

# MIAMIBEACH

## PLANNING DEPARTMENT

### Staff Report & Recommendation

### Historic Preservation Board

TO: Chairperson and Members  
Historic Preservation Board

DATE: November 18, 2025

FROM: Thomas R. Mooney, AICP  
Planning Director



SUBJECT: HPB24-0640, **1440 Michigan Avenue**

An application has been filed requesting a Certificate of Appropriateness for the construction of a new 3-story multifamily building with an understory, including a waiver to exceed the maximum allowable lot coverage, to replace an existing parking lot, to be demolished.

**STAFF RECOMMENDATION**

Approval with conditions.

**EXISTING SITE**

Local Historic District: Flamingo Park

**BACKGROUND**

On September 25, 1973, the Planning Board approved a Conditional Use Permit (CUP) for a 102-space surface parking lot on the subject site, as part of a combined site with the property to the north. This parking lot provided accessory parking for the buildings located at 1538 through 1560 Lenox Avenue. On June 27, 1995, a new CUP was granted that allowed the parking lot to be utilized as a main permitted use. On January 26, 1999, the Planning Board approved a new CUP for the construction of a small storage facility on the existing surface parking lot.

On February 24, 2015, the Planning Board approved modifications to the main use parking lot CUP, as well as an application for a lot split to create a separate parcel that accommodated a new residential project on the northern half of the site. The southern lot (the subject of the current application) has remained as a surface parking lot.

**ZONING / SITE DATA**

Legal Description: Lots 1 And 24, Block 93 Of Ocean Beach, Fla 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. Together With 20 Feet Of Vacated Alley Lying Between Lots 1 And 24, Block 93 By Resolution No. 73-14219 Recorded In Book 29623, Page 2824 Of The Public Records Of Miami-Dade County, Florida.

Zoning: RM-1, Residential Multifamily, Low Intensity

Future Land Use Designation: RM-1, Residential Multifamily, Low Intensity

Lot Size:	23,040 S.F. (Max FAR 1.25)
Proposed FAR:	28,797 S.F. / 1.24 FAR, as represented by the architect
Proposed Height:	3-stories / 35'-0"
Existing Use/Condition:	surface parking lot
Proposed Use:	Multi-family residential

### **THE PROJECT**

The applicant has submitted plans entitled "Miami Beach Apartments" as prepared by Eric Chancellor, dated September 7<sup>th</sup>, 2025.

The applicant is requesting a Certificate of Appropriateness for the construction of a new 3-story multi-family residential building that will replace an existing parking lot and includes the demolition of a one-story, non-contributing, utility building. The applicant is also seeking approval of a waiver to exceed the maximum allowable lot coverage

### **CONSISTENCY WITH 2025 COMPREHENSIVE PLAN**

A preliminary review of the project indicates that the proposed **residential use** appears to be **consistent** with the Future Land Use Map of the Comprehensive Plan.

### **COMPLIANCE WITH ZONING CODE**

A preliminary review of the project indicates that the application, as proposed, is not consistent with the following sections of the city code:

1. Waiver requested from **Section 7.2.4.3.a:** For lots equal to or greater than 65 feet in width, the maximum lot coverage is 45%.

This shall not be considered final zoning review or approval. These and all zoning matters shall require final review and verification by the Zoning Administrator prior to the issuance of a Building Permit.

### **COMPLIANCE WITH SEA LEVEL RISE AND RESILIENCY REVIEW CRITERIA**

Section 7.1.2.4(a)(1) of the Land Development Regulations establishes review criteria for sea level rise and resiliency that must be considered as part of the review process for board orders. The following is an analysis of the request based upon these criteria:

- A. A recycling or salvage plan for partial or total demolition shall be provided.  
**Not Satisfied**
- B. Windows that are proposed to be replaced shall be hurricane proof impact windows.  
**Satisfied**
- C. Where feasible and appropriate, passive cooling systems, such as operable windows, shall be provided.  
**Satisfied**
- D. Resilient landscaping (salt tolerant, highly water-absorbent, native or Florida friendly plants) shall be provided, in accordance with Chapter 4 of the Land Development Regulations.  
**Satisfied**

- E. The project applicant shall consider the adopted sea level rise projections in the Southeast Florida Regional Climate Action Plan, as may be revised from time-to-time by the Southeast Florida Regional Climate Change Compact. The applicant shall also specifically study the land elevation of the subject property and the elevation of surrounding properties.  
**Satisfied**
- F. The ground floor, driveways, and garage ramping for new construction shall be adaptable to the raising of public rights-of-ways and adjacent land and shall provide sufficient height and space to ensure that the entry ways and exits can be modified to accommodate a higher street height of up to three (3) additional feet in height.  
**Satisfied**
- G. In all new projects, all critical mechanical and electrical systems shall be located above base flood elevation. Due to flooding concerns, all redevelopment projects shall, whenever practicable, and economically reasonable, move all critical mechanical and electrical systems to a location above base flood elevation.  
**Satisfied**
- H. Existing buildings shall be, where reasonably feasible and economically appropriate, elevated up to base flood elevation, plus City of Miami Beach Freeboard.  
**Not Applicable – The existing storage buildings are proposed to be demolished.**
- I. When habitable space is located below the base flood elevation plus City of Miami Beach Freeboard, wet or dry flood proofing systems will be provided in accordance with Chapter of 54 in General Ordinances.  
**Not Applicable**
- J. In all new projects, water retention systems shall be provided.  
**Satisfied**
- K. Cool pavement materials or porous pavement materials shall be utilized.  
**Satisfied**
- L. The project design shall minimize the potential for a project causing a heat island effect on site.  
**Satisfied**

#### **COMPLIANCE WITH CERTIFICATE OF APPROPRIATENESS CRITERIA**

A decision on an application for a certificate of appropriateness shall be based upon the following:

1. Evaluation of the compatibility of the physical alteration or improvement with surrounding properties and where applicable, compliance with the following criteria pursuant to section 2.13.7(d)(ii)(1) of the Land Development Regulations (it is recommended that the listed criteria be found Satisfied, Not Satisfied or Not Applicable, as so noted):
  - a. The Secretary of Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings may be amended from time to time.  
**Not Applicable**

- b. The Secretary of Interior’s Standards for Reconstruction as may be amended from time to time.  
**Not Applicable**
- c. Other guidelines/policies/plans adopted or approved by resolution or ordinance by the city commission.  
**Satisfied**

The Secretary of Interior’s Guidelines for Rehabilitation are intended as an aid to assist in applying the Secretary of Interior’s Standards but are not binding on their own and are not meant to give case-specific advice or to address exceptions of unusual conditions.

- 2. The examination of architectural drawings for consistency with the criteria pursuant to section 2.13.7(d)(ii)(2) of the Land Development Regulations and stated below, with regard to the aesthetics, appearances, compatibility, safety, and function of any new or existing structure, public interior space and physical attributes of the project in relation to the site, adjacent structures and properties, and surrounding community. The criteria referenced above are as follows (it is recommended that the listed criteria be found Satisfied, Not Satisfied or Not Applicable, as so noted):

- a. The location of all existing and proposed buildings, drives, parking spaces, walkways, means of ingress and egress, drainage facilities, utility services, landscaping structures, signs, and lighting and screening devices.  
**Satisfied**
- b. The dimensions of all buildings, structures, setbacks, parking spaces, floor area ratio, height, lot coverage and any other information that may be reasonably necessary to determine compliance with the requirements of the underlying zoning district, and any applicable overlays, for a particular application or project.  
**Not Satisfied; the applicant is requesting a waiver to exceed the lot coverage.**
- c. The color, design, surface finishes and selection of landscape materials and architectural elements of the exterior of all buildings and structures and primary public interior areas for developments requiring a building permit.  
**Satisfied**
- d. The proposed structure, or additions to an existing structure are appropriate to and compatible with the environment and adjacent structures, and enhance the appearance of the surrounding properties, or the purposes for which the district was created.  
**Satisfied**
- e. The design and layout of the proposed site plan, as well as all new and existing buildings and public interior spaces shall be reviewed so as to provide an efficient arrangement of land uses. Particular attention shall be given to safety, crime prevention and fire protection, relationship to the surrounding neighborhood, impact on preserving historic character of the neighborhood and district, contiguous and adjacent buildings and lands, pedestrian sight lines and view corridors.

**Satisfied**

- f. Pedestrian and vehicular traffic movement within and adjacent to the site shall be reviewed to ensure that clearly defined, segregated pedestrian access to the site and all buildings is provided for and that any driveways and parking spaces are usable, safely and conveniently arranged and have a minimal impact on pedestrian circulation throughout the site. Access to the site from adjacent roads shall be designed so as to interfere as little as possible with vehicular traffic flow on these roads and pedestrian movement onto and within the site, as well as permit both pedestrians and vehicles a safe ingress and egress to the site.

**Satisfied**

- g. Lighting shall be reviewed to ensure safe movement of persons and vehicles and reflection on public property for security purposes and to minimize glare and reflection on adjacent properties and consistent with a city master plan, where applicable.

**Satisfied**

- h. Landscape and paving materials shall be reviewed to ensure an adequate relationship with and enhancement of the overall site plan design.

**Satisfied**

- i. Buffering materials shall be reviewed to ensure that headlights of vehicles, noise, and light from structures are adequately shielded from public view, adjacent properties and pedestrian areas.

**Satisfied**

- j. Any proposed new structure shall have an orientation and massing which is sensitive to and compatible with the building site and surrounding area and which creates or maintains important view corridor(s).

**Not Satisfied; the massing on the front elevations facing Michigan and Lenox Avenue overwhelms the street character. See Staff analysis.**

- k. All buildings shall have, to the greatest extent possible, space in that part of the ground floor fronting a sidewalk, street or streets which is to be occupied for residential or commercial uses; likewise, the upper floors of the pedestal portion of the proposed building fronting a sidewalk street, or streets shall have residential or commercial spaces, or shall have the appearance of being a residential or commercial space or shall have an architectural treatment which shall buffer the appearance of a parking structure from the surrounding area and is integrated with the overall appearance of the project.

**Satisfied**

- l. All buildings shall have an appropriate and fully integrated rooftop architectural treatment which substantially screens all mechanical equipment, stairs and elevator towers.

**Satisfied**

- m. All portions of a project fronting a street or sidewalk shall incorporate an amount of transparency at the first level necessary to achieve pedestrian compatibility.

**Satisfied**

- n. The location, design, screening and buffering of all required service bays, delivery bays, trash and refuse receptacles, as well as trash rooms shall be arranged so as to have a minimal impact on adjacent properties.

**Satisfied**

**CERTIFICATE OF APPROPRIATENESS FOR DEMOLITION EVALUATION CRITERIA**

Section 2.13.7(d)(vi)(4) of the Land Development Regulations provides criteria by which the Historic Preservation Board evaluates requests for a Certificate of Appropriateness for Demolition. The following is an analysis of the request based upon these criteria:

- a. The building, structure, improvement, or site is of such design, craftsmanship, or material that it could be reproduced only with great difficulty or expense.

**Not Satisfied:**

**The existing structure is a ‘Non-Contributing’ structure in the historic district.**

- b. The building, structure, improvement, or site is one of the last remaining examples of its kind in the neighborhood, the county, or the region, or is a distinctive example of an architectural or design style which contributes to the character of the district.

**Not Satisfied**

**The subject structure is a ‘Non-Contributing’ structure in the historic district**

- c. Retention of the building, structure, improvement, landscape feature or site promotes the general welfare of the city by providing an opportunity for study of local history, architecture, and design, or by developing an understanding of the importance and value of a particular culture and heritage.

**Not Satisfied**

**The retention of the subject structure does not promote the general welfare of the city for study of local history, architecture, and design, or by developing an understanding of the importance and value of a particular culture and heritage as it a non-contributing storage building.**

- d. In the event an applicant or property owner proposes the total demolition of a contributing structure, historic structure or architecturally significant feature, there shall be definite plans presented to the board for the reuse of the property if the proposed demolition is approved and carried out.

**Not Applicable**

- e. The county unsafe structures board has ordered the demolition of a structure without option.

**Not Applicable**

**The Miami-Dade County Unsafe Structures Board has not ordered the demolition of the structure.**

**ANALYSIS**

The subject site, including the lot to the north, originally contained the 8-story Hotel Helene, constructed in 1925 and designed by Martin L. Hampton in the Mediterranean Revival style of architecture. In 1933 an annex was constructed at the eastern portion of the site, designed by L. Murray Dixon, in the Art Deco style of architecture. In 1973, demolition permits were issued for all

structures on the site. Subsequently, all structures were demolished, and the vacant site was purchased by Southern Bell Telephone Company (now AT&T). On January 26, 1999, the Planning Board approved a conditional use permit (PB 1362) allowing the construction of a small storage facility within the existing parking lot. On February 24, 2015, the Board approved a lot split for the subject property, 1440 Michigan Avenue and 1030 15<sup>th</sup> Street resulting in two developable parcels.

The applicant is proposing to construct a new 3-story, 23 unit multi-family residential structure on the southern parcel to replace the existing surface parking lot, inclusive of the demolition of the storage facility. Since the existing building was constructed in 1999 and retains no original architectural elements, staff has no objection to the applicant's request for total demolition of this structure.

Staff is generally supportive of the application. Over time, the existing parking lot has had a negative impact on the urban context of 15th Street as well as the surrounding historic district. The overall contemporary design language of the proposed structure which incorporates variations in the wood-like aluminum slat screens balances the scale of the building. The proposed new development embraces a modern architecture style that features lush planting, private balconies, and green roof elements to promote natural light and visual interest from all public vantage points. The design incorporates vertical and horizontal articulation that is compatible with the neighboring 3-story structures of the northern parcel and the surrounding historic district.

However, staff would note that the overall massing on the third floor is top-heavy as it projects approximately 7 feet beyond the second level at the east and west ends of the building, fronting Michigan Avenue and Lenox Avenue. Staff recommends the floor plans be adjusted so that the third level does not project beyond the second level, except for projecting balconies.

### **WAIVER ANALYSIS**

The applicant is requesting a waiver from section Section 7.2.4.3.a of the Resiliency Code which states that for lots equal to or greater than 65 feet in width, the maximum lot coverage is 45%. In addition to the building areas included in lot coverage, as defined in section 1.2.1, impervious parking areas and impervious driveways shall also be included in the lot coverage calculations. The Historic Preservation Board may waive the lot coverage requirements in accordance with the certificate of appropriateness criteria. The letter of intent indicates that the lot coverage is proposed at 64% (14,747 SF), where 45% (10,368 SF) is the maximum permitted. The new construction consists of an understory level at the ground floor where the vehicles enter from Michigan Avenue. In order to achieve the parking below the residential units, additional lot coverage is proposed to achieve the proposed understory design and to allow adequate floor plate dimensions for the residential units above, given the site's long and narrow configuration.

The proposed parking area will utilize a hydro-paver permeable paver system to improve on-site stormwater management and further advancing the City's sustainability and resiliency objectives. Staff also notes that the multifamily development located immediately to the north was approved with a lot coverage of approximately 62.87%, providing a relevant contextual precedent that supports the reasonableness of the requested waiver.

Overall, staff finds that the proposed waiver supports a well-integrated architectural design and recommends that the Board affirm the recommendations provided by staff, along with any

additional recommendations, and that the architect incorporate such changes into revised plans, including a reduction of the larger floor plates along the front facades.

**RECOMMENDATION**

In view of the foregoing analysis, staff recommends the application be **approved** subject to the following conditions, which address the inconsistencies with the aforementioned Certificate of Appropriateness criteria, as applicable.

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

MEETING DATE: November 18, 2025

PROPERTY/FOLIO: 1440 Michigan Avenue / 02-4203-009-6980

FILE NO: HPB24-0640

APPLICANT: Qriar Rental Michigan, LLC,

IN RE: An application for a Certificate of Appropriateness for the construction of a new 3-story multifamily building with an understory, including a waiver to exceed the maximum allowable lot coverage, to replace an existing parking lot, to be demolished.

LEGAL: Lots 1 And 24, Block 93 Of Ocean Beach, Fla 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. Together With 20 Feet Of Vacated Alley Lying Between Lots 1 And 24, Block 93 By Resolution No. 73-14219 Recorded In Book 29623, Page 2824 Of The Public Records Of Miami-Dade County, Florida.

**ORDER**

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 site is located within the Flamingo 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 not consistent with Sea Level Rise and Resiliency Review Criteria 'A' in section 7.1.2.4(a)(1) of the Land Development Regulations.
  - 2. Is consistent with Certificate of Appropriateness Criteria in section 2.13.7(d)(ii)(1) of the Land Development Regulations.
  - 3. Is not consistent with Certificate of Appropriateness Criteria 'b' and 'j' in section 2.13.7(d)(ii)(2) of the Land Development Regulations.
  - 4. Is not consistent with Certificate of Appropriateness Criteria 'a', 'b', and 'c' in section 2.13.7(d)(vi)(4) of the Land Development Regulations.

- C. The project would be consistent with the criteria and requirements of sections 2.13.7(d) and 7.1.2.4(a) of Land Development Regulations 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 top (third) level of the front facades facing Michigan Avenue and Lenox Avenue shall be reduced to align with the floor below, in to order to minimize the massing of the building, 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 backflow preventer shall be located within the structure, 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 location and details of all exterior ramp and railings systems, 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.
    - e. 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.
  2. 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. 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.
    - b. The project design shall minimize the potential for a project causing a heat island effect on site.
    - c. Cool pavement materials or porous pavement materials shall be utilized, if applicable.
    - d. A Silva Cell Rooting system or approved equivalent shall be provided with the required canopy shade trees in the public ROW facing Michigan Avenue and Lenox Avenue subject to the review and approval of the City's Urban Forester. In

the event that existing underground utilities prevent the installation of any of the required trees, a contribution to the Tree Trust Fund should be submitted equivalent to cost of material and installation inclusive of irrigation, landscape uplighting (two fixtures per tree), silva cell or approved equivalent, planting soil, trees, and bound aggregate.

**In accordance with section 2.2.4.8(c) of the Land Development Regulations the applicant, 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 magistrate appointed by the City Commission.**

## **II. Variance(s)**

A. No variances were filed as part of this application.

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

- A. The applicant agrees and shall be required to provide access to areas subject to this approval (not including private residences or hotel rooms) for inspection by the City (i.e.: Planning, Code Compliance, Building Department, Fire Safety), to ensure compliance with the plans approved by the Board and conditions of this order.
- B. A recycling/salvage plan shall be provided as part of the submittal for a demolition/building permit, in a manner to be reviewed and approved by staff.
- C. The issuance of a building permit is contingent upon meeting Public School Concurrency requirements, if applicable. Applicant shall obtain a valid School Concurrency Determination Certificate (Certificate) issued by the Miami-Dade County Public Schools. The Certificate shall state the number of seats reserved at each school level. In the event sufficient seats are not available, a proportionate share mitigation plan shall be incorporated into a tri-party development agreement and duly executed. No building permit may be issued unless and until the applicant obtains a written finding from Miami-Dade County Public Schools that the applicant has satisfied school concurrency.
- D. The relocation of any tree shall be subject to the approval of the Environment & Sustainability Director and/or Urban Forester, as applicable.
- E. Where one or more parcels are unified for a single development, the property owner shall execute and record a unity of title or a covenant in lieu of unity of title, as may be applicable, in a form acceptable to the City Attorney.
- F. All applicable FPL transformers or vault rooms and backflow prevention devices shall be located within the main building setbacks with the exception of the valve (PIV) which may be visible and accessible from the street.

- G. 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.
- H. The Final Order shall be recorded in the Public Records of Miami-Dade County, prior to the issuance of a Building Permit.
- I. 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.
- J. 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.
- K. The conditions of approval herein are binding on the applicant, the property's owners, operators, and all successors in interest and assigns.
- L. 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.
- M. Upon the issuance of a final Certificate of Occupancy or Certificate of Completion, as applicable, the project approved herein shall be maintained in accordance with the plans approved by the board and shall be subject to all conditions of approval herein, unless otherwise modified by the Board. Failure to maintain shall result in the issuance of a Code Compliance citation, and continued failure to comply may result in revocation of the Certificate of Occupancy, Completion and Business Tax Receipt.

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 application 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 entitled "**Miami Beach Apartments**", as prepared by Eric Chancellor, dated September 7<sup>th</sup>, 2025, as 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 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 the approval 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 approval was granted, the application will expire and become null and void, unless the applicant makes an application to the Board for an extension of time, in accordance with the requirements and procedures of section 2.13.7 of the Land Development Regulations; the granting of any such extension of time shall be at the discretion of the Board. 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 application will expire and become null and void.

In accordance with chapter 2 of the Land Development Regulations, the violation of any conditions and safeguards that are a part of this Order shall be deemed a violation of the land development regulations. Failure to comply with this Order shall subject the application to chapter 2 of the Land Development Regulations, for revocation or modification of the application.

Dated \_\_\_\_\_.

HISTORIC PRESERVATION BOARD  
THE CITY OF MIAMI BEACH, FLORIDA

BY: \_\_\_\_\_  
Michael A. Belush, AICP  
Planning & Design Officer  
For the Chair

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

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_ by Michael A. Belush, Planning & Design Officer, Planning Department, City of Miami Beach, Florida, a Florida Municipal Corporation, on behalf of the corporation. He is personally known to me.

\_\_\_\_\_  
NOTARY PUBLIC  
Miami-Dade County, Florida  
My commission expires:\_\_\_\_\_

Approved As To Form:  
City Attorney's Office: \_\_\_\_\_ ( )

Filed with the Clerk of the  
Historic Preservation Board on \_\_\_\_\_ ( )

DRAFT