

**NOTICE OF ABANDONMENT OF DESIGN REVIEW BOARD ORDER**

**(FILE NO. DRB \_\_\_\_\_)**

WHEREAS, \_\_\_\_\_ (the "Owner") holds the fee simple title to the land in the City of Miami Beach, Florida, located at \_\_\_\_\_, Miami Beach, Florida, and identified by the Miami-Dade Property Appraiser under Folio No. \_\_\_\_\_, and legally described in Exhibit A to this Notice (the "Property");

WHEREAS, on \_\_\_\_\_, and following a public hearing, the City of Miami Beach Design Review Board ("DRB") granted design review approval under File No. DRB \_\_\_\_\_ for a new single-family home replacing a pre-1942 single-family home, without any request for an understory, waiver or variance (the "DRB Order");

WHEREAS, the DRB Order was recorded on \_\_\_\_\_ in Official Records Book \_\_\_\_\_, at Page \_\_\_\_\_ of the Public Records of Miami-Dade County;

WHEREAS, on May 25, 2022, the Governor signed into law House Bill (HB) 423, also known as Chapter 2022-136 of the Laws of Florida, specifically adding Section 553.79(25), Florida Statutes, which became effective on July 1, 2022, which preempts local municipalities from imposing additional regulations, including public hearings, for single-family homeowners to obtain a demolition permit; and

WHEREAS, based on the new law, the DRB Order is no longer required for the Owner to obtain a demolition permit for the existing single-family home, or for approval of the new single-family home on the Property.

NOW THEREFORE, the Owner hereby abandons any right or interest it may have in the DRB Order, and the DRB Order is hereby voided and abandoned in its entirety.

[SIGNATURE PAGE FOLLOWS]

**APPROVED AS TO FORM AND LANGUAGE AND FOR EXECUTION**

\_\_\_\_\_  
City Attorney

\_\_\_\_\_  
Date

\_\_\_\_\_  
City Planning Director

\_\_\_\_\_  
Date

IN WITNESS WHEREOF, the undersigned has executed this notice on the \_\_\_\_\_ day of \_\_\_\_\_, 2023.

Witnesses:

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Owner

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Signature

By: \_\_\_\_\_

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Print Name and Title

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

The foregoing instrument was acknowledged before me by means of [ ] physical presence or [ ] online notarization, this \_\_\_\_ day of \_\_\_\_\_, 2023 by \_\_\_\_\_, who is personally known to me or who has produced \_\_\_\_\_ as identification.

\_\_\_\_\_  
Print Name: \_\_\_\_\_  
NOTARY PUBLIC, State of \_\_\_\_\_  
Serial No: \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_

EXHIBIT A  
LEGAL DESCRIPTION