

People



Kristofer D. Machado

Partner, Real Estate
Land Use and Development

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” Kristofer Machado [is] attentive, thoughtful, proactive, comprehensive, and dedicated.

- *Legal 500*

Kristofer Machado is a real estate development lawyer. He represents clients in all aspects of land development, with a focus on complex land use and regulatory matters. Builders, investors, lenders, and property owners turn to Kristofer for guidance with their most challenging and often high-profile projects in highly regulated urban and suburban areas, including the development of new buildings and the adaptive reuse of existing buildings.

Kristofer’s practice spans the entire land development cycle, from initial due diligence and feasibility studies through to acquisition, conceptual design, contract negotiation, consultant engagement, entitlement, financing, construction, occupancy, stabilization, and disposition.

As part of his practice, Kristofer advocates before planning, zoning, design review, and historic preservation boards; he negotiates agreements with stakeholders and regulators; and he implements effective entitlement strategies to maximize development potential, expedite development review, and minimize the risk of litigation and project delays. Kristofer also has extensive experience in drafting statutory development agreements, comprehensive plan and zoning text amendments, land development regulations, purchase and sale agreements, transfer of development rights agreements, neighbor cooperation agreements, construction access agreements, easements, covenants, and other public and private contracts.

Areas of Experience

Real Estate
Land Use and Development
Florida Land Use and Entitlements
Local Government Advocacy
Real Estate Acquisitions and Sales
Multifamily Development and Acquisitions
Residential Land Acquisitions and Development
Hospitality Acquisition and Development
Public-Private Partnerships

Education

J.D., Yale Law School, 2012
A.B., Duke University, 2008

Admissions

Bars

Florida
Massachusetts

Related Content

[Akerman Sponsors Bakehouse Annual Fundraiser](#)
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[Akerman Ranks Among the Best Land Use Practices in the United States](#)
July 03, 2024

[The Legal 500 Ranks Akerman Among Top National Firms](#)
June 14, 2024

A trusted advisor and strategic counselor, clients rely on Kristofer's guidance to navigate regulatory frameworks that too often are vague, convoluted, and enigmatic. Through his command of the law, his skill in statutory interpretation, and his persuasive written and oral advocacy, and aided by the trust and confidence he has earned from officials at every level of local government, Kristofer routinely secures outcomes favorable to his clients. At times, when negotiated solutions are not possible, Kristofer litigates to protect his clients' property rights, whether in overcoming unfavorable regulations that are proposed for adoption, reversing permit denials, or affirming entitlements obtained.

Kristofer graduated from Yale Law School, where he was a Samuel S. Flug Memorial Scholar and served as a Student Director of the Jerome N. Frank Legal Services Organization and as Senior Editor of the *Yale Journal on Regulation*. He earned his undergraduate degree from Duke University, graduating in three years, with honors.

Prior to joining Akerman, Kristofer began his legal career at a leading national real estate law firm in Boston, Massachusetts, where he represented clients in many important projects in the city and throughout the commonwealth.

Kristofer is fluent in Spanish, and he routinely advises clients from Spain, Argentina, Chile, and other Spanish-speaking countries.

Notable Work

Comprehensive Representation: Outside general counsel to foreign real estate investment firm in the acquisition and disposition of a portfolio of development properties throughout Florida, including in Miami-Dade County, Orange County, Polk County, and Osceola County. Comprehensive representation included joint venture formation; assembling and managing team of architects, engineers, surveyors, and other consultants; extensive land use and site suitability due diligence; drafting and negotiating purchase and sale agreements; securing acquisition financing; preliminary entitlement efforts; and sale of properties to regional developers.

Miami Beach: Redevelopment and revitalization of nearly a full city block of distressed contributing historic buildings in North Beach with a transformative luxury hotel, residences, and retail project adjoining a new oceanfront linear park. Representation included drafting and negotiating a complex development agreement with the city for the vacation of adjoining public roadways to yield additional floor area for the project via zoning lot consolidation; securing site plan approval, variances, and waivers from the city's Historic Preservation Board for the restoration and redevelopment of existing historic landmarks and for master-planned public pedestrian promenade improvements connected to the city's oceanfront park system; and defending client's vested property rights in appeal of unfavorable floor area ratio interpretation. Obtained Design Review Board approval for ultra-luxury oceanfront residential condominium project on Collins Avenue, including negotiating public beach access dedication and cooperation agreements with neighbors. Represented hotel owner in the acquisition of contributing historic hotel following land use due diligence, condominium formation, and transfer of development rights for future rooftop activation.

City of Miami: Secured site plan approval, zoning waivers, conditional use warrants, and design review approval for several residential, hotel, and retail projects throughout the City of Miami, including in Brickell, Wynwood, and Allapattah. Represented Spain-

based multinational conglomerate in obtaining building permits and affirming vested rights and grandfathering for the renovation and repositioning of Class A waterfront office buildings.

Private Equity / Joint Venture: Florida counsel to one of the largest real estate private equity firms in the United States in residential joint-venture developments in Miami, Orlando, Tampa, and Jacksonville.

Commercial / Industrial / Logistics: Secured rezoning, variances, and site plan approval for commercial projects in the City of Hialeah. Counsel to premier heavy building materials manufacturer in broad spectrum of land use, regulatory, and property rights matters, including annexation defense. Representation of logistics and cold-storage developer in obtaining variances and other entitlements for last-mile distribution center.

Bay Harbor Islands: Lead counsel to numerous residential condominium developers in conducting feasibility studies, obtaining site plan approval, and securing necessary transfer of development rights from neighbors and other third parties, including advocacy before the Development Review Committee, the Design Review Board, and the Town Council.

Fort Lauderdale / Broward County: Represented national asset management firm in \$100 million acquisition of Fort Lauderdale multifamily project. Site feasibility analysis for upzoning and redevelopment of office buildings along transit corridor.

Town of Palm Beach / Palm Beach County: Land use counsel to major pension fund in the rehabilitation and potential office conversion of prime retail anchor location within the Worth Avenue upscale shopping district. Represented private property owner in Billionaires' Row beach access and property rights dispute.

Construction Access & Cooperation Agreements: Drafted and negotiated complex construction mitigation, neighbor cooperation, and parking rights agreements between hotel developer and neighboring Mary Brickell Village. Negotiated construction access agreements, crane-swing easements, and development support agreements for several beachfront projects in the City of Miami Beach.

Appeals / Property Rights Defense: Successful appeal and reversal of adverse City of Miami Beach Design Review Board decision to allow exterior design changes to iconic South Beach residential tower. Lead counsel to Argentinian investment group in successful property rights defense against unfavorable zoning amendments proposed for adoption in Surfside, Florida.

Honors and Distinctions

- *Best Lawyers*, 2021-2025, Listed in Florida for Real Estate Law as "One to Watch"
- *The Legal 500*, 2024, Recommended for Real Estate and Construction – Land Use/Zoning

Affiliations

- The Florida Bar
 - Environmental and Land Use Law Section
 - Real Property, Probate and Trust Law Section

- Urban Land Institute
 - ULI Southeast Florida / Caribbean, 2021 Leadership Institute Graduate
- Duke Alumni Association
- Yale Alumni Association

Published Works and Lectures

- Editor and Contributor, *Private Property Rights Protection Legislation: Statutory Claims for Relief from Governmental Regulation*, Florida Environmental and Land Use Law Treatise (2022), published by The Florida Bar.