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October 18, 2021

Thomas R. Mooney
Planning and Zoning Director
City of Miami Beach
1700 Convention Center Drive
Miami Beach, FL 33139

**Re: Letter of Intent for Sign Variance for Property Located at 2340 Collins Avenue, Miami Beach, Florida
File No. HPB21-0489**

Dear Mr. Mooney:

This firm represents North Bay Owner, L.L.C., the applicant ("Applicant") and owner of the property located at 2340 Collins Avenue (the "Property"). Please accept this correspondence as the Applicant's letter of intent for the attached application seeking a variance from the Historic Preservation Board (the "Board") to allow a building identification sign to be located on the southern façade of the building rather than facing the Collins Avenue right-of-way.

The Applicant previously applied for and obtained approval from the Historic Preservation Board for the construction of a new Class A commercial office building with ground floor retail to serve as Starwood Capital Group's new headquarters in Miami Beach. The final HPB approval (through order number HPB18-0239) also encompassed an initial signage package for the building, including a building identification sign located at the top of the structure.

Based on the height of the structure and the relationship of the office building to Collins Avenue, the Applicant now wishes to reorient the building identification sign to be located along the southern façade, visible to traffic heading north along Collins Avenue. Accordingly, the Applicant is requesting a variance from the provisions of Section 138-16 to allow the building identification sign to be located on the southern façade of the building rather than facing the Collins Avenue right-of-way. Pursuant to Section 118-353(d), in considering an application for a variance, the City's land use boards shall find that:

- (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 office building is located along a busy and highly developed stretch of Collins Avenue, across the street from the 1 Hotel, one of the largest buildings in this area of Miami Beach and significantly taller than the office structure. The project's only street frontages consist of Collins Avenue and the much quieter and less populated Liberty Avenue, across the street from a Florida Power & Light facility. No street frontages exist along the northern or southern facades of the building, where it is most visible from the street. A building identification sign facing Collins Avenue and the 1 Hotel would not be visible to traffic traveling along Collins Avenue.

- (2) *The special conditions and circumstances do not result from the action of the applicant;*

The conditions of the surrounding developments and availability of street frontages are not a result of any action by the Applicant.

- (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 requested variance will simply allow the Applicant to relocate an otherwise permitted sign to a location that will provide a visible building identification sign. The variance does not confer any special privilege that is unavailable to other buildings in the same 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;*

Literal interpretation of the land development regulations would deprive the Applicant of the ability to install a visible building identification sign.

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

The variance will simply allow a building identification sign that is otherwise permitted to be relocated to the southern façade of the structure rather than the eastern façade abutting the right-of-way.

- (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 variance only affects the location of the proposed sign. The sign will comply with all other signage regulations and the general intent and purpose of the land development regulations.

- (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. The planning and zoning director may require applicants to submit documentation to support this requirement prior to the*

scheduling of a public hearing or any time prior to the board voting on the applicant's request; and

The requested variance is for the location of a building identification sign and does not affect levels of service. The proposed project will remain compatible with the comprehensive plan.

- (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.*

Not applicable to the requested sign variance, however, the overall project complies with the sea level rise and resiliency review criteria.

For the foregoing reasons, we respectfully request the Board support this application. Thank you for your consideration and please do not hesitate to contact the undersigned should you have any questions or need additional information.

Sincerely,

Carly S. Grimm

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CSG