CITY OF NORTH MIAMI BEACH
City Council Meeting
Council Chambers, 2nd Floor
City Hall, 17011 NE 19 Avenue
North Miami Beach, FL 33162
Tuesday, March 4, 2014
7:30 PM

Mayor George Vallejo
Vice Mayor Beth E. Spiegel
Councilman Anthony F. DeFillipo
Councilwoman Barbara Kramer
Councilwoman Marlen Martell
Councilman Frantz Pierre
Councilwoman Phyllis S. Smith

City Manager Ana M. Garcia
Interim City Attorney Dotie Joseph
City Clerk Pamela L. Latimore, CMC

Notice to All Lobbyists
Any person who receives compensation, remuneration or expenses for conducting lobbying activities is required to register as a Lobbyist with the City Clerk prior to engaging in lobbying activities before City Boards, Committees, or the City Council.

AGENDA

1. **ROLL CALL OF CITY OFFICIALS**
2. **INVOCATION - Reverend Dr. Marta Burke, Fulford United Methodist Church**
3. **PLEDGE OF ALLEGIANCE**
4. **REQUESTS FOR WITHDRAWALS, DEFERMENTS AND ADDITIONS TO AGENDA**
5. **PRESENTATIONS /DISCUSSIONS** - *None*
6. **PUBLIC COMMENT**

To All Citizens Appearing Under Public Comment

The Council has a rule which does not allow discussion on any matter which is brought up under Public Comment. We are, however, very happy to listen to you. The reason for this is that the Council must have Staff input and prior knowledge as to the facts and figures, so that they can intelligently discuss a matter. The Council may wish to ask questions regarding this matter, but will not be required to do so. At the next or subsequent Council meeting you may have one of the Councilpersons introduce your matter as his or her recommendation. We wish to thank you for taking the time to bring this matter to our attention. Under no circumstances will personal attacks, either from the public or from the dais, be tolerated.

Speaking Before the City Council

There is a three (3) minute time limit for each speaker during public comment and a three (3) minute time limit for each speaker during all public hearings. Your cooperation is appreciated in observing the three (3) minute time limit policy. If you have a matter you would like to discuss which requires more than three (3) minutes, please feel free to arrange a meeting with the appropriate administrative or elected official. In the Council Chambers, citizen participants are asked to come forward to the podium, give your name and address, and the name and address of the organization you are representing, if any. If you are speaking on a public hearing item, please speak only on the subject for discussion. Thank you

very much, in advance, for your cooperation.

Pledge of Civility

A resolution was adopted by the Mayor and City Council of the City of North Miami Beach recognizing the importance of civility, decency, and respectful behavior in promoting citizen participation in a democratic government. The City of North Miami Beach calls upon all residents, employees, and elected officials to exercise civility toward each other. (Resolution Nos. R2007-57, 11/06/07 and R2011-22, 4/26/11)

7. APPOINTMENTS - *None*

8. CONSENT AGENDA

8.1 Regular Meeting Minutes of February 18th, 2014 (City Clerk Pamela L. Latimore)

9. CITY MANAGER'S REPORT

9.1 Employee/Supervisor/Manager/Director of the Year Awards (City Manager, Ana M. Garcia)

Employee of the Year Award: John Pollard
Supervisor of the Year Award: Maria Perez
Supervisor of the Year Award: Greg Williams
Manager of the Year: Jackie Shakespeare
Director of the Year: Paulette Murphy

9.2 Landuse and Zoning Workshop, March 11, 2014, 6pm, Marjorie and William McDonald Center (City Manager, Ana M. Garcia)

9.3 Police Promotion and 100 Day Rollout, March 13, 2014, Jules Littman Theater (City Manager, Ana M. Garcia)

9.4 Use of City Logo for City Map Project - Approval Requested for Target Marketing (Asst. City Manager, Mac Serda)

9.5 Bus Bench Agreement Update (City Manager, Ana M. Garcia)

9.6 Garbage Bin/Advertising Board Update (Asst. City Manager, Mac Serda)

9.7 Water and Waste Water Systems Capital Improvement Projects Report for the years 2014 - 2032 (Interim Public Services Director, Barbara Trinka)

9.8 Discussion of E-Books in Library (Leisure Services Director, Paulette Murphy)

10. CITY ATTORNEY'S REPORT

10.1 Litigation List

Litigation List.

11. MAYOR'S DISCUSSION

12. MISCELLANEOUS ITEMS - *None*

13. BUSINESS TAX RECEIPTS - *None*

14. DISCUSSION ITEMS - *None*

15. LEGISLATION

15.1 Resolution No. R2014-6 (City Planner, Carlos Rivero)

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, GRANTING SITE PLAN APPROVAL, IN ORDER TO CONSTRUCT A 6,255 SQUARE FOOT TWO-STORY SINGLE-FAMILY HOUSE ON A 9,761 SQUARE FOOT (0.22 ACRES) VACANT PARCEL OF LAND, AS PROPOSED; AND A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, GRANTING A VARIANCE FROM SECTION 24-41(D)(9)(a) OF THE CODE OF ORDINANCES OF THE CITY OF NORTH MIAMI BEACH TO WAIVE THE MINIMUM ROOF PITCH REQUIREMENT OF THREE AND ONE HALF (3.5') FEET IN TWELVE (12') FEET TO PROVIDE FOR A FLAT ROOF TO BE UTILIZED AS AN OUTDOOR ELEVATED OPEN AIR LIVING SPACE, AS PROPOSED: AND A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, GRANTING A VARIANCE FROM SECTION 24-41(D)(5) OF THE CODE OF ORDINANCES OF THE CITY OF NORTH MIAMI BEACH TO WAIVE THE MAXIMUM BUILDING HEIGHT OF THIRTY (30') FEET TO PERMIT THE INSTALLATION OF AN ELEVATOR STRUCTURE TO A MAXIMUM HEIGHT OF THIRTY-SIX AND ONE-HALF (36.5') FEET WHICH REPRESENTS A TWO (2%) PERCENT OF THE OUTDOOR ELEVATED OPEN AIR LIVING SPACE, WHEREAS THE REMAINING PORTIONS OF THE SINGLE RESIDENCE ADHERE TO THE MAXIMUM PERMITTED BUILDING HEIGHT OF THIRTY (30') FEET, ON PROPERTY LEGALLY DESCRIBED AS: LOT 21, BLOCK 6, EASTERN SHORES ADDITION, PLAT BOOK 65, PAGE 39, PUBLIC RECORDS OF MIAMI-DADE COUNTY. A/K/A 3141 N.E. 165th Street, North Miami Beach, Florida. (P&Z Board Meeting of December 9, 2013 and January 13, 2014).

16. CITY COUNCIL REPORTS

17. NEXT REGULAR CITY COUNCIL MEETING

18. ADJOURNMENT

City of North Miami Beach
17011 NE 19 Avenue
North Miami Beach, FL 33162
305-947-7581
www.citynmb.com

MEMORANDUM

Print

TO:	Mayor and City Council
FROM:	
VIA:	
DATE:	Tuesday, March 4, 2014

RE:	Reverend Dr. Marta Burke, Fulford United Methodist Church

BACKGROUND ANALYSIS:

RECOMMENDATION:

FISCAL/BUDGETARY IMPACT:

ATTACHMENTS:

None

City of North Miami Beach
17011 NE 19 Avenue
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www.citynmb.com

MEMORANDUM

Print

TO:	Mayor and City Council
FROM:	
VIA:	
DATE:	Tuesday, March 4, 2014

RE:	Regular Meeting Minutes of February 18th, 2014 (City Clerk Pamela L. Latimore)

BACKGROUND ANALYSIS:

RECOMMENDATION:

FISCAL/BUDGETARY IMPACT:

ATTACHMENTS:

- Regular Meeting Minutes of February 18th, 2014 (City Clerk Pamela L. Latimore)

CITY OF NORTH MIAMI BEACH
City Council Meeting
Council Chambers, 2nd Floor
City Hall, 17011 NE 19th Avenue
North Miami Beach, FL 33162
Tuesday, February 18th, 2014
7:30 PM

Mayor George Vallejo
Vice Mayor Beth E. Spiegel
Councilman Anthony F. DeFillipo
Councilwoman Barbara Kramer
Councilwoman Marlen Martell
Councilman Frantz Pierre
Councilwoman Phyllis S. Smith

City Manager Ana M. Garcia
City Attorney Darcee S. Siegel
City Clerk Pamela L. Latimore, CMC

REGULAR MEETING MINUTES

ROLL CALL OF THE CITY OFFICIALS
The meeting was called to order at 7:45 p.m. Present at the meeting were Mayor George Vallejo, Vice Mayor Beth E. Spiegel and Council Members Barbara Kramer, Frantz Pierre, Phyllis S. Smith, Marlen Martell and Anthony DeFillipo. Also present were City Manager Ana M. Garcia, City Attorney Darcee S. Siegel and City Clerk Pamela L. Latimore.

INVOCATION The invocation was delivered by City Clerk Pamela L. Latimore

PLEDGE OF ALLEGIANCE was lead by Mayor and Council.

REQUESTS FOR WITHDRAWALS, DEFERMENTS AND ADDITIONS TO AGENDA- Item 8.2 on the consent agenda was withdrawn and items 15.2 and 15.1 were reordered to be heard in reverse

Mayor Vallejo turned the meeting over to City Manager Garcia who introduced Kevin Crowder for a presentation.

PRESENTATIONS/DISCUSSIONS –

Land Use/ Zoning Overlay- A presentation of the Land Use/Zoning Overlay was made by members of RMA (Redevelopment Management Associates). Kevin Crowder introduced to Mayor and Council members of his team who will be contributing to this project

Mayor Vallejo opened the meeting for **PUBLIC COMMENT.**

City Clerk Latimore read the rules of public comment into the record. The following person(s) made comments on the record.

1. Merrill Robin Porter, of AFSCME, 700 South Royal Poinciana Blvd. Miami Springs, FL

2. Rolland Villieux, 13730 Highland Drive. North Miami Beach, FL

3. Mubarak Kazan, 15564 NE 12th Ave, North Miami Beach, FL

Mayor Vallejo closed the meeting for **PUBLIC COMMENT**.

Vice Mayor Spiegel asked that she be recognized. She asked that the City Manager consider not using red mulch for the landscaping. Director Esmond Scott was directed by City Manager to give follow-up to the Vice Mayor's concerns.

APPOINTMENTS – There were no appointments

CONSENT AGENDA- The item was read into the record by City Attorney Siegel.

Motion to **approve** the consent agenda was made by Councilwoman Martell, seconded by Councilman DeFillipo. **Motion passes 6-0**. (Councilman Pierre was not present during vote count).

Regular Meeting Minutes of February 4th, 2014 (City Clerk Pamela L. Latimore)

CITY MANAGER'S REPORT

City Manager Ana Garcia informed Mayor and Council that the departmental reports are included in their agendas for review.

The City Manager reminded all that the first annual Heart Walk sponsored by the Commission on the Status of Women along with commission liaison Vice Mayor Spiegel, will be held this coming Saturday. A confirmation of 32 vendors representing various industries will participate.

City Manager Ana Garcia advised residents about the Home Improvement Program (HIP) and the Administrative Code Waivers. She also announced the roll out of the City's Newsletter and thanked all of staff for their efforts on this project. She also announced a workshop for Land Use and Zoning that will be held on March 11th at the McDonald Center open to the public.

CITY ATTORNEY'S REPORT

The City Attorney advised Council that the oral arguments for the Braha Dixie litigation that occurred went very well, and that the project is moving forward.

She advised Council that former City Manager Lyndon Bonner's pending litigation would require their involvement and that she would be discussing the matter with members of Council individually.

Mayor Vallejo queried into the resolution of the oral arguments from the Braha Dixie legislation, and the City Attorney advised him of possible timetables.

Vice Mayor Spiegel asked to be recognized, she asked that all come out to Saturday's Healthy Heart Walk. She reminded all that Heart Disease kills more women than all cancers combined. She thanked all of the staff who worked to make the event possible. Vice Mayor Spiegel announced that the walk would take place along the path of Snake Creek Canal with registration at 8 a.m., and the walk starts at 9a.m.

Litigation List

As of February 18th, 2014

MAYOR'S DISCUSSION: There was no Mayor's discussion.

MISCELLANEOUS ITEMS: There were no miscellaneous items before Mayor and Council.

BUSINESS TAX RECEIPTS: There were no Business Tax Receipts before Mayor and Council.

DISCUSSION ITEMS: Manager's Six Month Contract Dialogue

Motion by Councilwoman Martell seconded by Councilwoman Smith to move the city manager's contract discussion to the bottom of the agenda. **MOTION passed 7-0.**

LEGISLATION:

Resolution No.R2014-8 (City Planner, Carlos Rivero)
A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, AMENDING RESOLUTION NO. R96-47 BY AMENDING CONDITION NUMBER 19 TO INCREASE THE SEATING CAPACITY AT "PF CHANG'S RESTAURANT", AS PROPOSED, ON PROPERTY LEGALLY DESCRIBED AS:
(See Lengthy Description Attached As Exhibit "A") A/K/A 17455 Biscayne Boulevard, North Miami Beach, FL 33160

City Planner Carlos Rivero explained the nature of the resolution to Council and answered their questions.

Jennings Disclosure- DeFillipo- No **Martell**- No **Kramer**- No **Spiegel**- No **Smith**- No **Pierre**- No **Vallejo**-No.

Mayor Vallejo opened the **Public Hearing.**

There were no speakers to be sworn in.

Mayor Vallejo closed the **Public Hearing.**

The item returned to Council for discussion.

MOTION to **approve Resolution R2014-8** was made by Vice Mayor Spiegel and seconded by Councilwoman Smith. **(Passed 7-0).**

ROLL CALL: DeFillipo-Yes, Kramer-Yes, Martell-Yes, Pierre-Yes, Spiegel-Yes, Smith- Yes Vallejo- Yes.

Resolution No. R2014-6 (City Planner, Carlos Rivero)
A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, GRANTING SITE PLAN APPROVAL, IN ORDER TO CONSTRUCT A 6,255 SQUARE FOOT TWO-STORY SINGLE-FAMILY HOUSE ON A 9,761 SQUARE FOOT (0.22 ACRES) VACANT PARCEL OF LAND, AS PROPOSED; AND A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, GRANTING A VARIANCE FROM SECTION 24-41(D) (9) (a) OF THE CODE OF ORDINANCES OF THE CITY OF NORTH MIAMI BEACH TO WAIVE THE MINIMUM ROOF PITCH REQUIREMENT OF THREE AND ONE HALF (3.5') FEET IN TWELVE (12') FEET TO PROVIDE FOR A FLAT ROOF TO BE UTILIZED AS AN OUTDOOR ELEVATED OPEN AIR LIVING SPACE, AS PROPOSED: AND A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, GRANTING A VARIANCE FROM SECTION 24-41(D) (5) OF THE CODE OF ORDINANCES OF THE CITY OF NORTH MIAMI BEACH TO WAIVE THE MAXIMUM BUILDING HEIGHT OF THIRTY (30') FEET TO PERMIT THE INSTALLATION OF AN ELEVATOR STRUCTURE TO A MAXIMUM HEIGHT OF THIRTY-SIX AND ONE-HALF (36.5') FEET WHICH REPRESENTS A TWO (2%) PERCENT OF THE OUTDOOR ELEVATED OPEN AIR LIVING SPACE, WHEREAS THE REMAINING PORTIONS OF THE SINGLE RESIDENCE ADHERE TO THE MAXIMUM PERMITTED BUILDING HEIGHT OF THIRTY (30') FEET, ON PROPERTY LEGALLY DESCRIBED AS: LOT 21, BLOCK 6, EASTERN SHORES ADDITION, PLAT BOOK 65, PAGE 39, PUBLIC RECORDS OF MIAMI-DADE COUNTY. A/K/A 3141 N.E. 165th Street, North Miami Beach, Florida. (P&Z Board Meeting of December 9, 2013 and January 13, 2014).

City Planner Carlos Rivero gave brief summary of the item.

Jennings Disclosure – DeFillipo- No, Martell- Yes, Kramer- Yes, Spiegel-Yes, Smith-Yes, Pierre- Yes, Vallejo- Yes.

City Attorney Siegel made a correction of the resolution for the record. The P&Z report of the meeting should reflect that the item was tabled at the meeting of December 9, 2013 and approved at the January 13, 2014 meeting.

Mayor Vallejo opened the **Public Hearing:**

City Clerk Latimore swore in members of the public who would be giving testimony on this item.

The Following person(s) made comments during the **Public Hearing**.

1. David Templer- 3260 NE 164th St, North Miami Beach, Fl., made comments in opposition of the ordinance
2. Chuck Asarnow- 16449 NE 31st Ave. North Miami Beach, FL. Made comments in opposition of the ordinance.
3. Diane Hayhurst- 16490 NE 31st Ave. North Miami Beach, FL. Made comments in opposition of the ordinance.
4. Fortuna Smuckler- 3207 NE 168th St. North Miami Beach, FL. Made comments in opposition of the ordinance.
5. Bruce Lamberto 3420 NE 165th St. North Miami Beach, FL. Made comments in opposition of the ordinance.

An email from Mr. Marc Einbinder was introduced into the record stating no opposition.

Mayor Vallejo closed the **Public Hearing.**

The item returned to Council for discussion.

MOTION to **Table** the **Resolution R2014-6** made by Councilwoman Smith and seconded by Vice Mayor Spiegel. (**MOTION Failed** 1-6 with Councilwoman Smith being the only favorable vote.)

The item was opened for discussion by Mayor Vallejo.

The presentation was made by Mr. Daniel Sorogon before Mayor and Council. Mr. Galsky the property owner also made comments before the council.

MOTION to adopt **RESOLUTION R2014-6** was made by Councilman DeFillipo and seconded by Councilwoman Martell. After further discussion the second and the motion were **withdrawn.**

MOTION to table **RESOLUTION R2014-6** was made by Councilwoman Smith and seconded by Councilwoman Kramer to table the item and bring back at the regular meeting of March 4, 2014. **(Motion passed 5-2 with Vice Mayor Spiegel and Councilwoman Martell dissenting).**

DISCUSSION ITEMS: Manager's Six Month Contract Dialogue

City Manager Ana Garcia addressed Council recounting her tenure at the City and her accomplishments.

Members of the Council gave feedback on her performance and they discussed contract terms along with the proposals put forth by the mayor.

The manager qualified the increase in salary and the transition of her compensation package from a pension based system to that of a 401k.

MOTION to grant the manager a salary increase of five percent and begin contributions to a 401k was made by Councilman Defillipo and seconded by Mayor Vallejo. **(Passed 5-2 with Vice Mayor Spiegel and Councilwoman Smith dissenting).**

DIRECTION: Mayor Vallejo directed staff to bring the Pension Order drafted by the Pension Attorney to the next regular council meeting.

Councilwoman Martell called a point of order during which she put forth motion to dismiss City Attorney Siegel.

Discussion commenced weighing the ramifications of such an action and the tenure and performance of City Attorney Siegel.

MOTION to **terminate** the city attorney was made by Councilwoman Martell, and seconded by Councilman Pierre. **(Passed 4-3 with Vice Mayor Spiegel, Councilwoman Smith, and Councilwoman Kramer dissenting.)**

Vice Mayor Spiegel left the meeting, at which time the meeting lost quorum due to the absence of Councilwoman Smith and Councilwoman Kramer from the dais.

Councilwoman Kramer returned to the dais where a discussion ensued to appoint Assistant City Attorney Dotie Joseph as Interim City Attorney.

MOTION to **appoint** Asst. City Attorney Dotie Joseph as Acting City Attorney was made by Councilman DeFillipo and seconded by Councilwoman Martell. **(Passed 4-1 Councilwoman Kramer dissenting, absent Vice Mayor Spiegel and Councilwoman Smith).**

CITY COUNCIL REPORTS -There were no council reports

ADJOURNMENT

There being no further business to come before the City Council, the meeting was adjourned at 11:34 p.m.

ATTEST:

(SEAL)

_____

Pamela L. Latimore, CMC

City of North Miami Beach
17011 NE 19 Avenue
North Miami Beach, FL 33162
305-947-7581
www.citynmb.com

MEMORANDUM

Print

TO:	Mayor and City Council
FROM:	Ana M. Garcia, City Manager
VIA:	
DATE:	Tuesday, March 4, 2014

RE:	Employee/Supervisor/Manager/Director of the Year Awards (City Manager, Ana M. Garcia)

BACKGROUND ANALYSIS:

RECOMMENDATION:

FISCAL/BUDGETARY IMPACT:

ATTACHMENTS:

None

Bus Bench Advertising Contract Summary

	Old Contract	New Contract
No. of Benches (2/2014)	105	105
Revenue per Bench	$1,000/month	$21/bench/month
Revenue per year	$ 12,000	$ 26,460
Future Price Adjustment	none, last year of contract	$1 per bench increase every 2 years (see below)

Year	Revenue per Bench/Month
2014	$ 21.00
2015	$ 21.00
2016	$ 22.00
2017	$ 22.00
2018	$ 23.00
2019	$ 23.00
2020	$ 24.00
2021	$ 24.00
2022	$ 25.00
2023	$ 26.00

THE CASE FOR E-BOOKS at NMB PUBLIC LIBRARY February 2014

Why e-books –

Growing numbers and frequency of requests from our public as access to electronic, hand-held devices becomes financially feasible for the majority.

Provision of up-dated library resources and unprecedented levels of access to all citizens, but especially to the younger generations, in a format that appeals to them; that they move within as second-nature.

Keeping older readers in-tune with technology and active in cultural change.

Expanding our service level by allowing remote, 24/7 access to our collection.

Require negligible space, no re-shelving, no dusting and no re-organizing as collection grows, thus reducing labor costs over time.

Reduction of loss and damage to community resources.

Increased access to the aging and those visually and physically impaired.

Compete with area libraries, holding current customers and attracting new ones.

Costs/Access

E-books are purchased through a vendor providing access for a set period of time.

Royalties must be paid to authors, publishers and to third parties vendors.

Market is controlled by a limited group of vendors. Some books are not even available in this new format due to fearful and uncertain publishers.

Costs are similar across various platforms.

The cost of contracting on our own would average $8,000 annually, not including the purchasing of any titles. Minimum annual purchase of titles is $2,000. An initial $2,000 is charged for website set-up. <u>First year costs are $12,000 and $10,000 annually thereafter</u>, with

only $2,000 of that to acquire titles (books cost from $4 each for classics up to $98 for current bestsellers).

Why now? Timing!

Libraries began delivering e-book services in 1998.

As of 2010 66% of U.S. Libraries had e-book services.

The PEW Research Survey of Nov. 2012 shows that among Americans' priorities for libraries were – greater access to e-books, classes on both how to borrow e-books and how to use e-book devices.

It's time to join the digital revolution and give our community access to electronic library services. This is now financially expedient due an opportunity through a regional organization of small to medium sized libraries – The Southeast Florida Municipal Libraries Digital Consortium -- which was established in April, 2011 by 11 libraries. Their contract is expiring at the end of March 2014, providing us a singular moment in time to join them as they renew.

Why now? Great Savings!

Joining the consortium would lower our costs substantially:

> Our annual contract would cost $6,000 inclusive of $2,000 to acquire titles.
>
> Initial website setup would be reduced to $1,500.
>
> We would incur an annual $300 consortium membership fee.
>
> Our first year costs would be <u>$7,800 and $6,300 thereafter</u>. This provides us with 35% savings the first year and then 37% annually.

Unfortunately our budget does not have any flexibility to allow us take advantage of this opening. Is there a solution to this dilemma?

City of North Miami Beach
17011 NE 19 Avenue
North Miami Beach, FL 33162
305-947-7581
www.citynmb.com

MEMORANDUM

Print

TO:	Mayor and City Council
FROM:	Dotie Joseph, Interim City Attorney
VIA:	Dotie Joseph, Interim City Attorney
DATE:	Tuesday, March 4, 2014

RE:	Litigation List

BACKGROUND ANALYSIS:	As of March 4, 2014.
RECOMMENDATION:	
FISCAL/BUDGETARY IMPACT:	

ATTACHMENTS:

- Litigation List

TO: **Mayor and City Council**

FROM: **Dotie Joseph, Interim City Attorney**

DATE: **March 4, 2014**

LITIGATION LIST

I. Civil Rights:

II. Personal Injury:

III. Other Litigation:

Asset Acceptance LLC v Pierre and CNMB Writ of Garnishment	VOLUNTARY DISSOLUTION
Burkhead v CNMB Return of Firearm	CLOSED
Rosner/Zabel v CNMB Appeal of Code Enforcement Board Order	CLOSED

IV. Forfeitures:

* CNMB v Toussaint/Norris
One 2011 Audi S-6

V. Mortgage Foreclosures:

Bank of America v CNMB (Britton)	CLOSED
Bank of America v CNMB (AAJR)	CLOSED
BAC v CNMB (Temirao)	CLOSED
Federal National v CNMB	CLOSED
Home Financing v CNMB (Bristol)	CLOSED

* US Bank v CNMB (Mihaita, Florin, et al)

VI. Bankruptcies:

Adeleke, Mary M.	CLOSED
American LaFrance LLC	CLOSED
American Home Mortgage Holdings	CLOSED
ANF Asbury park, LLC	CLOSED
Barros, Carlos D (Fogovivo North Miami)	CLOSED
BB Liquidating, Inc. fka Blockbuster, Inc.	CLOSED
Blockbuster	CLOSED
Campos, Emma a/k/a Ramos, Emma	CLOSED
Carl's Furniture, Inc.	CLOSED
Cimax USA, LLC	CLOSED
International City Building, Inc.	CLOSED
Kontur, Larisa	CLOSED
Lopez, Linda	CLOSED
Major Richardson, Flora	CLOSED
Mendoza, Jonathan	CLOSED
Phelan, Michael	CLOSED
Ravazzani, Robert	CLOSED
Rojo, Jose	CLOSED
Rubin, Michael	CLOSED
Russel, Harold	CLOSED
Vartec Telecom, Inc.	CLOSED
Villaverde, Miguel AngeI	DISMISSED
Vitro America	CLOSED

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MEMORANDUM

Print

TO:	Mayor and City Council
FROM:	Ana M. Garcia, City Manager
VIA:	Carlos Rivero, City Planner
DATE:	Tuesday, March 4, 2014

RE: Resolution No. R2014-6 (City Planner, Carlos Rivero)

BACKGROUND ANALYSIS:

The Applicant, Daniel Sorogon, on behalf of the property owner of 3141 Northeast 165th Street is requesting the following:

A. Site plan review to construct a 6,255 square foot two-story single-family house on a 9,761 square foot (0.22 acres) vacant parcel of land assigned "Residential Low Density Land Use Designation" and "RS-1 Residential Single Family Zoning District;" and,

B. Variances from Chapter XXIV, Zoning and Land Development Code Sections:

I. Article 5, Zoning Use Districts, Section 24-41(D)(9)(a) titled, "Roofing," to waive the minimum roof pitch requirement of three-and-one-half (3.5') feet in twelve (12) feet to provide for a flat roof to be utilized as outdoor elevated open air living space; and,

II. Article 5, Zoning Use Districts, Section 24-41(D)(5) titled, "Maximum building height," to waive the maximum building height of thirty (30') feet to permit the installation of an elevator structure to a maximum height of thirty-six-and-one-half (36.5') feet which represents a two (2%) percent of the outdoor elevated open air living space, whereas the remaining portions of the single residence adhere to the maximum permitted building height of thirty

(30') feet.

RECOMMENDATION: The Community Development Department recommends that the site plan and variances be approved.

FISCAL/BUDGETARY IMPACT: No costs to the City are anticipated.

ATTACHMENTS:

- Resolution No. R2014-6
- Staff Report
- Application
- Site Plan
- First Floor
- Second Floor
- Roof Plan
- Elevation-1
- Elevation-2
- Drainage-1
- Drainage-2
- Landscape
- Pictures

RESOLUTION NO. R2014-6

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, GRANTING SITE PLAN APPROVAL, IN ORDER TO CONSTRUCT A 6,255 SQUARE FOOT TWO-STORY SINGLE-FAMILY HOUSE ON A 9,761 SQUARE FOOT (0.22 ACRES) VACANT PARCEL OF LAND, AS PROPOSED; AND

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, GRANTING A VARIANCE FROM SECTION 24-41(D)(9)(a) OF THE CODE OF ORDINANCES OF THE CITY OF NORTH MIAMI BEACH TO WAIVE THE MINIMUM ROOF PITCH REQUIREMENT OF THREE AND ONE HALF (3.5') FEET IN TWELVE (12') FEET TO PROVIDE FOR A FLAT ROOF TO BE UTILIZED AS A ROOFTOP TERRACE, AS PROPOSED; AND

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, GRANTING A VARIANCE FROM SECTION 24-41(D)(5) OF THE CODE OF ORDINANCES OF THE CITY OF NORTH MIAMI BEACH TO WAIVE THE MAXIMUM BUILDING HEIGHT OF THIRTY (30') FEET TO PERMIT THE INSTALLATION OF AN ELEVATOR STRUCTURE TO A MAXIMUM HEIGHT OF THIRTY-SIX AND ONE-HALF (36.5') FEET WHICH REPRESENTS A TWO (2%) PERCENT OF FOOTPRINT, WHEREAS THE REMAINING PORTIONS OF THE SINGLE RESIDENCE ADHERE TO THE MAXIMUM PERMITTED BUILDING HEIGHT OF THIRTY (30') FEET, ON PROPERTY LEGALLY DESCRIBED AS:

LOT 21, BLOCK 6, EASTERN SHORES ADDITION, PLAT BOOK 65, PAGE 39, PUBLIC RECORDS OF MIAMI-DADE COUNTY.

A/K/A
3141 N.E. 165th Street
North Miami Beach, Florida

(P&Z Board Meeting of December 9, 2013 and January 13, 2014)

WHEREAS, the property described herein is zoned R-1 Residential Single-Family Zoning District; and

WHEREAS, the Applicant requests site plan review and variances in order to construct a 6,255 square foot two-story single-family house on a 9,761 square foot (0.22 acres) vacant parcel of land located at 3141 N.E. 165 Street; and

WHEREAS, on December 9, 2013 the Planning & Zoning Board tabled the site plan and related variances; and

WHEREAS, on January 13, 2014 the Planning & Zoning Board recommended approval of the site plan and related variances, subject to all of the following conditions:

1. Application/supporting documentation. Construction of the proposed project shall be in conformance with the following (received and dated stamped by the Community Development Department 11.26.2013):
   a. Survey, prepared by John Ibarra & Associates, dated 11.20.2013.
   b. Plans prepared by Florida Architectural Services, Inc., dated 11.15.2013 including the following:
      1. Site Plan, Sheet A-1.
      2. Ground Floor Plan, Sheet A-2.
      3. Second Floor Plan, Sheet A-3.
      4. Roof Plan, Sheet A-4
      5. North/South Elevations, Sheet A-5.
      6. East/West Elevations, Sheet A-6.
      7. Houses with Flat Roofs and Roof Terraces Illustrations, Sheet A-7.
      8. Drainage Plan, Sheet D-1, dated 11.15.2013.
      9. Drainage Plan Cross Sections, Sheet D-2, dated 11.15.2013.
      10. Landscape Plan, Sheet L-1, dated 11.15.2013.
      11. Materials Board, dated 12.09.2103.
   c. All representations and exhibits as prepared and provided to the Community Development Department as a part of the Application Submittal Package dated 10.02.13, as amended.
   d. All representations proffered by the Applicant's representatives as a part of the review of the application at public hearings.
2. Restrictive covenant. Within 30 days of approval of the site plan, the property owner, its successors or assigns shall submit a Draft Restrictive Covenant for City Attorney review and approval outlining all conditions of approval as approved by the City Council. Failure to submit the Draft Restrictive Covenant within the specified time frame shall render the approval void unless said time frame is extended by the City Attorney after good cause as to why the time

frame should be extended. Upon City Attorney approval of the Restrictive Covenant, the Covenant shall be recorded by the Applicant with the Miami-Dade County Clerk of the Court. A copy of the must be submitted to the Department of Community Development.

3. Building permit plan submittal. When building plans are submitted for City Building Permit review, a cover sheet must be included on all submittal sets incorporating the City Council Approved Resolution.

4. Conditions for issuance of a building permit. Prior to the issuance of a building permit for the project, the property owner, its successors or assigns, shall satisfy the following conditions:

a. Submit a copy of the Recorded Restrictive Covenant to the City Building Division with submittal of the Building Permit.

b. All utilities, including but not limited to electrical, cable television and telephone must be located underground subject to the Director of Public Services review and approval.

c. Any proposed docks, piers, moorings, etc shall be for the exclusive use of the current property owner and shall not be leased, sold or otherwise utilized by others. Live-a-boards of any water vessel shall be prohibited.

d. All surface storm water shall be retained on-site, and shall not drain to the adjoining properties, right-of-way or the canal.

e. Architectural/building details.
   1. All windows must have impact glass.
   2. All decorative details must be made of wood, stone, cast stone or similar materials and may not be made of foam.

f. Rooftop limitations:
   1. No permanently mounted structural elements or similar structural components may be installed in excess of the maximum permitted height of thirty (30') feet, including but not limited to light poles, trellis, etc.
   2. Rooftop landscaping shall be permitted however, no landscape materials may exceed eight (8') in height above the railing for a maximum height of thirty-eight (38) feet.
   3. Temporary structural elements (i.e., umbrellas, etc) shall be permitted however such elements may not exceed eight (8) feet in height. All temporary elements not permanently fastened to the roof shall be removed in advance of hurricane events.
   4. No light fixture or poles may be installed or project illumination above the rooftop parapet.

g. If the property owners, on either side of the subject property remove the existing six (6') foot decorative walls, the current property owner within thirty (30) days of removal shall submit building permit plans for the construction of a six (6') foot decorative 100 % opaque fence subject to all applicable Zoning Code requirements regarding the construction of the wall.

h. Submit State of Florida Licensed Civil Engineer signed and sealed Paving, Grading and Drainage (PG&D) Plans for City Engineer approval including but not limited to the following:
   1. Percolation tests and drainage calculations.

2. The PG&D Plan must also be reviewed and stamped approved by DERM/DRER for water quality drainage review.

5. Prior to the issuance of the Certificate of Occupancy (CO), the property owner, its successors or assigns, shall install the property address on the proposed seawall (minimum four (4") inches in size) facing the canal.

6. The variances granted under the provisions of this Code shall automatically expire within one (1) year from the date of granting of a variance unless a City building permit has not been applied for.

NOW, THEREFORE,

BE IT RESOLVED by the City Council of the City of North Miami Beach, Florida.

Section 1. Site plan approval in order to construct a 6,255 square foot two (2) story single-family house on a 9,761 square foot (0.22 acres) vacant parcel of land, on property legally described as:

LOT 21, BLOCK 6, EASTERN SHORES ADDITION, PLAT BOOK 65, PAGE 39, PUBLIC RECORDS OF MIAMI-DADE COUNTY.

A/K/A
3141 N.E. 165th Street
North Miami Beach, Florida

is hereby granted subject to the following conditions:

1. Application/supporting documentation. Construction of the proposed project shall be in conformance with the following (received and dated stamped by the Community Development Department 11.26.2013):
   a. Survey, prepared by John Ibarra & Associates, dated 11.20.2013.
   b. Plans prepared by Florida Architectural Services, Inc., dated 11.15.2013 including the following:
      1. Site Plan, Sheet A-1.
      2. Ground Floor Plan, Sheet A-2.
      3. Second Floor Plan, Sheet A-3.
      4. Roof Plan, Sheet A-4
      5. North/South Elevations, Sheet A-5.
      6. East/West Elevations, Sheet A-6.
      7. Houses with Flat Roofs and Roof Terraces Illustrations, Sheet A-7.
      8. Drainage Plan, Sheet D-1, dated 11.15.2013.
      9. Drainage Plan Cross Sections, Sheet D-2, dated 11.15.2013.

10. Landscape Plan, Sheet L-1, dated 11.15.2013.
11. Materials Board, dated 12.09.2103.

c. All representations and exhibits as prepared and provided to the Community Development Department as a part of the Application Submittal Package dated 10.02.13, as amended.

d. All representations proffered by the Applicant's representatives as a part of the review of the application at public hearings.

2. Restrictive covenant. Within 30 days of approval of the site plan, the property owner, its successors or assigns shall submit a Draft Restrictive Covenant for City Attorney review and approval outlining all conditions of approval as approved by the City Council. Failure to submit the Draft Restrictive Covenant within the specified time frame shall render the approval void unless said time frame is extended by the City Attorney after good cause as to why the time frame should be extended. Upon City Attorney approval of the Restrictive Covenant, the Covenant shall be recorded by the Applicant with the Miami-Dade County Clerk of the Court. A copy of the must be submitted to the Department of Community Development.

3. Building permit plan submittal. When building plans are submitted for City Building Permit review, a cover sheet must be included on all submittal sets incorporating the City Council Approved Resolution.

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b. All utilities, including but not limited to electrical, cable television and telephone must be located underground subject to the Director of Public Services review and approval.

c. Any proposed docks, piers, moorings, etc shall be for the exclusive use of the current property owner and shall not be leased, sold or otherwise utilized by others. Live-a-boards of any water vessel shall be prohibited.

d. All surface storm water shall be retained on-site, and shall not drain to the adjoining properties, right-of-way or the canal.

e. Architectural/building details.
   1. All windows must have impact glass.
   3. All decorative details must be made of wood, stone, cast stone or similar materials and may not be made of foam.

f. Rooftop limitations:
   1. No permanently mounted structural elements or similar structural components may be installed in excess of the maximum permitted height of thirty (30') feet, including but not limited to light poles, trellis, etc.
   2. Rooftop landscaping shall be permitted however, no landscape materials may exceed eight (8') in height above the railing for a maximum height of thirty-eight (38) feet.
   3. Temporary structural elements (i.e., umbrellas, etc) shall be permitted however such elements may not exceed eight (8) feet in height. All temporary elements not permanently fastened to the roof shall be removed in advance of hurricane events.

4. No light fixture or poles may be installed or project illumination above the rooftop parapet.

g. If the property owners, on either side of the subject property remove the existing six (6') foot decorative walls, the current property owner within thirty (30) days of removal shall submit building permit plans for the construction of a six (6') foot decorative 100 % opaque fence subject to all applicable Zoning Code requirements regarding the construction of the wall.

h. Submit State of Florida Licensed Civil Engineer signed and sealed Paving, Grading and Drainage (PG&D) Plans for City Engineer approval including but not limited to the following:

1. Percolation tests and drainage calculations.
2. The PG&D Plan must also be reviewed and stamped approved by DERM/DRER for water quality drainage review.

5. Prior to the issuance of the Certificate of Occupancy (CO), the property owner, its successors or assigns, shall install the property address on the proposed seawall (minimum four (4") inches in size) facing the canal.

6. The variances granted under the provisions of this Code shall automatically expire within one (1) year from the date of granting of a variance unless a City building permit has not been applied for.

Section 2. A variance from Section 24-41(D)(9)(a) to waive the minimum roof pitch requirement of three-and-one half (3.5') feet in twelve (12') feet to provide for a flat roof to be utilized as a rooftop terrace, as proposed, on property legally described as aforesaid is hereby granted subject to the aforementioned conditions.

Section 3. A variance from Section 24-41(D)(5) to waive the maximum building height of thirty (30') feet to permit the installation of an elevator structure to a maximum height of thirty-six and one-half (36.5') feet, which represents a two (2%) percent of footprint, whereas the remaining portions of the single residence adhere to the maximum permitted building height of thirty (30') feet, as proposed, on property legally described as aforesaid is hereby granted subject to the aforementioned conditions.

Section 4. Pursuant to Section 24-172(I) of the Code of Ordinances of the City of North Miami Beach, the applicant must apply for a master building permit from the City within one (1) year of the date of this Resolution or the site plan approval granted shall be deemed null and void

and the applicant shall be required to reinstate the site plan review process unless the term is extended administratively or by the City Council prior to its expiration.

Section 5. Pursuant to Section 24-176(C)(4)(a) of the Code of Ordinances of the City of North Miami Beach, any variance granted shall automatically expire if a permit has not been applied for within one (1) year from the date of this Resolution or, if the permit is issued, expires or is revoked pursuant to the Florida Building Code.

APPROVED AND ADOPTED by the City Council of the City of North Miami Beach, Florida at regular meeting assembled this ___ **day of March, 2014**.

ATTEST:

_____	_____
PAMELA L. LATIMORE CITY CLERK	GEORGE VALLEJO MAYOR
(CITY SEAL)	
	APPROVED AS TO FORM:
	_____
	DOTIE JOSEPH INTERIM CITY ATTORNEY

Sponsored by: Mayor and City Council

City of North Miami Beach, Florida

Community Development Department

Local Planning Agency/Planning and Zoning Board Meeting
Community Development Department Staff Report

To: City Council Members

From: Carlos M. Rivero

Mtg. Date: March 4, 2014 (amended as a result of the February 18, 2014 Council meeting)

Application: Site Plan Review and Variances - 3141 Northeast 165th Street.

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, REQUESTING SITE PLAN REVIEW TO CONSTRUCT A 6,255 SQUARE FOOT TWO (2) STORY SINGLE-FAMILY HOUSE ON A 9,761 SQUARE FOOT (0.22 ACRES) VACANT PACREL OF LAND ASSIGNED "RESIDENTIAL LOW DENSITY LAND USE DESIGNATION" AND "RS-1 RESIDENTIAL SINGLE FAMILY ZONING DISTRICT;" AND,

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI BEACH, FLORIDA REQUESTING VARIANCES FROM CHAPTER XXIV, OF THE CITY'S ZONING AND LAND DEVELOPMENT CODE SECTIONS:

1. ARTICLE 5, ZONING USE DISTRICTS, SECTION 24-41(D)(9)(a) ENTITLED, ROOFING, TO WAIVE THE MINIMUM ROOF PITCH REQUIREMENT OF THREE AND ONE-HALF (3.5) FEET IN TWELVE (12) FEET TO PROVIDE FOR A FLAT ROOF TO BE UTILIZED AS A ROOFTOP TERRACE; AND
2. ARTICLE 5, ZONING USE DISTRICTS, SECTION 24-41(D)(5) ENTITLED, MAXIMUM BUILIDNG HEIGHT, TO WAIVE THE BUILDNG HEIGHT OF THIRTY (30') FEET TO PERMIT THE INSTALLTION OF AN ELEVATOR STRUTURE TO A MAXIMUM HEIGHT OF THIRTY-SIX-AND-A-HALF (36.5') FEET WHICH REPRESENTS A TWO (2%) PERCENT OF THE FOOTPRINT, WHEREAS REMAINING PORTIONS OF THE SINGLE RESIDENCE ADHERE TO THE MAXIMUM PERMITTED BUILDING HEIGHT OF THIRTY (30) FEET,

Summary of Applications

The Applicant, Daniel Sorogon, on behalf of the property owner of 3141 Northeast 165th Street is requesting the following:

1. Site plan review to construct a 6,255 square foot two (2) story single-family house on a 9,761 square foot (0.22 acres) vacant parcel of land assigned "Residential Low Density Land Use Designation" and

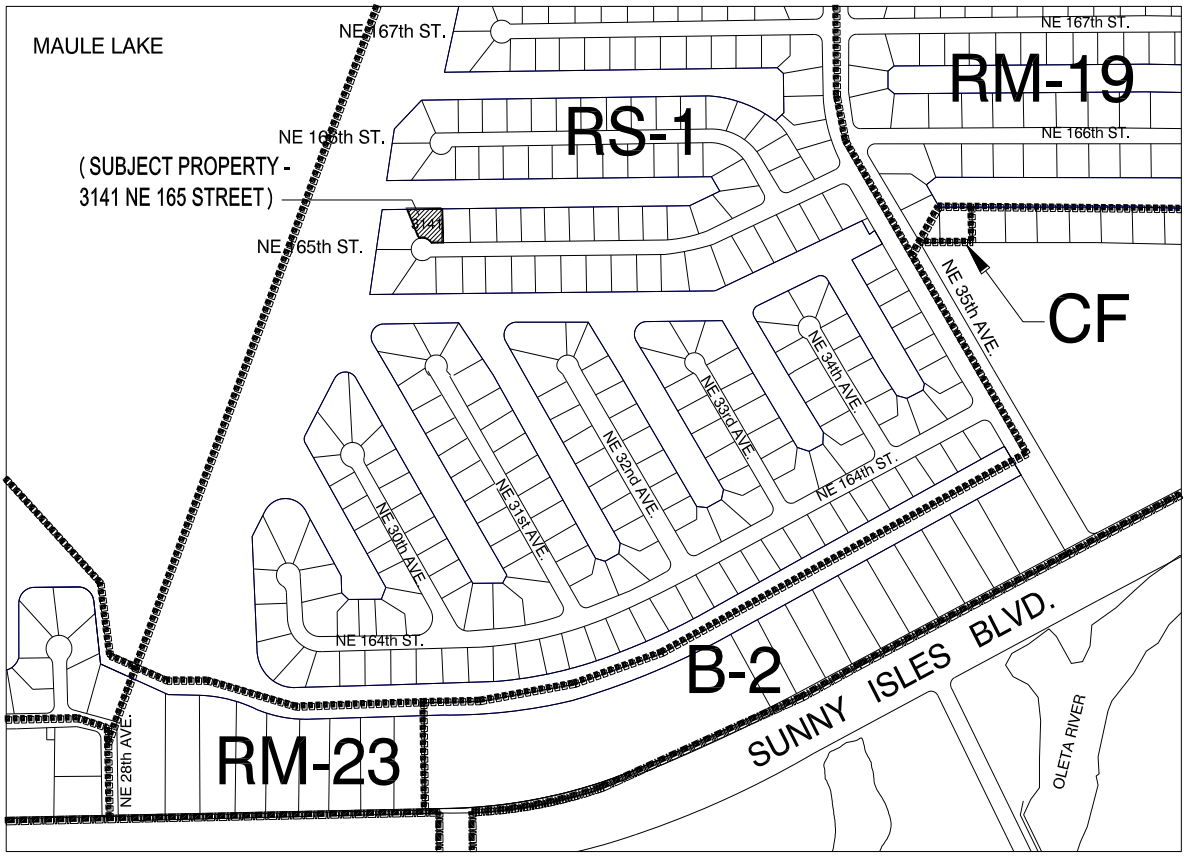
"RS-1 Residential Single Family Zoning District;" and,

2. Variances from Chapter XXIV, Zoning and Land Development Code Sections:
   i. Article 5, Zoning Use Districts, Section 24-41(D)(9)(a) titled, "Roofing," to waive the minimum roof pitch requirement of three-and-one-half (3.5') feet in twelve (12) feet to provide for a flat roof to be utilized as a rooftop terrace; and,
   ii. Article 5, Zoning Use Districts, Section 24-41(D)(5) titled, "Maximum building height," to waive the maximum building height of thirty (30') feet to permit the installation of an elevator structure to a maximum height of thirty-six-and-one-half (36.5') feet which represents a two (2%) percent of the rooftop terrace, whereas the remaining portions of the single residence adhere to the maximum permitted building height of thirty (30') feet.

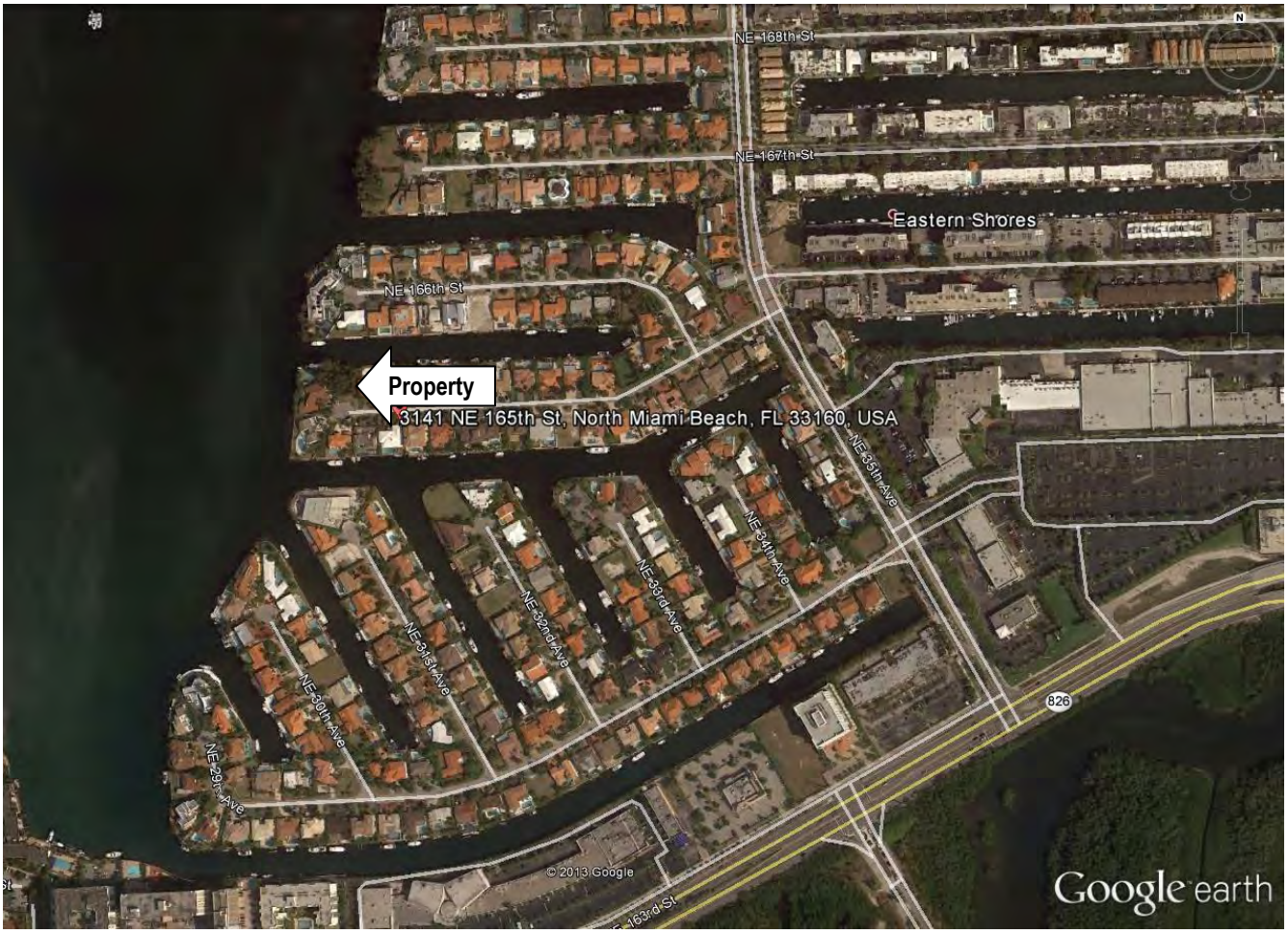
A copy of the complete Application submittal is attached as Attachment A.

The subject property is located on the eastern portion of the Eastern Shores Neighborhood. The property is legally described as Lot 21, Block 6, Eastern Shores Addition, Plat Book 65, page 39, Public Records of Miami-Dade County, as shown on the following Location and Zoning Map and Aerial:

Location and Zoning Map



Aerial



Applications for Site Plan review require review and recommendation by the Planning and Zoning Board/Local Planning Agency (LPA) at one (1) advertised public hearing and consideration by the City Commission at one (1) advertised public hearing via Resolution format.

Site Data and Surrounding Uses

The following tables provide the subject property's designations and surrounding land uses:

Existing Property Designations

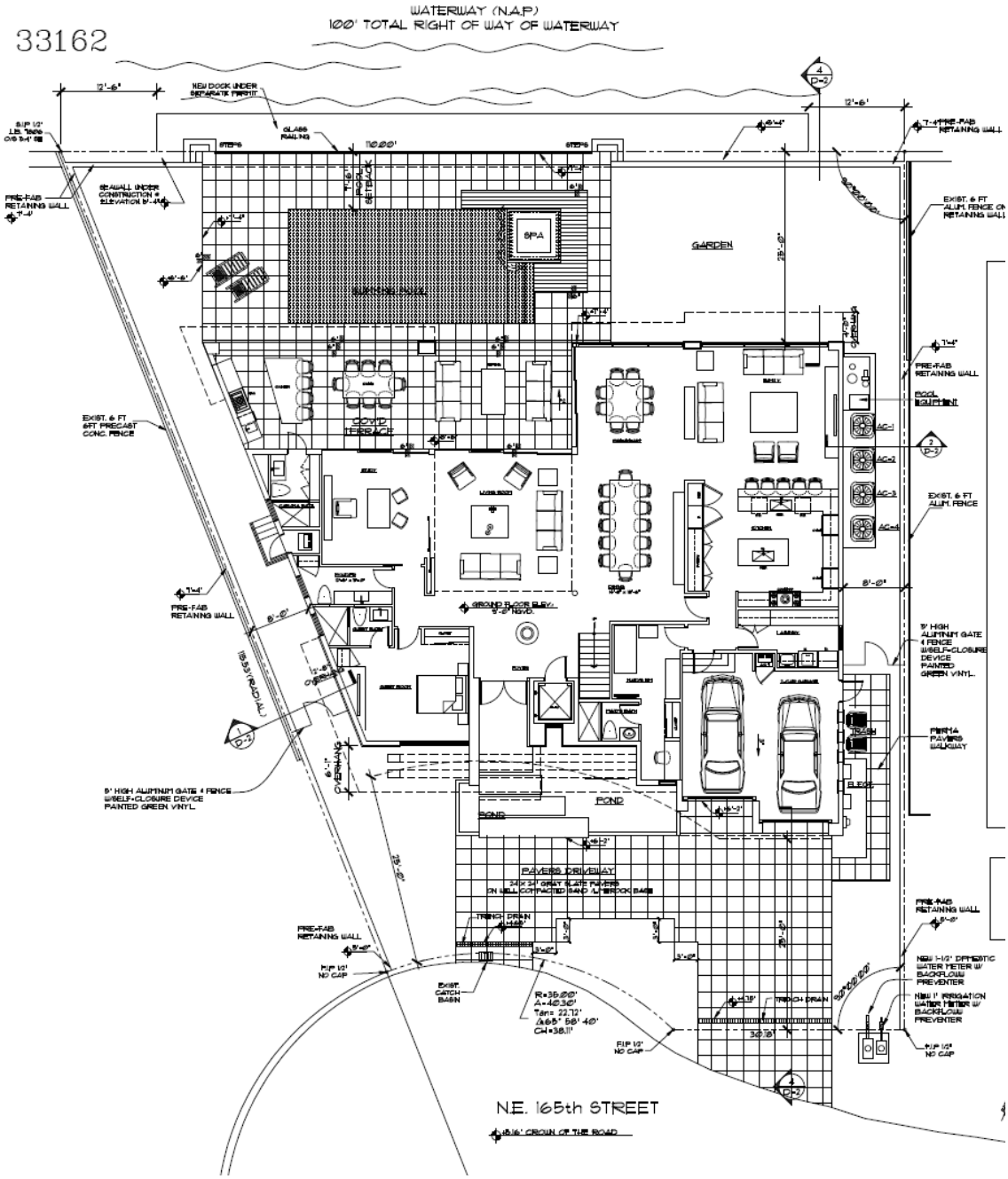
Comprehensive Plan Map designations	Residential Low Density Land Use Designation
Zoning Map designations	RS-1 Residential Single Family Zoning District

Surrounding Land Uses

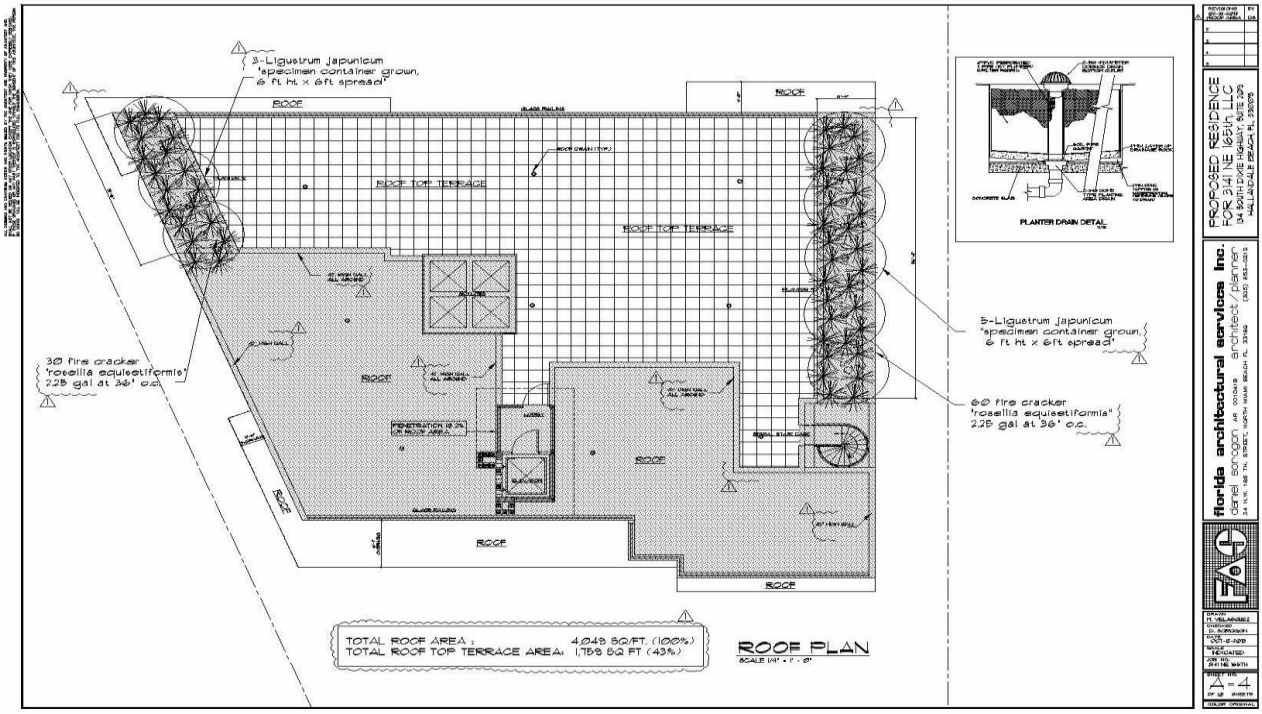
Location	Existing Land Uses	Comprehensive Plan Land Use Designations	Zoning Designations
North	Canal/2 story single family residences	Residential Low Density	RS-1 Residential Single Family
South	2 story single family residence	Residential Low	RS-1 Residential Single Family
East	2 story single family residence	Residential Low Density	RS-1 Residential Single Family
West	2 story single family residence	Residential Low	RS-1 Residential Single Family

The Applicant's Proposed Site Plan, Rooftop Terrace, Elevations and Other Neighborhood Locations of Flat Roofs and Roof Top Terrace Illustrations are provided on the following pages:

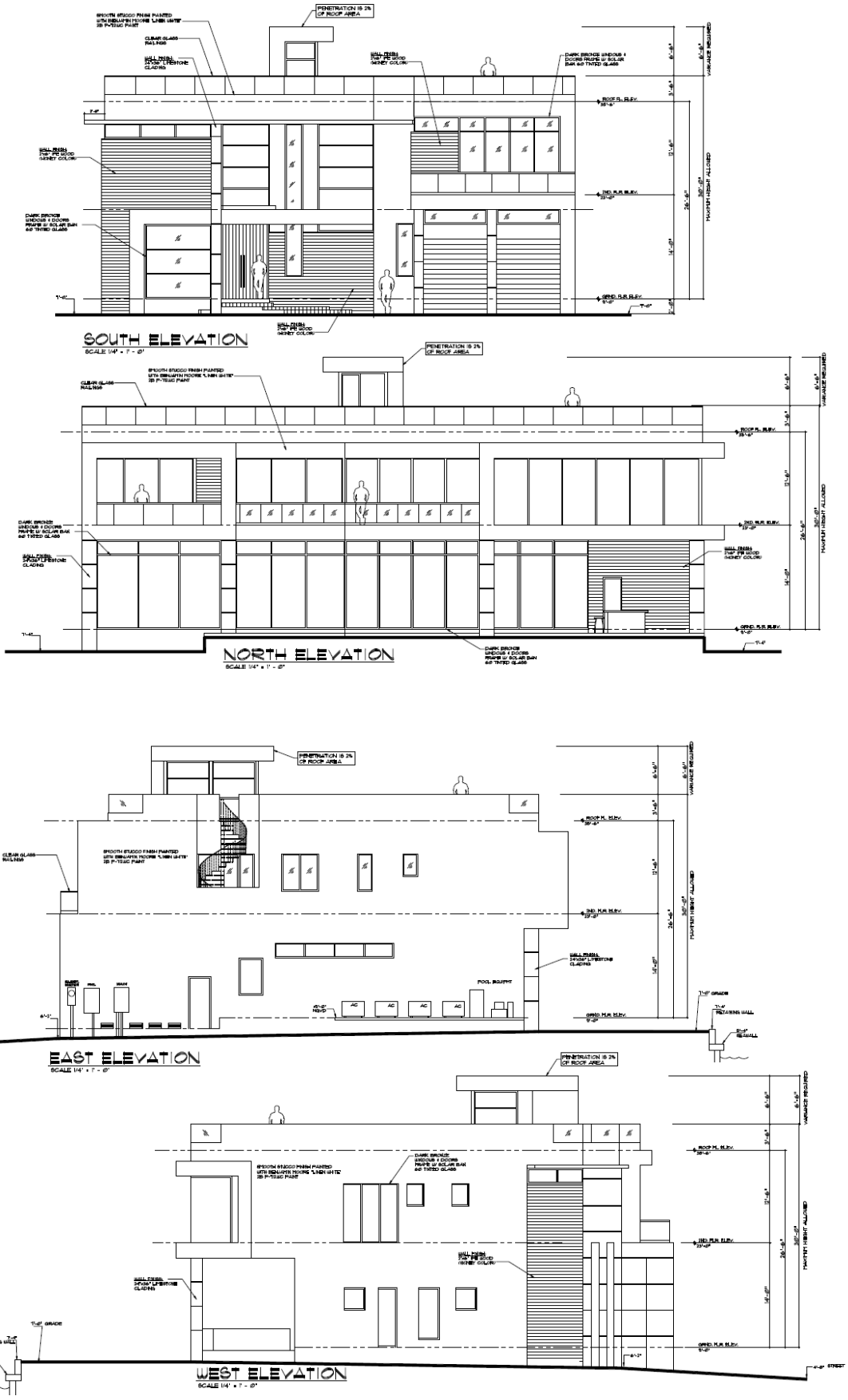
Proposed Site Plan



Proposed Rooftop Terrace



Proposed Building Elevations



Other Neighborhood Locations of Flat Roofs and Roof Top Terrace Illustration

City Staff Review, Comments and Findings of Facts

The City's Technical Review of Applications for Development (TRAD), represented by Public Service, Engineering, Landscaping, Planning and Zoning reviewed the application for consistency with applicable City requirements. The Committee provided comments to the Applicant and all comments were satisfactorily addressed and include in the plans presented for consideration (See Attachment A).

Site Plan Review Request

Community Development Staff evaluation of the proposed single family residence in conformance with the ""RS-1 Residential Single Family Zoning District," is provided as follows:

Type	Required	Proposed
Minimum lot area	8,000 sq.ft.	9,761 sq.ft.
Minimum lot width	80 feet	88.7 feet
Minimum setbacks		
Front	25 feet	25 feet
Rear	25 feet	25 feet
Side	8/8 feet	8/8 feet
Maximum building height	30 feet	30 feet (top of railing) + 6.5 feet for elevator core (subject of variance request)
Number of floors	2	2
Minimum floor area	2,500 sq. ft.	6,255 sq. ft
Maximum lot coverage	40%	40% /3,904 sq.ft.
Max. pervious lot area	35%-3,416 sq.ft./25% front yard-464.2 sq.ft.	35.2%-3,438 sq.ft./39% front yard-733 sq.ft.
Parking	2 parking spaces	2 parking spaces

Community Development Staff evaluation notes the proposed single-family residence satisfies the Zoning Code requirements. Staff has discussed the proposed rooftop terrace as a part of the City's TRAD review process. City Departments requested modifications to the lighting, landscaping, and roof structure. Staff exhibited concerns regarding the potential for increase height from both the placement of temporary structures (i.e., umbrellas) and permanent structures. Likewise the concerns were raised regarding placement of large over story vegetation and/or trees on the living roof space. To alleviate these concerns, Community Development Staff has placed limitations for allowable exterior lighting, permanent and temporary roof structures and landscaping. These limitations are included as Conditions of Approval provided in Staff Recommendation at the end of this report.

Variance Requests

The Applicant has requested two (2) variances from the Zoning Code to waive the minimum roof pitch requirement of three-and-one-half (3.5') feet in twelve (12) feet to provide for a flat roof to be utilized as rooftop terrace; and, a variance to waive the maximum building height of thirty (30') feet to permit the installation of an elevator structure to a maximum height of thirty-six-and-one-half (36.5') feet. The proposed elevator structure beyond the allowable height represents two (2%) percent of the total footprint. The remaining portions of the single family residence adhere to the maximum permitted building height of thirty (30') feet.

In the evaluation of variances, the City has the responsibility to ascertain if the application is within the spirit and purpose of the Zoning Code and the variance is not contrary to the public interest, is compatible with the surrounding land uses and would not be detrimental to the community. Community Development Staff has evaluated the two (2) variances and finds the variances, although a departure from the provisions of the Zoning Code, the variances are minimal in nature. The increase in height only represents a small portion of the roof area and/or penetration in the allowable height by six-and-one-half (6 ½') feet. This represents as noted previously, two (2%) percent of the total roof area. The variance for the flat roof is consistent with other flat roofs within the neighborhood. Staff asked the Applicant to identify existing flat roofs within the surrounding neighborhood which is provided in Attachment A, Sheet A-7, "Houses with Flat Roofs and Roof Terraces Illustrations" or as provided on page 7 of this report.

Based upon the above findings, Community Development Staff finds the Site Plan Application in conformance with the Zoning Code standards and the proposed Variance Applications are not be contrary to the public interest and are consistent with the standards established in Sec. 24-176(C) of the Zoning Code. This determination for conformance is based upon Applicant's agreement with the Conditions of Approval as provided within Community Development Staff Recommendation.

Public Notification and Comments

The Zoning Code requires a courtesy notification be provided to all property owners within 500 feet of the boundary of the property. The notice indicates the following: applications filed; public hearing dates/time/location; where the application files can be reviewed and provides for an opportunity to submit comments. Approximately 80 notices were mailed. A copy of the legal advertisement and courtesy notice are on file within the Community Development Department.

Community Development Staff did provide a copy of the proposed plans to the President of the Eastern Shores Homeowners Association during the City review process as well as courtesy notice of the upcoming hearings. The HOA indicated the following: "Based on the responses I received from our Board of Directors, we have no objection to the requests made for the 6.5 foot increased height variance nor the variance for a flat roof."

A summary of the notice provided is as follows:

Public Notice

Type	Date
Courtesy notification - 500 feet	11.25.13
Posting of property	11.27.13
Legal advertisement – Planning and Zoning Board	11.29.13
Posted agenda on City web page	12.02.13
Posted agenda at Community Development Department	11.25.13
Legal advertisement – City Council	TBD

Community Development Staff Recommendation and Conditions of Approval

In furtherance of the Comprehensive Plan (CP) Goals, Objectives and Policies, Zoning Code and other applicable City provisions, the Department of Community Development Staff recommends approval of the following (See Attachment B – Resolution):

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, REQUESTING SITE PLAN REVIEW TO CONSTRUCT A 6,255 SQUARE FOOT TWO (2) STORY SINGLE-FAMILY HOUSE ON A 9,761 SQUARE FOOT (0.22 ACRES) VACANT PACREL OF LAND ASSIGNED "RESIDENTIAL LOW DENSITY LAND USE DESIGNATION" AND "RS-1 RESIDENTIAL SINGLE FAMILY ZONING DISTRICT;" AND,

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI BEACH, FLORIDA REQUESTING VARIANCES FROM CHAPTER XXIV, OF THE CITY'S ZONING AND LAND DEVELOPMENT CODE SECTIONS:

1. ARTICLE 5, ZONING USE DISTRICTS, SECTION 24-41(D)(9)(a) ENTITLED, ROOFING, TO WAIVE THE MINIMUM ROOF PITCH REQUIREMENT OF THREE AND ONE-HALF (3.5) FEET IN TWELVE (12) FEET TO PROVIDE FOR A FLAT ROOF TO BE UTILIZED AS A ROOFTOP TERRACE; AND
2. ARTICLE 5, ZONING USE DISTRICTS, SECTION 24-41(D)(5) ENTITLED, MAXIMUM BUILIDNG HEIGHT, TO WAIVE THE BUILDNG HEIGHT OF THIRTY (30') FEET TO PERMIT THE INSTALLTION OF AN ELEVATOR STRUTURE TO A MAXIMUM HEIGHT OF THIRTY-SIX-AND-A-HALF (36.5') FEET WHICH REPRESENTS A TWO (2%) PERCENT OF THE FOOTPRINT, WHEREAS REMAINING PORTIONS OF THE SINGLE RESIDENCE ADHERE TO THE MAXIMUM PERMITTED BUILDING HEIGHT OF THIRTY (30) FEET,

Subject to all of the following Conditions of Approval:

1. Application/supporting documentation. Construction of the proposed project shall be in conformance with the following (received and dated stamped by the Community Development Department 11.26.2013):
   a. Survey, prepared by John Ibarra & Associates, dated 11.20.2013.
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c. All representations and exhibits as prepared and provided to the Community Development Department as part of the Application Submittal Package dated 10.02.13, as amended.
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   f. Architectural/building details.
      1. All windows must have impact glass.
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   g. Rooftop limitations:
      1. No permanently mounted structural elements or similar structural components may be installed in excess of the maximum permitted height of thirty (30') feet, including but not limited to light poles, trellises, etc.
      2. Rooftop landscaping shall be permitted however; no landscape materials may exceed eight (8') feet in height above the railing for a maximum height of thirty-eight (38) feet.
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   h. If the property owners, on either side of the subject property remove the existing six (6') foot decorative walls, the current property owner within thirty (30) days of removal shall submit building permit plans for the construction of a six (6') foot decorative 100 % opaque fence subject to all applicable Zoning Code requirements regarding the construction of the wall.

i. Submit State of Florida Licensed Civil Engineer signed and sealed Paving, Grading and Drainage (PG&D) Plans for the City Engineers approval including but not limited to the following:
   1. Percolation tests and drainage calculations.
   2. The PG&D Plan must also be reviewed and stamped approved by DERM/DRER for water quality drainage review.

5. Prior to the issuance of the Certificate of Occupancy (CO). Prior to the issuance of a CO, the property owner, its successors or assigns, shall install the property address on the proposed seawall (minimum four (4") inches in size) facing the canal.
6. The variances granted under the provisions of this Code shall automatically expire within one (1) year from the date of granting of a variance unless a City building permit has not been applied for.

Planning and Zoning Board Action

The Planning and Zoning Board at their December 9, 2013 meeting expressed concerns with reference to the rooftop terrace and the minimal amount of outreach the Applicant had completed with reference to this living space. Please refer Attachment C, Planning and Zoning Board verbatim transcript, page 9 for the Boards and Applicants discussion.

The Board made motion to continue the Application to allow the Applicant the opportunity to complete additional outreach to the adjoining properties, the Eastern Shore Home Owners Association and other residents within the Eastern Shores neighborhood.

The Applicant has advised City Staff, he has contacted all of the above entities and they are aware of the upcoming proceedings. The Applicant shall provide an overview of the outreach efforts and applicable comments. No changes have been made to the site plan or Application, the plan remains the same as presented at the December 9, 2013 meeting. A copy of all public correspondence and comments received by Community Development Department Staff is provided as Attachment D.

Although not required per the Zoning Code, City Staff did send out a new courtesy mail notice, readvertise the Application in the newspaper, and repost the property with a new "Public Hearing" sign advising of the Planning and Zoning Board and City Council dates. Copies of the notice provided for both Board hearings (December 9, 2013 and January 13, 2014) are on file and available for review.

City Council Action

During the Council Meeting of Tuesday February 18, the Council voted to table this item until the meeting of Tuesday March 4th in order for the applicant to be able to reduce the rooftop deck size and explore options for its design. No new advertisement requirements were placed on this item, other than the on-site notice.

Attachments

A. 11.15.2013 Applicant Submittal Package.
B. Resolution No. (2014-Number TBD).
C. 12.09.2013 Planning and Zoning Board Verbatim Transcript.
D. Public comments received by Community Development Staff.

Please visit the City's webpage at www.citynmb.com to view the agenda. The complete application is on file and available for examination at the Community Development Department, 17050 N.E. 19th Avenue, North Miami Beach, Florida 33162-3194, Monday through Friday 8:00AM-5:00PM. Questions and written comments can be directed as follows: via email to nmbcomdev@citynmb.com; FAX - 305.957.3517; mail to the above address; or by calling 305.948.2966.

City of North Miami Beach, Florida
COMMUNITY DEVELOPMENT DEPARTMENT

APPLICATION FOR PUBLIC HEARING

OCT/2/2013
Date

1. Name of Applicant: DANIEL SOROGON ON BEHALF OF 3141 N.E. 165TH LLC

Address: 34 N.W. 168TH ST. NORTH MIAMI BEACH, FLA. 33169

Telephone No.: 305-920-1235 Fax: 305-653-0232

Email: DANSOROGON@AOL.COM

1. Address or Location of Subject Property: 3141 N.E. 165TH ST.
NORTH MIAMI BEACH, FLA. 33160

2. Folio Number: 07-2210-001-0210

3. Name of Property Owner: 3141 N.E. 165TH TH ST. LLC

Date of Purchase: AUGUST 20TH, 2013

Address: 134 SOUTH DIXIE HIGHWAY, SUITE 209 HALLANDALE FL. 3309

Telephone No.: 305-322-2307 Fax: N/A

Email: JOELBENDAYAN@GMAIL.COM

4. Surveyor's Name: JOHN I BARRA & ASSOC.

Firm: JOHN IBARRA & ASSOC.

Address: 777 N.W. 72ND AVE, SUITE 3025, MIAMI FLA. 33126

Telephone No.: 305-262-0400 Fax: 305-262-0401

Email:

5. Legal Description of the Property Covered by This Application:

LOT 21, BLOCK 6, EASTERN SHORES 1 ADDITION

PLATBOOK 65, PAGE 38 PUBLIC RECORDS OF DADE COUNTY, FLA.

6. Size of Property: 115 Ft. x 110 Ft., Acres: .22

7. Does property owner own contiguous property(s) to the subject property? If so, give complete legal description of entire contiguous property(s):

NO

8. Is there an option to purchase or lease subject property or property contiguous thereto, predicated on the approval of this application? Yes ____ No ____
If yes, who are the affected parties?: ____

A copy of the purchase contract must be submitted with this application.

9. Is this hearing being requested as a result of a violation notice or summons? Yes ____ No ____
If yes, in whose name was the violation or summons notice served?:

Nature of violation: ____

10. Does the Code Enforcement Board seek this variance as an administrative remedy to a case being heard?
Yes ____ No ____

11. Are these plans representing new construction? Yes ____ No ____
Has construction started? Yes ____ No ____
Has construction been completed? Yes ____ No ____.

If construction has been completed, give approximate date of completion: _____ Did this construction exist at the time the property was acquired? Yes ___ No ___
What is the estimated value of construction? 1.2 million

13. Are there any existing structures on the property?: NO
If so, how many?: _____. What type? (CBS, frame, frame-stucco, other):
_____
Will the existing structure(s) be demolished?: _____ If not, explain proposed use of existing building(s) in Letter of Intent.

This application is for the following:

(Check all that apply)

___ Conditional Use

___ Future Land Use Map Amendment

___ Platting/Replat

___ Rezoning

✓ Site Plan Review

___ Special Limited Conditional Use

___ Vacate Right-of-Way

✓ Variance(s)

___ Site Plan Modification

TENANT OR OWNER AFFIDAVIT

I, 3141 N.E. 165TH LLC, being first duly sworn, depose and say that I am the owner/tenant (circle one) of the property described and which is the subject matter of the proposed hearing; that all the answers to the questions in this application, and all sketch data and other supplementary matter attached to and made a part of the application are honest and true to the best of my knowledge and belief. I understand this application must be complete and accurate before a hearing can be advertised. In the event that I or anyone appearing on my behalf is found to have made a material misrepresentation, either oral or written, regarding this application, I understand that any site plan review, conditional use, special limited conditional use, rezoning, Future Land Use Map amendment, vacation of right-of-way, variance, or plat approval shall be voidable at the option of the City of North Miami Beach.

Joel Bendayan

Signature

JOEL BENDAYAN

Print Name

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

The foregoing instrument was acknowledged before me this 2ND day of OCTOBER, 2013, by JOEL BENDAYAN

who is personally known to me or who has produced

—

—, as identification and who did (did not) take an oath.

(Signature of Notary)

RAFAEL PEREZ
MY COMMISSION #DD957762
EXPIRES JUNE 2, 2014
Bonded Thru Notary Public Underwriters

(Name of Notary Typed, Printed or Stamped)

CORPORATION AFFIDAVIT

~~We,~~ I, JOEL BENDAYAN, being first duly sworn depose and say that we are the President/Vice President, (circle one) and Secretary of the aforesaid corporation, and as such, have been authorized by the corporation to file this application for public hearing; that all answers to the questions in said application and all sketches, data and other supplementary matter attached to and made a part of this application are honest and true to the best of our knowledge and belief; that said corporation is the owner/tenant (circle one) of the property described herein and which is the subject matter of the proposed hearing. We understand this application must be complete and accurate before a hearing can be advertised. In the event that I or anyone appearing on my behalf is found to have made a material misrepresentation, either oral or written, regarding this application, I understand that any variance, site plan review, conditional use, special limited conditional use, rezoning, Future Land Use Map amendment, vacation of right-of-way, or plat approval shall be voidable at the option of the City of North Miami Beach.

President's Signature

JOEL BENDAYAN
Print Name

Secretary's Signature

Corporate Seal

Print Name

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

The foregoing instrument was acknowledged before me this 2ND day of OCTOBER, 2013, by JOEL BENDAYAN who is personally known to me or who has produced —, as identification and who did (did not) take an oath.

RAFAEL PEREZ
MY COMMISSION #DD957762
EXPIRES JUNE 2, 2014
Bonded Thru Notary Public Underwriters

(Signature of Notary)

(Name of Notary Typed, Printed or Stamped

OWNER'S SWORN-TO-CONSENT
PERMITTING TENANT TO FILE FOR A HEARING

I, JOEL BENDAYAN, being first duly sworn, depose and say that I am the owner of the Property described herein and which is the subject matter of the proposed hearing, do hereby authorize DANIEL SOROGON to file this application for a public hearing.

Print Name

Signature

JOEL BENDAYAN

Print Name

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

The foregoing instrument was acknowledged before me this 2ND day of OCTOBER 20 13, by JOEL BENDAYAN who is personally known to me or who has produced _____ as identification and who did (did not) take an oath.

(Signature of Notary)

RAFAEL PEREZ

(Name of Notary Typed, Printed Or Stamped)

RAFAEL PEREZ
MY COMMISSION #DD957762
EXPIRES JUNE 2, 2014
Bonded Thru Notary Public Underwriters

FLORIDA
CONTRACTING & CONSTRUCTION
SERVICES, INC.
34 Northwest 168th Street
North Miami Beach, FL 33169
(305) 653-0212 (305)653-0232-fax

October 2, 2013

City of North Miami Beach
Community Development Department
17011 NE 19th Avenue
North Miami Beach, FL 33162

Re: 3141 NE 165th Street, North Miami Beach, FL 33160

To whom it may concern :

This is to inform you that we are submitting plans for the construction of a new 2 story residence, approx 6,255 sf, 2 car garage, swimming pool and pool deck.
We are requesting two variances:

1. Flat roof (modern house)
2. Building height of 6.5 feet over max allowed of 30 ft. which is 2% of roof area . (access to roof)

Thank you for considering our request.

Daniel Sorogon
Architect/General Contractor
AR0010418 / CGC 34809

Prepared by and return to:
Clara Del Risco, Esq.

Clara del Risco, P.A.
10051 Pines Blvd., Suite A
Pembroke Pines, FL 33024
954-885-9100
File Number: **CDC716**
Will Call No.:

[Space Above This Line For Recording Data]

Special Warranty Deed

This Special Warranty Deed made this **20th** day of **August, 2013** between **Premier Developers Group, LLC a Florida limited liability company F/K/A Premier Developers Group, Inc.** whose post office address is **134 South Dixie Hwy, Suite 209, Hallandale, FL 33009**, grantor, and **3141 NE 165th, LLC, a Florida limited liability company** whose post office address is **134 S. Dixie Highway, Suite 209, Hallandale, FL 33009**, grantee:

(Whenever used herein the terms grantor and grantee include all the parties to this instrument and the heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, trusts and trustees)

Witnesseth, that said grantor, for and in consideration of the sum TEN AND NO/100 DOLLARS ($10.00) and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in **Miami-Dade County, Florida**, to-wit:

> **Lot 21, Block 6, EASTERN SHORES, 1ST ADDITION, a subdivision, according to the Plat thereof, as recorded in Plat Book 65, at Page 39, of the Public Records of Miami-Dade County, Florida.**
>
> **Parcel Identification Number: 07-2210-001-0210**
>
> **Subject to taxes for 2013 and subsequent years; covenants, conditions, restrictions, easements, reservations and limitations of record, if any.**

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

To Have and to Hold, the same in fee simple forever.

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons claiming by, through or under grantors.

In Witness Whereof, grantor has hereunto set grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

Premier Developers Group, LLC

Witness Name: Clara del Risco

By: _____
Sadia Chocron, Managing Member

Witness Name: Claudia Toledo

State of Florida
County of Broward

The foregoing instrument was acknowledged before me this 20th day of August, 2013 by Sadia Chocron, Managing Member of Premier Developers Group, LLC, on behalf of said firm. He [X] is personally known or [ ] has produced a driver's license as identification.

[Notary Seal]

_____
Notary Public

Printed Name: _____

My Commission Expires: _____

CLARA DEL RISCO
MY COMMISSION # EE 062203
EXPIRES: March 7, 2015
Bonded Thru Notary Public Underwriters

DoubleTime®

CERTIFICATE OF RESOLUTION

The undersigned, JOEL BENDAYAN being the sole Manager of 3141 NE 165TH LLC (the Company) organized and existing under the laws of Florida does hereby certify that pursuant to the articles of organization of the company, the following resolution was adopted and is now in force and effect.

RESOLVED, that JOEL BENDAYAN shall be authorized to execute, acknowledge and deliver, including without limitation a purchase and sales agreement, closing statements, resolutions, and such other documents or instruments that may be necessary or required in order to consummate the purchase of the following real property in the name of and on behalf of the Company under whatever terms and conditions JOEL BENDAYAN shall determine to be acceptable in his sole discretion.

Lot 21, Block 6, EASTERN SHORES, 1ST ADDITION, a subdivision, according to the Plat thereof, as recorded in Plat Book 65, at Page 39, of the Public Records of Miami-Dade County, Florida.

I FURTHER CERTIFY that the authority hereby conferred is not inconsistent with the articles of organization of this company and that the foregoing is a true and correct resolution passed at a meeting of all the members of the Company.

IN WITNESS WHEREOF I hereby set my hand and seal this _____day of AUGUST, 2013

3141 NE 165TH, LLC

JOEL BENDAYAN Manager

HUD-1
A. Settlement Statement

U.S. Department of Housing and Urban Development

OMB No. 2502-0265

B. Type of Loan

◯ 1. FHA ◯ 2. FmHA ◯ 3. Conv. Unins. ◯ 4. V.A. ◯ 5. Conv. Ins.	6. File Number CDC716	7. Loan Number ID:	8. Mortg. Ins. Case Num.

C. NOTE: This form is furnished to give you a statement of actual settlement costs. Amounts paid to and by the settlement agent are shown. Items marked "(p.o.c.)" were paid outside the closing; they are shown here for informational purposes and are not included in the totals.

D. NAME OF BORROWER: 3141 NE 165th, LLC, a Florida limited liability company
Address of Borrower: 134 S. Dixie Highway, Suite 209, Hallandale, Florida 33009

E. NAME OF SELLER: Premier Developers Group, LLC a Florida limited liability company F/K/A Premier Developers Group, Inc.
Address of Seller: 134 South Dixie Hwy, Suite 209, Hallandale, Florida 33009 TIN:

F. NAME OF LENDER:
Address of Lender:

G. PROPERTY LOCATION: 3141 NE 165TH ST, N. Miami Beach, Florida 33160

H. SETTLEMENT AGENT: Clara del Risco, P.A. TIN: 65-0915123
Place of Settlement: 10051 Pines Blvd., Suite A, Pembroke Pines, Florida 33024 Phone: 954-885-9100

I. SETTLEMENT DATE: 8/20/13 DISBURSEMENT DATE: 8/20/13

J. Summary of borrower's transaction		K. Summary of seller's transaction	
100. Gross amount due from borrower:		400. Gross amount due to seller:	
101. Contract sales price	765,000.00	401. Contract sales price	765,000.00
102. Personal property		402. Personal property	
103. Settlement charges to borrower (Line 1400)	3,508.50	403.	
104.		404.	
105.		405.	
Adjustments for items paid by seller in advance:		Adjustments for items paid by seller in advance:	
106. City/town taxes		406. City/town taxes	
107. County taxes		407. County taxes	
108. Assessments		408. Assessments	
109.		409.	
110.		410.	
111.		411.	
112.		412.	
120. Gross amount due from borrower:	768,508.50	**420. Gross amount due to seller:**	765,000.00
200. Amounts paid or in behalf of borrower:		500. Reductions in amount due to seller:	
201. Deposit or earnest money		501. Excess deposit (see instructions)	
202. Principal amount of new loan(s)		502. Settlement charges to seller (line 1400)	8,957.50
203. Existing loan(s) taken subject to		503. Existing loan(s) taken subject to	
204. Principal amount of second mortgage		504. Payoff of first mortgage loan	
205.		505. Payoff of second mortgage loan	
206.		506. Deposits held by seller	
207. Principal amt of mortgage held by seller		507. Principal amt of mortgage held by seller	
208.		508.	
209.		509.	
Adjustments for items unpaid by seller:		Adjustments for items unpaid by seller:	
210. City/town taxes		510. City/town taxes	
211. County taxes from 01/01/13 to 08/12/13	4,564.81	511. County taxes from 01/01/13 to 08/12/13	4,564.81
212. Assessments		512. Assessments	
213.		513.	
214.		514.	
215.		515.	
216.		516.	
217.		517.	
218.		518.	
219.		519.	
220. Total paid by/for borrower:	4,564.81	**520. Total reductions in amount due seller:**	13,522.31
300. Cash at settlement from/to borrower:		600. Cash at settlement to/from seller:	
301. Gross amount due from borrower (line 120)	768,508.50	601. Gross amount due to seller (line 420)	765,000.00
302. Less amount paid by/for the borrower (line 220)	(4,564.81)	602. Less total reductions in amount due seller (line 520)	(13,522.31)
303. Cash (☑ From ☐ To) Borrower:	763,943.69	603. Cash (☑ To ☐ From) Seller:	751,477.69

Substitute Form 1099 Seller Statement: The information contained in blocks E, G, H, and I and on line 401 is important tax information and is being furnished to the IRS. If you are required to file a return, a negligence penalty or other sanction will be imposed on you if this item is required to be reported and the IRS determines that it has not been reported.

Seller Instructions: If this real estate was your principal residence, file Form 2119, Sale or Exchange of Principal Residence, for any gain, with your tax return; for other transactions, complete the applicable parts of Form 4797, Form 6262 and/or Schedule D (Form 1040).

L. Settlement charges	Borrower POC Seller POC	Paid from Borrower's Funds at Settlement	Paid from Seller's Funds at Settlement
700. Total Sales/Brokers Com. based on price	$765,000.00 @ % =		
701.	% to		
702.	% to		
703. Commission paid at settlement			
704.	to		
800. Items payable in connection with loan.	Borrower POC Seller POC		
801. Loan origination fee	% to		
802. Loan discount	% to		
803. Appraisal fee	to		
804. Credit report	to		
805. Lender's inspection fee	to		
806. Mortgage insurance application fee	to		
807. Assumption Fee	to		
808.	to		
809.	to		
810.	to		
811.	to		
900. Items required by lender to be paid in advance.	Borrower POC Seller POC		
901. Interest from	to @ /day		
902. Mortgage insurance premium for	months to		
903. Hazard insurance premium for	years to		
904. Flood insurance premium for	years to		
905.	years to		
1000. Reserves deposited with lender.	Borrower POC Seller POC		
1001. Hazard insurance	months @ per month		
1002. Mortgage insurance	months @ per month		
1003. City property taxes	months @ per month		
1004. County property taxes	months @ per month		
1005. Annual assessments	months @ per month		
1006. Flood insurance	months @ per month		
1007.	months @ per month		
1008.	months @ per month		
1009. Aggregate accounting adjustment			
1100. Title charges	Borrower POC Seller POC		
1101. Settlement or closing fee	to Clara del Risco, P.A.	850.00	
1102. Abstract or title search	to Clara del Risco, P.A.	225.00	
1103. Title examination	to		
1104. Title insurance binder	to		
1105. Document preparation	to		
1106. Notary fees	to		
1107. Attorney's Fees	to		
(includes above item numbers:)			
1108. Title Insurance	to Old Republic National Title Insurance Company/Clara del	2,395.00	
(includes above item numbers:)			
1109. Lender's coverage (Premium):			
1110. Owner's coverage (Premium):	$765,000.00 ($2,395.00)		
1111. Endorse:			
1112. Document Prep	to Clara del Risco, P.A.		750.00
1113.	to		
1200. Government recording and transfer charges.			
1201. Recording fees	Deed $38.50 Mortgage(s) Releases	38.50	
1202. City/county tax/stamps	Deed $3,442.50 Mortgage(s)		3,442.50
1203. State tax/stamps	Deed $4,590.00 Mortgage(s)		4,590.00
1204.	to		
1205.	to		
1300. Additional settlement charges.	Borrower POC Seller POC		
1301. Survey	to		
1302. Pest Inspection	to		
1303. Municipal Lien Search	to Ideal Lien Search, Inc.		175.00
1304.	to		
1305.	to		
1306.	to		
1307.	to		
1308.	to		
1309.			
1400. Total settlement charges.			
(Enter on lines 103, Section J and 502, Section K)		3,508.50	8,957.50

HUD-1 SETTLEMENT STATEMENT ADDENDUM

File Number: CDC716

I have carefully reviewed the HUD-1 Settlement Statement and to the best of my knowledge and belief, it is a true and accurate statement of all receipts and disbursements made on my account or by me in this transaction. I further certify that I have received a copy of the HUD-1 Settlement Statement.

Borrower(s)

3141 NE 165th, LLC

By: _____
Joel Bendayan
Manager

Seller(s)

Premier Developers Group, LLC

By: _____
Sacra Chocron
Managing Member

Settlement Agent

The HUD-1 Settlement Statement which I have prepared is a true and accurate account of this transaction. I have caused or will cause the funds to be disbursed in accordance with this statement.

Clara del Risco, P.A.

By: _____ Date: 8/21/13

WARNING: It is a crime to knowingly make false statements to the United States on this or any other similar form. Penalties upon conviction can include a fine and imprisonment. For details see: Title 18 U.S. Code Section 1001 and Section 1010.

Riel, Eric

From: Riel, Eric
Sent: Friday, October 11, 2013 8:09 AM
To: 'Chuck Asarnow'
Cc: Kamali, Shari
Subject: RE: 3141 NE 165th Street - Eastern Shores - new single family residence

Good Morning Chuck:

Thank you for the prompt reply, I will pass your comments on to the architect. I would expect the site plan application will be presented to the Planning and Zoning Broad on December 9th and then proceed forward to the City Council thereafter.

Regards,
Eric

eric riel, jr. | deputy director of community development/city planner | planning and zoning division | community development department

Now More Beautiful!

17050 n.e. 19 avenue, north miami beach, florida 33162
eric.riel@citynmb.com
305.948.2966

From: Chuck Asarnow [mailto:casarnow@aol.com]
Sent: Friday, October 11, 2013 7:50 AM
To: Riel, Eric
Subject: RE: 3141 NE 165th Street - Eastern Shores - new single family residence

Eric:

Based on the responses I received from our Board of Directors, we have no objection to the requests made for the 6.5 foot increased height variance nor the variance for a flat roof. Thank you for your courtesy in giving an opportunity to comment on the plans. I think the house will be a plus for Eastern Shores.

Chuck Asarnow
President
Eastern Shores Property Owners Association

305-794-7777
casarnow@aol.com

"There is no right way to do a wrong thing"

From: Riel, Eric [mailto:Eric.Riel@citynmb.com]
Sent: Thursday, October 03, 2013 3:56 PM

To: casarnow@aol.com
Cc: Kamali, Shari
Subject: 3141 NE 165th Street - Eastern Shores - new single family residence

Good Afternoon Mr. Asarnow:

As a courtesy, I wanted to advise you that the City has received a site plan review request for a new single family residence (3141 NE 165th Street) within Eastern Shores. The request includes a variance for a 6.5 feet increase height for a proposed elevator core and a variance for permission to construct a flat roof. At this time it is not scheduled for public hearing consideration, however, in the coming months will be scheduled. I have attached copies of the application and plans, however, the file size may be too large to print or view. If you would like, you are welcome to come in and view the plans.

Thank you.

Have a great day!

Regards,
Eric Riel

eric riel, jr. | deputy director of community development/city planner | planning and zoning division | community development department

Now More Beautiful!

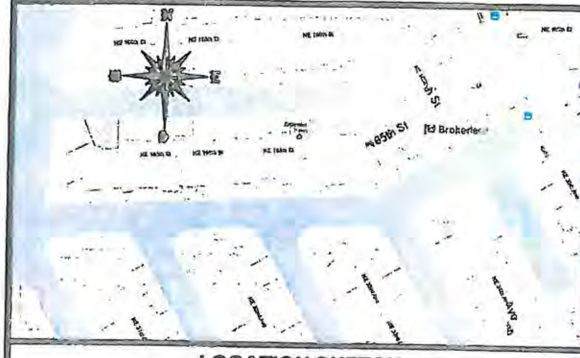
17050 n.e. 19 avenue, north miami beach, florida 33162
eric.riel@citynmb.com
305.948.2966

PLEASE NOTE: The City of North Miami Beach is a public entity subject to Chapter 119 of the Florida Statutes concerning public records. E-mail messages are covered under such laws and thus subject to disclosure. All e-mail sent and received is captured by our servers and kept as public record.

JOHN IBARRA & ASSOCIATES, INC.

Professional Land Surveyors & Mappers

777 N.W. 72nd AVENUE SUITE 3025, MIAMI, FLORIDA 33126
TELEPHONE: (305) 262-0400 | FAX : (305) 262-0401
WWW.IBARRALANDSURVEYORS.COM



LOCATION SKETCH
SCALE = N.T.S.

VIEW OF SUBJECT PROPERTY
3141 N.E. 165th STREET, N. MIAMI BEACH FL, 33160

ABBREVIATIONS

A = ARC.
A/C = AIR CONDITIONER PAD
A.E. = ANCHOR EASEMENT
A.R. = ALUMINUM ROOF
A.S. = ALUMINUM SHED
ASPH. = ASPHALT
B.C. = BLOCK CORNER
BLDG. = BUILDING
B.M. = BENCH MARK
B.C.R. = BROWARD COUNTY RECORDS
B.O.B. = BASIS OF BEARING
(C) = CALCULATED
C.B. = CATCH BASIN
C.B.S. = CONCRETE BLOCK STRUCTURE
C.B.W. = CONCRETE BLOCK WALL
CH. = CHORD
CH.B. = CHORD BEARING
CH.L. = CHORD LENGTH
CL. = CLEAR
C.O. = CLEAN OUT
C.L.F. = CHAIN LINK FENCE
C.M.E = CANAL MAINTENANCE EASEMENT
CONC. = CONCRETE
C.U.P. = CONCRETE UTILITY POLE
C.P. = CONCRETE PORCH
C.S. = CONCRETE SLAB
C.W. = CONCRETE WALK
D.E. = DRAINAGE EASEMENT
D.M.E. = DRAINAGE MAINTENANCE EASEMENT
DRIVE = DRIVEWAY
° = DEGREES
EB = ELECTRIC BOX
E.T.P. = ELECTRIC TRANSFORMER PAD
ELEV. = ELEVATION
ENCH. = ENCROACHMENT
F.H. = FIRE HYDRANT
F.I.P. = FOUND IRON PIPE
F.I.R. = FOUND IRON ROD
F.F.E. = FINISHED FLOOR ELEVATION
F.N.D. = FOUND NAIL & DISK
FT. = FEET
FNIP. = FEDERAL NATIONAL INSURANCE PROGRAM
F.N. = FOUND NAIL
H. = HIGH OR (HEIGHT)
IN.&EG. = INGRESS AND EGRESS EASEMENT
I.C.V. = IRRIGATION CONTROL VALVE
I.F. = IRON FENCE
L.B. = LICENSED BUSINESS
L.P. = LIGHT POLE
L.F.E. = LOWEST FLOOR ELEVATION
L.M.E. = LAKE MAINTENANCE EASEMENT
' = MINUTES
(M) = MEASURED DISTANCE
M.B. = MAIL BOX
M.D.C.R. = MIAMI DADE COUNTY RECORDS
M.E. = MAINTENANCE EASEMENT
M.H. = MANHOLE
N.A.P. = NOT A PART OF
NGVD = NATIONAL GEODETIC VERTICAL DATUM
N.T.S. = NOT TO SCALE
# or NO. = NUMBER
O/S = OFFSET
O.H. = OVERHEAD
O.H.L. = OVERHEAD UTILITY LINES
O.R.B. = OFFICIAL RECORDS BOOK
O.V.H. = OVERHANG
PVMT. = PAVEMENT
PL. = PLANTER
P.L. = PROPERTY LINE
P.C.C. = POINT OF COMPOUND CURVATURE
P.C. = POINT OF CURVATURE
P.O.T. = POINT OF TANGENCY
P.O.C. = POINT OF COMMENCEMENT
P.O.B. = POINT OF BEGINNING
P.R.C. = POINT OF REVERSE CURVATURE
PWY = PARKWAY
P.R.M. = PERMANENT REFERENCE MONUMENT
P.L.S. = PROFESSIONAL LAND SURVEYOR
P.P. = POWER POLE
P.P.S. = POOL PUMP SLAB
P.U.E. = PUBLIC UTILITY EASEMENT
(R) = RECORD DISTANCE
R.R. = RAIL ROAD
RES. = RESIDENCE
R/W = RIGHT-OF-WAY
RAD. = RADIUS OR RADIAL
RGE. = RANGE
R.O.E. = ROOF OVERHANG EASEMENT
SEC. = SECTION
STY. = STORY
SWK. = SIDEWALK
S.I.P. = SET IRON PIPE
S = SOUTH
S.P. = SCREENED PORCH
S.V. = SEWER VALVE
" = SECONDS
T = TANGENT
TB = TELEPHONE BOOTH
T.B.M. = TEMPORARY BENCHMARK
T.U.E. = TECHNOLOGY UTILITY EASEMENT
TSB = TRAFFIC SIGNAL BOX
TSP = TRAFFIC SIGNAL POLE
TWP = TOWNSHIP
UTIL. = UTILITY
U.E. = UTILITY EASEMENT
U.P. = UTILITY POLE
W.M. = WATER METER
W.F. = WOOD FENCE
W.P. = WOOD PORCH
W.R. = WOOD ROOF
W.V. = WATER VALVE
M = MONUMENT LINE
C = CENTER LINE
Δ = DELTA

LEGEND

= OVERHEAD UTILITY LINES
= CONCRETE BLOCK WALL
= CHAIN LINK FENCE
= IRON FENCE
= WOOD FENCE
• 0.00 = EXISTING ELEVATIONS

LEGAL NOTES TO ACCOMPANY SKETCH OF SURVEY :

- THERE MAY BE EASEMENTS RECORDED IN THE PUBLIC RECORDS NOT SHOWN ON THIS SURVEY.
- THE PURPOSE OF THIS SURVEY IS FOR USE IN OBTAINING TITLE INSURANCE AND FINANCING AND SHOULD NOT BE USED FOR CONSTRUCTION PURPOSES.
- EXAMINATIONS OF THE ABSTRACT OF TITLE WILL HAVE TO BE MADE TO DETERMINE RECORDED INSTRUMENTS, IF ANY, AFFECTING THE PROPERTY.
- THIS SURVEY IS SUBJECT TO DEDICATIONS, LIMITATIONS, RESTRICTIONS, RESERVATIONS OR EASEMENTS OF RECORD.
- LEGAL DESCRIPTIONS PROVIDED BY CLIENT OR ATTESTING TITLE COMPANY.
- BOUNDARY SURVEY MEANS A DRAWING AND/ OR A GRAPHIC REPRESENTATION OF THE SURVEY WORK PERFORMED IN THE FIELD, COULD BE DRAWN AT A SHOWN SCALE AND/OR NOT TO SCALE; THE WALLS OR FENCES MAY BE EXAGGERATED FOR CLARITY PURPOSES.
- EASEMENTS AS SHOWN ARE PER PLAT BOOK, UNLESS DEPICTED OTHERWISE.
- THE TERM "ENCROACHMENT" MEANS VISIBLE AND ABOVE GROUND ENCROACHMENTS.
- ARCHITECTS SHALL VERIFY ZONING REGULATIONS, RESTRICTIONS, SETBACKS AND WILL BE RESPONSIBLE FOR SUBMITTING PLOT PLANS WITH CORRECT INFORMATION FOR "APPROVAL FOR AUTHORIZATION" TO THE PROPER AUTHORITIES IN NEW CONSTRUCTION.
- UNLESS OTHERWISE NOTED, THIS FIRM HAS NOT ATTEMPTED TO LOCATE FOOTING AND/OR FOUNDATIONS.
- FENCE OWNERSHIP NOT DETERMINED.
- THIS PLAN OF SURVEY, HAS BEEN PREPARED FOR THE EXCLUSIVE USE OF THE ENTITIES NAMED HEREON, THE CERTIFICATE DOES NOT EXTEND TO ANY UNNAMED PARTY.
- THE NFIP FLOOD MAPS HAVE DESIGNATED THE HEREIN DESCRIBED LAND TO BE SITUATED IN ZONE: "AE", COMMUNITY 120656 / PANEL 0142 / SUFFIX: L, DATE OF FIRM: 9/11/09 BASE FLOOD ELEVATION: 8 FEET. THE SUBJECT PROPERTY DOES LIE IN A SPECIAL FLOOD HAZARD AREA.

SURVEYOR'S NOTES:

1. IF SHOWN, BEARINGS ARE REFERRED TO AN ASSUMED MERIDIAN, BY SAID PLAT IN THE DESCRIPTION OF THE PROPERTY, IF NOT, BEARINGS ARE THEN REFERRED TO COUNTY, TOWNSHIP MAPS.
2. THE CLOSURE IN THE BOUNDARY SURVEY IS ABOVE 1:7500 FT.
3. CERTIFICATE OF AUTHORIZATION LB # 7806.
4. ALL ELEVATIONS SHOWN ARE REFERRED TO NATIONAL GEODETIC VERTICAL DATUM OF 1929 MIAMI-DADE COUNTY BENCH MARK # E-223. LOCATOR NO. 2222 W @ NE 163 ST & NE 35 AVE; ELEVATION IS 3.88 FEET OF N.G.V.D. OF 1929

SURVEYOR'S CERTIFICATION:

I HEREBY CERTIFY: THIS "BOUNDARY SURVEY" OF THE PROPERTY DESCRIBED HEREON, HAS RECENTLY BEEN SURVEYED AND DRAWN UNDER MY SUPERVISION, AND COMPLIES WITH THE MINIMUM TECHNICAL STANDARDS AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE PURSUANT TO 472.027, FLORIDA STATUTES.

DRAWN BY:	MCH
FIELD DATE:	11/20/2012
JOB NO:	12-003285-2
SHEET:	1 OF 2

BY: ____________ **11/20/2012**
CARLOS IBARRA (DATE OF FIELD WORK)

PROFESSIONAL LAND SURVEYOR NO.: 6770 STATE OF FLORIDA
(NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER).

REVISED ON: ADD SEAWALL ELEVATION 8-20-13

REVISED ON: ____________

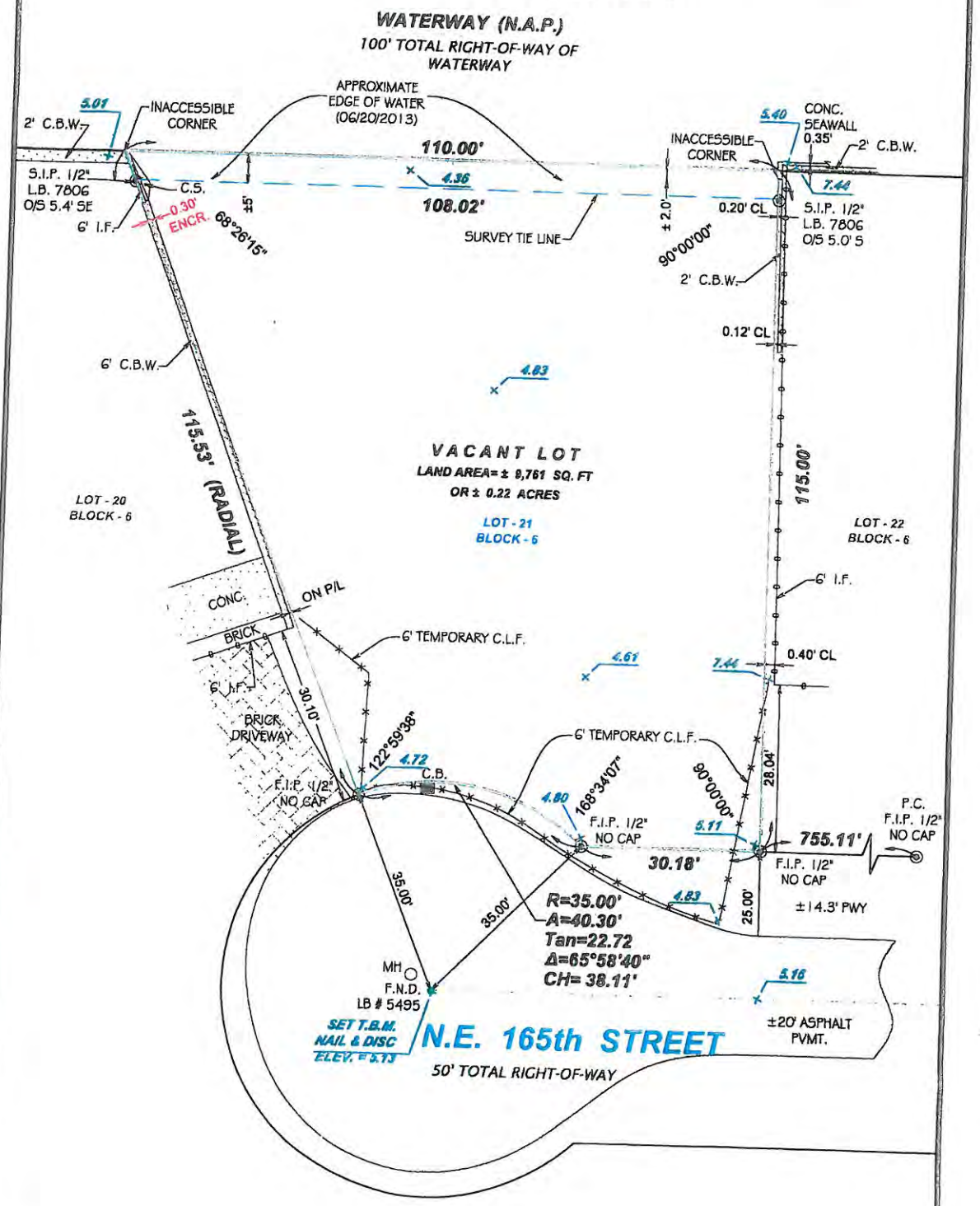
CARLOS IBARRA CERTIFICATE NO. 6770 STATE OF FLORIDA PROFESSIONAL LAND SURVEYOR

L.B.# 7806 SEAL

JOHN IBARRA & ASSOCIATES, INC.
Professional Land Surveyors & Mappers
777 N.W. 72nd AVENUE SUITE 3026, MIAMI, FLORIDA 33126
TELEPHONE: (305) 262-0400 | FAX : (305) 262-0401
WWW.IBARRALANDSURVEYORS.COM

MAP OF BOUNDARY SURVEY

3141 N.E. 165th STREET. N. MIAMI BEACH FL. 33160



CARLOS IBARRA CERTIFICATE NO. 6770 STATE OF FLORIDA PROFESSIONAL LAND SURVEYOR

L.B.# 7806 SEAL

LEGAL DESCRIPTION:
LOT 21, BLOCK 6, EASTERN SHORES 1 ADDITION, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 65, PAGE 39, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

CERTIFICATION:
SADIA CHOCRON

DRAWN BY:	MCH
FIELD DATE:	11/20/2012
JOB NO:	12-003285-2
SHEET:	2 OF 2

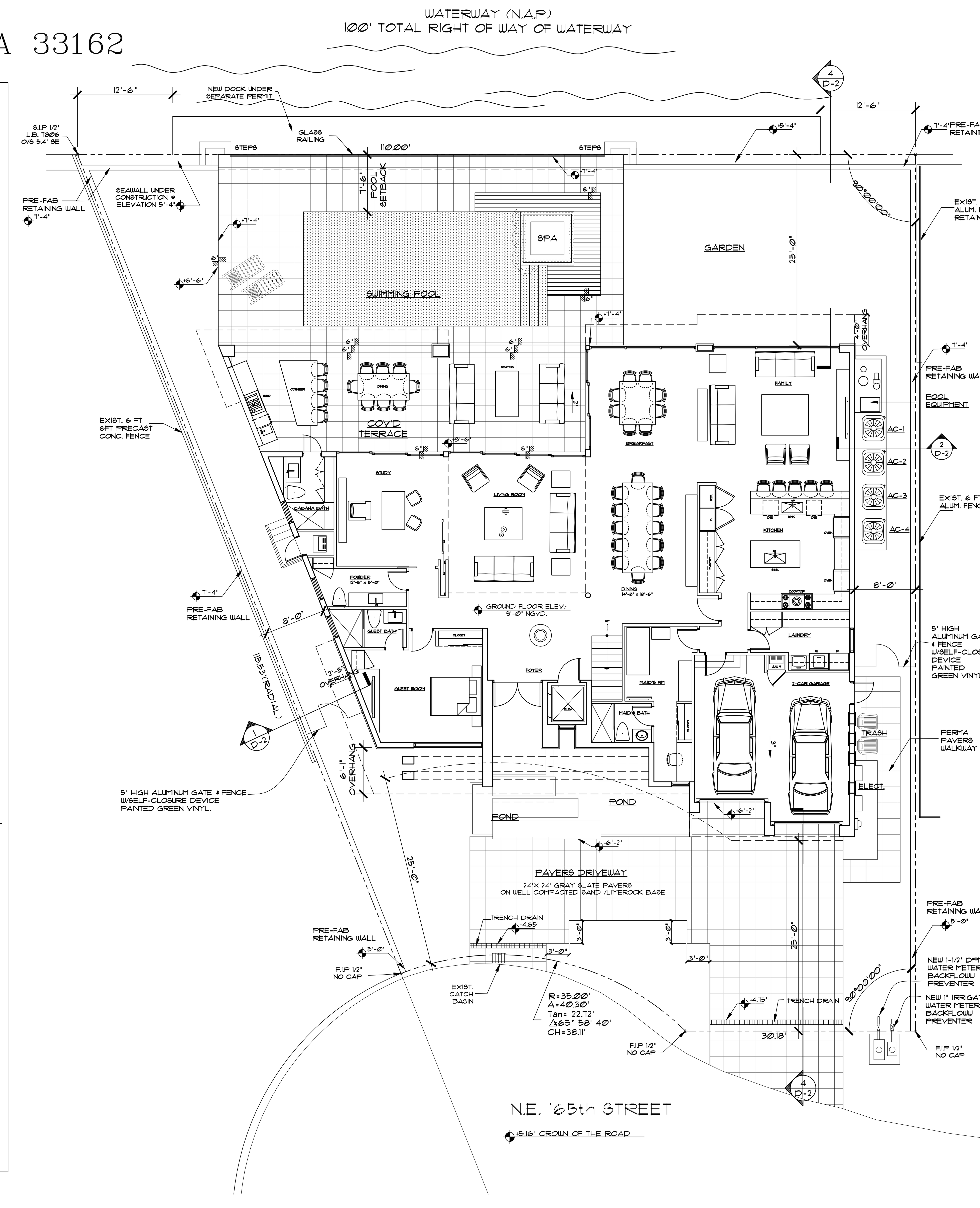
ALL DESIGNS AND DRAWINGS HEREIN AND PRINTS ISSUED BY THE ARCHITECT ARE PROPERTY OF ARCHITECT AND SHALL NOT BE REUSED ON ANY OTHER LOCATION EXCEPT THE ONE FOR WHICH THEY WERE EXPRESSLY DESIGNED. IF THESE DRAWINGS OR ANY PART THEREOF IS REPRODUCED WITHOUT THE CONSENT OF THIS ARCHITECT, THE PERSON SO DOING WILL BE INDEBTED TO THE ARCHITECT FOR ITS FULL COMMISSION.

PROPOSED RESIDENCE FOR 3141 NE 165th, LLC

PROPERTY ADDRESS:
165 EASTERN SHORES
NORTH MIAMI BEACH, FLORIDA 33162

GENERAL NOTES

1. WORK PERFORMED SHALL COMPLY WITH THE FOLLOWING:
   A. THESE GENERAL NOTES (UNLESS OTHERWISE NOTED ON PLANS OR SPECIFICATIONS.)
   B. THE FLORIDA BUILDING CODE. LATEST EDITION.
   C. ALL APPLICABLE LOCAL AND STATE CODES, ORDINANCES AND REGULATIONS.
   D. NATIONAL ELECTRICAL CODE, OSHA & NATIONAL BOARD OF FIRE UNDERWRITERS.
2. ON SITE VERIFICATION OF ALL DIMENSIONS AND CONDITIONS SHALL BE THE RESPONSIBILITY OF THE SUB CONTRACTOR. NOTED DIMENSIONS TAKE PRECEDENT OVER SCALE.
3. THE GENERAL NOTES AND TYPICAL DETAILS APPLY THROUGHOUT THE JOB UNLESS OTHERWISE NOTED OR SHOWN.
4. ALL CONDITIONS AND ALL APPLICABLE REQUIREMENTS OF THE CONTRACT BETWEEN THE CONTRACTOR AND OWNER SHALL GOVERN ALL SECTIONS OF THE SPECIFICATIONS.
5. ALL WORK THAT IS EITHER IMPLIED OR REASONABLY INFERABLE FROM THE CONTRACT DOCUMENTS, DRAWINGS AND SPECIFICATIONS, SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR. ALL DRAWINGS AND SPECIFICATIONS ARE DIRECTED TO THE ATTENTION OF THE CONTRACTOR AND THE INCLUSION OF ANY WORK BY MENTION, NOTE OR DETAIL, ITEMIZATION OR IMPLICATIONS HOWEVER BRIEF, MEANS THE CONTRACTOR SHALL PROVIDE AND INSTALL SAME. ALL WORK PERFORMED TO BE PART OF A COMPLETE PACKAGE WITHIN THE DEFINITIONS OF NORMAL INDUSTRY STANDARDS.
6. ALL PERMITS, INSPECTIONS, APPROVALS, ETC. SHALL BE APPLIED FOR AND PAID BY THE CONTRACTOR IN ALL FIELDS OF HIS WORK, AND HE SHALL BE RESPONSIBLE FOR THE COORDINATION OF INSPECTION AND APPROVAL OF HIS WORK. PRIME BUILDING PERMITS SHALL BE OBTAINED BY THE CONTRACTOR.
7. ALL WORK COMPLETED OF OTHERWISE, SHALL BE PROPERLY PROTECTED AT ALL TIMES. CONTRACTOR SHALL FOLLOW ALL ACCEPTED METHODS OF SAFETY PRACTICE AND PROVIDE ALL FENCES, BARRICADES, ETC. AS MAY BE NEEDED TO PROTECT LIFE AND PROPERTY AND AS MAY BE REQUIRED BY AUTHORITIES HAVING JURISDICTION OVER THIS WORK. HE SHALL REPAIR AT HIS OWN COST ANY DAMAGES TO THE PREMISES OR ADJACENT WORK CAUSED BY HIS OPERATION.
8. DISCREPANCIES: THE CONTRACTOR SHALL FAMILIARIZE HIMSELF WITH THE PROJECT THOROUGHLY INSPECTED THE SITE, THE DRAWINGS AND SPECIFICATIONS, SO AS TO THOROUGHLY UNDERSTAND THE WORK. ANY AND ALL DISCREPANCIES AND OMISSIONS SHALL BE REPORTED TO THE ARCHITECT PRIOR TO COMMENCEMENT OF ANY WORK. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO INSURE THAT DISCREPANCIES OR OMISSIONS ARE REPORTED AND CLARIFICATION OBTAINED FROM THE ARCHITECT PRIOR TO WORK BEING DONE. ANY WORK THAT PROCEEDS OTHERWISE SHALL BE, IF INCORRECTLY PERFORMED, REPLACED OF REPAIRED WITH THE COST OF THE SAME BEING BORNE BY THE CONTRACTOR. HE SHALL VERIFY ALL DIMENSIONS FOR COORDINATION.
9. BEFORE COMMENCING WITH THE WORK, THE CONTRACTOR SHALL FILE WITH OWNER CURRENT INSURANCE CERTIFICATES IN THE AMOUNTS REQUESTED BY THE OWNER FOR WORKMEN'S COMPENSATION, COMPREHENSIVE GENERAL LIABILITY, BODILY INJURY AND PROPERTY DAMAGE. IT IS THE INTENTION OF THE PARTIES THAT THE CONTRACTOR SHALL INDEMNIFY THE OWNER AND ARCHITECT FOR ANY AND ALL COSTS, CLAIMS, SUITS, AND JUDGMENTS FOR PROPERTY DAMAGE AND PERSONAL INJURY(INCLUDING DENTAL), ARISING OUT OF THE WORK OF THE CONTRACTOR.
10. OMISSION: IN THE EVENT THAT CERTAIN FEATURES OF THE CONSTRUCTION ARE NOT FULLY SHOWN ON THE DRAWINGS, THEN THEIR CONSTRUCTION SHALL BE OF THE SAME CHARACTER AS FOR SIMILAR CONDITIONS THAT ARE SHOWN OR NOTED.
11. ALTERING STRUCTURAL MEMBERS: NO STRUCTURAL MEMBER SHALL BE OMITTED, NOTCHED, CUT, BLOCKED OUT, OR RELOCATED WITH OUT PRIOR APPROVAL BY THE ARCHITECT AND STRUCTURAL ENGINEER.
12. ALL MATERIALS USED SHALL BE NEW AND DELIVERED TO THE JOB IN ORIGINAL SEALED CONTAINERS BEARING ORIGINAL MANUFACTURES LABELS.
13. ALL COLORS SHALL BY AS SELECTED BY THE ARCHITECT.
14. THE CONTRACTOR SHALL LEAVE ALL CHASES, HOLES, OR OPENING TRUE AND OF PROPER SIZE IN HIS OWN WORK, OR CUT SAME IN EXISTING WORK AS MAY BE NECESSARY FOR PROPER INSTALLATION OF HIS OWN OR OTHER CONTRACTORS WORK, CONSULTING WITH OTHER CONTRACTORS CONCERNED REGARDING PROPER LOCATION AND SIZE OF SAME. IN CASE OF HIS FAILURE TO LEAVE OR CUT SAME IN THE PROPER PLACE, HE SHALL CUT THEM AFTERWARDS AT HIS OWN EXPENSE. NO EXCESSIVE CUTTING WILL BE PERMITTED NOR SHALL ANY STRUCTURAL MEMBER BY CUT WITHOUT THE CONSENT OF THE ARCHITECT. CONTRACTOR SHALL BE FULLY RESPONSIBLE FOR THE COORDINATION OF ALL THE WORK OF HIS TRADES PLUS THE COORDINATION, REPAIR AND PREPARATION FOR THE WORK OF ANY OTHER TRADES THAT WILL BE SUBSEQUENTLY LET UNDER SEPARATE CONTRACT BY THE OWNER.
15. ALL CONTRACTORS WORK SHALL BE PERFORMED IN A FIRST CLASS WORKMANLIKE MANNER, MATCHING AND ALIGNING ALL SURFACES WHERE APPLICABLE TO AFFORD A FINISHED NEAT APPEARANCE. CONTRACTOR SHALL CLEAN ALL SURFACES FREE OF ALL DIRT AND REFUSE CAUSES BY DEBRIS FROM ALL INSTALLATION TECHNIQUES OF THE TRADE. ALL ADJACENT SURFACES TO THEIR WORK SHALL BE LEFT AS THEY APPEAR PRIOR TO THE COMMENCEMENT OF THE CONTRACTORS WORK TO BE DONE. CONTRACTOR SHALL PROPERLY PROTECT ALL ADJACENT SURFACES DURING THE COURSE OF THIS INSTALLATIONS. ALL GLASS AND HARDWARE SHALL BE THOROUGHLY CLEANED IN A MANNER ACCEPTABLE TO THE OWNER.
16. THE CONTRACTOR SHALL GUARANTEE IN WRITING IN FORM AS ACCEPTABLE TO THE OWNER ALL LABOR AND MATERIALS INSTALLED BY HIM FOR A PERIOD NO LESS THAN (1) ONE YEAR AFTER DATE OF ACCEPTANCE OF WORK BY THE OWNER EXCEPT AS MODIFIED HEREIN OR ON OTHER DRAWINGS. SHOULD DEFECTS OCCUR, ALL
17. ALL WORK AND/OR MATERIAL SHALL BE INSTALLED IN STRICT ACCORDANCE WITH MANUFACTURES OR INDUSTRIES RECOMMENDATIONS OF SPECIFICATIONS.
18. SHOP DRAWINGS AND SAMPLES FOR ITEMS DESIGNATED BY THE ARCHITECT SHALL BE SUBMITTED TO THE ARCHITECT FOR APPROVAL.
19. NO CLAIMS FOR EXTRAS OR CHANGE ORDERS WILL BY GIVEN CONSIDERATION UNLESS THEY ARE IN WRITING AND SIGNED BY THE ARCHITECT, THE CONTRACTOR AND THE OWNER.
20. "THE GENERAL CONDITIONS OF THE CONTRACT FOR THE CONSTRUCTION OF BUILDINGS" OF THE AMERICAN INSTITUTE OF ARCHITECTS, DOCUMENT A-201, LATEST ADDITIONS, ARE HEREBY MADE PART OF CONTRACT DOCUMENTS. THESE GENERAL NOTES, SPECIFICATIONS AND CONTRACT BETWEEN THE OWNER AND CONTRACTOR SHALL TAKE PRECEDENCE OVER THE "GENERAL CONDITIONS" IN THE EVENT OF A CONFLICT.
21. AIR CONDITIONING & VENTILATION PERMIT BY MECHANICAL CONTRACTOR.
22. LANDSCAPING NOTES
    ALL PLANTS TO BE GUARANTEED FOR 60 DAYS TO COMMENCE AT CERTIFICATED OF OCCUPANCY. ALL LANDSCAPE AREAS SHALL BY CONTINUOUSLY MAINTAINED IN A GOOD HEALTHY CONDITION AND SPRINKLER SYSTEMS OF SUFFICIENT SIZE AN SPACING SHALL BE INSTALLED TO SERVE ALL REQUIRED LANDSCAPE AREAS OR WATER OUTLET WITHIN 150 FEET OF LANDSCAPED AREA. INSTALLATION ACCORDING TO ACCEPTED GOOD PLANTING PROCEDURES. PLANT MATERIALS USED IN CONFORMANCE TO STANDARDS FOR FLORIDA NO.1 OR BETTER IN "GRADES & STANDARDS FOR NURSERY PLANTS" PART 1, 1983 AND PART II, STATE OF FLORIDA DEPARTMENT OF AGRICULTURE, TALLAHASSEE, FLORIDA.
23. CONTRACTOR SHALL BE RESPONSIBLE TO VERIFY ALL DIMENSIONS AND CONDITIONS PRIOR THE APPROVAL OF All SHOP DRAWINGS STATED IN THESE DRAWINGS.



ZONING DATA

ZONING: RS-1 SINGLE FAMILY RESIDENTIAL

		REQUIRED	PROVIDED
MINIMUM LOT AREA:	(S.F.)	8,000	9,761
MINIMUM LOT WIDTH :	(FEET)	80	88.7
MINIMUM SETBACKS:			
FRONT(ROADWAY)		25'	25'
REAR		25'	25'
RIGHT SIDE		8'	8'
LEFT SIDE		8'	8'
MAX STORIES		2	2
MAX HEIGHT		30'	27'
MAX LOT COVERAGE		(40%) 3,904 S.F.	(40%) 3,900 S.F.
LOT PERVIOUS AREA		(35%) 3,416 S.F.	(35.2%) 3,438 S.F.
FRONT YARD PREVIOUS AREA		(25%) 464.2 S.F.	(39%) 733 S.F.

AREA CALCULATIONS:	REQUIRED	PROVIDED
MIN FLOOR AREA	2,500 S.F.	6,255 S.F.
BUILDING AREAS:		
GROUND FLOOR A/C AREA		2,943 S.F.
SECOND FLOOR A/C AREA		3,234 S.F.
THIRD FLOOR A/C AREA		78 S.F.
TOTAL A/C AREA		6,255 S.F.
GARAGE AREA		432 S.F.
COVERED ENTRANCE AREA		76 S.F.
GROUND FL. TERRACE AREA		636 S.F.
SECOND FL. TERRACE & BALCONY		588 S.F.
TOTAL		1,732 S.F.

LEGAL DESCRIPTION:

LOT 21, BLOCK 6, EASTERN SHORES IN ADITION, ACCORDING TO THE PLAT THEREOF AS RECORFDED IN PLAT BOOK 65, PAGE 39, OF THE PUBLIC RECORDS OF MIAMI DADE COUNTY, FLORIDA.

SITE PLAN

SCALE:1/8"=1'-0"

0 10 20 30

CONTRACTOR TO VERIFY ALL SETBACKS, EASEMENTS, R.O.W. SIZE AND LOCATIONS AND BE RESPONSIBLE FOR THE SAME

REVISIONS	BY:
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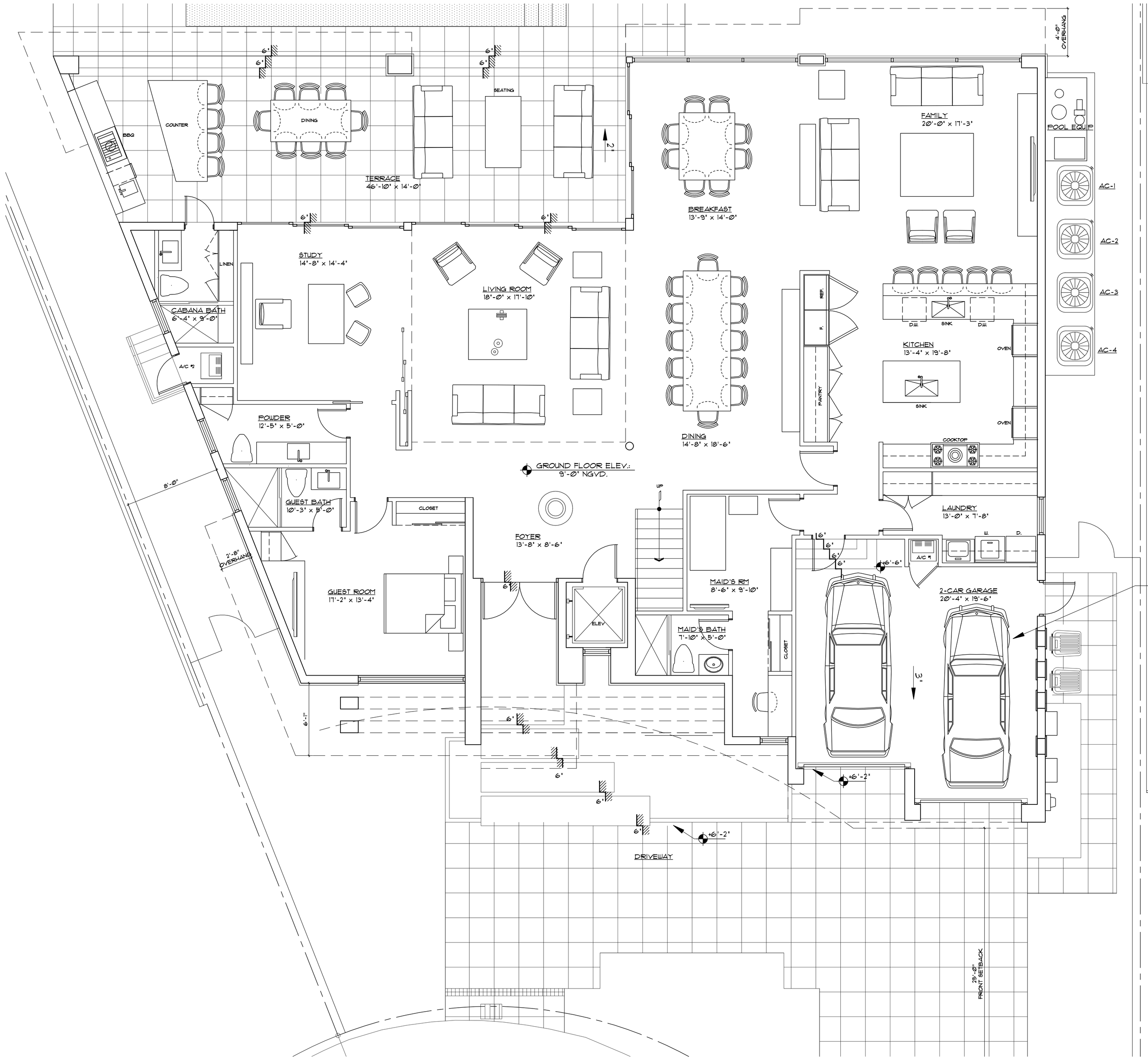
PROPOSED RESIDENCE FOR 3141 NE 165th, LLC
134 SOUTH DIXIE HIGHWAY, SUITE 209
HALLANDALE BEACH, FL, 33009

florida architectural services inc.
daniel sorogon AR 0010418 architect / planner
34 N.W. 168 TH. STREET, NORTH MIAMI BEACH FL. 33169 (305) 653-0212

DRAWN: M. VELASQUEZ
CHECKED: D. SOROGON
DATE: NOV-15-2013
SCALE: INDICATED
JOB NO.: 3141 NE 165TH
SHEET NO.: A-1
OF 10 SHEETS
COLOR ORIGINAL

ALL DESIGNS AND DRAWINGS HEREIN AND PRINTS ISSUED BY THE ARCHITECT ARE PROPERTY OF ARCHITECT AND SHALL NOT BE REPRODUCED OR COPIED IN WHOLE OR IN PART WITHOUT THE WRITTEN PERMISSION OF THE ARCHITECT. NO RIGHTS ARE IMPLIED. IF THESE DRAWINGS OR ANY PART THEREOF IS REPRODUCED WITHOUT THE CONSENT OF THIS ARCHITECT, THE PERSON SO DOING WILL BE INDEBTED TO THE ARCHITECT FOR ITS FULL COMMISSION.



GROUND FLOOR PLAN

SCALE 1/4" = 1' - 0"

REVISIONS	BY:
1	
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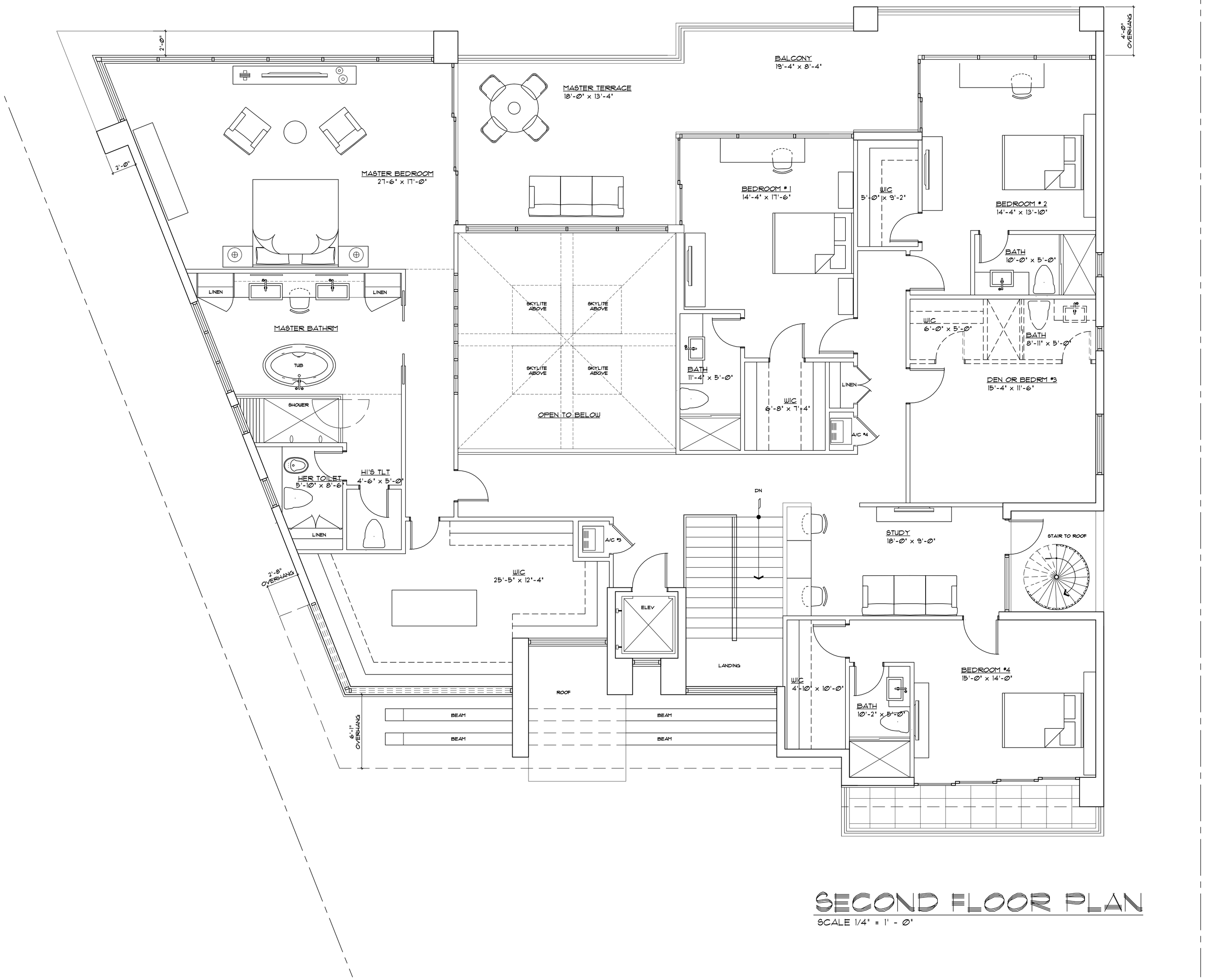
PROPOSED RESIDENCE
FOR 3141 NE 165th, LLC
134 SOUTH DIXIE HIGHWAY, SUITE 209
HALLANDALE BEACH, FL, 33009

florida architectural services inc.
daniel sorogon AR 0010418 architect / planner
34 N.W. 168 TH. STREET, NORTH MIAMI BEACH FL. 33169 (305) 653-0212

DRAWN	M. VELASQUEZ
CHECKED	D. SOROGON
DATE	NOV-15-2013
SCALE	INDICATED
JOB NO.	3141 NE 165TH
SHEET NO.	A-2
OF 10 SHEETS	

COLOR ORIGINAL

ALL DESIGNS AND DRAWINGS HEREIN AND PRINTS ISSUED BY THE ARCHITECT ARE PROPERTY OF ARCHITECT AND ARE TO BE RETURNED UPON REQUEST. THEY ARE NOT TO BE USED FOR OTHER WORK OR PROJECTS EXCEPT BY AGREEMENT IN WRITING WITH THE ARCHITECT. PROPERTY RIGHTS TO THESE DRAWINGS ARE RESERVED. NO PART THEREOF IS REPRODUCED WITHOUT THE CONSENT OF THIS ARCHITECT. THE PERSON SO DOING WILL BE INDEBTED TO THE ARCHITECT FOR ITS FULL COMMISSION.



SECOND FLOOR PLAN

SCALE 1/4" = 1' - 0"

REVISIONS	BY:
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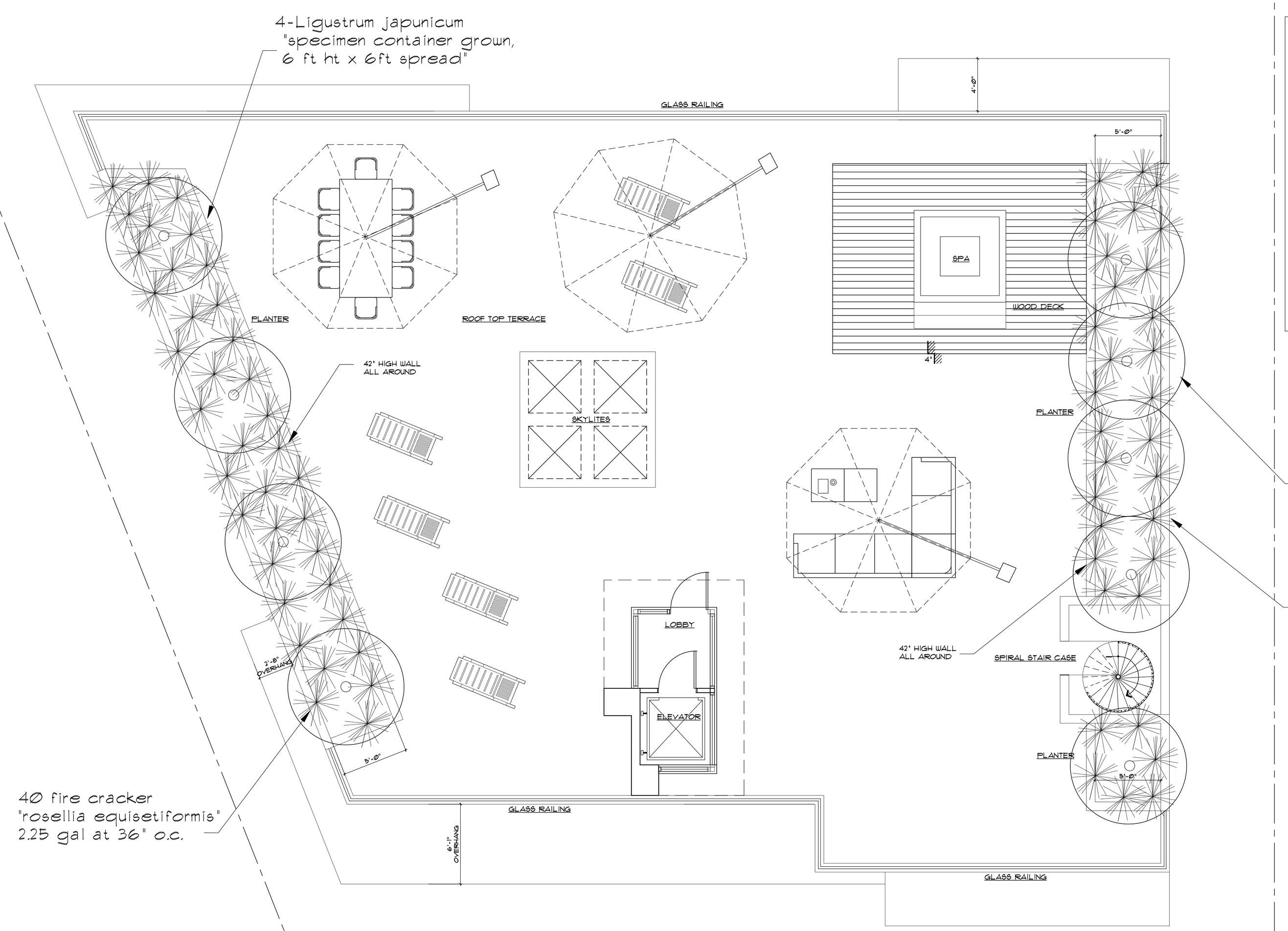
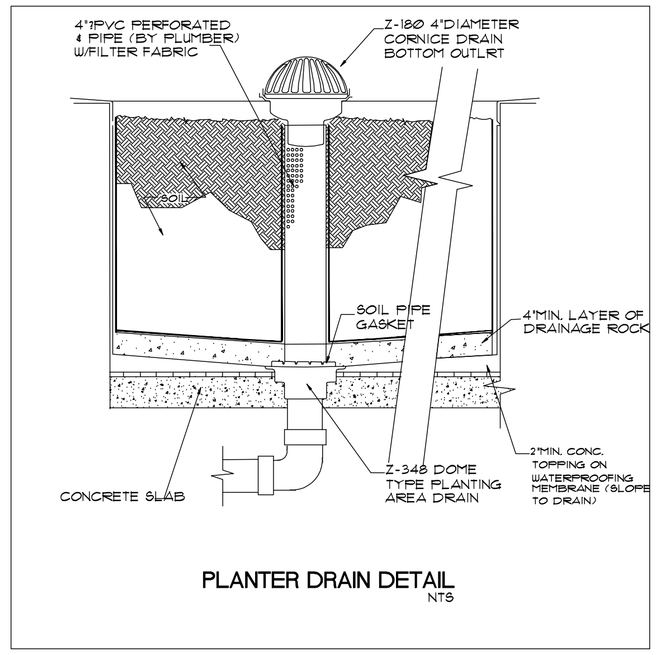
PROPOSED RESIDENCE
FOR 3141 NE 165th, LLC
134 SOUTH DIXIE HIGHWAY, SUITE 209
HALLANDALE BEACH, FL. 33009

florida architectural services inc.
daniel sorogon AR 0010418 architect / planner
34 N.W. 168 TH. STREET, NORTH MIAMI BEACH FL. 33169 (305) 653-0212

DRAWN
M. VELASQUEZ
CHECKED
D. SOROGON
DATE
NOV-15-2013
SCALE
INDICATED
JOB NO.
3141 NE 165TH
SHEET NO.
A-3
OF 10 SHEETS
COLOR ORIGINAL

ALL DESIGNS AND DRAWINGS HEREIN AND PRINTS ISSUED BY THE ARCHITECT ARE PROPERTY OF ARCHITECT AND SHALL NOT BE REPRODUCED OR ASSIGNED TO ANY PERSON OR CORPORATION WITHOUT THE CONSENT OF THE ARCHITECT. IF THESE DRAWINGS OR ANY PART THEREOF IS REPRODUCED WITHOUT THE CONSENT OF THIS ARCHITECT, THE PERSON SO DOING WILL BE INDEBTED TO THE ARCHITECT FOR ITS FULL COMMISSION.





PLANTER DRAIN DETAIL
NTS

ROOF AREA

ROOF AREA TOTAL	3927.0 SQ FT (100%)
ELEVATOR AND LOBBY	612 SQ FT (2%)

ROOF PLAN

SCALE 1/4" = 1' - 0"

REVISIONS	BY:
1	
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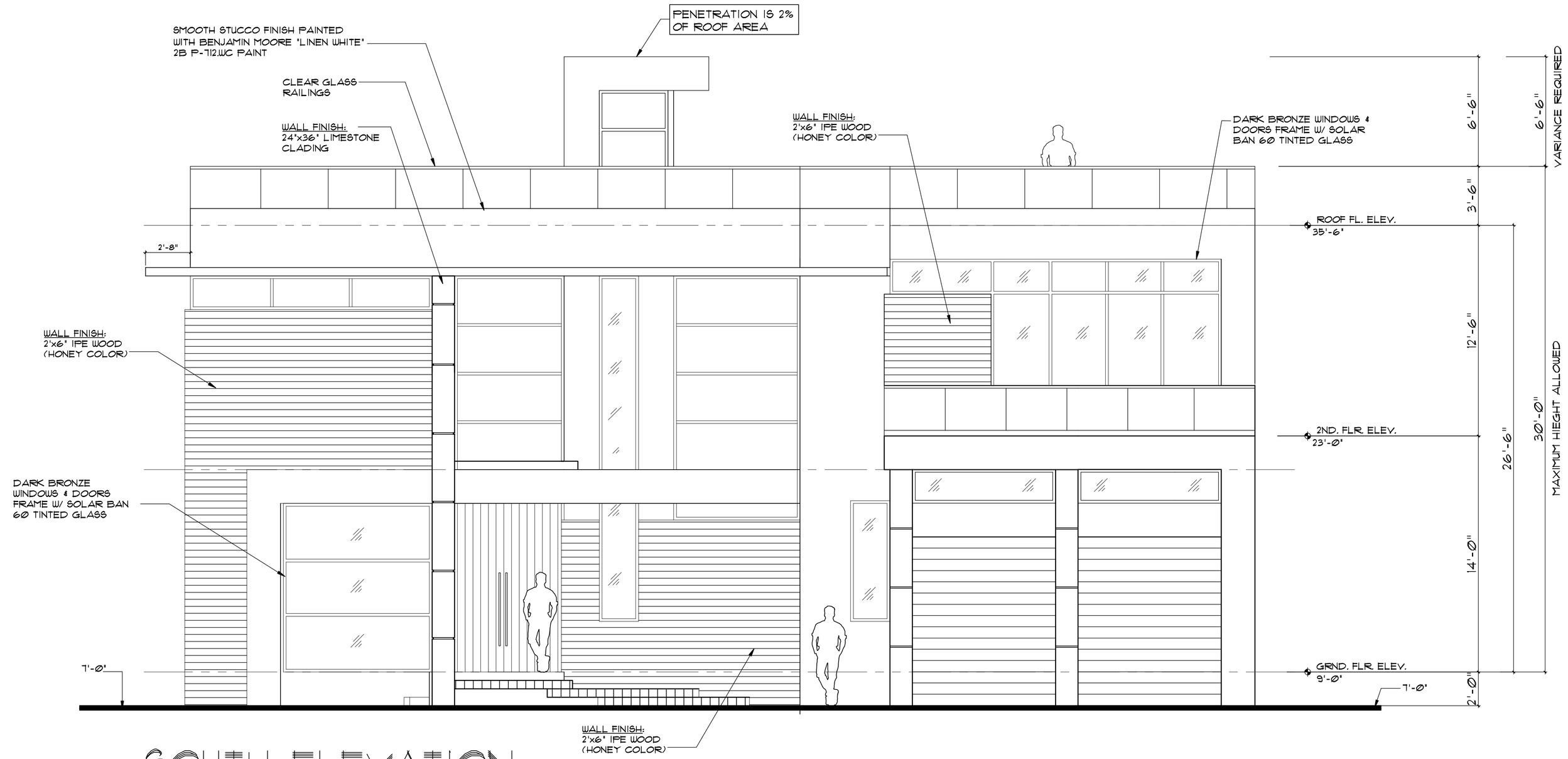
PROPOSED RESIDENCE
FOR 3141 NE 165th, LLC
134 SOUTH DIXIE HIGHWAY, SUITE 209
HALLANDALE BEACH, FL. 33009

florida architectural services inc.
daniel sorogon AR 0010418 architect / planner
34 N.W. 168 TH. STREET, NORTH MIAMI BEACH FL. 33169 (305) 653-0212

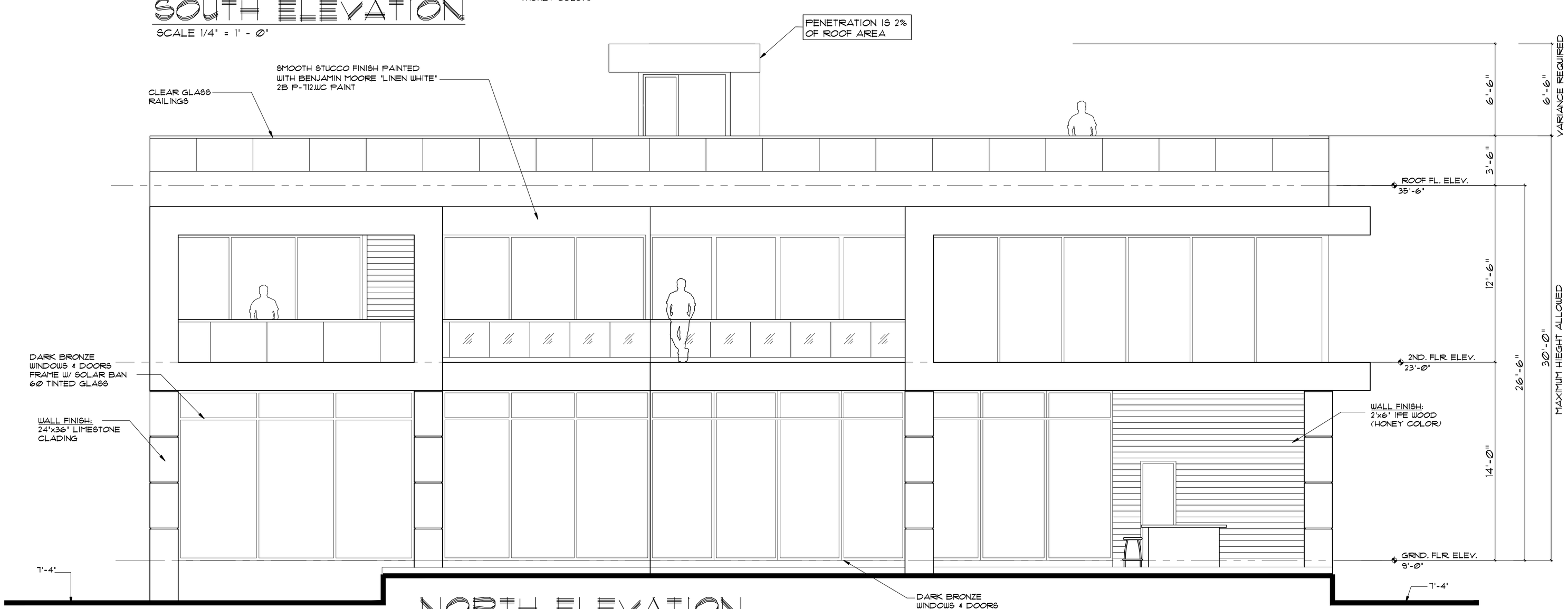
DRAWN: M. VELASQUEZ
CHECKED: D. SOROGON
DATE: NOV-15-2013
SCALE: INDICATED
JOB NO.: 3141 NE 165TH
SHEET NO.: A-4
OF 10 SHEETS
COLOR ORIGINAL

ALL DESIGNS AND DRAWINGS HEREIN AND PRINTS ISSUED BY THE ARCHITECT ARE PROPERTY OF ARCHITECT AND SHALL NOT BE USED ON ANY OTHER WORK EXCEPT BY AGREEMENT WITH THE ARCHITECT. THESE DRAWINGS MUST BE RETURNED IF THESE DRAWINGS OR ANY PART THEREOF IS REPRODUCED WITHOUT THE CONSENT OF THIS ARCHITECT, THE PERSON SO DOING WILL BE INDEBTED TO THE ARCHITECT FOR ITS FULL COMMISSION.



SOUTH ELEVATION

SCALE 1/4" = 1' - 0"



NORTH ELEVATION

SCALE 1/4" = 1' - 0"

REVISIONS	BY:
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PROPOSED RESIDENCE FOR 3141 NE 165th, LLC

134 SOUTH DIXIE HIGHWAY, SUITE 209
HALLANDALE BEACH, FL, 33009

florida architectural services inc.
daniel sorogon AR 0010418 architect / planner
34 N.W. 168 TH. STREET, NORTH MIAMI BEACH FL. 33169 (305) 653-0212

DRAWN	M. VELASQUEZ
CHECKED	D. SOROGON
DATE	NOV-15-2013
SCALE	INDICATED
JOB NO.	3141 NE 165TH
SHEET NO.	A-5
OF 10	SHEETS

COLOR ORIGINAL

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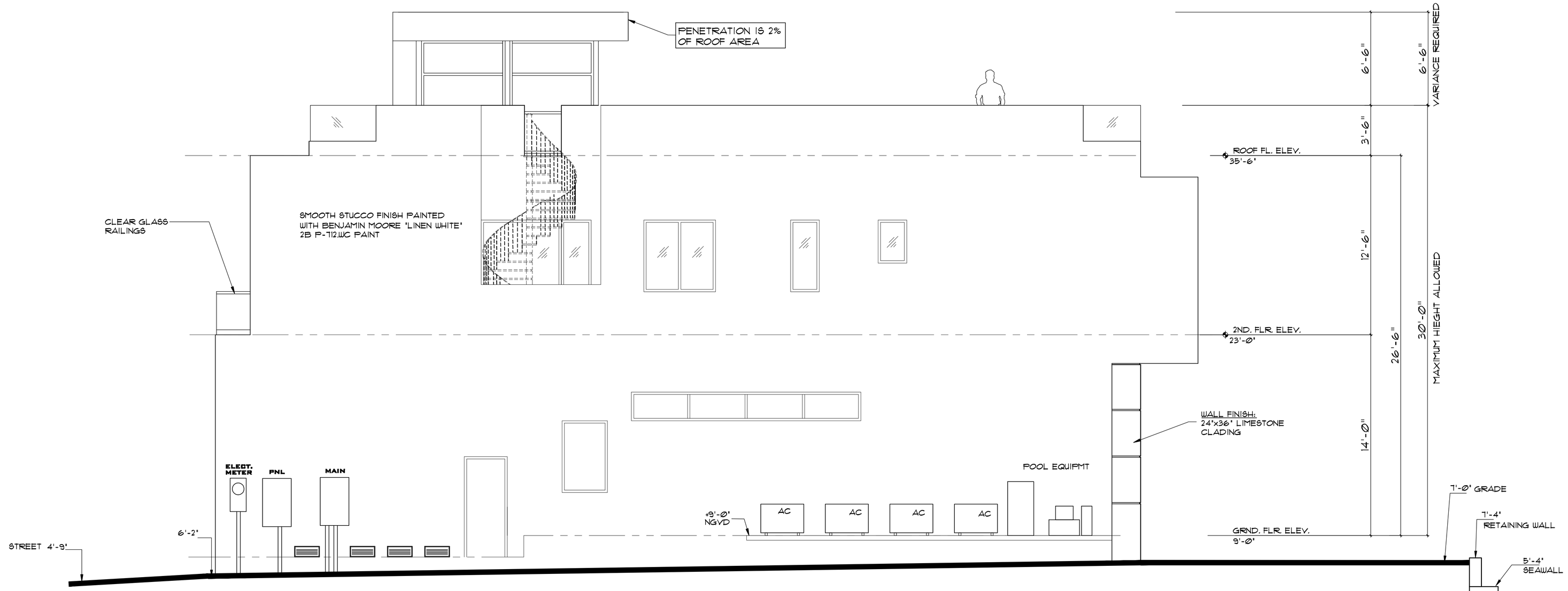
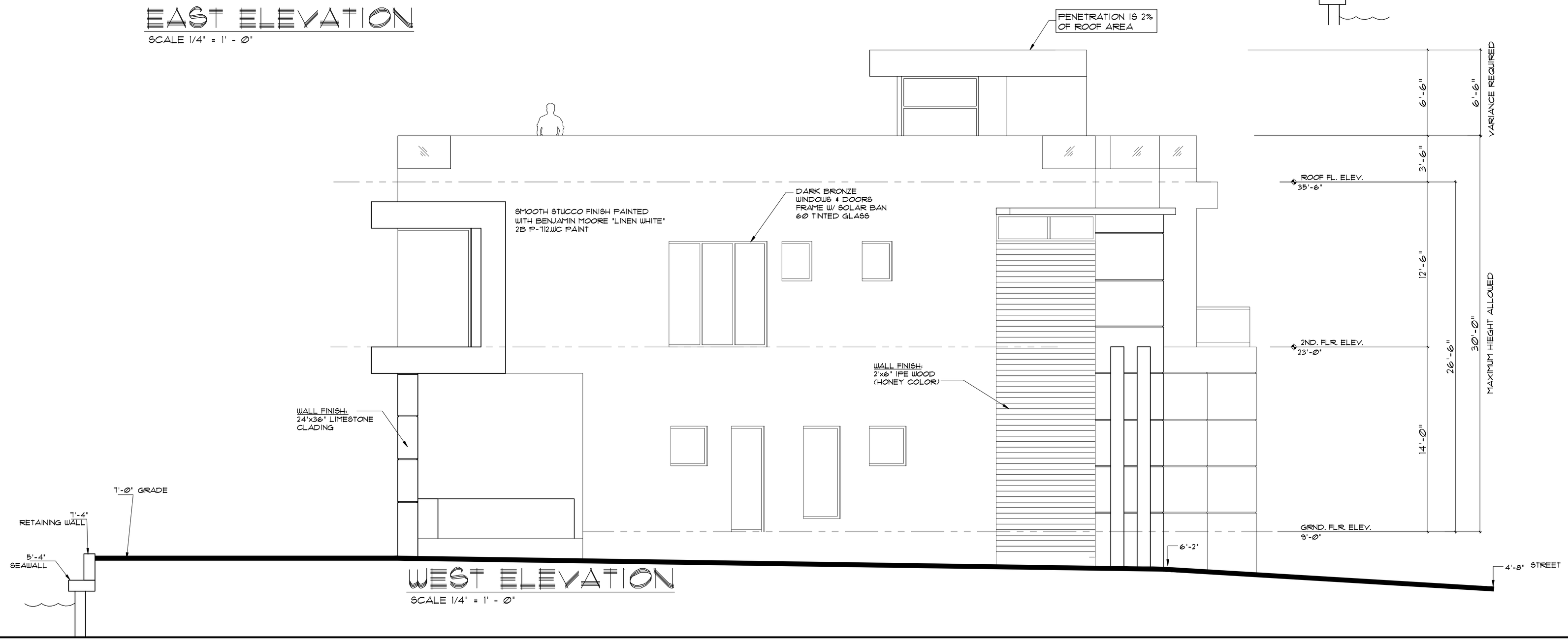


EAST ELEVATION

SCALE 1/4" = 1' - 0"



WEST ELEVATION

SCALE 1/4" = 1' - 0"

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PROPOSED RESIDENCE
FOR 3141 NE 165th, LLC
134 SOUTH DIXIE HIGHWAY, SUITE 209
HALLANDALE BEACH, FL. 33009

florida architectural services inc.
daniel sorogon AR 0010418 architect / planner
34 N.W. 168 TH. STREET, NORTH MIAMI BEACH FL. 33169 (305) 653-0212

DRAWN	M. VELASQUEZ
CHECKED	D. SOROGON
DATE	NOV-15-2013
SCALE	INDICATED
JOB NO.	3141 NE 165TH
SHEET NO.	A-6
OF 10 SHEETS	
COLOR ORIGINAL	

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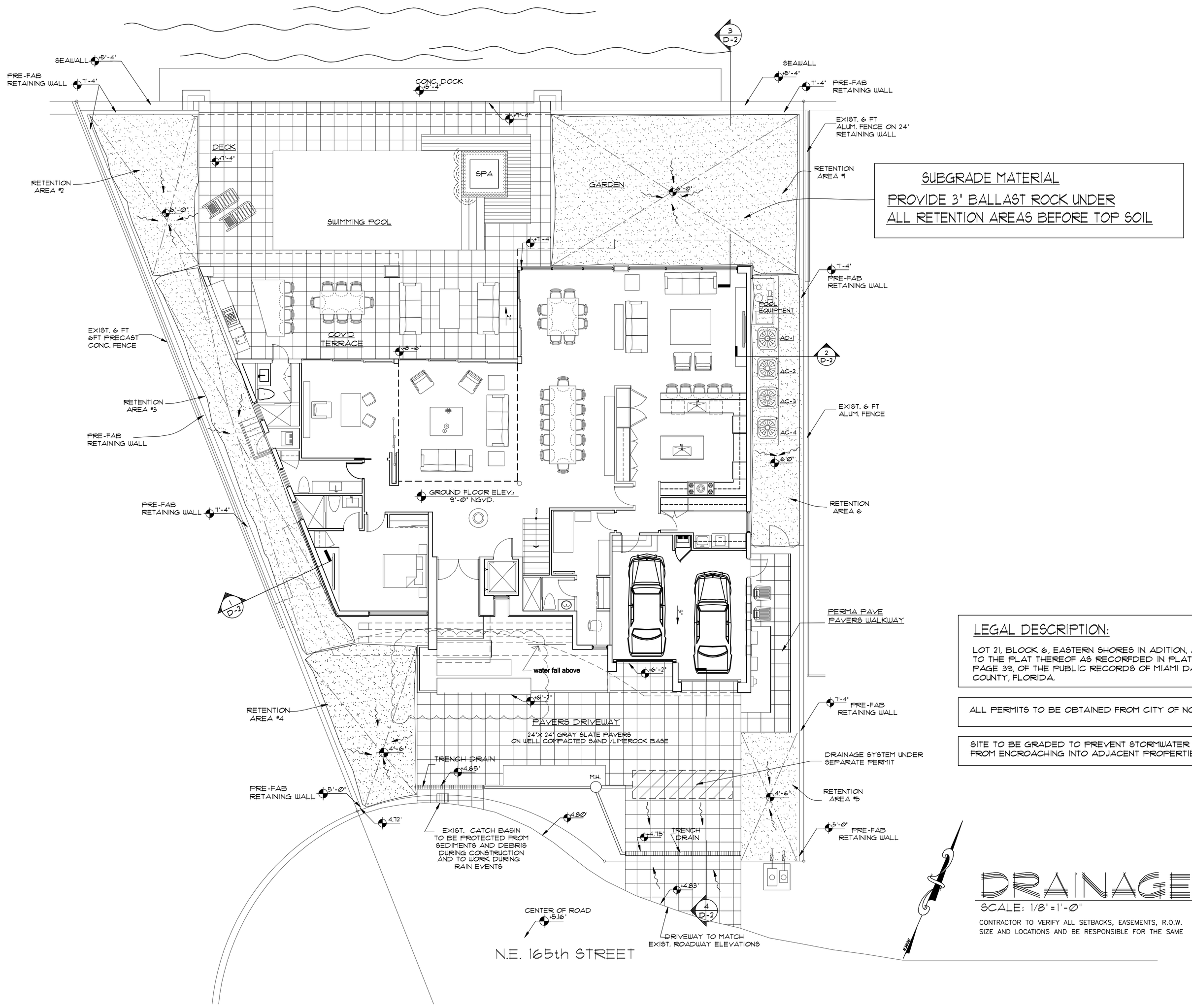

LEGAL DESCRIPTION:

LOT 21, BLOCK 6, EASTERN SHORES IN ADITION, ACCORDING TO THE PLAT THEREOF AS RECORFDED IN PLAT BOOK 65, PAGE 39, OF THE PUBLIC RECORDS OF MIAMI DADE COUNTY, FLORIDA.

ALL PERMITS TO BE OBTAINED FROM CITY OF NORTH MIAMI BEACH

SITE TO BE GRADED TO PREVENT STORMWATER RUN OFF FROM ENCROACHING INTO ADJACENT PROPERTIES

DRAINAGE PLAN

SCALE: 1/8"=1'-0"

CONTRACTOR TO VERIFY ALL SETBACKS, EASEMENTS, R.O.W. SIZE AND LOCATIONS AND BE RESPONSIBLE FOR THE SAME

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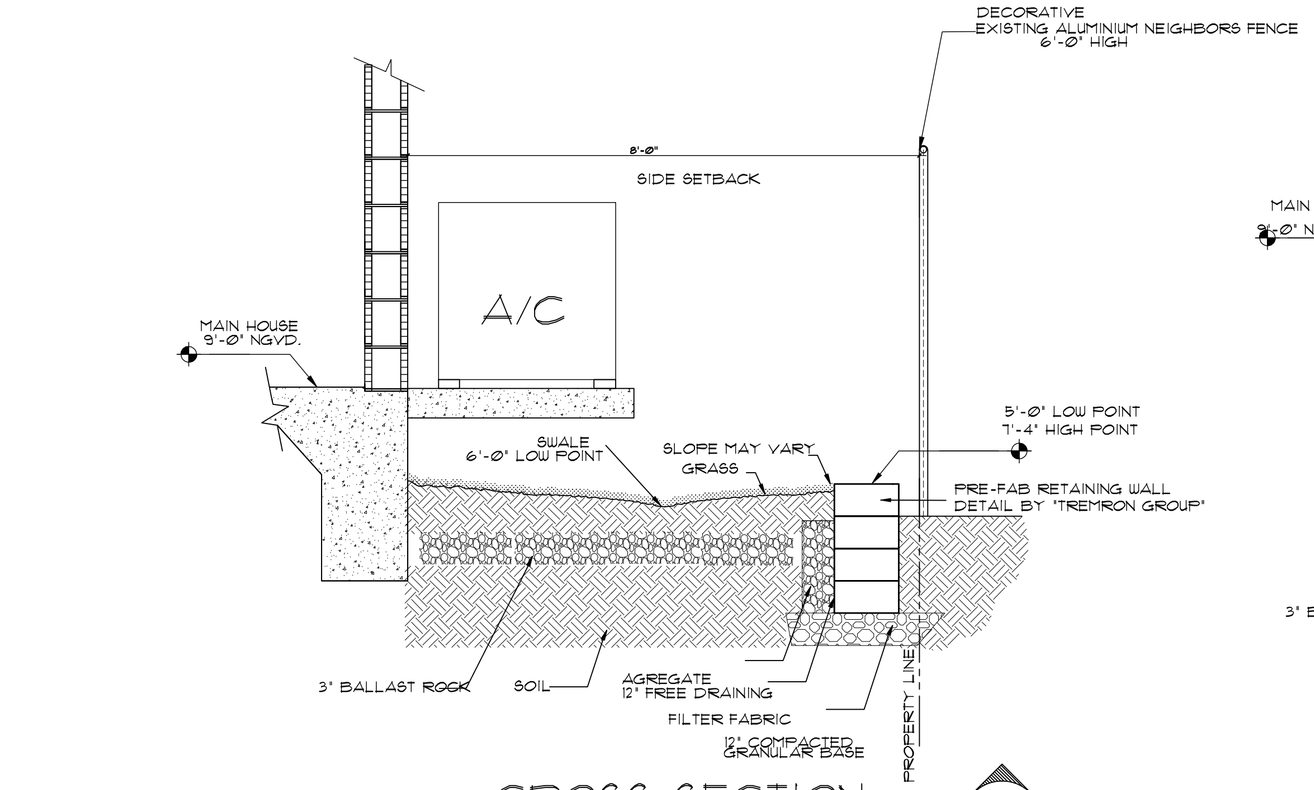
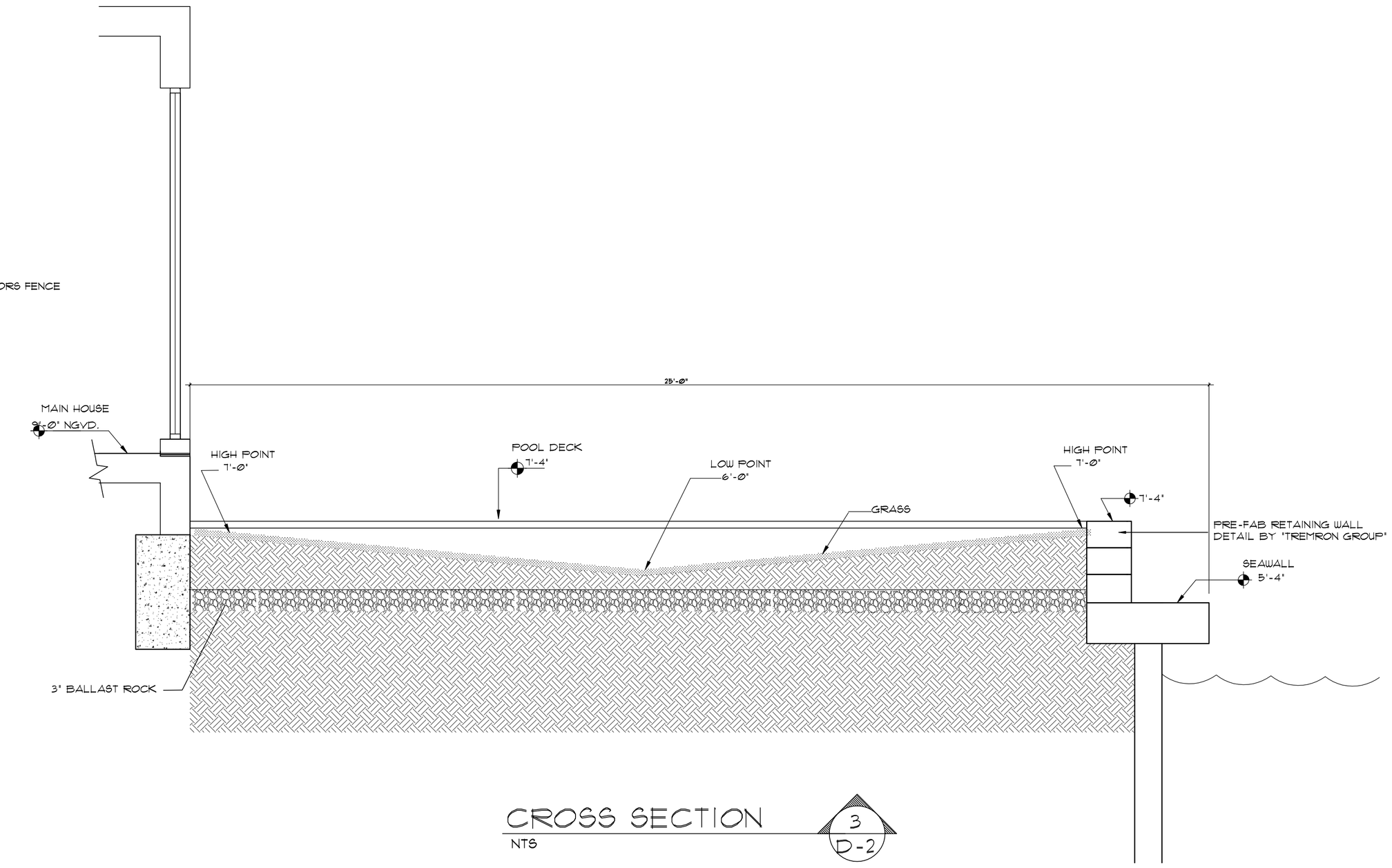
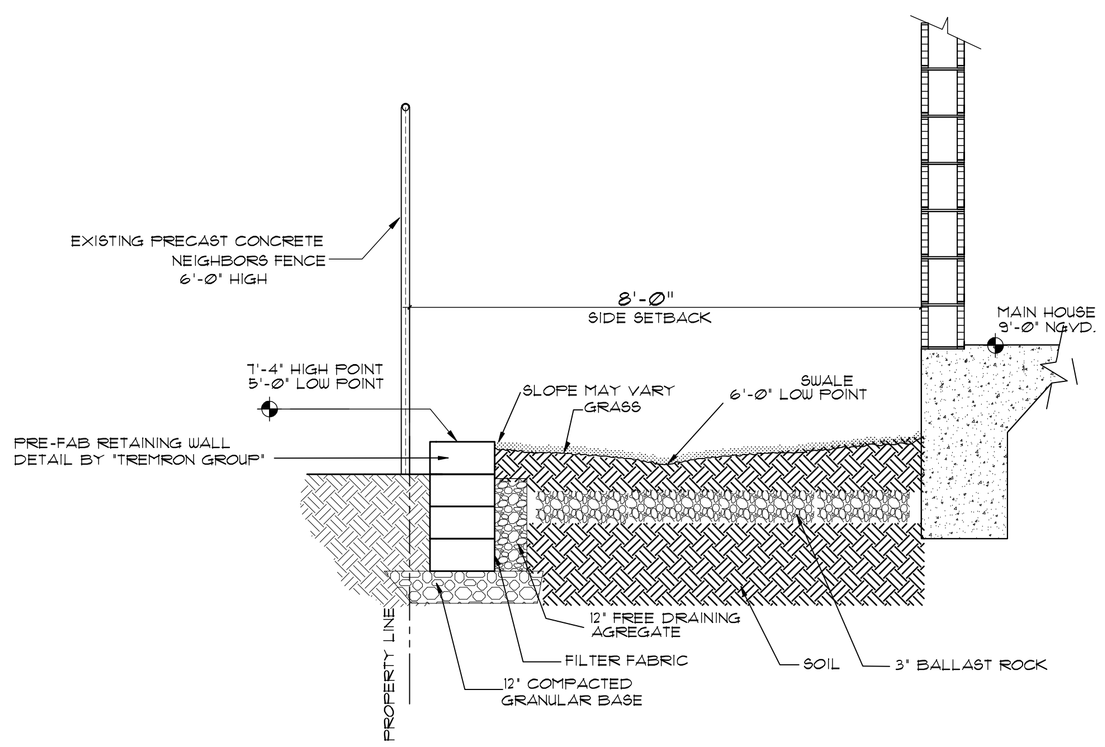


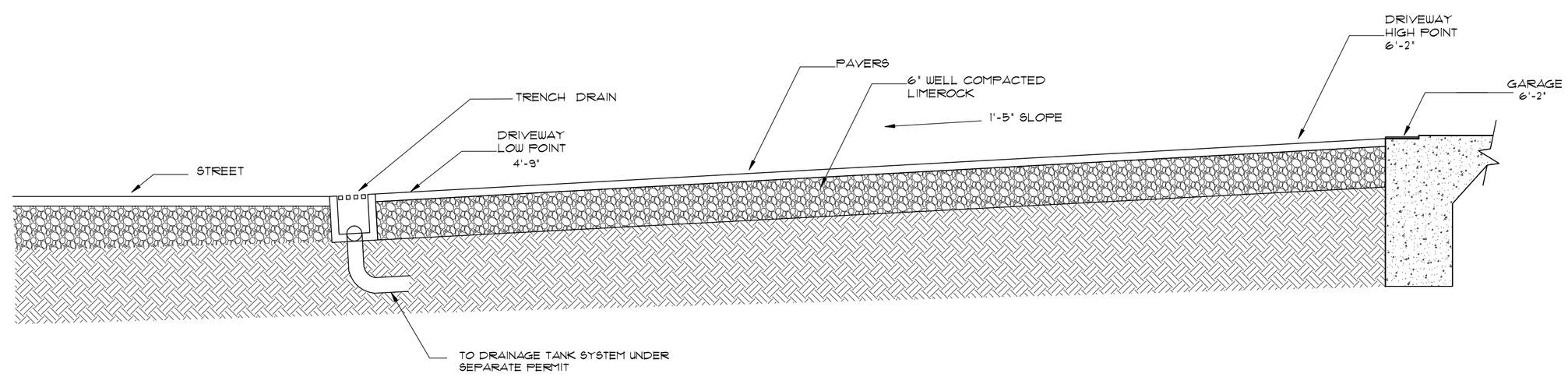
CROSS SECTION 2 D-2
NTS



CROSS SECTION 3 D-2
NTS



CROSS SECTION 1 D-2
NTS



CROSS SECTION 4 D-2
NTS

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JOB NO.: 3141 NE 165TH
SHEET NO.: D-2
OF 10 SHEETS
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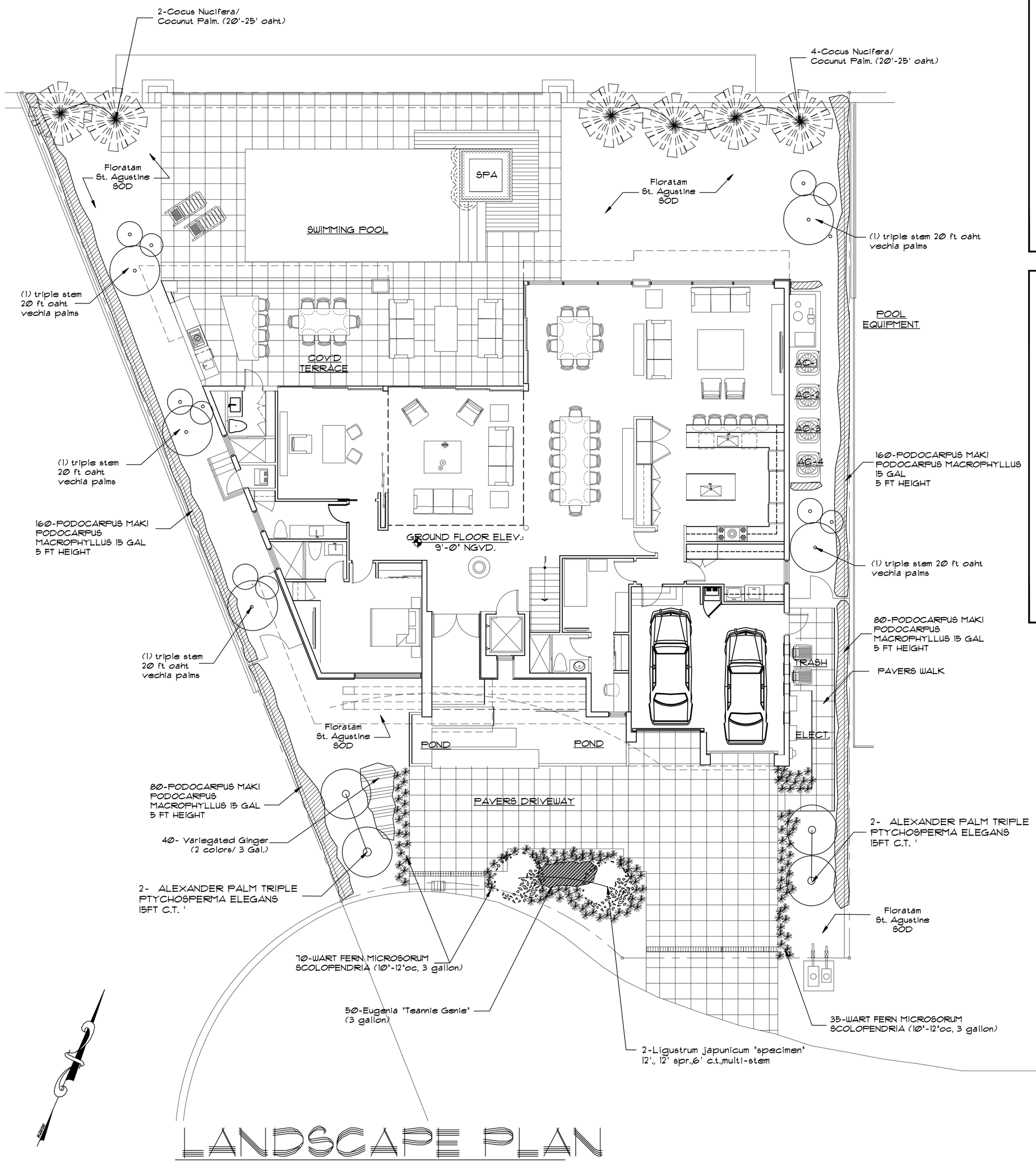
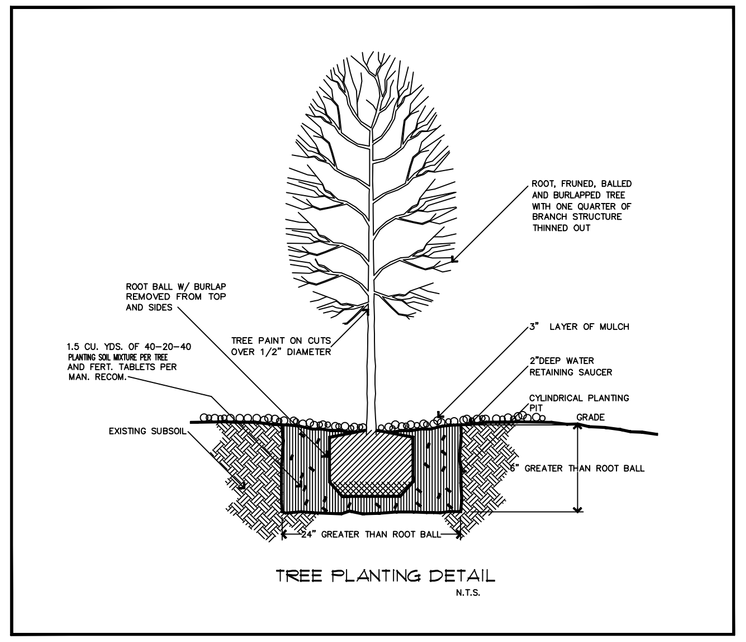


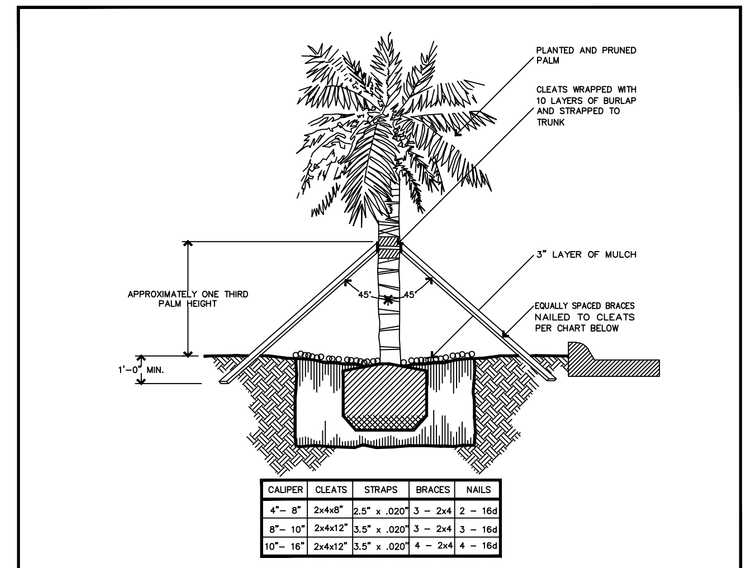
LANDSCAPE PLAN

SCALE: 1/8"=1'-0"



TREE PLANTING DETAIL

N.T.S.

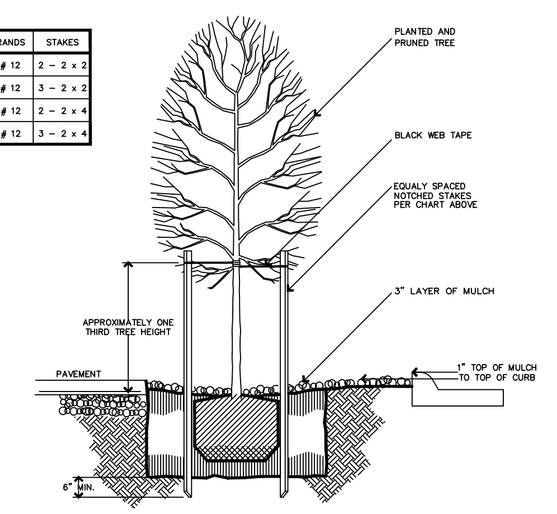


CALIPER	CLEATS	STRAPS	BRACES	NAILS
4"– 8"	2x4x8'	2.5" x .020"	3 – 2x4	2 – 16d
8"– 10"	2x4x12'	3.5" x .020"	3 – 2x4	3 – 16d
10"– 16"	2x4x12'	3.5" x .020"	4 – 2x4	4 – 16d

PALM BRACING DETAIL

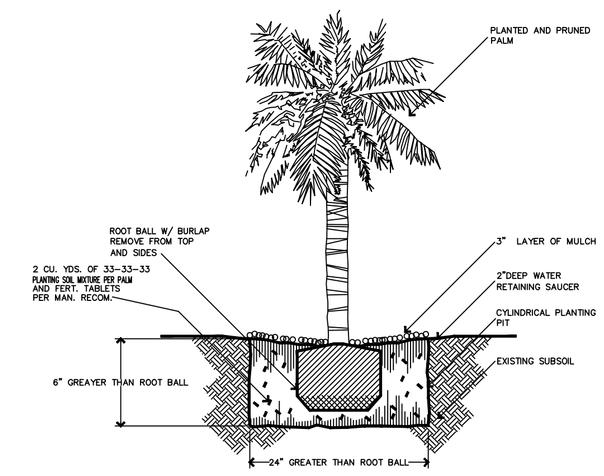
N.T.S.

CALIPER	TIES	STRANDS	STAKES
1" – 1.5"	2	1 # 12	2 – 2 x 2
1.5" – 2"	3	1 # 12	3 – 2 x 2
2" – 3"	2	2 # 12	2 – 2 x 4
3" – 4"	3	2 # 12	3 – 2 x 4



TREE STAKING DETAIL

N.T.S.



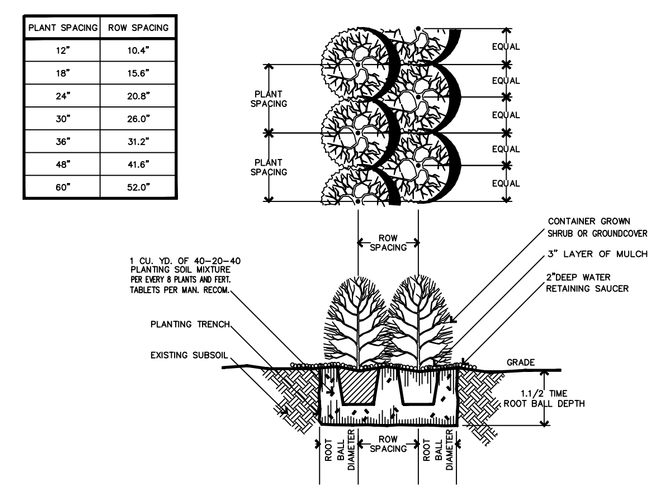
PALM PLANTING DETAIL

N.T.S.

GENERAL NOTES:

1. ALL PLANT MATERIAL TO BE FL. NO 1 OR BETTER
2. ALL PLANTING SOIL TO BE EVENLY MIX OF MULCH, LAKE WALES SAND, AND PEAT MOSS.
3. ALL PLANTED AREAS TO RECEIVE 2' OF CYPRESS GRADE 'A' MULCH.
4. ALL PLANT MATERIAL TO BE INSTALLED PER DETAILS.
5. PROVIDE AUTOMATED LAWN SPRINKLERS AT ALL LANDSCAPED AREAS (100% COVERAGE WITH 50% OVERLAP).
6. * DENOTES NATIVE PLANT MATERAL. N NATIVE PLANTS

PLANT SPACING	ROW SPACING
12"	10.4"
18"	15.6"
24"	20.8"
30"	26.0"
36"	31.2"
48"	41.6"
60"	52.0"



GROUNDCOVER AND
SHRUB PLANTING DETAIL

N.T.S.

REVISIONS	BY:
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M. VELASQUEZ
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DATE
NOV-15-2013
SCALE
INDICATED
JOB NO.
3141 NE 165TH

SHEET NO.
L-1
OF 10 SHEETS

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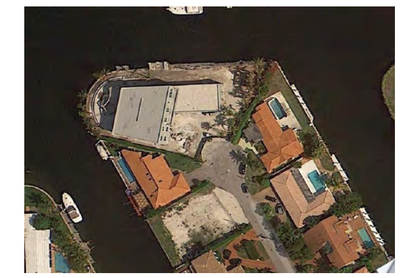
EASTERN SHORES MAP

HOUSES WITH FLAT ROOFS AND ROOF TOP TERRACES

HOUSE 1

HOUSE 2



HOUSE 3

HOUSE 4
(Roof top Terrace)

HOUSE 5

HOUSE 6

HOUSE 7

HOUSE 8
(Roof top terrace)

HOUSE 9
(Roof top terrace)

HOUSE 10

THIS PROJECT WITHOUT LANDSCAPING

LEFT SIDE PROPERTY

THIS PROJECT WITH LANDSCAPING

RIGHT SIDE PROPERTY

REVISIONS	BY:
1	
2	
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JOB NO. 3141 NE 165TH
SHEET NO. A-1
OF 10 SHEETS
COLOR ORIGINAL