


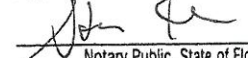
HISTORIC PRESERVATION BOARD
City of Miami Beach, Florida

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

 5/19/15
(Signature of Planning Director or Designee) (Date)

Personally known to me or Produced ID:


Notary Public, State of Florida at Large
Printed Name: STEVEN GREENE
My Commission Expires: (Seal)

This document contains 8 pages.



MEETING DATE: May 12, 2015
FILE NO: 7536
PROPERTY: 230 20th Street
APPLICANT: Santa Barbara 230, LLC

LEGAL: Lot 4 & Lot 5 less northwesterly 15 feet, Block D, Miami Beach Improvement Company Subdivision, According to the Plat Thereof, as Recorded in Plat Book 5, Page 7, of the Public Records of Miami-Dade County, Florida.

IN RE: The Application for a Certificate of Appropriateness for the partial demolition, renovation and restoration of the existing 2-story building, including the construction of an attached 5-story addition and the construction of two 1-story rooftop additions, including a variance from the minimum required hotel unit size, variances from the minimum required side and rear setbacks, variances from the maximum allowable projection into the required side and rear yards, and a variance from the required loading spaces.

ORDER

The applicant filed an application with the City of Miami Beach Planning Department for a Certificate of Appropriateness and for one or more variances.

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:

I. Certificate of Appropriateness

- A. The subject structure is classified as a 'Contributing' structure in the Miami Beach Historic Properties Database, and is located within the Museum Local Historic 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:



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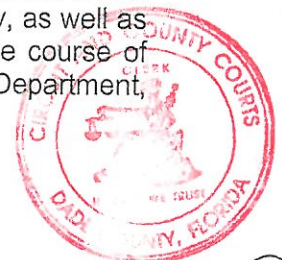
1. Is consistent with the Certificate of Appropriateness Criteria in Section 118-564(a)(1) of the Miami Beach Code.
 2. Is not consistent with Certificate of Appropriateness Criteria 'c' in Section 118-564(a)(2) of the Miami Beach Code.
 3. Is not consistent with Certificate of Appropriateness Criteria 'b', 'c', 'h' & 'n' in Section 118-564(a)(3) of the Miami Beach Code.
 4. Is consistent with Certificate of Appropriateness Criteria for Demolition 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:
1. Revised elevation, site plan and floor plan drawings shall be submitted and, at a minimum, such drawings shall incorporate the following:
 - a. The existing 2-story structure on site shall be fully renovated and restored consistent with the plans approved by the Board, in a manner to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board; at a minimum, this shall include the following:
 - i. All through-the-wall air conditioning units shall be removed and replaced with a central air conditioning system, in a manner to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board.
 - ii. The existing windows shall be removed; new windows shall be provided and shall substantially match the original window configurations with regard to window type and lite configuration, according to available historical documentation, in a manner to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board.
 - b. The entrance gate along 20th Street shall be substantially transparent and shall not exceed 6'-0" in height measured from grade. Final details of the gate, including materials, dimensions and finishes, shall be provided, in a manner to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board.
 - c. Final details of all exterior surface finishes and materials, including samples, shall be submitted, in a manner to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board.
 - d. The final details of all exterior railings systems, including materials, dimensions and finishes, shall be provided in a manner to be reviewed and approved by staff



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consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board.

- e. An historic analysis of the site, inclusive of a photographic and written description of the history and evolution of the site, shall be submitted, prior to the issuance of a Certificate of Occupancy in a manner to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board; said historic analysis shall be displayed prominently in a location to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board.
- f. The final design and details of all exterior lighting shall be provided, in a manner to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board. Lighting shall be designed in a manner to not have an adverse overwhelming impact upon the surrounding historic district. No florescent or intensive 'white' lighting (or similar intensive lighting) visible from the adjacent public rights or way or adjacent properties shall be permitted.
- g. All building signage shall require a separate permit. Signage shall consist of reverse channel, back-lit letters, in a manner to be approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board.
- h. A fully enclosed air conditioned trash room that is sufficiently sized to handle the entire trash load of the building at all times shall be relocated, closer to 18th Street and located within the envelope of the building, in a manner to be approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board.
- i. All roof-top fixtures, air-conditioning units and mechanical devices shall be clearly noted on a revised roof plan and elevation drawings and shall be screened from view, in a manner to be reviewed and approved by staff, consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board.
- j. The applicant shall submit a complete structural report for the shoring, bracing, and stabilization of the buildings during the removal and replacement of the floor slabs and roof structures, for review by Planning staff and the approval of the Building Department, prior to the issuance of a demolition permit.
- k. A drawn plan and written procedure for the proposed demolition shall be prepared and submitted by a Professional Structural Engineer, registered in the State of Florida, which fully ensures the protection of the public safety, as well as the protection of all existing structures on the subject site during the course of demolition, for review by Planning staff and approval by the Building Department, prior to the issuance of a demolition permit.



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2. In accordance with Section 118-395(b)(2) of the City Code, the requirement pertaining to an existing structure's setbacks and parking credits, is hereby waived, to allow for the reconstruction of the original floor slabs.
3. 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. Additional landscaping shall be provided within the historic courtyard, in a manner to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board.
 - b. The utilization of root barriers and/or Silva Cells, as applicable, shall be clearly delineated on the final revised landscape plan.
 - c. 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.

In accordance with Section 118-537, the applicant, the owner(s) of the subject property, the City Manager, Miami Design Preservation League, Dade Heritage Trust, or an affected person may appeal the Board's decision on a Certificate of Appropriateness to a special master appointed by the City Commission.

II. Variance(s)

- A. The applicant filed an application with the Planning Department for the following variance(s):
 1. A variance to reduce by 2'-6" the minimum required pedestal interior side setback of 7'-6" in order to construct an attached addition at 5'-0" from the west and east property line.
 2. A variance to reduce by 7'-5" the minimum required pedestal interior side setback of 12'-6" in order to construct an attached addition at 5'-1" from the south property line.
 3. A variance to exceed by 1'-9" the maximum permitted projection of 1'-3" into the required rear yard of 5'-1", in order to construct concrete eyebrows with 3'-0" of encroachment into the rear yard at floors 2 through 5.
 4. A variance to exceed by 0'-6" the maximum permitted projection of 1'-3" into the required interior side yard of 5'-0", in order to construct provide balconies with encroachments up to 1'-9" into the east and west yard on floors 4 and 5.
 5. A variance to construct a 49-unit hotel without providing the one (1) required onsite loading space.



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6. A variance from the minimum required hotel unit size of 300 square feet, with proposed unit sizes as low as 215 square feet.
- B. The applicant has submitted plans and documents with the application that satisfy Article 1, Section 2 of the Related Special Acts, allowing the granting of a variance if the Board finds that practical difficulties exist with respect to implementing the proposed project at the subject property.

The applicant has submitted plans and documents with the application that also indicate the following, as they relate to the requirements of Section 118-353(d), Miami Beach City Code:

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

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

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

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

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

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

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

- C. The Board hereby approves the requested variances and imposes the following conditions based on its authority in Section 118-354 of the Miami Beach City Code:
1. All units located within the new construction comply with an average unit size of at least 300 square feet.
 2. On-street commercial loading shall be provided or expanded along 20th Street at a size, location and hours subject to the approval of the Parking Department Director.



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

III. General Terms and Conditions applying to both 'I. Certificate of Appropriateness' and 'II. Variances' noted above.

- A. A copy of all pages of the recorded Final Order shall be scanned into the plans submitted for building permit, and shall be located immediately after the front cover page of the permit plans.
- B. The Final Order shall be recorded in the Public Records of Miami-Dade County, prior to the issuance of a Building Permit.
- C. Applicant agrees that in the event Code Compliance receives complaints of unreasonably loud noise from mechanical and/or electrical equipment, and determines the complaints to be valid, even if the equipment is operating pursuant to manufacturer specifications, the applicant shall take such steps to mitigate the noise with noise attenuating materials as reviewed and verified by an acoustic engineer, in a manner to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board.
- D. Satisfaction of all conditions is required for the Planning Department to give its approval on a Certificate of Occupancy; a Temporary Certificate of Occupancy or Partial Certificate of Occupancy may also be conditionally granted Planning Departmental approval.
- E. 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.
- F. The conditions of approval herein are binding on the applicant, the property's owners, operators, and all successors in interest and assigns.
- G. 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.

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

PROVIDED, the applicant shall build substantially in accordance with the plans approved by the



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Historic Preservation Board, as determined by staff, entitled "Santa Barbara" as prepared by Shulman + Associates, dated 23 March 2015.

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. 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.

If the Full Building Permit for the project is not issued within eighteen (18) months of the meeting date at which the original Certificate of Appropriateness was granted, the Certificate of Appropriateness will expire and become null and void. If the Full Building Permit for the project should expire for any reason (including but not limited to construction not commencing and continuing, with required inspections, in accordance with the applicable Building Code), the Certificate of Appropriateness will expire and become null and void.

In accordance with Section 118-561 of the City Code, the violation of any conditions and safeguards that are a part of this Order shall be deemed a violation of the land development regulations of the City Code. Failure to comply with this Order shall subject the Certificate of Appropriateness to Section 118-564, City Code, for revocation or modification of the Certificate of Appropriateness.

Dated this 18th day of May, 2015.

HISTORIC PRESERVATION BOARD
THE CITY OF MIAMI BEACH, FLORIDA

BY: [Signature]
DEBORAH TACKETT
PRESERVATION AND DESIGN MANAGER
FOR THE CHAIR



STATE OF FLORIDA)
)SS
COUNTY OF MIAMI-DADE)

The foregoing instrument was acknowledged before me this 18th day of May 2015 by Deborah Tackett, Preservation and Design Manager, Planning Department, City of Miami Beach, Florida, a Florida Municipal Corporation, on behalf of the corporation. He is personally known to me.

[Signature]

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Page 8 of 8
HPB File No. 7536
Meeting Date: May 12, 2015



NOTARY PUBLIC
Miami-Dade County, Florida
My commission expires: July 26, 2017

Approved As To Form:
City Attorney's Office: [Signature]

(5/18/15)

Filed with the Clerk of the Historic Preservation Board on [Signature] (5-19-15)

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STATE OF FLORIDA, COUNTY OF DADE
I HEREBY CERTIFY that this is a true copy of the
one recorded in this office on MAY 29 2015 day of
MAY, A.D. 2015

WITNESS my hand and Official Seal.
HARVEY RUMIN, CLERK of Circuit and County Courts
By [Signature] D.C.



[Handwritten mark]