

# MIAMI BEACH

## PLANNING DEPARTMENT

Staff Report & Recommendation

Design Review Board

TO: DRB Chairperson and Members

DATE: December 11, 2025

FROM: Thomas R. Mooney, AICP  
Planning Director



SUBJECT: DRB25-1141  
**800 South Pointe Drive**

An application has been filed requesting design review approval for modifications to the façade and exterior plaza of an existing residential apartment building. Specifically, the applicant is requesting to renovate the façade by recladding with new materials, change signage, provide new landscaping, and renovate the water feature.

### **RECOMMENDATION:**

Approval with conditions.

### **LEGAL DESCRIPTION:**

See Exhibit "A"

### **SITE DATA:**

Zoning: C-PS3  
Future Land Use: C-PS3

### **SURROUNDING PROPERTIES:**

East: 37-story multi-residential building  
North: 7-story multi-residential building  
South: South Pointe Park  
West: 37-story multi-residential building  
| Miami Beach Marina

### **EXISTING PROPERTY:**

33-story multi-residential building

### **THE PROJECT:**

The applicant has submitted plans entitled "Apogee Exterior Renovation" as designed by **Threshold Landscape Workshop**, dated October 12, 2025.

The applicant is proposing modifications and enhancements to the plaza level façade and the exterior plaza of an existing residential apartment building.

### **COMPLIANCE WITH ZONING CODE:**

A preliminary review of the project indicates that the application, as proposed, appears to be inconsistent with the City Code.

- The monument sign shall comply with the maximum sign area and height requirements of sec. 6.2.7 of the Resiliency Code.

The above noted comments 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 DESIGN REVIEW CRITERIA, SECTION 2.5.3.1:**

Design review encompasses the examination of architectural drawings for consistency with the criteria stated below, with regard to the aesthetics, appearance, safety, and function of any new or existing structure and physical attributes of the project in relation to the site, adjacent structures and surrounding community. The design review board and the planning department shall review plans based upon the below stated criteria, criteria listed in neighborhood plans, if applicable, and applicable design guidelines. Recommendations of the planning department may include, but not be limited to, comments from the building department and the public works department.

- a. The existing and proposed conditions of the lot, including but not necessarily limited to topography, vegetation, trees, drainage, and waterways.  
**Satisfied**
- b. 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**
- c. 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.  
**Satisfied**
- d. The color, design, selection of landscape materials and architectural elements of Exterior Building surfaces and primary public interior areas for Developments requiring a Building Permit in areas of the city identified in section 2.5.3.2.  
**Satisfied**
- e. The proposed site plan, and the location, appearance and design of new and existing Buildings and Structures are in conformity with the standards of this Ordinance and other applicable ordinances, architectural and design guidelines as adopted and amended periodically by the Design Review Board and Historic Preservation Boards, and all pertinent master plans.  
**Satisfied**
- f. The proposed Structure, and/or additions or modifications to an existing structure, indicates a sensitivity to and is compatible with the environment and adjacent Structures, and enhances the appearance of the surrounding properties.  
**Partially Satisfied; the proposed landscape material and introduction of a fence and gate at the northwest corner of the site remove visual access to an open space view corridor.**
- g. The design and layout of the proposed site plan, as well as all new and existing buildings 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 contiguous and adjacent Buildings and lands, pedestrian sight lines and view corridors.

**Satisfied**

- h. 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 all parking spaces are usable and are safely and conveniently arranged; pedestrian furniture and bike racks shall be considered. Access to the Site from adjacent roads shall be designed so as to interfere as little as possible with traffic flow on these roads and to permit vehicles a rapid and safe ingress and egress to the Site.

**Satisfied**

- i. 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. Lighting shall be reviewed to assure that it enhances the appearance of structures at night.

**Satisfied**

- j. Landscape and paving materials shall be reviewed to ensure an adequate relationship with and enhancement of the overall Site Plan design.

**Partially Satisfied; the proposed landscape material and introduction of a fence and gate at the northwest corner of the site remove visual access to an open space view corridor.**

- k. 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.

**Not Applicable**

- l. The proposed structure has 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 proposed landscape material and introduction of a fence and gate at the northwest corner of the site remove visual access to an open space view corridor.**

- m. The building has, where feasible, space in that part of the ground floor fronting a 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 street, or streets shall have residential or commercial spaces, shall have the appearance of being a residential or commercial space or shall have an architectural treatment which shall buffer the appearance of the parking structure from the surrounding area and is integrated with the overall appearance of the project.

**Satisfied**

- n. The building shall have an appropriate and fully integrated rooftop architectural treatment which substantially screens all mechanical equipment, stairs and elevator towers.  
**Not Applicable**
- o. An addition on a building site shall be designed, sited and massed in a manner which is sensitive to and compatible with the existing improvement(s).  
**Satisfied**
- p. All portions of a project fronting a street or sidewalk shall incorporate an architecturally appropriate amount of transparency at the first level in order to achieve pedestrian compatibility and adequate visual interest.  
**Not Satisfied; the proposed landscape material and introduction of a fence and gate at the northwest corner of the site remove visual access to an open space view corridor.**
- q. 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.  
**Not Applicable**
- r. In addition to the foregoing criteria, subsection [118-]104(6)(t) of the city Code shall apply to the design review board's review of any proposal to place, construct, modify or maintain a wireless communications facility or other over the air radio transmission or radio reception facility in the public rights-of-way.  
**Not Applicable**
- s. The structure and site complies with the sea level rise and resiliency review criteria in chapter 7, article I, as applicable.  
**Not satisfied; see below**

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

Section 7.1.2.4(a)(i) 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:

- (1) A recycling or salvage plan for partial or total demolition shall be provided.  
**Not Satisfied**  
**A recycling plan shall be provided as part of the submittal for a demolition/building permit to the building department.**
- (2) Windows that are proposed to be replaced shall be hurricane proof impact windows.  
**Not Applicable**
- (3) Where feasible and appropriate, passive cooling systems, such as operable windows, shall be provided.  
**Not Applicable**

- (4) 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**

- (5) 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**

- (6) 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.

**Not Applicable**

- (7) 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**

- (8) Existing buildings shall be, where reasonably feasible and economically appropriate, elevated up to base flood elevation, plus City of Miami Beach Freeboard.

**Not Applicable**

- (9) 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 of the City Code.

**Not Applicable**

- (10) In all new projects, water retention systems shall be provided.

**Not Applicable**

- (11) Cool pavement materials or porous pavement materials shall be utilized.

**Satisfied; additional information will be required at the time of building permit in order to demonstrate compliance.**

- (12) The project design shall minimize the potential for a project causing a heat island effect on site.

**Satisfied**

**ANALYSIS:**

**DESIGN REVIEW**

The applicant is proposing modifications to the façade and exterior plaza of an existing 37-story residential condominium. Specifically, the applicant is requesting to renovate the ground

floor elevation and entrance, modify and add building signage, modify the hardscape, increase landscaping and renovate the existing water features. The subject property, Apogee Condominium, is located in the southwest corner of the island of Miami Beach, at the intersection of South Pointe Drive and Washington Avenue, in the South of Fifth Neighborhood of South Beach.

To the south of the property is South Pointe Park, to the west is the Miami Beach Marina and Government Cut, and to the east is Washington Avenue and the Portofino Tower Condominium. The eastern portion of the Apogee's plaza fronts the main corridor leading to South Pointe Park and as such is a part of the gateway to the southernmost part of the Island for residents and guests.

The existing plaza/entrance level of the Apogee Condominium is generously high, with exposed monolithic columns that support the slightly concave tower rising above. The double height entrance volume is nestled within the columns and features large blank stucco walls that flank a central glass curtain wall. The white stucco entrance canopy projects forwards from the glass wall, past the tower volume and over the curved entrance drive. To either side of the entrance are water features that reflect the profile of the tower above.

The applicant is proposing to enhance the existing plaza level elevation with new metal louver cladding, in a wood-like finish, that will be applied to the existing smooth, white stucco-finished walls. The same material is proposed for the underside of the existing porte-cochere canopy. In addition, the design proposes to sheath the two columns set within the fenestration of the lobby entrance in black metal. The entry steps are also proposed to be modified with the incorporation of a large landscape planter within its center and dividing the staircase into two sets. The stairs are refinished with marble treads and risers and feature new powder coated metal railings. At the top of the staircase landing, to either side of the entrance lobby doors, are two new, long benches, finished in granite.

Along with the renovation of the entrance elevations and steps, the applicant is proposing significant plaza modifications that include landscape and hardscape improvements. The current plaza is finished in grey granite pavers and, in addition to existing water features, is dotted with singularly planted date palms within its' eastern yard and a large green lawn within its' west yard. The applicant is proposing new landscape planters between the entrance staircase and both water features. Within the east yard, which also faces Washington Avenue, the applicant is proposing a compilation of landscaped planters with diversified plantings, intersected by skewed dark granite paved walkways alongside recycled light gray granite pavers. Within the west yard, the applicant is proposing to fence in the existing south lawn, proposing a new fence and double gates along the front (north) street facing side of the lawn for fire access, and another new fence between the lawn and the building, with two single entry gates. Modifications within the front, north yard of the site include higher planter walls with taller landscape and canopy trees and new dark gray granite pavers for the driveway. The base of the elevations, along with planter and water feature walls are proposed in a travertine stone finish.

Furthermore, this application includes modifications and additions to the existing site signage. The existing monument sign within the center of the front yard planter is proposed to be replaced with a new sign on a concrete base finished in black granite stone. A new monument

sign with the building name is proposed within the western portion of the front garden planter, perpendicular to the planter wall and facing west to incoming vehicles. This monument sign is finished in black granite and features pin-mounted logo and letters spelling "APOGEE" in a metal finish.

The applicant is also proposing signage at the entrance and exit of the vehicular driveway. Specifically, just west of the driveway entrance the applicant is proposing a new garden wall, finished in travertine, and perpendicular to the street. The number "800" is pin-mounted vertically on the short (north) face of the wall, while the word "ENTER" is pin-mounted horizontally on the long (west) face of the wall. Similarly, at the exit of the driveway, another garden wall with similar finish features the word "EXIT" pin-mounted to the long (west) face of the wall, and the number "800" vertically pin-mounted on the short (north) face of the wall.

In general, the applicant is proposing modifications and enhancement to the ground/plaza level that improve the overall architecture of the building, as well as the pedestrian realm of the east side of site. Staff, however, does have significant concerns with the proposed modifications to the west lawn area and the impact on the connection with the street and park.

When the Apogee project was approved, great care went into how the first level of the building and site interacted with the larger area context to the east, north and west. While the applicant has maintained this successful connection on the north and east sides of the property, the proposed enclosure and essential walling off of the west lawn is contrary to the current successful site plan.

In this regard, details of the height, materials and design of the proposed perimeter fence and gate along the north side of the site, which closes off the west lawn to the public, have not been provided. As proposed, the placement and potential design of this fencing and gate apparatus will remove an important open space component associated with the site. As such, staff recommends that the proposed fence and gate, as well as the increased landscape on the north side of the west half of the site be eliminated and the current configuration of open lawn and palm trees be retained.

Should the DRB decide to permit additional landscaping, as well as a fence and gate apparatus, staff strongly recommends that this portion of the application be continued to a future date so that the applicant can provide adequate and essential details of the proposed modifications to the west lawn. Additionally, should the board decide to allow a fence and gate, it is further recommended that the location of the fence and gate follow the contours of the site and building. Such fence and gate should be substantially open and not exceed four (4') feet in height and any additional landscape should consist of low ground cover and shrubs, so as to retain and preserve the open space views currently in place within the west lawn.

**RECOMMENDATION:**

In view of the foregoing analysis, staff recommends the application be **approved**, subject to the conditions enumerated in the attached Draft Order, which address the inconsistencies with the aforementioned Design Review and Sea Level Rise criteria.

Exhibit "A"

A PARCEL OF LAND LOCATED IN SECTION 10, TOWNSHIP 54 SOUTH, RANGE 42 EAST, CITY OF MIAMI BEACH, MIAMI-DADE COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF LOT 3, BLOCK 8, SOUTH BEACH PARK AS RECORDED IN PLAT BOOK 6 AT PAGE 77 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA; THENCE S87°38'57"W FOR 41.08 FEET TO A POINT ON THE WESTERLY LINE OF A 100.00 FOOT RIGHT OF WAY PER OFFICIAL BOOK 12566 PAGE 2910 FOR WASHINGTON AVENUE SAID POINT BEING THE POINT OF BEGINNING OF THE HEREINAFTER DESCRIBED PARCEL OF LAND; THENCE S10°47'36"W ALONG SAID 100.00 FOOT RIGHT OF WAY AND IT'S SOUTHWESTERLY EXTENSION FOR 239.73 FEET BEING A NON-TANGENT POINT ON A CIRCULAR CURVE CONCAVED TO THE NORTHEAST AND WHOSE RADIUS POINT BEARS N11°02'53"W; THENCE WESTERLY AND NORTHWESTERLY ALONG A 214.07 FOOT RADIUS CURVE LEADING TO THE RIGHT THROUGH A CENTRAL ANGLE OF 77°10'29" FOR AN ARC DISTANCE OF 288.35 FEET TO A NON TANGENT POINT ON A CIRCULAR CURVE CONCAVED TO THE NORTHEAST AND WHOSE RADIUS POINT BEARS N62°37'08"E; THENCE NORTHWESTERLY ALONG A 104.49 FOOT RADIUS CURVE LEADING TO THE RIGHT THROUGH A CENTRAL ANGLE OF 11°54'26" FOR AN ARC DISTANCE OF 21.72 FEET TO A POINT ON THE SOUTH LINE OF SAID LOT 3; THENCE S87°37'54"W ALONG THE SOUTH LINE OF SAID LOT 3 FOR 165.46 FEET; THENCE N32°13'24"W FOR 92.05 FEET TO A POINT ON THE NORTH LINE OF SAID LOT 3; THENCE N87°38'57"E ALONG SAID NORTH LINE FOR 150.03 FEET; THENCE N02°01'10"W ALONG THE SOUTHERLY EXTENSION OF THE EASTERLY RIGHT OF WAY LINE OF JEFFERSON AVENUE AS SHOWN ON THE PLAT OF "OCEAN BEACH ADDITION NO. 3" PLAT BOOK 2 PAGE 81 OF SAID PUBLIC RECORDS, FOR 132.00 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF SOUTH POINTE DRIVE, ALSO BEING THE NORTH LINE OF SAID SECTION 10; THENCE N87°38'57"E ALONG SAID RIGHT OF WAY FOR 384.43 FEET TO A POINT ON THE NORTHERLY EXTENSION OF SAID WESTERLY LINE OF 100.00 FOOT RIGHT OF WAY; THENCE S10°47'38"W ALONG SAID WESTERLY LINE FOR 135.43 FEET TO THE POINT OF BEGINNING.

**DESIGN REVIEW BOARD**  
**City of Miami Beach, Florida**

MEETING DATE: December 11, 2025

PROPERTY: **800 South Pointe Drive** 02-4203-339-0001

FILE NO: DRB25-1141

IN RE: An application has been filed requesting design review approval for modifications to the façade and exterior areas of an existing residential apartment building. Specifically, the applicant is requesting to renovate the façade, change signage, and provide a new guard house.

LEGAL: See attached "Exhibit A"

APPLICANT: Apogee Condominium 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 inconsistent with Design Review Criteria s 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 inconsistent with Sea Level Rise Criteria 1 in Section 7.1.2.4(a)(i) of the Land Development Regulations
- D. The project would be consistent with the criteria and requirements 2.5.3.1 and/ or Section 7.1.2.4(a)(i) if the following conditions are met:
  2. Revised elevations, site plan and floor plan drawings for the proposed modifications to the existing residential building and its site shall be submitted to and approved by staff; at a minimum, such drawings shall incorporate the following:

- a. The proposed fence and gate on the west side of the property shall not be permitted and the current open configuration of the west lawn shall be retained, with no changes or alteration.
- b. The final color, design and details of the extruded aluminum louver cladding with wood-like finish proposed on the ground/plaza level elevations 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 final design, details and colors, including samples, of the travertine stone on the foundation of the facades and the planter walls 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.
- d. The final design, finish, color and details, including material samples and color, of the "Alucobond" metal cladding proposed on the ground level columns flanking the north lobby entrance doors 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 and details, including material samples of the proposed marble treads and risers, of the revised entrance stairs 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 and details, including material samples and color, of the powder-coated aluminum balustrades proposed for the entrance stairs 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. The final design, details, material and color of new fencing proposed within the west yard 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.
- h. The final design, details, material and color of the double gates proposed for the new fence 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.
- i. The final design, details, material and color of the single pedestrian gates proposed for the new fence 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.
- j. The monument sign shall comply with the maximum sign area and height requirements of sec. 6.2.7 of the Resiliency Code.

- k. The final design, details and materials, including material samples and color, of the proposed new monument sign with the building name 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.
  - l. The final design, details and materials, including material samples and color, of the proposed the logo sign 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.
  - m. The final design, details and materials, including material samples and color, of the new garden wall with pin-mounted signage proposed at the entrance, west side, of the vehicular driveway 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.
  - n. The final design, details and materials, including material samples and color, of the new garden wall with pin-mounted signage proposed at the exit, east side, of the vehicular driveway 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.
  - o. The final design, details and materials, of all landscape planters proposed 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.
  - p. The final design of the new pedestrian walkways within the east yard of the plaza 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.
  - q. The final details of all new exterior surface finishes and materials, 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.
  - r. 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.
2. A revised landscape plan, prepared by a Professional Landscape Architect, registered in the State of Florida, and corresponding plans 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 plans shall comply with Chapter 4-Landscape Requirements of the Miami Beach Code and shall incorporate the following:

- a. The proposed new landscaping located on the north side of the site, to the west of the driveway, shall not be permitted. The entire west side of the site shall retain the current planting design, with no changes.
- b. Prior to the issuance of a building permit, the applicant shall submit a tree protection plan for all trees to be retained on site. Such plan shall be subject to the review and approval of staff, and shall include, but not be limited to a sturdy tree protection fence installed at the dripline of the trees prior to any construction.
- c. Prior to the issuance of a building permit, the applicant shall submit a tree protection plan for all trees to be retained on site. Such plan shall be subject to the review and approval of staff, and shall include, but not be limited to a sturdy tree protection fence installed at the dripline of the trees prior to any construction.
- d. Any necessary root and tree branch pruning with a diameter at breast height (DBH) of 2" or greater shall be approved by the City Urban Forester prior to any tree work.
- e. Existing trees to be retained on site shall be protected from all types of construction disturbance. Root cutting, storage of soil or construction materials, movement of heavy vehicles, change in drainage patterns, and wash of concrete or other materials shall be prohibited.
- f. Street trees shall be required within the swale at the front of the property if not in conflict with existing utilities, in a manner to be reviewed and approved by the Public Works Department.
- g. The proposed and existing trees located within the swale shall be subject to the review and approval of Green Space and CIP.
- h. Any proposed new street trees shall be of a planting species consistent or similar with existing street trees in the immediate area or consistent with any master street tree plan for the area, subject to the review and approval of the City Urban Forester.
- i. Any existing plant material within the public right-of-way may be required to be removed, as the discretion of the Public Works Department.
- j. 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. Right-of-way areas shall also be incorporated as part of the irrigation system.
- k. The utilization of root barriers and Silva Cells, as applicable, shall be clearly delineated on the revised landscape plan.
- l. The applicant shall verify, prior to the issuance of a Building Permit, the exact location of all backflow preventors and all other related devices and

fixtures. The location of backflow preventors, Siamese pipes or other related devices and fixtures, if any, and how they are screened with landscape material from the right-of-way, shall be clearly indicated on the site and landscape plans, and shall be subject to the review and approval of staff.

- m. The applicant shall verify, prior to the issuance of a Building Permit, the exact location of all applicable FPL transformers or vault rooms. The location of any exterior transformers and how they are screened with landscape material from the right of wall shall be clearly indicated on the site and landscape plans and shall be subject to the review and approval of staff.
- n. Prior to the issuance of a Certificate of Occupancy, the Landscape Architect or the project architect shall verify, in writing, that the project is consistent with the site and landscape 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.

**The decision of the Board regarding variances shall be final and there shall be no further review thereof except by resort to a court of competent jurisdiction by petition for writ of certiorari.**

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

- A. All new construction over 7,000 square feet shall comply with the "Green Building" requirements in section 7.1.3.2 of the Resiliency Code.
- B. 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.
- C. During construction work, the applicant shall maintain gravel at the front of the construction site within the first 15'-0" of the required front yard and including the swale (subject to the review and approval of Public Works), to mitigate disturbance of soil and mud by related personal vehicles exiting and entering the site. All construction materials, including

dumpsters and portable toilets, shall be located behind the construction fence and not visible from the right-of-way.

- D. During the course of construction, all vehicles, including, but not limited to all personal vehicles, shall park within the confines of the private property, the swale directly abutting the construction site, or at alternate overflow parking sites that are not on-street metered spaces and not zoned RS. Additionally, parking of any vehicles shall be prohibited in the travel lanes of all streets.
- E. All allowable construction signage shall be attached to or situated behind the construction fence, in accordance with Section 6.3.2 of the Land Development Regulations.
- F. The applicant shall coordinate with the City's Parking Department for any modifications or elimination of existing on-street parking spaces, prior to the issuance of a building permit.
- G. The building and parking departments shall approve a construction parking plan prior to the issuance of any building permit, including applicable demolition permits for the project.
- H. The applicant shall ensure that the contractor(s) observe good construction practices and prevent construction materials and debris from impacting the right-of-way.
- I. The contractor(s) shall ensure that the street and the swale directly abutting the construction site remains free of debris and refuse at all times; at a minimum, the contractor(s) shall inspect and clear the street and swale areas before leaving at the end of each day.
- J. This order shall be enforced by the Building, Planning, Parking and Code Compliance Departments.
- K. 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.
- L. 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.
- M. The Final Order shall be recorded in the Public Records of Miami-Dade County, prior to the issuance of a Building Permit.
- N. 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.
- O. 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.

- P. The conditions of approval herein are binding on the applicant, the property's owners, operators, and all successors in interest and assigns.
- Q. 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 for Design Review approval is GRANTED for the above-referenced project subject to those certain conditions specified in Paragraph I, II, III of the Finding of Fact, to which the applicant has agreed.

PROVIDED, the applicant shall build substantially in accordance with the plans, entitled "Apogee Exterior Renovation" as designed by **Threshold Landscape Workshop**, dated October 12, 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 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 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 2.2.4.6 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.

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

DESIGN REVIEW BOARD  
THE CITY OF MIAMI BEACH, FLORIDA



Exhibit "A"

A PARCEL OF LAND LOCATED IN SECTION 10, TOWNSHIP 54 SOUTH, RANGE 42 EAST, CITY OF MIAMI BEACH, MIAMI-DADE COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF LOT 3, BLOCK 8, SOUTH BEACH PARK AS RECORDED IN PLAT BOOK 6 AT PAGE 77 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA; THENCE S87°38'57"W FOR 41.08 FEET TO A POINT ON THE WESTERLY LINE OF A 100.00 FOOT RIGHT OF WAY PER OFFICIAL BOOK 12566 PAGE 2910 FOR WASHINGTON AVENUE SAID POINT BEING THE POINT OF BEGINNING OF THE HEREINAFTER DESCRIBED PARCEL OF LAND; THENCE S10°47'36"W ALONG SAID 100.00 FOOT RIGHT OF WAY AND IT'S SOUTHWESTERLY EXTENSION FOR 239.73 FEET BEING A NON-TANGENT POINT ON A CIRCULAR CURVE CONCAVED TO THE NORTHEAST AND WHOSE RADIUS POINT BEARS N11°02'53"W; THENCE WESTERLY AND NORTHWESTERLY ALONG A 214.07 FOOT RADIUS CURVE LEADING TO THE RIGHT THROUGH A CENTRAL ANGLE OF 77°10'29" FOR AN ARC DISTANCE OF 288.35 FEET TO A NON TANGENT POINT ON A CIRCULAR CURVE CONCAVED TO THE NORTHEAST AND WHOSE RADIUS POINT BEARS N62°37'08"E; THENCE NORTHWESTERLY ALONG A 104.49 FOOT RADIUS CURVE LEADING TO THE RIGHT THROUGH A CENTRAL ANGLE OF 11°54'26" FOR AN ARC DISTANCE OF 21.72 FEET TO A POINT ON THE SOUTH LINE OF SAID LOT 3; THENCE S87°37'54"W ALONG THE SOUTH LINE OF SAID LOT 3 FOR 165.46 FEET; THENCE N32°13'24"W FOR 92.05 FEET TO A POINT ON THE NORTH LINE OF SAID LOT 3; THENCE N87°38'57"E ALONG SAID NORTH LINE FOR 150.03 FEET; THENCE N02°01'10"W ALONG THE SOUTHERLY EXTENSION OF THE EASTERLY RIGHT OF WAY LINE OF JEFFERSON AVENUE AS SHOWN ON THE PLAT OF "OCEAN BEACH ADDITION NO. 3" PLAT BOOK 2 PAGE 81 OF SAID PUBLIC RECORDS, FOR 132.00 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF SOUTH POINTE DRIVE, ALSO BEING THE NORTH LINE OF SAID SECTION 10; THENCE N87°38'57"E ALONG SAID RIGHT OF WAY FOR 384.43 FEET TO A POINT ON THE NORTHERLY EXTENSION OF SAID WESTERLY LINE OF 100.00 FOOT RIGHT OF WAY; THENCE S10°47'38"W ALONG SAID WESTERLY LINE FOR 135.43 FEET TO THE POINT OF BEGINNING.