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 MIAMI-DADE COUNTY, FLORIDA

DOCUMENT COVER PAGE

For those documents not providing the required 3 x 3 inch space on the first page, this cover page must be attached.

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Document Title: HISTORIC PRESERVATION BOARD ORDER
 (Mortgage, Deed, Construction Lien, Etc.)

Executing Party: HISTORIC PRESERVATION BOARD
CITY OF MIAMI BEACH

Legal Description: LOT 14, BLOCK 1 OF "TOWNSITE OF HARDING
 (If Applicable) SUBDIVISION" ACCORDING TO THE PLAT THEREOF,
PLAT BOOK 34, PAGE 4, PUBLIC RECORDS OF MIAMI-DADE CO., FL.
 As more fully described in above described document.

Return Document To / Prepared By:
IRA GILLER
975 ARTHUR GODFREY RD., SUITE #600
MIAMI BEACH, FL 33140



(Relevant excerpts)

Rule 2.520 (d) On all . . . documents prepared which are to be recorded in the public records of any county. . . a 3- inch by 3- inch space at the top right-hand corner on the first page and a 1 - inch by 3- inch space at the top right-hand corner on each subsequent page shall be left blank and reserved for use by the clerk of court.

F.S. 695.26 Requirements for recording instruments affecting real property—

(1) No instrument by which the title to real property or any interest therein is conveyed, assigned, encumbered, or otherwise disposed of shall be recorded by the clerk of the circuit court unless:

(e) A 3-inch by 3-inch space at the top right-hand corner on the first page and a 1-inch by 3-inch space at the top right-hand corner on each subsequent page are reserved for use by the clerk of the court . . .

**HISTORIC PRESERVATION BOARD
City of Miami Beach, Florida**

MEETING DATE: May 12, 2015

FILE NO: 7526

PROPERTY: 7403 Collins Avenue

APPLICANT: If Six Were Nine, LLC

LEGAL: Lot 14, Block 1 of "Townsite of Harding Subdivision", according to the plat thereof, as recorded in Plat Book 34, Page 4, of the Public Records, of Miami-Dade County, Florida

IN RE: The Application for a Certificate of Appropriateness for the partial interior demolition and renovation of the existing 2-story building.

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 Harding Townsite / South Altos del Mar 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:
 - 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 'a' & 'd' in Section 118-564(a)(2) of the Miami Beach Code.

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

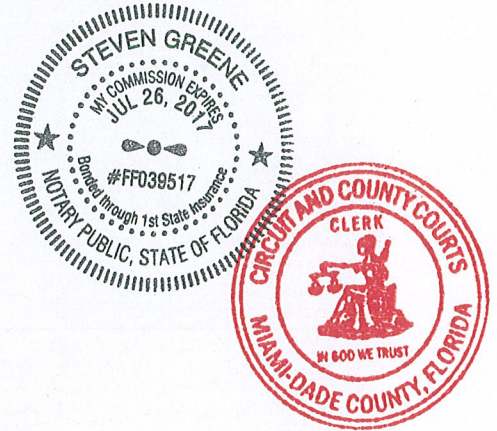
[Signature] 5/19/15
(Signature of Planning Director or Designee) (Date)

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 5 pages.





3. Is not consistent with Certificate of Appropriateness Criteria 'c', 'g' & '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. Studio 1 and Studio 2 located on the ground floor within the lobby area shall not be permitted to extend westward of where the exterior wall notches outward.
 - b. The original lobby ceiling and terrazzo floor located in the west portion of the structure shall be recreated in accordance with all available historic 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.
 - c. A detailed screening plan for all roof-top fixtures and mechanical devices shall be required, as part of the building permit plans, 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. Final details of all proposed storefront systems, associated details 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.
 - e. 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 in a manner to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board.
 - f. A variance from Sec. 130-101 of the City Code shall be required in order to change the use of the building without providing the 2 required loading spaces, prior to the issuance of a building permit. This condition shall not apply if the Land Development Regulations are modified to eliminate this requirement.

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)

1. No variances have been requested as part of this application.

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 Construction Parking and Traffic Management Plan (CPTMP) shall be approved by the Parking Director pursuant to Chapter 106, Article II, Division 3 of the City Code, prior to the issuance of a Building Permit.
- B. A copy of all pages of the recorded Final Order shall be scanned into the plans submitted for building permit, and shall be located immediately after the front cover page of the permit plans.
- C. The Final Order shall be recorded in the Public Records of Miami-Dade County, prior to the issuance of a Building Permit.
- D. 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.
- E. Satisfaction of all conditions is required for the Planning Department to give its approval on a Certificate of Occupancy; a Temporary Certificate of Occupancy or Partial Certificate of Occupancy may also be conditionally granted Planning Departmental approval.
- F. The Final Order is not severable, and if any provision or condition hereof is held void or unconstitutional in a final decision by a court of competent jurisdiction, the order shall be returned to the Board for reconsideration as to whether the order meets the criteria for approval absent the stricken provision or condition, and/or it is appropriate to modify the remaining conditions or impose new conditions.
- G. The conditions of approval herein are binding on the applicant, the property's owners, operators, and all successors in interest and assigns.
- H. Nothing in this order authorizes a violation of 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 Historic Preservation Board, as determined by staff, entitled "Sola Salon Studios for If Six Were Nice, LLC" as prepared by Giller & Giller, Inc., dated March 23, 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: 
DEBORAH TACKETT
PRESERVATION AND DESIGN MANAGER
FOR THE CHAIR

Page 5 of 5
HPB File No. 7526
Meeting Date: May 12, 2015

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 a person known to me.



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

Approved As To Form [Signature] (5/18/15)
City Attorney's Office:

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
original filed in this office on JUN 16 2015 day of _____, A D 20_____
WITNESS my hand and Official Seal.
HARVEY RUVIN, CLERK, of Circuit and County Courts
By [Signature] D.C.
NICOLE DAVIS #79943

