



# MIAMI BEACH

OFFICE OF THE CITY MANAGER

LTC #113-2014

LETTER TO COMMISSION

TO: Mayor Philip Levine and Members of the City Commission  
FROM: Jimmy L. Morales, City Manager  
DATE: April 9, 2014  
SUBJECT: Sunset Islands 1 & 2 Homeowner Association Request  
Guard House

The residents of Sunset Islands 1 & 2, through their homeowner association, have submitted the attached request for your consideration.

Should the discussion be granted for the April 23rd Commission meeting, the HOA has requested a time certain of approximately 5:00 p.m. so that a number of residents can attend.

Thank you.

C: Joe Jimenez, Assistant City Manager  
Maria Hernandez, Capital Projects Advisor to the City Manager  
Tom Mooney, Acting Planning Director  
Gary Held, First Assistant City Attorney

Attachment – Letter from HOA President, Robert Hertzberg, dated April 8, 2014.

JLM/JMJ/MH

F:\cmgr\\$\ALL\Maria Hernandez\SS 1 & 2 Guard House\LTC\_Sunset Islands 1 & 2\_Guardhouse\_4-9-14.doc

RECEIVED  
2014 APR -9 PM 1:47  
CITY CLERK'S OFFICE



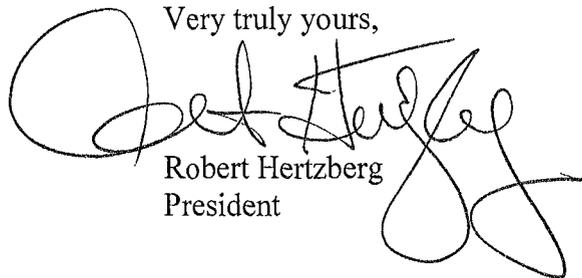
One Hundred Thousand Dollars (\$100,000) for the installation of underground, high-speed internet and cable.

On behalf of the Association and approximately 135 residents of Sunset Islands 1 and 2, request is formally made that the Mayor and Commission consider providing City funding for the guardhouse renovation or replacement during the April 23, 2014 Commission meeting. The request includes a determination by the City to either renovate the guardhouse at its current location or to construct a guardhouse at a different site in the entrance area to Sunset Island I.

The guardhouse is antiquated, in deplorable and worn-out condition and is past its useful life-span. The guardhouse renovation or replacement is sorely needed and will further enhance the quality and beauty of the Sunset Islands.

Your consideration of this important issue is greatly appreciated.

Very truly yours,

A handwritten signature in black ink, appearing to read "Robert Hertzberg". The signature is fluid and cursive, with a large initial "R" and "H".

Robert Hertzberg  
President

RDH/te  
Enclosure



# MIAMI BEACH

City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139

## OFFICE OF THE CITY MANAGER

Tel: 305-673-7010, Fax: 305-673-7782

### MEMORANDUM

DATE: April 2, 2014

TO: Mr. Robert Hertzberg, President  
Members of the Sunset Islands I & II Homeowner Association

FROM: Maria Hernandez, Capital Projects Advisor to the City Manager

RE: Sunset Island 1 & 2 Guard House

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City staff has had several discussions and meetings with Planning, Property Management, Public Works, and the City Attorney regarding the Sunset 1 & 2 guard house. The following are the conclusions which the Manager has authorized me to transmit to the HOA:

#### Regarding Historic Designation:

1. The guardhouse is not a historic structure.
2. However, the guard house is in a locally designated Historic Site, i.e., the site which includes only the historic bridge. (Refer to Exhibit 1)
3. Demolition of the structure would be required to go before the Historic Preservation Board (HPB) because the guard house is within the (Bridge) historic site boundaries.
4. However, if a Certificate of Appropriateness (COA) is issued by HPB, the guard house can be demolished and rebuilt outside the boundaries of the historic site. Design Review Board (DRB) approval is required for a new structure located outside of the historic site boundaries.
5. Other changes to the guard house such as painting, new floors, awning additions, changes in windows, etc., can be approved administratively during the building permit process and do not require DRB or HBP approval.

#### Regarding Ownership and Funding for Renovation:

1. The City attorney has determined that there is no evidence that the guard house actually "belongs" to the City.
2. The City attorney has also determined that, therefore, the City has no legal obligation to provide for or assist with construction, operation or maintenance of the guard house, and if the City chooses to do so, it is voluntary.
3. There is currently no funding appropriated to modify the guard house, as it is not in the current 2014 Capital budget.

Next Steps:

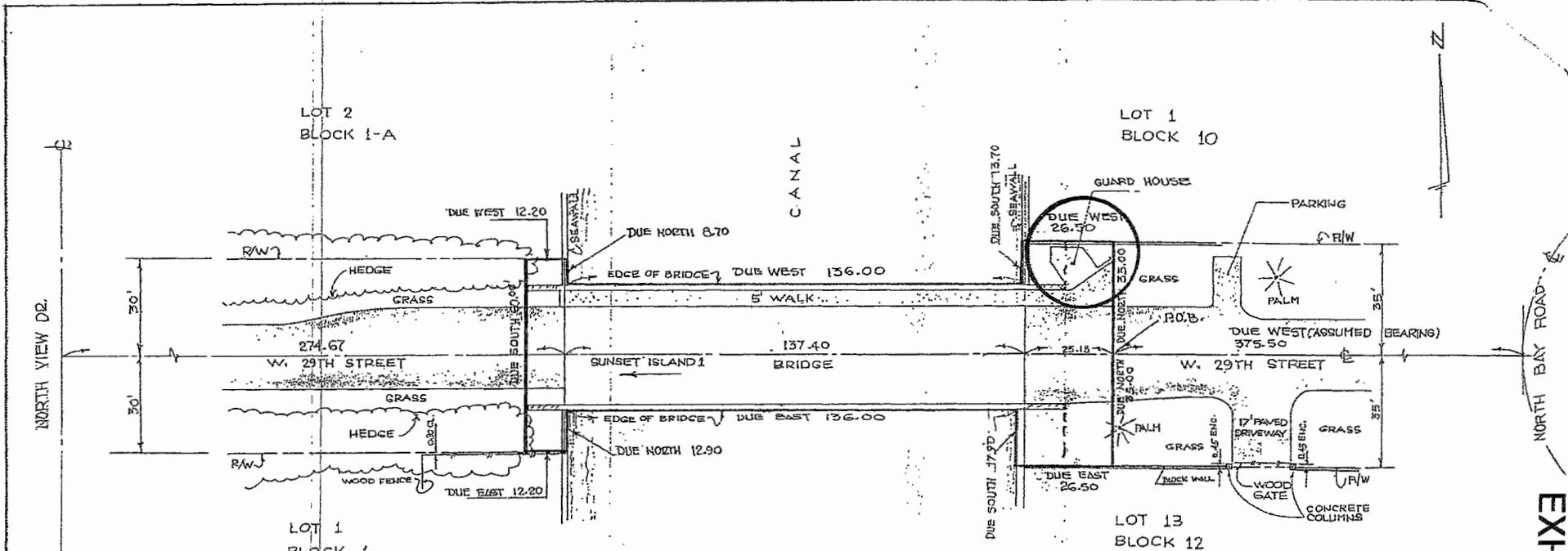
- If the HOA requests that the City partially or completely fund the modifications and/or upgrades to the guard house, the request must be approved by the City Commission.
- City staff is willing to present this request as a discussion item at the April 23<sup>rd</sup> Commission Meeting.
- In order to process and present the request, City staff must receive it officially, in writing, from the HOA. The request must state exactly what the HOA desires, i.e., renovation of the existing guardhouse and the scope, or demolition and reconstruction.
- If time is of the essence, the deadline to receive the HOA letter in order to present it to the April 23<sup>rd</sup> Commission is April 9.
- If the HOA cannot make the date of April 9<sup>th</sup>, the next deadline would be May 7<sup>th</sup> for the May 21<sup>st</sup> Commission meeting.

Please advise how you would like to proceed. City staff is always available to assist.

Attachments:

Exhibit 1: Bridge No. 4 Sketch of Survey.

Cc: Jimmy Morales, City Manager  
Joe Jimenez, Assistant City Manager  
Tom Mooney, Acting Planning Director  
Carmen Sanchez, Deputy Planning Director  
Eric Carpenter, Public Works Director  
Gary Held, First Assistant City Attorney



SKETCH OF SURVEY  
SCALE 1" = 20'

EXHIBIT 1

**BRIDGE NO. 4  
LEGAL DESCRIPTION**

Commence, at the intersection of the center line of North Bay Road and W. 29th Street, as shown in AMENDED PLAT OF SUNSET LAKE SUBDIVISION OF THE MIAMI BEACH BAY SHORE COMPANY, recorded in Plat Book 8, at page 52, Public Records of Dade County Florida, thence due West (assumed bearing) along the center line of said W. 29th Street for a distance of 375.50 feet to the POINT OF BEGINNING of the land herein described; thence due north for a distance of 35.00 feet to a point located on the south line of Lot 1, Block 10 of the above mentioned AMENDED PLAT OF SUNSET LAKE SUBDIVISION, thence due west parallel to the center line of said W. 29th Street for a distance of 26.50 feet; thence due south for a distance of 13.70 feet; thence due west, parallel to the center line of said W. 29th Street for a distance of 136.00 feet; thence, due north for a distance of 8.70 feet; thence, due west for a distance of 12.20 feet to a point located on the south line of Lot 2, Block 1A, PLAT ENTITLED SUNSET LAKE EXTENSION, recorded in Plat Book 40, at page 23, Public Records of Dade County, Florida; thence, due south for a distance of 60.00 feet to a point located on the north line of Lot 1, Block 1 of the above mentioned PLAT ENTITLED SUNSET LAKE EXTENSION; thence, due east for a distance of 12.20 feet; thence due north for a distance of 12.90 feet; thence due east parallel to the center line of said W. 29th Street for a distance of 136.00 feet; thence due south for a distance of 13.90 feet; thence due east, parallel to the center line of W. 29th Street for a distance of 26.50 feet to a point located on the north line of Lot 13, Block 12 of the above mentioned AMENDED PLAT OF SUNSET LAKE SUBDIVISION OF MIAMI BEACH BAY SHORE COMPANY; thence due north for a distance of 35.00 feet to the POINT OF BEGINNING. Said lands located, lying and being in Section 27, Township 53 South, Range 42 East, City of Miami Beach, Dade County, Florida, and containing 7,809.00 square feet more or less or 0.1793 acres more or less.

I HEREBY CERTIFY: That this SKETCH OF SURVEY AND LEGAL DESCRIPTION is correct to the best of my knowledge and belief as surveyed and platted under my direction. This is a SURVEY FOR SPECIFIC PURPOSE and meets the Minimum Technical Standards set by the Florida Board of Land Surveyors and Mappers as set forth in Chapter 472-027 (F.S.) and Chapter 61G17-6 of the Florida Administration Code. This survey does not reflect or determine ownership. Not valid without the signature and raised seal of a Florida Licensed Surveyor and Mapper.

FIELD WORK by J.A. Vargas  
City's Surveyor  
FL Reg. No. 2916

- LEGEND**
- P.O.B. POINT OF BEGINNING
  - R.O.W. RIGHT-OF-WAY
  - C. CENTER LINE
  - DL. CLEAR
  - ENC. ENCRoACHING

<b>CITY OF MIAMI BEACH FLORIDA</b>			
<small>PUBLIC WORKS DEPARTMENT</small>			
DESIGNED BY J.A. VARGAS	CITY ENGINEER J. CRANK DE PERALTA	FILE NO. 1145-41	BOOK NO. SM97F
DATE 2/16/57	PROJECT BRIDGE TO SUNSET ISLAND 1 (BRIDGE A)	SHEET 1 OF 1	

SM97F