

MIAMI BEACH

PLANNING DEPARTMENT

1700 Convention Center Drive, Miami Beach, Florida 33139; Tel: 305.673.7550; Web: www.miamibeachfl.gov/planning

LAND USE BOARD HEARING APPLICATION

The following application is submitted for review and consideration of the project described herein by the land use board selected below. A separate application must be completed for each board reviewing the proposed project.

Application Information			
FILE NUMBER DRB24-1041		Is the property the primary residence & homestead of the applicant/property owner? ☐ Yes ☒ No (if "Yes," provide office of the property appraiser summary report)	
Board of Adjustment ☐ Variance from a provision of the Land Development Regulations ☐ Appeal of an administrative decision ☐ Modification of existing Board Order		Design Review Board ☒ Design review approval ☒ Variance ☐ Modification of existing Board Order	
Planning Board ☐ Conditional Use Permit ☐ Lot Split ☐ Amendment to the Land Development Regulations or Zoning Map ☐ Amendment to the Comprehensive Plan or Future Land Use Map ☐ Modification of existing Board Order		Historic Preservation Board ☐ Certificate of Appropriateness for design ☐ Certificate of Appropriateness for demolition ☐ Historic District/Site Designation ☐ Variance ☐ Modification of existing Board Order	
☐ Other:			
Property Information – Please attach Legal Description as "Exhibit A"			
ADDRESS OF PROPERTY 900 West Ave, Miami Beach, FL, 33139			
FOLIO NUMBER(S) 02-4203-001-0080			
Property Owner Information			
PROPERTY OWNER NAME Southgate Towers, LLC			
ADDRESS 4582 S. Ulster St, Suite 1700		CITY Denver	STATE CO
ZIP CODE 80237			
BUSINESS PHONE 303-757-8101	CELL PHONE	EMAIL ADDRESS	
Applicant Information (if different than owner)			
APPLICANT NAME Jeff Smith			
ADDRESS 1620 Logan Street		CITY Denver	STATE CO
ZIP CODE 80203			
BUSINESS PHONE 3038314010	CELL PHONE 7209475408	EMAIL ADDRESS jsmith@trybaarchitect.com	
Summary of Request			
PROVIDE A BRIEF SCOPE OF REQUEST The scope includes updating the existing canopy at the main entrance with new finishes, lighting and signage. The front entry circle will also receive new landscaping and a redesigned fountain. The existing storefront at the main lobby is proposed to be demolished and replaced with a sliding glass door. A new terrace with stairs that enter onto the pool deck surrounded with new landscaping. Lastly, a new 5' tall all glass pool fence is proposed at the threshold of the pool deck per code requirements. The owner will also be requesting a variance for the new signage at the canopy to include a connected sign rather than individual letters. (Please see Letter of Intent.)			

Project Information			
Is there an existing building(s) on the site?		☒ Yes	☐ No
If previous answer is "Yes", is the building architecturally significant per sec. 142-108?		☐ Yes	☒ No
Does the project include interior or exterior demolition?		☒ Yes	☐ No
Provide the total floor area of the new construction.		SQ. FT.	
Provide the gross floor area of the new construction (including required parking and all usable area).		SQ. FT.	
Party responsible for project design			
NAME Tryba Architects		☒ Architect ☐ Contractor ☐ Landscape Architect ☐ Engineer ☐ Tenant ☐ Other _____	
ADDRESS 1620 Logan Street		CITY Denver	STATE CO ZIPCODE 80203
BUSINESS PHONE 303.831.4010	CELL PHONE	EMAIL ADDRESS jsmith@trybaarchitects.com	
Authorized Representative(s) Information (if applicable)			
NAME Dan Dore		☐ Attorney ☒ Contact ☐ Agent ☐ Other _____	
ADDRESS 4582 S. Ulster Street, Suite 1700		CITY Denver	STATE CO ZIPCODE 80237
BUSINESS PHONE 303-757-8101	CELL PHONE	EMAIL ADDRESS daniel.dore@aircommunities.com	
NAME Barbara Frommell		☐ Attorney ☒ Contact ☐ Agent ☐ Other _____	
ADDRESS 4582 S. Ulster Street, Suite 1700		CITY Denver	STATE CO ZIPCODE 80237
BUSINESS PHONE 303-757-8101	CELL PHONE	EMAIL ADDRESS barbara.frommell@aircommunities.com	
NAME		☐ Attorney ☐ Contact ☐ Agent ☐ Other _____	
ADDRESS		CITY	STATE ZIPCODE
BUSINESS PHONE	CELL PHONE	EMAIL ADDRESS	

Please note the following information:

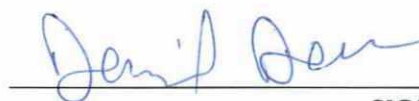
- A separate disclosure of interest form must be submitted with this application if the applicant or owner is a corporation, partnership, limited partnership or trustee.
- All applicable affidavits must be completed and the property owner must complete and sign the "Power of Attorney" portion of the affidavit if they will not be present at the hearing, or if other persons are speaking on their behalf.
- To request this material in alternate format, sign language interpreter (five-day notice is required), information on access for persons with disabilities, and accommodation to review any document or participate in any City sponsored proceedings, call 305.604.2489 and select (1) for English or (2) for Spanish, then option 6; TTY users may call via 711 (Florida Relay Service).

Please read the following and acknowledge below:

- Applications for any board hearing(s) will not be accepted without payment of the required fees. All checks are to be made payable to the "City of Miami Beach".
- All disclosures must be submitted in CMB Application format and be consistent with CMB Code Sub-part A Section 2-482(c):
 - (c) If the lobbyist represents a corporation, partnership or trust, the chief officer, partner or beneficiary shall also be identified. Without limiting the foregoing, the lobbyist shall also identify all persons holding, directly or indirectly, a five percent or more ownership interest in such corporation, partnership, or trust.
- Public records notice – All documentation submitted for this application is considered a public record subject to Chapter 119 of the Florida Statutes and shall be disclosed upon request.
- In accordance with the requirements of Section 2-482 of the code of the City of Miami Beach, any individual or group that will be compensated to speak or refrain from speaking in favor or against an application being presented before any of the City's land use boards, shall fully disclose, prior to the public hearing, that they have been, or will be compensated. Such parties include: architects, engineers, landscape architects, contractors, or other persons responsible for project design, as well as authorized representatives attorneys or agents and contact persons who are representing or appearing on behalf of a third party; such individuals must register with the City Clerk prior to the hearing.
- In accordance with Section 118-31. – Disclosure Requirement. Each person or entity requesting approval, relief or other action from the Planning Board, Design Review Board, Historic Preservation Board or the Board of Adjustment shall disclose, at the commencement (or continuance) of the public hearing(s), any consideration provided or committed, directly or on its behalf, for an agreement to support or withhold objection to the requested approval, relief or action, excluding from this requirement consideration for legal or design professional service rendered or to be rendered. The disclosure shall: (I) be in writing, (II) indicate to whom the consideration has been provided or committed, (III) generally describe the nature of the consideration, and (IV) be read into the record by the requesting person or entity prior to submission to the secretary/clerk of the respective board. Upon determination by the applicable board that the foregoing disclosure requirement was not timely satisfied by the person or entity requesting approval, relief or other action as provided above, then (I) the application or order, as applicable, shall immediately be deemed null and void without further force or effect, and (II) no application form said person or entity for the subject property shall be reviewed or considered by the applicable board(s) until expiration of a period of one year after the nullification of the application or order. It shall be unlawful to employ any device, scheme or artifice to circumvent the disclosure requirements of this section and such circumvention shall be deemed a violation of the disclosure requirements of this section.
- When the applicable board reaches a decision a final order will be issued stating the board's decision and any conditions imposed therein. The final order will be recorded with the Miami-Dade Clerk of Courts. The original board order shall remain on file with the City of Miami Beach Planning Department. Under no circumstances will a building permit be issued by the City of Miami Beach without a copy of the recorded final order being included and made a part of the plans submitted for a building permit.

The aforementioned is acknowledged by:

☐ Owner of the subject property ☒ Authorized representative


SIGNATURE

PRINT NAME

DATE SIGNED

OWNER AFFIDAVIT FOR INDIVIDUAL OWNER

STATE OF _____

COUNTY OF _____

I, _____, being first duly sworn, depose and certify as follows: (1) I am the owner of the property that is the subject of this application. (2) This application and all information submitted in support of this application, including sketches, data, and other supplementary materials, are true and correct to the best of my knowledge and belief. (3) I acknowledge and agree that, before this application may be publicly noticed and heard by a land development board, the application must be complete and all information submitted in support thereof must be accurate. (4) I also hereby authorize the City of Miami Beach to enter my property for the sole purpose of posting a Notice of Public Hearing on my property, as required by law. (5) I am responsible for remove this notice after the date of the hearing.

SIGNATURE

Sworn to and subscribed before me this _____ day of _____, 20____. The foregoing instrument was acknowledged before me by _____, who has produced _____ as identification and/or is personally known to me and who did/did not take an oath.

NOTARY SEAL OR STAMP

NOTARY PUBLIC

My Commission Expires: _____

PRINT NAME**ALTERNATE OWNER AFFIDAVIT FOR CORPORATION, PARTNERSHIP OR LIMITED LIABILITY COMPANY**STATE OF ColoradoCOUNTY OF Denver

I, Dan Dore, being first duly sworn, depose and certify as follows: (1) I am the Senior Director of Capital Finance (print title) of Apartment Income REIT (print name of corporate entity). (2) I am authorized to file this application on behalf of such entity. (3) This application and all information submitted in support of this application, including sketches, data, and other supplementary materials, are true and correct to the best of my knowledge and belief. (4) The corporate entity named herein is the owner of the property that is the subject of this application. (5) I acknowledge and agree that, before this application may be publicly noticed and heard by a land development board, the application must be complete and all information submitted in support thereof must be accurate. (6) I also hereby authorize the City of Miami Beach to enter my property for the sole purpose of posting a Notice of Public Hearing on my property, as required by law. (7) I am responsible for remove this notice after the date of the hearing.

SIGNATURE

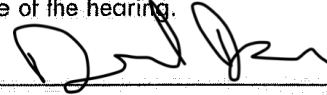
Sworn to and subscribed before me this 12th day of July, 2024. The foregoing instrument was acknowledged before me by Daniel Dore, who has produced _____ as identification and/or is personally known to me and who did/did not take an oath.

NOTARY SEAL OR STAMP

**NOTARY PUBLIC**My Commission Expires: May 22, 2028**PRINT NAME**

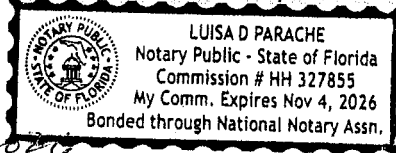
POWER OF ATTORNEY AFFIDAVITSTATE OF ColoradoCOUNTY OF Denver

I, Dan Dore, being first duly sworn, depose and certify as follows: (1) I am the owner or representative of the owner of the real property that is the subject of this application. (2) I hereby authorize Barb Frommell & Bill Moon to be my representative before the Design Review Board. (3) I also hereby authorize the City of Miami Beach to enter my property for the sole purpose of posting a Notice of Public Hearing on my property, as required by law. (4) I am responsible for remove this notice after the date of the hearing.

Dan Dore

PRINT NAME (and Title, if applicable)**SIGNATURE**

Sworn to and subscribed before me this 30 day of September, 2024. The foregoing instrument was acknowledged before me by Barb Frommell + Bill Moon, who has produced _____ as identification and/or is personally known to me and who did/did not take an oath.

NOTARY SEAL OR STAMP



NOTARY PUBLICMy Commission Expires: 11/4/2026
Luisa Parache
PRINT NAME**CONTRACT FOR PURCHASE**

If the applicant is not the owner of the property, but the applicant is a party to a contract to purchase the property, whether or not such contract is contingent on this application, the applicant shall list the names of the contract purchasers below, including any and all principal officers, stockholders, beneficiaries or partners. If any of the contact purchasers are corporations, partnerships, limited liability companies, trusts, or other corporate entities, the applicant shall further disclose the identity of the individuals(s) (natural persons) having the ultimate ownership interest in the entity. If any contingency clause or contract terms involve additional individuals, corporations, partnerships, limited liability companies, trusts, or other corporate entities, list all individuals and/or corporate entities.

NAME**DATE OF CONTRACT**

NAME, ADDRESS AND OFFICE

% OF STOCK

In the event of any changes of ownership or changes in contracts for purchase, subsequent to the date that this application if filed, but prior to the date of a final public hearing, the applicant shall file a supplemental disclosure of interest.

DISCLOSURE OF INTEREST
CORPORATION, PARTNERSHIP OR LIMITED LIABILITY COMPANY

If the property that is the subject of the application is owned or leased by a corporation, partnership or limited liability company, list ALL of the owners, shareholders, partners, managers and/or members, and the percentage of ownership held by each. If the owners consist of one or more corporations, partnerships, trusts, partnerships or other corporate entities, the applicant shall further disclose the identity of the individual(s) (natural persons) having the ultimate ownership interest in the entity.

Southgate Towers, LLC

NAME OF CORPORATE ENTITY	
NAME AND ADDRESS	% OF OWNERSHIP
(Please see attached)	

NAME OF CORPORATE ENTITY	
NAME AND ADDRESS	% OF OWNERSHIP

If there are additional corporate owners, list such owners, including corporate name and the name, address and percentage of ownership of each additional owner, on a separate page.

DISCLOSURE OF INTEREST
TRUSTEE

If the property that is the subject of the application is owned or leased by a trust, list any and all trustees and beneficiaries of the trust, and the percentage of interest held by each. If the owners consist of one or more corporations, partnerships, trusts, partnerships or other corporate entities, the applicant shall further disclose the identity of the individual(s) (natural persons) having the ultimate ownership interest in the entity.

TRUST NAME	
NAME AND ADDRESS	% INTEREST

COMPENSATED LOBBYIST

Pursuant to Section 2-482 of the Miami Beach City Code, all lobbyists shall, before engaging in any lobbying activities, register with the City Clerk. Please list below any and all persons or entities retained by the applicant to lobby City staff or any of the City's land development boards in support of this application.

NAME	ADDRESS	PHONE
_____	_____	_____
_____	_____	_____
_____	_____	_____

Additional names can be placed on a separate page attached to this application.

APPLICANT HEREBY ACKNOWLEDGES AND AGREES THAT (1) AN APPROVAL GRANTED BY A LAND DEVELOPMENT BOARD OF THE CITY SHALL BE SUBJECT TO ANY AND ALL CONDITIONS IMPOSED BY SUCH BOARD AND BY ANY OTHER BOARD HAVING JURISDICTION, AND (2) APPLICANT'S PROJECT SHALL COMPLY WITH THE CODE OF THE CITY OF MIAMI BEACH AND ALL OTHER APPLICABLE CITY, STATE AND FEDERAL LAWS.

APPLICANT AFFIDAVIT

STATE OF Colorado

COUNTY OF Denver

I, Dan Dore, being first duly sworn, depose and certify as follows: (1) I am the applicant or representative of the applicant. (2) This application and all information submitted in support of this application, including sketches, data, and other supplementary materials, are true and correct to the best of my knowledge and belief.

Dan Dore

SIGNATURE

Sworn to and subscribed before me this 12th day of July, 2024. The foregoing instrument was acknowledged before me by Daniel Dore, who has produced _____ as identification and/or is personally known to me and who did/did not take an oath.

NOTARY SEAL OR STAMP



My Commission Expires: May 22, 2028

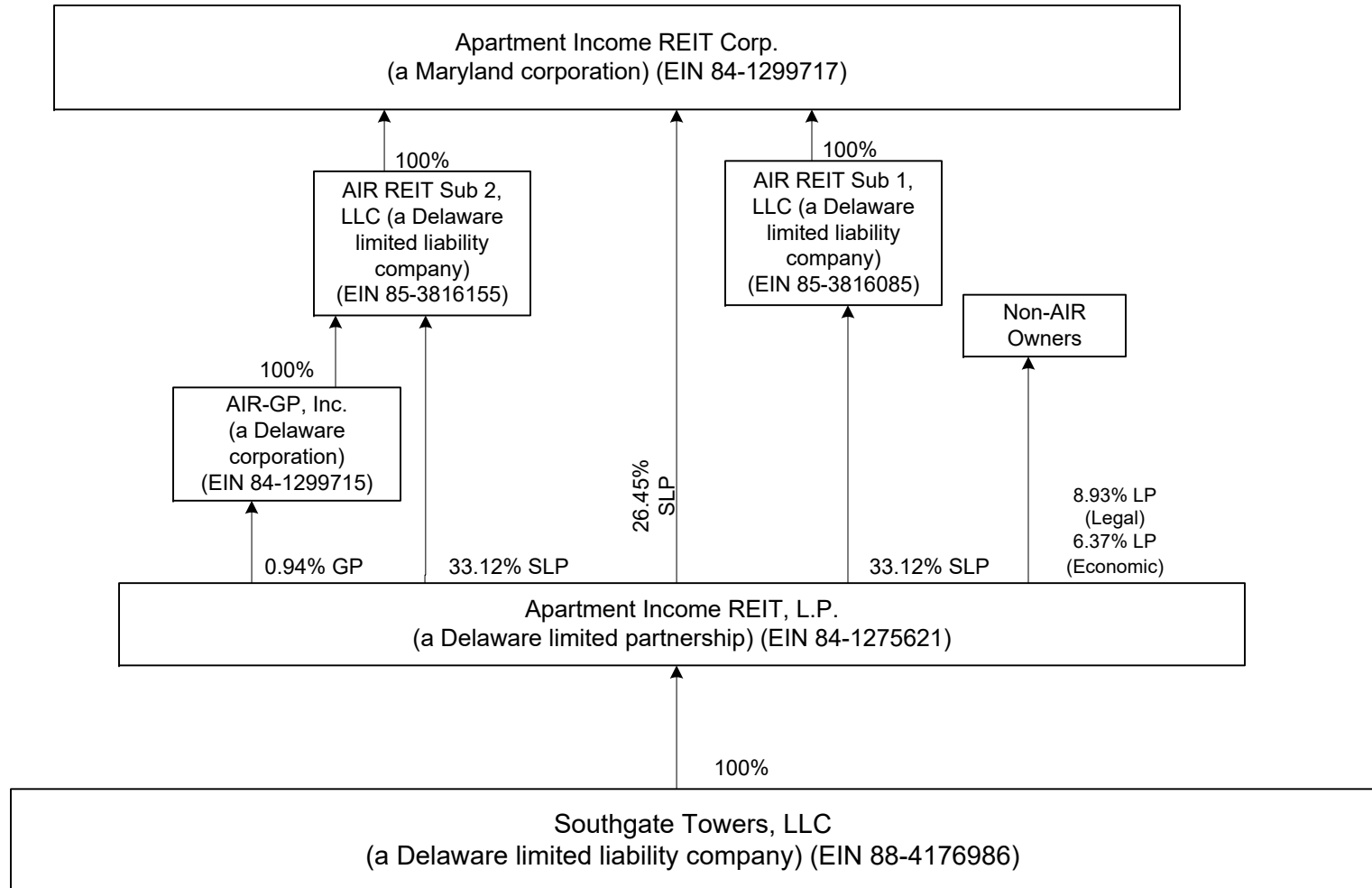
Kelly Behnke

NOTARY PUBLIC

Kelly Behnke

PRINT NAME

Southgate Towers
Miami Beach, FL
PeopleSoft # 043430
March 2024





TRYBA ARCHITECTS

Date: 4 August 2024
Subject: Southgate 910 West Ave | Design Review Board – Legal Description
– Exhibit A (Survey)

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF MIAMI-DADE, STATE OF FLORIDA, AND IS DESCRIBED AS FOLLOWS:

PARCEL 1: (FEE SIMPLE)

LOTS 11, 12, 13, 14, 15, 16, 17 AND 18, IN BLOCK 1, AMENDED PLAT OF FLEETWOOD SUBDIVISION, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 28, PAGE 34, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

PARCEL 2: (LEASEHOLD)

LEASEHOLD ESTATE AS CREATED BY THAT CERTAIN SOVEREIGNTY SUBMERGED LANDS LEASE, RECORDED AUGUST 5, 1993, IN OFFICIAL RECORDS BOOK 16007, PAGE 3623, AS AMENDED BY RENEWAL OF SOVEREIGNTY SUBMERGED LAND LEASE RECORDED AUGUST 13, 1996, IN OFFICIAL RECORDS BOOK 17313, PAGE 596, AS FURTHER AMENDED BY SOVEREIGN SUBMERGED LANDS LEASE RENEWAL AND MODIFICATION TO REFLECT CHANGE IN UPLAND OWNERSHIP, RECORDED JANUARY 23, 2004 IN OFFICIAL RECORDS BOOK 21993, PAGE 2356, AS MODIFIED BY SOVEREIGNTY SUBMERGED LANDS LEASE MODIFICATION TO REFLECT CHANGE IN OWNERSHIP AND REFLECT CURRENT STRUCTURES, RECORDED SEPTEMBER 27, 2022 IN OFFICIAL RECORDS BOOK 33402, PAGE 2762, AS AFFECTED BY THE ASSIGNMENT AND ASSUMPTION OF SOVEREIGNTY SUBMERGED LANDS LEASE RECORDED JANUARY 9, 2023 IN OFFICIAL RECORDS BOOK 33536, PAGE 1422 AND LASTLY MODIFIED BY SOVEREIGNTY SUBMERGED LANDS LEASE MODIFICATION TO REFLECT CHANGE IN UPLAND OWNERSHIP, RECORDED JULY 5, 2023 IN OFFICIAL RECORDS BOOK 33780, PAGE 1477, ALL OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

PARCEL A: LEGAL DESCRIPTION OF A MARINA LEASE AREA IN BISCAYNE BAY IN SECTION 4, TOWNSHIP 54 SOUTH, RANGE 42 EAST, MIAMI-DADE COUNTY, FLORIDA; SAID MARINA AREA'S EASTERLY BOUNDARY BEING CONTIGUOUS WITH AND WESTERLY OF THE WATER FACE OF A CONCRETE BULKHEAD LOCATED ON THE EASTERLY SHORE OF BISCAYNE BAY, ON THE WESTERLY BOUNDARY OF LOT 18, BLOCK 1, AMENDED PLAT OF FLEETWOOD SUBDIVISION, RECORDED IN PLAT BOOK 28, PAGE 34, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA; SAID MARINA AREA DESCRIBED AS FOLLOWS:

COMMENCE (P.O.C.) AT THE POINT OF INTERSECTION OF THE NORTHERLY LINE OF THE ABOVE REFERENCED LOT 18 WITH THE WATER FACE OF A CONCRETE BULKHEAD ON THE EASTERLY SHORE OF BISCAYNE BAY, ON THE WESTERLY LINE OF SAID LOT 18, SAID POINT OF INTERSECTION BEING 801.14 FEET SOUTH AND 476.58 FEET WEST OF THE NORTHEAST CORNER OF SECTION 4, TOWNSHIP 54 SOUTH, RANGE 42 EAST; THENCE RUN SOUTH 4°19'10" WEST ALONG THE WATER FACE OF SAID BULKHEAD, ALONG THE WESTERLY LINE OF SAID LOT 18, ALONG THE EASTERLY SHORE OF BISCAYNE BAY, A DISTANCE OF 25.00 FEET TO THE POINT OF BEGINNING (P.O.B.) OF THE FOLLOWING DESCRIBED MARINA LEASE AREA; THENCE RUN SOUTH 87°39'30" WEST ALONG A LINE 25.00 FEET SOUTH OF AND PARALLEL WITH, AS MEASURED AT RIGHT ANGLES TO, THE EXTENSION WESTERLY OF THE NORTHERLY LINE OF SAID LOT 18 INTO BISCAYNE BAY, A DISTANCE OF 134.08 FEET; THENCE RUN SOUTH 4°19'10" EAST A DISTANCE OF 110.63 FEET IN BISCAYNE BAY; THENCE RUN NORTH 85°40'50" EAST IN BISCAYNE BAY, A DISTANCE OF 134.00 FEET TO THE WATER FACE OF SAID CONCRETE BULKHEAD; THENCE RUN NORTH 4°19'10" WEST ALONG THE WATER FACE OF SAID BULKHEAD, ALONG THE WESTERLY LINE OF SAID LOT 18, ALONG THE EASTERLY SHORE OF BISCAYNE BAY, A DISTANCE OF 106.00 FEET TO THE POINT OF BEGINNING (P.O.B.).

PARCEL "B": LEGAL DESCRIPTION OF A PROPOSED MARINA LEASE AREA IN BISCAYNE BAY IN SECTION 4, TOWNSHIP 54 SOUTH, RANGE 42 EAST, MIAMI-DADE COUNTY, FLORIDA; SAID MARINA AREA'S EASTERLY BOUNDARY BEING CONTIGUOUS WITH AND WESTERLY OF THE WATER FACE OF A CONCRETE BULKHEAD ON THE EASTERLY SHORE OF BISCAYNE BAY, ON THE WESTERLY LINE OF BLOCK 1, AMENDED PLAT OF FLEETWOOD SUBDIVISION, RECORDED IN PLAT BOOK 28, PAGE 34, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA. SAID MARINA AREA DESCRIBED AS FOLLOWS:

COMMENCE (P.O.C.) AT THE POINT OF INTERSECTION OF THE SOUTHERLY LINE OF LOT 11, BLOCK 1 OF THE LAST MENTIONED SUBDIVISION WITH THE WATER FACE OF THE ABOVE REFERENCED CONCRETE BULKHEAD ON THE EASTERLY SHORE OF BISCAYNE BAY AND RUN NORTH 4 DEGREES 54 MINUTES 30 SECONDS WEST ALONG THE WATER FACE OF SAID BULKHEAD, ALONG THE WESTERLY LINE OF SAID BLOCK 1, ALONG THE EASTERLY SHORE OF BISCAYNE BAY, A DISTANCE OF 184.90 FEET TO THE POINT OF BEGINNING (P.O.B.) OF THE MARINA AREA, SAID P.O.B. BEING 1259.64 FEET SOUTH AND 439.68 FEET WEST OF THE NORTHEAST CORNER OF SECTION 4, TOWNSHIP 54 SOUTH, RANGE 42 EAST, THENCE RUN SOUTH 85 DEGREES 05 MINUTES 30 SECONDS WEST INTO BISCAYNE BAY, A DISTANCE OF 77.62 FEET; THENCE RUN NORTH 4 DEGREES 54 MINUTES 30 SECONDS WEST IN BISCAYNE BAY, A DISTANCE OF 59.10 FEET; THENCE RUN NORTH 85 DEGREES 05 MINUTES 30 SECONDS EAST IN BISCAYNE BAY, A DISTANCE OF 47.62 FEET; THENCE RUN NORTH 4 DEGREES 54 MINUTES 30 SECONDS WEST IN BISCAYNE BAY, A DISTANCE OF 155.60 FEET; THENCE RUN NORTH 85 DEGREES 05 MINUTES 30 SECONDS EAST, A DISTANCE OF 30.00 FEET TO THE WATER FACE OF THE SAID CONCRETE BULKHEAD; THENCE RUN SOUTH 4 DEGREES 54 MINUTES 30 SECONDS EAST ALONG THE WATER FACE OF SAID BULKHEAD, ALONG THE WESTERLY LINE OF BLOCK 18, ALONG THE EASTERLY SHORE OF BISCAYNE BAY, A DISTANCE OF 214.70 FEET TO THE POINT OF BEGINNING (P.O.B.).

PARCEL 3: (FEE SIMPLE)

LOTS 8, 9, 10, 11, 12, 13, 14, AND 15, OF BLOCK 3, AMENDED PLAT OF FLEETWOOD SUBDIVISION, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 28, PAGE 34, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.