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September 6, 2019

VIA ELECTRONIC FILING
and HAND DELIVERY

Thomas Mooney, Director
Planning Department
City of Miami Beach
1700 Convention Center Drive, 2nd Floor
Miami Beach, Florida 33139

Re: Petition for Rehearing on DRB Supplemental and Modified
Orders Dated July 2, 2019 Regarding Property Identified as
1201 20th Street, Penthouse 4.

Dear Mr. Mooney:

I represent Sunset Islands 3 and 4 Property Owners, Inc., and Terry Bienstock, in the referenced request for rehearing pursuant to section 118-9 of the zoning code. Attached please find the completed Land Use Board Hearing Application, as well as the petition for rehearing and exhibits.

My clients seek approval of this petition because the design review board:

1. Overlooked and failed to consider the city's failure to provide the required notice for its decision memorialized in the Modified Order dated July 6, 2019.
2. Did not approve the Modified Order dated July 6, 2019.
3. Incorrectly applied the Modified Order to non-penthouse 4 unit owners who did not apply for the deletion of condition B.4.c of the October 2, 2012 DRB Order.
4. Overlooked and failed to consider the city's failure to consider the conditional use basis for condition B.4.c of the October 2, 2012 DRB Order when it deleted that provision.

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5. Overlooked and failed to consider how the elimination of condition B.4.c of the October 2, 2012 DRB Order complies with design review criteria 6 and 7 regarding compatibility, when it deleted that provision.

I look forward to the design review board's review and favorable consideration of this petition. If you have any questions regarding the petition, I am available at your convenience to discuss them with you.

Sincerely,



W. Tucker Gibbs

enclosures

cc: Sunset Islands 3 and 4 Property Owners, Inc.
Terry Bienstock