



### HISTORIC PRESERVATION BOARD

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## **REVIEW PROCESS AND APPLICATION INSTRUCTIONS FOR CERTIFICATES OF APPROPRIATENESS**

### **I. INTRODUCTION**

All required exhibits, application forms, and appropriate fees for Certificates of Appropriateness shall be submitted to the Planning Department, 2nd Floor, City Hall, 1700 Convention Center Drive, Miami Beach, FL 33139. If you have any questions regarding the application process, please contact the Planning Department at (305) 673-7550.

**NOTE:** For any project that exceeds 50,000 square feet of new construction (gross square footage including all enclosed parking areas), and is located within a Commercial or Industrial Zoning District, Conditional Use Approval from the Planning Board shall be required, prior to an application going before the Historic Preservation Board.

### **II. TYPES OF CERTIFICATES OF APPROPRIATENESS**

- A. Certificate of Appropriateness for Demolition of ANY building or significant part of a building within a locally designated Historic Preservation District or a Historic Preservation Site.
- B. Certificate of Appropriateness for new construction, renovations, alterations and additions within a locally designated Historic Preservation District. The following constitute what are generally considered as major improvement projects requiring a Certificate of Appropriateness from the Historic Preservation Board:
  - 1) Construction of any new building and additions to existing structures.
  - 2) Any remodeling which substantially changes the architectural style of a building.
  - 3) Any substantial change in the style and size of windows or doors.
  - 4) Substantial alteration of roof design and/or materials.

- 5) Substantial landscape projects.
- 6) Any project consisting of a sufficient multiple number of minor improvements so that the overall project results in a substantial impact on the structure or neighboring properties.
- 7) Any significant alteration, modification or addition to a building or structure within an existing commercial district which is adjacent to or abuts a residential zoning district, whether or not separated by a street, alley, waterway or public park.

### III. APPLICATION REQUIREMENTS FOR CERTIFICATES OF APPROPRIATENESS

#### A. PRE-APPLICATION CONFERENCE:

All applicants are required to meet with Historic Preservation staff for a pre-application conference prior to the submittal of an application package. The purpose of this conference is to discuss the nature of the application as well its compatibility with the City Code and Certificate of Appropriateness criteria. Applicants are strongly encouraged to meet with staff well in advance of the application deadline so any comments or changes may be incorporated into the final submittal package. Call (305) 673-7550 to schedule an appointment. **An application package will not be accepted unless a pre-application conference with staff has been held.**

#### B. REQUIRED EXHIBITS:

The following are all of the pertinent materials and exhibits required for submission with a Certificate of Appropriateness application package. The applicant should also review the Certificate of Appropriateness Criteria in the City Code to understand and address how the project will be reviewed and the attached application checklist to ensure that all required exhibits are submitted. A completed application package shall include fifteen (15) copies of both the application and all exhibits listed below, unless otherwise noted. As all exhibits may not be appropriate or necessary for all projects, the applicant should discuss which required exhibits may be excluded with staff prior to submission. The Board or the Director of the Planning Department has the authority to request additional exhibits including, but not limited to, models and renderings, if merited by the circumstances of an individual project.

**PLEASE NOTE: ALL REQUIRED APPLICATION PACKAGES AND EXHIBITS SHALL BE FOLDED AND SUBMITTED IN INDIVIDUAL COLLATED SETS; ONE (1) SET OF ALL SURVEYS AND PLANS MUST BE FULL SIZE AND BEAR THE SIGNATURE AND SEAL OF A PROFESSIONAL ARCHITECT, ENGINEER OR LANDSCAPE ARCHITECT, LICENSED TO PRACTICE IN THE STATE OF FLORIDA, AS APPLICABLE. THE REMAINING SETS MAY CONSIST OF 11" x 17" PHOTO REDUCED COPIES OF THE ORIGINAL SIGNED AND SEALED SETS.**

**Additionally, the application must be accompanied by a Compact Disc (CD) containing a digital version of ALL documents submitted in adobe acrobat (.pdf) format. (This requirement may be waived by the Department on a case-by-case basis, upon request by the applicant, if it presents a particular hardship.)**

Fifteen (15) copies of the following exhibits are required, unless specifically exempted by staff prior to submission; all documents shall be drawn to an appropriate scale so as to clearly delineate all dimensions, architectural features and elements subject to review; the typeset for all notes on plans shall be at least ten (10) point and all plans shall include the address of the property, the name, address and license # of the Architect, Landscape Architect and/or Engineer, the date of the drawings and revisions, and a north arrow:

- 1) A completed application form with a written description of the proposed action, a signed and notarized owners affidavit and the completion of a disclosure of interest form. Property that has been dedicated to the public shall not be included in any application without the express consent of the public entity with jurisdiction over the property so dedicated.
- 2) A survey (no older than six (6) months) of the entire project site. One (1) copy of the survey shall be signed and sealed by a Professional Engineer or Professional Land Surveyor. The survey must be verified by the City of Miami Beach Public Works Department to ensure there are no easements on the property(ies) which are proposed to be built on.
- 3) A site plan indicating the location of buildings (existing and proposed), streets and waterways, sidewalks, signs, parking spaces, fences, major site features (existing and proposed), curb cuts, all rights-of-ways and any lines of jurisdiction such as the Bulkhead Line, Erosion Control Line, easements and Coastal Construction Control Line.
- 4) A locational site plan of neighboring buildings and properties which, at a minimum, clearly delineates all property lines, building footprints and curb cuts (See exhibit "A", attached).
- 5) Detailed plans and elevations of the existing and/or proposed building(s) indicating all dimensions, surface materials, design features and elements, texture, color, as well as all attachments such as signs, lighting fixtures, balconies, awnings and appurtenances which are attached to the walls or roof. Elevations shall indicate window design and all architectural elements. If necessary, 3-Dimensional drawings must be submitted in order to express these features.
- 6) Floor plans for all new and existing floors of a proposed building; typical floor plans may be submitted for multi-story projects which have identical floor plans.
- 7) A contextual sketch or detailed computer photo-image of the project showing street elevations of the proposed project and schematic elevations of the buildings on

either side (at a minimum) indicating overall height, window/door placement as well as significant architectural features of said buildings (see exhibit "B", attached).

- 8) A schematic landscape plan indicating the location, spacing, size, quantity, overall height and type of all existing and proposed plant materials. Said drawings must also delineate walkways, walls, decks, fences, patios and site features as well as the elevations of these items. A lighting plan indicating all exterior lighting on the structure and throughout the site, inclusive of manufacturer's cut sheets or design details of all light fixtures shall be included in the submitted landscape plan. All landscape plans should be prepared by, and bear the signature and seal of, a Professional Landscape Architect, licensed to practice in the State of Florida.
- 9) Colored elevations or perspective drawings (minimum 8 ½" x 11", 8 ½" x 14" and 11" x 17" are acceptable), displaying the color scheme. Color laser copies or colored drawings are acceptable; actual paint color samples shall be provided separately.
- 10) Tabulation of all pertinent zoning data including the following:
  - a. Total number of dwelling units (per floor), and/or the total amount of office, retail/commercial areas.
  - b. Total number of parking/loading spaces.
  - c. The front, side and rear setbacks; the setbacks shall be clearly delineated on ALL site, landscaping and floor plans.
  - d. Building height, inclusive of the total number of feet to the top of the roof and the highest non-habitable projection, as well as the total number of stories.
  - e. If the project consists of new construction or the addition of floor area, annotated floor plans for each and every level of the subject structure, which clearly delineate all portions of the building included in floor area calculations for FAR purposes, as well as the total amount of floor area counted toward the project FAR per floor, shall be required. If the subject building consists of multiple floors, a separate floor area calculation for each floor shall be required. The delineation method described herein shall consist of color, cross hatching or other form of highlighting which clearly distinguishes the areas included and excluded in the calculation of the project's floor area.

- f. Open space calculations, if applicable.
- 11) Full color photographs (minimum of 4" x 5" each) of each side of all existing buildings on site as well as the primary elevations of all surrounding properties. Interior photographs which detail all common and public areas shall also be included. One (1) set of original color photographs is required and all photographs shall be labeled, dated and identified as to orientation; color laser copies are acceptable for the fourteen (14) additional sets of required photographs.
  - 12) For development projects exceeding 100,000 square feet of new floor area or greater than 50,000 square feet of additional floor area added to an existing structure, a massing model of the site and surrounding area, which clearly depicts the proposed development site and the built context of the immediate area within five (5) city blocks, shall be required, unless waived at the discretion of the Board. Such massing model shall be at a minimum scale of 1/32".
  - 13) Full demolition plans, if applicable, which clearly delineate all parts of the interior and exterior of the subject structure which are to be removed or demolished. This shall also include those portions to be removed or demolished for structural reasons, even if they are to be reconstructed to the original design, prior to demolition.
  - 14) Existing condition drawings, to scale, of all exterior elevations and existing primary public interior spaces; this shall include existing floor plans for each level, existing elevation drawing and a general site plan indicating existing conditions.
  - 15) An historic resources report containing a full catalog of the existing condition of the building, as well as a photographic and written description of the history and evolution of the original building on site. This report shall include, but not be limited to, all available historic data including microfilm and photographs, as well as a fully detailed permit history for the structure on site.
  - 16) For those applications which require a Certificate of Appropriateness for Demolition, a financial feasibility study of the new project and of renovating and operating the existing structure. Such feasibility study shall address the possibility of substantially renovating or operating the existing structure. Consideration of parking needs and demands shall be addressed within the feasibility study, as well as alternative methods of providing parking. The study will also determine whether the retention of the Building would deny the owner all economically viable uses of the property.
  - 17) A copy of the Building Card, Land Management System computer print out of permit activity and all microfilm on record; this material is available from the Building Department. If microfilm for the property is not available, a standard memorandum to that effect (available at the Building Department), signed by a member of the Building Department Staff, is required.

- 18) In accordance with Section 122 of the City Code, unless exempt under the provisions of section 122-5, no development order shall be granted unless the applicant for development approval is the holder of a **valid preliminary concurrency determination**. For those projects which entail a change of use or consist of a new construction project (inclusive of additions), a valid preliminary concurrency determination must be obtained prior to an application being considered by the Historic Preservation Board (See 'Concurrency Determination Questionnaire' attached to the application). No application may go forward for development approval or be considered by the Historic Preservation Board unless a valid preliminary concurrency determination is obtained. A traffic impact study, completed by a Professional Traffic Engineer, may also be required, prior to Building Permit review. Please contact the City's Concurrency Manager at 305-673-7550 for application requirements and additional information.
- 19) Pursuant to the 2005 Growth Management Act, a school concurrency review is now required for residential projects consisting of new construction, additions to existing residential buildings and/or renovation projects affecting the number of residential units (not hotel units). At the time of submission, Planning Department staff will input the data as provided on the application form. Such data shall be transmitted directly to the Miami-Dade County School Board and the school concurrency application will be placed in a queue. Within ten (10) business days of being placed in the queue, the applicant must pay the appropriate fee for the school concurrency review to the Miami-Dade School Board. The applicant must provide a valid school concurrency determination from the Miami-Dade School Board prior to an application being noticed for an Historic Preservation Board agenda.
- 18) In accordance with the Land Development Regulations of the Miami Beach Code, all property owners within 375 feet of and including the subject property, must be notified of any request for a Certificate of Appropriateness or an appeal from administrative decision; therefore, the following is required of the applicant and must be presented with any and all applications:
- a. Two (2) sets of gummed labels, with the names and addresses of all property owners of land located within 375 ft. of the exterior boundary of the subject property, including all property owners within the boundaries of the subject site. These labels are to be used by the applicant for mailing notices. If the subject property constitutes only a portion of a contiguous ownership parcel, the exterior boundary from which the 375 foot radius is to be projected will be the exterior boundary of the entire contiguous ownership parcel.
  - b. Two (2) copies of a list with the legal description of land owned by each property owner (lot number, block number and subdivision), as described under 1, above.
  - c. Two (2) copies of a map of the subject area showing the 375 ft. radius, with the subject property highlighted.

- d. Original certified letter plus one (1) copy stating that the ownership list, map and mailing labels are a complete and accurate representation of the real property and property owners within 375 ft. of the subject property, inclusive of the subject property. This letter must be dated and give the address of the subject property and its legal description, subdivision and plat book number and page. Also state the source for this information. (If done by a professional data research company, the preceding information should automatically be included. If done by the applicant, this letter should be signed by the applicant and notarized.)

Within approximately one (1) week of the submission of a completed application, staff will provide one (1) copy of the required notice, as well as the required number of envelopes and one (1) set of labels to the applicant who, in turn, will stuff, label and stamp (with correct postage) all envelopes and return them to staff for mailing within one (1) week. Failure to adhere to this procedure shall result in the application not being removed from the agenda.

THE FOLLOWING ARE THE NAMES OF SEVERAL COMPANIES THAT YOU MAY WANT TO USE TO OBTAIN THE REQUIRED MAILING LABELS AND ACCOMPANYING MAPS, LEGAL DESCRIPTIONS AND CERTIFIED LETTER, AS PER THE ABOVE ITEM. **THE CITY OF MIAMI BEACH DOES NOT CLAIM RESPONSIBILITY FOR THE ACCURACY OR TIMELY ACQUISITION OF THE INFORMATION PROVIDED BY THESE COMPANIES.**

<u>LOPEZ DATA RESEARCH</u>	<u>305-981-9893</u>
<u>FLORIDA REAL ESTATE DECISIONS</u>	<u>305-757-6884</u>
<u>CONSUELO QUINTANA</u>	<u>305-858-2287</u>
<u>THE ZONING SPECIALISTS GROUP, INC.</u>	<u>305-828-1210</u>
<u>CARLOS J. MARADIAGA</u>	<u>305-262-8965</u>
<u>SPIDER INTERNATIONAL REAL ESTATE SERVICES</u>	<u>305-866-4950</u>

**Approximately five (5) calendar days prior to the scheduled meeting date the agenda and staff reports will be available online at the following location:**

**<http://web.miamibeachfl.gov/planning>**

**(From this page select 'Hist. Preservation', and then select 'Agenda, After Actions, Meeting Schedules, & Staff Reports')'**

### C. REQUIRED FEES:

At the time the application is filed, the appropriate fee must be paid. The fee is necessary to defray the cost of processing and reviewing the application and holding the hearing. The schedule below indicates the required fee based on the nature of the proposed work, as prescribed by the Land Development Regulations of the Miami Beach Code. Checks or money orders shall be made payable to the City of Miami Beach:

- 1) An application requiring a hearing before the Board requires a base fee of \$860.00 plus \$0.10 per square feet of floor area in the building (excluding parking, un-enclosed stairways and balconies, up to a maximum of \$10,000.)
- 2) If a deferral or clarification hearing is requested by the applicant, a \$645.00 fee shall be assessed; if a deferral or clarification of conditions is requested by the Board, there will be no additional fee.
- 3) An application pertaining to extensions of time shall require a fee of \$860.00
- 4) Major revisions to plans previously approved by the Board shall require a base fee of \$860.00 plus one-half ( $\frac{1}{2}$ ) of the original fee.
- 5) An appeal of a staff decision to the Board shall require a fee of \$750.00.
- 6) An application pertaining to the re-hearing of a project shall require a fee of one-half ( $\frac{1}{2}$ ) of the original fee.
- 7) An "after-the-fact" application for work that has already been done without permit requires a triple fee.
- 8) An appeal of a board decision to the special master requires a fee of the lesser of: (I) \$860.00, or (ii) one-half of the original application fee.
- 9) An application for preliminary evaluation of a project shall require a fee of \$320.00

### IV. FILING AND AGENDA

All complete applications must be filed at least 35 calendar days before the meeting at which one desires to be heard by the Board; please see an updated schedule of meetings and submittal deadlines. It is the responsibility of the applicant to submit all required exhibits and supplementary data at the time of the filing of the application to the satisfaction of staff, to be present at the appropriate hearing and to answer all questions regarding the application at the hearing. A pre-application conference with staff must also have been held prior to submission.



**IF YOUR APPLICATION IS NOT COMPLETE BY THE DEADLINE, IT WILL NOT BE PLACED ON THE APPROPRIATE AGENDA UNTIL SUCH TIME AS IT IS DETERMINED TO BE COMPLETE.**

## **V. REQUIRED DISCLOSURES**

In accordance with the requirements of the City Code, any individual or group that has been, or will be, compensated to either speak in favor of or against an Historic Preservation Board application, or not to speak at all, shall be fully disclosed prior to the public hearing. All such individuals and/or groups must register with the City Clerk prior to the hearing.

In accordance with Section 118-31 of the City Code, all applicants shall, prior to the public hearing, fully disclose any consideration provided or committed, directly or on its behalf, for an agreement to support or withhold objection to the Historic Preservation Board application (exclusive of all legal or professional design services). Such disclosure shall be in writing, shall indicate to whom the consideration has been provided or committed, shall generally describe the nature of the consideration and shall be read into the record by the requesting person or entity. A copy of the written document shall be submitted to the Clerk of the Historic Preservation Board.

## **VI. BOARD REQUIREMENTS**

The applicant will be permitted a ten (10) to fifteen (15) minute presentation before the Board, depending upon the size and complexity of the application, followed by a question and answer session. As part of this presentation, the following exhibits shall be required:

- 1) Full color renderings of all elevations of the proposed project.
- 2) A full-sized contextual sketch of the surrounding area, drawn to scale, which clearly delineates the height, scale and window/door placement and alignment of neighboring buildings. A photo montage of adjacent properties, with the subject project superimposed, may be acceptable.
- 3) A material board showing samples of paint colors, roof and building surface materials, awning materials and any other materials as may be deemed appropriate.

Please note that the failure to provide the above noted exhibits at the Board hearing may result in the continuation of the project.

## **VII. APPEALS**

A decision of the Historic Preservation Board may be appealed to a Special Master. The applicant, the owner(s) of the subject property, the city manager, the Miami Design Preservation League, Dade Heritage Trust, or an affected person may appeal the board's decision. An "affected person" shall mean either a person owning property within 375 feet of the applicant's project reviewed by the board, or a person that appeared before the board (directly or represented by counsel), and whose appearance is confirmed in the record of the board's public hearing(s) for such project. The appeal shall be in writing, shall be by or

on behalf of a named appellant(s), and shall be submitted to the city clerk on or before the twentieth day after the date of rendition of the board's order.

The decision of the Special Master may be appealed to a court of competent jurisdiction by petition for writ of certiorari. For more specific information regarding the appeal process, as well as rehearing requests, please see Section 118-537 of the City Code.

### **VIII. REVIEW BY OTHER REGULATORY AGENCIES**

Approval by the Historic Preservation Board does not mean that construction is authorized; zoning and other approvals must also be obtained, under separate processes. Furthermore, in some instances, depending upon the size and extent of the project, permits from the State and County may be required, in addition to those issued by the City's Building Services Department. It is strongly suggested that the applicant meet with the following City, State and County agencies, as applicable, prior to their application submission:

- 1) The Fire Prevention and Accessibility Sections of the Miami Beach Building Department.
- 2) The Miami Beach Public Works Department.
- 3) Florida Department of Transportation (FDOT) - All properties which abut a State Highway or Road and are proposing development or intensification of use are subject to the FDOT Access Management Rule (Chapters 14-96 and 14-97 of the Florida Administrative Code).
- 4) Florida Department of Environmental Protection (DEP) - A Coastal Construction Permit from the Division of Beaches and Shores shall be required for all new development and redevelopment which abuts to or is adjacent to the Atlantic Ocean.
- 5) Metro-Dade Department of Environmental Resource Management (DERM) - All development requiring new or expanded sewer capacity is required to obtain a DERM permit.

### **IX. PERMIT PROCESSING**

Following approval by the Board, the applicant shall submit three (3) sets of plans (two for building permit and one for the board file) which address all conditions imposed by the Board, if any. Any changes to said plans, which were not noted on those plans approved by the Board, must be clearly highlighted and documented as such on the revised plans submitted for permit. Two approved sets of plans will be returned to the applicant to be submitted to the Building Department for Zoning approval and Building Permit purposes.

## **CERTIFICATE OF APPROPRIATENESS APPLICATION CHECKLIST**

The following checklist was developed by Historic Preservation Board staff to help ensure the application package submitted is complete. Every applicant is required to review this list **and return it to staff with the final submission package.**

HP MEETING OF: \_\_\_\_\_

1. Date Pre-application Conference held: \_\_\_\_\_

In attendance: \_\_\_\_\_; \_\_\_\_\_;

2. 15 copies of Disclosure of Interest Form & Completed Application (Signed & Notarized): \_\_\_\_\_

3. 15 copies of Survey (less 6 mos): \_\_\_\_\_

4. 15 copies of Site Plan: \_\_\_\_\_

5. 15 copies of Locational Site Plan: (see exhibit "A") \_\_\_\_\_

6. 15 copies of Elevations (all sides): \_\_\_\_\_

7. 15 copies of Contextual Sketch: (see exhibit "B") \_\_\_\_\_

8. 15 copies of Landscape Plan: \_\_\_\_\_

9. 15 copies of Floor Plans: \_\_\_\_\_

10. 15 copies of Existing Condition Drawings: \_\_\_\_\_

11. 15 copies of Color Photos of Site/Surrounding Area: \_\_\_\_\_

12. 15 copies of Tabulation of Zoning Data:  
a. Annotated floor plans indicating which areas have been included & excluded from the calculation of floor area for FAR purposes: \_\_\_\_\_

b. Building Heights: \_\_\_\_\_

c. Open Space calculations (if necessary): \_\_\_\_\_

d. Setbacks (on ALL plans): \_\_\_\_\_

13. 15 copies of Color Elevations/Perspective: \_\_\_\_\_

14. 15 copies of Demolition Plans (if necessary): \_\_\_\_\_

15. 15 copies of Historic Resources Report: \_\_\_\_\_

16. 15 copies of Building card, microfilm and LMS printout or letter from building dept. attesting to lack of availability: \_\_\_\_\_

- 17. 15 copies of Sign drawings (if necessary): \_\_\_\_\_
- 18. CD/DVD with electronic copy of entire application package: \_\_\_\_\_
- 19. Mailing Labels: \_\_\_\_\_
- 20. Fees:
  - a. Application (\$860.00 + .10 of floor area) \_\_\_\_\_
  - b. Revisions to previously approved plans  
(\$860.00 plus ½ of the original fee) \_\_\_\_\_
  - c. Appeal of staff denial (\$750.00) \_\_\_\_\_
  - d. After-the-Fact (3 x a) \_\_\_\_\_

**EXHIBITS FOR BOARD HEARING**

- 1. \_\_\_\_\_ Full color renderings of all elevations.
- 2. \_\_\_\_\_ A full-sized contextual sketch or photo montage of the surrounding area, drawn to scale, which clearly delineates the height, scale and window/door placement/ alignment of neighboring buildings.
- 3. \_\_\_\_\_ A material board showing samples of paint colors, roof and building surface materials, awning materials and any other materials as may be deemed appropriate.