

DESIGN REVIEW BOARD
City of Miami Beach, Florida

MEETING DATE: December 11, 2025

PROPERTY / FOLIO: **5900 Collins Avenue** 02-3214-026-0001

FILE NO: DRB24-1122

IN RE: An application has been filed requesting Design Review Approval for the proposed replacement of finished materials for the renovation of a water fountain located on the front side of the building.

LEGAL: See Exhibit 'A'


APPLICANT: 5900 Collins Avenue Condo Association Inc.

ORDER

The City of Miami Beach Design Review 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. Design Review

- A. The Board has jurisdiction pursuant to Section 2.1.3.1 of the Land Development Regulations. The property is not located within a designated local historic district and is not an individually designated historic site.
- 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 is consistent with the Design Review in Section 2.5.3.1 of the Land Development Regulations.
- C. 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 is consistent with Sea Level Rise in Section 7.1.2.4(a)(i) of the Land Development Regulations.
- D. The project will remain consistent with the criteria and requirements set forth in 2.5.3.1 and/or Section 7.1.2.4(a)(i) with the following conditions:
 - a. The final design, materials and details of the proposed water feature shall be submitted, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
 - b. The final design, material, color and details, including samples, of the "Natural Stone" granite tile in the "Molokai Flamed/Brushed" finish proposed for the

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water feature shall be submitted in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.

- c. The applicant shall explore modifying the design to be more cohesive with the building by incorporating light and water movement, subject to the review and approval of staff.
- d. The applicant shall incorporate uplighting into the fountain design, which shall be submitted in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
- e. The final design, details and colors of "Diamond Brite" finish to match the wall tile, proposed for the water basin, including samples, shall be submitted in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
- f. The final design details of the exterior materials and finishes shall be submitted, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
- 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. Prior to the issuance of a Certificate of Occupancy, the project Architect shall verify, in writing, that the subject project has been constructed in accordance with the plans approved by the Planning Department for Building Permit.


In accordance with section 2.2.4.8 of the Land Development Regulations, the applicant, the City Manager, Miami Design Preservation League, Dade Heritage Trust, or an affected person may appeal a decision of the design review board for design review approval only to the city commission, except that orders granting or denying a request for rehearing shall not be reviewed by the commission.

I. Variance(s)

- A. No variance(s) were filed as part of this application.

II. General Terms and Conditions applying to both 'I. Design Review Approval and 'II. Variances' noted above.

- A. 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.

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- 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. 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.
- E. The conditions of approval herein are binding on the applicant, the property's owners, operators, and all successors in interest and assigns.
- F. 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 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 "Existing Fountain Fixture Exterior Renovation" as prepared by **Austin Fox Architecture**, signed, sealed and dated September 19, 2025, and as approved by the Design Review 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.

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 2.2.4.6 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 shall 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 of the City Code. 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.


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Exhibit "A"

TRACT 3, THE BATH CLUB PROPERTY, a subdivision recorded in Plat Book 40 at page 14 of the public records of Dade County, Florida.

LESS: A portion of Tract 3, The Bath Club Property, said portion being all that part of Tract 3 lying Easterly of that portion of the following described line lying within Tract 3:

Beginning (P.O.B.) at a point on the Southerly line of Lot 13, Block 2, Amended Plat of Second Ocean Front Subdivision, according to the Plat thereof, recorded in Plat Book 28, at page 28 of the public records of Dade County, Florida, said point being 60.04 feet Westerly from the Southeasterly corner of said Lot 13 and 324.56 feet Westerly of the Baseline shown on said Plat, as measured along the Southerly line of Lot 13 and the production thereof; thence run Northerly, parallel to the Easterly line of said Lot 13, a distance of 57.06 feet to the Point of Curvature (P.C.) of a Circular Curve concave Southwesterly and having a Radius of 1141.227 feet, said Point of Curvature (P.C.) being within the confines of said Lot 13; thence run Northerly along the Arc of said Curve, through a Central Angle of $19^{\circ} 54' 34''$, a distance of 396.56 feet to a Point of Reverse Curvature (P.R.C.) of a Circular Curve concave Easterly and having a Radius of 619.00 feet; thence run Northerly along the Arc of said curve, through a Central Angle of $10^{\circ} 21' 50''$, a distance of 111.968 feet to a point on the Southerly line of said Tract 3, The Bath Club Property referenced above, said point being 40.712 feet westerly of the Southeasterly corner of said Tract 3 and 441.000 feet Westerly of, as measured along the production Easterly of the Southerly line of said Tract 3, of the Baseline as shown on Plat of The Bath Club Property; thence continue along the Arc of the last mentioned Curve, through a Central Angle of $21^{\circ} 55' 34''$, a distance of 236.88 feet to a Point of Reverse Curvature (P.R.C.) of a Circular Curve concave Northwesterly and having a Radius of 581.00 feet; thence run Northerly along the Arc of said Curve, through a Central Angle of $12^{\circ} 12' 45''$, a distance of 123.839 feet to the Northeasterly corner of said Tract 3, said corner being 434.588 feet Westerly of, as measured along the production Easterly of the Northerly line of said Tract 3, the Baseline as shown on the above referenced The Bath Club Property Subdivision.

PLUS: A parcel of Submerged land (now filled) on the Easterly side of Indian Creek, adjacent to and abutting Tract 3 of the above referenced The Bath Club Property Subdivision, bounded as follows: Bounded on the South by the Southerly line of said Tract 3 produced Westerly; Bounded on the North by the Northerly line of said Tract 3 produced Westerly; Bounded on the East by the Easterly shore of said Indian Creek; Bounded on the West by a line described as follows: From a point on the Southerly line of said Tract 3 produced Westerly, 571.00 feet Westerly of the Baseline as shown on the referenced The Bath Club Property Subdivision and 170.71 feet Westerly of the Westerly line of Collins Avenue, as said Collins Avenue is shown on the referenced Plat, measured along the said Southerly line of said Tract 3 and the Westerly production thereof, the Bearing of the said Southerly line being $N. 89^{\circ} 14' 30'' W.$; thence run $N. 4^{\circ} 24' 47.534'' E.$, a distance of 359.42 feet to a point on the Westerly production of the Northerly line of said Tract 3, said point being 548.088 feet Westerly of the Baseline shown on said Plat and 113.50 feet Westerly of the Westerly line of Indian Creek Drive, as said Drive is shown on referenced Plat, measured along the Northerly line of said Tract 3 produced. The Bearing of the Northerly line of said Tract 3 being $N. 89^{\circ} 14' 30'' W.$

Property less excepted area contains 40,928 square feet, more or less or 0.940 acres, more or less.

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