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June 18, 2018

Chairperson and Members of the Historic Preservation Board  
City of Miami Beach  
c/o Mr. Thomas Mooney, Planning Director  
1700 Convention Center Drive  
Miami Beach, FL 33131

**Re: Letter of Intent – Modification to Rooftop Bar Counter  
Deco Walk Hotel & Golf Club, LLC, d/b/a The Voodoo Lounge  
928 Ocean Drive, Miami Beach  
HPB File No. HPB17-0171**

Dear Chairperson and Members:

This law firm represents Deco Walk Hotel & Golf Club, LLC, d/b/a The Voodoo Lounge (the “Applicant”), located at 928 Ocean Drive (the “Property”), a non-contributing property in the Ocean Drive/Collins Avenue Historic District. Please allow the following to serve as a letter of intent in connection with the Applicant’s application to the Historic Preservation Board (“HPB”) for a minor modification to the Applicant’s Certificate of Appropriateness (“COA”), approved by the HPB on February 13, 2018, for a rooftop bar counter (the “Modified Bar Counter”).

Pursuant to Section 142-543 of the Miami Beach Code of Ordinances (the “Code”), the MXE “Mixed Use Entertainment” Zoning District permits accessory outdoor bar counters by right. Accordingly, on February 13, 2018, HPB approved a COA for a bar counter on the Property’s rooftop (the “Approved Bar Counter”). As shown on the HPB-approved plans for the Approved Bar Counter, Page 29 of the application package enclosed herein, the HPB granted a COA for placement of the Approved Bar Counter in the center of the Property’s rooftop, with approximately 17 seats for patrons. The Applicant now desires to modify the COA in order to place the Modified Bar Counter in the northwestern corner of the Property’s rooftop. Generally, the size of the Modified Bar Counter will be significantly smaller. Moreover, due to its new location, the Modified Bar Counter will serve a less prominent purpose in the overall rooftop operations. Additionally, as shown on Pages 22-24 of the application package, a 12-foot, 9-inch long green-wall of either faux-foliage or moss panels over a mechanical mesh screen will be placed behind and adjacent to the Modified Bar Counter in order to further enhance and soften the aesthetic of the Property’s rooftop. Accordingly, given the Modified Bar Counter’s

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consistency with all evaluation criteria under Section 118-564 of the Code and pursuant to the attached application package, we respectfully request HPB approval for the Modified Bar Counter.

Compliance With Sea Level Rise and Resiliency Review Criteria

As required under the City Code, the Applicant must respond to all sea level rise and resiliency review criteria per Section 133-50 thereunder. The Applicant accordingly restates its responses below for the overall project, as modified by this application.

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

Minimal demolition is proposed, however, the Applicant will provide the necessary recycling or salvage plan at the time of building permit.

- (1) *Windows that are proposed to be replaced shall be hurricane proof impact windows:*

Pursuant to the plans provided in connection with the Application, the Glass Storefront shall consist of hurricane proof impact glass.

- (1) *Where feasible and appropriate, passive cooling systems, such as operable windows, shall be provided:*

Installation of the Glass Storefront would provide an appropriate, passive cooling system for the ground-floor of the Property.

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

Not applicable.

- (1) *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:*

Not applicable.

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

Not applicable.

- (1) *Where feasible and appropriate, all critical mechanical and electrical systems shall be located above based flood elevation:*

Not applicable.

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

Not applicable.

- (1) *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 54 of the City Code:*

Not applicable.

- (1) *Where feasible and appropriate, water retention systems shall be provided:*

Not applicable

Based on the foregoing, we respectfully request your approval for a Modified Certificate of Appropriateness. Thank you.

Sincerely,

Shutts & Bowen LLP



Alexander I. Tachmes, Esq.

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