



BOARD OF ADJUSTMENT AFTER ACTION

FRIDAY, OCTOBER 5, 2001 - 9:00 A.M.

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

A. INTRODUCTION OF NEW TENANT TO BOARD

1. FILE NO. 2371 MAENZA INC. d/b/a MIRO CAFÉ
formerly Toy Corp./Toy Gallery
448 ESPANOLA WAY

The new tenants at 448 Espanola Way, Norberto Cobo and Jorge Garcia, d/b/a Miro Cafe, or their representative, shall introduce themselves to the Board. They shall advise the Board of their understanding of the conditions listed in the Order regarding this variance, which was originally granted to Toy Corp./Toy Gallery on March 4, 1994. The new tenants shall also describe their current operation. Note: Future reports shall be at the Board's discretion.

Progress Report due in 90 days.

2. FILE NO. 2144 NSU(V), INC., formerly McCRORY ASSOCIATES, LTD.
1439 WASHINGTON AVENUE

The new tenant at 1439 Washington Avenue, NSU(V), or a representative, shall introduce himself/herself to the Board. They shall advise the Board of their understanding of the conditions listed in the Order regarding this variance, which was originally granted to McCrory Assoc., Ltd. on September 7, 1990. The new tenant shall also describe the current operation. Note: Future reports shall be at the Board's discretion.

Must report 90 days after Occupational License is issued.

B. EXTENSIONS OF TIME

3. FILE NO. 2772 COLLINS AVENUE ASSOCIATES, LLC
a/k/a THE BATH CLUB
5937 COLLINS AVENUE

The applicant is requesting a one year extension of time to obtain a building permit for the construction of a new 124 unit, 18 story residential tower. The variances were granted on October 27, 2000 and a building permit should have been obtained by October 27, 2001. The extension, if granted, will give the applicant until October 27, 2002 to obtain a building permit and until April 27, 2004 to complete the project.

GRANTED.

4. FILE NO. 2757 NORTH BAY ROAD TRUST
5300 NORTH BAY ROAD

The applicant is requesting a one year extension of time to obtain a building permit for the construction of a second story addition over an existing single family garage/gatehouse. The variances were granted on October 6, 2000 and a building permit should have been obtained by October 6, 2001. The extension, if granted, will give the applicant until October 6, 2002 to obtain a building permit and until October 6, 2003 to complete the project.

CONTINUED TO DECEMBER 7, 2001 MEETING.

C. CONTINUED CASE

5. FILE NO. 2822 RICHARD MURRY & PETER GREGORY GRIFFIN
5925 LA GORCE DRIVE

The applicant is requesting the following after-the-fact variance in order to retain a partially constructed a pool deck in the front yard of an existing single family residence:

1. A variance to waive 10.75' of the minimum required front setback of 20' in order to retain a swimming pool deck, consisting of pavers set in sand, 9.25' from the front property line.

CONTINUED TO DECEMBER 7, 2001 MEETING.

D. NEW CASES

- 6. FILE NO. 2827 CLAYTON POTTER
56 SOUTH HIBISCUS DRIVE**

The applicant is requesting the following variance in order to install a retractable canvas carport which projects past the front property line into the swale area when fully extended

1. A variance to waive all of the required 18" front setback in order to install the above canvas carport which projects across the front property line and into the swale area of South Hibiscus Drive.

DENIED.

- 7. FILE NO. 2828 DR. LUIS WIGODA
1439 ALTON ROAD**

The applicant is requesting the following variance in order to construct an accessory parking lot with cars parked along the north and south side property lines in the rear.

1. A variance to waive all of the minimum required side yard setback for parking in order to provide six parking spaces in the rear of a commercial building which is to be rehabilitated.

GRANTED.

- 8. FILE NO. 2831 KOMAR INVESTMENTS, INC.
161 OCEAN DRIVE**

The applicant is requesting the following variance in order to convert an existing rooftop maintenance/mechanical equipment room into a hotel unit:

1. A variance to exceed by 7' – 8" the maximum permitted height of 100' in order to convert an existing maintenance room into a rooftop hotel room which results in a new building height of 107' – 8".

CONTINUED TO DECEMBER 7, 2001 MEETING.

9. FILE NO. 2832 BUBBLES, L.L.C.
423 – 16th STREET

The applicant is requesting the following variance in order to sell/serve alcoholic beverages at a bar located within 300 feet of a religious institution. (Note: The United Methodist Church, a/k/a Iglesia Metodista Unida Mision, is located 85 feet from the subject property.)

1. A variance to waive 215' of the minimum required 300' distance separation between a religious institution and a bar in order to serve alcoholic beverages at the subject property, located 85' from the United Methodist Church located at 414 16th Street.

CONTINUED TO DECEMBER 7, 2001 MEETING.

10. FILE NO. 2833 ROYAL AMBASSADOR TRAVEL INC.
a/k/a TUDOR HOTEL
1111 COLLINS AVENUE

The applicant is appealing a June 25, 2001 administrative decision made by the Planning and Zoning Director. The administrative decision states that Section 142-904(b)(1)g does not permit the subject counter and cabinet fixture on the terrace of the existing Tudor Hotel and as such must be removed. The applicant contends that the counter has always been there and that the Planning Department is singling out the property.

CONTINUED TO DECEMBER 7, 2001 MEETING.

11. FILE NO. 2834 O.B.R. LIMITED, L.P.
4835 COLLINS AVENUE

The applicant is requesting the following variances in order to construct a swimming pool and deck in the rear yard of a proposed new Hotel.

1. A variance to waive 9' of the minimum required 10' rear yard setback for pool decks from the bulkhead line in order to construct new pool and deck 1' from the bulkhead line.
2. A variance to waive 10' of the minimum required 15' side yard setback for pool decks in order to construct new pool and deck 5' from the north side yard.

GRANTED.

**12. FILE NO. 2835 GREEN COMET LLC
344 OCEAN DRIVE**

The applicant is requesting the following variances in order to construct a new three story stair and third floor addition to an existing hotel:

1. A variance to waive 7' of the minimum required rear yard setback of 11.5' in order to construct a three story stair and elevator 4.5' from the rear property line.
2. A variance to waive of the 1'- 0" minimum required north side yard setback of 5' in order to construct a third floor addition 4' from the north side property line.
3. A variance to waive 1'-0" of the minimum required south side yard setback of 5' in order to construct a third floor addition 4' from the south side property line.

CONTINUED TO DECEMBER 7, 2001 MEETING.

**13. FILE NO. 2836 DANA and CHERYL J. KAUFMAN
2301 SUNSET DRIVE, SUNSET ISLAND III**

The applicant is requesting the following variances in order to construct a swimming pool, a paved play surface and a canvas and pipe carport to project (with Public Works approval) over the front property line:

1. A variance to waive 15' of the minimum required front yard setback of 20' in order to construct a swimming pool and deck 5' from the front property line facing Lucerne Avenue. (Please note: the subject property for zoning purposes has two fronts, one on Lucerne Avenue and the other on Sunset Drive.
2. A variance to waive 5' – 4" of the minimum required side yard setback of 9' to the water's edge of a swimming pool in order to construct a swimming pool and deck 3' – 8" from the north interior side yard.
3. A variance to waive all of the required 18" front setback in order to install a canvas carport which projects across the front property line and into the swale area of Sunset Drive.
4. A variance to waive all of the required front yard setback of 20' in order to construct a paved play area up to the property line facing Sunset Drive.

REQUEST NOS. 1,2 AND 4: GRANTED.

REQUEST NO. 3: DENIED.