

July 9, 2024

VIA HAND & ELECTRONIC DELIVERY

The Chairperson and Members of the
Miami Beach Planning Board
City of Miami Beach Planning Department
1700 Convention Center Drive, 2nd Floor
Miami Beach, Florida 33139

Re: UPDATED LETTER OF INTENT: Planning Board # PB24-0680 / Modification of Modified Conditional Use Permit File No. 1922 for Updating Condition 2. regarding Ownership (“Application”) / Property located at 2201 Collins Avenue (Folio No. 02-3234-218-0001), Miami Beach, Florida (the “Property”)

Dear Chairperson and Members of the Planning Board:

Our firm represents 2201 Collins Fee, LLC (the “**Owner**”), in connection with land use and zoning matters relating to the Property. Please accept this Application, on behalf of the Owner, for a modification of the existing Modified Conditional Use Permit No. 1922 approved May 26, 2009 (“**CUP**”) to modernize Condition #2. A copy of the CUP is enclosed for your ease of reference. Specifically, the Owner is requesting a modification to Condition 2 of the CUP to reflect policies of the Planning Board for the last decade.

I. CUP Modification Request: Update of Condition 2.

Condition 2 of the CUP currently states:

“This Conditional Use Permit is issued to 2201 Collins Fee, LLC as owner of the property where the venues constituting a Neighborhood Impact Establishment are located. Subsequent owners shall be required to appear before the Board to affirm their understanding of the conditions listed herein.”

Proposed language for Condition 2 of the CUP to state:

“This Conditional Use Permit is issued to 2201 Collins Fee, LLC as owner of the property where the venues constituting a Neighborhood Impact Establishment are located. **Any change of operator or fifty percent (50%) or more stock ownership shall require the new owners or operators to submit an affidavit, approved by City, to the City of Miami Beach Planning Department transferring approval**

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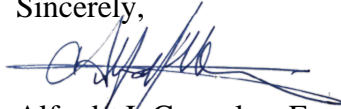
to the new owners and/or operators and acknowledging acceptance of all conditions established herein, prior to the issuance of a new Business Tax Receipt.”

It is important to note that Owner is not requesting any additional modifications as part of this Application and that the current operators will continue to operate the Property. The request for modification to the Order which was originally approved in 2009 would bring in line the CUP's condition 2 with other conditional use permits issued over the past decade to other properties. In addition, with the modification, a change of operators would require notice to the City existing CUP does not require.

II. Conclusion.

The Owner is requesting a minor modification to update condition 2 of the CUP. Owner is not requesting any additional modifications as part of this Application. Based on the foregoing, we respectfully request your favorable consideration of this Application.

Sincerely,



Alfredo J. Gonzalez, Esq.

Enclosure