

August 24, 2025

Mr. Rogelio Madan
Planning Department
City of Miami Beach
1700 Convention Center Drive, 2nd Floor
Miami Beach, Florida 33139

Re: Entrance Canopy and Sign Variances for Fogo De Chão restaurant - DRB25-1102

Dear Mr. Madan,

This firm (Consolidated Development Services) is representing Fogo De Chão Churrascaria (Miami Beach Lincoln Road) LLC (the “Applicant”) in the submittal of this Land Use Application. Please consider this the Applicant’s letter of intent in support of approvals for an Exterior Entry Canopy, and five (5) variances from Chapter 6 (“Signs”), Article II of Miami Beach Resiliency Code. Additional details are provided below.

Property: Fogo de Chão will be occupying an 8,464 square-foot tenant space on the ground level of the “1212 Lincoln” multi-story mixed-use development. Fogo De Chão’s tenant space will located at the northeast corner of the building, with the main entrance being on Lincoln Road. The “1212 Lincoln” project spans the entire block on the west side of Alton just south of Lincoln Road: 1600, 1614, 1616, 1620, 1624, 1628, and 1634 Alton Road. The Property is in Phase II of the overall project, located on 1628-1634 Alton Road (hereinafter “the Property”). The Property is zoned Commercial Medium Intensity (CD-2) under the city’s land development regulations.

Entry Canopy:

Scope of Work Description: Fogo De Chão proposes to construct a 12’-11 ½” high x 16’-5” wide aluminum entry canopy at the restaurant’s primary entrance on Lincoln Road, which protrudes 2’-11” from the façade but does not extend past the property line into the right-of-way. Additionally, the canopy will be illuminated with linear LED lights at the interior face of each arch. Not only does the canopy signify the restaurant’s entrance, but it also allows the restaurant to establish its brand identity by bringing the warm wood tones from the interior out in front of the existing glass façade.

Valuation: \$20,000

Compliance with Sea Level Rise and Resiliency Review Criteria.

The design is consistent with the criteria provided in Section 2.5.3.1 of the Resiliency Code as follows:

- a. The existing and proposed condition of the lot, including but not necessarily limited to topography, vegetation, trees, drainage, and waterways.**

Response: This criterion is inapplicable to this application.

- b. The location of all existing and proposed buildings, drives, parking spaces, walkways, means of ingress and egress, drainage facilities, utility services, landscaping structures, signs, and lights and screening devices.**

Response: This criterion is inapplicable to this application.

- c. The dimensions of all buildings, structures, setbacks, parking spaces, floor area ratio, height, lot coverage and any other information that may be reasonably necessary to determine compliance with the requirements of the underlying zoning district, and any applicable overlays, for a particular application or project.**

Response: Dimensions have been provided in DRB Presentation documents.

- d. The color, design, selection of landscape materials and architectural elements of exterior building surfaces and primary public areas for developments requiring a building permit in areas of the city identified in section 2.5.3.2.**

Response: Proposed entry canopy is in conformity with the standards outlined in section 2.5.3.2.

- e. The proposed site plan, and the location, appearance and design of new and existing buildings, and structure are in conformity with the standards of this article and other applicable ordinances, architectural and design guidelines as adopted and amended periodically by the design review board and historic preservation board and all pertinent master plans.**

Response: Proposed entry canopy is in conformity with the standards outlined in the above documents listed.

- f. The proposed structure, or additions or modifications to an existing structure, indicates a sensitivity to and is compatible with the environment and adjacent structures, and enhances the appearance of the surrounding properties.**

Response: Proposed entry canopy is designed to be sensitive to and compatible with the base building and surrounding properties while expressing the unique character of the Fogo de Chão brand.

- g. The design and layout of the proposed site plan, as well as all new and existing buildings shall be reviewed so as to provide an efficient arrangement of land uses. Particular attention shall be given to safety, crime prevention and fire protection, relationship to the surrounding neighborhood, impact on contiguous and adjacent buildings and lands, pedestrian sight lines and view corridors.**

Response: Proposed entry canopy and signage is consistent with the goal of supporting pedestrian wayfinding and crime prevention.

- h. Pedestrian and vehicular traffic movement within and adjacent to the site shall be reviewed to ensure that clearly defined, segregated pedestrian access to the site and all buildings is provided for and that all parking spaces are usable and are safety and conveniently arranged; pedestrian furniture and bike racks shall be considered. Access to the site from adjacent roads shall be designed so as to interfere as little as possible with traffic flow on these roads and to permit vehicles a rapid and safe ingress and egress to the site.**

Response: This criterion is inapplicable to this application.

- i. Lighting shall be reviewed to ensure safe movement of persons and vehicles and reflection on public property for security purposes and to minimize glare and reflection on adjacent properties. Lighting shall be reviewed to assure that it enhances the appearance of structures at night.**

Response: Lighting design on proposed entry canopy minimizes glare on the surrounding environment while enhancing the appearance of the structure at night.

- j. Landscape and paving materials shall be reviewed to ensure an adequate relationship with and enhancement of the overall site plan design.**

Response: This criterion is inapplicable to this application.

- k. Buffering materials shall be reviewed to ensure that headlights of vehicles, noise, and light from structures are adequately shielded from public view, adjacent properties and pedestrian areas.**

Response: This criterion is inapplicable to this application.

- l. The proposed structure has an orientation and massing which is sensitive to and compatible with the building site and surrounding area and which creates or maintains important view corridor(s).**

Response: Proposed entry canopy has been set behind the property line and does not obstruct important view corridors.

- m. The building has, where feasible, space in that part of the ground floor fronting a street or streets which is to be occupied for residential or commercial uses; likewise, the upper floors of the pedestal portion of the proposed building fronting a street, or streets shall have residential or commercial spaces, shall have the appearance of being a residential or commercial space or shall have an architectural treatment which shall buffer the appearance of the parking structure from the surrounding area and is integrated with the overall appearance of the project.**

Response: This criterion is inapplicable to this application.

- n. **The building shall have an appropriate and fully integrated rooftop architectural treatment which substantially screens all mechanical equipment, stairs and elevator towers.**

Response: This criterion is inapplicable to this application.

- o. **An addition on a building site shall be designed, sited and massed in a manner which is sensitive to and compatible with the existing improvement(s).**

Response: The massing and location of the proposed entry canopy has been designed in a manner that is compatible with the existing building and surroundings.

- p. **All portions of a project fronting a street or sidewalk shall incorporate an architecturally appropriate amount of transparency at the first level in order to achieve pedestrian compatibility and adequate visual interest.**

Response: This criterion is inapplicable to this application.

- q. **The location, design, screening and buffering of all required service bays, delivery bays, trash and refuse receptacles, as well as trash rooms shall be arranged so as to have a minimal impact on adjacent properties.**

Response: This criterion is inapplicable to this application.

- r. **In addition to the foregoing criteria, section 104-6 (t) the General Ordinances shall apply to the design review board's review of any proposal to place, construct, modify or maintain a wireless communications facility or other over the air radio transmission or radio reception facility in the public rights-of-way.**

Response: This criterion is inapplicable to this application.

- s. **The structure and site comply with the sea level rise and resiliency review criteria in chapter 7, article I, as applicable.**

Response: The proposed entry canopy is sited in a way so that there is a minimum 10-foot circulation zone around the structure.

Projecting Signs:

Scope of Work Description: A total of three (3) internally illuminated projecting signs are being proposed with the five (5) variances listed below.

- **Variance 1: Projecting Sign A for additional sign area.**

Response: The allowance for projecting signs is max. 14 SF and our current proposal is for 27.49 (same as Sign B wall sign that is within the wall sign allowance). This is proportionate to the building similar to Sign B. The new entry buildout only extends 33" from the building.

- **Variance 2: Projecting Blade D1 for additional sign area.**

Response: The allowance for projecting signs is max. 14 SF and our current proposal is for 26.57. This is the standard vertical projecting sign style used nationally. With this design the letter heights are only 9.5" for the letter "F" and 6.25" for the "DE" copy which is small compared to other area signage.

- **Variance 3: Projecting Blade D1 for not complying with Section 6.2.6 Special Conditions:**

- **E: The sign shall be located directly in front of windows and sign letters shall consist of aluminum or similar alloy and shall have a min. depth of two inches.**

Response: The sign cannot attach to glass but is attached to the mullion so there is glass on either side. The sign body is made of aluminum and 12" deep but the letters must be acrylic, so they're illuminated.

- **F: The sign letters shall be open face with exposed neon or similar lighting, or reverse channel letters.**

Response: The letters are too small to make this way, and neon is not a practical sign illumination method in today's time.

- **G: Compatible signage design is utilized for all signs on a single building.**

Response: The designs proposed between the wall and projecting signs are compatible. The branding and colors are consistent throughout and have support from the Property Owner of 1212 Lincoln.

- **Variance 4: Projecting Blade D2 for additional sign area.**

Response: The allowance for projecting signs is max. 14 SF and our current proposal is for 26.57. This is the standard vertical projecting sign style used nationally. With this design the letter heights are only 9.5" for the letter "F" and 6.25" for the "DE" copy which is small compared to other area signage. Due to the building design and configuration along with the restrictions for right-of-way impact, it is important to have a second vertical projecting sign as proposed.

- **Variance 5: Projecting Blade D2 for not complying with Section 6.2.6 Special Conditions:**

- **E: The sign shall be located directly in front of windows and sign letters shall consist of aluminum or similar alloy and shall have a min. depth of two inches.**

Response: The sign cannot attach to glass but is attached to the mullion so there is glass on either side. The sign body is made of aluminum and 12" deep but the letters must be acrylic, so they're illuminated.

- **F: The sign letters shall be open face with exposed neon or similar lighting, or reverse channel letters.**

Response: The letters are too small to make this way, and neon is not a practical sign illumination method in today's time.

- **G: Compatible signage design is utilized for all signs on a single building.**

Response: The designs proposed between the wall and projecting signs are compatible. The branding and colors are consistent throughout and have support from the Property Owner of 1212 Lincoln.

Valuation: \$52,000

Variance Requests/Hardship Criteria:

Per Section 2.8.3.a of the Miami Beach Resiliency Code, unless permitted as listed in subsection 2.8.3(b) as a practical difficulty variance, the following findings must be made by the land use board in order to authorize any variance from the terms of these land development regulations and section 6-4 and 6-41(a) and (b) of the General Ordinances:

- 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;**

Response: There are special conditions and circumstances that are peculiar to the land and not applicable to similarly situated sites. This development is a multi-story building with full exterior glazing that does not provide sufficient and hospitable placement of exterior signage which is necessary for a restaurant. Further, the restaurant has frontages on both Lincoln Road and Alton Road so the exposure to both for vehicles and pedestrians is necessary. The 15sf limitation on projecting signs also is insufficient for vehicular visibility. And due to close proximity of the property line to the building and hardship w/ encroachment, we have moved the placement and added a second blade sign to capitalize the necessary visibility from both thoroughfares. We also feel that Sign A should be considered a wall sign vs. projecting sign as the design aesthetic is catered to a wall sign and the new canopy projection is only roughly 3', far less than your typical canopy. Sign variance requests have no impact on any Resiliency Codes.

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

Response: The Applicant did not create the special conditions inflicted on the Property – including building design, availability of signage and site corridors.

- 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;**

Response: The approval of the requested variances will only serve to bring the applicant into parity with surrounding public establishments, which have not been burdened with the building design as it relates to signage and would allow the Applicant to directly benefit the public through the creation of a first-class restaurant for the neighborhood.

- 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;**

Response: The property is so uniquely impacted by the above-described issues, conditions and characteristics that it would cause unnecessary hardship on the Applicant if the variances are not approved.

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

Response: The requested variances are the minimum needed to ensure adequate and competitive visibility for the proposed restaurant and do not create any unfair advantage to neighboring tenants.

- 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;**

Response: The approval of the requested variance would contribute to the development and success of the proposed restaurant on this Property. The City's regulations are intended to promote compatible development throughout the City. The instant application seeks approval of a viable project that is compatible with its surroundings and promotes a restaurant competitive with the surrounding market and beneficial to the public.

- 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; and**

Response: Granting these requests is consistent with the comprehensive plan and does not reduce the levels of service set forth in 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 7, article I, as applicable.**

Response: This criterion is inapplicable to the instant application.

Sincerely,

Brian C. Nebel

Digitally signed by Brian C. Nebel
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Brian Nebel
Consolidated Development Services