

August 5, 2019

Design Review Board
City of Miami Beach
1700 Convention Center Drive
Miami Beach, FL 33139

Re: Letter of Intent Application No. DRB 19-0450

Dear Board Members:

Llorente and Heckler, P.A. represents Lionheart Capital, LLC (“Applicant”) regarding Application No. DRB19-0450. On January 8, 2013, (modified on January 6, 2015) the Design Review Board approved the partial demolition, renovation and adaptive re-use of a former hospital site as a new multifamily residential development to be known as the Ritz Carlton Residences (the “Project”). The project is located at 4701 N Meridian Av Miami Beach, FL and is owned by 4701 North Meridian LLC, an affiliate of Lionheart Capital, LLC (“Applicant”).

On July 15, 2019, Applicant submitted its pre-submittal documents requesting two variances from the City’s setback requirements in Section 138-19, Code of the City of Miami Beach, Florida, (requiring a setback of ten feet (10’) for front yard detached signs) for two monument (detached) signs marking the east and westside entrance of the building. However, Applicant is modifying its request in this final submittal to limit it to one variance from the setback requirements for one monument sign marking its westside entrance. The variance is to place the monument sign in a manner that is visible to incoming traffic and is consistent with the traffic patterns within the property. If approved, the sign will be placed at a minimum six inches (6”) from the property line.

1. **Special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same zoning district.**

The owner and the City entered into an agreement for the maintenance and development of a green space area on the right of way in front of the property. The green space, the landscaping, and the setback provided in Section 138-19 would place the signs at a farther than normal distance from the curb impeding proper visibility of the signs.

2. **The special conditions and circumstances do not result from the action of the applicant**
Applicant is limited by the conditions of the existing building.
3. **Granting the variance requested will not confer on the applicant any special privilege that is denied by these land development regulations to other lands, buildings, or structures in the same zoning district.**

The sign will be placed at a proper distance from the public-right-of-way pedestrian areas like other signs in the zoning district.

4. **Literal interpretation of the provisions of these land development regulations would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of these land development regulations and would work unnecessary and undue hardship on the applicant.**

Without the variance the owner would be unable to mark the address and entrance to the property in a manner that is visible to incoming traffic.

5. **The variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure.**

Applicant provided the maximum setback possible that still allows proper visibility of the sign for incoming traffic.

6. **The granting of the variance will be in harmony with the general intent and purpose of these land development regulations and that such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.**

The sign is aesthetically pleasant in line with the residential nature of the surrounding community. It will also avoid traffic problems that may result from incoming traffic missing the entrance to the property.


7. **The granting of this request is consistent with the comprehensive plan and does not reduce the levels of service as set forth in the plan.**

Allowing the placement of the sign at the requested setback ensures easy and immediate recognition of the property without disrupting the enjoyment of the public-right-of-way enhancements developed by the applicant.

8. **The granting of the variance will result in a structure and site that complies with the sea level rise and resiliency review criteria in chapter 133, article II, as applicable:**

The Project is adaptable and allows for raising the curb. In addition, applicant entered into an agreement with the City to contribute funding toward the City's plan to raise West 48th Street and perform drainage improvements.

Sincerely,



Diana C. Mendez

