

MIAMIBEACH

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 PB24-0721		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 49 Collins Avenue, Miami Beach, Florida 33139			
FOLIO NUMBER(S) 0242030030130			
Property Owner Information			
PROPERTY OWNER NAME 49 COLLINS AVENUE REALTY LLC, a Florida limited liability company			
ADDRESS 1000 GATES AVE., 5TH FL.		CITY BROOKLYN	STATE NY
ZIP CODE 11221			
BUSINESS PHONE (754) 243-1867	CELL PHONE (754) 243-1867	EMAIL ADDRESS LeoF@citadelcarecenters.com	
Applicant Information (if different than owner)			
APPLICANT NAME			
ADDRESS		CITY	STATE
ZIP CODE			
BUSINESS PHONE	CELL PHONE	EMAIL ADDRESS	
Summary of Request			
PROVIDE A BRIEF SCOPE OF REQUEST Modification of a Previously Approved Conditional Use Permit Under Planning Board File No. 2000 to Reflect a New Owner and New Operator In Connection with the Parking Garage at the Property. Please reference the Letter of Intent for additional information.			

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 N/A		☐ Architect ☐ Contractor ☐ Landscape Architect ☐ Engineer ☐ Tenant ☐ Other _____	
ADDRESS		CITY	STATE ZIPCODE
BUSINESS PHONE	CELL PHONE	EMAIL ADDRESS	
Authorized Representative(s) Information (if applicable)			
NAME Jacob H. Nunez		☒ Attorney ☐ Contact ☐ Agent ☐ Other _____	
ADDRESS 303 SW 6th Street		CITY Fort Lauderdale	STATE ZIPCODE FL 33315
BUSINESS PHONE (954) 463-4972	CELL PHONE (954) 336-3006	EMAIL ADDRESS Jacob@nunezandfleischer.com	
NAME Rachel Schuster		☐ Attorney ☐ Contact ☒ Agent ☒ Other <u>Owner's Representative</u>	
ADDRESS 42 Collins Avenue		CITY Miami Beach	STATE ZIPCODE FL 33139
BUSINESS PHONE (754) 243-1867	CELL PHONE (754) 243-1867	EMAIL ADDRESS RSchuster@onyxcares.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:

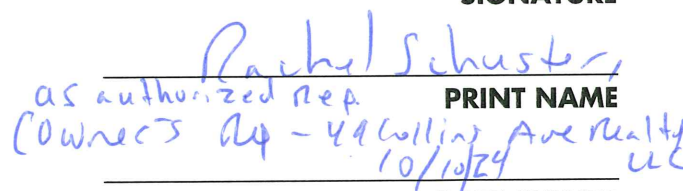
- Applications for any board hearing(s) will not be accepted without payment of the required fees. All checks are to be made payable to the "City of Miami Beach".
- All disclosures must be submitted in CMB Application format and be consistent with CMB Code Sub-part A Section 2-482(c):
 - (c) If the lobbyist 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 from 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: _____

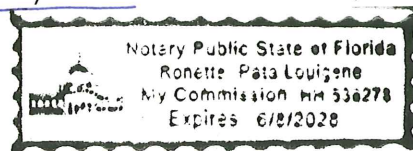
PRINT NAME**ALTERNATE OWNER AFFIDAVIT FOR CORPORATION, PARTNERSHIP OR LIMITED LIABILITY COMPANY**STATE OF FloridaCOUNTY OF Miami-Dade

I, Rachel Schuster, being first duly sworn, depose and certify as follows: (1) I am the Authorized Representative (Owner's Representative) (print title) of 49 COLLINS AVENUE REALTY LLC (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 10 day of October, 2024. The foregoing instrument was acknowledged before me by Rachel Schuster, 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: 6/8/2028**NOTARY PUBLIC****PRINT NAME**

POWER OF ATTORNEY AFFIDAVITSTATE OF FloridaCOUNTY OF Miami-Dade

Rachel Schuster, on behalf of 49 COLLINS AVENUE REALTY LLC

I, Rachel Schuster, 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 Jacob H. Nunez, and Nunez & Fleischer, P.A. to be my representative before the Planning 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.

Rachel Schuster, Authorized by (owner) Rep
49 Collins Ave
Realty LLC

PRINT NAME (and Title, if applicable)

Rachel Schuster

SIGNATURE

Sworn to and subscribed before me this 10 day of October, 2024. The foregoing instrument was acknowledged before me by Rachel Schuster, 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: 6/8/2028

Ronette Pata Louigne

NOTARY PUBLIC

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 contract purchasers are corporations, partnerships, limited liability companies, trusts, 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. 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 is 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.

See attached Exhibit "B" relating to Owner/Applicant

NAME OF CORPORATE ENTITY	
NAME AND ADDRESS	% OF OWNERSHIP
See attached Exhibit "B" relating to Owner/Applicant	

See attached Exhibit "C" relating to Operator

NAME OF CORPORATE ENTITY	
NAME AND ADDRESS	% OF OWNERSHIP
See attached Exhibit "C" relating to Operator	

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

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
Jacob H. Nunez, Esq.	303 SW 6th Street, Fort Lauderdale, Florida 33315	(954) 336-3006

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 Florida
COUNTY OF Miami-Dade

I, Rachel Schuster, 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.

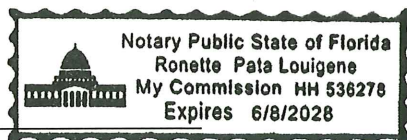
best of my knowledge and belief.

Robert Schuster

SIGNATURE

Sworn to and subscribed before me this 10 day of October, 2024. The foregoing instrument was acknowledged before me by Rachel Schuster, 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:

_____, who has produced _____ as
e an oath.



NOTARY PUBLIC
Ronette Kata-Louigene
PRINT NAME

NOTARY PUBLIC

PRINT NAME _____

EXHIBIT

A

EXHIBIT "A"

LEGAL DESCRIPTION

ALL that tract or parcel of land and premises, situate, lying and being in the City of Miami Beach, County of Miami-Dade and State of Florida, more particularly described as follows:

Lots 14 and 15, in Block 1, of "Ocean Beach-Florida Subdivision according to the Flat-thereof, as recorded in Plat Book 2, at Page 38, of the Public Records of Dade County, Florida, also described as follows:

Commence at (Begin at) the Northeasterly corner of said Lot 15, in Block 1, of "Ocean Beach Florida Subdivision", according to the Plat thereof recorded in Plat Book 2, at page 38, of the Public Records of Dade County, Florida; thence run Southwesterly (S 20° 00' 00" W) along the Easterly line of said Lots 15 and 14 In Block 1, for a distance of 100.01 feet (100.05 feet measured) to the Southeasterly corner of said Lot 14, thence run Northwesterly (N 69° 58' 00" W) for a distance of 130.00 feet (130.15 feet measured) to the Southwesterly corner of said Lot 14, thence run Northeasterly (N 20° 00' 00" E) along the Westerly line of said Lots 14 and 15, for a distance of 100.01 feet (100.05 feet measured) to the Northwesterly corner of said Lot 15; thence run Southeasterly (S 69° 58' 00" E) along the Northerly line of said Lot 15 for a distance of 130.00 feet (130.15 feet measured) to the Northeasterly corner of said Lot 15 and the POINT OF BEGINNING, all lying and being in portion of Section 3, Township 54 South, Range 42 East, Miami Beach, Dade County, Florida.

EXHIBIT

B

EXHIBIT “B”

DISCLOSURE OF INTEREST 49 COLLINS AVENUE REALTY LLC (“OWNER/APPLICANT”)

This Disclosure of Interest relates to the disclosure of ownership interest in **49 COLLINS AVENUE REALTY LLC**, a Florida limited liability company (“Owner” and/or “Applicant”) as required by the City of Miami Beach in connection with its Land Use Board Hearing Application (File No. PB24-0721).

Please see below the names, addresses, and percentage of ownership interest in Owner/ Applicant below:

49 COLLINS AVENUE REALTY LLC, a Florida limited liability Company

<u>Name and Address</u>	<u>Percentage of Ownership Interest</u>
Leopold Friedman 1000 Gates Avenue, 5 th floor, Brooklyn, NY 11221	49.95%
Eliezer Scheiner 400 Rella BLVD, Suite 174, Suffern, NY 10901	22.775%
Teddy Lichtschein 400 Rella BLVD, Suite 174, Suffern, NY 10901	22.775%
Zevi Kohn 1270 East 32 nd ST, Brooklyn, NY 11210	4.5%

EXHIBIT

C

EXHIBIT “C”

DICLOSURE OF INTEREST (OPERATOR)

This Disclosure of Interest relates to the disclosure of ownership interest in **UNITY PARKING LLC**, a Florida limited liability company (the “Operator”) in connection with 49 COLLINS AVENUE REALTY LLC’s Application (File No.: PB24-0721) to modify a Previously Approved Conditional Use Permit Under Planning Board File No. 2000 (the “Existing CUP”). The Existing CUP requires that subsequent owners and operators shall be required to appear before the Planning Board to affirm their understanding of the conditions of the Existing CUP.

As a result of the aforementioned, and in accordance with the City of Miami Beach requirements relating to the disclosure of ownership interests, please see below the names, addresses, and percentage of ownership interest in Operator below:

UNITY PARKING LLC, a Florida limited liability Company

<u>Name and Address</u>	<u>Percentage of Ownership Interest</u>
Jonnathan Camargo 574 NW 208TH DR., Pembroke Pines, FL 33029	50%
Alfredo Estupinan 2515 NW 10TH AVE., APT 204, Miami, FL 33127	50%