MIAMIBEACH

PLANNING DEPARTMENT

Staff Report & Recommendation

Design Review Board

TO: DRB Chairperson and Members

DATE: November 03, 2015

FROM: Thomas R. Mooney, AICP
Planning Director

SUBJECT: Design Review File No. 23205
750 West 50th Street – Single Family Home

The applicant, Matthew Kaplan, is requesting Design Review Approval for the construction of a new two-story single family house to replace an existing pre-1942 architecturally significant one-story home, including variances to exceed the maximum elevation permitted within required yards and to reduce the minimum required interior side setback for air conditioning units.

RECOMMENDATION:
Approval with conditions
Denial of the variances

LEGAL DESCRIPTION:
Lot 6 and East half of Lot 5, Block 26, of LAKE VIEW HEIGHTS SUBDIVISION, according to Plat thereof, recorded in Plat Book 27, at Page 5, Public Records of Miami-Dade County, Florida.

SITE DATA:

Zoning:	RS-4
Future Land Use:	RS
Lot Size:	9,675 SF
Lot Coverage:	
Existing:	±2,792 SF / 28.9%
Proposed:	2,405 SF / **24.85%**
Maximum:	2,902.5 SF / 30%
Unit size:	
Existing:	±4,449 SF / 42.4%
Proposed:	4,809 SF / **49.7%**
Maximum:	4,837.5 SF / 50%
2nd Floor Volume to 1st:	**82.75%**

Height:
Proposed: 27'-0" sloped roof
Maximum: 27'-0" sloped roof

Grade: +4.20' NGVD
Flood: +8.00' NGVD
Difference: 1.90'
Adjusted Grade: +6.10' NGVD
Flirst Floor Elevation: +8.00' NGVD

EXISTING STRUCTURE:
Year Constructed: 1940
Architect: Arthur Laidler-Jones
Vacant: No
Demolition Proposed: Total

Surrounding Properties:
East: Two-story 1940 residence
North: One-story 1940 residence
South: Two-story 2012 residence
West: Two-story 1934 residence

THE PROJECT:
The applicant has submitted plans entitled "Kaplan Residence" as prepared by **In-Site Design Group LLC** dated 09/14/2015.

The applicant is proposing to construct a new two-story residence on a waterfront parcel.

The applicant is requesting the following variance(s):

1. A variance to exceed by 0.80' the maximum permitted elevation height of +6.70' NGVD within the required interior and side yards in order to elevate the side yards, rear yard and the pool coping up to +7.50' NGVD.

   - Variance requested from:

Sec. 142-105. - Development regulations and area requirements

(b)The development regulations for the RS-1, RS-2, RS-3, RS-4 single-family residential districts are as follows:

(8)Exterior building and lot standards. The following shall apply to all buildings and properties in the RS-1, RS-2, RS-3, RS-4 single-family residential districts:

b.The maximum elevation of a required yard shall be in accordance with the following, however in no instance shall the elevation of a required yard, exceed the minimum flood elevation:

2.Interior Side Yards (located between the front setback line and rear property line). The maximum elevation shall not exceed adjusted grade, or 30" above grade, whichever is greater.

4.Rear Yard. The maximum elevation for a required rear yard, (not including portions located within a required side yard or side yard facing the street), shall be calculated according to the following:

(B) Non-waterfront. The maximum elevation shall not exceed adjusted grade, or 30" above grade, whichever is greater

The established grade for the site is 4.20' NGVD while the base flood elevation is set at +8.00' NGVD. The applicant is proposing to construct the new home with a finished floor at +8.00' NGVD. A section of the required side yards and rear yard are raised approximately 10" in excess of what is allowed by Code. Staff would note that the single-family home regulations were recently amended under the "Adjusted Grade Ordinance" to allow the yards to be raised higher than what was previously required. Under the former regulations the maximum elevation for the required yards was limited to adjusted grade (6.10' NGVD). Under the new Ordinance, the applicant can raise the yards to a maximum elevation of adjusted grade or 30" above the established grade (6.70' NGVD) whichever is greater. This translates to an increase of 6" above what was previously allowed, for this particular site.

The applicant is proposing to further raise the yards to 7.00' NGVD (10" above what was previously allowed). The existing elevation in the side and rear yards have a grade that ranges from 5.00' NGVD to 6.00' NGVD. The proposed height of 7.5' NGVD would raise the side and rear yards to a grade elevation that would range from 1.5' to 2.5' above the existing grade. This increase in yard height would potentially have a negative impact on the adjacent pre-1942 residences that abut the subject property on both sides and have similar, typical lower grade elevations. As such, staff is not supportive of this increase in height as no special circumstances exist to have such large area of the site elevated. The neighborhood

is composed of predominantly pre-1942 residences with grade similar to the project site. A 2013 property is immediately adjacent to the rear property line that was constructed under the previous regulations within required yards. The compliance with the maximum height of 6.7' to NGVD would facilitate a smoother transition between the existing surrounding single family homes and the proposed new project. The granting of this variance would confer a special privilege to the applicant denied to other properties in the same district. In summary, staff recommends that this variance request be denied.

2. A variance to reduce by 2'-6" the minimum required interior side setback of 5'-0" in order to locate the mechanical equipment 2'-6" from the interior side property line.

   - Variance requested from:

   Sec. 142-1132. Allowable encroachments within required yards.
   (f)Central air conditioners, emergency generators and other mechanical equipment. Accessory central air conditioners, generators and any other mechanical equipment, including attached screening elements, may occupy a required side or rear yard, in single-family, townhome, or in the RM-1 residential multifamily low intensity districts, provided that:
   (1) They are not closer than 5'-0" to a rear or interior side lot line or 10'-0" to a side lot line facing a street.

The condensing units are located in the smaller setback of 7'-6" at 2'-6 from the east side property line. The building has a side (west) setback of 11'-10", which is sufficient setback with an unimproved yard area to locate the condensing units, thus eliminating the need for any variances. The granting of this variance to place the condensing units just 2.5' from the adjacent property to the east is a self-imposed variance and might be injurious and create a noise nuisance to the neighboring property.

Staff recommends denial of this variance request due to a lack of hardship.

PRACTICAL DIFFICULTY AND HARDSHIP CRITERIA
The applicant has submitted plans and documents with the application that staff has concluded **DO NOT** satisfy Article 1, Section 2 of the Related Special Acts.

Additionally, staff has concluded that the plans and documents submitted with the application **DO NOT** comply with the following hardship criteria, as they relate to the requirements of Section 118-353(d), Miami Beach City Code:

- 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.

COMPLIANCE WITH ZONING CODE:
A preliminary review of the project indicates that the application, as proposed, appears to be inconsistent with the following sections of the City Code, in addition to the requested variance(s):

1. Chapter 126 of the Land Development Regulations of the City Code, "***permits for demolition require a landscape survey to insure that valuable existing trees are not damaged or destroyed. Trees that have a trunk diameter of eight or more inches shall not be removed without the approval of the Planning and Zoning Director.***

The above noted comments shall not be considered final zoning review or approval. These and all zoning matters shall require final review and verification by the Zoning Administrator prior to the issuance of a Building Permit.

COMPLIANCE WITH DESIGN REVIEW CRITERIA:
Design Review encompasses the examination of architectural drawings for consistency with the criteria stated below with regard to the aesthetics, appearances, safety, and function of the structure or proposed structures in relation to the site, adjacent structures and surrounding community. Staff recommends that the following criteria are found to be satisfied, not satisfied or not applicable, as hereto indicated:

1. The existing and proposed conditions of the lot, including but not necessarily limited to topography, vegetation, trees, drainage, and waterways.
   Satisfied; the applicant is requesting two variances that affect the required yards.

2. The location of all existing and proposed buildings, drives, parking spaces, walkways, means of ingress and egress, drainage facilities, utility services, landscaping structures, signs, and lighting and screening devices.
   Not Satisfied; the applicant is requesting two variances that affect the required yards.

3. The dimensions of all buildings, structures, setbacks, parking spaces, floor area ratio, height, lot coverage and any other information that may be reasonably necessary to determine compliance with the requirements of the underlying zoning district, and any applicable overlays, for a particular application or project.
Not Satisfied; the applicant is requesting two variances that affect the required yards.

4. The color, design, selection of landscape materials and architectural elements of Exterior Building surfaces and primary public interior areas for Developments requiring a Building Permit in areas of the City identified in section 118-252.
Satisfied

5. The proposed site plan, and the location, appearance and design of new and existing Buildings and Structures are in conformity with the standards of this Ordinance and other applicable ordinances, architectural and design guidelines as adopted and amended periodically by the Design Review Board and Historic Preservation Boards, and all pertinent master plans.
Not Satisfied; the applicant is requesting two variances that affect the required yards.

6. The proposed Structure, and/or additions or modifications to an existing structure, indicates a sensitivity to and is compatible with the environment and adjacent Structures, and enhances the appearance of the surrounding properties.
Not Satisfied; the applicant is requesting two variances that affect the required yards.

7. The design and layout of the proposed site plan, as well as all new and existing buildings shall be reviewed so as to provide an efficient arrangement of land uses. Particular attention shall be given to safety, crime prevention and fire protection, relationship to the surrounding neighborhood, impact on contiguous and adjacent Buildings and lands, pedestrian sight lines and view corridors.
Not Satisfied; the applicant is requesting two variances that affect the required yards.

8. Pedestrian and vehicular traffic movement within and adjacent to the site shall be reviewed to ensure that clearly defined, segregated pedestrian access to the site and all buildings is provided for and that all parking spaces are usable and are safely and conveniently arranged; pedestrian furniture and bike racks shall be considered. Access to the Site from adjacent roads shall be designed so as to interfere as little as possible with traffic flow on these roads and to permit vehicles a rapid and safe ingress and egress to the Site.
Satisfied

9. Lighting shall be reviewed to ensure safe movement of persons and vehicles and reflection on public property for security purposes and to minimize glare and reflection on adjacent properties. Lighting shall be reviewed to assure that it enhances the appearance of structures at night.
Satisfied

10. Landscape and paving materials shall be reviewed to ensure an adequate relationship with and enhancement of the overall Site Plan design.
Not Satisfied; the applicant is requesting two variances that affect the required yards.

11. Buffering materials shall be reviewed to ensure that headlights of vehicles, noise, and light from structures are adequately shielded from public view, adjacent properties and pedestrian areas.
Not Satisfied; the applicant is requesting two variances that affect the required yards.

12. The proposed structure has an orientation and massing which is sensitive to and compatible with the building site and surrounding area and which creates or maintains important view corridor(s).
Satisfied

13. The building has, where feasible, space in that part of the ground floor fronting a street or streets which is to be occupied for residential or commercial uses; likewise, the upper floors of the pedestal portion of the proposed building fronting a street, or streets shall have residential or commercial spaces, shall have the appearance of being a residential or commercial space or shall have an architectural treatment which shall buffer the appearance of the parking structure from the surrounding area and is integrated with the overall appearance of the project.
Satisfied

14. The building shall have an appropriate and fully integrated rooftop architectural treatment which substantially screens all mechanical equipment, stairs and elevator towers.
Satisfied

15. An addition on a building site shall be designed, sited and massed in a manner which is sensitive to and compatible with the existing improvement(s).
Not Applicable

16. All portions of a project fronting a street or sidewalk shall incorporate an architecturally appropriate amount of transparency at the first level in order to achieve pedestrian compatibility and adequate visual interest.
Satisfied

17. The location, design, screening and buffering of all required service bays, delivery bays, trash and refuse receptacles, as well as trash rooms shall be arranged so as to have a minimal impact on adjacent properties.
Not Applicable

STAFF ANALYSIS:
DESIGN REVIEW AND VARIANCE REVIEW

The applicant is proposing a two-story home on an interior lot that will replace an existing pre-1942 architecturally significant one-story home. The proposed home is designed in a traditional style of architecture and features a sloped, hipped roof with arched dormer

windows and decorative quoins featured on the façades. As designed, the home does not require any design waivers from the Board. The architecture has designed the replacement structure in a style that is certainly compatible to the existing neighborhood context which is comprised of one- and two-story pre-1942 homes designed predominatly in the Mediterranean and Art Deco styles of architecture. The proposed home is within the maximum zoning thresholds for lot coverage and unit size; however, as proposed, the home will require two variances from the Board. Staff is not supportive of the variances, as they do not meet the hardship criteria as established by the City Code and detailed in the variances description. The project can be easily modified to comply with the requirements of the Code without major changes to the proposed design.

Staff recommends that the design of the replacement home be approved and the variances number 1 and variance number 2 be **denied**.

RECOMMENDATION:
In view of the foregoing analysis, staff recommends the application for design review approval be **approved**, subject to the conditions enumerated in the attached Draft Order, which address the inconsistencies with the aforementioned Design Review criteria and/or Practical Difficulty and Hardship criteria. Additionally, in view of the foregoing analysis and the inconsistencies with the aforementioned Design Review criteria and/or Practical Difficulty and Hardship criteria, staff recommends the variance portion of the application, variances #1 and #2 be **denied without prejudice**.

TRM/JGM/LC/IV

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DESIGN REVIEW BOARD
City of Miami Beach, Florida

MEETING DATE: November 03, 2015

FILE NO.: 23205

PROPERTY: **750 West 50th Street**

APPLICANTS: Matthew Kaplan

LEGAL: Lot 6 and East half of Lot 5, Block 26, of LAKE VIEW HEIGHTS SUBDIVISION, according to Plat thereof, recorded in Plat Book 27, at Page 5, Public Records of Miami-Dade County, Florida.

IN RE: The Application for Design Review Approval for the construction of a new two-story single family home to replace an existing pre-1942 architecturally significant two-story home , including variances to exceed the maximum elevation permitted within required yards and to reduce the minimum required interior side setback for air conditioning units.

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ORDER

The City of Miami Beach Design Review Board makes the following FINDINGS OF FACT, based upon the evidence, information, testimony and materials presented at the public hearing and which are part of the record for this matter:

I. Design Review

A. The Board has jurisdiction pursuant to Section 118-252(a) of the Miami Beach Code. The property is not located within a designated local historic district and is not an individually designated historic site.

B. Based on the plans and documents submitted with the application, testimony and information provided by the applicant, and the reasons set forth in the Planning Department Staff Report, the project as submitted is inconsistent with Design Review Criteria 1-3, 5-7 and 10-11 in Section 118-251 of the Miami Beach Code.

C. The project would be consistent with the criteria and requirements of Section 118-251 if the following conditions are met:

1. Revised elevation, site plan, and floor plan drawings for the proposed new home at 750 West 50th Street shall be submitted, at a minimum, such drawings shall incorporate the following:

   a. The final Design details of the exterior materials and finishes shall be submitted, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.

   b. A copy of all pages of the recorded Final Order shall be scanned into the plans submitted for building permit, and shall be located immediately after the front cover page of the permit plans.

   c. Prior to the issuance of a Certificate of Occupancy, the project Architect shall verify, in writing, that the subject project has been constructed in accordance with the plans approved by the Planning Department for Building Permit.

2. A revised landscape plan, and corresponding site plan, shall be submitted to and approved by staff. The species, type, quantity, dimensions, spacing, location and overall height of all plant material shall be clearly delineated and subject to the review and approval of staff. At a minimum, such plan shall incorporate the following:

   a. Prior to the issuance of a building permit, the applicant shall submit a tree protection plan for all trees to be retained on site. Such plan shall be subject to the review and approval of staff, and shall include, but not be limited to a sturdy tree protection fence installed at the dripline of the trees prior to any construction.

   b. In order to identify, protect and preserve mature trees on site, which are suitable for retention and relocation, a Tree Report prepared by a Certified Tree Arborist shall be submitted for the mature trees on site.

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c. Any tree identified to be in good overall condition shall be retained, and protected in their current location if they are not in conflict with the proposed home, or they shall be relocated on site, if determined feasible, subject to the review and approval of staff. A tree care and watering plan also prepared by a Certified Arborist shall be submitted prior to the issuance of a Building Permit or Tree Removal/Relocation Permit. Subsequent to any approved relocation, a monthly report prepared by a Certified Arborist shall be provided to staff describing the overall tree performance and adjustments to the maintenance plan in order to ensure survivability, such report shall continue for a period of 18 months unless determined otherwise by staff.

d. Existing trees to be retained on site shall be protected from all types of construction disturbance. Root cutting, storage of soil or construction materials, movement of heavy vehicles, change in drainage patterns, and wash of concrete or other materials shall be prohibited.

e. The amount of hardscape proposed within the Public Right of Way and within the site shall be substantially reduced, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.

f. Street trees shall be required within the swale at the front of the property if not in conflict with existing utilities, in a manner to be reviewed and approved by the Public Works Department.

g. Any existing plant material within the public right-of-way may be required to be removed, as the discretion of the Public Works Department.

h. A fully automatic irrigation system with 100% coverage and an automatic rain sensor in order to render the system inoperative in the event of rain. Right-of-way areas shall also be incorporated as part of the irrigation system.

i. The utilization of root barriers and/or Silva Cells, as applicable, shall be clearly delineated on the revised landscape plan.

j. The applicant shall verify, prior to the issuance of a Building Permit, the exact location of all backflow preventors and all other related devices and fixtures. The location of backflow preventors, Siamese pipes or other related devices and fixtures, if any, and how they are screened with landscape material from the right-of-way, shall be clearly indicated on the

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site and landscape plans, and shall be subject to the review and approval of staff.

k. The applicant shall verify, prior to the issuance of a Building Permit, the exact location of all applicable FPL transformers or vault rooms. The location of any exterior transformers and how they are screened with landscape material from the right of wall shall be clearly indicated on the site and landscape plans and shall be subject to the review and approval of staff.

l. Prior to the issuance of a Certificate of Occupancy, the Landscape Architect or the project architect shall verify, in writing, that the project is consistent with the site and landscape plans approved by the Planning Department for Building Permit.

In accordance with Section 118-262, the applicant, or the city manager on behalf of the city administration, or an affected person, Miami Design Preservation League or Dade Heritage Trust may seek review of any order of the Design Review Board by the City Commission, except that orders granting or denying a request for rehearing shall not be reviewed by the Commission.

II. Variance(s)

A. The applicant filed an application with the Planning Department for the following variance(s), which were either approved by the Board with modifications, or denied (Underlying denotes new language and ~~strikethrough~~ denotes stricken language):

~~1. A variance to exceed by 0.30' the maximum permitted elevation height of +6.70' NGVD within required interior side yards in order to elevate the yard to +7.00' NGVD.~~ (Variance denied)

~~2. A variance to reduce by 2'-6" the minimum required interior side setback of 5'-0" in order to locate the mechanical equiptment 2'-6" from the interior side property line.~~ (Variance denied)

B. The applicant has submitted plans and documents with the application that the Board has concluded do not satisfy Article 1, Section 2 of the Related Special Acts.

The applicant has submitted plans and documents with the application that the Board has concluded do not comply with the following hardship criteria, as they relate to the requirements of Section 118-353(d), Miami Beach City Code:

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,

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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.

C. The Board hereby **Denies** the Variance requests, and imposes the following conditions based on its authority in Section 118-354 of the Miami Beach City Code:

1. 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.

The decision of the Board regarding variances shall be final and there shall be no further review thereof except by resort to a court of competent jurisdiction by petition for writ of certiorari.

III. General Terms and Conditions applying to both 'I. *Design Review Approval* and II. *Variances*' noted above.

A. During Construction of the new home, the Applicant will maintain gravel at the front of the construction site within the first 15'-0" of the required front yard to mitigate disturbance of soil and mud by related personal vehicles existing and entering the site and with an 8'-0" high fence with a wind resistant green mesh material along the front of the property line. All construction materials, including dumpsters and portable toilets, shall be located behind the construction fence and not visible from the right-

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of-way. All construction vehicles shall either park on the private property or at alternate overflow parking sites 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.

B. A Construction Parking and Traffic Management Plan (CPTMP) shall be approved by the Parking Director pursuant to Chapter 106, Article II, Division 3 of the City Code, prior to the issuance of a Building Permit.

C. The final building plans shall meet all other requirements of the Land Development Regulations of the City Code.

D. The Final Order shall be recorded in the Public Records of Miami-Dade County, prior to the issuance of a Building Permit.

E. 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.

F. 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.

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

H. Nothing in this order authorizes a violation of City Code or other applicable law, nor allows a relaxation of any requirement or standard set forth in the City Code.

IT IS HEREBY ORDERED, based upon the foregoing findings of fact, the evidence, information testimony and materials presented at the public hearing, which are part of the record for this matter, and the staff report and analysis, which are adopted herein, including the staff recommendations, which were amended and adopted by the Board, that the Application for Design Review approval is GRANTED and that the Application for Variances is DENIED for the above-referenced project subject to those certain conditions specified in Paragraph I, II,III of the Findings of Fact, to which the applicant has agreed.

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PROVIDED, the applicant shall build substantially in accordance with the plans, entitled "Kaplan Residence" as prepared by **In-Site Design Group LLC,** signed, sealed and dated September 14, 2015, and as approved by the Design Review Board, as determined by staff.

When requesting a building permit, the plans submitted to the Building Department for permit shall be consistent with the plans approved by the Board, modified in accordance with the conditions of approval that must be satisfied prior to permit issuance, as set forth in this Order, have been met.

The issuance of the approval does not relieve the applicant from obtaining all other required Municipal, County and/or State reviews and permits, including final zoning approval. If adequate handicapped access is not provided on the Board approved plans, this approval does not mean that such handicapped access is not required. When requesting Building permit, the plans submitted to the Building Department for permit shall be consistent with the plans approved by the Board, modified in accordance with the conditions set forth in this Order.

If the Full Building Permit for the project is not issued within eighteen (18) months of the meeting date at which the original approval was granted, the application will expire and become null and void, unless the applicant makes an application to the Board for an extension of time, in accordance with the requirements and procedures of Chapter 118 of the City Code, the granting of any such extension of time shall be at the discretion of the Board. If the Full Building Permit for the project shall expire for any reason (including but not limited to construction not commencing and continuing, with required inspections, in accordance with the applicable Building Code), the application will expire and become null and void.

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

Dated this _____ day of _____, 20_____.

DESIGN REVIEW BOARD
THE CITY OF MIAMI BEACH, FLORIDA

BY:_____
DEBORAH J. TACKETT

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DESIGN AND PRESERVATION MANAGER
FOR THE CHAIR

STATE OF FLORIDA)
)SS
COUNTY OF MIAMI-DADE)
The foregoing instrument was acknowledged before me this _____ day of _____ 20___ by Deborah J. Tackett, Design and Preservation Manager, Planning Department, City of Miami Beach, Florida, a Florida Municipal Corporation, on behalf of the Corporation. He is personally known to me.

_____
NOTARY PUBLIC
Miami-Dade County, Florida
My commission expires:_____

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

Filed with the Clerk of the Design Review Board on _____ ( )

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