

BOARD OF ADJUSTMENT
AFTER ACTION

FRIDAY, JULY 9, 1999 - 9:00 A.M.

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

A. PROGRESS REPORT

1. **FILE NO. 2548** **TRANSNATIONAL PROPERTIES, INC.**
6801 COLLINS AVENUE
(formerly, The Carillon Hotel)
NORTH 25 FT. OF LOT 48 AND ALL OF
LOTS 49 THRU 53; BLOCK 1
AMENDED PLAT OF 2ND OCEANFRONT SUB.
PB 28/28
LOTS 1 TO 6; BLOCK B; ATLANTIC HEIGHTS SUB.
PB 9/14

The applicant is required to present a report on the condition of the property and a progress report on the obtaining of a building permit to begin renovation and construction.

Applicant presented a progress report, and, the Board continued the case to the September 3, 1999 meeting.

2. **FILE NO. 2301** **M-1 DEVELOPMENT CORP.**
d/b/a SUNTERRA RESORT
425 and 455 OCEAN DRIVE
LOTS 3,4,5 & 6; BLOCK 116
OCEAN BEACH ADDITION NO. 4; PB 3/115&151

The applicant will present a progress report regarding variances initially granted on May 7, 1993 for substantial rehabilitation of an existing apartment/hotel. The presentation of this report is a condition of the Modified Order dated November 14, 1997. (Note: This applicant is presently required to report every two months, except when otherwise requested by the Board.)

Evonne Steele was appointed as the temporary property monitor and will appear before the Board to introduce herself at the next progress report on September 3, 1999.

B. MODIFICATION

3. **FILE NO. 2301** **M-1 DEVELOPMENT CORP.
d/b/a SUNTERRA RESORT
425 and 455 OCEAN DRIVE
LOTS 3,4,5 & 6; BLOCK 116
OCEAN BEACH ADDITION NO. 4; PB 3/115&151**

The applicant is requesting a modification to a previously approved file. The applicant is requesting a modification to a condition of approval which required that the project be completed within eighteen (18) months of the date of the hearing. The project should have been completed by April 10, 1999. The applicant is requesting an additional twelve (12) months, until April 10, 2000, to complete the project.

APPROVED

C. EXTENSION OF TIME

4. **FILE NO. 2671** **GUSTAVO GONZALEZ
7921 HARDING AVENUE
LOT 4, LESS THE WEST 2.5 FT.; BLOCK 5
LOS ALTOS DEL MAR; PB 8/41**

The applicant is requesting a twelve (12) month extension of time to obtain a building permit to construct a four (4) story, six (6) unit apartment building with nine (9) parking spaces and a twelve (12) month extension of time to complete the project.

APPROVED

D. CONTINUED APPLICATIONS

- 5. FILE NO. 2706 BLUEWATER MANAGEMENT CORPORATION
4385 COLLINS AVENUE
LOT 1 EXCEPTING THE SOUTH 75 FT. THEREOF;
BLOCK 39
MIAMI BEACH IMPROVEMENT CO.'S OCEANFRONT
ALL OF THE SOUTHERLY 75 FT. OF THAT CERTAIN
FRONT PROPERTY OF THE M. B. IMPROVEMENT CO.**

This case was continued by the Board at its meeting of June 4, 1999.

The applicant is requesting the following variances in order to install a sign with copy reading "Wyndham Garden" on an existing hotel building:

1. A variance to exceed by 104 sq. ft. the maximum allowable size of 20 sq. ft. for flat signs in order to install a 124 sq. ft. flat sign with copy reading "Wyndham Garden" on the front of an existing hotel building facing Collins Avenue.

Upon approval of variance request #1 above, the applicant requests the following:

2. A variance to waive Section 138-172, which does not permit flat signs to be located above the ground floor in order to install the above mentioned sign on the parapet facing Collins Avenue.

Continued to the Sept. 3, 1999 meeting.

- 6. FILE NO. 2707 ROBERT L. PATRON
5630 N. BAY ROAD
LOTS 48 AND 49 AND NORTH 50 FT. OF LOT 50
BLOCK 1-A
LA GORCE GOLF SUBDIVISION
PLAT BOOK 14 - PAGE 43**

This case was continued by the Board at its meeting of June 4, 1999.

The applicant is requesting the following variance in order to enlarge the existing garage of a single family residence into the required front yard facing North Bay Road:

1. A variance to waive seven (7) feet of the minimum required front yard setback of twenty (20) feet in order to extend the existing garage to thirteen (13) feet from the front property line facing North Bay Road.

APPROVED with the revised staff recommendations.

E. NEW APPLICATIONS

7. **FILE NO. 2709 826 COLLINS AVE. ASSOCIATES L.C.
826 COLLINS AVENUE
LOT 5; BLOCK 32
OCEAN BEACH FLA. ADDITION NO. 1
PLAT BOOK 3 - PAGE 11**

The applicant is requesting the following variances in order to construct a three-story commercial addition, with parking underneath, attached to the rear of an existing apartment building which is to be converted into commercial uses:

1. A variance to waive 0' - 10" (ten inches) of the minimum required parking space depth of 18' - 0" in order to construct the above addition with six parking spaces with a depth of 17' - 2".
2. A variance to waive 2' - 0" of the minimum required 22' - 0" width for a two-way drive and interior aisles, in order to construct the above building with a 20' - 0" two-way drive to be used by six parking spaces.

APPROVED with staff recommendations.

8. **FILE NO. 2711 JOAO BREITSAMETER NETO
1511 BIARRITZ DRIVE
LOT 20; BLOCK 24
TROUVILLE SECTION OF ISLE OF NORMANDY
PLAT BOOK 25 - PAGE 56**

The applicant is requesting the following variances in order to construct a two story addition to an existing single family residence:

1. A variance to waive 0' - 3" (three inches) of the minimum required interior side setback of 5' - 0" in order to construct a second story addition, 4' - 9" from the interior side property line, over the existing residence.

2. A variance to waive 5' - 0" of the minimum required rear yard setback of 20' - 0" in order to construct a two story addition which connects an existing detached guest quarters, located 15' - 0" from the rear property line, to the main structure.

Continued to the Sept. 3, 1999 meeting.

9. **FILE NO. 2712** **R.C. COBB, INC. (a/k/a LINCOLN CINEMA)**
1100 LINCOLN ROAD
LOTS 6 THRU 15; BLOCK 46
COMMERCIAL SUBDIVISION OF THE
ALTON BEACH REALTY CO.
PLAT BOOK 6 - PAGE 5

The applicant is requesting the following variances in order to serve beer and wine in a restaurant located on the second and third floor of a new 18 screen movie theater.

1. The applicant is requesting to waive Section 6-4 of the Land Development Regulations of the City Code, which does not permit alcoholic beverages to be sold or offered for consumption in any motion picture theater or in any room opening directly or indirectly into or in connection with any motion picture theater.

WITHDRAWN. This case is not properly before the Board.

F. CONTINUED APPEALS

10. **FILE NO. 2675** **MIAMI BEACH EQUITY INVESTORS**
LIMITED PARTNERSHIP
1450 MERIDIAN AVENUE
LOTS 1 AND 2; BLOCK 71
LINCOLN SUBDIVISION; PLAT BOOK 9 - PAGE 69

Appeal From Administrative Decision

This case was originally heard at the December 4, 1998 meeting and the Board, at that time, instructed the applicant to submit additional documentation to the Planning Department in order to support their position. The applicant has amended their appeal and is now appealing a February 11, 1999 administrative decision made by the Planning and Zoning Director. The administrative decision generally states that the Chrisken Management real estate office at the subject property, was never approved by the Planning Department as a commercial real

estate office for all of the Chrisken Management properties and therefore may only be used as an accessory office for the subject property. The applicant contends that the City approved and has recognized the subject office as a commercial real estate office. The office is currently used as a management office for several rental buildings owned by Chrisken Management located within the vicinity of the subject property.

WITHDRAWN by applicant.

11. FILE NO. 2699 ALLAN AND MILDRED BERK
 3746 CHASE AVENUE
 LOT 13; BLOCK 8
 FIRST ADDITION TO MID-GOLF SUBDIVISION
 PLAT BOOK 7 - PAGE 161

This case is continued from the meetings of May 7 and June 4, 1999.

Appeal From Administrative Decision

The applicant is appealing an administrative decision made by the Planning and Zoning Director that the subject building has lost its non-conforming status as a rooming house, and that the use, on the subject property, must be returned to a single family residence.

Continued to the Sept. 3, 1999 meeting. The City is in the process of entering into a settlement agreement.