



Michael J. Marrero

200 S. Biscayne Boulevard  
Suite 300, Miami, FL 33131

[www.brzoninglaw.com](http://www.brzoninglaw.com)

305.377.6238 office

305.377.6222 fax

[mmarrero@brzoninglaw.com](mailto:mmarrero@brzoninglaw.com)

September 20, 2021

**VIA HAND DELIVERY**

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

Re: Certificate of Appropriateness Fontainebleau Hotel –  
Enclosure of Sorrento Tower Terrace – 4391-4441 Collins  
Avenue, Miami Beach (the "Property")

---

Dear Tom:

This law firm represents Fontainebleau Florida Hotel, LLC (the "Applicant"), the owner of the above-referenced parcel (the "Property"). Please consider this letter the Applicant's letter of intent in support of the Certificate of Appropriateness before the City's Historic Preservation Board ("HPB"), to allow for the construction of an enclosure of the terrace located at Sorrento Tower.

Property Description. The Property is located on Collins Avenue between 43<sup>rd</sup> Street and 44<sup>th</sup> Street. Sorrento Tower (the "Tower") is located on the south end of the Property. The Tower is currently used for residential and hotel uses, and dining operations. Specifically, the Tower houses Scarpetta (the "Restaurant"), that offers outdoor seating on the terrace. Originally constructed in 1948 by B. Robert Swartburg and designed by Morris Lapidus, and located within the Morris Lapidus/Mid-Century Local Historic District, the Tower is designated a non-contributing structure in the City's Historic Properties Database. The Tower is located in the RM-3, Residential Multifamily, High Intensity zoning district.

Proposed Development Program. The Applicant seeks to enclose the terrace at the Restaurant to provide for indoor dining. Specifically, the existing aluminum and glass door, window, and railing assembly will remain. The existing weatherproof aluminum louver assembly will be removed and relocated to a new exterior storefront.

Compliance with COA Criteria. The Applicant's request complies with the Certificate of Appropriateness criteria in that the proposed improvement is compatible with the surrounding properties; and the exterior architectural features and general design, scale, massing and arrangement are analogous to those of neighboring properties. The proposed renovations will beautify the Property and the minimal exterior additions will be at the rear.

Sea Level Rise and Resiliency Criteria. The proposed renovations will make for a more resilient building. The proposed project advances the sea level rise and resiliency criteria in Section 133-50(a) as follows:

**(1) A recycling or salvage plan for partial or total demolition shall be provided.**

The Applicant will provide a recycling or salvage plan during permitting.

**(2) Windows that are proposed to be replaced shall be hurricane proof impact windows.**

The Applicant proposes hurricane impact windows.

**(3) Where feasible and appropriate, passive cooling systems, such as operable windows, shall be provided.**

Operable windows will be provided.

**(4) Whether resilient landscaping (salt tolerant, highly water-absorbent, native or Florida friendly plants) will be provided.**

The Applicant will provide appropriate landscaping at the Property. Proposed species include native and Florida-friendly plants appropriate for the area, including salt tolerant species.

**(5) Whether adopted sea level rise projections in the Southeast Florida Regional Climate Action Plan, as may be revised from time-to-time by the Southeast**

**Florida Regional Climate Change Compact, including a study of land elevation and elevation of surrounding properties were considered.**

Sea level rise projections in the Southeast Florida Regional Climate Action Plan were considered.

- (6) The ground floor, driveways, and garage ramping for new construction shall be adaptable to the raising of public rights-of-ways and adjacent land.**

Where feasible and appropriate, all critical mechanical and electrical systems will be located above base flood elevation.

- (7) Where feasible and appropriate, all critical mechanical and electrical systems shall be located above base flood elevation.**

Proper precautions will be taken to ensure the critical mechanical and electrical systems are located above base flood elevation.

- (8) Existing buildings shall be, where reasonably feasible and appropriate, elevated to the base flood elevation.**

The Applicant is preserving the facades of the Property. It is not feasible to elevate them.

- (9) When habitable space is located below the base flood elevation plus City of Miami Beach Freeboard, wet or dry flood proofing systems will be provided in accordance with Chapter of 54 of the City Code.**

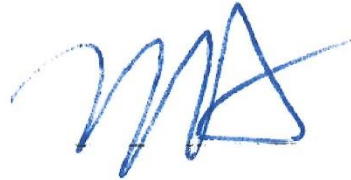
Proper precautions will be taken to protect the Property from potential floods.

- (10) Where feasible and appropriate, water retention systems shall be provided.**

Given the nature of the proposed development, providing a water retention system is not feasible.

Conclusion. We believe that the approval of the proposed requests will allow for an incredible opportunity to improve the operation and viability of one of the most important properties in the City of Miami Beach. As always, we look forward to your favorable review. Should you have any questions or concerns, please do not hesitate to contact me at 305-377-6238.

Sincerely,

A handwritten signature in blue ink, appearing to be 'MJM', with a long horizontal stroke extending to the right.

Michael J. Marrero

CC: David Butter