



**BOARD OF ADJUSTMENT  
AFTER ACTION REPORT**

**FRIDAY, APRIL 4, 2008**

**9:00 A.M.**

CITY COMMISSION CHAMBERS, THIRD FLOOR  
1700 CONVENTION CENTER DR., MIAMI BEACH, FLORIDA

**A. PROGRESS REPORT**

1. **FILE NO.3260**      **BYHALL, LLC  
401 69<sup>TH</sup> STREET  
LOTS 3, 4, 5, 6, 7, 8, 9, AND 10, BLOCK H,  
"CORRECTED PLAT OF ATLANTIC HEIGHTS"  
LESS AND EXCEPT THE EAST 2 FEET OF  
LOTS 7, 8, 9, AND 10M IN SAID BLOCK H,  
PLAT BOOK 9, PG 14;  
MIAMI-DADE COUNTY, FLORIDA**

The applicant will present a progress report associated with the construction of two (2) egress stairs to an existing seventeen (17) story building, which received variances on January 5, 2007.

***PROGRESS REPORT DUE IN 6 MONTHS (OCTOBER 3, 2008).***

**B. EXTENSIONS OF TIME**

2. **FILE NO. 3094**      **EDUARDO DARER a/k/a NINE45 JEFFERSON  
945 JEFFERSON AVENUE  
LOT 14; BLOCK 70;  
OCEAN BEACH ADDITION NO. 3  
PLAT BOOK 2, PG 81;  
MIAMI-DADE COUNTY, FLORIDA**

The applicant is requesting the following modification to a condition of approval for variances associated with the construction of a seven (7) unit,

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four (4) story multifamily building:

The Modification Order dated November 2, 2007, required that the project be completed by May 2, 2008. The applicant is hereby requesting to modify the completion date to April 4, 2009 (one (1) year from the date of this hearing).

**6 MONTHS EXTENSION OF TIME GRANTED TO OCTOBER 4, 2008.**

3. **FILE NO.3277**      **ALTON SOBE, LLC**  
**929-939 ALTON ROAD**  
**LOT 9 AND 10, BLOCK 123**  
**OF LENOX MANOR SUBDIVISION,**  
**PLAT BOOK 7, PG 15;**  
**MIAMI-DADE COUNTY, FLORIDA**

This case was continued at the February 1, 2008 meeting. The applicant is requesting the following modification to a condition of approval for a variance associated with the construction of a mixed use project commercial space fronting Alton Road, required parking located within a subterranean level as well as on the 2<sup>nd</sup> floor and residential units on the 3<sup>rd</sup> through 5<sup>th</sup> floors:

Condition number 6 of the Order dated January 5, 2007, requires that a full building permit for the project be obtained on or before July 5, 2008, within eighteen (18) months of the date of the hearing. The applicant is requesting a one (1) year extension of time to obtain a full building permit by July 5, 2009.

**CONTINUED FOR 30 DAYS (MAY 9, 2008).**

**C. MODIFICATIONS**

4. **FILE NO. 3009**      **CENTURIAN COLLINS AVENUE, LLC**  
**a/k/a THE ANKARA**  
**currently, The Creek Hotel (former applicant: Ken**  
**Fields) 2360 COLLINS AVENUE**  
**BLOCK 3 OF AMENDED PLAT OF OCEANFRONT**  
**PROPERTY OF THE MIAMI BEACH IMP. CO.**  
**SUBDIVISION PLAT BOOK 8-7; MIAMI-DADE**  
**COUNTY, FLORIDA (complete legal description on**  
**file in the Planning Department)**

The applicant is requesting the following modification to a condition of approval for variances associated with the construction of a seven (7) story hotel:

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The Modification Order dated March 4, 2005, required that the project be completed by May 7, 2008. The applicant is hereby requesting to modify the completion date to May 7, 2011.

**APPROVED WITH THE FOLLOWING CONDITIONS:**

- 1. SUBMIT REVISED DRAWINGS BY 12-05-08.**
- 2. OBTAIN A FULL BUILDING PERMIT AS MODIFIED BY 10-02-09.**
- 3. COMPLETE PROJECT BY 10-02-11.**

5. **FILE NO. 3034**      **C AND A 1560, LLC**  
                                 **1520 LENOX AVENUE**  
                                 **LOT 3; BLOCK 65**  
                                 **COMMERCIAL SUB. OF THE**  
                                 **ALTON BEACH REALTY CO.**  
                                 **PLAT BOOK 6-5; MIAMI-DADE COUNTY, FLORIDA**

The applicant is requesting the following modification to a condition of approval for variances associated with the retention of an existing one-story legal non-conforming structure and to permit the construction of a new four-story multifamily building with three units and thirteen (13) parking spaces:

Condition number 3 of the Order dated August 6, 2004 required that the project be completed by August 6, 2006. The applicant is hereby requesting to modify the completion date to April 4, 2009 (one (1) year from the date of this hearing).

**APPROVED.**

**D. CONTINUED CASES**

6. **FILE NO. 3335**      **PEDRO ADRIAN, TRUSTEE**  
                                 **ADRIAN MARIA ADRIAN ALMEIDA TRUST**  
                                 **210 PALM AVENUE**  
                                 **LOT 38 BLOCK 2 OF "PALM ISLAND"**  
                                 **PLAT BOOK 6, PG 54;**  
                                 **MIAMI-DADE COUNTY, FLORIDA**

This case was continued from the March 7, 2008 meeting.

The applicant is requesting the following variance in order to permit the placement of an emergency generator and condensing units on the northwest side of a new single family residence:

1. A variance to waive 1' - 0" of the minimum setback requirement of 10' - 0" from an interior property line, in order to locate an

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emergency generator and condensing units at 9' - 0" from the northwest property line.

**APPROVED AS MODIFIED -WITH REVISED LOCATION OF UNITS, AS SUBMITTED BY APPLICANT AT HEARING 04-04-08, AND SIGNED BY BOTH NEIGHBORS.**

7. **FILE NO.3344**      **ISAAC AND TERA KODSI**  
**4412 NORTH BAY ROAD**  
**LOT 31, BLOCK 1,**  
**OF NAUTILUS SUBDIVISION**  
**PLAT BOOK 8, PG 95;**  
**MIAMI-DADE COUNTY, FLORIDA**

This case was continued from the March 7, 2008 meeting.

The applicant is requesting the following variances in order to build an addition to an existing two-story home, which will be substantially demolished:

1. A variance to waive 5' - 0" of the minimum required interior side setback of 10' - 0" in order to expand the existing living room at the ground floor and a balcony above it, and to build a covered porch, also with a balcony above, facing west, at 5' - 0" from the south property line, following the existing building line.
2. ~~A variance to waive 5' - 0" of the minimum setback requirement of 10' - 0" from an interior property line, in order to locate condensing units at 5' - 0" from the south property line.~~

**Variance withdrawn by applicant.**

**DENIED.**

**E. NEW CASES**

8. **FILE NO. 3345**      **BAYLIGHTS DEVELOPMENT, CO.**  
**1910 BAY DRIVE**  
**LOTS 21 & 22, BLOCK 39 OF "MIAMI VIEW**  
**SECTION OF THE ISLE OF NORMANDY PART I"**  
**PLAT BOOK 34, PG 80;**  
**MIAMI-DADE COUNTY, FLORIDA**

The applicant is requesting the following After-the-Fact variances in order to retain the existing width of the rooftop spa decks and to retain several rooftop amenities that exceed the maximum allowable height:

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1. A variance to exceed the maximum allowable width of 4'-0" of a raised walkway around the rooftop spas in order to retain three existing spa decks with various widths.
2. A variance to exceed the maximum height limit of 50'-0" above grade in order to retain the existing built-in benches and table at the private terrace of Unit A.

**CONTINUED FOR 30 DAYS (MAY 9, 2008).**

9. **FILE NO. 3348**      **YOSEF LIPKIN**  
                                 **1233 COLLINS AVENUE**  
                                 **LOT 13, BLOCK 17,**  
                                 **OCEAN BEACH ADDITION NO. 2,**  
                                 **PLAT BOOK 2, PG 56;**  
                                 **MIAMI-DADE COUNTY, FLORIDA**

The applicant is requesting the following variance in order to install condensing units within the existing interior side yard setback on the north side of a multifamily building:

1. A variance to waive a range between 6" and 11" of the minimum required interior pedestal setback of 5'-0" in order to install condensing units at a range between 4'-6" and 4'-1" from the north property line.

**APPROVED.**

**F. NEXT MEETING DATE**

May 9, 2008

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*In accordance with the Americans With Disabilities Act of 1990, persons needing special accommodation to participate in this proceeding, persons with disabilities, or to request material in accessible format, contact the Board's administrator at (305)673-7550 no later than four (4) days prior to the proceeding. If hearing impaired or for sign language interpreters, telephone (305)673-7219 (TDD) five (5) days prior to the proceeding.*

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### FLOOD PLAIN MANAGEMENT BOARD AFTER ACTION REPORT

FRIDAY, APRIL 4, 2008

HEARD AT THE CONCLUSION OF THE BOARD OF ADJUSTMENT MEETING

City Hall - 1700 Convention Center Drive, Commission Chambers - Third Floor  
Miami Beach, Florida 33139

#### A. NEW CASE

1. FILE NO. FP08-05                      FRIEDRICH KOESTERS  
AND MICHAEL JARBOE  
841 19<sup>TH</sup> STREET  
THE WEST 1/2 OF BLOCK 8 A OF  
'AMENDED PLAT OF GOLF  
COURSE SUBDIVISION'  
PLAT BOOK 6, PG. 26;  
MIAMI-DADE COUNTY, FLORIDA

The applicant is requesting a variance to waive the minimum required base flood plain elevation to allow the renovation and restoration of an existing historic 2-story structure. The applicant is proposing that the new addition to the existing historic structure will be elevated at the Base Flood Elevation, 8.00 feet NGVD. (The requested variance, FP07-04 was previously approved on August 3, 2008; Variance FP07-04 was only valid for six months).

**APPROVED.**

#### B. APPEALS

2. FILE NO. FP08-01                      WILLIE FLOYD  
70 FISHER ISLAND  
LINDISFARNE ON FISHER ISLAND  
SEC 9 PB 149-86 T-19314 PORTION OF  
LOTS 8 9 & 10 & ALL LOTS 11 & 12 BLK 1 &  
PORTION OF TRS A9 & B-9 DESC BEG NE  
COR OF LOT 12 TH S 24 DEG W 151.94FT S  
04 DEG E; MIAMI-DADE COUNTY, FLORIDA

This case was continued from the March 7, 2008 meeting.

The applicant is appealing a decision of the Building Official, associated with approval of building permit BMS0702449, permitting the subject

