

BOARD OF ADJUSTMENT AGENDA
1700 CONVENTION CENTER DRIVE 3RD FL.
Friday, March 2, 2018, 9:00 AM | City Commission Chambers

- I. ATTENDANCE
- II. APPROVAL OF MINUTES
- III. CITY ATTORNEY UPDATES
- IV. SWEARING IN OF PUBLIC
- V. REQUESTS FOR CONTINUANCES/WITHDRAWALS
- VI. REQUESTS FOR EXTENSIONS OF TIME
- VII. DISCUSSION ITEMS
- VIII. PROGRESS REPORT
- IX. MODIFICATION OF PREVIOUSLY APPROVED BOARD ORDER
- X. CONTINUED ITEMS
- XI. OPEN AND CONTINUED ITEMS
- XII. NEW APPLICATIONS
- XIII. APPEALS (BOA ONLY)
- XIV. OTHER BUSINESS
- XV. ADJOURNMENT

AGENDA ITEMS

APPROVAL OF MINUTES

- 1. After Action Report -January 5, 2018

REQUESTS FOR CONTINUANCES/WITHDRAWALS

NEW APPLICATIONS

- 2. ZBA17-0056 -1429 Washington Ave
FDP La Caffè Creperie, LLC/DBA La Creperie Caffè

ADJOURNMENT

Applications listed herein have been filed with the Planning Department for review by the Board of Adjustments, pursuant Section 118-136 of the City's Land Development Regulations. All persons are invited to attend this meeting or be represented by an agent, or to express their views in writing addressed to the Board of Adjustments c/o the Planning Department, 1700 Convention Center Drive, 2nd Floor, Miami Beach, Florida 33139. Applications for items listed herein are available for public inspection at the following link: or during normal business hours at the Planning Department, 1700 Convention Center Drive, 2nd Floor, Miami Beach, Florida 33139. Inquiries may be directed to the Department at (305) 673-7550.

Any items listed in this agenda may be continued. Under such circumstances, additional legal notice would not be

provided. Please contact the Planning Department at (305) 673-7550 for information on the status of continued items.

Pursuant to Section 286.0105, Fla. Stat., the City hereby advises the public that: Appeals of any decision made by this Board with respect to any matter considered at its meeting or hearing, such person will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. This notice does not constitute consent by the City for the introduction or admission of otherwise inadmissible or irrelevant evidence, nor does it authorize challenges or appeals not otherwise allowed by law.

To request this material in alternate format, sign language interpreter (five-business 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).

MIAMIBEACH

LAND USE BOARDS

FILE NO.

APPLICANT:

MEETING DATE:

1/5/2018

PRIOR ORDER NUMBER:

ATTACHMENTS:

Description

Type

□ After Action Report -December 2017

Memo

**BOARD OF ADJUSTMENT MINUTES
1700 CONVENTION CENTER DRIVE 3RD FL.**

Friday, December 1, 2017, 9:00 AM | City Commission Chambers

- I. ATTENDANCE
 - II. APPROVAL OF MINUTES
 - III. CITY ATTORNEY UPDATES
 - IV. SWEARING IN OF PUBLIC
 - V. REQUESTS FOR CONTINUANCES/WITHDRAWALS
 - VI. REQUESTS FOR EXTENSIONS OF TIME
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 - XIII. APPEALS (BOA ONLY)
 - XIV. OTHER BUSINESS
 - XV. ADJOURNMENT
-

AGENDA ITEMS

ATTENDANCE

APPROVAL OF MINUTES

1. After Action Report -November 3, 2017

Motion

Motion to Approve

Moved By: Richard Segal

Supported By: James Orlowsky

Ayes: Fox, Goldberg, Nagler, Orlowsky, Segal, Tandy

Absent: Baron

MOTION Passed

REQUESTS FOR CONTINUANCES/WITHDRAWALS

CONTINUED ITEMS

2. ZBA17-0036 -3040 Prairie Avenue
Matan Ben Aviv and Michelle Ben Aviv

Motion

Motion to Approve w/ Conditions

Moved By: Heidi Tandy

Supported By: Noah Fox

Ayes: Fox, Goldberg, Nagler, Segal, Tandy

Nays: Orlowsky

Absent: Baron

MOTION Passed

3. ZBA17-0052 -5300 La Gorce Drive

Matthew D. Shore and Shari Shore

Motion

Motion to Approve

Moved By: James Orlowsky

Supported By: Heidi Tandy

Ayes: Fox, Goldberg, Nagler, Orlowsky, Segal, Tandy

Absent: Baron

MOTION Passed

NEW APPLICATIONS

4. ZBA17-0046 -2555 Regatta Avenue

Bram and Lara Hechtkopf

Motion

Motion to Approve

Moved By: Noah Fox

Supported By: James Orlowsky

Ayes: Fox, Goldberg, Nagler, Orlowsky, Segal, Tandy

Absent: Baron

MOTION Passed

5. ZBA17-0051 -1831 W 23rd Street

David B. Haber trustee

Motion to approve variances 8 and 9 for a structure on the street side

Motion to Approve

Moved By: Noah Fox

Supported By:

Ayes: Fox

Absent: Baron

Abstain: Goldberg, Nagler, Orlowsky, Segal, Tandy

MOTION Died for lack of Second

Motion to approve variances 6 and 7 for side setback for pool and deck

Motion to Approve

Moved By: Noah Fox

Supported By: Heidi Tandy

Ayes: Fox, Goldberg, Nagler, Orlowsky, Segal, Tandy

Absent: Baron

MOTION Passed

Motion to approve variances 4 and 5 for rear setback for pool and deck

Motion to Approve

Moved By: Richard Segal

Supported By: Heidi Tandy

Ayes: Fox, Goldberg, Nagler, Orlowsky, Segal, Tandy

Absent: Baron

MOTION Passed

Motion to approve variance 3 for a wall setback

Motion to Approve

Moved By: Heidi Tandy

Supported By: Richard Segal

Ayes: Fox, Goldberg, Nagler, Segal, Tandy

Nays: Orlowsky

Absent: Baron

MOTION Passed

Motion to approve variance 2 for wall height in rear yard

Motion to Approve

Moved By: James Orlowsky

Supported By: Noah Fox

Ayes: Fox, Goldberg, Nagler, Orlowsky, Segal, Tandy

Absent: Baron

MOTION Passed

Motion to approve variance 1 for columns and gates

Motion to Approve

Moved By: Noah Fox

Supported By: Heidi Tandy

Ayes: Fox, Tandy

Nays: Goldberg, Nagler, Orlowsky, Segal

Absent: Baron

MOTION Failed

ADJOURNMENT

Applications listed herein have been filed with the Planning Department for review by the Design Review Board, pursuant Section 118-252, and 118-71 of the City's Land Development Regulations. All persons are invited to attend this meeting or be represented by an agent, or to express their views in writing addressed to the Design Review Board c/o the Planning Department, 1700 Convention Center Drive, 2nd Floor, Miami Beach, Florida 33139. Applications for items listed herein are available for public inspection at the following link: or during normal business hours at the Planning

Department, 1700 Convention Center Drive, 2nd Floor, Miami Beach, Florida 33139. Inquiries may be directed to the Department at (305) 673-7550.

Any items listed in this agenda may be continued. Under such circumstances, additional legal notice would not be provided. Please contact the Planning Department at (305) 673-7550 for information on the status of continued items. Pursuant to Section 286.0105, Fla. Stat., the City hereby advises the public that: Appeals of any decision made by this Board with respect to any matter considered at its meeting or hearing, such person will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. This notice does not constitute consent by the City for the introduction or admission of otherwise inadmissible or irrelevant evidence, nor does it authorize challenges or appeals not otherwise allowed by law.

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MIAMI BEACH

LAND USE BOARDS

PROPERTY:

1429 Washington Ave

FILE NO.

ZBA17-0056

APPLICANT:

FDP La Caffè Creperie, LLC/DBA La Creperie Caffè

MEETING DATE:

3/2/2018

LEGAL DESCRIPTION:

OCEAN BEACH ADD NO 2 PB 2-56
BEG AT SELY COR OF LOT 17 TH N 90
DEG W 130FT N 00 DEG W 27.82FT
N 80 DEG E 106.02FT S 00 DEG E
24.30FT N 89 DEG E 25.24FT S 00
DEG E 20.73 TO POB BLK 26
LOT SIZE 4322 SQ FT
OR 17096-3325 0296 1

IN RE:

The applicant is requesting a modification to a previously approved variance for the reduction from the minimum required 300 foot distance separation between a business that sells alcoholic beverages and an existing educational facility. Specifically, the applicant is requesting to change the name of the owner/operator.

PRIOR ORDER NUMBER:**ATTACHMENTS:**

| Description | Type |
|--|------|
| <input type="checkbox"/> Business Tax Receipt | Memo |
| <input type="checkbox"/> Interior Seating Plan | Memo |
| <input type="checkbox"/> Application | Memo |
| <input type="checkbox"/> Letter of Intent | Memo |
| <input type="checkbox"/> Modification Order | Memo |
| <input type="checkbox"/> Certified Letter | Memo |
| <input type="checkbox"/> Labels | Memo |
| <input type="checkbox"/> Owner List | Memo |

- ▣ Radius Map
- ▣ Staff Report 2-27-18
- ▣ Recorded Order

Memo
Memo
Memo

CITY OF MIAMI BEACH
CERTIFICATE OF USE, ANNUAL FIRE FEE, AND BUSINESS TAX RECEIPT

1700 Convention Center Drive
Miami Beach, Florida 33139-1819

TRADE NAME: FDP LA CAFFE CREPERIE LLC /DBA LA CREPERIE CAFFE LICENSE NUMBER: BTR002332-04-2017
IN CARE OF: Beginning: 10/23/2017
ADDRESS: 1429 Washington Ave Expires: 09/30/2018
 MIAMI BEACH, FL -331394109 Parcel No: 0232340080880

TRADE ADDRESS: 1429 Washington Ave

A penalty is imposed for failure to keep this Business Tax Receipt exhibited conspicuously at your place of business.

| Code | Business Type |
|----------|-------------------|
| 95016400 | RESTAURANT / BARS |

A Business Tax Receipt issued under this article does not waive or supersede other City laws, does not constitute City approval of a particular business activity and does not excuse the licensee from all other laws applicable to the licensee's business.

| | |
|---------------------------|----|
| Restaurants/Bars: #Chairs | 60 |
|---------------------------|----|

This Receipt may be transferred:

A. Within 30 days of a bonafide sale, otherwise a complete annual payment is due.

B. To another location within the City if proper approvals and the Additional Information

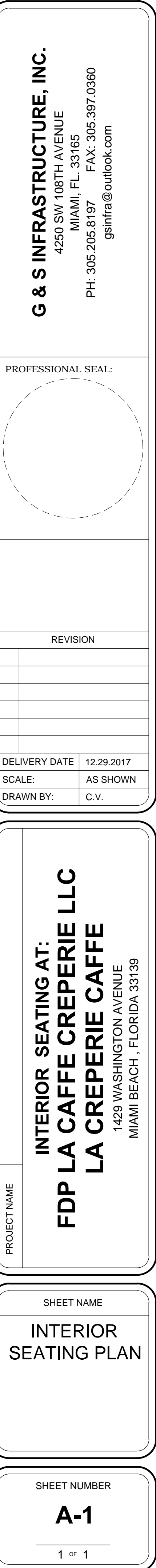
Storage Locations

FROM: CITY OF MIAMI BEACH
1700 CONVENTION CENTER DRIVE
MIAMI BEACH, FL 33139-1819

PRESORTED
FIRST CLASS
U.S. POSTAGE
PAID
MIAMI BEACH, FL
PERMIT No 1525

FDP LA CAFFE CREPERIE LLC /DBA LA CREPERIE CAFFE
1429 Washington Ave
MIAMI BEACH, FL -331394109

3313941097



MIAMI BEACH

PLANNING DEPARTMENT, 1700 CONVENTION CENTER DRIVE, 2ND 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: 1429 Washington Avenue, MIAMI BEACH,
FL 33139

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

FOLIO NUMBER (S) 02-3234-008-0880

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

NAME FDP LA CAFFE CREPERIE LLC
 ADDRESS 1429 Washington Ave Miami Beach FL 33139
 BUSINESS PHONE 786 453 2117 CELL PHONE 727 459 6546
 E-MAIL ADDRESS CHEFDINOGR@gmail.com

OWNER IF DIFFERENT THAN APPLICANT:

NAME BLACK Condor LLC
 ADDRESS 6515 Collins Av. Unit 1202 Miami
 BUSINESS PHONE _____ CELL PHONE _____
 E-MAIL ADDRESS _____

2. AUTHORIZED REPRESENTATIVE(S):

- ☐ ATTORNEY:

NAME _____
 ADDRESS _____
 BUSINESS PHONE _____ CELL PHONE _____
 E-MAIL ADDRESS _____

- ☐ 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 _____
 ADDRESS _____
 BUSINESS PHONE _____ CELL PHONE _____
 E-MAIL ADDRESS _____

FILE NO. _____

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

Variance for liquor sale with 300 feet
of educational facility.

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) _____ 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: _____

Cesar Zerene
Cesar Zerene

FILE NO. _____

OWNER AFFIDAVIT FOR INDIVIDUAL OWNER

STATE OF _____
 COUNTY OF _____

I, _____, 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 _____ day of _____, 20____. 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

 NOTARY PUBLIC

My Commission Expires:

 PRINT NAME

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

STATE OF _____
 COUNTY OF _____

I, Lesar Terene being duly sworn, depose and certify as follows: (1) I am the manager (print title) of Black Condor, LLC (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.

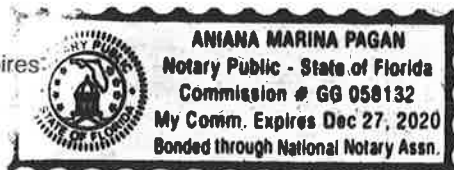
 SIGNATURE

Sworn to and subscribed before me this 29th day of Nov, 2017. 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:



 Aniana Pagan
 PRINT NAME

FILE NO. _____

POWER OF ATTORNEY AFFIDAVIT

STATE OF
COUNTY OF

I, _____, 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 _____ to be my representative before the _____ 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.

PRINT NAME (and Title, if applicable)

SIGNATURE

Sworn to and subscribed before me this _____ day of _____, 20____. The foregoing instrument was acknowledged before me by _____ 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

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.*

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.*

Black Condor, LLC

NAME OF CORPORATE ENTITY

NAME AND ADDRESS

% OF OWNERSHIP

Cesar Zerene
6515 Collins Ave #1202
Miami Beach, FL 33141

50%

Guillermo Zerene
6515 Collins Ave #1202
Miami Beach, FL 33141

50%

NAME OF CORPORATE ENTITY

NAME AND ADDRESS

% OF OWNERSHIP

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

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.*

| | |
|----------------------------------|----------------|
| <u>FDP LA CAFFE CREPERIE LLC</u> | |
| NAME OF CORPORATE ENTITY | |
| NAME AND ADDRESS | % OF OWNERSHIP |
| <u>FDP LA CAFFE CREPERIE LLC</u> | <u>100%</u> |
| <u>1429 Washington Avenue</u> | |
| <u>MIAMI BEACH, FL 33139</u> | |
| <u>Konstantinos CHILIAS</u> | <u>100%</u> |
| | |
| | |

| | |
|--------------------------|----------------|
| 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.*

TRUST NAME

NAME AND ADDRESS

% INTEREST

| | |
|--|--|
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| | |
| | |

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. | <u>KONSTANTINOS CHILIAS</u> | <u>1429 Washington AV</u> | <u>727 459 6546</u> |
| b. | <u>Tenant</u> | <u>MIAMI BEACH FL</u> | |
| c. | | <u>33139</u> | |

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.

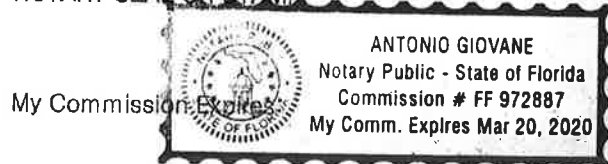
APPLICANT AFFIDAVITSTATE OF FLORIDACOUNTY OF MIAMI-DADEKONSTANTINOS V.

I. CHILIAS, 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]
SIGNATURE

Sworn to and subscribed before me this 5 day of Dec, 20 17. 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



[Signature]
NOTARY PUBLIC

Antonio Giovane
PRINT NAME

FILE NO.



FDP La Creperie Caffe, LCC

DBA

La Creperie Caffe

**Planning review Board – ZBA 17-0056
1429 Washington Ave. Miami Beach, FL 33139**

La Creperie Caffe

1429 Washington Ave
Miami Beach, FL 33139

Phone: (727) 459-6546
E-Mail: chefdinogr@gmail.com

October 24, 2017

Irina Villegas, Senior Planner
Miami Beach Planning Department
1700 Convention Center Drive
Miami Beach, FL 33139

Re: Variance

Dear Ms Villegas

I am pleased to announce the opening of La Creperie Caffe restaurant at the above referenced location. I currently have 2 similar restaurants one in Hillsborough County and one in Sarasota County all of which serve beer and wine. It is because of their success I have expanded to Miami-Dade County.

I am writing you to request a zoning variance which would allow us to serve beer and wine. The location I selected has served food and beverage. As with my other restaurants, I would like to serve beer and wine to our patrons while they enjoy a meal.

I feel I satisfy the hardship criteria for the following reasons:

- 1) Granting the variance is not an unusual request and would not give me any special privilege. There are restaurants, bars, and nightclubs within this zoning district that currently sell beer, wine and liquor on Washington Avenue. Denying me a license would deprive me the rights commonly given to similar establishments in the area.
- 2) There are restaurants that are our competition within our zone which have the ability to sell beer and wine which gives them an unfair competitive advantage.
- 3) As La Creperie Caffe Miami Beach is a brand new business and is just beginning to establish a Miami customer base it is imperative that we can offer our entire menu to these new customers to give us the best chance of retaining these customers for future visits.

Thank you in advance for your consideration to this request and I look forward to working in Miami-Dade County.

Sincerely,



Konstantinos Chilas
President

La Creperie Caffe

1429 Washington Ave
Miami Beach, FL 33139

Phone: (727) 459-6546
E-Mail: chefdinogr@gmail.com

November 07, 2017

Irina Villegas, Senior Planner
Miami Beach Planning Department
1700 Convention Center Drive
Miami Beach, FL 33139

Re:Modification for the new Business

Dear Ms Villegas

The previous tenant operated as FireHouse Sub, We are a new tenant in the same space, We change ownership, We operate new business as La Creperie Caffe that specialize in french crepes, italian paninis, saladas, fine coffees, fine wine and beer.

La Creperie Caffe, Hours of operation: Monday to Sunday from 7:00 Am - 11:00Pm

Sincerely,



Konstantinos Chillas
President

**BEFORE THE
BOARD OF ADJUSTMENT
OF THE CITY OF MIAMI BEACH, FLORIDA**

IN RE: The application of
KOBA ZAKARIADZE / CHILL & GRILL, INC.
1429 WASHINGTON AVENUE
A SOUTHERLY PART OF THAT CERTAIN
UN-NUMBERED LOT LYING IMMEDIATELY
NORTH OF LOT 16; SAID UN-NUMBERED LOT NOW
KNOWN AS LOT 17, BLOCK 26,
OCEAN BEACH ADDITION NO. 2,
PLAT BOOK 2, PG 56; DADE COUNTY, FLORIDA
(FOR COMPLETE LEGAL DESCRIPTION
PLEASE CONTACT THE PLANNING DEPT.)

MEETING DATE: NOVEMBER 7, 2008
FILE NO. 2578

MODIFICATION ORDER

The applicant, Koba Zakariadze / Chill & Grill, Inc., filed an application with the Planning Department for a modification to a condition of approval for a variance which permitted a restaurant that serves beer and wine in a location less than 300 feet from an educational facility. Condition No. 6 of the June 6, 1997 Order permitted the sale of beer and wine only, and prohibited the establishment from selling hard liquor in any form. The applicant requests to modify this condition to permit the sale of hard liquor.

Notice of the request for variance was given as required by law and mailed to owners of property within a distance of 375 feet of the exterior limits of the property on which application was made.

THE BOARD FINDS that the property in question is located in the CD-2 Zoning District.

THE BOARD FURTHER FINDS, based upon evidence, testimony, information and documentation presented to the Board, and portions of the staff report and recommendations, as applicable, which are incorporated herein by this reference, that with regard to the requested variance when conditioned as provided for in this Order:

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

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

That granting the variance requested will not confer on the applicant any special privilege that is denied by this Ordinance to other lands, buildings, or structures in the same zoning

district;

That literal interpretation of the provisions of this Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this Ordinance and would work unnecessary and undue hardship on the applicant;

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

That the granting of the variance will be in harmony with the general intent and purpose of this Ordinance and that such variance will not be injurious to the area involved or otherwise detrimental to the public welfare; and

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

IT IS THEREFORE ORDERED, by the Board, that the modification be APPROVED as requested and set forth above; with the following conditions to which the applicant has agreed:

1. The applicant shall comply with all of the original conditions of approval granted by this Board on June 6, 1997, except as modified herein.
2. The sale and or consumption of alcoholic beverages shall not be permitted prior to 5:00 pm Monday thru Friday.
3. Substantial modifications to the plans submitted and approved as part of the application, as determined by the Planning Director or designee, may require the applicant to return to the Board for approval of the modified plans, even if the modifications do not affect variances approved by the Board.
4. The establishment must maintain a minimum of 60 seats inside at all times.
5. The establishment shall not be converted to a stand-alone bar, or dance hall.
6. The full food menu shall be available at all times that the establishment is open.
7. The applicant shall satisfy any City Liens prior to the issuance of a revised Certificate of Use and Occupational License for beer, wine, and liquor.
8. The Board of Adjustment shall retain jurisdiction of this file. The applicant must present a progress report in three months to the Board; the Board shall then determine the necessity and timing of subsequent reports.
9. This approval is granted to Koba Zakariadze only. Any changes in ownership or operator shall require new owner or operator to return to the Board of Adjustment

and seek a modification to the final Order transferring approval to the new owner or operator.

10. The property owner shall be responsible for compliance with all of the conditions of this variance. The current operator and any subsequent operators of the business shall be specially apprised of all conditions. Subsequent operators shall be required to appear before the Board of Adjustment to affirm their understanding of the conditions listed, herein.
11. If there is any change in the use or operation of the establishment, including but not limited to the establishment attempting to become a stand-alone bar, or a dance hall and/or entertainment establishment, or in the event the restaurant use ceases to exist for any reason (except for temporary closure during a season or remodeling, both for a period up to six (6) months), the variance shall be subject to Section 118-356, City Code, for revocation or modification of the variance.
12. The applicant shall comply with all conditions imposed (if applicable) by the Public Works Department.
13. The applicant shall obtain a liquor license and amend their Certificate of Use within six (6) months of the date of this hearing. If the liquor license is not obtained within the specified time limits, the applicant shall, prior to expiration of such period, apply to the Board for an extension of time. At the hearing on such application, the Board may deny or approve the request and modify these conditions or impose additional conditions. Failure to comply with this order shall subject the variance to Section 118-356, City Code, for revocation or modification of the variance.
14. The conditions on this Order are binding on the applicant, the property's owners and all successors in interest and assigns.
15. This 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.
16. This Order shall be recorded, at the expense of the applicant, in the Public Records of Miami-Dade County; the original or a certified copy shall be provided to the Planning Department prior to the issuance of a revised license.

Board of Adjustment of
The City of Miami Beach, Florida

By: _____

Richard G. Lorber, AICP
Planning & Zoning Manager

The foregoing instrument was acknowledged before me this _____ day of _____, _____, by Richard G. Lorber, Planning and Zoning Manager of the City of Miami Beach, Florida, a Florida Municipal Corporation, on behalf of the corporation. He is personally known to me.

Approved As To Form:
Legal Department ()

F:\PLAN\szba\FINALORD\2578 - Mod Order- 1429 Washington Av - 11-08.doc



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

October 25, 2017

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

Re: Property Owners List within 375 feet of:

SUBJECT: 1429 WASHINGTON AVE, MIAMI BEACH, FL 33139

FOLIO NUMBER: 02-3234-008-0880

LEGAL DESCRIPTION: OCEAN BEACH ADD NO 2 PB 2-56 BEG AT SELY COR OF LOT 17
H N 90 DEG W 130FT N 00 DEG W 27.82FT N 80 DEG E 106.02FT S 00 DEG E 24.30FT N 89
DEG E 25.24FT S 00 DEG E 20.73 TO POB BLK 26

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,

RDR | Diana B. Rio

Total number of property owners without repetition: **133, including 8 international**

ALEXIA DE SUAREZ D AULAN NATHALIE D
AULAN
101 RUE DU BAC
PARIS 75007
FRANCE

ERIC THOREUX &W FABIENNE
3 CITE VANEAU
PARIS 75007
FRANCE

GLEB IGOKLIN
PETROZAVODSKAYA 13-176
ST PETERSBURG
RUSSIA

HENRI DE SUAREZ DAULAN
4110 RUE WELLINGTON #302
VERDUN QC H4G1V7
CANADA

NATHALIE D AULAN
350 MILL ROAD STE #409
TORONTO ONTARIO M9C 5R7
CANADA

NIKOLAY KHARITONOV LIDIYA PEREPELOVA
SIMONOVSKY VAL STREET 41 1 46
MOSCOW 115088
RUSSIA

PATRICK SMOLDERS
VAN HALLSTRAAT 99-1
1051 HA AMSTERDAM
NETHERLANDS

STEFAN SPATH % COUPLES NEGRIL
PO BOX 35
NEGRIL
JAMAICA

1417 WASHINGTON LLC
1435 WASHINGTON AVE
MIAMI BEACH, FL 33139

1421 WASHINGTON LLC
301 WEST 41 ST STE 406
MIAMI BEACH, FL 33140

1425 COLLINS AVE LLC
1423 COLLINS AVE
MIAMI BEACH, FL 33139

1434 COLLINS LLC
PO BOX 402188
MIAMI BEACH, FL 33140

420 CWELT 2007 LLC
7491 N FEDERAL HWY #C5 282
BOCA RATON, FL 33487

ABJL SOUTH BEACH LLC
15 WARREN ST #424
JERSEY CITY, NJ 07302

ACASTAR MIAMI LLC
1414 COLLINS AVE
MIAMI BEACH, FL 33139

ACASTAR MIAMI LLC
2450 NE MIAMI GARDENS DR 2 FL
MIAMI, FL 33180

ADITA HOLDINGS LLC
763 ARTHUR GODFREY RD #A
MIAMI BEACH, FL 33140-3448

ALAN D WILLIAMS
143 MERROW RD
TOLLAND, CT 06084

ALEX MUSCARELLA
2261 PALMER AVE APT 3F
ROCHELLE, NY 10801

ALEXANDER FERAFOV
1437 COLLINS AVE #301
MIAMI BEACH, FL 33139

AMBER PERRIN
PO BOX 191554
MIAMI BCH, FL 33119

ANDRIA MICHAEL MUSHAHWAR
MARGARETTE SHAHIN
1234 VIA CAPRI
WINTER PARK, FL 32789

ANGELO LASKARIS
1907 N MENDELL
CHICAGO, IL 60622

ARNIM RAMSEY CRAIG MCKENZIE
1458 OCEAN DR #310
MIAMI BEACH, FL 33139

BAROUX LLC
1521 MERIDIAN AVE
MIAMI BEACH, FL 33139

BARRY PROPERTIES LLC
2504 ELLIJAY DR
ATLANTA, GA 30319

BARRY S FISHMAN
912 CAPTIVA BOULEVARD
HOLLYWOOD, FL 33019

BELLA TURKA SOUTH BEACH LLC
301 S 19 ST
PHILADELPHIA, PA 19103

BETSY ROSS OWNER LLC
1841 BROADWAY #800
NEW YORK, NY 10023

BLACK CONDOR LLC
6515 COLLINS AVE STE 1202
MIAMI BEACH, FL 33141

BOULAN 306 LLC
7 TANGLEWOOD RD
PLEASANTVILLE, NY 10530

BOULAN 309 LLC
9 TRAPPING WAY
PLEASANTVILLE, NY 10570

BRICKELL 3301 LLC
2655 S LEJEUNE RD 543
MIAMI, FL 33134

C WILSON LLC
555 NE 15 ST #200
MIAMI, FL 33132-1455

CALVIN H MITTMAN
1418 COLLINS AVE UNIT 601
MIAMI BEACH, FL 33139-4146

CARLOS SEPULVEDA ELIZABETH
SEPULVEDA
1418 COLLINS AVE #603
MIAMI BEACH, FL 33139

CECILIA WILLIAMS LE REM
CECILIA WATSON
420 15 ST UNIT 309
MIAMI BEACH, FL 33139

CHARLES EISNAUGLE
126 DEAN ST
BROOKLYN, NY 11201

CHRISTINA ZAMPAS
420 15 ST APT 111
MIAMI BEACH, FL 33139

CITY OF MIAMI BEACH FLA CITY HALL
1700 CONVENTION CENTER DR
MIAMI BEACH, FL 33139

CLAY HOTEL PARTNERSHIP LTD
406 ESPANOLA WAY
MIAMI BEACH, FL 33139-8123

COLLINS AVE PLAZA LLC
PO BOX 350078
PALM COAST, FL 32135

COLLINS SCENE LLC
3655 ST GAUDENS RD
MIAMI, FL 33133

COPPELIA OLIVI USA LLC
301 ARTHUR GODFREY RD
MIAMI BEACH, FL 33140

DAVID FOGIELGARN CATHY FOGIELGARN
11 ROSERY LANE
BELLEAIR, FL 33756

DAVID R GUSMINI OLGA Y GUSMINI
6 CORINTHIAN WAY
GEORGETOWN, MA 01833

ESPANOLA PARTNERS LLC C/O ISAAC KLEIN
1407 BROADWAY STE 503
NEW YORK, NY 10018

ESPANOLA WAY ASSOCIATES LTD % SRC
PROPERTIES LLC
230 5TH ST
MIAMI BEACH, FL 33139-6602

FELIX C SOTOLONGO &
MAYRA SOTOLONGO
1418 COLLINS AVE UNIT 501
MIAMI BEACH, FL 33139-4145

FLAGER PROPERTY ENTERPRISES INC
1505 SW 12 ST
MIAMI, FL 33135-5319

FRANZ ONTAL &W JENNYFFER URRUTIA
OLGA ESTEBAN
860 BEACH ST
LINDENHURST, NY 11757

GENADI ZATUZHNI
35 SEACOAST TERR #21B
BROOKLYN, NY 11235

GENADI ZATUZHNI ELIZABETH ZATUZHNI
35 SEACOAST TER APT 21
BROOKLYN, NY 11235

GEORGE W GALGANO C/O GALGANO &
ASSOCIATES
399 KNOLLWOOD RD
WHITE PLAINS, NY 10603

GLADSTAR INVESTMENTS LLC
1111 WALDEN CIR
SUGARLAND, TX 77498

GLEB IGOLKIN
5445 COLLINS AVE # B 18
MIAMI BEACH, FL 33140

GUIDEL KODESH LLC
1427 WASHINGTON AVE
MIAMI BEACH, FL 33139

HADDON HALL HOTEL OWNER LLC
140 E 45TH ST STE 3400
NEW YORK, NY 10017-9310

HOMESTEAD EQUITIES 607 LLC C/O
LEONARD WADLER
250 W 24 ST 2FW
NEW YORK, NY 10011

HORIZONTE CORP
1424 COLLINS AVE
MIAMI BEACH, FL 33139-4104

HSBC BANK USA NA TRS C/O SELECT
PORTFOLIO SERVICING JP MORGAN
ALTERNATIVE LOAN TR
3815 SOUTH WEST TEMPLE
SALT LAKE CITY, UT 84115

HUBERT CHARLES PINCON
18 HARRISON DR
LARCHMONT, NY 10538

HUMBERTO MARROQUIN DENISE GARZA
1418 COLLINS AVE # 201
MIAMI BEACH, FL 33139

ITALO PETRONELLI
1418 COLLINS AVE UNIT 502
MIAMI BEACH, FL 33139-4145

JADED WIRED BENT LLC
2370 MARKET ST #390
SAN FRANCISCO, CA 94114

JAMES F MATTHEW &W MARY H %
BERNARDO PRASCHNIK
1401 WASHINGTON AVE
MIAMI BEACH, FL 33139

JEFFRY HABER
2184 E 34 ST
BROOKLYN, NY 11234

JMW FLORIDA PROPERTIES LLC
2710 SETTLES RD
OWENSBORO, KY 42303

JOEL F RUSSELL
17 MEREDITH PL W
PISCATAWAY, NJ 08854

JOHN M GAMBLE TRS JOHN M GAMBLE
TRUST
401 N SENATE AVE 486
INDIANAPOLIS, IN 46204

JOSEPH CAPARO JR
36 EAST GERMANTOWN PIKE
NORRISTOWN, PA 19401

JOSEPH L SANDERS TRS
200 PACIFIC COAST HWY #406
HUNTINGTON BEACH, CA 92648

JOSEPH MAENZA
3550 BISCAYNE BLVD #310
MIAMI, FL 33137-3853

KENTUCKY ZINC LLC ABH CORP OF NEW
YORK NC CAPITAL LLC
1401 COLLINS AVE
MIAMI BEACH, FL 33139

KIM M TIANO TRS SALVATORE A TIANO TRS
498 MARINER DR
JUPITER, FL 33477

KONSTANTIN SHAPILOV
1418 COLLINS AVE #304
MIAMI BEACH, FL 33139

LISA CARNEVALE
16066 ROSECROFT TERRACE
DELRAY BEACH, FL 33446

MAJC2 LLC
100 N BISCAYNE BLVD #500
MIAMI, FL 33132

MARIA L CALLAVA PARES NEVY CEJO
EVA E CASTILLO
1418 COLLINS AVE #203
MIAMI BEACH, FL 33139-4143

MARSHALL T SIMPSON
1437 COLLINS AVE PH 21
MIAMI BEACH, FL 33139

MARSTEV CORP % EDWARD SELTXER
535 OCEAN BLVD
GOLDEN BEACH, FL 33160-2215

MARU FINANCIAL LLC
1801 16 ST 205
WASHINGTON, DC 20009

MIA GLOBAL INVESTORS LLC
251 SW 30 RD
MIAMI, FL 33129

MIAMI REAL ESTATE HOLDINGS LLC
7900 GLADES RD STE#530
BOCA RATON, FL 33434

MIAMI REAL ESTATE INVESTMENT CORP
1415 COLLINS AVE
MIAMI BEACH, FL 33139-4103

MICHAEL ABRAMOWITZ &W DOMONIQUE
ABRAMOWITZ
7317 CORKWOOD TERR
TAMARAC, FL 33321

MSB INVESTMENT & HOLDING LLC
301 ARTHUR GODFREY RD
MIAMI BEACH, FL 33139

NASSAU INVESTMENTS CORP
1414 COLLINS AVE
MIAMI BEACH, FL 33139-4104

NELSON HACHEM &W SANDRA LEE
62 NORTHGATE DR
MARTINSVILLE, WV 26155

NICOLAS DE LUSSAC
420 15 STREET #208
MIAMI BEACH, FL 33139

NURIA HERREROS
420 15 ST #302
MIAMI BEACH, FL 33139-7905

OCEANS FOURTEEN OF S BCH LLC
23509 CENTER RIDGE RD
WESTLAKE, OH 44145

PIERRE KONCURAT SHARON KONCURAT
820 GRISTMILL LANE
WEST CHESTER, PA 19380

PRESIDENT HOTEL INC
1418 OCEAN DR
MIAMI BEACH, FL 33139-4108

RACHEL JUDITH & NOAH S WISS JTRS
1350 MICHIGAN AVE
MIAMI BEACH, FL 33139-3823

RAJINDER JUDGE
90 ALTON RD #2012
MIAMI BEACH, FL 33139-6707

RANDY BALTAZAR
1309 EUCLID AVE #5
MIAMI BEACH, FL 33139-3979

RICHARD SHINDLER
715 - 82 ST
MIAMI BEACH, FL 33141-1308

RICK SHERMAN
903 SE 93 TER
PLANTATION, FL 33324

RNT REAL EST HOLDING LLC
7 TRAPPING WAY
PLEASANTVILLE, NY 10570

ROBERT S CORN &W EILEEN FILLER
8741 CENTER RD
SPRINGFIELD, VA 22152

S F JADE PROPERTIES LLC
1021 GENERALS HWY
CROWNSVILLE, MD 21032

SANDRA ABOUELWafa & HELEN BOWEN
1418 COLLINS AVE 403
MIAMI BEACH, FL 33139

SB PREMISES LLC
8500 W FLAGLER ST STE B 209
MIAMI, FL 33144

SCANAM INVESTORS INC
10641 PINECONE LANE
FORT PIERCE, FL 34945

SCHOOL BOARD OF MIAMI-DADE COUNTY
1450 NE 2 AVE
MIAMI, FL 33132

SHEILA F MARTELLO
153 BINGHAM AVE
RUMSON, NJ 07760-1857

SHLOMO POLLACK &W FAYE Z
225 NARRAGANSETT
LAWRENCE, NY 11559

SIMONE VIOLA
1418 COLLINS AVE #302
MIAMI BEACH, FL 33139-4144

SOUTH BEACH LLC
C/O NORMAN J WACHTEL
1125 PARK AVE
NEW YORK, NY 10128

SOUTH BEACH RESORT DEV LLC
1437 COLLINS AVE
MIAMI BEACH, FL 33139

SOUTH BEACH RESORT DEV LLC
58 EAST 79 ST 5FL
NEW YORK, NY 10075

SOUTHPOINTE DRIVE MGMT LLC & LS
ROTHMANN &W PAM
100 SO POINTE DR #1101
MIAMI BEACH, FL 33139-7367

STEVEN P GACOVINO & JEFFREY DUBIN
16 CLUBHOUSE CT
EAST SETAUKET, NY 11733

STYLEX SOUTH BEACH LLC
226 N VINE ST
HINSDALE, IL 60521

SUNNY APPLE INVESTMENTS LLC
326 71 ST
MIAMI BEACH, FL 33141

SUPREME CARE INC
1750 SKYLARK LANE UNIT 1501
HOUSTON, TX 77056

SUSAN RAINONE TRS
12750 OAK FALLS DR
ALPHARETTA, GA 30004

TENWIK CORP
10685B HAZELHURST DR 11356
HOUSTON, TX 77043

TEWANI 1437 COLLINS LLC
7 TANGLEWOOD RD
PLEASANTVILLE, NY 10570

THE ODYSSEY OF SOUTH BEACH LLC
1420 COLLINS AVE
MIAMI BEACH, FL 33139

VENTURA WAY ONE LLC
2733 SW 27 AVE
MIAMI, FL 33133

VLADIMIR DE SUAREZ
420 15 ST #308
MIAMI BEACH, FL 33139

WALGREEN CO
104 WILMOT RD MS #1420
DEERFIELD, IL 60015

WASHINGTON GARDENS INC
1228 ALTON RD
MIAMI BEACH, FL 33139-3810

WESLEY G SO
1418 COLLINS AVE UNIT #401
MIAMI BEACH, FL 33139-4144

Z 226 LLC
58 EAST 79 ST 5 FLOOR
NEW YORK, NY 10075

Z 318 INC
1437 COLLINS AVE #318
MIAMI BEACH, FL 33139

Z OCEAN 327 LLC
212 W WASHINGTON ST #904
CHICAGO, IL 60606

Z-205 LLC
58 E 79 STREET 5 FLOOR
NEW YORK, NY 10075

ZAT REGENT LLC
35 SEACOAST TERR #21B
BROOKLYN, NY 11235

ZORI HAYON TRS ZORI HAYON REV
INTERVIVOS TRUST
PO BOX 19-1678
MIAMI BEACH, FL 33119

ZUNITS LLC
1111 NW 21 TER
MIAMI, FL 33127

| Name | Address | City | State | Zip | Country |
|--|-------------------------------|-------------------------|-------|------------|-------------|
| ALEXIA DE SUAREZ D AULAN NATHALIE D AULAN | 101 RUE DU BAC | PARIS 75007 | | | FRANCE |
| ERIC THOREUX &W FABIENNE | 3 CITE VANEAU | PARIS 75007 | | | FRANCE |
| GLEB IGOKLIN | PETROZAVODSKAYA 13-176 | ST PETERSBURG | | | RUSSIA |
| HENRI DE SUAREZ DAULAN | 4110 RUE WELLINGTON #302 | VERDUN QC H4G1V7 | | | CANADA |
| NATHALIE D AULAN | 350 MILL ROAD STE #409 | TORONTO ONTARIO M9C 5R7 | | | CANADA |
| NIKOLAY KHARITONOV LIDIJA PEREPELOVA | SIMONOVSKY VAL STREET 41 1 46 | MOSCOW 115088 | | | RUSSIA |
| PATRICK SMOLDERS | VAN HALLSTRAAT 99-1 | 1051 HA AMSTERDAM | | | NETHERLANDS |
| STEFAN SPATH % COUPLES NEGRIL | PO BOX 35 | NEGRIL | | | JAMAICA |
| 1417 WASHINGTON LLC | 1435 WASHINGTON AVE | MIAMI BEACH | FL | 33139 | USA |
| 1421 WASHINGTON LLC | 301 WEST 41 ST STE 406 | MIAMI BEACH | FL | 33140 | USA |
| 1425 COLLINS AVE LLC | 1423 COLLINS AVE | MIAMI BEACH | FL | 33139 | USA |
| 1434 COLLINS LLC | PO BOX 402188 | MIAMI BEACH | FL | 33140 | USA |
| 420 CWELT 2007 LLC | 7491 N FEDERAL HWY #CS 282 | BOCA RATON | FL | 33487 | USA |
| ABJL SOUTH BEACH LLC | 15 WARREN ST #424 | JERSEY CITY | NJ | 07302 | USA |
| ACASTAR MIAMI LLC | 1414 COLLINS AVE | MIAMI BEACH | FL | 33139 | USA |
| ACASTAR MIAMI LLC | 2450 NE MIAMI GARDENS DR 2 FL | MIAMI | FL | 33180 | USA |
| ADITA HOLDINGS LLC | 763 ARTHUR GODFREY RD #A | MIAMI BEACH | FL | 33140-3448 | USA |
| ALAN D WILLIAMS | 143 MERROW RD | TOLLAND | CT | 06084 | USA |
| ALEX MUSCARELLA | 2261 PALMER AVE APT 3F | ROCHELLE | NY | 10801 | USA |
| ALEXANDER FERAFOV | 1437 COLLINS AVE #301 | MIAMI BEACH | FL | 33139 | USA |
| AMBER PERRIN | PO BOX 191554 | MIAMI BCH | FL | 33119 | USA |
| ANDRIA MICHAEL MUSHAHWAR MARGARETTE SHAHIN | 1234 VIA CAPRI | WINTER PARK | FL | 32789 | USA |
| ANGELO LASKARIS | 1907 N MENDELL | CHICAGO | IL | 60622 | USA |
| ARNIM RAMSEY CRAIG MCKENZIE | 1458 OCEAN DR #310 | MIAMI BEACH | FL | 33139 | USA |
| BAROUX LLC | 1521 MERIDIAN AVE | MIAMI BEACH | FL | 33139 | USA |
| BARRY PROPERTIES LLC | 2504 ELLIJAY DR | ATLANTA | GA | 30319 | USA |
| BARRY S FISHMAN | 912 CAPTIVA BOULEVARD | HOLLYWOOD | FL | 33019 | USA |
| BELLA TURKA SOUTH BEACH LLC | 301 S 19 ST | PHILADELPHIA | PA | 19103 | USA |
| BETSY ROSS OWNER LLC | 1841 BROADWAY #800 | NEW YORK | NY | 10023 | USA |
| BLACK CONDOR LLC | 6515 COLLINS AVE STE 1202 | MIAMI BEACH | FL | 33141 | USA |
| BOULAN 306 LLC | 7 TANGLEWOOD RD | PLEASANTVILLE | NY | 10530 | USA |
| BOULAN 309 LLC | 9 TRAPPING WAY | PLEASANTVILLE | NY | 10570 | USA |
| BRICKELL 3301 LLC | 2655 S LEJEUNE RD 543 | MIAMI | FL | 33134 | USA |
| C WILSON LLC | 555 NE 15 ST #200 | MIAMI | FL | 33132-1455 | USA |
| CALVIN H MITTMAN | 1418 COLLINS AVE UNIT 601 | MIAMI BEACH | FL | 33139-4146 | USA |
| CARLOS SEPULVEDA ELIZABETH SEPULVEDA | 1418 COLLINS AVE #603 | MIAMI BEACH | FL | 33139 | USA |
| CECILIA WILLIAMS LE REM CECILIA WATSON | 420 15 ST UNIT 309 | MIAMI BEACH | FL | 33139 | USA |
| CHARLES EISNAUGLE | 126 DEAN ST | BROOKLYN | NY | 11201 | USA |
| CHRISTINA ZAMPAS | 420 15 ST APT 111 | MIAMI BEACH | FL | 33139 | USA |
| CITY OF MIAMI BEACH FLA CITY HALL | 1700 CONVENTION CENTER DR | MIAMI BEACH | FL | 33139 | USA |
| CLAY HOTEL PARTNERSHIP LTD | 406 ESPANOLA WAY | MIAMI BEACH | FL | 33139-8123 | USA |
| COLLINS AVE PLAZA LLC | PO BOX 350078 | PALM COAST | FL | 32135 | USA |
| COLLINS SCENE LLC | 3655 ST GAUDENS RD | MIAMI | FL | 33133 | USA |
| COPPELIA OLIVI USA LLC | 301 ARTHUR GODFREY RD | MIAMI BEACH | FL | 33140 | USA |
| DAVID FOGIELGARN CATHY FOGIELGARN | 11 ROSERY LANE | BELLEAIR | FL | 33756 | USA |
| DAVID R GUSMINI OLGA Y GUSMINI | 6 CORINTHIAN WAY | GEORGETOWN | MA | 01833 | USA |
| ESPANOLA PARTNERS LLC C/O ISAAC KLEIN | 1407 BROADWAY STE 503 | NEW YORK | NY | 10018 | USA |
| ESPANOLA WAY ASSOCIATES LTD % SRC PROPERTIES LLC | 230 5TH ST | MIAMI BEACH | FL | 33139-6602 | USA |
| FELIX C SOTOLONGO & MAYRA SOTOLONGO | 1418 COLLINS AVE UNIT 501 | MIAMI BEACH | FL | 33139-4145 | USA |

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|---|----------------------------|------------------|----|------------|-----|
| FLAGER PROPERTY ENTERPRISES INC | 1505 SW 12 ST | MIAMI | FL | 33135-5319 | USA |
| FRANZ ONTAL &W JENNYFFER URRUTIA OLGA ESTEBAN | 860 BEACH ST | LINDENHURST | NY | 11757 | USA |
| GENADI ZATUZHNI | 35 SEACOAST TERR #21B | BROOKLYN | NY | 11235 | USA |
| GENADI ZATUZHNI ELIZABETH ZATUZHNI | 35 SEACOAST TER APT 21 | BROOKLYN | NY | 11235 | USA |
| GEORGE W GALGANO C/O GALGANO & ASSOCIATES | 399 KNOLLWOOD RD | WHITE PLAINS | NY | 10603 | USA |
| GLADSTAR INVESTMENTS LLC | 1111 WALDEN CIR | SUGARLAND | TX | 77498 | USA |
| GLEB IGOLKIN | 5445 COLLINS AVE # B 18 | MIAMI BEACH | FL | 33140 | USA |
| GUIDEL KODESH LLC | 1427 WASHINGTON AVE | MIAMI BEACH | FL | 33139 | USA |
| HADDON HALL HOTEL OWNER LLC | 140 E 45TH ST STE 3400 | NEW YORK | NY | 10017-9310 | USA |
| HOMESTEAD EQUITIES 607 LLC C/O LEONARD WADLER | 250 W 24 ST 2FW | NEW YORK | NY | 10011 | USA |
| HORIZONTE CORP | 1424 COLLINS AVE | MIAMI BEACH | FL | 33139-4104 | USA |
| HSBC BANK USA NA TRS C/O SELECT PORTFOLIO SERVICING JP MORGAN ALTERNATIVE LOAN TR | 3815 SOUTH WEST TEMPLE | SALT LAKE CITY | UT | 84115 | USA |
| HUBERT CHARLES PINCON | 18 HARRISON DR | LARCHMONT | NY | 10538 | USA |
| HUMBERTO MARROQUIN DENISE GARZA | 1418 COLLINS AVE # 201 | MIAMI BEACH | FL | 33139 | USA |
| ITALO PETRONELLI | 1418 COLLINS AVE UNIT 502 | MIAMI BEACH | FL | 33139-4145 | USA |
| JADED WIRED BENT LLC | 2370 MARKET ST #390 | SAN FRANCISCO | CA | 94114 | USA |
| JAMES F MATTHEW &W MARY H % BERNARDO PRASCHNIK | 1401 WASHINGTON AVE | MIAMI BEACH | FL | 33139 | USA |
| JEFFRY HABER | 2184 E 34 ST | BROOKLYN | NY | 11234 | USA |
| JMW FLORIDA PROPERTIES LLC | 2710 SETTLES RD | OWENSBORO | KY | 42303 | USA |
| JOEL F RUSSELL | 17 MEREDITH PL W | PISCATAWAY | NJ | 08854 | USA |
| JOHN M GAMBLE TRS JOHN M GAMBLE TRUST | 401 N SENATE AVE 486 | INDIANAPOLIS | IN | 46204 | USA |
| JOSEPH CAPARO JR | 36 EAST GERMANTOWN PIKE | NORRISTOWN | PA | 19401 | USA |
| JOSEPH L SANDERS TRS | 200 PACIFIC COAST HWY #406 | HUNTINGTON BEACH | CA | 92648 | USA |
| JOSEPH MAENZA | 3550 BISCAYNE BLVD #310 | MIAMI | FL | 33137-3853 | USA |
| KENTUCKY ZINC LLC ABH CORP OF NEW YORK NC CAPITAL LLC | 1401 COLLINS AVE | MIAMI BEACH | FL | 33139 | USA |
| KIM M TIANO TRS SALVATORE A TIANO TRS | 498 MARINER DR | JUPITER | FL | 33477 | USA |
| KONSTANTIN SHAPILOV | 1418 COLLINS AVE #304 | MIAMI BEACH | FL | 33139 | USA |
| LISA CARNEVALE | 16066 ROSECROFT TERRACE | DELRAY BEACH | FL | 33446 | USA |
| MAJC2 LLC | 100 N BISCAYNE BLVD #500 | MIAMI | FL | 33132 | USA |
| MARIA L CALLAVA PARES NEVY CEJO EVA E CASTILLO | 1418 COLLINS AVE #203 | MIAMI BEACH | FL | 33139-4143 | USA |
| MARSHALL T SIMPSON | 1437 COLLINS AVE PH 21 | MIAMI BEACH | FL | 33139 | USA |
| MARSTEV CORP % EDWARD SELTXER | 535 OCEAN BLVD | GOLDEN BEACH | FL | 33160-2215 | USA |
| MARU FINANCIAL LLC | 1801 16 ST 205 | WASHINGTON | DC | 20009 | USA |
| MIA GLOBAL INVESTORS LLC | 251 SW 30 RD | MIAMI | FL | 33129 | USA |
| MIAMI REAL ESTATE HOLDINGS LLC | 7900 GLADES RD STE#530 | BOCA RATON | FL | 33434 | USA |
| MIAMI REAL ESTATE INVESTMENT CORP | 1415 COLLINS AVE | MIAMI BEACH | FL | 33139-4103 | USA |
| MICHAEL ABRAMOWITZ &W DOMONIQUE ABRAMOWITZ | 7317 CORKWOOD TERR | TAMARAC | FL | 33321 | USA |
| MSB INVESTMENT & HOLDING LLC | 301 ARTHUR GODFREY RD | MIAMI BEACH | FL | 33139 | USA |
| NASSAU INVESTMENTS CORP | 1414 COLLINS AVE | MIAMI BEACH | FL | 33139-4104 | USA |
| NELSON HACHEM &W SANDRA LEE | 62 NORTHGATE DR | MARTINSVILLE | WV | 26155 | USA |
| NICOLAS DE LUSSAC | 420 15 STREET #208 | MIAMI BEACH | FL | 33139 | USA |
| NURIA HERREROS | 420 15 ST #302 | MIAMI BEACH | FL | 33139-7905 | USA |
| OCEANS FOURTEEN OF S BCH LLC | 23509 CENTER RIDGE RD | WESTLAKE | OH | 44145 | USA |
| PIERRE KONCURAT SHARON KONCURAT | 820 GRISTMILL LANE | WEST CHESTER | PA | 19380 | USA |
| PRESIDENT HOTEL INC | 1418 OCEAN DR | MIAMI BEACH | FL | 33139-4108 | USA |
| RACHEL JUDITH & NOAH S WISS JTRS | 1350 MICHIGAN AVE | MIAMI BEACH | FL | 33139-3823 | USA |
| RAJINDER JUDGE | 90 ALTON RD #2012 | MIAMI BEACH | FL | 33139-6707 | USA |
| RANDY BALTAZAR | 1309 EUCLID AVE #5 | MIAMI BEACH | FL | 33139-3979 | USA |
| RICHARD SHINDLER | 715 - 82 ST | MIAMI BEACH | FL | 33141-1308 | USA |
| RICK SHERMAN | 903 SE 93 TER | PLANTATION | FL | 33324 | USA |

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|---|-----------------------------|---------------|----|------------|-----|
| RNT REAL EST HOLDING LLC | 7 TRAPPING WAY | PLEASANTVILLE | NY | 10570 | USA |
| ROBERT S CORN &W EILEEN FILLER | 8741 CENTER RD | SPRINGFIELD | VA | 22152 | USA |
| S F JADE PROPERTIES LLC | 1021 GENERALS HWY | CROWNSVILLE | MD | 21032 | USA |
| SANDRA ABOUELWafa & HELEN BOWEN | 1418 COLLINS AVE 403 | MIAMI BEACH | FL | 33139 | USA |
| SB PREMISES LLC | 8500 W FLAGER ST STE B 209 | MIAMI | FL | 33144 | USA |
| SCANAM INVESTORS INC | 10641 PINECONE LANE | FORT PIERCE | FL | 34945 | USA |
| SCHOOL BOARD OF MIAMI-DADE COUNTY | 1450 NE 2 AVE | MIAMI | FL | 33132 | USA |
| SHEILA F MARTELLO | 153 BINGHAM AVE | RUMSON | NJ | 07760-1857 | USA |
| SHLOMO POLLACK &W FAYE Z | 225 NARRAGANSETT | LAWRENCE | NY | 11559 | USA |
| SIMONE VIOLA | 1418 COLLINS AVE #302 | MIAMI BEACH | FL | 33139-4144 | USA |
| SOUTH BEACH LLC C/O NORMAN J WACHTEL | 1125 PARK AVE | NEW YORK | NY | 10128 | USA |
| SOUTH BEACH RESORT DEV LLC | 1437 COLLINS AVE | MIAMI BEACH | FL | 33139 | USA |
| SOUTH BEACH RESORT DEV LLC | 58 EAST 79 ST 5FL | NEW YORK | NY | 10075 | USA |
| SOUTHPOINTE DRIVE MGMT LLC & LS ROTHMANN &W PAM | 100 SO POINTE DR #1101 | MIAMI BEACH | FL | 33139-7367 | USA |
| STEVEN P GACOVINO & JEFFREY DUBIN | 16 CLUBHOUSE CT | EAST SETAUKET | NY | 11733 | USA |
| STYLEX SOUTH BEACH LLC | 226 N VINE ST | HINSDALE | IL | 60521 | USA |
| SUNNY APPLE INVESTMENTS LLC | 326 71 ST | MIAMI BEACH | FL | 33141 | USA |
| SUPREME CARE INC | 1750 SKYLARK LANE UNIT 1501 | HOUSTON | TX | 77056 | USA |
| SUSAN RAINONE TRS | 12750 OAK FALLS DR | ALPHARETTA | GA | 30004 | USA |
| TENWIK CORP | 10685B HAZELHURST DR 11356 | HOUSTON | TX | 77043 | USA |
| TEWANI 1437 COLLINS LLC | 7 TANGLEWOOD RD | PLEASANTVILLE | NY | 10570 | USA |
| THE ODYSSEY OF SOUTH BEACH LLC | 1420 COLLINS AVE | MIAMI BEACH | FL | 33139 | USA |
| VENTURA WAY ONE LLC | 2733 SW 27 AVE | MIAMI | FL | 33133 | USA |
| VLADIMIR DE SUAREZ | 420 15 ST #308 | MIAMI BEACH | FL | 33139 | USA |
| WALGREEN CO | 104 WILMOT RD MS #1420 | DEERFIELD | IL | 60015 | USA |
| WASHINGTON GARDENS INC | 1228 ALTON RD | MIAMI BEACH | FL | 33139-3810 | USA |
| WESLEY G SO | 1418 COLLINS AVE UNIT #401 | MIAMI BEACH | FL | 33139-4144 | USA |
| Z 226 LLC | 58 EAST 79 ST 5 FLOOR | NEW YORK | NY | 10075 | USA |
| Z 318 INC | 1437 COLLINS AVE #318 | MIAMI BEACH | FL | 33139 | USA |
| Z OCEAN 327 LLC | 212 W WASHINGTON ST #904 | CHICAGO | IL | 60606 | USA |
| Z-205 LLC | 58 E 79 STREET 5 FLOOR | NEW YORK | NY | 10075 | USA |
| ZAT REGENT LLC | 35 SEACOAST TERR #21B | BROOKLYN | NY | 11235 | USA |
| ZORI HAYON TRS ZORI HAYON REV INTERVIVOS TRUST | PO BOX 19-1678 | MIAMI BEACH | FL | 33119 | USA |
| ZUNITS LLC | 1111 NW 21 TER | MIAMI | FL | 33127 | USA |

375' RADIUS MAP



SUBJECT: 1429 WASHINGTON AVE, Miami Beach, FL 33139


FOLIO NUMBER: 02-3234-008-0880

LEGAL DESCRIPTION: OCEAN BEACH ADD NO 2 PB 2-56 BEG AT SELY COR OF LOT 17
H N 90 DEG W 130FT N 00 DEG W 27.82FT N 80 DEG E 106.02FT S 00 DEG E 24.30FT N 89
DEG E 25.24FT S 00 DEG E 20.73 TO POB BLK 26

MIAMI BEACH

PLANNING DEPARTMENT

BOARD OF ADJUSTMENT STAFF REPORT

FROM: Thomas R. Mooney, AICP 
Planning Director

DATE: March 02, 2018 Meeting

RE: File No. ZBA17-0056
1429 Washington Avenue – Restaurant

The applicant, FDP La Caffè Creperie, LLC/DBA La Creperie Caffè, is requesting a modification to a previously approved variance for the reduction from the minimum required 300 foot distance separation between a business that sells alcoholic beverages and an existing educational facility. Specifically, the applicant is requesting to change the name of the owner/operator.

HISTORY:

A variance to sell alcoholic beverages at this location was approved by the Board on June 6, 1997. Modifications to the variance were approved by the Board on November 7, 2008 (to add liquor) and on June 1, 2012 (to change the name of the operator).

LEGAL DESCRIPTION:

See attached 'Exhibit A'.

SITE DATA:

| | |
|------------------------------|-------------------------------------|
| Zoning - | CD-2 (Commercial, Medium Intensity) |
| Future Land Use Designation- | CD-2 (Commercial, Medium Intensity) |
| Lot Size - | 4,322 S.F. |
| Existing FAR - | ~4,034 S.F.* |
| Existing Use - | Commercial / Restaurant |
| Proposed Use - | Same |

*As per Miami-Dade Property Appraiser.

THE PROJECT:

The applicant has submitted documents dated November 7, 2017.

REQUEST:

The applicant requests to modify Condition No. 9 of the June 1, 2012 Final Order No. 2578, which granted the approval of the variance to the previous applicant and operator to permit the transfer of approval to FDP La Caffè Creperie, LLC/DBA La Creperie Caffè as follows:

9. This approval is granted to ~~JabaFeeds, LLC. FDP La Caffe Creperie, LLC/DBA La Creperie Caffe~~ only. Any changes ~~of operator or ownership, including by fifty (50) percent or more of stock ownership, partnership interest, or the equivalent, shall require review and approval by the Board of Adjustment as a modification to this Order.~~ in ownership or operator shall require new owner or operator to return to the Board of Adjustment and seek a modification to the final Order transferring approval to the new owner or operator.

STAFF ANALYSIS:

The site contains a one story commercial building constructed in 1920. The applicant occupies the space located at the northeast side of the building at the ground level. In 1997 the Board of Adjustment granted the original variance for a restaurant serving beer and wine within the minimum required distance separation from an educational facility; in this case 100 feet from the Fienberg Fisher K-8 Center located at 1420 Washington Avenue. Two subsequent modifications were approved for the restaurant to change ownership and/or operator in 2008 and 2012. A specific condition of approval for this variance states that if any change of operator or ownership by more than 50% occurs, a modification to the conditions shall be required to transfer the approved variance to the new operator who shall be introduced to the Board to express understanding of the conditions imposed for the operation of the establishment. Staff would also note, that although the word "liquor" is being added to the Final Order, the addition of liquor was approved by the Board in 2008, but was not specifically added to the Final Order at that time.

The restaurant space, subject of this application has a business license approved by the City and no violations are outstanding on the property. In summary, staff is supportive of the application and recommends that the modifications be APPROVED.

RECOMMENDATION:

In view of the foregoing analysis, staff recommends **approval** of the requested modification, subject to the conditions outlined in the attached final order.

'Exhibit A'
Legal Description

A Southerly part of that certain un-numbered Lot lying immediately North of Lot 16, Block 26, OCEAN BEACH FLA. ADDITION NO. 2, as recorded in Plat Book 2 at Page 56, of the Public Records of Dade County, Florida. Said un-numbered Lot now known as Lot 17.

Begin (P.O.B.) at the common Easterly boundaries of said Lots 16 and 17 of the above-referenced subdivision and run due West along an assumed bearing, along the dividing line between Lots 16, and 17, a distance of 130.00 feet to the common Westerly corner of said Lots 16 and 17, said corner being on the Easterly line of Washington Avenue; thence due North along the Westerly line of Lot 17, along the Easterly line of Washington Avenue, a distance of 27.82 feet to the Northerly face of a C.B.S. wall of a one story C.B.S. Building; thence run N. 80 degrees 47 minutes 43 seconds East along the Northerly face of said C.B.S. wall, a distance of 106.02 feet to the Easterly face of a C.B.S. Building Wall; thence run S. 0 degrees 15 minutes 08 seconds East along the Easterly face of a C.B.S. Building wall, a distance of 24.30 feet to the Southerly face of a C.B.S. wall; thence run N. 89 degrees 25 minutes 53 seconds East, a distance of 25.24 feet to the Easterly line of said Lot 17, thence run due South along the Easterly line of Lot 17, a distance of 20.73 feet to the Point of Beginning (P.O.B.).

**BOARD OF ADJUSTMENT
CITY OF MIAMI BEACH, FLORIDA**

PROPERTY: 1429 Washington Avenue

FILE NO. ZBA17-0056

IN RE: The application for a modification to a previously approved variance for the reduction from the minimum required 300 foot distance separation between a business that sells alcoholic beverages and an existing educational facility. Specifically, the applicant is requesting to change the name of the owner/operator.

**LEGAL
DESCRIPTION:** See attached 'Exhibit A'.

MEETING DATE: March 2, 2018.

MODIFIED ORDER

The applicant, FDP La Caffè Creperie, LLC/DBA La Creperie Caffè, filed an application with the Planning Department for modifications to a previously approved variance granted on June 6, 1997 associated with the sale/service of alcohol within the minimum required distance separation from an educational facility. The applicant requests to modify Condition 9 of the June 1, 2012 Final Order No. 2578, which granted the approval of the variance to the previous applicant and operator to permit the transfer of approval to FDP La Caffè Creperie, LLC/DBA La Creperie Caffè, as follows:

9. This approval is granted to JabaFoods, LLC. FDP La Caffè Creperie, LLC/DBA La Creperie Caffè only. Any changes of operator or ownership, including by fifty (50) percent or more of stock ownership, partnership interest, or the equivalent, shall require review and approval by the Board of Adjustment as a modification to this Order. in ownership or operator shall require new owner or operator to return to the Board of Adjustment and seek a modification to the final Order transferring approval to the new owner or operator.

The City of Miami Beach Board of Adjustment 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:

- A. Based on the plans and documents submitted with the application, testimony and information provided by the applicant, and the Planning Department Staff Report, the project as submitted satisfies the requirements of Section 118-353(d) of the Miami Beach Code. Accordingly, the Board of Adjustment has determined the following:

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

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

That granting the variance requested will not confer on the applicant any special privilege that is denied by this Ordinance to other lands, buildings, or structures in the same zoning district;

That literal interpretation of the provisions of this Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this Ordinance and would work unnecessary and undue hardship on the applicant;

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

That the granting of the variance will be in harmony with the general intent and purpose of this Ordinance and that such variance will not be injurious to the area involved or otherwise detrimental to the public welfare; and

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

- B. The Board hereby **Approves** the modification requested and imposes the following conditions based on its authority in Section 118-354 of the Miami Beach City Code. ~~Strike-through~~ denotes deletion of previous language and underlining denotes new language:

1. The applicant shall comply with all of the original conditions of approval granted by this Board on June 6, 1997, except as modified herein.
2. During school hours, beer, ~~and wine~~ and liquor shall only be served with meals. Otherwise, the sale of beer, ~~and wine~~ and liquor shall be limited to non-school hours (5:00 P.M. to 5:00 A.M.) and non-school days. There shall be no sale of package goods.
3. The full food menu shall be available at all times that the establishment is open.
4. Substantial modifications to the plans submitted and approved as part of the application, as determined by the Planning Director or designee, may require the applicant to return to the Board for approval of the modified plans, even if the modifications do not affect variances approved by the Board.
5. Music shall be limited to only ambient background music and no entertainment license shall be approved.
6. The establishment shall not be converted to a stand-alone bar, or dance hall.
7. The applicant shall satisfy any City Liens prior to the issuance of a revised Certificate of Use and Occupational License for beer and wine.

8. The Board of Adjustment shall retain jurisdiction of this file. The applicant must present a progress report to the Board three months after obtaining the appropriate beer, and wine and liquor license; the Board shall then determine the necessity and timing of subsequent reports.
9. This approval is granted to ~~JabaFeeds, LLC. FDP La Caffe Creperie, LLC/DBA La Creperie Caffe~~ only. Any changes ~~of operator or ownership, including by fifty (50) percent or more of stock ownership, partnership interest, or the equivalent, shall require review and approval by the Board of Adjustment as a modification to this Order.~~ in ownership or operator shall require new owner or operator to return to the Board of Adjustment and seek a modification to the final Order transferring approval to the new owner or operator.
10. The property owner shall be responsible for compliance with all of the conditions of this variance. The current operator and any subsequent operators of the business shall be specially apprised of all conditions. Subsequent operators shall be required to appear before the Board of Adjustment to affirm their understanding of the conditions listed, herein.
11. If there is any change in the use or operation of the establishment, including but not limited to the establishment attempting to become a stand-alone bar, or a dance hall and/or entertainment establishment, or in the event the use ceases to exist for any reason (except for temporary closure during a season or remodeling, both for a period up to six (6) months), the variance shall be subject to Section 118-356, City Code, for revocation or modification of the variance.
12. The applicant shall comply with all conditions imposed (if applicable) by the Public Works Department.
13. All improvements in the public right-of-way associated with the subject project shall be subject to the final review and approval of the Planning Department Director, Public Works Director, and the Parks and Recreation Department Director, and shall require an agreement, subject to the review and approval of the City Attorney, providing for the assumption of maintenance and liability obligations by the Applicant, and its successors and assigns, executed and recorded before the issuance of a building permit.
14. The conditions on this Order are binding on the applicant, the property's owners and all successors in interest and assigns.
15. This 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.
16. 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, except to the extent of the variance(s) granted herein.

17. The Operator shall be responsible for maintaining the areas adjacent to the facility, such as the sidewalk on Washington Avenue and Collins Court in excellent condition, keeping these areas in a clean condition, free of all refuse, at all times.
18. The Board of Adjustment shall retain the right to call the operators back before the Board and modify the hours of operation or the occupant load should the City issue any written warnings and/or notices of violation about loud, excessive, unnecessary, or unusual noise.
19. Except as may be required by the Fire, Building, or Life Safety Codes, no loudspeakers shall be affixed to or otherwise located on the exterior of the premises.
20. A violation of Chapter 46, Article IV, "Noise," of the Code of the City of Miami Beach, Florida (a/k/a "noise ordinance"), as may be amended from time to time, shall be deemed a violation of this Order and subject to the remedies as described in the Code of the City of Miami Beach, Florida.
21. 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.
22. 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.
23. This modified Order shall be recorded, at the expense of the applicant, in the Public Records of Miami-Dade County; the original or a certified copy shall be provided to the Planning Department prior to the issuance of a Building Permit.

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 staff recommendations, as modified by the Board of Adjustment, that the application for Variance(s) Approval is GRANTED for the above-referenced project, subject to those certain conditions specified in Paragraph B (Condition Nos. 1-23, inclusive) hereof, to which the applicant has agreed.

PROVIDED, the applicant shall build substantially in accordance with documents approved by the Board of Adjustment, as determined by staff, dated November 7, 2017, modified in accordance with the conditions set forth in this Order and staff review and approval.

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 this Order 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.

'Exhibit A'
Legal Description

A Southerly part of that certain un-numbered Lot lying immediately North of Lot 16, Block 26, OCEAN BEACH FLA. ADDITION NO. 2, as recorded in Plat Book 2 at Page 56, of the Public Records of Dade County, Florida. Said un-numbered Lot now known as Lot 17.

Begin (P.O.B.) at the common Easterly boundaries of said Lots 16 and 17 of the above-referenced subdivision and run due West along an assumed bearing, along the dividing line between Lots 16, and 17, a distance of 130.00 feet to the common Westerly corner of said Lots 16 and 17, said corner being on the Easterly line of Washington Avenue; thence due North along the Westerly line of Lot 17, along the Easterly line of Washington Avenue, a distance of 27.82 feet to the Northerly face of a C.B.S. wall of a one story C.B.S. Building; thence run N. 80 degrees 47 minutes 43 seconds East along the Northerly face of said C.B.S. wall, a distance of 106.02 feet to the Easterly face of a C.B.S. Building Wall; thence run S. 0 degrees 15 minutes 08 seconds East along the Easterly face of a C.B.S. Building wall, a distance of 24.30 feet to the Southerly face of a C.B.S. wall; thence run N. 89 degrees 25 minutes 53 seconds East, a distance of 25.24 feet to the Easterly line of said Lot 17, thence run due South along the Easterly line of Lot 17, a distance of 20.73 feet to the Point of Beginning (P.O.B.).

**BOARD OF ADJUSTMENT
CITY OF MIAMI BEACH, FLORIDA**

PROPERTY: 1429 Washington Avenue

FILE NO. ZBA17-0056

IN RE: The application for a modification to a previously approved variance for the reduction from the minimum required 300 foot distance separation between a business that sells alcoholic beverages and an existing educational facility. Specifically, the applicant is requesting to change the name of the owner/operator.

**LEGAL
DESCRIPTION:** See attached 'Exhibit A'.

MEETING DATE: March 2, 2018.

MODIFIED ORDER

The applicant, FDP La Caffè Creperie, LLC/DBA La Creperie Caffè, filed an application with the Planning Department for modifications to a previously approved variance granted on June 6, 1997 associated with the sale/service of alcohol within the minimum required distance separation from an educational facility. The applicant requests to modify Condition 9 of the June 1, 2012 Final Order No. 2578, which granted the approval of the variance to the previous applicant and operator to permit the transfer of approval to FDP La Caffè Creperie, LLC/DBA La Creperie Caffè, as follows:

9. This approval is granted to ~~JabaFoods, LLC.~~ FDP La Caffè Creperie, LLC/DBA La Creperie Caffè only. Any changes ~~of operator or ownership, including by fifty (50) percent or more of stock ownership, partnership interest, or the equivalent, shall require review and approval by the Board of Adjustment as a modification to this Order.~~ in ownership or operator shall require new owner or operator to return to the Board of Adjustment and seek a modification to the final Order transferring approval to the new owner or operator.

The City of Miami Beach Board of Adjustment 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:

- A. Based on the plans and documents submitted with the application, testimony and information provided by the applicant, and the Planning Department Staff Report, the project as submitted satisfies the requirements of Section 118-353(d) of the Miami Beach Code. Accordingly, the Board of Adjustment has determined the following:

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

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

That granting the variance requested will not confer on the applicant any special privilege that is denied by this Ordinance to other lands, buildings, or structures in the same zoning district;

That literal interpretation of the provisions of this Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this Ordinance and would work unnecessary and undue hardship on the applicant;

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

That the granting of the variance will be in harmony with the general intent and purpose of this Ordinance and that such variance will not be injurious to the area involved or otherwise detrimental to the public welfare; and

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

- B. The Board hereby **Approves** the modification requested and imposes the following conditions based on its authority in Section 118-354 of the Miami Beach City Code. ~~Strike-through~~ denotes deletion of previous language and underlining denotes new language:

1. The applicant shall comply with all of the original conditions of approval granted by this Board on June 6, 1997, except as modified herein.
2. During school hours, beer, ~~and~~ wine and liquor shall only be served with meals. Otherwise, the sale of beer, ~~and~~ wine and liquor shall be limited to non-school hours (5:00 P.M. to 5:00 A.M.) and non-school days. There shall be no sale of package goods.
3. The full food menu shall be available at all times that the establishment is open.
4. Substantial modifications to the plans submitted and approved as part of the application, as determined by the Planning Director or designee, may require the applicant to return to the Board for approval of the modified plans, even if the modifications do not affect variances approved by the Board.
5. Music shall be limited to only ambient background music and no entertainment license shall be approved.
6. The establishment shall not be converted to a stand-alone bar, or dance hall.
7. The applicant shall satisfy any City Liens prior to the issuance of a revised Certificate of Use and Occupational License for beer and wine.



8. This approval is granted to ~~JabaFoods, LLC. FDP La Caffé Creperie, LLC/DBA La Creperie Caffé~~ only. Any changes ~~of operator or ownership, including by fifty (50) percent or more of stock ownership, partnership interest, or the equivalent, shall require review and approval by the Board of Adjustment as a modification to this Order.~~ in ownership or operator shall require new owner or operator to return to the Board of Adjustment and seek a modification to the final Order transferring approval to the new owner or operator.
9. The property owner shall be responsible for compliance with all of the conditions of this variance. The current operator and any subsequent operators of the business shall be specially apprised of all conditions. Subsequent operators shall be required to appear before the Board of Adjustment to affirm their understanding of the conditions listed, herein.
10. If there is any change in the use or operation of the establishment, including but not limited to the establishment attempting to become a stand-alone bar, or a dance hall and/or entertainment establishment, or in the event the use ceases to exist for any reason (except for temporary closure during a season or remodeling, both for a period up to six (6) months), the variance shall be subject to Section 118-356, City Code, for revocation or modification of the variance.
11. The applicant shall comply with all conditions imposed (if applicable) by the Public Works Department.
12. All improvements in the public right-of-way associated with the subject project shall be subject to the final review and approval of the Planning Department Director, Public Works Director, and the Parks and Recreation Department Director, and shall require an agreement, subject to the review and approval of the City Attorney, providing for the assumption of maintenance and liability obligations by the Applicant, and its successors and assigns, executed and recorded before the issuance of a building permit.
13. The conditions on this Order are binding on the applicant, the property's owners and all successors in interest and assigns.
14. This 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.
15. 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, except to the extent of the variance(s) granted herein.
16. The Operator shall be responsible for maintaining the areas adjacent to the facility, such as the sidewalk on Washington Avenue and Collins Court in excellent condition, keeping these areas in a clean condition, free of all refuse, at all times.

17. The Board of Adjustment shall retain jurisdiction of this file. The Board of Adjustment shall retain the right to call the operators back before the Board and modify the hours of operation or the occupant load should the City issue any written warnings and/or notices of violation about loud, excessive, unnecessary, or unusual noise.
18. Except as may be required by the Fire, Building, or Life Safety Codes, no loudspeakers shall be affixed to or otherwise located on the exterior of the premises.
19. A violation of Chapter 46, Article IV, "Noise," of the Code of the City of Miami Beach, Florida (a/k/a "noise ordinance"), as may be amended from time to time, shall be deemed a violation of this Order and subject to the remedies as described in the Code of the City of Miami Beach, Florida.
20. 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.
21. 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.
22. This modified Order shall be recorded, at the expense of the applicant, in the Public Records of Miami-Dade County; the original or a certified copy shall be provided to the Planning Department prior to the issuance of a Building Permit.

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 staff recommendations, as modified by the Board of Adjustment, that the application for Variance(s) Approval is GRANTED for the above-referenced project, subject to those certain conditions specified in Paragraph B (Condition Nos. 1-22, inclusive) hereof, to which the applicant has agreed.

PROVIDED, the applicant shall build substantially in accordance with documents approved by the Board of Adjustment, as determined by staff, dated November 7, 2017, modified in accordance with the conditions set forth in this Order and staff review and approval.

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 this Order 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 Variance Approval was granted, the subject Approval will expire and become null and void, unless the applicant makes 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. At the hearing on any such application, the Board may deny or approve the request and modify the above conditions or impose additional conditions. If the Full Building Permit 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), and not reinstated by the Building Official or designee, the Variance Approval will expire and become null and void.

Dated this 2nd day of MARCH, 2018.

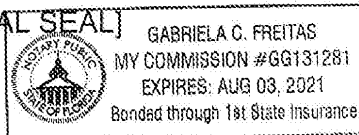
BOARD OF ADJUSTMENT
CITY OF MIAMI BEACH, FLORIDA

BY: Michael Belush
Michael Belush, AICP
Chief of Planning and Zoning
For the Chair

STATE OF FLORIDA)
COUNTY OF MIAMI-DADE)

The foregoing instrument was acknowledged before me this 2nd day of March, 2018, by Michael Belush, Chief of Planning and Zoning of the City of Miami Beach, Florida, a Florida Municipal Corporation, on behalf of the corporation. He is personally known to me.

[NOTARIAL SEAL]



Notary:

Print Name: Gabriela Freitas

Notary Public, State of Florida

My Commission Expires: 8-3-21

Commission Number: GG131281

Approved As To Form: Nick Allegio 3/2/2018
City Attorney's Office

Filed with the Clerk of the Board of Adjustment on Jessica Lynn 3/2/18

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'Exhibit A'
Legal Description

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Begin (P.O.B.) at the common Easterly boundaries of said Lots 16 and 17 of the above-referenced subdivision and run due West along an assumed bearing, along the dividing line between Lots 16, and 17, a distance of 130.00 feet to the common Westerly corner of said Lots 16 and 17, said corner being on the Easterly line of Washington Avenue; thence due North along the Westerly line of Lot 17, along the Easterly line of Washington Avenue, a distance of 27.82 feet to the Northerly face of a C.B.S. wall of a one story C.B.S. Building; thence run N. 80 degrees 47 minutes 43 seconds East along the Northerly face of said C.B.S. wall, a distance of 106.02 feet to the Easterly face of a C.B.S. Building Wall; thence run S. 0 degrees 15 minutes 08 seconds East along the Easterly face of a C.B.S. Building wall, a distance of 24.30 feet to the Southerly face of a C.B.S. wall; thence run N. 89 degrees 25 minutes 53 seconds East, a distance of 25.24 feet to the Easterly line of said Lot 17, thence run due South along the Easterly line of Lot 17, a distance of 20.73 feet to the Point of Beginning (P.O.B.).

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