



BOARD OF ADJUSTMENT

AFTER ACTION REPORT

FRIDAY, MAY 4, 2012

9:00 A.M.

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

A. MODIFICATION

1. **FILE NO. 3418** **FUJI JAPANESE BUFFET, INC.
1413-1415 WASHINGTON AVENUE
LOT 13; BLOCK 26 OF
OCEAN BEACH ADDITION NO 2,
PLAT BOOK 2, PG 56;
MIAMI-DADE COUNTY, FLORIDA**

The applicant is requesting a modification to a condition of approval for a variance granted on July 10, 2009, waiving the minimum required 300 foot separation between a business that sells alcoholic beverages and an existing elementary school, in order to sell alcoholic beverages for consumption within the restaurant:

Condition number 7 of the Order dated July 10, 2009, states that the Order is issued to the previous applicant. The applicant is requesting to allow the transfer of the variance to Fuji Japanese Buffet, Inc.

Final Order: Modified Condition 7:

7. This approval is granted to ~~Hospitality Ventures, Inc.~~ **Fuji Japanese Buffet, Inc.** only. Any changes in ownership or operator shall require new owner or operator to return to the Board of Adjustment and seek a modification to the final Order transferring approval to the new owner or operator.

APPROVED.

BOARD OF ADJUSTMENT AFTER ACTION REPORT
MAY 4, 2012

B. NEW CASES

2. **FILE NO. 3557** **FIRST ON JEFFERSON, LLC.
928 JEFFERSON AVENUE
LOT 5, IN BLOCK 88,
OF OCEAN FRONT ADDITION NO. 3,
PLAT BOOK 2, PG 81;
MIAMI-DADE COUNTY, FLORIDA**

The applicant is requesting the following variance in order to permit the construction of a 3-story addition at the rear of the property:

1. A variance to waive 9'-0" of the minimum required rear pedestal setback of 14'-0" in order to build a two-story addition at 5'-0" from the rear property line.

APPROVED.

3. **FILE NO. 3566** **ENCOTEL, LLC.
2216 PARK AVENUE
THE SOUTH 85 FEET OF THE NORTH 170 FEET
OF BLOCK "I" OF "AMENDED MAP OF THE
OCEAN FRONT PROPERTY OF THE MIAMI
BEACH IMPROVEMENT COMPANY", PLAT BOOK
5, PG 7; MIAMI-DADE COUNTY, FLORIDA**

The applicant is requesting the following variances in order to renovate the existing 2-story hotel and to build a new roof-top addition and a new 2-story addition:

- ~~1. A variance to waive 16'-8" of the minimum required 20'-0" front yard pedestal setback in order to locate a spa/deck at 3'-4" from the front property line.~~
2. A variance to waive the minimum required rear yard pedestal setback of 14'-8" in order to build 3 sets of stairs at a range between 9'-7" and 7'-7" from the rear property line.
3. A variance to waive 2'-11" of the minimum required interior side yard setback of 7'-6" in order to build a 2-story addition and a rooftop addition at 4'-7" from the northeast property line, following the existing building line.

BOARD OF ADJUSTMENT AFTER ACTION REPORT
MAY 4, 2012

4. A variance to waive 2'-8 1/2" of the minimum required interior side yard setback of 7'-6" in order to build a rooftop addition at 4'-9 1/2" from the southwest property line, following the existing building line.
5. A variance to waive the required minimum hotel unit size: 15% of the hotel units shall be between 330-335 s.f. and 85% of units shall be 335 s.f. of larger, in order to retain 42 hotel units at less than 300 s.f., ranging from 227 s.f. to 298 s.f., (77.8%). The balance of the units exceed 335 s.f., (22.2%), for a total of 54 units.
- ~~6. A variance to exceed by xxx% the maximum permitted roof deck area of 50% of the floor area of the enclosed floor area immediately one floor below in order to build a roof deck covering xxx%~~

APPROVED.

4. **FILE NO. 3568** **RIST PROPERTIES, LLC.**
6600 COLLINS AVENUE
LOT 28, LESS THE NORTH 5.00 FEET, LOTS 25
THROUGH 27 AND LOTS 37 THROUGH 41,
BLOCK 7, OF "AMENDED PLAT OF SECOND
OCEAN FRONT SUBDIVISION", PLAT BOOK 28,
PG 28; MIAMI-DADE COUNTY, FLORIDA

The applicant is requesting variances for building signage:

1. A variance to relocate the building identification sign from the east side, facing Collins Avenue to the south side of the building, facing the parking lot.
2. A variance to exceed by 24.8 s.f. the maximum permitted identification sign size of 36.6 s.f. in order to place a building identification sign of 61.4 s.f. on the south façade of the building.

APPROVED WITH ADDITIONAL CONDITION.

5. **FILE NO. 3570** **J.P. MORGAN CHASE BANK, NA,**
6900 COLLINS AVENUE
LOTS 4 THROUGH 9, BLOCK D, OF CORRECTED
PLAT OF ATLANTIC HEIGHTS", PLAT BOOK 9,
PG 14; MIAMI-DADE COUNTY, FLORIDA

The applicant is requesting the following variances in order to exceed the permitted size of building signage:

BOARD OF ADJUSTMENT AFTER ACTION REPORT
MAY 4, 2012

1. A variance to exceed by 27.8 s.f. the maximum allowable flat business sign size of 30 s.f. in order to place a 57.8 s.f. flat business sign facing Collins Avenue (sign 1).
2. A variance to exceed by 27.8 s.f. the maximum allowable flat business sign size of 30 s.f. in order to place a 57.8 s.f. flat business sign facing their parking lot and Harding Avenue (sign 2).

APPROVED.

6. **FILE NO. 3571** **GRAZIANO SBROGGIO**
 3427 MERIDIAN AVENUE
 LOT 4, BLOCK 2, "AMENDED PLAT
 GARDEN SUBDIVISION", PLAT BOOK 31, PG 9;
 MIAMI-DADE COUNTY, FLORIDA

The applicant is requesting the following variances in order to permit the construction of a new two-story single family residence:

1. A variance to exceed by 3'-0" the maximum building height of 25'-0" as measured from grade to the highest roof in order to build the addition at 28'-0" from grade.
2. A variance to exceed by 1'-6" the maximum permitted elevation height of a chimney of 5'-0" in order to build a chimney 6'-6" above the main roof line.
3. A variance to exceed by 3'-0" the maximum permitted fence height of 7'-0" (measured from crown of road elevation) in order to build a perimeter wall at the south side of the property, for a total height of 10'-0" measured from crown of road at +4.6' NGVD.

APPROVED.

C. APPEAL

7. **FILE NO. 3565** **MAC SH, LLC.**
 1201, 1225, 1237 20TH STREET
 ALL LOTS 22, 23 AND 24 AND THE NORTH 70,000
 FEET OF LOTS 25 AND 26 IN BLOCK 15A OF
 "ISLAND VIEW ADDITION", PLAT BOOK 9, PG
 144; MIAMI-DADE COUNTY, FLORIDA
 (FOR COMPLETE LEGAL DESCRIPTION PLEASE
 CONTACT THE PLANNING DEPT.)

BOARD OF ADJUSTMENT AFTER ACTION REPORT
MAY 4, 2012

MAC SH, LLC, is appealing to the Board of Adjustment under City Code §§ 118-136 & 118-352 administrative determinations by the Planning Director concerning the application by Palau Sunset Harbor, LLC for Conditional Use approval for a 5-story mixed use structure consisting of approximately 50 residential units and 13,056 +/- square feet of commercial space, with mechanical parking lifts, located at 1201, 1225, and 1237 20th Street, in the CD-2 Commercial Medium Intensity zoning district. The appeal contends that: 1) The schematic diagrams submitted showing a conventional parking alternative as required by §130-38 do not meet the required setbacks of the Land Development Regulations (LDRs), and the proposed off-street loading location is not in compliance with the LDRs, both requiring variances, and therefore the use of mechanical parking systems is not permitted; 2) Required notice was not properly posted on the site 30 days prior to the scheduled February 28, 2012 public hearing; and 3) The application was not complete 30 days prior to the January 24, 2012 public hearing.

THIS CASE HAS BEEN CONTINUED TO THE JUNE 1, 2012 MEETING.

D. NEXT MEETING DATE

June 1, 2012

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.

F:\PLAN\\$zba\AFTERAC\aft MAY 2012.doc