

**Department of Community Affairs
FLORIDA BUILDING COMMISSION
2555 Shumard Oak Boulevard
Tallahassee, Florida 32399-2100**

NOTICE TO WAIVER APPLICANTS

Please make certain you comply with the following:

- X The person submitting the waiver request application as the Applicant **MUST** sign the application. Should you fail to do so, your application will be returned.
- X If a licensed design professional (architect or engineer) has designed the project, his or her comments **MUST** be included as a part of this application.
- X Be as explicit as possible. The more information provided to the Florida Building Commission, the more informed its decisions can be. If you are claiming financial hardship, please specify why and to what degree.
- X If at all possible, **PLAN TO ATTEND the Accessibility Advisory Council and the Florida Building Commission meetings**. Sometimes pertinent facts are inadvertently omitted, or information provided/presented in the Request for Waiver application is not clear. Your attendance at the meetings to answer questions will enhance the possibility of the waiver being approved, since the Council and the Commission will receive the most complete information – from you. When we receive the completed application, we will send you a notice of the time, date, and place for both the Council and the Commission meetings.

Enclosed is a **List of Required Information** and the **Request for Waiver** application.

If you have any questions or would like additional information, please call the Codes and Standards Section at (850) 487-1824.

Please mail this application to the Department of Community Affairs at the address above. **As well as a hard copy, please include a copy of the application and drawings or plans on a CD in PDF format. NOTE: Please do not send CAD files, but rather scan the CAD files and save as a pdf. Must be in Microsoft Compatible format.**

NOTE: Failure to submit electronically will not have any bearing on whether your petition is heard by the Commission, however, electronic filing will facilitate the Commission's movement toward utilizing CD technology to display the waiver application and attached floor plans to the Counsel and Commission.

This application is available in alternate formats upon request.

LIST OF REQUIRED INFORMATION:

1. _____ Drawings that will clearly present your project and that identify the issue(s) that relate to the waiver you are requesting. As a minimum, the following drawings must be submitted:

Project site plan

24" x 36" minimum size drawings

Building/project sections (if necessary to assist in understanding the waiver request)

Enlarged floor plan(s) of the area in question

2. _____ One set of reduced scale (11" x 17") versions of the drawings submitted in item one above.

3. _____ One set of overhead transparencies (8 ½" x 11") of the drawings submitted in item one above. When numerous features are shown on the drawings, please designate the location of the waiver items by highlighting or outlining in color the affected areas.

4. _____ When substantial financial cost of compliance is alleged, supporting cost estimates with quotes from at least two vendors or contractors and catalog information.

5. _____ If you feel photographs and/or renderings are necessary for your presentation, provide 40 legible color photocopies of the photographs and/or renderings. If color photocopies of photographs are provided, use a minimum size of 4" x 6" photographs with a maximum of two photographs per photocopied page.

6. _____ Please submit a hard copy of this application to the Department of Community Affairs. PLEASE NOTE: Although not required by Rule 9B-7, F.A.C., in addition to the hard copy please include a copy of the application and drawings or plans on a CD in PDF format.

General Information:

a. **Equipment:** A CD projector is provided at the Accessibility Advisory Council and Florida Building Commission meetings. Any other equipment necessary for your presentation, such as an overhead projector, TV/VCR, slide or LCD projectors, etc., is the responsibility of the applicant.

b. **Verbal Descriptions:** Presentations may be to sight or hearing impaired persons; visual presentations should consider adequate verbal and text descriptions of charts and pictures.

Your application will be reviewed by the Accessibility Advisory Council. You will have the opportunity to answer questions and/or make a short presentation **not to exceed 15 minutes**. The Council will provide recommendations to the Florida Building Commission. The Commission will review the application. You will have another opportunity to answer questions and /or give a short presentation **not to exceed 15 minutes**. The Commission will consider all information and the Council's recommendation before voting on the waiver.

**REQUEST FOR WAIVER FROM ACCESSIBILITY REQUIREMENTS
OF CHAPTER 553, PART V, FLORIDA STATUTES**

Your application will be reviewed by the Accessibility Advisory Council and its recommendations will be presented to the Florida Building Commission. You will have the opportunity to answer questions and/or make a short presentation, not to exceed 15 minutes, at each meeting. The Commission will consider all information presented and the Council's recommendation before voting on the waiver request.

1. Name and address of project for which the waiver is requested.

Name: Pestana Hotel Miami

Address: 1817, 1831 & 1835 James Avenue, Miami Beach, FL 33139

2. Name of Applicant. If other than the owner, please indicate relationship of applicant to owner and written authorization by owner in space provided:

Applicant's Name: _____

Applicant's Address: _____

Applicant's Telephone: _____ **FAX:** _____

Applicant's E-mail Address: _____

Relationship to Owner: _____

Owner's Name: Pestana Miami LLC, % Mark Aronson Esq, Holland and Knight LLP

Owner's Address: 701 Brickell Avenue, Suite #3000, Miami, FL 33131

Owner's Telephone: (305) 789-7657 **FAX** (305) 789-7799

Owner's E-mail Address: mark.aronson@hklaw.com

Signature of Owner:  attorney in fact

Contact Person: Douette Pryce, Pryce Resources LLC

Contact Person's Telephone: (561)594-4486

E-mail Address: dpryce@pryceresources.com

Form No. 2001-01

3. Please check one of the following:

New construction.

Addition to a building or facility.

Alteration to an existing building or facility.

Historical preservation (addition).

Historical preservation (alteration).

4. Type of facility. Please describe the building (square footage, number of floors). Define the use of the building (i.e., restaurant, office, retail, recreation, hotel/motel, etc.)
(see Attached Original Application)

5. Project Construction Cost (Provide cost for new construction, the addition or the alteration): See Attached Original Application _____

6. Project Status: Please check the phase of construction that best describes your project at the time of this application. Describe status.

Under Design Under Construction*

In Plan Review Completed*

* Briefly explain why the request has now been referred to the Commission.

The project was already granted a Accessibility Waiver-No.DCA09-HC-416 (see attached) The project is currently under permit review with the City of Miami Beach. However this waiver will expire on December 9th, 2010 and while we are responding to pertinent comments and hope to gain building permit within the next 90 days we may not attain the permit by the December 9th, 2010 deadline. We would like to request a 6 month extension from this board. Project as presented is in our original application dated December 7th 2009(see attached).

7. **Requirements requested to be waived.** Please reference the applicable section of Florida law. Only Florida-specific accessibility requirements may be waived.

Issue

1: See Attached Order

Issue

2: _____

Issue

3: _____

8. **Reason(s) for Waiver Request:** The Florida Building Commission may grant waivers of Florida-specific accessibility requirements upon a determination of unnecessary, unreasonable or extreme hardship. Please describe how this project meets the following hardship criteria. Explain all that would apply for consideration of granting the waiver.

The hardship is caused by a condition or set of conditions affecting the owner which does not affect owners in general.

See Attached Order

Substantial financial costs will be incurred by the owner if the waiver is denied.

The owner has made a **diligent investigation** into the costs of compliance with the code, but cannot find an efficient mode of compliance. Provide detailed cost estimates and, where appropriate, photographs. Cost estimates must include bids and quotes.

9. Provide documented cost estimates for each portion of the waiver request and identify any additional supporting data which may affect the cost estimates. For example, for vertical accessibility, the lowest documented cost of an elevator, ramp, lift or other method of providing vertical accessibility should be provided, documented by quotations or bids from at least two vendors or contractors.

a. See Attached Order

b.

c.

10. **Licensed Design Professional:** Where a licensed design professional has designed the project, his or her comments **MUST** be included and certified by signature and affixing of his or her professional seal. The comments must include the reason(s) why the waiver is necessary.

Under Florida State Statutes a waiver can be granted for one of the following reasons – a determination of unnecessary, unreasonable, or extreme hardship. We believe that we would qualify under an unreasonable, an extreme hardship and technically infeasible due to the historical preservation requirements for this project. We concur with the reasoning as so stated under item 8.

James R. Mackenzie James R. Mackenzie, manager
Signature for the firm Printed Name ARCHITECTUREWORKS, llc.
ARCHITECTUREWORKS, llc
Phone number 305 866 1668

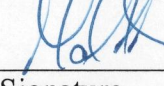
(SEAL)



CERTIFICATION OF APPLICANT:

I hereby swear or affirm that the applicable documents in support of this Request for Waiver are attached for review by the Florida Building Commission and that all statements made in this application are to the best of my knowledge true and correct.

Dated this 15 day of October, 2010

 attorney in fact

Signature

Mark Aronson Esq

Printed Name

By signing this application, the applicant represents that the information in it is true, accurate and complete. If the applicant misrepresents or omits any material information, the Commission may revoke any order and will notify the building official of the permitting jurisdiction. Providing false information to the Commission is punishable as a misdemeanor under Section 775.083, Florida Statutes.

Form No.: 2001-02, Page 1 of 2

Certification of Licensed Design Professional for Designs to be Placed on Consent Agenda

Note: This form is to be used only for cases in which design documents are duplicates of previously approved waivers and the project can be placed on a Consent Agenda pursuant to Rule 9B-7.003(3), Florida Administrative Code.

I, James R. Mackenzie, AIA as manager with ArchitectureWorks LLC, a licensed architect/engineer in the state of Florida, whose Florida license number is AR- 0015491, hereby state as follows:

1. I am the architect/engineer of record for the project known as (name of project) Pestana Hotel Miami , for which the Owner seeks a waiver of one or more accessibility requirements in an application to which this Certification is attached.

2. I hereby certify that to the best of my knowledge and belief to the Florida Building Commission that the design documents for the (insert project described in paragraph 1 above) Pestana Hotel Miami, a renovation, rehabilitation and addition to three contributing Historic structures, in principle are the same as the design documents previously submitted to the Commission and referenced in paragraph 3 below.

3. The licensed design professional of record (identify the licensed design professional of record), James R. Mackenzie, AIA as manager with ArchitectureWorks LLC, prepared the design documents for the project known as Pestana Hotel Miami, for which the majority of the Accessibility Advisory Council recommended approval and the Commission granted a waiver of one or more accessibility requirements in Final Order No. DCA09-HC-416.

Printed Name: James R. Mackenzie, AIA
as manager with ArchitectureWorks LLC,

Affix certification seal below:

Address: 300 – 71st Street # 528
Miami Beach, Fl 33141

Telephone: 305 – 866- 1668

Fax: 305- 866-1681

E-Mail Address: james@architectureworksllc.com

Form No.: 2001-02, Page 2 of 2

Certification of Applicant for Replicated Designs to be Placed on Consent Agenda

Note: This form is to be used only for cases in which design documents are duplicates of previously approved waivers and the project can be placed on a Consent Agenda pursuant to Rule 9B-7.003(3), Florida Administrative Code.

I, Pestana Miami LLC, c/o Mark Aronson, Holland and Knight LLP, 701 Brickell Avenue, Suite #3000, Miami, FL 33131, am applying for placement on the Consent Agenda pursuant to Rule 9B-7.003(3), Florida Administrative Code. I (check one of the following and complete blanks):

I am the owner of this Project (name of project) Pestana Hotel Miami,
and was the owner of the project known as _____,

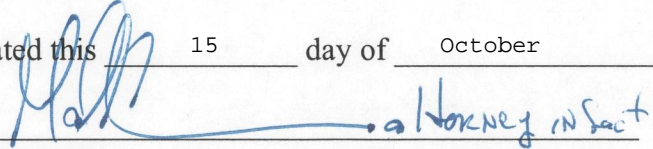
I am the franchisee of this Project (name of project) _____,
am under the same franchiser (name of franchiser) _____
who was the franchiser of the project known as _____,

I am the licensee of this Project (name of project) _____,
I am under the same licensor (name of licensor) _____,
who was the licensor of the project known as _____,

for which the majority of the Accessibility Advisory Council recommended approval, and the Florida Building Commission granted a waiver of one or more accessibility requirements in Final Order No. Waiver-No.DCA09-HC-416.

I hereby swear or affirm that the above information to the best of my knowledge is true and correct.

Dated this 15 day of October, 20 10


Signature

MARK I. ARONSON
Printed Name

Providing false information to the Florida Building Commission is punishable as a misdemeanor under Section 775.083, Florida Statutes.

GENERAL POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS that **Jose Roquette** (the "Grantor"), Manager of PESTANA MIAMI, LLC, a Florida limited liability company, HEREBY MAKES, CONSTITUTES AND APPOINTS **Mark I. Aronson**, an individual, with full power of substitution, to be his true and lawful Attorney-in-fact ("Attorney"), for him and in his name, place and stead to do all acts on behalf of the Grantor, including but not limited to any of the following matters or things relating to the property legally described on Exhibit "A" attached hereto and made a part hereof, commonly known as 1817, 1831 and 1835 James Avenue, Miami Beach, Florida 33139 (the "Property"):

1. To manage, negotiate, conclude, sign, execute, deliver, and take any other action deemed proper or desirable by said Attorney, in his absolute discretion, on behalf of the Grantor, in his capacity as Manager of Pestana Miami, LLC (the "Company") with respect to the Property.

2. To negotiate, execute, administer, manage, and effectuate any business transaction, agreement, and/or any indispensable related undertaking necessary or proper to manage, oversee, and operate the business of the Grantor with respect to the Property.

3. To negotiate, execute, administer, manage, and effectuate any applications, agreements, contracts, or any other transactions or documents deemed property or desirable by said Attorney, in his absolute discretion, relating to the renovations of the Property on behalf of the Grantor.

4. To appoint, in writing, any person or persons, either natural or juridical, as additional Attorneys-In-Fact and/or other representatives of the Grantor, with the powers so designated in such appointment.

5. To sue, file or defend against all claims or other legal actions involving the Company, negotiate or execute settlement agreements or similar documents on behalf of the Company and to take any other action deemed necessary by said Attorney in connection with any claim, dispute or legal action brought on behalf or against the Company.

And the Grantor does hereby ratify and confirm all that said Attorney shall lawfully do or cause to be done by virtue hereof; and the Grantor does hereby waive any and all notice of any such actions or transactions and furthermore agrees and covenants with any and all individuals, partnerships, corporations or entities that the Grantor will be bound by actions or transactions entered into in reliance hereon, even if such actions or transactions

shall have been performed or executed after the revocation hereof unless, however, such revocation shall have been effectively communicated.

IN WITNESS WHEREOF, the undersigned executes this Power of Attorney effective the 20th day of March, 2009.

Witnesses:

Hilda A. Hernandez
Name: Hilda A. Hernandez

Jose Roquette
Jose Roquette

[Signature]
Name:

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

The foregoing instrument was acknowledged before me this 20th day of March, 2009, by Jose Roquette, who is personally known to me.



(SEAL)

[Signature]

Notary Public-State of _____
Commission Number: _____



MIAMIBEACH

City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139. www.miamibeachfl.gov

PLANNING DEPARTMENT
Tel: 305-673-7550, Fax: 305-673-7559

October 4, 2010

Members of the Florida Building Commission & Accessibility Advisory Council
c/o Mary-Kathryn Smith
Office of Codes and Standards
Florida Department of Community Affairs
2555 Shumard Oaks Boulevard
Tallahassee, Florida 32399-2100

*Re: 1817, 1831 & 1835 James Avenue, Miami Beach
Application for an Extension of an Accessibility Waiver*

Dear Mary-Kathryn and Members of the Commission and Council:

I am writing to you in support of the request for an extension of the accessibility waiver for 1817, 1831 & 1835 James Avenue. This particular application consists of three (3) separate structures, all of which are classified as 'Contributing' in the Miami Beach Historic Properties Database, and are located within the Museum Local Historic District and the National Register Architectural District.

The subject structures are all qualified historic buildings under the federal ADA regulations, the ADA Accessibility Guidelines (ADAAG) and Chapter 11 of the Florida Building Code.

If you should have any additional questions regarding the historic characteristics and attributes of the property, please do not hesitate to contact me.

Sincerely

Thomas R. Mooney, AICP
Design & Preservation Manager

TRM:tm

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MIAMIBEACH

PLANNING DEPARTMENT

HISTORIC PRESERVATION BOARD STAFF REPORT

FROM: Richard G. Lorber, AICP, LEED AP
Acting Planning Director *WAC for RGL*

DATE: October 12, 2010 Meeting

RE: Historic Preservation File No. 6512
1817 - 1835 James Avenue – Pestana Hotel

The applicant, Pestana Miami LLC., is requesting a one (1) year Extension of Time to obtain a Full Building Permit for a previously issued Certificate of Appropriateness for the partial demolition, alteration, renovation and rehabilitation of three (3) existing structures, inclusive of a one level roof-top addition on the 2-story structure located at 1831 James Avenue, as part of a new hotel development.

HISTORY:

The application was approved by the Board on May 12, 2009, subject to conditions set forth in the Final Order. Since that time, the applicant has not yet obtained the required building permit for the reasons set forth in the submitted letter of request.

THE PROJECT:

The project includes the complete renovation of the subject structures. A significant portion of the street facing sections will be restored to their original configurations, inclusive of the restoration of all public common areas, and window replacements to match the original styles and configurations. The project also involves the demolition of a significant portion of the center of the 1831 James Avenue building in order to allow for a new ground level pool deck to be created. A new roof-top addition is also proposed for the retained rear portion of 1831 James Avenue.

ANALYSIS:

Since the original approval of the application, no changes to the Land Development Regulations of the Miami Beach Code have been recommended or approved which would preclude the construction of this project if it were proposed today. In light of the fact that the applicant has submitted for Building Permit (B1002346), and has encountered delays in the permitting process, it is suggested that the request for an extension of time, to ensure that the permitting process consummates, would be appropriate.

RECOMMENDATION:

In view of the foregoing, staff recommends the request for an extension of time be approved for a period not to exceed one (1) year from the original approval, which expires on November 12, 2010, subject to the following conditions:

1. A full building permit, not a foundation or shell permit, for the project shall be obtained by November 12, 2011.
2. Construction shall commence and continue in accordance with the applicable Building Code.
3. This extension of time shall run concurrent with any other extensions of time that may be provided to the property owner as a result of actions of non-City authorities with jurisdiction over such matters.
4. 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.
5. 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.



HISTORIC PRESERVATION BOARD AFTER ACTION REPORT

FOR MEETING HELD ON

Tuesday, October 12, 2010

I. REQUESTS FOR EXTENSIONS OF TIME

1. HPB File No. 6640, 1400 Collins Avenue – **Walgreens**. The applicant, Walgreen Co., is requesting a one (1) year Extension of Time to obtain a Full Building Permit for a previously issued Certificate of Appropriateness for the total demolition of the existing single story gas station structures and the construction of a new 2-story commercial building.

APPROVED

2. HPB File No. 6512, 1817 - 1835 James Avenue – **Pestana Hotel**. The applicant, Pestana Miami LLC., is requesting a one (1) year Extension of Time to obtain a Full Building Permit for a previously issued Certificate of Appropriateness for the partial demolition, alteration, renovation and rehabilitation of three (3) existing structures, inclusive of a one level roof-top addition on the 2-story structure located at 1831 James Avenue, as part of a new hotel development.

APPROVED

II. SINGLE FAMILY HOMES

1. **Certificate of Appropriateness**
HPB File No. 7158, **230 E. Rivo Alto Drive**. The applicant, Scott Beattie, is requesting a Certificate of Appropriateness for the partial demolition, renovation, and restoration of the existing 2-story home, including the construction a new 2-story addition. **[Project approved on June 8, 2010, with the exception of the landscape plan, which was continued to a date certain of October 12, 2010.]**

APPROVED

2. **Historic Designation**
HPB File No. 7200, **3430 Royal Palm Avenue**. The applicant, 3430 Royal Palm, LLC, is requesting that the Historic Preservation Board approve a request for the designation of the existing 2-story home as an historic structure.

APPROVED

PESTANA HOTEL AND RESORTS

Issue: Vertical accessibility to all floors of a hotel composed of three separate buildings.

Analysis: The applicant is requesting a waiver from providing vertical accessibility to all levels in three separate buildings being renovated to result in a single hotel project. According to the applicant, it is not only structurally impracticable to make each floor accessible, but it would also negatively impact the historic significance of the structures. In the South Building, the request is for a waiver from access to the elevated first floor rooms and to permit the existing elevator to remain without increasing the cab size. The middle building's request is for a waiver from vertical accessibility to the second floor. In the north building, the request is for a waiver from vertical accessibility to the raised first floor and to the second and third floors. There is a total of 99 rooms in the project, four of which will be accessible and one will have a roll in shower. The total cost of the project is estimated at \$3,000,000

Project Progress:

The project is under design.

Items to be Waived:

Vertical accessibility to all levels, as required by Section 553.509, Florida Statutes.

553.509 Vertical accessibility. Nothing in Sections 553.501-553.513 or the guidelines shall be construed to relieve the owner of any building, structure or facility governed by those sections from the duty to provide vertical accessibility to all levels above and below the occupiable grade level regardless of whether the guidelines require an elevator to be installed in such building, structure or facility, except for:

- (1) Elevator pits, elevator penthouses, mechanical rooms, piping or equipment catwalks and automobile lubrication and maintenance pits and platforms;
- (2) Unoccupiable spaces, such as rooms, enclosed spaces and storage spaces that are not designed for human occupancy, for public accommodations or for work areas; and
- (3) Occupiable spaces and rooms that are not open to the public and that house no more than five persons, including, but not limited to equipment control rooms and projection booths.

Waiver Criteria: There is no specific guidance for a waiver of this requirement in the code. The Commission's current rule, authorized in Section 553.512, Florida Statutes, provides criteria for granting waivers and allows consideration of unnecessary or extreme hardship to the applicant if the specific requirements were imposed.

**REQUEST FOR WAIVER FROM ACCESSIBILITY REQUIREMENTS
OF CHAPTER 553, PART V, FLORIDA STATUTES**

Your application will be reviewed by the Accessibility Advisory Council and its recommendations will be presented to the Florida Building Commission. You will have the opportunity to answer questions and/or make a short presentation, not to exceed 15 minutes, at each meeting. The Commission will consider all information presented and the Council's recommendation before voting on the waiver request.

1. Name and address of project for which the waiver is requested.

Name: Pestana Hotel and Resorts

Address: 1817 – 1831 – 1835 – 1837 – 1839 James Avenue, Miami Beach, Florida 33139

2. Name of Applicant. If other than the owner, please indicate relationship of applicant to owner and written authorization by owner in space provided:

Applicant's Name: Larry M. Schneider, AIA

Applicant's Address: 4905 Midtown Lane - Suite 2313, Palm Beach Gardens, Florida 33418

Applicant's Telephone: 561-7996942 **FAX:** 561-7996943

Applicant's E-mail Address: Larry@LMSArch.net

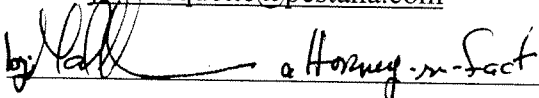
Relationship to Owner: Accessibility Consultant

Owner's Name: Pestana Miami LLC

Owner's Address: c/o Holland and Knight; Mr. Mark Aronson – 701 Brickell Ave # 3000
Miami, FL 33131

Owner's Telephone: 305- 789- 7657 **FAX** _____

Owner's E-mail Address: jose.roquette@pestana.com

Signature of Owner: by  a Honey-in-Fact

Contact Person: Larry M. Schneider AIA

Contact Person's Telephone: 561-7996942 **E-mail Address:** Larry@LMSArch.net

This application is available in alternate formats upon request.

3. Please check one of the following:

New construction.

Addition to a building or facility.

Alteration to an existing building or facility.

Historical preservation (addition).

Historical preservation (alteration).

4. Type of facility. Please describe the building (square footage, number of floors). Define the use of the building (i.e., restaurant, office, retail, recreation, hotel/motel, etc.)

The project is an existing hotel property in Miami Beach, Florida and is being altered to bring together three buildings on three sites together to become one hotel facility.

5. Project Construction Cost (Provide cost for new construction, the addition or the alteration): \$ Estimated Project Budget is \$ 3,000,000.00

6. Project Status: Please check the phase of construction that best describes your project at the time of this application. Describe status.

Under Design Under Construction*

In Plan Review Completed*

* Briefly explain why the request has now been referred to the Commission.

NA

7. Requirements requested to be waived. Please reference the applicable section of Florida law. Only Florida-specific accessibility requirements may be waived.

Issue: Compliance with Section 553.509 Florida State Statutes

1:553.509 Vertical accessibility.--Nothing in sections 553.501-553.513 or the guidelines shall be **construed to relieve the owner** of any building, structure, or facility governed by those sections **from the duty to provide vertical accessibility to all levels** above and below the occupiable grade level, regardless of whether the guidelines require an elevator to be installed in such building, structure, or facility,

8. Reason(s) for Waiver Request: The Florida Building Commission may grant waivers of Florida-specific accessibility requirements upon a determination of unnecessary, unreasonable or extreme hardship. Please describe how this project meets the following hardship criteria. Explain all that would apply for consideration of granting the waiver.

[X] The hardship is caused by a condition or set of conditions affecting the owner which does not affect owners in general.

The issue of the requirement for vertical accessibility to all levels, as mandated by the Florida State Statutes, section 553.509 VERTICAL ACCESSIBILITY. This section states that - **Nothing in sections 553.501 - 553.513 or the guidelines shall be construed to relieve the owner of any building, structure, or facility governed by those sections from the duty to provide vertical accessibility to all levels above and below the habitable grade level, regardless of whether the guidelines require an elevator to be installed in such building, structure, or facility.** Furthermore Florida State Statutes, section 553.512 states that the Florida Building Commission shall provide by regulation criteria for **granting individual modifications of, or exceptions from, the literal requirements of this part** upon a **determination of unnecessary, unreasonable, or extreme hardship**, provided such waivers shall not violate federal accessibility laws and regulations and shall be reviewed by the Accessibility Advisory Council. **Notwithstanding any other provision of this subsection, if an applicant for a waiver demonstrates economic hardship in accordance with 28 C.F.R. s. 36.403(f)(1), a waiver shall be granted.** There are three buildings within this project that were and are separate buildings but they now are being modified to become one project – the Pestana Hotel and Resort. The north building is mainly a two story structure with one portion being three stories. This is the 1835 building and incorporates 54 guest rooms of which 15 rooms will be accessible by a lift. There will be four rooms that will be accessible in this building. Providing a lift/elevator to the second and third floor area [third floor has four rooms] is an extreme hardship do to the issue of historical preservation of the exterior of the building and the additional concern of considering providing it within the building would not be readily achievable and would also require three rooms to be eliminated from the project thereby reducing the room count. The ADA permits a public accommodation to consider the effect of a modification on the operation of its business in doing barrier removal. The center buildings are two stories each with the east building providing eight units of which four would be accessible. The west building provides three units on the second floor and they would be accessible. The first floor of this building is a common area element. The south building is three stories and the rooms that are located on the first floor are a set of steps up to access them. A chair lift cannot be provided because of the reduction of the exit with on the existing stairs. There is an elevator in this building which does provide access to the second and third floors however the elevator cab size would allow access by a chair user but does not meet the clear cab size area as identified within the FACBC. Enlarging the elevator shaft is not readily achievable and is cost prohibitive. This building accommodates 54 rooms of which 40 would be accessible. There are a total of 99 rooms within this project and therefore four rooms would be required to be accessible; with one of them being a room with a roll-in shower and that requirement will be met. Therefore the waiver request is for vertical accessibility to the following – 1817 Building [South Building] access to the first floor rooms and modifying the elevator cab size. The 1831 Building [Middle Building] access to the second floor of the east building. The 1835 Building [North Building] access to the raised first floor rooms at the east end and access to the second and third floors.

[X] Substantial financial costs will be incurred by the owner if the waiver is denied.

The issue of providing vertical accessibility to all levels of these buildings is an extreme hardship and is unreasonable.

[X] The owner has made a **diligent investigation** into the costs of compliance with the code, but cannot find an efficient mode of compliance. Provide detailed cost estimates and, where appropriate, photographs. Cost estimates must include bids and quotes.

9. **Provide documented cost estimates for each portion of the waiver request and identify any additional supporting data which may affect the cost estimates.** For example, for vertical accessibility, the lowest documented cost of an elevator, ramp, lift or other method of providing vertical accessibility should be provided, documented by quotations or bids from at least two vendors or contractors.

a. _____

b. _____

10. **Licensed Design Professional:** Where a licensed design professional has designed the project, his or her comments **MUST** be included and certified by signature and affixing of his or her professional seal. The comments must include the reason(s) why the waiver is necessary.

Under Florida State Statutes a waiver can be granted for one of the following reasons - a determination of unnecessary, unreasonable, or extreme hardship. We believe that we would qualify under an unreasonable, an extreme hardship and technically infeasible do to the historical preservation requirements for this project. We concur with the reasoning as so stated under item 8.


Signature for ARCHITECTUREWORKS, LLC

James Mackenzie AIA

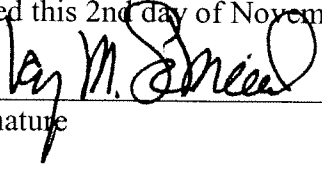
Printed Name

Phone number: 305 5254826
(SEAL)

CERTIFICATION OF APPLICANT:

I hereby swear or affirm that the applicable documents in support of this Request for Waiver are attached for review by the Florida Building Commission and that all statements made in this application are to the best of my knowledge true and correct.

Dated this 2nd day of November, 2009



Signature

Larry M. Schneider AIA
Printed Name

By signing this application, the applicant represents that the information in it is true, accurate and complete. If the applicant misrepresents or omits any material information, the Commission may revoke any order and will notify the building official of the permitting jurisdiction. Providing false information to the Commission is punishable as a misdemeanor under Section 775.083, Florida Statutes.

GENERAL POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS that **Jose Roquette** (the "Grantor"), Manager of PESTANA MIAMI, LLC, a Florida limited liability company, HEREBY MAKES, CONSTITUTES AND APPOINTS **Mark I. Aronson**, an individual, with full power of substitution, to be his true and lawful Attorney-in-fact ("Attorney"), for him and in his name, place and stead to do all acts on behalf of the Grantor, including but not limited to any of the following matters or things relating to the property legally described on Exhibit "A" attached hereto and made a part hereof, commonly known as 1817, 1831 and 1835 James Avenue, Miami Beach, Florida 33139 (the "Property"):

1. To manage, negotiate, conclude, sign, execute, deliver, and take any other action deemed proper or desirable by said Attorney, in his absolute discretion, on behalf of the Grantor, in his capacity as Manager of Pestana Miami, LLC (the "Company") with respect to the Property.
2. To negotiate, execute, administer, manage, and effectuate any business transaction, agreement, and/or any indispensable related undertaking necessary or proper to manage, oversee, and operate the business of the Grantor with respect to the Property.
3. To negotiate, execute, administer, manage, and effectuate any applications, agreements, contracts, or any other transactions or documents deemed property or desirable by said Attorney, in his absolute discretion, relating to the renovations of the Property on behalf of the Grantor.
4. To appoint, in writing, any person or persons, either natural or juridical, as additional Attorneys-In-Fact and/or other representatives of the Grantor, with the powers so designated in such appointment.
5. To sue, file or defend against all claims or other legal actions involving the Company, negotiate or execute settlement agreements or similar documents on behalf of the Company and to take any other action deemed necessary by said Attorney in connection with any claim, dispute or legal action brought on behalf or against the Company.

And the Grantor does hereby ratify and confirm all that said Attorney shall lawfully do or cause to be done by virtue hereof; and the Grantor does hereby waive any and all notice of any such actions or transactions and furthermore agrees and covenants with any and all individuals, partnerships, corporations or entities that the Grantor will be bound by actions or transactions entered into in reliance hereon, even if such actions or transactions



MIAMI BEACH

City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139. www.miamibeachfl.gov

PLANNING DEPARTMENT
Tel: 305-673-7550, Fax: 305-673-7559

November 9, 2009

Members of the Florida Building Commission & Accessibility Advisory Council
c/o Mary-Kathryn Smith
Office of Codes and Standards
Florida Department of Community Affairs
2555 Shumard Oaks Boulevard
Tallahassee, Florida 32399-2100

Re: 1817, 1831 & 1835 James Avenue, Miami Beach: Application for Accessibility Waiver

Dear Mary-Kathryn and Members of the Commission and Council:

I am writing to you in support of the accessibility waiver application for 1817, 1831 & 1835 James Avenue. This particular application consists of three (3) separate structures, all of which are classified as 'Contributing' in the Miami Beach Historic Properties Database, and are located within the Museum Local Historic District and the National Register Architectural District.

The building located at 1817 James Avenue, the Hotel Miljean, was constructed in 1940 and designed by noted period Architect L. Murry Dixon. The three (3) story building is an outstanding example of the Streamline Moderne style incorporating a sweeping curve on its south side, which is augmented by a strong vertical anchor on the north side. The structure is further characterized by continuous "eyebrows" and a vertical sign pylon, extended above the parapet.

The structure at 1831 James Avenue, the Miljean Apartments, was constructed in 1952 and designed by Gerald Pitt. The building is a good example of Post-War Modern apartment architecture common in Miami Beach just after World War II. The Structure is defined by a central entrance way and terrace, which incorporates a field stone veneer at the first level. Just above the entrance doors is a decorative mermaid ornamentation and a central, stepped parapet.

The structure at 1835 James Avenue, the Miljean Court (originally the Stephan Ross), was constructed in 1947 and designed by L. Murry Dixon. The three (3) story building is an outstanding example of the Art-Deco style with an asymmetrical front facade defined by a central entrance door and stairwell at the southwest corner, which projects slightly from the wall of the structure. An ordered array of windows and eyebrows flank this entry feature.

All three (3) buildings are representative of the rich diversity of structures and architectural styles that have evolved within the City's Historic Districts and the current proposal to restore these buildings to their original configuration is essential to the future understanding of the development of architecture in Miami Beach. The requested waivers pertaining to the main hotel

November 9, 2009
Page 2 of 2
1817 – 1835 James Avenue

entrance, vertical accessibility to some of the lobby spaces and some of the upper floors, and accessibility to portions of the outside courtyards are critical to these restoration efforts. The potential of creating elevator shafts on the exterior by these buildings and then connecting to them by either a bridge or by direct attachment would be detrimental to the historical exterior of these buildings.

The subject structures are all qualified historic buildings under the federal ADA regulations, the ADA Accessibility Guidelines (ADAAG) and Chapter 11 of the Florida Building Code.

If you should have any additional questions regarding the historic characteristics and attributes of the property, please do not hesitate to contact me.

Sincerely

A handwritten signature in black ink, appearing to read 'Thomas R. Mooney', with a long, sweeping flourish extending to the right.

Thomas R. Mooney, AICP
Design & Preservation Manager

TRM:tm

F:\PLAN\5ALLIGEN_CORR\ACCESSIBILITY WAIVERS\TM-FBC 1817 JAMES AVE.DOCX



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PESTANA
Miami • South Beach • USA

PRELIMINARY BUDGET

	1817 James Ave	1831 James Ave	1835 James Ave	Totals
	54 UNITS	11 UNITS	34 UNITS	99 UNITS
GROSS AREA	23088 Sq. Ft	7816.65 Sq. Ft	14620.02 Sq. Ft	45524.67 Sq. Ft
DIVISION 1 & 2	GLOBAL ---> \$ 450,000.00			
DIVISION 3	\$ 32,749.00	\$ 51,717.00	\$ 17,509.00	\$ 101,975.00
DIVISION 4	\$ 13,132.00	\$ 53,537.00	\$ 9,812.00	\$ 76,481.00
DIVISION 5	\$ 16,374.00	\$ 25,859.00	\$ 8,756.00	\$ 50,989.00
DIVISION 6	\$ 64,646.00	\$ 21,887.00	\$ 40,936.00	\$ 127,469.00
DIVISION 7	\$ 38,788.00	\$ 13,132.00	\$ 24,562.00	\$ 76,482.00
DIVISION 8	\$ 103,434.00	\$ 35,019.00	\$ 65,498.00	\$ 203,951.00
DIVISION 9	\$ 155,151.00	\$ 52,528.00	\$ 98,247.00	\$ 305,926.00
DIVISION 10	\$ 25,859.00	\$ 8,755.00	\$ 16,375.00	\$ 50,989.00
DIVISION 11				
DIVISION 12				
DIVISION 13	\$ 193,939.00	\$ 65,660.00	\$ 122,808.00	\$ 382,407.00
DIVISION 14	\$ 15,494.00	\$ -	\$ 10,000.00	\$ 25,494.00
DIVISION 15	\$ 323,232.00	\$ 109,433.00	\$ 204,680.00	\$ 637,345.00
DIVISION 16	\$ 258,586.00	\$ 87,546.00	\$ 163,744.00	\$ 509,876.00
Totals	\$ 1,292,928.00	\$ 437,732.00	\$ 818,721.00	\$ 2,549,384.00

The attached preliminary budget is an approximate evaluation of the costs associated with the scope of work as intended at this time – November 5th, 2009 - This estimate represents the Architect's judgment as a design professional familiar with the construction industry. It is recognized, however, that neither the Architect nor the owner has control over the cost of labor, materials or equipment, over the contractor's methods of determining bid prices or over competitive bidding market or negotiating conditions. Accordingly, the Architect cannot and does not warrant or represent that bids or negotiated prices will not vary from the owner's project budget or from any estimate of Construction Cost or evaluation prepared or agreed to by the Architect.

The above content will stand as written, unless written corrections are received at the architect's office within a period of five (5) working days from the date of this document. If you have any questions please call our office. Thank you.



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<u>Division 1</u>	<u>General requirements</u>
<u>Division 2</u>	<u>Site Construction</u>
<u>Division 3</u>	<u>Concrete</u>
03050 Basic Concrete Materials and Methods 03100 Concrete Forms and Accessories 03200 Concrete Reinforcement 03300 Cast-in-Place Concrete 03900 Concrete Restoration and Cleaning	
<u>Division 4</u>	<u>Masonry</u>
04050 Basic Masonry Materials and Methods 04200 Masonry Units 04800 Masonry Assemblies 04900 Masonry Restoration and Cleaning	
<u>Division 5</u>	<u>Metals</u>
05050 Basic Metal Materials and Methods 05500 Metal fabrications 05900 Metal Restoration and Cleaning	
<u>Division 6</u>	<u>Wood and Plastics</u>
06100 Rough Carpentry 06900 Wood and Plastic restoration and Cleaning	
<u>Division 7</u>	<u>Thermal and Moisture Protection</u>
07050 Basic Thermal and Moisture Protection Materials and Methods 07100 Damproofing and Waterproofing 07200 Thermal Protection 07500 Membrane Roofing 07600 Flashing and Sheet Metal 07700 Roof Specialties and Accessories 07800 Fire and Smoke protection	
<u>Division 8</u>	<u>Doors and Windows</u>
08100 Metal Doors and Frames 08200 Wood and Plastic Doors 08400 Entrances and Storefronts 08500 Windows 08700 Hardware	



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Division 9

Finishes

- 09050 Basic Finish Materials and Methods
- 09200 Plaster and Gypsum Board
- 09300 Tile
- 09500 ceilings
- 09600 Flooring
- 09700 Wall Finishes
- 09800 Acoustical treatment
- 09900 Paints and Coatings

Division 10

Specialties

- 10200 Louvers and vents
- 10240 Grilles and Screens
- 10350 Flagpoles
- 10750 Telephone Specialties
- 10800 Toilet, Bath, and laundry Specialties

Division 11

Equipment

Division 12

Furnishings

Division 13

Special Construction

- 13700 Security Access and Surveillance
- 13850 Detection and Alarm
- 13900 Fire Suppression

Division 14

Conveying Systems

- 14400 Lifts

Division 15

Mechanical

- 15050 Basic Mechanical Materials and Methods
- 15300 Fire protection Piping
- 15400 Plumbing Fixtures and Equipment
- 15500 Heat-Generation Equipment
- 15700 Heating, Ventilation, and Air Conditioning Equipment
- 15800 Air Distribution
- 15900 HVAC Instrumentation and Controls
- 15950 testing, Adjusting, and Balancing

Division 16

Electrical

- 16050 Basic Electrical Materials and Methods
- 16100 Wiring Methods
- 16200 Electrical Power
- 16300 Transmission and Distribution
- 16400 Low-Voltage Distribution
- 16500 Lighting
- 16700 Communications
- 16800 Sound and Video

CFN 2009R0525240 DR BK 26947 Pgs 1683 - 1691; (Pg 95)
RECORDED 07/21/2009 09:27:18
HARVEY RUVIN, CLERK OF COURT, MIAMI-DADE COUNTY, FLORIDA

HISTORIC PRESERVATION BOARD
City of Miami Beach, Florida

MEETING DATE: May 12, 2009
FILE NO: 6512
PROPERTY: 1817 - 1835 James Avenue
LEGAL: Lots 10, 11, & 12, the north half of lot 13 and the west 25 feet of lot 4, all in Block 2 of Fishers First Subdivision of Alton Beach according to the plat thereof as recorded in Plat Book 2 at page 77 of the public records of Miami-Dade County, Florida.

IN RE: The Application for a Certificate of Appropriateness for the partial demolition, alteration, renovation and rehabilitation of three (3) existing structures, inclusive of a one level roof-top addition on the 2-story structure located at 1831 James Avenue, as part of a new hotel development.

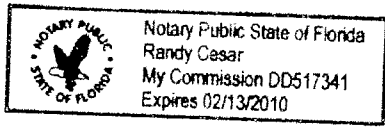
ORDER

The applicant, Pestana Miami LLC., filed an application with the City of Miami Beach Planning Department for a Certificate of Appropriateness.

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

- A. The subject structures are classified as 'Contributing' in the Miami Beach Historic Properties Database and are located within the Museum Local Historic District and the National Register Architectural District.
- 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 consistent with the Certificate of Appropriateness Criteria in Section 118-564(a)(1) of the Miami Beach Code, is consistent with the Certificate of Appropriateness Criteria in Section 118-564(a)(2) of the Miami Beach Code, is not consistent with Certificate of Appropriateness Criteria 'b' in Section 118-564(a)(3) of the Miami Beach Code and is not consistent with Certificate of Appropriateness Criteria 8 & 9 in Section 118-564(f)(4) of the Miami Beach Code.
- C. The project would be consistent with the criteria and requirements of section 118-564 if the following conditions are met:

CERTIFICATION
THIS IS TO CERTIFY THAT THE ATTACHED DOCUMENT IS A TRUE AND ACCURATE COPY OF THE ORIGINAL ON FILE IN THE OFFICE OF THE PLANNING DEPARTMENT, CITY OF MIAMI BEACH
Randy Cesar 5-19-09
(Signature of Planning Director/Designee: _____) (Date)
Personally known to me or Produced ID: _____
Randy Cesar
Notary Public, State of Florida at Large
Printed Name: _____
My Commission Expires: (Seal)
This document contains 7 pages.



Randy Cesar
9-3

1. Revised elevation, site plan and floor plan drawings shall be submitted to and approved by staff; at a minimum, such drawings shall incorporate the following:
 - a. All significant interior and exterior features and finishes for all three (3) structures shall be fully retained, preserved and restored, including but not limited to terrazzo floors, railings, stucco reveals, eyebrows, ceiling moldings, and decorative exterior vents. Fully detailed interior floor plans, inclusive of color photos, for all three (3) structures shall be required, which clearly delineate all proposed modifications and restorative work.
 - b. The proposed windows at the northwest corner of 1835 James Avenue shall be revised to match the original window configurations, subject to the review and approval of staff.
 - c. On the north elevation of 1835 James Avenue, the proposed stair enclosure shall be offset a minimum of 2" from the exterior elevation, and additional fenestration shall be added that is compatible with the existing window configurations, subject to the review and approval of staff.
 - d. In the lobby of 1817 James Avenue, there shall be a clear delineation between the existing terrazzo floor and the new terrazzo floor pattern extension on the north end of the lobby leading to the new set of exterior double doors, in a manner to be reviewed and approved by staff.
 - e. All thru-wall and window a/c units shall be eliminated.
 - f. Existing concrete eyebrows shall be restored, and shall not be extended or removed from the existing building elevations.
 - g. All roof-top fixtures, air-conditioning units and mechanical devices shall be clearly noted on a revised roof plan and shall be screened from view, in a manner to be approved by staff.
 - h. 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, prepared by a Professional Landscape Architect, registered in the State of Florida, 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. All exterior walkways shall consist of decorative pavers, decorative concrete or other decorative material, subject to the review and approval of staff.
 - b. 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.

- c. 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; such fixtures and devices shall not be permitted within any required yard or any area fronting a street or sidewalk. 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 site and landscape plans and shall be subject to the review and approval of staff.
 - d. The applicant shall verify, prior to the issuance of a Building Permit, the exact location of all applicable FPL transformers or vault rooms; such transformers and vault rooms, and all other related devices and fixtures, shall not be permitted within any required yard or any area fronting a street or sidewalk. The location of any exterior transformers, and how they are screened with landscape material from the right-of-way, shall be clearly indicated on the site and landscape plans and shall be subject to the review and approval of staff.
 - e. Prior to the issuance of a Certificate of Occupancy, the Landscape Architect for 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.
3. All building signage shall be consistent in type, composed of flush mounted, non-plastic, individual letters and shall require a separate permit.
 4. The final exterior surface color scheme, including color samples, shall be subject to the review and approval of staff and shall require a separate permit.
 5. The Historic Preservation Board (HPB) or the Planning Director shall retain the right to call the owners and/or operators back before the HPB, at the expense of the owners and/ or operators, to impose and/or modify the hours of operation, and the placement or use on the property of exterior loudspeakers, fixed or portable, or amend or impose other conditions, should there be a valid violation (as determined by Code Compliance) about loud, excessive, unnecessary, or unusual noise or other conditions of this approval. An adverse adjudication of a violation against the owner or operator is not necessary for the board to have jurisdiction over the matter under this condition. This condition vests jurisdiction independent of any other condition hereof.
 6. A traffic mitigation plan, which addresses all roadway Level of Service (LOS) deficiencies relative to the concurrency requirements of the City Code, if required, shall be submitted prior to the issuance of a Building Permit and the final building plans shall meet all other requirements of the Land Development Regulations of the City Code.
 7. All new and altered elements, spaces and areas shall meet the requirements of the Florida Accessibility Code (FAC).
 8. The project shall comply with any landscaping or other sidewalk/street improvement standards as may be prescribed by a relevant Urban Design Master Plan approved prior to the completion of the project and the issuance of a Certificate of Occupancy. Specifically, all streetscape, sidewalk and landscape improvements in the public rights-of-way along the

Collins Avenue shall be consistent with the approved CIP plans for this area and shall be paid for at the sole expense of the applicant, prior to the issuance of a CO.

9. Revised drawings, with corresponding color photographs, that are separate from the construction documents, drawn to scale and clearly documenting the existing conditions of the subject building, shall be submitted. Such drawings and photographs shall include all four elevations and interior floor plans of the building, as well as a site plan.
10. An historic analysis of the existing structure, inclusive of a photographic and written description of the history and evolution of the original building on site, shall be submitted to and approved by staff, prior to the issuance of a Building Permit; such historic analysis shall be displayed prominently within the public area of the structure, in a location to be determined by staff.
11. The applicant may be required to submit a separate analysis for water and sewer requirements, at the discretion of the Public Works Director, or designee. Based on a preliminary review of the proposed project, the following may be required by the Public Works Department:
 - a. A traffic and neighborhood impact study shall be conducted as a means to measure a proposed development's impact on transportation and neighborhoods. The study shall address all roadway Level of Service (LOS) deficiencies relative to the concurrency requirements of the City Code, and if required, shall be submitted prior to the issuance of a Building Permit. The final building plans shall meet all other requirements of the Land Development Regulations of the City Code. The developer shall refer to the most recent City of Miami Beach's Traffic and Neighborhood Impact Methodology as issued by the Public Works Department.
 - b. Remove/replace sidewalks, curbs and gutters on all street frontages, if applicable. Unless otherwise specified, the standard color for city sidewalks is red, and the standard curb and gutter color is gray.
 - c. Mill/resurface asphalt in rear alley along property, if applicable.
 - d. Provide underground utility service connections and on-site transformer location, if necessary.
 - e. Provide back-flow prevention devices on all water services.
 - f. Provide on-site, self-contained storm water drainage for the proposed development.
 - g. Meet water/sewer concurrency requirements including a hydraulic water model analysis and gravity sewer system capacity analysis as determined by the Department and the required upgrades to water and sewer mains servicing this project.
 - h. Payment of City utility impact fees for water meters/services.

- i. Provide flood barrier ramps to underground parking or minimum slab elevation to be at highest adjacent crown road elevation plus 8".
 - j. Right-of-way permit must be obtained from Public Works.
 - k. All right-of-way encroachments must be removed.
 - l. All planting/landscaping in the public right-of-way must be approved by the Public Works and Parks Departments.
12. At the time of completion of the project, only a Final Certificate of Occupancy (CO) or Final Certificate of Completion (CC) may be applied for; the staging and scheduling of the construction on site shall take this into account. All work on site must be completed in accordance with the plans approved herein, as well as by the Building, Fire, Planning, CIP and Public Works Departments, inclusive of all conditions imposed herein, and by other Development Review Boards, and any modifications required pursuant to field inspections, prior to the issuance of a CO or CC. This shall not prohibit the issuance of a Partial or Temporary CO, or a Partial or Temporary CC.
13. The Final Order shall be recorded in the Public Records of Miami-Dade County, prior to the issuance of a Building Permit.
14. 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.
15. The conditions of approval herein are binding on the applicant, the property's owners, operators, and all successors in interest and assigns.

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 by the Board, that the Certificate of Appropriateness is GRANTED for the above-referenced project subject to those certain conditions specified in paragraph C of the Findings of Fact (Condition Nos. 1-15, inclusive) hereof, to which the applicant has agreed.

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 a Certificate of Appropriateness 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.

Page 7 of 7
HPB File No. 6512
Meeting Date: May 12, 2009

Approved As To Form:
Legal Department: *J. Held* (5-14-09)

Filed with the Clerk of the Historic Preservation Board on 5-15-09 (RC)

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J. Held



MIAMI BEACH

City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139. www.miamibeachfl.gov

PLANNING DEPARTMENT
Tel: 305-673-7550, Fax: 305-673-7559

June 5, 2009

Mr. James Mackenzie
Architecture Works, LLC.
300 71st Street
Suite 528
Miami Beach, FL 33141

RE: HPB File No. 6512
1817-1835 James Avenue

Dear Mr. Mackenzie:

I am writing in response to your May 27, 2009 correspondence regarding the above noted project, which was approved by the Historic Preservation Board on May 12, 2009. Pursuant to our field meeting of May 26, 2009, please be advised of the following:

1. Condition 1.a of the May 12, 2009 Final Order for the project shall not apply to the lobby staircase at 1831 James Avenue, as this is not an original lobby staircase, and has not acquired any architectural or historic significance. Such staircase may be demolished in a manner consistent with the drawings approved by the Board.
2. The proposed demolition of the interior stairwells at 1837 and 1839 James Avenue shall be permitted.

If you have any questions with regard to this matter, please contact me.

Sincerely,

THOMAS R. MOONEY, AICP
Design and Preservation Manager

C: HPB File No. 6512

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May 27th, 2009

City of Miami Beach
Historic Preservation Board
Mr. Thomas Mooney,
Design and Preservation Manager for the Chair
1700 Convention Center Drive
Miami Beach, FL 33139

RE: HPB File No. 6512
1817, 1831 & 1835 James Ave

Dear Mr. Mooney:

In reference to our on-site meeting of May 26th, 2009 to receive clarification on the conditions stated by the final order for the Historic Preservation Board file number 6512, we hereby would like to confirm that the order is in fact approving the project as it was shown in the plans presented and approved at the Historic Preservation Board Public Hearing on May 12th, 2009.

This firm, as well as the property owner accept all the conditions stated by the final order with the following clarifications of concept; as such, the following conditions shall be exempt from the staff interpretation of significant interior features and finishes as expressed in item (1.a)** of the final order:

- The demolition and replacement of the front wood-stairwell in 1831 James Ave,
- The demolition and replacement of the wood stairwells currently giving access to the 1837 and 1839 James Ave buildings, to provide for accommodations to address accessibility requirements.

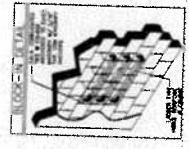
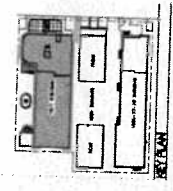
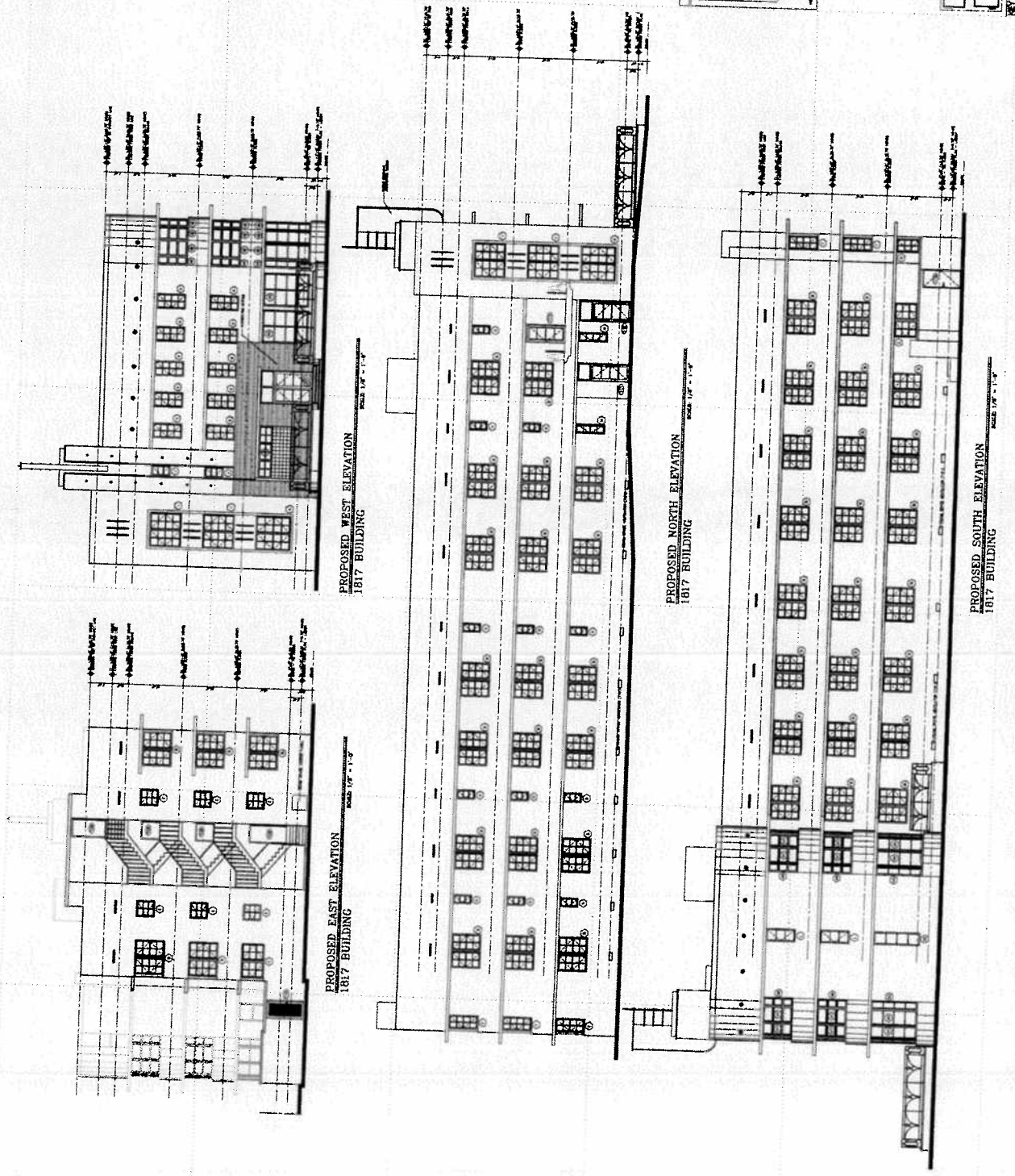
Hence, the final order, as well as this letter will be recorded in the Public records of Miami-Dade County, prior to the issuance of a Building Permit for the project.


Respectfully,

James Mackenzie, A.I.A., Architect
for Architecture Works LLC - AA26000881 and for
Pestana Miami LLC, the applicant.

** " 1.a. All significant interior and exterior features and finishes for all three (3) structures shall be fully retained, preserved and restored, including but not limited to terrazzo floors, railings, stucco reveals, eyebrows, ceiling moldings, and decorative exterior vents. Fully detailed interior floor plans, inclusive of color photos, for all three (3) structures shall be required, which clearly delineate all proposed modifications and restorative work."


The above content will stand as written, unless written corrections are received at the architect's office within a period of five (5) working days from the date of this document. If you have any questions please call our office. Thank you.

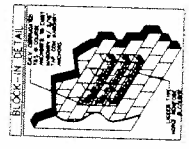
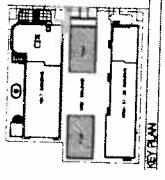


 architectureworks	PROJECT NO. 09-001 SHEET NO. 1817-01 DATE 11/5/09	Restana Building Renovation MIAMI - South Beach - USA	REST A3.1
	HOTELS & RESORTS ARCHITECTUREWORKS LLC 1817-1821-1823-1825-1827-1829 James Avenue, Miami Beach, FL 33139 <small>© 2009 Architectureworks LLC. All rights reserved. No part of this document may be reproduced without the written permission of Architectureworks LLC.</small>		

SCOPE OF WORK
 The drawings are prepared for the purpose of obtaining a building permit for the proposed building renovation. The drawings do not constitute a contract. The contractor shall be responsible for obtaining all necessary permits and for the construction of the building in accordance with the approved drawings and applicable building codes.

GENERAL NOTES
 1. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
 2. REFER TO THE ARCHITECT'S GENERAL NOTES FOR A COMPLETE LIST OF MATERIALS AND FINISHES.
 3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND FOR THE CONSTRUCTION OF THE BUILDING IN ACCORDANCE WITH THE APPROVED DRAWINGS AND APPLICABLE BUILDING CODES.

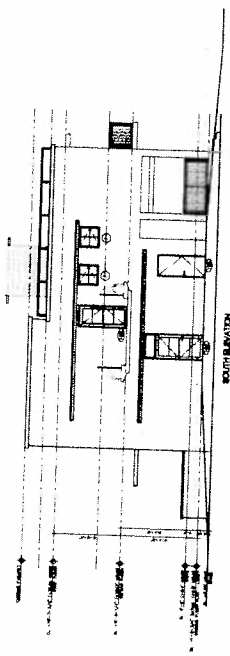
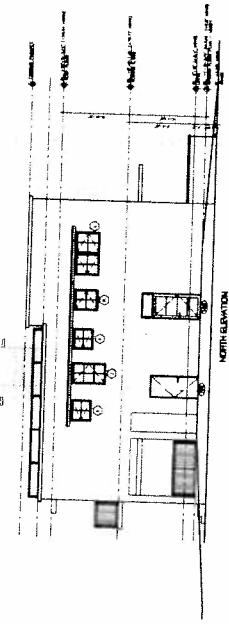
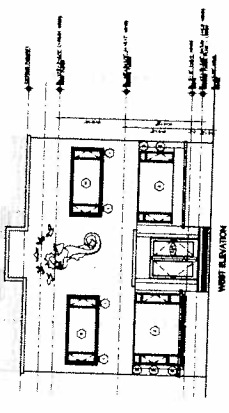
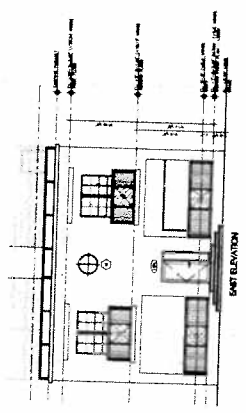
 architectureworks	ARCHITECTUREWORKS, LLC 1817-1821-1825-57-59 South Avenue, Miami Beach, FL 33139 PHONE: 305-673-1111 FAX: 305-673-1112 WWW: www.architectureworks.com	A3.2 SHEET 1 11/5/2009
	Postcard Miami - South Beach - USA HOTELS & RESORTS ARCHITECTUREWORKS, LLC	PROJECT INFORMATION PROJECT NO.: 09-001 PROJECT NAME: 1831 BUILDING RENOVATION CLIENT: POSTCARD DATE: 11/5/2009



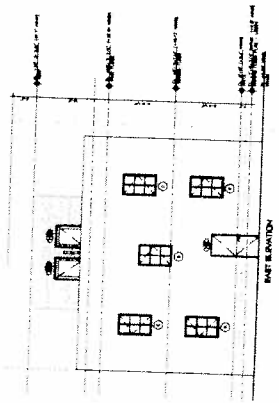
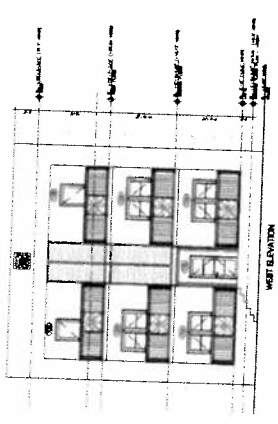
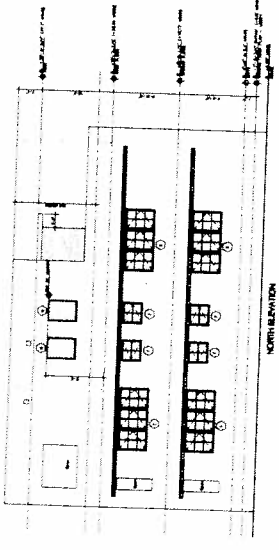
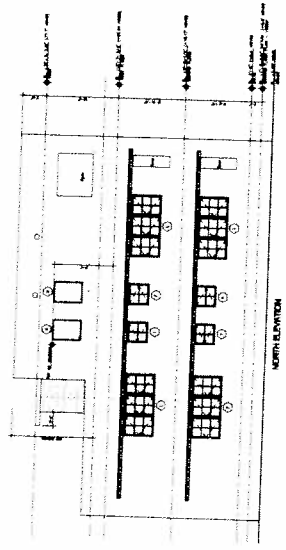
SCOPE OF WORK

1. DEMOLITION OF EXISTING STRUCTURE AND FOUNDATION.
 2. CONSTRUCTION OF NEW FOUNDATION AND STRUCTURE.
 3. INTERIOR FINISHES INCLUDING PARTITION WALLS, CEILING, AND FLOORING.
 4. EXTERIOR FINISHES INCLUDING CURB, WALKWAYS, AND LANDSCAPING.

PROPOSED ELEVATION (Front Building)
 1831 BUILDING
 SCALE: 1/8" = 1'-0"

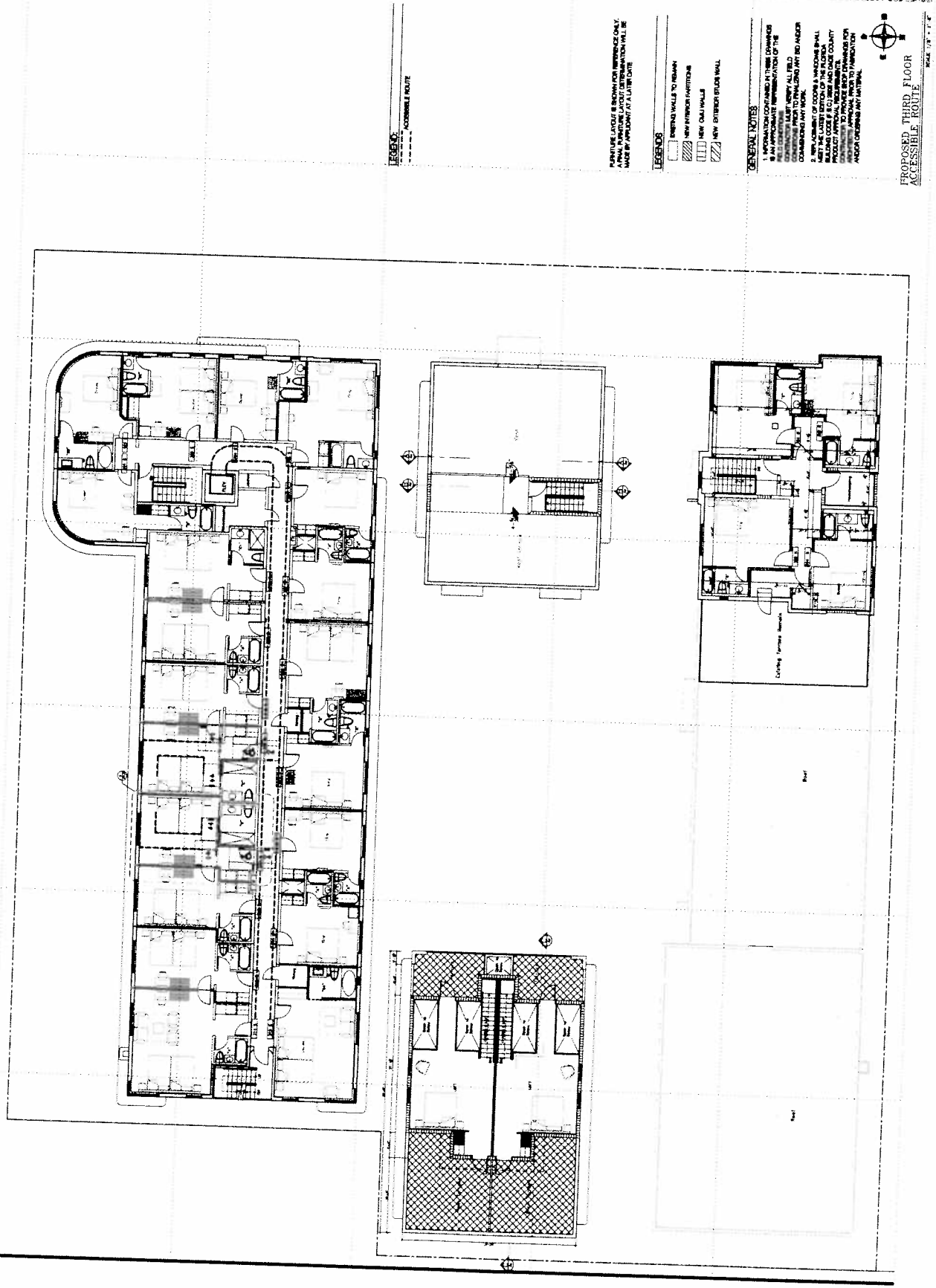


PROPOSED ELEVATION (Rear Building)
 1831 BUILDING
 SCALE: 1/8" = 1'-0"





DATE	DESCRIPTION



REVISIONS TO THIS DRAWING SHALL BE MADE BY A REGISTERED PROFESSIONAL ARCHITECT OR AN ARCHITECT UNDER THE CLOSE SUPERVISION OF ONE.

- LEGENDS**
- [Symbol] EXISTING WALLS TO REMAIN
 - [Symbol] NEW INTERIOR PARTITIONS
 - [Symbol] NEW GLASS WALLS
 - [Symbol] NEW GLASS CURTAIN WALL

GENERAL NOTES

1. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITION OF THE INTERNATIONAL BUILDING CODE (IBC) AND THE LATEST EDITION OF THE INTERNATIONAL PLUMBING AND MECHANICAL CODE (IMC) AND THE LATEST EDITION OF THE NATIONAL ELECTRICAL CODE (NEC) AND THE LATEST EDITION OF THE NATIONAL FIRE ALARM AND SIGNALING CODE (NFPA).
2. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITION OF THE INTERNATIONAL BUILDING CODE (IBC) AND THE LATEST EDITION OF THE INTERNATIONAL PLUMBING AND MECHANICAL CODE (IMC) AND THE LATEST EDITION OF THE NATIONAL ELECTRICAL CODE (NEC) AND THE LATEST EDITION OF THE NATIONAL FIRE ALARM AND SIGNALING CODE (NFPA).
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PROPOSED THIRD FLOOR ACCESSIBLE ROUTE

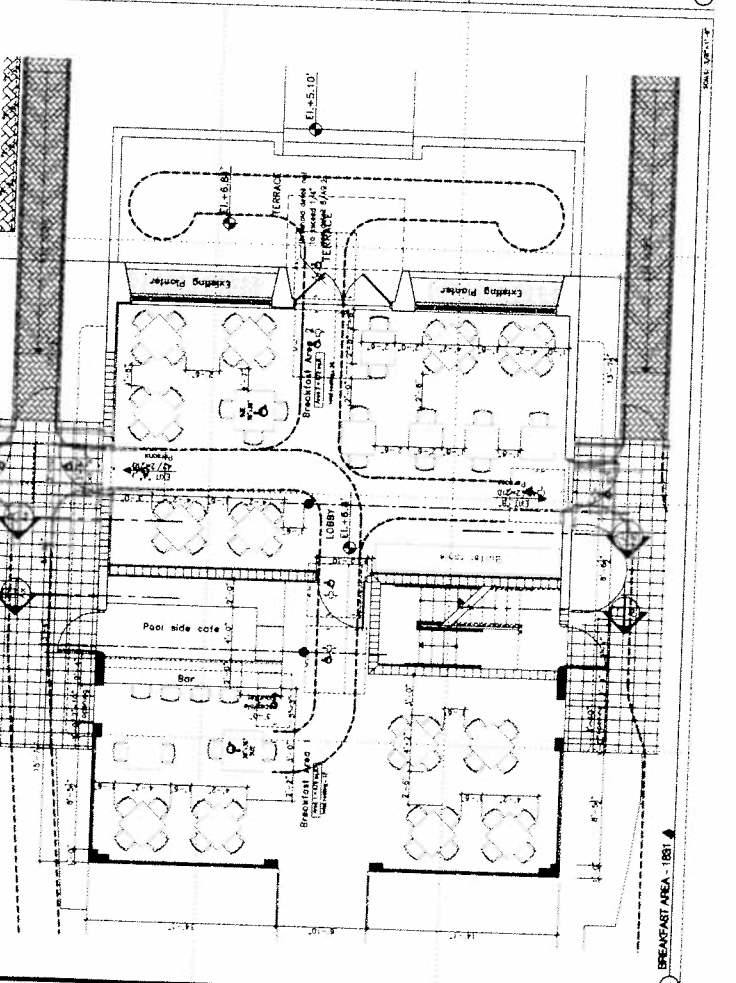
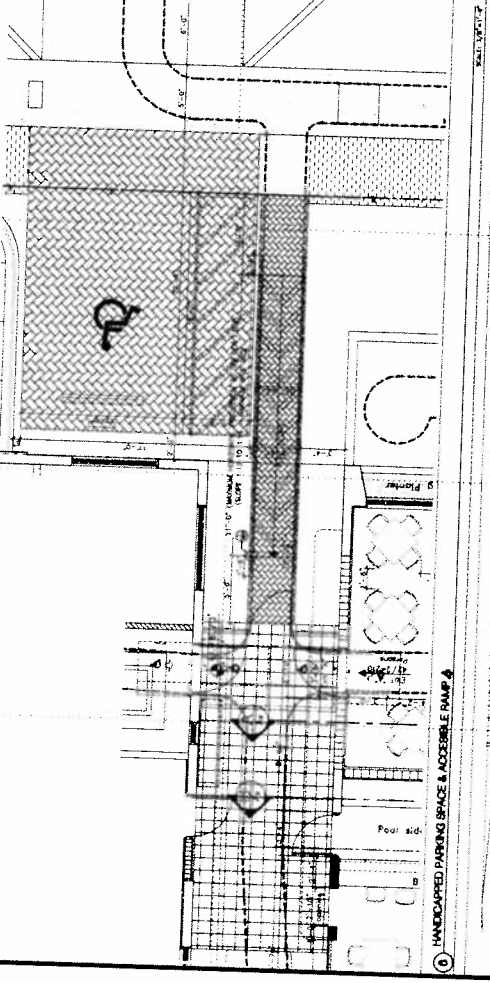
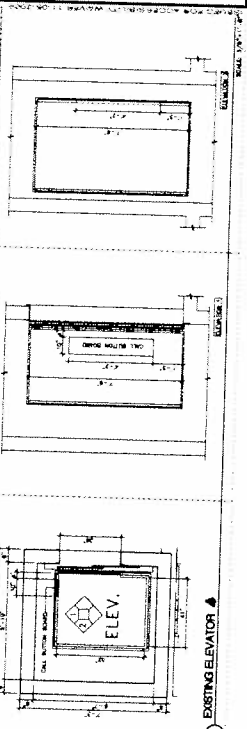
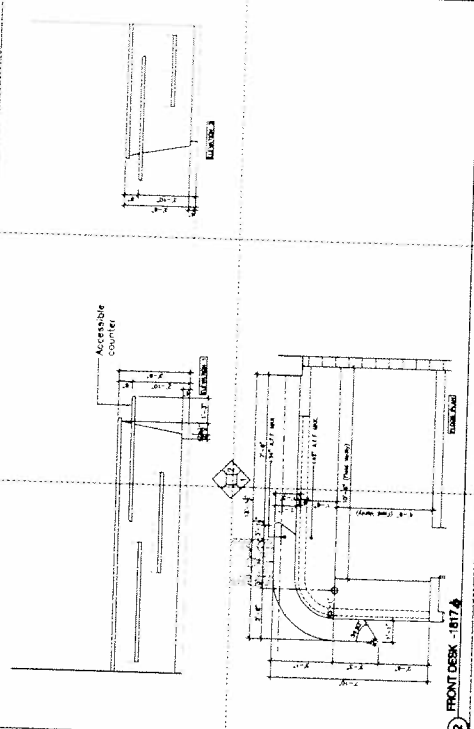
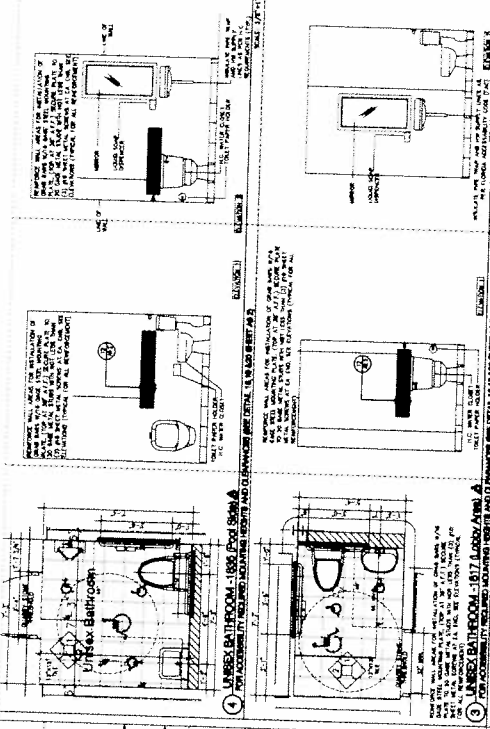


DATE: 08/14/17
 DRAWN BY: [Name]
 CHECKED BY: [Name]
 PROJECT: [Name]



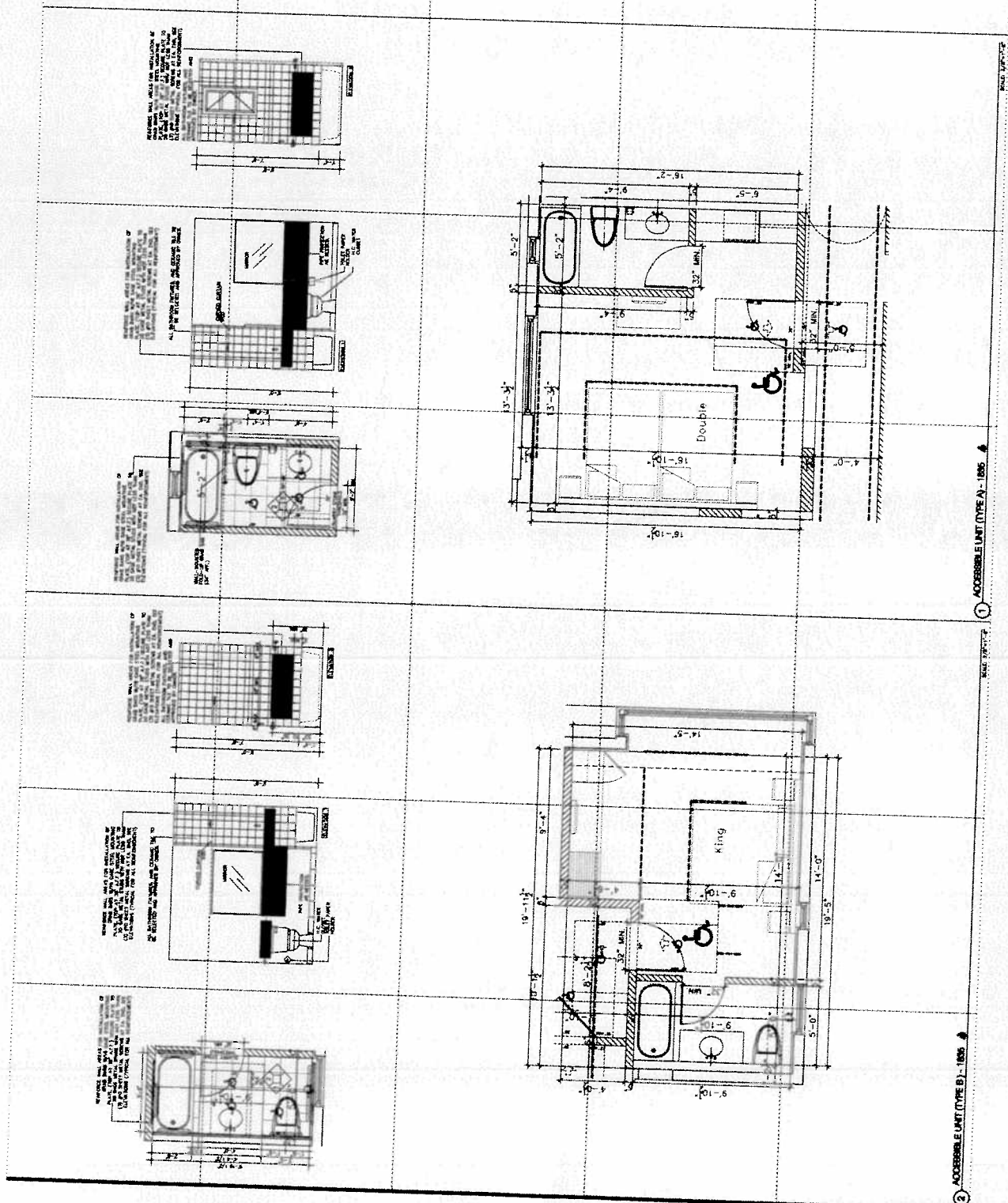
Pastana
 HOTELS & RESORTS
 ARCHITECTUREWORKS, LLC
 Building Renovation
 MIAMI - South Beach - USA
 1817-1827-1835-21-28 Avenue Beach, Fort Beach, FL 33139

A4.0
 SHEET





DATE	DESCRIPTION



① ACCESSIBLE UNIT (TYPE A) - 1836

② ACCESSIBLE UNIT (TYPE B) - 1836

REVISIONS: 1. ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE. 2. ALL WALLS ARE 1/2" THICK UNLESS NOTED OTHERWISE. 3. ALL DOORS ARE 36" WIDE UNLESS NOTED OTHERWISE. 4. ALL CLEARANCES ARE AS SHOWN UNLESS NOTED OTHERWISE. 5. ALL FINISHES ARE AS SHOWN UNLESS NOTED OTHERWISE. 6. ALL FIXTURES AND EQUIPMENT ARE AS SHOWN UNLESS NOTED OTHERWISE. 7. ALL MATERIALS AND METHODS OF CONSTRUCTION SHALL BE AS APPROVED BY THE ARCHITECT.

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MIAMI BEACH

City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139. www.miamibeachfl.gov

PLANNING DEPARTMENT
Tel: 305-673-7550, Fax: 305-673-7559

November 6, 2009

Members of the Florida Building Commission & Accessibility Advisory Council
c/o Mary-Kathryn Smith
Office of Codes and Standards
Florida Department of Community Affairs
2555 Shumard Oaks Boulevard
Tallahassee, Florida 32399-2100

Re: 1817, 1831 & 1835 James Avenue, Miami Beach: Application for Accessibility Waiver

Dear Mary-Kathryn and Members of the Commission and Council:

I am writing to you in support of the accessibility waiver application for 1817, 1831 & 1835 James Avenue. This particular application consists of three (3) separate structures, all of which are classified as 'Contributing' in the Miami Beach Historic Properties Database, and are located within the Museum Local Historic District and the National Register Architectural District.

The building located at 1817 James Avenue, the Hotel Miljean, was constructed in 1940 and designed by noted period Architect L. Murry Dixon. The three (3) story building is an outstanding example of the Streamline Moderne style incorporating a sweeping curve on its south side, which is augmented by a strong vertical anchor on the north side. The structure is further characterized by continuous "eyebrows" and a vertical sign pylon, extended above the parapet.

The structure at 1831 James Avenue, the Miljean Apartments, was constructed in 1952 and designed by Gerald Pitt. The building is a good example of Post-War Modern apartment architecture common in Miami Beach just after World War II. The Structure is defined by a central entrance way and terrace, which incorporates a field stone veneer at the first level. Just above the entrance doors is a decorative mermaid ornamentation and a central, stepped parapet.

The structure at 1835 James Avenue, the Miljean Court (originally the Stephan Ross), was constructed in 1947 and designed by L. Murry Dixon. The three (3) story building is an outstanding example of the Art-Deco style with an asymmetrical front facade defined by a central entrance door and stairwell at the southwest corner, which projects slightly from the wall of the structure. An ordered array of windows and eyebrows flank this entry feature.

All three (3) buildings are representative of the rich diversity of structures and architectural styles that have evolved within the City's Historic Districts and the current proposal to restore these buildings to their original configuration is essential to the future understanding of the development of architecture in Miami Beach. The requested waivers pertaining to the main hotel

November 6, 2009
Page 2 of 2
1817 – 1835 James Avenue

entrance, vertical accessibility to some of the lobby spaces and some of the upper floors, and accessibility to portions of the outside courtyards are critical to these restoration efforts.

The subject structures are all qualified historic buildings under the federal ADA regulations, the ADA Accessibility Guidelines (ADAAG) and Chapter 11 of the Florida Building Code.

If you should have any additional questions regarding the historic characteristics and attributes of the property, please do not hesitate to contact me.

Sincerely

Thomas R. Mooney, AICP
Design & Preservation Manager

TRM:tm
F:\PLANIS\ALLIGEN_CORR\ACCESSIBILITY WAIVERS\TM-FBC 1817 JAMES AVE.DOCX

**STATE OF FLORIDA
BUILDING COMMISSION**

In the Matter of
Pestana Hotel and Resorts
Miami beach, FL 33139

No. DCA09-HC-416

Pestana Miami LLC
Petitioner.

FINAL ORDER

The Application for Waiver by Petitioner, Pestana Miami LLC, came for consideration before the State of Florida Building Commission (Commission) in accordance with Section 553.512(1), Florida Statutes, and Chapter 9B-7, Florida Administrative Code,¹ at the meeting of the Commission on December 9, 2009, upon a recommendation by the Accessibility Advisory Council (Council). At that meeting, the Commission made the following findings of fact:

1. The Owner is Pestana Miami LLC, c/o Mark Aronson, Holland & Knight. 701 Brickell Ave., # 3000, Miami, FL 33131.
2. The Applicant is Larry M. Schneider, AIA, 4905 Midtown Lane, Suite 2313, Palm Beach Gardens, FL 33418 (Applicant).
3. The Applicant appeared before the Council on December 7, 2009.
4. The Applicant seeks a waiver for renovation of 3 buildings being renovated to comprise a hotel. The buildings are located at 1835 (north building), 1831 (east building) and

¹ Unless otherwise indicated, all citations to Florida statutes refer to the 2009 codification of *Florida Statutes*, and all citations to Florida administrative rules refer to the latest version of the final adopted rule presented in *Florida Administrative Code*.

1817 (south building) James Avenue, Miami Beach FL, 33139. The buildings are of historic architectural significance.

5. The requirements from which the Applicant seeks a waiver are those in the Florida Americans with Disabilities Accessibility Implementation Act (“the Act”), Section 553.509, Florida Statutes, which require the Petitioner to provide vertical accessibility to all levels above and below the occupiable grade level of a building, structure, or facility. Specifically, the Applicant requests a waiver from providing vertical access to each floor of the three buildings being renovated. For the south building, the waiver is sought for providing access to the first-floor rooms and for enlarging the elevator cab size. For the east building the waiver is sought for providing access to second floor. For the north building the waiver is sought for providing access to the raised first-floor rooms at the east end and access to the second and third floors. The renovation will create a total of 99 rooms, requiring four to be accessible and one of the four to have roll-in shower. These requirements will be met. The Applicant provided information showing that the construction required to provide vertical access to each floor of each building would be detrimental to their historic exteriors and an extreme hardship.

6. Section 553.512(1), Florida Statutes provides for a waiver of the accessibility requirements set forth in Section 553.509, Florida Statutes, upon a determination of “unnecessary, unreasonable, or extreme hardship”.

9. Based upon the Council’s consideration of the foregoing information, the Applicant’s representations regarding project design and construction, and all applicable legal requirements, the Council members present recommended approval of a waiver for vertical accessibility based on extreme hardship.

Having considered the foregoing information, together with the recommendation of the Council, the Commission hereby agrees with the Council's recommendations, and concludes that action on the Application for Waiver be, and hereby is, GRANTED, upon the condition(s) stated above.

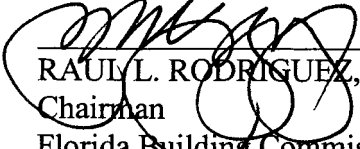
This Final Order is intended for the enforcement of the Florida Americans With Disabilities Accessibility Implementation Act, as amended, Section 553.501 et seq., Florida Statutes, and, other than as modified by this Final Order, any construction or post-construction activities which deviate from the requirements of that Act will be deemed to be a violation of this Final Order.

Responsibility for the enforcement of this Final Order and for enforcement of the Americans with Disabilities Accessibility Implementation Act shall rest with the Building Official of the local government with permitted authority for the project. §553.513, Fla. Stat. Nothing in this final Order shall be construed to relieve the Owner of any duties it may have under the Americans With Disabilities Act of 1990, Pub. L. No. 101-336, § 42 U.S.C. 12101 et seq., or other applicable regulations. Any waiver granted in this Final Order shall expire one (1) year from the date of the Order unless the construction has commenced within that time.

Petitioner and all other interested parties are hereby advised of their right to seek judicial review of this Order in accordance with Section 120.68(2)(a), Florida Statutes, and Florida Rules of Appellate Procedure 9.110(a) and 9.030(b)(1)(C). To initiate an appeal, a Notice of Appeal must be filed with Paula P. Ford, Clerk of the Commission, Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100 and with the appropriate District Court of Appeal not later than thirty (30) days after this Order is filed with the Clerk of the Commission. A Notice of Appeal filed with the District Court of Appeal shall be accompanied by the filing fee

specified by Section 35.22(3), Florida Statutes.

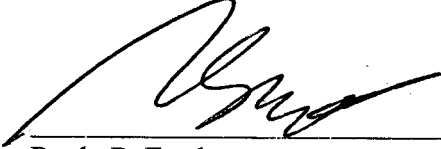
DONE AND ORDERED this 9th day of December, 2009, in Orlando, Florida.



RAUL L. RODRIGUEZ, AIA
Chairman
Florida Building Commission
Department of Community Affairs
Sadowski Building
2555 Shumard Oak Boulevard
Tallahassee, Florida 32399-2100

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing order has been filed with the undersigned Commission Clerk and furnished by U.S. Mail to the persons listed below this 10th day of January, 2010.



Paula P. Ford
Commission Clerk

Jack Humburg, M.A., C.R.C.
Chairman, Accessibility Advisory Council
Boley Centers, Inc.
839 13th Avenue North
Saint Petersburg, Florida 33701

Pestana Miami LLC
c/o Mark Aronson
Holland & Knight
701 Brickell Ave., # 3000
Miami, FL 33131.

Larry M. Schneider, AIA
4905 Midtown Lane, Suite 2313
Palm Beach Gardens, FL 33418

Restara
 MIAMI - South Beach - USA
Hotels & Resorts
 Building Renovation
ARCHITECTUREWORKS, LLC
 187-189, 181-183, 185-187 South Beach, FL 33139
 ARCHITECTUREWORKS

A1.2

REVISION NOTES

1. REVISED TO REFLECT THE FOLLOWING CHANGES:
 - [Detailed list of revisions follows]

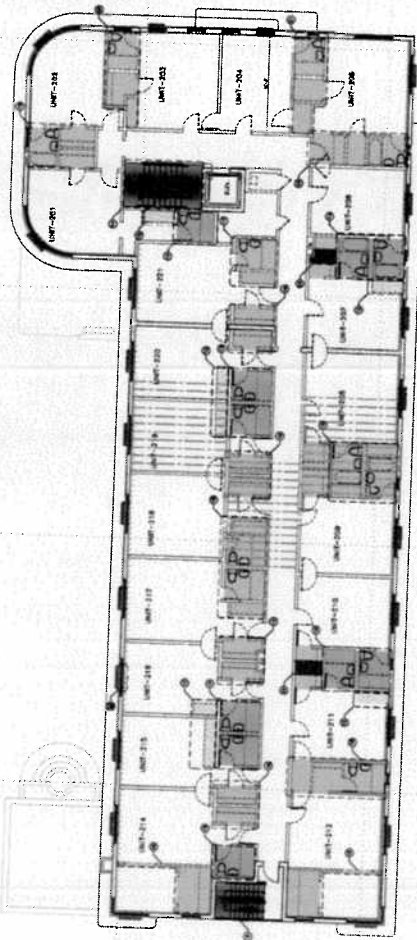
CLASSIFICATION OF WORK FOR THE BUILDING:
 Repair with a Historic Preservation Permit

Legend:

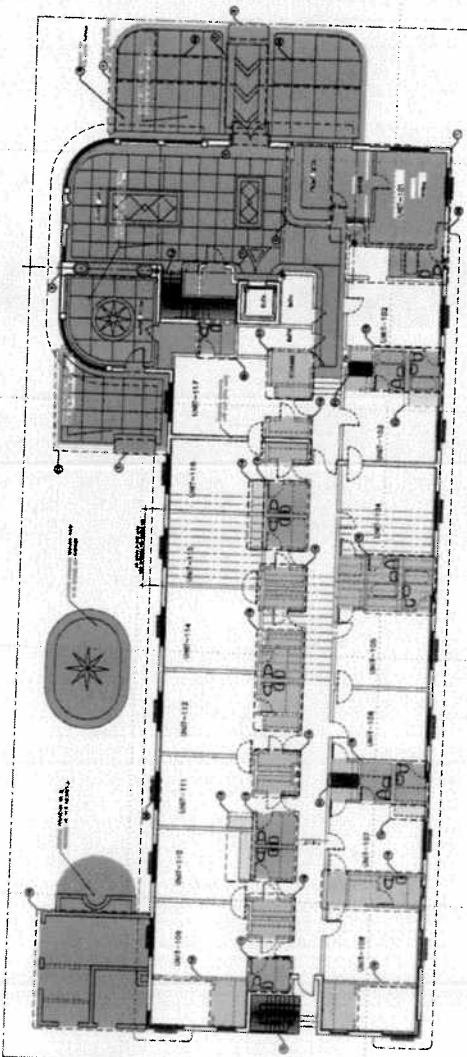
- New Construction
- Alteration Level 2 (Structural)
- Alteration Level 1 (Structural)
- Alteration Level 1 (Non-Structural)
- Repair

NOTES:


1. ALL WORK SHALL BE IN ACCORDANCE WITH THE HISTORIC PRESERVATION PERMIT AND THE FOLLOWING NOTES:
 - [Detailed notes regarding construction standards and materials follow]




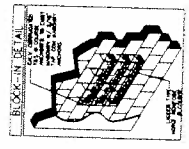
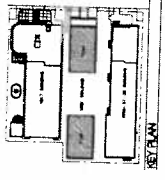
EXISTING/DEMOLITION SECOND FLOOR
 1817 BUILDING



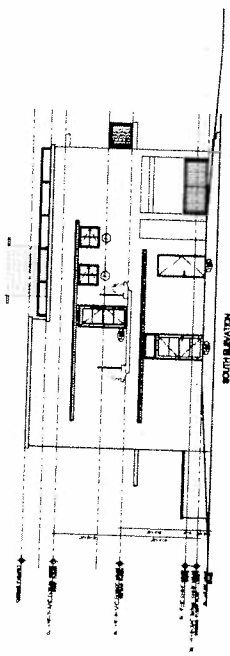
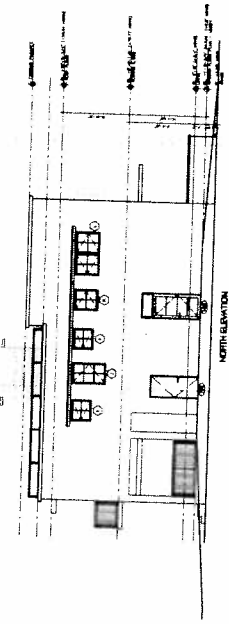
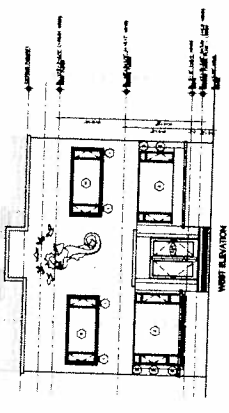
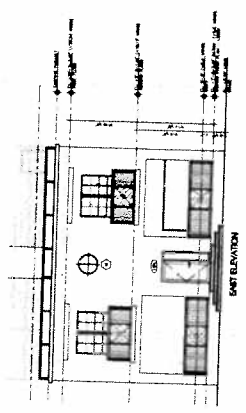
EXISTING/DEMOLITION GROUND FLOOR
 1817 BUILDING

 architectureworks	PROJECT NO. 09-001 SHEET NO. A3.1 DATE 01/15/09	Restana Building Renovation MIAMI - South Beach - USA	REST A3.1
	REST HOTEL & RESORTS ARCHITECTUREWORKS LLC 1871-1873-1875-1877-1879-1881-1883-1885-1887-1889-1891-1893-1895-1897-1899-1901-1903-1905-1907-1909-1911-1913-1915-1917-1919-1921-1923-1925-1927-1929-1931-1933-1935-1937-1939-1941-1943-1945-1947-1949-1951-1953-1955-1957-1959-1961-1963-1965-1967-1969-1971-1973-1975-1977-1979-1981-1983-1985-1987-1989-1991-1993-1995-1997-1999-2001-2003-2005-2007-2009-2011-2013-2015-2017-2019-2021-2023-2025-2027-2029-2031-2033-2035-2037-2039-2041-2043-2045-2047-2049-2051-2053-2055-2057-2059-2061-2063-2065-2067-2069-2071-2073-2075-2077-2079-2081-2083-2085-2087-2089-2091-2093-2095-2097-2099-2101-2103-2105-2107-2109-2111-2113-2115-2117-2119-2121-2123-2125-2127-2129-2131-2133-2135-2137-2139-2141-2143-2145-2147-2149-2151-2153-2155-2157-2159-2161-2163-2165-2167-2169-2171-2173-2175-2177-2179-2181-2183-2185-2187-2189-2191-2193-2195-2197-2199-2201-2203-2205-2207-2209-2211-2213-2215-2217-2219-2221-2223-2225-2227-2229-2231-2233-2235-2237-2239-2241-2243-2245-2247-2249-2251-2253-2255-2257-2259-2261-2263-2265-2267-2269-2271-2273-2275-2277-2279-2281-2283-2285-2287-2289-2291-2293-2295-2297-2299-2301-2303-2305-2307-2309-2311-2313-2315-2317-2319-2321-2323-2325-2327-2329-2331-2333-2335-2337-2339-2341-2343-2345-2347-2349-2351-2353-2355-2357-2359-2361-2363-2365-2367-2369-2371-2373-2375-2377-2379-2381-2383-2385-2387-2389-2391-2393-2395-2397-2399-2401-2403-2405-2407-2409-2411-2413-2415-2417-2419-2421-2423-2425-2427-2429-2431-2433-2435-2437-2439-2441-2443-2445-2447-2449-2451-2453-2455-2457-2459-2461-2463-2465-2467-2469-2471-2473-2475-2477-2479-2481-2483-2485-2487-2489-2491-2493-2495-2497-2499-2501-2503-2505-2507-2509-2511-2513-2515-2517-2519-2521-2523-2525-2527-2529-2531-2533-2535-2537-2539-2541-2543-2545-2547-2549-2551-2553-2555-2557-2559-2561-2563-2565-2567-2569-2571-2573-2575-2577-2579-2581-2583-2585-2587-2589-2591-2593-2595-2597-2599-2601-2603-2605-2607-2609-2611-2613-2615-2617-2619-2621-2623-2625-2627-2629-2631-2633-2635-2637-2639-2641-2643-2645-2647-2649-2651-2653-2655-2657-2659-2661-2663-2665-2667-2669-2671-2673-2675-2677-2679-2681-2683-2685-2687-2689-2691-2693-2695-2697-2699-2701-2703-2705-2707-2709-2711-2713-2715-2717-2719-2721-2723-2725-2727-2729-2731-2733-2735-2737-2739-2741-2743-2745-2747-2749-2751-2753-2755-2757-2759-2761-2763-2765-2767-2769-2771-2773-2775-2777-2779-2781-2783-2785-2787-2789-2791-2793-2795-2797-2799-2801-2803-2805-2807-2809-2811-2813-2815-2817-2819-2821-2823-2825-2827-2829-2831-2833-2835-2837-2839-2841-2843-2845-2847-2849-2851-2853-2855-2857-2859-2861-2863-2865-2867-2869-2871-2873-2875-2877-2879-2881-2883-2885-2887-2889-2891-2893-2895-2897-2899-2901-2903-2905-2907-2909-2911-2913-2915-2917-2919-2921-2923-2925-2927-2929-2931-2933-2935-2937-2939-2941-2943-2945-2947-2949-2951-2953-2955-2957-2959-2961-2963-2965-2967-2969-2971-2973-2975-2977-2979-2981-2983-2985-2987-2989-2991-2993-2995-2997-2999-3001-3003-3005-3007-3009-3011-3013-3015-3017-3019-3021-3023-3025-3027-3029-3031-3033-3035-3037-3039-3041-3043-3045-3047-3049-3051-3053-3055-3057-3059-3061-3063-3065-3067-3069-3071-3073-3075-3077-3079-3081-3083-3085-3087-3089-3091-3093-3095-3097-3099-3101-3103-3105-3107-3109-3111-3113-3115-3117-3119-3121-3123-3125-3127-3129-3131-3133-3135-3137-3139-3141-3143-3145-3147-3149-3151-3153-3155-3157-3159-3161-3163-3165-3167-3169-3171-3173-3175-3177-3179-3181-3183-3185-3187-3189-3191-3193-3195-3197-3199-3201-3203-3205-3207-3209-3211-3213-3215-3217-3219-3221-3223-3225-3227-3229-3231-3233-3235-3237-3239-3241-3243-3245-3247-3249-3251-3253-3255-3257-3259-3261-3263-3265-3267-3269-3271-3273-3275-3277-3279-3281-3283-3285-3287-3289-3291-3293-3295-3297-3299-3301-3303-3305-3307-3309-3311-3313-3315-3317-3319-3321-3323-3325-3327-3329-3331-3333-3335-3337-3339-3341-3343-3345-3347-3349-3351-3353-3355-3357-3359-3361-3363-3365-3367-3369-3371-3373-3375-3377-3379-3381-3383-3385-3387-3389-3391-3393-3395-3397-3399-3401-3403-3405-3407-3409-3411-3413-3415-3417-3419-3421-3423-3425-3427-3429-3431-3433-3435-3437-3439-3441-3443-3445-3447-3449-3451-3453-3455-3457-3459-3461-3463-3465-3467-3469-3471-3473-3475-3477-3479-3481-3483-3485-3487-3489-3491-3493-3495-3497-3499-3501-3503-3505-3507-3509-3511-3513-3515-3517-3519-3521-3523-3525-3527-3529-3531-3533-3535-3537-3539-3541-3543-3545-3547-3549-3551-3553-3555-3557-3559-3561-3563-3565-3567-3569-3571-3573-3575-3577-3579-3581-3583-3585-3587-3589-3591-3593-3595-3597-3599-3601-3603-3605-3607-3609-3611-3613-3615-3617-3619-3621-3623-3625-3627-3629-3631-3633-3635-3637-3639-3641-3643-3645-3647-3649-3651-3653-3655-3657-3659-3661-3663-3665-3667-3669-3671-3673-3675-3677-3679-3681-3683-3685-3687-3689-3691-3693-3695-3697-3699-3701-3703-3705-3707-3709-3711-3713-3715-3717-3719-3721-3723-3725-3727-3729-3731-3733-3735-3737-3739-3741-3743-3745-3747-3749-3751-3753-3755-3757-3759-3761-3763-3765-3767-3769-3771-3773-3775-3777-3779-3781-3783-3785-3787-3789-3791-3793-3795-3797-3799-3801-3803-3805-3807-3809-3811-3813-3815-3817-3819-3821-3823-3825-3827-3829-3831-3833-3835-3837-3839-3841-3843-3845-3847-3849-3851-3853-3855-3857-3859-3861-3863-3865-3867-3869-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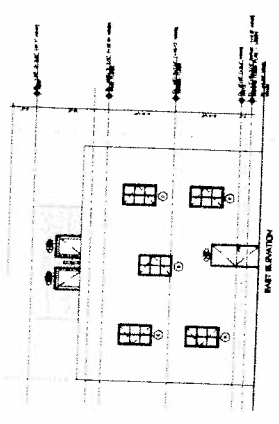
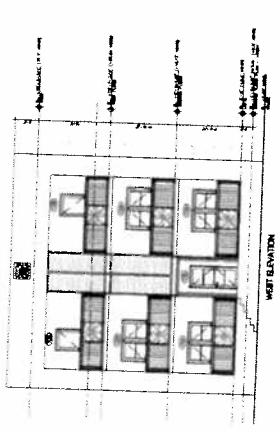
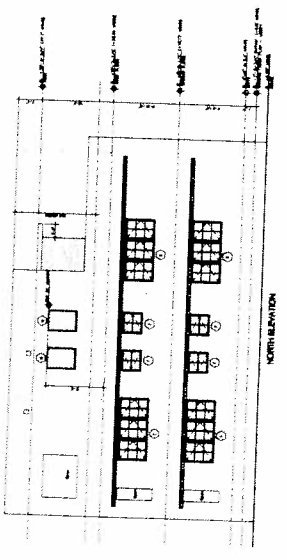
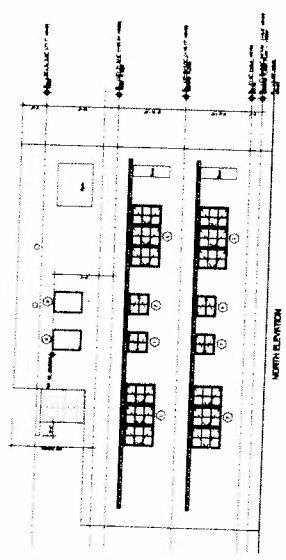
 architectureworks	PROJECT NO. 09-001 DATE: 11/05/09 DRAWING NO. 100	Postcard Miami - South Beach - USA Building Renovation 1831-1835-1837-1839 Avenue South Beach, FL 33139 ARCHITECTURAL WORKS, L.L.C. <small>1801 West 15th Street, Suite 100, Miami, FL 33135</small>	A3.2 SHEET 1 1/8" = 1'-0"
	SCOPE OF WORK 1. ARCHITECTURAL RENOVATION OF THE EXISTING BUILDING TO ACCOMMODATE THE PROPOSED HOTEL. 2. INTERIOR RENOVATION OF THE EXISTING BUILDING TO ACCOMMODATE THE PROPOSED HOTEL. 3. EXTERIOR RENOVATION OF THE EXISTING BUILDING TO ACCOMMODATE THE PROPOSED HOTEL. 4. LANDSCAPE ARCHITECTURE FOR THE EXISTING BUILDING TO ACCOMMODATE THE PROPOSED HOTEL.		GENERAL NOTES 1. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE BUILDING CODES AND REGULATIONS. 2. ALL MATERIALS AND METHODS OF CONSTRUCTION SHALL BE APPROVED BY THE ARCHITECT. 3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS. 4. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES. 5. THE CONTRACTOR SHALL PROTECT ALL EXISTING UTILITIES AND STRUCTURES. 6. THE CONTRACTOR SHALL MAINTAIN THE EXISTING CURB AND SIDEWALKS. 7. THE CONTRACTOR SHALL MAINTAIN THE EXISTING LANDSCAPE AND PLANTINGS. 8. THE CONTRACTOR SHALL MAINTAIN THE EXISTING SIGNAGE. 9. THE CONTRACTOR SHALL MAINTAIN THE EXISTING RECORD DRAWINGS. 10. THE CONTRACTOR SHALL MAINTAIN THE EXISTING AS-BUILT RECORDS.

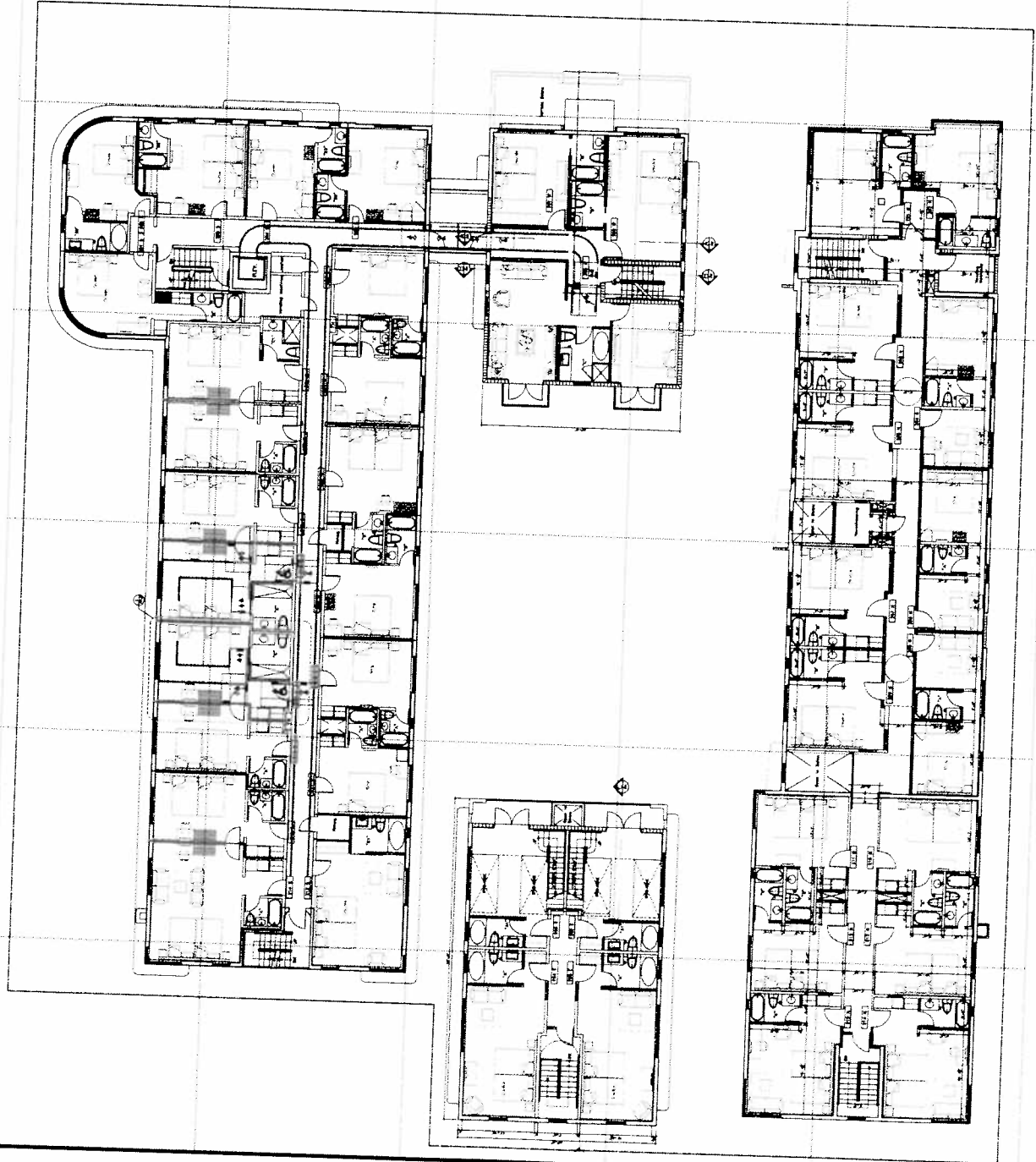


PROPOSED ELEVATION (Front Building)
1831 BUILDING
SCALE: 1/8" = 1'-0"



PROPOSED ELEVATION (Rear Building)
1831 BUILDING
SCALE: 1/8" = 1'-0"





FOR ALL ACCESS & EGRESS REQUIREMENTS ONLY. ALL ACCESSIBLE AREAS AND FEATURES WILL BE MADE BY WORKMAN AT A LATER DATE.

- LEGENDS**
- EXISTING WALLS TO REMAIN
 - NEW INTERIOR PARTITIONS
 - NEW GLASS WALLS
 - NEW EXTERIOR STONE WALL

GENERAL NOTES

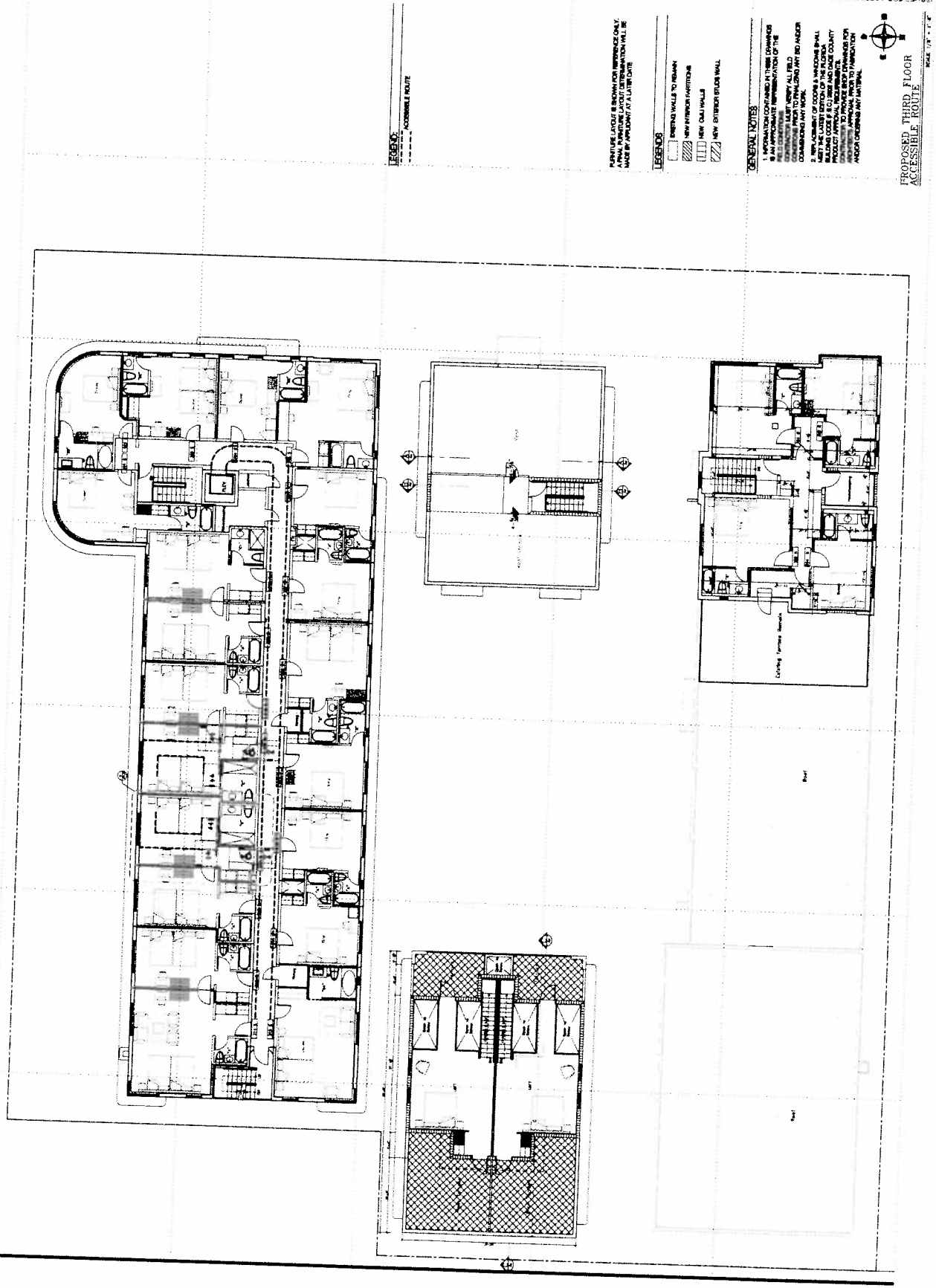
1. INFORMATION CONTAINED IN THIS DRAWING IS AN APPROXIMATE REPRESENTATION OF THE CONDITIONS PRIOR TO THE START OF WORK.
2. THE ARCHITECT AND ENGINEER SHALL VERIFY THE EXISTING CONDITIONS AND SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND COUNTY CONTRIBUTION TO FINANCE BACK PAYMENTS FOR ARCHITECTURE AND ENGINEERING.



SCALE: 1/8" = 1'-0"



DATE	DESCRIPTION



GENERAL NOTES
 1. MATERIALS SHALL BE AS SHOWN OR APPROXIMATE EQUIVALENTS OF THE SAME.
 2. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITION OF THE INTERNATIONAL BUILDING CODE (IBC) AND THE LATEST EDITION OF THE FLORIDA BUILDING CODE (FBC) AND DADE COUNTY ORDINANCES TO PROVIDE BEST PERFORMANCE FOR THE PROJECT.
 3. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITION OF THE INTERNATIONAL BUILDING CODE (IBC) AND THE LATEST EDITION OF THE FLORIDA BUILDING CODE (FBC) AND DADE COUNTY ORDINANCES TO PROVIDE BEST PERFORMANCE FOR THE PROJECT.

- LEGENDS
- [Symbol] EXISTING WALLS TO REMAIN
 - [Symbol] NEW INTERIOR PARTITIONS
 - [Symbol] NEW GLASS WALLS
 - [Symbol] NEW EXTERIOR GLASS WALL

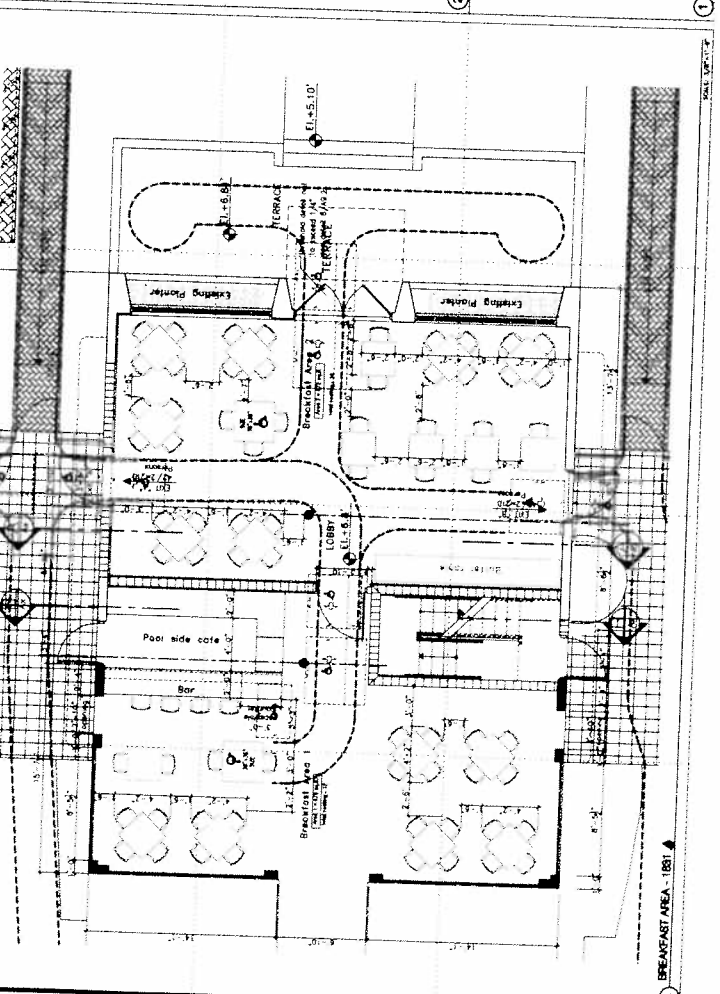
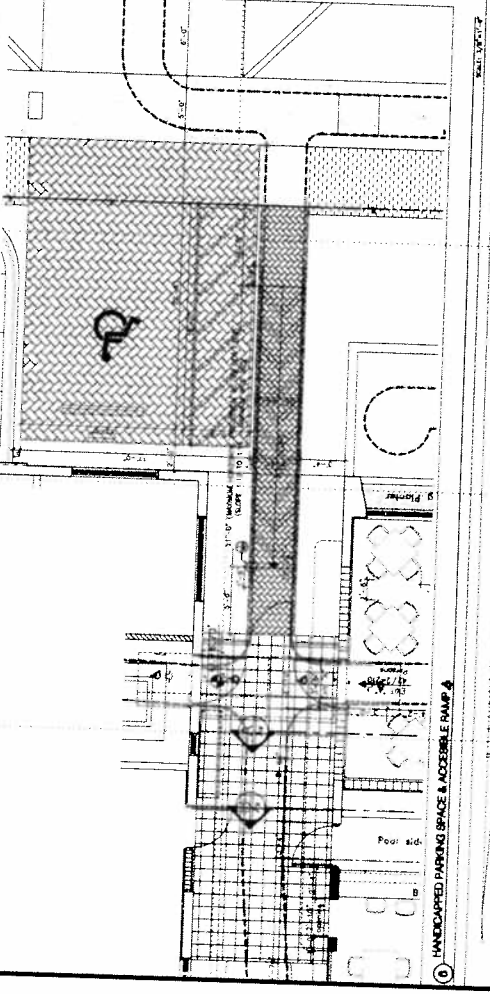
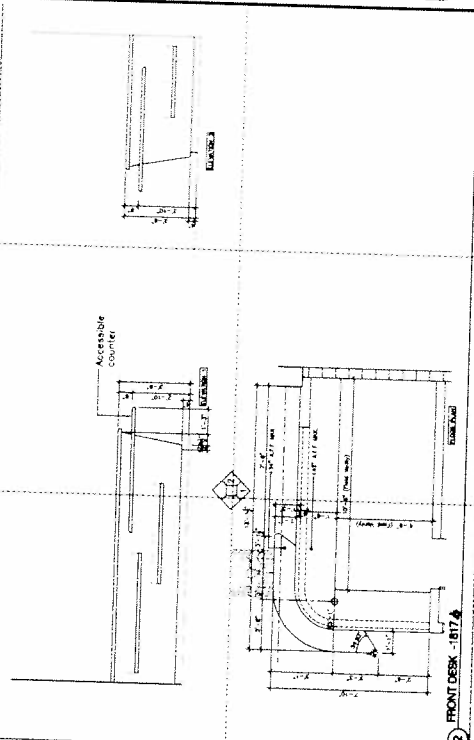
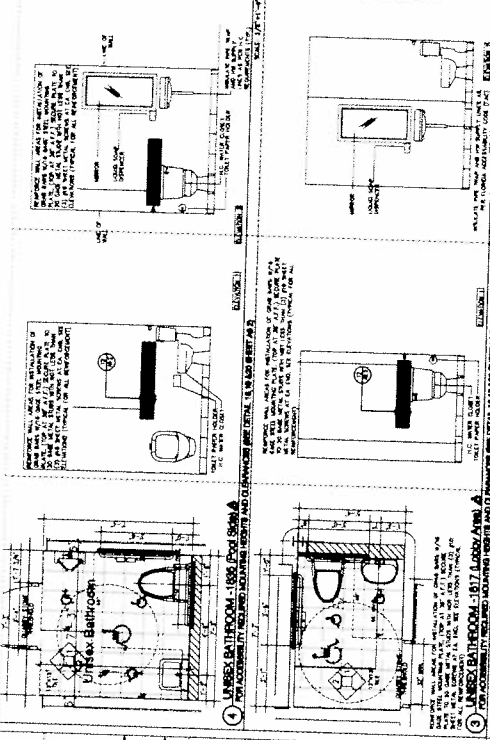
PROPOSED THIRD FLOOR
 ACCESSIBLE ROUTE



DATE: 08/14/17
 PROJECT: HOTEL RENOVATION
 SHEET: A4.0
 SCALE: AS SHOWN

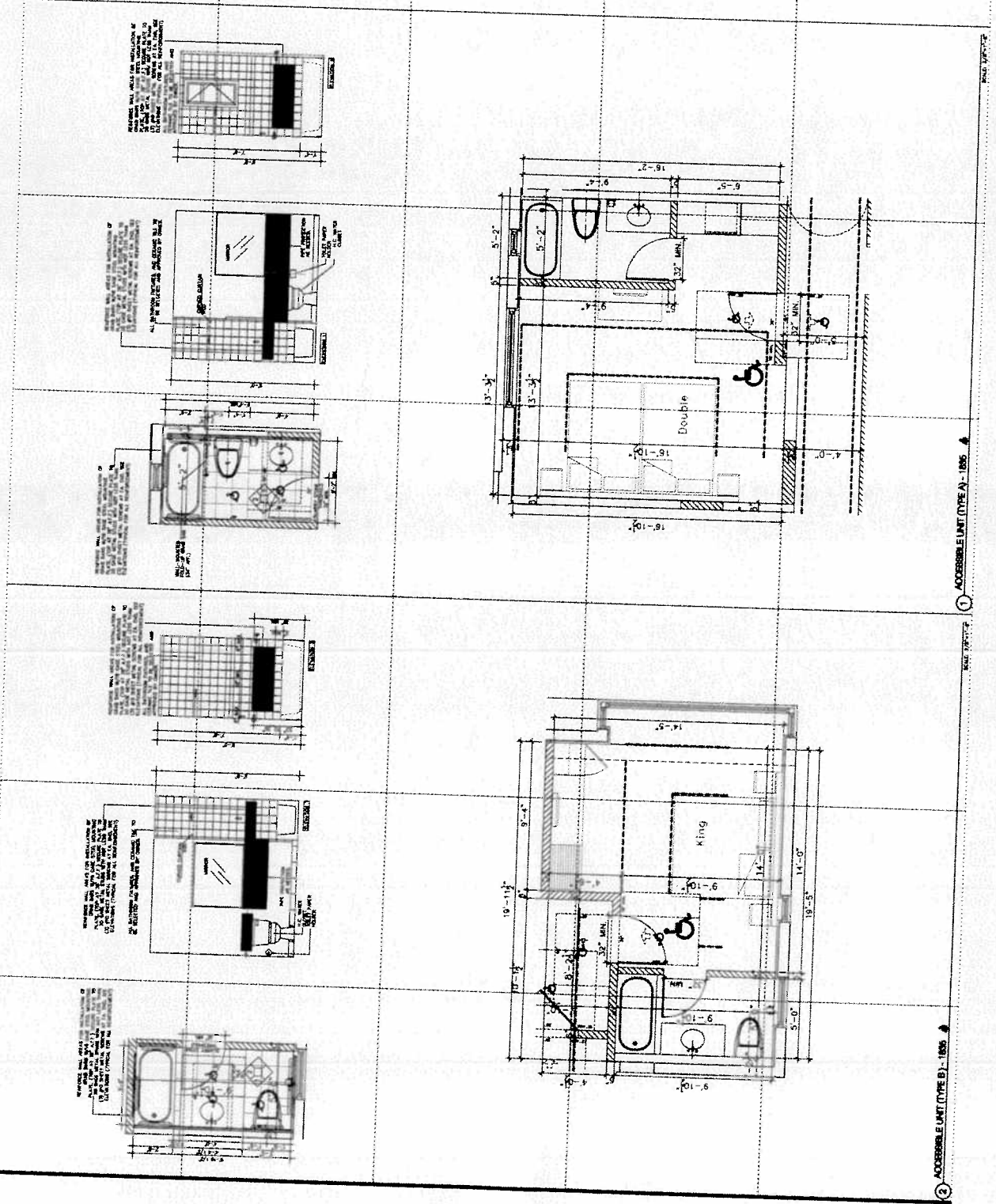
Pastana
 HOTELS & RESORTS
 ARCHITECTUREWORKS, LLC
 Building Renovation
 MIAMI - South Beach - USA
 1817-1827-1835-21-28 Avenue Beach, Fort Beach, FL 33109

A4.0
 SHEET





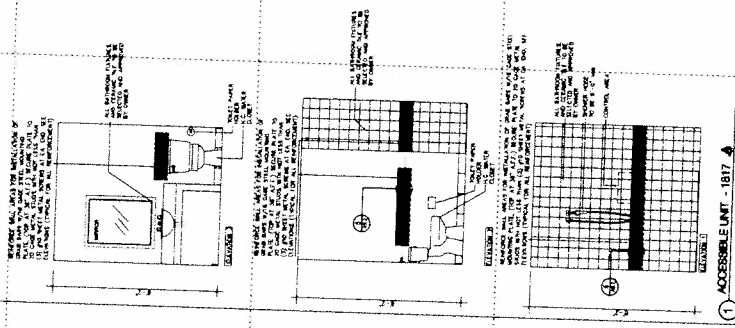
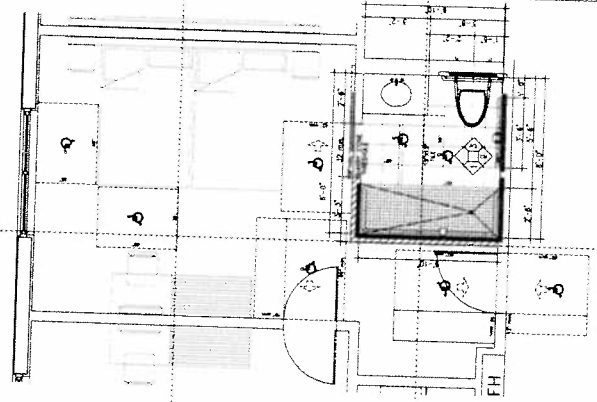
DATE:	
PROJECT:	
SCALE:	
BY:	
CHECKED:	



② ACCESSIBLE UNIT (TYPE B) - 1836

① ACCESSIBLE UNIT (TYPE A) - 1836

DATE:	10/10/17
PROJECT:	POSTAMA HOTEL RENOVATION
CLIENT:	POSTAMA HOTELS & RESORTS
ARCHITECT:	ARCHITECTUREWORKS
SCALE:	AS SHOWN



① ACCESSIBLE UNIT - 1817.4

