



DIRECT LINE: (305) 377-6233  
E-Mail: GFontela@BRZoningLaw.com

**VIA EMAIL**

September 10, 2020

Roy Coley, Director  
Public Works Department  
City of Miami Beach  
1700 Convention Center Drive, 4<sup>th</sup> Floor  
Miami Beach, Florida 33139

Re: Letter of Intent for Revocable Permit Application for 550 Washington Avenue, Miami Beach, FL

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Dear Roy:

This law firm represents 550 Landlord, LLC (the “Applicant”) with regards to the captioned property (the “Property”). The Applicant is the owner of the Property, and is seeking approval of a Revocable Permit to permit the existing encroachments into the front and rear right-of-way for the existing contributing historic structure. encroachment of a projecting blade sign to encroach over the City’s right-of-way. This request is in compliance with development approval HPB20-0380, granted by the Historic Preservation Board (“HPB”) on September 9, 2020.

Description of the Property. The Property is located on the west side of Washington Avenue just south of 6<sup>th</sup> Street. It is located in the CPS-2, Commercial Performance Standard District, and is a contributing structure within the Ocean Beach Historic District. The existing structure on the Property was built in 1945. There are multiple uses in the surrounding area, including commercial to the north and east and residential to the south and west.

Encroachments. The contributing historic structure on the Property was built in 1945 and has two existing encroachments into the right-of-way which are the subject of this revocable permit application. The Property fronts on Washington Avenue, where the iconic marquis signage of the historic structure

encroaches into the right-of-way along Washington Avenue ("Washington Avenue Encroachment"). The Washington Avenue Encroachment is 10'10" above the ground level sidewalk right-of-way and contains a total area of 79.35 square feet.

The Property also fronts on Euclid Avenue. This serves as the rear of the existing structure. There is an existing gate that is part of the structure that extends 1'6" into the sidewalk right-of-way along Euclid Avenue ("Euclid Avenue Encroachment"). This existing gate spans 13.52 feet along the Euclid Avenue frontage. As such, the Euclid Avenue Encroachment has a total area of 20.29 square feet.

Satisfaction of the Revocable Permit Criteria. The City Code provides the ability to obtain a revocable permit for encroachments into the public rights of way. The Applicant satisfies the revocable permit criteria stated in Section 82-94 of the City Code as follows:

- **The Applicant's need is substantial.**

The Applicant respectfully requests the revocable permit in order to maintain the existing features of the historic structure built in 1945 that has been designated a contributing structure by the City of Miami Beach.

- **The Applicant holds title to an abutting property.**

The Owner is the Applicant for the revocable permit and holds title to the Property.

- **The proposed improvements will comply with applicable codes, ordinances, regulations, neighborhood plans and laws.**

The encroachment areas described above are existing parts of the contributing structure. While the Applicant is making internal improvements to the structure, the encroachment areas are existing rather than proposed.

- **The grant of the application will have no adverse effect on governmental/utility easements and uses on the property.**

The grant of the revocable permit will have no effect on the governmental/utility easements and uses on the Property. As mentioned, the encroachments are existing and have been present for decades.

- **That the grant of the revocable permit will enhance the neighborhood and/or community by such amenities as, for example, enhanced landscaping, improved drainage, improved lighting, and improved security.**

The proposed encroachment will allow for the use of the Property as approved by the HPB. The City of Miami Beach has taken efforts to preserve the existing historic structure because of it is deemed to contribute to the character of the neighborhood and the City, as a whole.

- **That granting the revocable permit requested will not confer on the applicant any special privilege that is denied by this article to other owner of land, structures or buildings subject to similar conditions located in the same zoning district.**

Granting the revocable permit will not confer any special privilege upon the Applicant. Any property owner within the City of Miami Beach can apply for a revocable permit provided that the application meets the criteria stated in the Code, does not interfere with the utilization of public property, and enhances the community.

- **That granting the revocable permit will be in harmony with the general intent and purpose of this article, and that such revocable permit will not be injurious to surrounding properties, the neighborhood, or otherwise detrimental to the public welfare.**

Granting the revocable permit will not devalue any of the adjacent properties and will not have a detrimental effect on the public welfare. In fact, it will help realize the desired re-use of the existing historic structure.

Conclusion. The approval of this revocable permit application is necessary to recognize the existing layout and nature of the historic structure that has been present on the Property since 1945. We respectfully request your recommendation of approval for the revocable permit. We believe that the granting of the revocable permit is compatible with the City's requirements and will ultimately result in a great improvement to the Property and the surrounding area. As always, we look

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forward to your favorable review. Should you have any questions, please do not hesitate to contact me at: (305) 377-6233.

Sincerely,

A handwritten signature in black ink, appearing to read 'Greg Fontela', with a stylized, cursive script.

Greg Fontela