

March 03, 2021

## **Via Online Submission**

Chair and Board Members, Historic Preservation Board  
City of Miami Beach, Planning Department  
1700 Convention Center Drive, 2<sup>nd</sup> Floor  
Miami Beach, Florida 33139

**Re: Letter of Intent for a Modification to the Certificate of Appropriateness  
Previously Granted Under Historic Preservation Board File No. 1253 for the  
Property Located at 1052 Ocean Drive, Miami Beach, Florida 33139**

Dear Chair and Board Members:

Our Law Firm represents Palace Bar LLC (the “Applicant”), the operator of the rooftop at 1052 Ocean Drive (“Premises”). Please allow this correspondence to serve as the Applicant’s Letter of Intent in support of the enclosed application seeking a Modification to the Certificate of Appropriateness previously granted under Historic Preservation Board (“HPB”) File No. 1253, a copy of which is enclosed.

The Certificate of Appropriateness issued under HPB File No. 1253 contains the following conditions:

Condition No. 1(d): There shall be no outdoor entertainment establishment at the rooftop pool area (“Rooftop Pool”) at the building to be located at 1042 Ocean Drive. In addition, the owner shall not seek any special events permits for outdoor entertainment at the rooftop pool.

Condition No. 1(e): Any outdoor speakers installed at the Rooftop Pool, or portable speakers used at the Rooftop Pool, will only be permitted to emit ambient background music that will not interfere with normal conversation.

Condition No. 1(f): The outdoor bar and Rooftop Pool shall only be utilized by residents, room paying hotel guests, and invitees of the residents and invitees of the room paying hotel guests.

The Applicant recently obtained approval Planning Board approval under Planning Board File No. PB20-0390 for a Conditional Use Permit for a Neighborhood Impact Establishment and

an Outdoor Entertainment Establishment, which contains operational conditions governing the rooftop. Given this approval, the Applicant is seeking to modify the Certificate of Appropriateness issued under HPB File No. 1253 to eliminate Condition No. 1(d), Condition No. 1(e), and Condition No. 1(f) consistent with the Planning Board Order. A copy of the Modified Conditional Use Permit is enclosed with the application materials.

In light of foregoing, we respectfully request the Historic Preservation Board's approval of this application.

Very truly yours,

GREENSPOON MARDER LLP

/s/ James E. Rauh

James E. Rauh, Partner