

Surf House Ocean Views, LLC
8995 Collins Avenue.
Surfside, FL 33154

Via Certified Mail

June 24, 2022

9040 LLC

c/o Jose Nicenboim
20900 NE 30th Avenue
Suite 200-27
Aventura, FL 33180

Re: Preconstruction Survey – Surf House for 9040 & 9048 Collins Ave

Dear Sir or Madam:

We hereby submit this notice and request for preconstruction surveying and construction monitoring (this “Notice”) in accordance with Chapter 14, Article V., Section 14-104(6) of the Code of the Town of Surfside, Florida in connection with the demolition, development and site plan approval for the property located at 8995 Collins Avenue, Surfside, FL and commonly known as Surf House (the “Property”).

As you may know, under Town Ordinance 22-1720, which was recently adopted by the Town Commission, prior to demolition or construction, the owner or contractor shall notify each neighbor within 300 feet of the Property in writing and describe the offers for survey and monitoring, which may include:

1. Pre-Construction and Post-Construction Survey.

The preconstruction survey shall include videography, photography, and narration to document the existing condition of the building and note apparent physical issues such as cracks, spalling, water intrusion, and deterioration. The licensed professional engineer shall use measuring devices such as dated scaled pencil marks or Avanguard monitors placed on cracks greater than the width of a credit card. A report of the inspection with a copy of the videography, photographs, and narration shall be provided to the neighbor prior to commencing construction. As a condition to issuance of a temporary or permanent certificate of occupancy, the owner or contractor shall retain the same or similar licensed Florida registered structural engineer to perform a post-construction survey of the neighbor's building upon completion of the structural shell construction or topping of the last horizontal slab at the Property. The post-construction survey shall note any damage identified in the pre-construction survey and shall make a determination as to what extent such damage has worsened due to contractor's construction activities at the Property, and any new or additional apparent damage to the neighbor's building due to construction

activities at the Property above and beyond what was documented in the preconstruction survey. Any additional damage shall be analyzed by the licensed Florida registered structural engineer to determine if it is the direct result of the adjacent construction at the Property and not the result of a normal structure's wear and tear, lack of maintenance or ongoing construction related activities at the neighbor's building. The findings and determination of the post-construction survey shall be provided to the neighbor and the Building Official in a signed and sealed document prior to issuance of a temporary or permanent certificate of occupancy. Notwithstanding the findings and determination of the post construction survey, the Building Official shall be under no obligation to take any action and may issue a temporary or permanent certificate of occupancy upon confirmation of compliance with all applicable requirements of the Florida Building Code. Upon completion of the post construction inspection and survey, the contractor shall be provided a reasonable time to perform any repairs deemed their responsibility within 180 days.

2. Seismic Monitoring.

Prior to demolition and continuing through any construction activity that involves driving piles, interlocked sheeting, grouting or any form of dynamic compaction, the owner or contractor shall have a third-party specialty monitoring firm install vibration sensing equipment, such as seismic monitors, on any consenting neighbor's property within 300 feet of the construction site. The equipment shall be monitored electronically and forwarded to the consenting neighbor on a weekly basis. The seismic monitor(s) shall also be able to be monitored via the internet by the owner, contractor, consenting neighbor, or any property owner upon which a seismic monitor is placed. The monitoring equipment may not be removed prior to the topping of the last horizontal slab at the Property.

3. Water Table Monitoring.

Where the method of "support of excavation" construction does not result in the construction site being cut off and sealed into the rock from all abutting property, owner or contractor shall, prior to issuance of the first building permit, including a demolition permit, retain a third-party company to install monitoring wells such as piezometers on-site within one foot of any abutting neighbor's property. Monthly reports of the water table monitoring shall be provided to each neighbor.

In accordance with Ordinance 22-1720, we are requesting your cooperation and consent to conduct the aforementioned surveys and monitoring of the building located at 9040/9048 Collins Avenue (folio: 14-2235-001-0290). The proposed survey will be conducted by a third-party structural inspection agency at no cost to you. You may accept and approve any or all of the offered protections by providing written consent to the owner or contractor (which may be delivered to the owner or contractor c/o Alexia Kovar at 9149 Collins Avenue, Surfside, FL 33154, or by emailing akovar@fortpartners.com) no more than seven (7) business days from the date of this Notice. If you do not respond within seven (7) business days from the date of this Notice, then you will be responsible for the monitoring of your own property and all associated costs.

Thank you for your anticipated attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to be 'J Halpern', written over a horizontal line.

Jason Halpern
Managing Partner

cc: Mr. Andrew Hyatt, Town Manager
Mr. Tony Recio, Town Attorney
Mr. William Thompson, Fort Partners