

MIAMIBEACH

PLANNING DEPARTMENT

1700 Convention Center Drive, Miami Beach, Florida 33139; Tel: 305.673.7550; Web: www.miamibeachfl.gov/planning

LAND USE BOARD HEARING APPLICATION

The following application is submitted for review and consideration of the project described herein by the land use board selected below. A separate application must be completed for each board reviewing the proposed project.

Application Information			
FILE NUMBER PB26-0833		Is the property the primary residence & homestead of the applicant/property owner? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No (if "Yes," provide office of the property appraiser summary report)	
Board of Adjustment <input type="checkbox"/> Variance from a provision of the Land Development Regulations <input type="checkbox"/> Appeal of an administrative decision		Design Review Board <input type="checkbox"/> Design review approval <input type="checkbox"/> Variance <input type="checkbox"/> Petition for Rehearing	
Planning Board <input type="checkbox"/> Conditional use permit <input type="checkbox"/> Lot split approval <input checked="" type="checkbox"/> Amendment to the Land Development Regulations or zoning map <input type="checkbox"/> Amendment to the Comprehensive Plan or future land use map		Historic Preservation Board <input type="checkbox"/> Certificate of Appropriateness for design <input type="checkbox"/> Certificate of Appropriateness for demolition <input type="checkbox"/> Historic district/site designation <input type="checkbox"/> Variance <input type="checkbox"/> Petition for Rehearing	
<input type="checkbox"/> Other:			
Property Information – Please attach Legal Description as “Exhibit A”			
ADDRESS OF PROPERTY 1940 Park Avenue			
FOLIO NUMBER(S) 02-3234-016-0110			
Property Owner Information			
PROPERTY OWNER NAME City of Miami Beach			
ADDRESS 1700 Convention Center Drive		CITY Miami Beach	STATE FL
BUSINESS PHONE 3056737550		CELL PHONE	EMAIL ADDRESS
Applicant Information (if different than owner)			
APPLICANT NAME 1940 Barclay Partners, LLC			
ADDRESS 13876 SW 56 Street, #268		CITY Miami	STATE FL
BUSINESS PHONE 305.993.5050		CELL PHONE	EMAIL ADDRESS cminichello@peeblescorp.com / rdp3@peeblescorp.com
Summary of Request			
PROVIDE A BRIEF SCOPE OF REQUEST 1. Amend the zoning designation of the Property from RM-2 to GU. 2. Amend Chapter 7 of the Resiliency Code to provide certain development regulations for City-owned lots, located within the Museum Historic District, with frontage on Washington Avenue and Park Avenue.			

Project Information			
Is there an existing building(s) on the site?		<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If previous answer is "Yes", is the building architecturally significant per sec. 7.2.2.4?		<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Does the project include interior or exterior demolition?		<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Provide the total floor area of the new construction.		SQ. FT.	
Provide the gross floor area of the new construction (including required parking and all usable area).		SQ. FT.	
Party responsible for project design			
NAME Brooks Scarpa Huber		<input checked="" type="checkbox"/> Architect <input type="checkbox"/> Contractor <input type="checkbox"/> Landscape Architect <input type="checkbox"/> Engineer <input type="checkbox"/> Tenant <input type="checkbox"/> Other _____	
ADDRESS 1147 NE 7th Ave		CITY Fort Lauderdale	STATE FL ZIPCODE 33304
BUSINESS PHONE (954) 683-1236	CELL PHONE	EMAIL ADDRESS huber@bsharchitects.com	
Authorized Representative(s) Information (if applicable)			
NAME Alfredo J. Gonzalez, Esq.		<input checked="" type="checkbox"/> Attorney <input type="checkbox"/> Contact <input type="checkbox"/> Agent <input type="checkbox"/> Other _____	
ADDRESS 333 SE 2nd Avenue, 4400		CITY Miami	STATE FL ZIPCODE 33131
BUSINESS PHONE 305.579.0500	CELL PHONE	EMAIL ADDRESS gonzalezaj@gtlaw.com	
NAME David J. Butter, Esq.		<input checked="" type="checkbox"/> Attorney <input type="checkbox"/> Contact <input type="checkbox"/> Agent <input type="checkbox"/> Other _____	
ADDRESS 333 SE 2nd Avenue, 4400		CITY Miami	STATE FL ZIPCODE 33131
BUSINESS PHONE 305.579.0500	CELL PHONE	EMAIL ADDRESS david.butter@gtlaw.com	
NAME		<input type="checkbox"/> Attorney <input type="checkbox"/> Contact <input type="checkbox"/> Agent <input type="checkbox"/> Other _____	
ADDRESS		CITY	STATE ZIPCODE
BUSINESS PHONE	CELL PHONE	EMAIL ADDRESS	

Please note the following information:

- A separate disclosure of interest form must be submitted with this application if the applicant or owner is a corporation, partnership, limited partnership or trustee.
- All applicable affidavits must be completed and the property owner must complete and sign the "Power of Attorney" portion of the affidavit if they will not be present at the hearing, or if other persons are speaking on their behalf.
- To request this material in alternate format, sign language interpreter (five-day notice is required), information on access for persons with disabilities, and accommodation to review any document or participate in any City sponsored proceedings, call 305.604.2489 and select (1) for English or (2) for Spanish, then option 6; TTY users may call via 711 (Florida Relay Service).

Please read the following and acknowledge below:

- Applications for any board hearing(s) will not be accepted without payment of the required fees. All checks are to be made payable to the “City of Miami Beach”. Online payments are also accepted. Please select the Citizen Self Service icon in the city’s webpage at www.miamibeachfl.gov .
- All disclosures must be submitted in CMB Application format and be consistent with CMB Code Sub-part A Section 2-482(c):
 - (c) If the lobbyist represents a corporation, partnership or trust, the chief officer, partner or beneficiary shall also be identified. Without limiting the foregoing, the lobbyist shall also identify all persons holding, directly or indirectly, a five percent or more ownership interest in such corporation, partnership, or trust.
- Public records notice – All documentation submitted for this application is considered a public record subject to Chapter 119 of the Florida Statutes and shall be disclosed upon request.
- In accordance with the requirements of Section 2-482 of the code of the City of Miami Beach, any individual or group that will be compensated to speak or refrain from speaking in favor or against an application being presented before any of the City’s land use boards, shall fully disclose, prior to the public hearing, that they have been, or will be compensated. Such parties include: architects, engineers, landscape architects, contractors, or other persons responsible for project design, as well as authorized representatives attorneys or agents and contact persons who are representing or appearing on behalf of a third party; such individuals must register with the City Clerk prior to the hearing.
- In accordance with Section 2.1.1.1 – Disclosure Requirement. Each person or entity requesting approval, relief or other action from the planning board, design review board, historic preservation board or the board of adjustment shall disclose, at the commencement (or continuance) of the public hearing(s), any consideration provided or committed, directly or on its behalf, for an agreement to support or withhold objection to the requested approval, relief or action, excluding from this requirement consideration for legal or design professional services rendered or to be rendered. The disclosure shall: a.be in writing, b. indicate to whom the consideration has been provided or committed, c. generally describe the nature of the consideration, and d.be read into the record by the requesting person or entity prior to submission to the secretary/clerk of the respective board. Upon determination by the applicable board that the foregoing disclosure requirement was not timely satisfied by the person or entity requesting approval, relief or other action as provided above, then the application or order, as applicable, shall immediately be deemed null and void without further force or effect, and no application from said person or entity for the subject property shall be reviewed or considered by the applicable board(s) until expiration of a period of one year after the nullification of the application or order. It shall be unlawful to employ any device, scheme or artifice to circumvent the disclosure requirements of this section and such circumvention shall be deemed a violation of the disclosure requirements of this section.
- When the applicable board reaches a decision a final order will be issued stating the board’s decision and any conditions imposed therein. The final order will be recorded with the Miami-Dade Clerk of Courts. The original board order shall remain on file with the City of Miami Beach Planning Department. Under no circumstances will a building permit be issued by the City of Miami Beach without a copy of the recorded final order being included and made a part of the plans submitted for a building permit.

The aforementioned is acknowledged by:

Owner of the subject property

Authorized representative

SIGNATURE

PRINT NAME

DATE SIGNED


The undersigned applicant confirms that the mail notice packet submitted with this application is compliant with section [2.2.4.1](#) of the land development regulations.

Please read the following and acknowledge below:

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- Public records notice – All documentation submitted for this application is considered a public record subject to Chapter 119 of the Florida Statutes and shall be disclosed upon request.
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- In accordance with Section 2.1.1.1 – Disclosure Requirement. Each person or entity requesting approval, relief or other action from the planning board, design review board, historic preservation board or the board of adjustment shall disclose, at the commencement (or continuance) of the public hearing(s), any consideration provided or committed, directly or on its behalf, for an agreement to support or withhold objection to the requested approval, relief or action, excluding from this requirement consideration for legal or design professional services rendered or to be rendered. The disclosure shall: a.be in writing, b. indicate to whom the consideration has been provided or committed, c. generally describe the nature of the consideration, and d.be read into the record by the requesting person or entity prior to submission to the secretary/clerk of the respective board. Upon determination by the applicable board that the foregoing disclosure requirement was not timely satisfied by the person or entity requesting approval, relief or other action as provided above, then the application or order, as applicable, shall immediately be deemed null and void without further force or effect, and no application from said person or entity for the subject property shall be reviewed or considered by the applicable board(s) until expiration of a period of one year after the nullification of the application or order. It shall be unlawful to employ any device, scheme or artifice to circumvent the disclosure requirements of this section and such circumvention shall be deemed a violation of the disclosure requirements of this section.
- When the applicable board reaches a decision a final order will be issued stating the board's decision and any conditions imposed therein. The final order will be recorded with the Miami-Dade Clerk of Courts. The original board order shall remain on file with the City of Miami Beach Planning Department. Under no circumstances will a building permit be issued by the City of Miami Beach without a copy of the recorded final order being included and made a part of the plans submitted for a building permit.

The aforementioned is acknowledged by:

Owner of the subject property Authorized representative



SIGNATURE

R. Donahue Peebles III

PRINT NAME

04/15/2026

DATE SIGNED

The undersigned applicant confirms that the mail notice packet submitted with this application is compliant with section [2.2.4.1](#) of the land development regulations.

OWNER AFFIDAVIT FOR INDIVIDUAL OWNER

STATE OF _____

COUNTY OF _____

I, _____, being first duly sworn, depose and certify as follows: (1) I am the owner of the property that is the subject of this application. (2) This application and all information submitted in support of this application, including sketches, data, and other supplementary materials, are true and correct to the best of my knowledge and belief. (3) I acknowledge and agree that, before this application may be publicly noticed and heard by a land development board, the application must be complete and all information submitted in support thereof must be accurate. (4) I also hereby authorize the City of Miami Beach to enter my property for the sole purpose of posting a Notice of Public Hearing on my property, as required by law. (5) I am responsible for remove this notice after the date of the hearing.

SIGNATURE

The foregoing instrument was acknowledged before me, by means of physical presence or online notarization. Sworn to (or affirmed) and subscribed before me by means of physical presence or online notarization, this _____ day of _____, _____ (year) by _____.

NOTARY SEAL OR STAMP

NOTARY PUBLIC

My Commission Expires: _____

PRINT NAME

ALTERNATE OWNER AFFIDAVIT FOR CORPORATION, PARTNERSHIP OR LIMITED LIABILITY COMPANY

STATE OF _____

COUNTY OF _____

I, _____ (print title) of _____ (print name of corporate entity), being first duly sworn, depose and certify as follows: (1) I am the authorized to file this application on behalf of such entity. (2) This application and all information submitted in support of this application, including sketches, data, and other supplementary materials, are true and correct to the best of my knowledge and belief. (3) I acknowledge and agree that, before this application may be publicly noticed and heard by a land development board, the application must be complete and all information submitted in support thereof must be accurate. (4) The corporate entity named herein is the owner of the property that is the subject of this application. (5) I also hereby authorize the City of Miami Beach to enter my property for the sole purpose of posting a Notice of Public Hearing on my property, as required by law. (6) I am responsible for remove this notice after the date of the hearing.

SIGNATURE

The foregoing instrument was acknowledged before me, by means of physical presence or online notarization. Sworn to (or affirmed) and subscribed before me by means of physical presence or online notarization, this _____ day of _____, _____ (year) by _____.

NOTARY SEAL OR STAMP

NOTARY PUBLIC

My Commission Expires: _____

PRINT NAME

POWER OF ATTORNEY AFFIDAVIT

STATE OF _____

COUNTY OF _____

I, _____, being first duly sworn, depose and certify as follows: (1) I am the owner or representative of the owner of the real property that is the subject of this application. (2) I hereby authorize Alfredo J. Gonzalez, Esq. and David J. Butter, Esq. to be my representative before the Planning Board. (3) I also hereby authorize the City of Miami Beach to enter my property for the sole purpose of posting a Notice of Public Hearing on my property, as required by law. (4) I am responsible for remove this notice after the date of the hearing.

PRINT NAME (and Title, if applicable)

SIGNATURE

The foregoing instrument was acknowledged before me, by means of physical presence or online notarization. Sworn to (or affirmed) and subscribed before me by means of physical presence or online notarization, this _____ day of _____, _____ (year) by _____.

NOTARY SEAL OR STAMP

NOTARY PUBLIC

My Commission Expires: _____

PRINT NAME

CONTRACT FOR PURCHASE

If the applicant is not the owner of the property, but the applicant is a party to a contract to purchase the property, whether or not such contract is contingent on this application, the applicant shall list the names of the contract purchasers below, including any and all principal officers, stockholders, beneficiaries or partners. If any of the contact purchasers are corporations, partnerships, limited liability companies, trusts, or other corporate entities, the applicant shall further disclose the identity of the individuals(s) (natural persons) having the ultimate ownership interest in the entity. If any contingency clause or contract terms involve additional individuals, corporations, partnerships, limited liability companies, trusts, or other corporate entities, list all individuals and/or corporate entities.

NAME

DATE OF CONTRACT

NAME, ADDRESS AND OFFICE

% OF STOCK

In the event of any changes of ownership or changes in contracts for purchase, subsequent to the date that this application if filed, but prior to the date of a final public hearing, the applicant shall file a supplemental disclosure of interest.

DISCLOSURE OF INTEREST
CORPORATION, PARTNERSHIP OR LIMITED LIABILITY COMPANY

If the property that is the subject of the application is owned or leased by a corporation, partnership or limited liability company, list ALL of the owners, shareholders, partners, managers and/or members, and the percentage of ownership held by each. If the owners consist of one or more corporations, partnerships, trusts, partnerships or other corporate entities, the applicant shall further disclose the identity of the individual(s) (natural persons) having the ultimate ownership interest in the entity.

1940 Barclay Partners, LLC

NAME OF CORPORATE ENTITY

NAME AND ADDRESS

% OF OWNERSHIP

See Exhibit "B"

NAME OF CORPORATE ENTITY

NAME AND ADDRESS

% OF OWNERSHIP

If there are additional corporate owners, list such owners, including corporate name and the name, address and percentage of ownership of each additional owner, on a separate page.

DISCLOSURE OF INTEREST
TRUSTEE

If the property that is the subject of the application is owned or leased by a trust, list any and all trustees and beneficiaries of the trust, and the percentage of interest held by each. If the owners consist of one or more corporations, partnerships, trusts, partnerships or other corporate entities, the applicant shall further disclose the identity of the individual(s) (natural persons) having the ultimate ownership interest in the entity.

TRUST NAME	% INTEREST
NAME AND ADDRESS	
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

COMPENSATED LOBBYIST

Pursuant to Section 2-482 of the Miami Beach City Code, all lobbyists shall, before engaging in any lobbying activities, register with the City Clerk. Please list below any and all persons or entities retained by the applicant to lobby City staff or any of the City's land development boards in support of this application.

NAME	ADDRESS	PHONE
<u>Alfredo J. Gonzalez, Esq.</u>	<u>333 SE 2nd Avenue, 4400, Miami, FL 33131</u>	<u>305.579.0500</u>
<u>David J. Butter, Esq.</u>	<u>333 SE 2nd Avenue, 4400, Miami, FL 33131</u>	<u>305.579.0500</u>
_____	_____	_____
_____	_____	_____

Additional names can be placed on a separate page attached to this application.

APPLICANT HEREBY ACKNOWLEDGES AND AGREES THAT (1) AN APPROVAL GRANTED BY A LAND DEVELOPMENT BOARD OF THE CITY SHALL BE SUBJECT TO ANY AND ALL CONDITIONS IMPOSED BY SUCH BOARD AND BY ANY OTHER BOARD HAVING JURISDICTION, AND (2) APPLICANT'S PROJECT SHALL COMPLY WITH THE CODE OF THE CITY OF MIAMI BEACH AND ALL OTHER APPLICABLE CITY, STATE AND FEDERAL LAWS.

APPLICANT AFFIDAVIT

STATE OF FLA.

COUNTY OF Miami Dade

I, R. Doube Presles, being first duly sworn, depose and certify as follows: (1) I am the applicant or representative of the applicant. (2) This application and all information submitted in support of this application, including sketches, data, and other supplementary materials, are true and correct to the best of my knowledge and belief.

[Signature]
SIGNATURE

The foregoing instrument was acknowledged before me, by means of physical presence or online notarization. Sworn to (or affirmed) and subscribed before me by means of physical presence or online notarization, this 15 day of April, 2026 (year) by _____.

NOTARY SEAL OR STAMP

[Signature]
NOTARY PUBLIC

My Commission Expires 8-18-2027

Wilmore PATERSON
PRINT NAME



EXHIBIT "A"

Lot Two (2) and the Southerly Twenty (2) feet of Lot One (1), in Block "H", of Plat of Resubdivision of Blocks "G", "H", "J" and "K" of the Ocean Front Property of the Miami Beach Improvement Company, according to the Plat thereof, as recorded in Plat Book 6, Page 102, of the Public Records of Dade County, Florida, the said Southerly portion of said Lot 1 being more particularly described as follows:

Begin at the Southeast corner of said Lot 1, in Block "H"; thence Northerly along the Easterly line of aforesaid Lot 1, (Westerly line of Park Avenue) for a distance of 20 feet to a point; thence Northwesterly along a line parallel to and 20 feet North of the North line of Lot 2 of said Block "H" for a distance of 214 feet, more or less to the most Westerly line of said Lot 1, (East line of Washington Avenue); thence South along Westerly line of said Lot 1, (East Line of Washington Avenue), for a distance of 21.5 feet, more or less, to the Northwesterly corner of said Lot 2; thence Southeasterly along the Northeasterly line of said Lot 2; thence Southeasterly along the Northeasterly line of said Lot 2 for a distance of 206 feet, more or less, to the Point of Beginning.

EXHIBIT "B"

