

Fons, Monique

From: Fons, Monique
Sent: Thursday, December 16, 2021 1:12 PM
Cc: Gonzalez, Jessica; Bueno, Lizbeth; Sotelo-Chotel, Fernanda; Belush, Michael; Kallergis, Nick
Subject: FW: Statement to DRB by Jacqueline Rebhuhn re: 5333 Collins Avenue
Attachments: Statement by Jacqueline Rebhuhn in Opposition of 5333 Collins Avenue Project.pdf

Hello bcc'd Board members and Staff,
Please see attached/below public comment for File No. DRB21-0694, 5333 Collins Ave.
Thank you,

MIAMI BEACH

Monique Fons, Office Associate V
PLANNING DEPARTMENT
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From: Sharon Linsner <sharon@dickmanlawfirm.org>
Sent: Thursday, December 16, 2021 10:10 AM
To: Gonzalez, Jessica <JessicaGonzalez@miamibeachfl.gov>
Cc: Andrew Dickman <andrew@dickmanlawfirm.org>; Matthew McConnell <matthew@dickmanlawfirm.org>; Heather <heather.mooney@miamibeachfl.gov>; Thomas Mooney <ThomasMooney@miamibeachfl.gov>; Belush, Michael <MichaelBelush@miamibeachfl.gov>
Subject: Statement to DRB by Jacqueline Rebhuhn re: 5333 Collins Avenue

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Good morning Ms. Gonzalez,

Please find attached the statement of Ms. Jacqueline Rebhuhn regarding the 5333 Collins Avenue Project that is set to go before tomorrow that we would like to be a part of the record. Thank you for your assistance and enjoy your day.

Best Regards,
Sharon Linsner, Esq.
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Statement of Jacqueline Rebhuhn in Opposition to 5333 Project
December 17, 2021 DRB meeting

Dear Board Members:

My name is Jacqueline Rebhuhn, and I am an owner and full time resident of Carriage House PH-2 at 5401 Collins Avenue. I purchased this unit in April 2019. My unit is located on the side of our building directly impacted by the proposed residential tower at 5333 Collins Avenue, which will have balconies approximately 75 feet from my balcony, if you approve this design. The location of my PH-2 unit is marked and shown on pages 2 & 3 of our exhibits.

I, along with other unit owners at The Carriage House, strongly oppose the proposed residential tower, as currently designed. Our attorney, Andrew Dickman, has supplied you with photographs and diagrams that illustrate the proposed tower's impact on my unit and our common areas near the beach.

It is my opinion that the proposed tower violates several zoning code requirements, and fails to satisfy a number of the design review criteria, as summarized by our attorney. We have reviewed the amendments to the design submitted by the developer on November 5, 2021, and none of those amendments address our issues; the design still fails to satisfy the design review criteria, and should not be approved, for all the reasons asserted by our attorney, and set forth herein.

One of the most attractive features of my PH-2 unit, and the primary reason I purchased it, is the large 1,660 sq ft terrace that faces East and has sweeping Ocean views to the East and the South, as depicted in the photo that appears on page 8 of our exhibits. If this Board were to approve this massive tower, at least in the form proposed, it would substantially impair at least 50% of my view, and would completely block our views to the South, as depicted in the photos on page 8.

The existing La Costa building has a height of 140', and our PH-2 terrace is above the La Costa roof line, providing us clear views to the South and Southeast, over the top of the La Costa building. The proposed residential tower has a size and massing that greatly exceeds La Costa, rising almost 100' ABOVE La Costa, with a proposed total height of 238', over 70% taller than La Costa, and greatly exceeding the height of all of the buildings on East side of Collins in the 50s, both North and South of the proposed project site, none of which exceeds 206', and most of which are under 200', as depicted by the developers own Exhibit, which we have included on page 6 of our supplemental exhibit. The increase in massing is also indicated by the total square footage, which the plans propose as nearly 318,000 sq ft, which is nearly 100,000 sq ft larger than the current La Costa building. As an impacted unit owner, I am very concerned about the impact this massive structure will have, blocking our views, casting light and noise on our terrace, destroying our privacy, with several floors of this new building looking down on our terrace and into our unit. Moreover, this new building would cast shadows on our pool area, destroy important view corridors, and create light and noise from this towering structure. It destroys the look, character and feel of our Collins Avenue neighborhood.

To compound matters, not only is the height and massing inconsistent with the neighborhood, but the length of the building, from East to West, also violates the zoning code, and compounds the size and massing problem by extending further East than it should, and further East than what the Code allows, blocking even more of our view.

The design fails to satisfy a number of the listed criteria in Sec. 118-251(a), including the criteria set forth in paragraphs (2), (6), (7), (9), (12) and (15). The orientation and massing is not sensitive to or compatible with the surrounding area, and does not maintain important view corridors. Our photographs and exhibits support this point.

I would also refer the Board to the **"Miami Beach Design Guidelines"** – as amended June 13, 2000, (<https://www.miamibeachfl.gov/wp-content/uploads/2017/08/dgdls-r3.pdf>), which provide criteria for the Design Review Board to consider in their review of new construction projects. It is clear that the 5333 project violates several of these criteria. Official guidelines below are in bold, comments underneath are in smaller plain type.

The stated **"GOALS"** are: **"Encourage new construction to be contemporary and compatible with surrounding properties in scale, height, setbacks and massing but not in style."**

The proposed structure is NOT compatible in height, towering more than 60 feet above 5401 Collins Avenue, comparing maximum building height to maximum building height.

The massing of the project is overwhelmingly larger than the adjacent property at 5401 Collins which has large open areas on its expansive pool deck. By contrast, the 5333 project runs uninterrupted from the street frontage to the seawall.

Building Heights for additions and new construction are encouraged to relate to the height of abutting buildings.

Again, the new project is far taller, overpowering the adjacent 5401 Collins Avenue structures, some of which, running along the common property line, are less than 30 feet tall.

New construction should differentiate itself from neighboring buildings in terms of architectural style while the scale, rhythm, height and setbacks, as well as the location of windows, doors and balconies bear some relationship to neighboring buildings and maintain some semblance of compatibility.

The design of the new project and its balconies bear no relationship or compatibility to the Mediterranean themed design of the 5401 Collins Avenue building adjacent to it.

As an impacted unit owner, I am also concerned that the design of the proposed tower is also completely inconsistent with the surrounding area. The existing buildings in this mid-beach area consist of classic white concrete structures, some of which have the famous and well known

Morris Lapidus style, including Oceanside plaza at 5555 Collins, SeaCoast Towers at 5151 Collins and of course the Fountainbleau itself. This massive metal and glass structure might have a place in Las Vegas or Dubai, but it certainly does not belong in our neighborhood of Miami Beach, as it is completely inconsistent with the character and architecture of the surrounding buildings.

For all of these reasons, as well as the legal points made by our attorney regarding the various zoning code violations, I urge and request that this board vote against the 5333 project as proposed. Thank you for your attention.

