HISTORIC PRESERVATION BOARD
City of Miami Beach, Florida

MEETING DATE: June 10, 2014

FILE NO: 7431

PROPERTY: 1020 Pennsylvania Avenue

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 of Planning Director or Designee) 7-24-14 (Date)

Personally known to me or Produced ID:

Waldhys J. Rodoli
Notary Public, State of Florida at Large

Printed Name: Waldhys J. Rodoli.

My Commission Expires: (Seal)

This document contains 4 pages.

WALDHYS J. RODOLI
MY COMMISSION #FF039521
EXPIRES: JUL 24, 2017
Bonded through 1st State Insurance

LEGAL: Lot 6, Block 43, of the Ocean Beach addition No. 3, According to the Plat Thereof, as Recorded in Plat Book 2, Page 81, of the Public Records of Miami-Dade County, Florida.

IN RE: The application for an "After-the-Fact" Certificate of Appropriateness for the emergency demolition of all structures on the site.

ORDER

The applicant, 1020 Pennsylvania Avenue, 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 property is located within the Flamingo Park Local Historic District and the previous structure on site was designated contributing in the Miami Beach Historic Properties Database.

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 application as submitted is not consistent with Certificate of Appropriateness Criteria for Demolition 'g' and 'h' in Section 118-564(f)(4).

C. The after-the-fact application would be consistent with the criteria and requirements of

section 118-564 if the following conditions are met:

1. Any future development on the site shall not exceed the total square footage of the previous structures.

2. A museum quality historic analysis and display of the existing structure, inclusive of a photographic and written description of the history and evolution of the original building and its changes of use over time, shall be submitted to and approved by staff, prior to the issuance of a Certificate of Occupancy or a Temporary Certificate of Occupancy for the new structure constructed on the site; such historic analysis shall be displayed prominently, in a location to be determined by staff.

3. A copy of all pages of the recorded Final Order shall be scanned into the plans submitted for building permit for the new structure constructed on the site, and shall be located immediately after the front cover page of the permit plans.

4. 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. The entire site shall be thoroughly cleaned, evenly leveled, and sodded and an aluminum picket fence shall be required at the front and rear of the property, 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 grass and landscape materials shall remain properly maintained, irrigated, and trimmed at all times, subject to periodic staff review, until such time as the entire site is redeveloped.

   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.

5. 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.

6. The Final Order shall be recorded in the Public Records of Miami-Dade County, prior to the issuance of a Building Permit.

7. 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.

8. The conditions of approval herein are binding on the applicant, the property's owners, operators, and all successors in interest and assigns.

9. 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 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. 1-9 inclusive) hereof, 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.

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 Final 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 Final Order, have been met.

The issuance of this 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, this 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), this 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 this Certificate of Appropriateness to Section 118-564, City Code, for revocation or modification of the Certificate of Appropriateness.

Dated this 27th day of JUNE, 2014.

HISTORIC PRESERVATION BOARD
THE CITY OF MIAMI BEACH, FLORIDA

BY: _____
THOMAS R. MOONEY, AICP
PLANNING DIRECTOR
FOR THE CHAIR

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

The foregoing instrument was acknowledged before me this 27th day of June 20 14 by Thomas R. Mooney, Planning Director, Planning Department, City of Miami Beach, Florida, a Florida Municipal Corporation, on behalf of the corporation. He is personally known to me.

WALDHYS J. RODOLI
MY COMMISSION #FF039521
EXPIRES: JUL 24, 2017
Bonded through 1st State Insurance

Waldhys J. Rodoli
NOTARY PUBLIC
Miami-Dade County, Florida
My commission expires: 7-24-17

Approved As To Form:
City Attorney's Office: _____ (6-26-14)

Filed with the Clerk of the Historic Preservation Board on 6-27-14 (WJR)

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