

DESIGN REVIEW BOARD
City of Miami Beach, Florida

MEETING DATE: December 10, 2024

PROPERTY/FOLIO: **1015 Stillwater Drive** **02-3203-011-1510**

FILE NO: DRB24-1043

LEGAL: LOT 51, BLOCK 15, "BISCAYNE BEACH SECOND ADDITION", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 46, AT PAGE 39, OF THE PUBLIC RECORDS OF MIAMI DADE COUNTY, FLORIDA.

IN RE: An application has been filed requesting modifications to a previously approved Design Review Approval for the construction of a new two-story residence with an understory and a variance for the height of the home. Specifically, the applicant is requesting additional height as is permissible per the land development regulations.

APPLICANT: Stillwater Resources LLC

SUPPLEMENTAL ORDER

The City of Miami Beach Design Review Board makes the following FINDINGS OF FACT, based upon the evidence, information, testimony and materials presented at the public hearing and which are part of the record for this matter:

I. Design Review

- A. The Board has jurisdiction pursuant to Section 2.1.3.1 of the Land Development Regulations. The property is not located within a designated local historic district and is not an individually designated historic site.
- B. Based on the plans and documents submitted with the application, testimony and information provided by the applicant, and the reasons set forth in the Planning Department Staff Report, the project as submitted is consistent with the Design Review in Section 2.5.3.1 of the Land Development Regulations.
- C. Based on the plans and documents submitted with the application, testimony and information provided by the applicant, and the reasons set forth in the Planning Department Staff Report, the project as submitted is consistent with Sea Level Rise Criteria in Section 7.1.2.4(a)(i) of the Land Development Regulations.
- D. The project will remain consistent with the criteria and requirements 2.5.3.1 and/or Section 7.1.2.4(a)(i) with the following conditions:

1. Revised elevation, site plan, and floor plan drawings for the proposed new home at 1015 Stillwater Drive shall be submitted, at a minimum, such drawings shall incorporate the following:
 - a. All of the original conditions of approval by this Board, as reflected in the Final Order dated October 4, 2022, pursuant to DRB20-0853, shall remain in effect except as modified and approved herein.
 - b. The revised understory height **shall be** approved as proposed.
 - c. A copy of all pages of the recorded Final Order shall be scanned into the plans submitted for building permit and shall be located immediately after the front cover page of the permit plans.
 - d. Prior to the issuance of a Certificate of Occupancy, the project Architect shall verify, in writing, that the subject project has been constructed in accordance with the plans approved by the Planning Department for Building Permit.

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

II. Variance(s)

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

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

- A. A copy of all pages of the recorded Final Order shall be scanned into the plans submitted for building permit and shall be located immediately after the front cover page of the permit plans.
- B. The Final Order shall be recorded in the Public Records of Miami-Dade County, prior to the issuance of a Building Permit.
- C. The Final Order is not severable, and if any provision or condition hereof is held void or unconstitutional in a final decision by a court of competent jurisdiction, the order shall be returned to the Board for reconsideration as to whether the order meets the criteria for approval absent the stricken provision or condition, and/or it is appropriate to modify the remaining conditions or impose new conditions.
- D. The conditions of approval herein are binding on the applicant, the property's owners, operators, and all successors in interest and assigns.
- E. Nothing in this order authorizes a violation of the City Code or other applicable law, nor allows a relaxation of any requirement or standard set forth in the City Code.

IT IS HEREBY ORDERED, based upon the foregoing findings of fact, the evidence, information, testimony and materials presented at the public hearing, which are part of the record for this matter, and the staff report and analysis, which are adopted herein, including the staff recommendations, which were amended and adopted by the Board, that the application for Design Review approval is GRANTED for the above-referenced project subject to those certain conditions specified in Paragraph I, II,III of the Findings of Fact, to which the applicant has agreed.

PROVIDED, the applicant shall build substantially in accordance with the architectural plans, entitled "1015 Stillwater, Miami Beach" as designed by **Preschel + Bassan Studio**, dated September 8, 2024; and as approved by the Design Review Board, as determined by staff. When requesting a building permit, the plans submitted to the Building Department for permit shall be consistent with the plans approved by the Board, modified in accordance with the conditions set forth in this Order. No building permit may be issued unless and until all conditions of approval that must be satisfied prior to permit issuance, as set forth in this Order, have been met.

If the Full Building Permit for the project is not issued within eighteen (18) months of the meeting date at which the original approval was granted, the application will expire and become null and void, unless the applicant makes an application to the Board for an extension of time, in accordance with the requirements and procedures of Section 2.2.4.6 of the Land Development Regulations; the granting of any such extension of time shall be at the discretion of the Board. If the Full Building Permit for the project shall expire for any reason (including but not limited to construction not commencing and continuing, with required inspections, in accordance with the applicable Building Code), the application will expire and become null and void.

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

Dated 1/24/2025 | 4:46 PM EST

DESIGN REVIEW BOARD
THE CITY OF MIAMI BEACH, FLORIDA

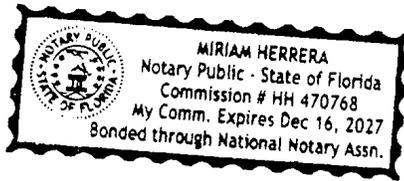
DocuSigned by:
Rogelio Madan
BY: _____
Rogelio A. Madan, AICP
Development & Resiliency Officer

DS
RM

For the Chair

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

The foregoing instrument was acknowledged before me this 29 day of January 2025 by Rogelio A. Madan, AICP, Development & Resiliency Officer of the City of Miami Beach, Florida, a Florida Municipal Corporation, on behalf of the Corporation. He is personally known to me.



Notary: *Miriam Herrera*
Print Name *Miriam Herrera*
Notary Public, State of Florida
My Commission Expires: *12-16-27*
Commission Number: *HH470768*

{NOTARIAL SEAL}

Approved As To Form: _____
City Attorney's Office: _____ (*Feroat Undashva*) 1/24/2025 | 4:04 PM EST
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Filed with the Clerk of the _____
Design Review Board on _____ (*Jessica Gonzalez*) 1/27/2025 | 7:36 AM EST
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