

**DESIGN REVIEW BOARD**  
**City of Miami Beach, Florida**

MEETING DATE: April 5, 2016

FILE NO: 23077

PROPERTY: **1844 West 23<sup>rd</sup> Street**

APPLICANT: 1844 W 23rd LLC

LEGAL: Lot 11, Block 3-H, of Island No. 3 of Sunset Islands, as Recorded in Plat Book 40, Page 8, of the Public Records of Miami-Dade County, Florida.

IN RE: The Application for a (1) one-year Extension of Time for a previously issued Design Review Approval for the construction of a new one-story single family home to replace an existing pre-1942 architecturally significant two-story home.

**ORDER**

The City of Miami Beach Design Review Board makes the following FINDING 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:

The applicant submitted information establishing, among other things, that delays were encountered in permitting the project. The foregoing constitutes good cause for granting a one (1) year extension of time to the requirement that a Full Building Permit be obtained within eighteen (18) months of the original Design Review Approval.

IT IS HEREBY ORDERED, based upon the foregoing finding of fact and the staff report and analysis, which is adopted herein, including the recommendation, that a one (1) year extension of time to obtain a full building permit (which one [1] year period shall run from the expiration date of the original approval, which was on March 2, 2016) is granted for the above-referenced project conditioned upon the following, to which the applicant has agreed:

1. A full building permit, not a foundation or shell permit, for the project shall be obtained by March 2, 2017.
2. The Applicant shall ensure that parking for guests and service vehicles occurs on private property or in the right-of-way in a manner that does not block the roadway or cause guests and/or service vehicles to park in the right-of-way or in front of other residences.
3. During construction of the new home, the Applicant will maintain gravel at the front of the construction site within the first 15' of the required front yard to mitigate disturbance of soil and mud by related personal vehicles exiting and entering the site, and with an 8' high fence with a wind resistant green mesh material along the front property line. All construction materials, including dumpsters and portable toilets, shall be located behind the construction fence and not visible from the right-of-way. All construction vehicles shall either park on the private property or at alternate overflow parking sites off of Sunset Islands 3 & 4 with a shuttle service to and from the property. The Applicant shall ensure that the contractor(s) observe good construction practices and prevent construction materials and debris from impacting the right-of-way.
4. During construction (commencing with any ground disturbing activity, including any demolition and ending with the issuance of the final certificate of occupancy), the site shall be watered once daily (between 4 and 5 pm) to reduce the impacts of dust on the surrounding residential neighborhood during dust generating activities.
5. The applicant shall surround the subject property with an eight (8') foot high fence and a wind resistant green screening/fencing material to mitigate dust impacts on adjoining and nearby properties.
6. Construction shall commence and continue in accordance with the applicable Building Code.
7. This Extension of Time shall run concurrent with any other Extensions of Time that may be provided to the property owner as a result of actions of non-City authorities with jurisdiction over such matters.
8. 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.
9. 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.

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

Filed with the Clerk of the Design Review Board on \_\_\_\_\_ ( )

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