SIGNATURE

Sworn to and subscribed before me this 14 day of March, 2017. The foregoing instrument was acknowledged before me by Brian L. Bilzin, Trustee of \_\_\_\_\_ who has produced as identification and/or is personally known to me and who did/did not take an oath.

NOTARY SEAL OR STAMP

NOTARY PUBLIC

My Commission Expires



ROSCINA A. RAMPHAL  
MY COMMISSION # FF 238175  
EXPIRES: October 4, 2019  
Bonded Thru Budget Notary Services

Roscina A. Ramphal

PRINT NAME

## CONTRACT FOR PURCHASE

If the applicant is not the owner of the property, but the applicant is a party to a contract to purchase the property, whether or not such contract is contingent on this application, the applicant shall list the names of the contract purchasers below, including any and all principal officers, stockholders, beneficiaries, or partners. If any of the contract purchasers are corporations, partnerships, limited liability companies, trusts, or other corporate entities, the applicant shall further disclose the identity of the individual(s) (natural persons) having the ultimate ownership interest in the entity. If any contingency clause or contract terms involve additional individuals, corporations, partnerships, limited liability companies, trusts, or other corporate entities, list all individuals and/or corporate entities.\*

N/A

NAME

DATE OF CONTRACT

NAME, ADDRESS, AND OFFICE

% OF STOCK

In the event of any changes of ownership or changes in contracts for purchase, subsequent to the date that this application is filed, but prior to the date of a final public hearing, the applicant shall file a supplemental disclosure of interest.

FILE NO. \_\_\_\_\_

CITY OF MIAMI BEACH  
DEVELOPMENT REVIEW BOARD APPLICATION

DISCLOSURE OF INTEREST

1. CORPORATION, PARTNERSHIP, OR LIMITED LIABILITY COMPANY

If the property that is the subject of the application is owned or leased by a corporation, partnership, or limited liability company, list ALL of the owners, shareholders, partners, managers, and/or members, and the percentage of ownership held by each. If the owners consist of one or more corporations, partnerships, trusts, partnerships, or other corporate entities, the applicant shall further disclose the identity of the individual(s) (natural persons) having the ultimate ownership interest in the entity.\*

N/A

NAME OF CORPORATE ENTITY

NAME AND ADDRESS

% OF OWNERSHIP

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NAME OF CORPORATE ENTITY

NAME AND ADDRESS

% OF OWNERSHIP

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*IF THERE ARE ADDITIONAL CORPORATE OWNERS, LIST ALL SUCH OWNERS, INCLUDING CORPORATE NAMES AND THE NAME, ADDRESS, AND PERCENTAGE OF OWNERSHIP OF EACH ADDITIONAL OWNER, ON A SEPARATE PAGE.*

*NOTE: Notarized signature required on page 9*

FILE NO. \_\_\_\_\_

CITY OF MIAMI BEACH  
DEVELOPMENT REVIEW BOARD APPLICATION  
DISCLOSURE OF INTEREST

**2. TRUSTEE**

If the property that is the subject of this application is owned or leased by a trust, list any and all trustees and beneficiaries of the trust, and the percentage of interest held by each. If the owners consist of one or more corporations, partnerships, trusts, partnerships, or other corporate entities, the applicant shall further disclose the identity of the individual(s) (natural persons) having the ultimate ownership interest in the entity.\*

Brian L. Bilzin, Trustee

TRUST NAME

NAME AND ADDRESS	% INTEREST
<u>Brian L. Bilzin, Trustee</u>	<u></u>
<u>1450 Brickell Avenue, Suite</u>	<u></u>
<u>2300, Miami FL 33131</u>	<u></u>
<u></u>	<u></u>
<u>Stuart Miller, Beneficiary</u>	<u>100%</u>
<u>700 NW 107 Avenue Miami,</u>	<u></u>
<u>Florida 33172</u>	<u></u>
<u></u>	<u></u>

*NOTE: Notarized signature required on page 9*

FILE NO. \_\_\_\_\_



### 3. COMPENSATED LOBBYIST:

Pursuant to Section 2-482 of the Miami Beach City Code, all lobbyists shall, before engaging in any lobbying activities, register with the City Clerk. Please list below any and all persons or entities retained by the applicant to lobby City staff or any of the City's land development boards in support of this application.

	NAME	ADDRESS	PHONE #
a.	Jeffrey Bercow & Michael Larkin	200 S. Biscayne Blvd, Suite 850, Miami, FL	(305) 374-5300
b.	Matthew Amster	200 S. Biscayne Blvd, Suite 850, Miami, FL	(305) 374-5300
c.	Robert Moehring	420 Lincoln Rd #506, Miami Beach, FL	(305) 674-8031

Additional names can be placed on a separate page attached to this form.

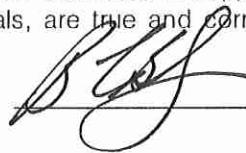
\*Disclosure shall not be required of any entity, the equity interests in which are regularly traded on an established securities market in the United States or other country, or of any entity, the ownership interests of which are held in a limited partnership or other entity, consisting of more than 5,000 separate interests, where no one person or entity holds more than a total of 5% of the ownership interests in the entity.

APPLICANT HEREBY ACKNOWLEDGES AND AGREES THAT (1) ANY APPROVAL GRANTED BY A LAND DEVELOPMENT BOARD OF THE CITY SHALL BE SUBJECT TO ANY AND ALL CONDITIONS IMPOSED BY SUCH BOARD AND BY ANY OTHER BOARD HAVING JURISDICTION, AND (2) APPLICANT'S PROJECT SHALL COMPLY WITH THE CODE OF THE CITY OF MIAMI BEACH AND ALL OTHER APPLICABLE CITY, STATE, AND FEDERAL LAWS.

#### APPLICANT AFFIDAVIT

STATE OF FLORIDA  
COUNTY OF MIAMI-DADE

I, Brian L. Bilzin, being first duly sworn, depose and certify as follows: (1) I am the applicant, or the representative of the applicant. (2) This application and all information submitted in support of this application, including disclosures, sketches, data, and other supplementary materials, are true and correct to the best of my knowledge and belief.



SIGNATURE

Sworn to and subscribed before me this 14 day of March, 2017. The foregoing instrument was acknowledged before me by, who has produced as identification and/or is personally known to me and who did/did not take an oath.

NOTARY SEAL OR STAMP

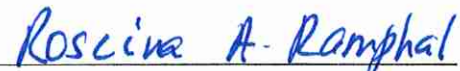
My Commission Expires:



ROSCINA A. RAMPHAL  
MY COMMISSION # FF 238175  
EXPIRES: October 4, 2019  
Bonded Thru Budget Notary Services



NOTARY PUBLIC



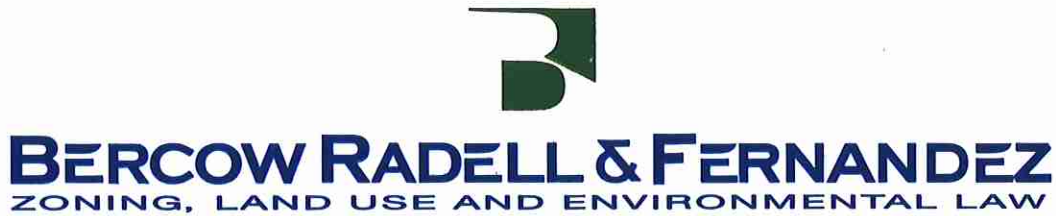
PRINT NAME

FILE NO. \_\_\_\_\_

## Exhibit A

### **LEGAL DESCRIPTION**

LOT 6 , OF CORRECTED PLAT STAR ISLAND , ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 31 AT PAGE 60, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.



DIRECT LINE: (305) 377-6236  
E-Mail: MAMster@BRZoningLaw.com

**VIA E-SUBMISSION & HAND-DELIVERY**

April 17, 2017

Thomas Mooney, Planning Director  
Planning Department  
City of Miami Beach  
1700 Convention Center Drive, 2<sup>nd</sup> Floor  
Miami Beach, Florida 33139

Re: Requests for Variance and Waiver Approvals for the Single-Family Home  
Located at 6 Star Island Drive, Miami Beach, Florida

Dear Tom:

This firm represents Brian L. Bilzin ("Applicant"), the trustee of the above-referenced property (the "Property"). Please consider this letter the Applicant's required letter of intent in support of variance and waiver approvals by the Design Review Board ("DRB") in connection with construction of the new single family home on the Property.

Property. The Property is an approximately 40,000 square foot waterfront lot, which is located in the RS-1, Single Family Residential Zoning District. See Exhibit A. The Property is located on the western side of Star Island, and abutted by RS-1 zoned properties. The Property, which is currently under construction, is identified by Miami-Dade County Folio No. 02-4204-001-0060.

Applicant's Proposal. The Applicant is in the process of constructing a new contemporary-style residence with ample landscaping and a large, centrally located pool pursuant to Master Permit No. B1600164. See attached permit information. The main residence is two-stories in height, but is substantially setback from the front of the Property. There is also a two-story accessory structure that accommodates guests/staff and a garage, which is located in front of the main residence. This structure is complete under Building Permit No. B1302267, and the Applicant does not propose any changes to it. See attached permit information.

The Applicant proposes sloping green roofs atop the main residence, which will have cantilevered roof projections to provide ample shade. The Property will also be lushly landscaped, especially along the side property lines for privacy.

Specifically, the Applicant proposes three changes to the permitted plans. First, the Applicant intends to fill in a portion of the additional open space on the south elevation. The Applicant's request stems from a slight modification of the approved site plan to enhance the interior layout for the family room. The central location of the home's staircase that surrounds a garden area does not currently permit for ease of movement through the home's living room area on the south side of the staircase. While the project was designed to meet the Code's criteria, the challenging interior layout resulted in a stiff and narrow living room area for the residents and their guests to travel through. By expanding the area slightly south, but still maintaining a significant open space along the south elevation (4' 5" deep x 30' long), the modified proposal will allow for greatly enhanced ease of movement, while allowing the Property to meet the intent of the Code to reduce the massing of this 2-story elevation.

Second, the Applicant proposes to have the elevator access the roof level, when the permit plans only had it accessing the interior two floors of the home. The size of the elevator requires mechanical equipment above the elevator shaft and the architects have designed a sleek, tapering exterior design with a nautical theme. The equipment and the design at the highest point are 13' above the roof line and the Code only allows a 10' elevator projection. Therefore, the Applicant seeks a 3' height variance.

Third, the Applicant proposes a minor expansion of the main residence's garage and storage area. The Applicant seeks to slightly expand the 2-car garage into a 3-car garage and incorporate storage space under the sloping green roof/ramp area, which is located on the southern portion of the Property.

While the Applicant's slightly modified plans for the Property result in certain variance and waiver requests, the Applicant's proposal otherwise meets or exceeds all other land development regulations, including unit size, 70% second floor volume, front and rear open space, setbacks, and sum of side yards, among others.

Waiver and Variance Request Justifications. Due to the Property's waterfront location, the Property essentially has two (2) frontages. Accordingly, the placement and design of the residence and amenities must be that of a Property with two (2) primary frontages, which creates substantial design challenges. The

Applicant has proposed a residential home with a contemporary design and lush landscaping that simultaneously provides the utmost privacy and buffering. Accordingly, the Applicant respectfully requests the following:

1. Waiver of Certain Criteria for Additional Open Space in Side Elevation – Code Section 142-106(2)(d) requires a number of criteria to reduce the scale and massing of the 2-story elevation impacting the neighbor. As proposed, the open space satisfies most of the criteria, including being adjacent to the required side yard, regular in shape, open to the sky, less than 30% of the maximum developable building width, not exceeding 5% of the lot area, and containing at least 75% sodded or landscaped pervious open space (providing 77.2% pervious area). From a technical standpoint, the Applicant requests a waiver of only 3 of the many criteria: providing 0.36% of the lot size where a minimum of 1% required (144.53 square feet where 400 square feet required); providing a depth of 4'-5" where 8' required; and exceeding the maximum allowed elevation of the open space due to the need to provide steps that transition from the required interior first floor to the adjacent required side yard.

The additional open space requirement is triggered for the Property as the south side 2-story elevation of the home is slightly longer than 60 feet, measuring at 69'-11". However, the Applicant's proposal will provide a helpful transition from the side yard to the home while continuing to afford a reduction in the massing of the 2-story portion of the home. Notably, 30 feet of the building's south 2-story elevation (42.9%) is setback from the remainder of the south façade and comprised of glass, providing the intended division of long expanses of uninterrupted 2-story volume. Therefore, there is not quite 40 feet of 2-story volume along the south required setback. Further, this Property has a depth of 400 feet and provides significant rear setback and separation between the main building and the front accessory structure, which is not located along the south property line. As such, the 69'-11" of 2-story volume represents a very small portion (17%) of the entirety of the Property and does not contribute to an oversized or imposing home. By comparison, approximately 130 feet of the home to the south abuts the north side setback line facing this Property.

In addition, the 2-story south elevation is located directly across from the 70 foot long portion of the south neighbor's 2-story home that is mostly a blank wall with small windows towards the top that seemingly



only allow light in the neighbor's home. Moreover, the Applicant will provide thick landscaping along the property line. These conditions mean that the Applicant's proposal respects the neighbor's privacy and does not result in an imposing 2-story structure. Also, the project maintains a consistent scale and massing with the surrounding homes in the neighborhood. Therefore, the Applicant's proposal meets the intent and purpose of the Code.

2. Variance of Section 142-105(b)(7)(f) to permit an elevator bulkhead at a height of 13' above the roofline where a maximum height of 10 feet is allowed. As explained above, the type of elevator requires the higher height and the exterior design helps to mask the scale of the bulkhead. Further, the elevator is substantially setback from the street, the waterway and the adjacent properties. As such, it will not be very visible from the surrounding rights-of-way and properties. Notably, the home to the south has a 3-story tower adjacent to that property's north side setback line that appears to be of comparable overall height.
3. Variance of Section 142-105(b)(1) to permit a lot coverage of 32.05% where a maximum of 30% is permitted. As detailed above, the Applicant seeks to minimally modify the 2-car garage into a 3-car garage and incorporate a small storage area. This slight modification is not only minimal in nature but also approximately two-thirds of the area will be imperceptible given its location under the sloping green roof/ramp, meaning that essentially, the only visible change will be to the south side open space area. Given these conditions, as described above for the waiver request the Applicant's proposal respects the neighbor's privacy and does not result in an imposing 2-story structure. Also, the project maintains a consistent scale and massing with the surrounding homes in the neighborhood. As such, the Applicant's proposal meets the intent and purpose of the Code.

Satisfaction of Hardship Criteria. The Applicant's request satisfies the hardship criteria as follows:

- (1) **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;**

As the Property is a waterfront lot, it essentially has two (2) frontages. This is a condition that is peculiar to the Property and creates challenges for development.

- (2) **The special conditions and circumstances do not result from the action of the applicant;**

The Property's location on the waterfront, which essentially creates dual frontages, does not the result from any action taken by the Applicant. Nevertheless, the Applicant has acted to minimize the effects of the requested variances through design treatment, locating the bulkhead with significant setbacks from all property lines and minimally modifying the garage and storage area in a largely imperceptible portion of the Property.

- (3) **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;**

Other properties, including waterfront lots, often face similar development difficulties. In order to seek relief from the strict requirements of the Code, these other property owners often seek variances.

- (4) **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;**

A literal interpretation of the land development regulations would deprive the Applicant of the ability to redevelop the Property in a way that sufficiently allows for privacy and enjoyment of the land and appropriate access to all levels of the residence. The Applicant proposes a contemporary home with substantial vegetation that essentially presents as a single-story home due to the Applicant's utilization of sloping green roofs. The elevator bulkhead and garage with storage area, will be mostly hidden from view from the rights-of-way and adjacent properties. As required, this bulkhead is located as close to the center of the roof as possible and is visually recessive and screened by landscaping along the perimeter of the Property. In addition, the garage and storage area are largely unnoticeable due to their location underneath the sloping green roof. As such, this request will not negatively affect neighbors. Thus, a literal interpretation of the regulations would work an unnecessary and undue hardship on the Applicant.

- (5) **The variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure;**

In order to design a home that is appropriate in size and scale with the existing neighborhood context and Property size, the requests are the minimum necessary to address the Property's location on the waterfront, and to accommodate an elevator for a structure of the scope proposed along with proportionate and adequate garage and storage area. However, not only is the bulkhead centrally located, but the bulkhead and garage area will also be hidden from view with the assistance of the extensive landscaping.

- (6) **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; and**

The recently modified single-family regulations were enacted to encourage the reasonable, tasteful design of new homes which do not dwarf their neighbors and are cohesive with neighborhood character. The proposed design strives to accommodate the Applicant's needs without offending the sensibilities of the community. The home's elevator bulkhead and garage area are not readily apparent from view on the street or waterway. The requested variances meet the intent of the Code as both areas will be hidden from view with the sloped green roofs and landscaping. Further, this bulkhead is located as close to the center of the roof as possible, as required, and is visually recessive. As such, these requests meet the intent of the Code as the requests will not negatively affect neighbors.

- (7) **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.**

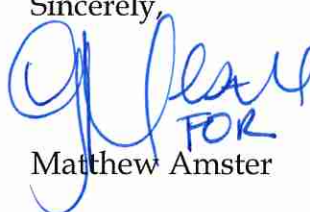
These variance requests are consistent with the City's comprehensive plan and do not reduce the levels of service as set forth in the plan.

Practical Difficulty. The location of the Property on the waterfront, which essentially creates a second frontage for the Property, the requirement to break up 2-story volumes where greater than 60 feet when the 2-story volume of the main residence on this 400 foot long lot is only 69'-11", contains a substantial 30' recess and faces a mostly blank and un-activated 2-story wall of the neighboring home to the south, the required bulkhead height for an elevator that meets the needs of the proposed home to access all levels, and the need for adequate and proportional storage space all represent practical difficulties inhibiting the Applicant from

Thomas Mooney, Planning Director  
April 17, 2017  
Page 7 of 7

meeting all Code requirements. However, the Applicant's proposal satisfies the intent and purposes of the Code to provide for a compatible building with adequate garage and storage space as well as an elevator bulkhead that do not adversely impact the neighborhood.

Conclusion. The Applicant's proposed changes to the new home are consistent with the character of the neighborhood, as well as the intent of the Code and its design considerations. The variance and waiver requests are the minimal necessary to address the challenges of development on a waterfront lot that provides sufficient privacy to the neighbors. On behalf of the Applicant, we look forward to your favorable review. If you have any questions or comments with regard to the application, please do not hesitate to phone me at 305-377-6236.

Sincerely,  
  
Matthew Amster

#### Attachments

cc: Jeffrey Bercow, Esq.  
Michael W. Larkin, Esq.  
Gianeli Mestre Zacarias, Esq.



# OFFICE OF THE PROPERTY APPRAISER

## EXHIBIT A

## Summary Report

Generated On : 3/21/2017

Property Information	
Folio:	02-4204-001-0060
Property Address:	6 STAR ISLAND DR Miami Beach, FL 33139-5147
Owner	BRIAN L BILZIM TR C/O BILZIM SUMBERG ETALS
Mailing Address	200 SO BISCAYNE BLVD STE 2500 MIAMI, FL 33131-5340
PA Primary Zone	2200 ESTATES - 25000 SQFT LOT
Primary Land Use	0101 RESIDENTIAL - SINGLE FAMILY : 1 UNIT
Beds / Baths / Half	4 / 4 / 1
Floors	2
Living Units	1
Actual Area	Sq.Ft
Living Area	Sq.Ft
Adjusted Area	8,014 Sq.Ft
Lot Size	40,000 Sq.Ft
Year Built	1995



Assessment Information			
Year	2016	2015	2014
Land Value	\$11,000,000	\$9,000,000	\$7,680,000
Building Value	\$2,656,641	\$2,687,896	\$2,719,150
XF Value	\$106,232	\$94,802	\$95,928
Market Value	\$13,762,873	\$11,782,698	\$10,495,078
Assessed Value	\$11,665,376	\$10,604,888	\$9,640,808

Benefits Information				
Benefit	Type	2016	2015	2014
Non-Homestead Cap	Assessment Reduction	\$2,097,497	\$1,177,810	\$854,270
Note: Not all benefits are applicable to all Taxable Values (i.e. County, School Board, City, Regional).				

Short Legal Description	
CORRECTED PL OF STAR ISLAND	
PB 31-60	
LOT 6	
LOT SIZE 100.000 X 400	
OR 20614-2152 08 2002 1	

Taxable Value Information			
	2016	2015	2014
<b>County</b>			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$11,665,376	\$10,604,888	\$9,640,808
<b>School Board</b>			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$13,762,873	\$11,782,698	\$10,495,078
<b>City</b>			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$11,665,376	\$10,604,888	\$9,640,808
<b>Regional</b>			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$11,665,376	\$10,604,888	\$9,640,808

Sales Information			
Previous Sale	Price	OR Book-Page	Qualification Description
02/01/2004	\$9,400,000	22057-0940	Sales which are qualified
08/01/2002	\$7,400,000	20614-2152	Sales which are qualified
05/01/1989	\$950,000	14105-0656	Sales which are qualified
06/01/1986	\$530,000	12936-3315	Sales which are qualified

The Office of the Property Appraiser is continually editing and updating the tax roll. This website may not reflect the most current information on record. The Property Appraiser and Miami-Dade County assumes no liability, see full disclaimer and User Agreement at <http://www.miamidade.gov/info/disclaimer.asp>

Version:



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## Permit Manager

Welcome to Miami Beach, Florida

**City of Miami Beach Building Department**

### Detail

[Info](#)

#### Status

Case / Application / Permit Number	B1600164
Type / Classification	BUILD
	NCONST-R: New Construction Residential
	BLDG: Building
Address	6 W STAR ISLAND DR
	Miami Beach, FL 33139
Parcel Number	<a href="#">42040010060</a>
File Date	2016-10-22
Status	APPROVED
Status Date	N/A
Valuation	\$3,558,000.00
Fees	\$57,000.41
Payments	\$57,000.41
Balance	\$0.00
Description	New two story single family residence, 7 bedrooms, 7 full baths, 5 half bath, and 5 car garage. New elevator . 11,445 sqft

[View Map](#) (Click the "Back" button on the browser to return to Permit Manager.)

### Contacts

Name	G7 HOLDINGS INC
Business	N/A
Relationship	CONTRACTOR
Phone	N/A
Name	BRIAN L BILZIM TR
Business	N/A
Relationship	OWNER
Phone	N/A
Name	G7 HOLDINGS INC
Business	N/A
Relationship	APPLICANT
Phone	N/A
Name	KOBI KARP
Business	N/A
Relationship	ARCHITECT
Phone	N/A

Name	VIDAL, HENRY ADAMS
Business	N/A
Relationship	ENGINEER
Phone	N/A

[New Search](#)

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# Permit Manager

Welcome to Miami Beach, Florida



**City of Miami Beach Building Department**

## Detail

[Info](#)

### Status

Case / Application / Permit Number	B1302267
Type / Classification	BUILD
	NCONST-R: New Construction Residential
	BLDG: Building
Address	6 W STAR ISLAND DR
	Miami Beach, FL 33139
Parcel Number	<a href="#">42040010060</a>
File Date	2015-08-29
Status	SUSPENS
Status Date	N/A
Valuation	\$800,000.00
Fees	\$35,734.42
Payments	\$35,734.42
Balance	\$0.00
Description	PRIV PROV PLAN REV AND INSP - New two story staff building and garage on existing lot. Engineering approval with conditions: - Create a covenant (document to be recorded in Public Records of Miami Dade County) in 30 days which is acceptable to the city of Miami Beach wherein the drainage for each property is permanently maintained. Please refer to email dated April 08, 2013 from William Riley (legal representative for the owner)

[View Map](#) (Click the "Back" button on the browser to return to Permit Manager.)

## Contacts

Name	KCS CONSULTING INC
Business Relationship	N/A
Phone	CONTRACTOR
	N/A
Name	ARCHITECT NOT APPLICABLE
Business Relationship	N/A
Phone	ARCHITECT
	N/A
Name	BRIAN L BILZIM TR

Business Relationship Phone	N/A OWNER N/A
Name Business Relationship Phone	KCS CONSULTING INC N/A APPLICANT N/A
Name Business Relationship Phone	MANUEL ORTEGA N/A ENGINEER N/A
Name Business Relationship Phone	MTCI PRIVATE PROVIDER SERVICES LLC N/A P PROVIDER N/A

[New Search](#)

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public notification packages | lists of property owners within a specific radius + radius maps + mailing labels  
www.rdrmiami.com | diana@rdrmiami.com | 305.498.1614

March 15, 2017

City of Miami Beach  
Planning Department  
1700 Convention Center Dr.  
Miami Beach, FL 33139

**Re: Property Owners List within 375 feet of:**

**SUBJECT:** 6 Star Island Drive, Miami Beach, FL 33139

**FOLIO NUMBER:** 02-4204-001-0060

**LEGAL DESCRIPTION:** CORRECTED PL OF STAR ISLAND PB 31-60 LOT 6

This is to certify that the attached ownership list, map and mailing labels are a complete and accurate representation of the real estate property and property owners within 375 feet radius of the external boundaries of the subject property listed above, including the subject property. This reflects the most current records on the file in Miami-Dade County Property Appraisers' Office.

Sincerely,

Rio Development Resources, LLC

---

Diana B. Rio

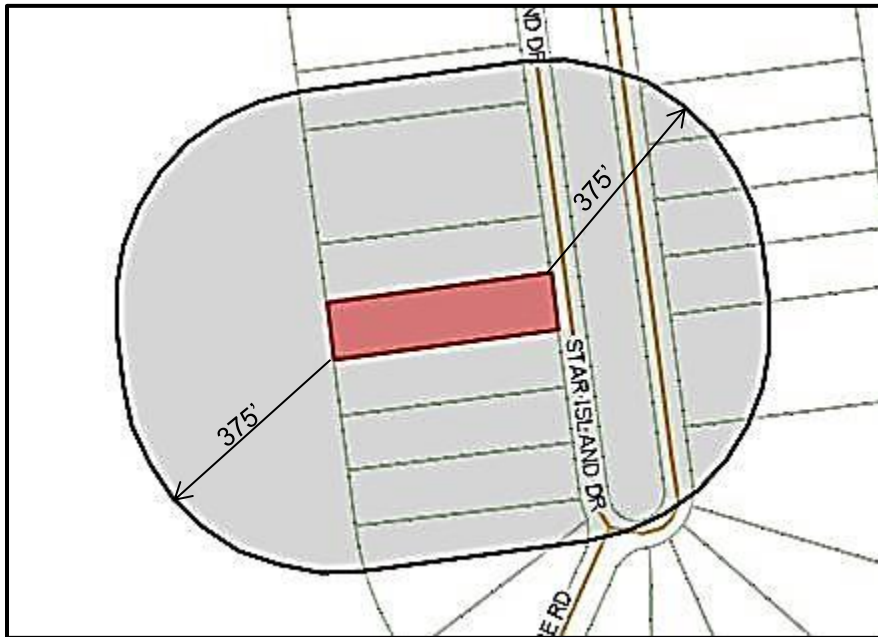
Total number of property owners without repetition: **17, including 2 international**

*Rio Development Resources, LLC ("RDR") has used its best efforts in collecting the information published in this report and the findings contained in the report are based solely and exclusively on information provided by you and information gathered from public records and that local government. By acceptance of this report, you agree to hold RDR harmless and indemnify RDR from any and all losses, damages, liabilities and expenses which can be claimed against RDR caused by or related to this report.*



public notification packages | lists of property owners within a specific radius + radius maps + mailing labels  
www.rdrmiami.com | diana@rdrmiami.com | 305.498.1614

## 375' RADIUS MAP



**SUBJECT:** 6 Star Island Drive, Miami Beach, FL 33139

**FOLIO NUMBER:** 02-4204-001-0060

**LEGAL DESCRIPTION:** CORRECTED PL OF STAR ISLAND PB 31-60 LOT 6

Name	Address	City	State	Zip	Country
SKIPWORTH PROPERTIES LIMITED	CLINCH'S HOUSE LORD STREET	DOUGLAS IM1 1LF			ISLE OF MAN
SKIPWORTH PROPERTIES LIMITED CLINCH'S HOUSE	LORD STREET	DOUGLAS			ISLE OF MAN
2 WEST STAR ISL LLC	1440 BROADWAY FL 16	NEW YORK	NY	10018	USA
36 STAR ISLAND HOLDINGS LLC C/O LOURDES C CAMBO	999 BRICKELL AVE PH 1101	MIAMI	FL	33131	USA
BRIAN L BILZIM TR C/O BILZIM SUMBERG ETALS	200 SO BISCAYNE BLVD STE 2500	MIAMI	FL	33131-5340	USA
BRIAN L BILZIN TRS	200 S BISCAYNE BLVD # 2500	MIAMI	FL	33131-5340	USA
CITY OF MIAMI BEACH CITY HALL	1700 CONVENTION CENTER DR	MIAMI BEACH	FL	33139	USA
EMILIO ESTEFAN JR & W GLORIA	39 STAR ISLAND	MIAMI BEACH	FL	33139-5146	USA
ENGIN YESIL	40 STAR ISLAND DR	MIAMI BEACH	FL	33139-5146	USA
FCC PROPERTIES INC	1395 BRICKELL AVE #720	MIAMI	FL	33131	USA
GERALD ROBINS &W JOAN	33 STAR IS	MIAMI BEACH	FL	33139-5146	USA
IDA KIRSNER TRS HARRY M KIRSNER TRS STEVEN A KIRSNER TRS MARVIN A KIRSNER TRS RONALD M KIRSNER TRS DIANE KOVENS GOLDBERG TRS	34 STAR ISLAND DR	MIAMI BEACH	FL	33139	USA
JOHN FORTE &W MARIA RESTREPO	3191 CORAL WAY #300	MIAMI	FL	33145	USA
LOURDES R SANJENIS	9 STAR ISLAND DR	MIAMI	FL	33139	USA
NENA'S VILLA INC	420 JEFFERSON AVE	MIAMI BEACH	FL	33139-6503	USA
STUART A MILLER	7 STAR ISLAND DR	MIAMI BEACH	FL	33139-5147	USA
YALE R BROWN	37 E STAR ISLAND DR	MIAMI BEACH	FL	33139	USA

SKIPWORTH PROPERTIES LIMITED  
CLINCH'S HOUSE  
LORD STREET  
DOUGLAS IM1 1LF  
ISLE OF MAN

SKIPWORTH PROPERTIES LIMITED CLINCH'S  
HOUSE  
LORD STREET  
DOUGLAS  
ISLE OF MAN

2 WEST STAR ISL LLC  
1440 BROADWAY FL 16  
NEW YORK, NY 10018

36 STAR ISLAND HOLDINGS LLC C/O  
LOURDES C CAMBO  
999 BRICKELL AVE PH 1101  
MIAMI, FL 33131

BRIAN L BILZIM TR C/O BILZIM SUMBERG  
ETALS  
200 SO BISCAYNE BLVD STE 2500  
MIAMI, FL 33131-5340

BRIAN L BILZIN TRS  
200 S BISCAYNE BLVD # 2500  
MIAMI, FL 33131-5340

CITY OF MIAMI BEACH CITY HALL  
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IDA KIRSNER TRS HARRY M KIRSNER TRS  
STEVEN A KIRSNER TRS MARVIN A KIRSNER  
TRS RONALD M KIRSNER TRS DIANE  
KOVENS GOLDBERG TRS  
34 STAR ISLAND DR  
MIAMI BEACH, FL 33139

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