



BOARD OF ADJUSTMENT **AFTER ACTION**

FRIDAY, DECEMBER 7, 2001 - 9:00 A.M.

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

A. CLARIFICATION

1. **FILE NO. 2823** **CORINNA KELLER**
5800 PINETREE DRIVE

Staff requests a clarification of a condition of approval that required an adjoining neighbor to approve the elevation of the proposed garage.

BOARD AFFIRMED VARIANCE WHICH HAD ALREADY BEEN GRANTED ON AUGUST 3, 2001.

B. EXTENSIONS OF TIME

2. **FILE NO. 2757** **NORTH BAY ROAD TRUST**
5300 NORTH BAY ROAD

[Note: This case is continued from the October 5, 2001 meeting.]
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.

DEFERRED TO JANUARY 7, 2002.

3. **FILE NO. 2754** **JODY SCHWARTZ**

919 COLLINS AVENUE

The applicant is requesting a six-month extension of time to obtain a building permit for the construction of a new two story residential/commercial addition to an existing structure. The variance was granted on September 8, 2000 and a building permit should have been obtained by March 8, 2001. The applicant received a six-month extension of time on April 6, 2001, which gave the applicant until September 8, 2001 to obtain a building permit. The second extension, if granted, will give the applicant until March 8, 2002 to obtain a building permit and until September 8, 2003 to complete the project.

GRANTED

4. **FILE NO. 2743** **ZEDEK ASSOCIATES a/k/a VALONA HOTEL**
315 OCEAN DRIVE

The variances were granted on May 5, 2000 for the construction of a new four (4) story, 77 unit hotel building with 16 parking spaces. A building permit should have been obtained for the project by November 5, 2000. A one-year extension was granted, which gave the applicant until November 5, 2001 to obtain a building permit and until November 5, 2003 to complete the project. The extension of time, to obtain a building permit, was granted with a condition that no more extensions shall be permitted.

This request has three parts:

The applicant is requesting a modification to eliminate the condition of approval, which does not permit any additional extensions of time. If the Board agrees to eliminate that condition, then the applicant requests the following variance to allow extensions of time for more than one year.

The applicant requests the following variance in order to allow for an additional six month extension of time:

1. A variance to waive Section 118-355 which only permits extensions of time, to obtain a building permit, for good cause, not to exceed a total of one year.

If the above variance is granted then the applicant requests a six month extension of time. If granted, the extension will give the applicant until May 5, 2002 to obtain a building permit and until May 5, 2004 to complete the project.

DENIED

5. **FILE NO. 2821 SOKOLOV LIMITED/S.K. GROUP
(Lucerne Hotel a/k/a Marriott Fairfield Inn & Suites)
4101 COLLINS AVENUE**

This case is continued from the meeting of July 6, 2001.

The applicant is requesting the following variances in order to install a sign with copy reading "Marriott Fairfield Inn & Suites" on an existing hotel:

1. A variance to relocate a permissible Oceanfront accessory sign, identifying the building, to the west elevation facing Collins Avenue.

Upon approval of Request No. 1, the applicant requests the following:

2. A variance to Section 138-172, which limits flat signs to a maximum of 30 sq. ft. and prohibits signs in the RM-1, 2, & 3 zoning district from being located above the ground floor in order to install the above relocated oceanfront sign, containing 49 sq. ft., with copy reading "Marriott Fairfield Inn & Suites", along the parapet of the subject building facing Collins Avenue.

GRANTED

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

This case is continued from the meeting of October 5, 2001.

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.

GRANTED

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

This case is continued from the meeting of October 5, 2001.

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 UNTIL APPLICANT ADVISES. MUST RE-ADVERTISE.

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

This case is continued from the meeting of October 5, 2001.

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.

GRANTED

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

This case is continued from the meeting of October 5, 2001.

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 JANUARY 7, 2002.

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

This case is continued from the meeting of October 5, 2001.

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.

GRANTED

D. NEW CASES

11. **FILE NO. 2837 RDP ROYAL PALM HOTEL L.P.
1535 & 1545 COLLINS AVENUE**

The applicant is requesting the following variances in order to install two signs on the north and south elevations of a new hotel with copy reading "Royal Palm - Crowne Plaza Resort":

1. A variance to waive Section 138-71(d) which only permits signs to face a street or waterfront in order to relocate a permitted Ocean front sign as a building identification sign on the south elevation of a new hotel building.
2. A variance to waive Section 138-71(d) which only permits signs to face a street or waterfront in order to install the permitted building identification sign for Collins Avenue on the north elevation of a new hotel building.

GRANTED

12. **FILE NO. 2838 MURANO GRANDE AT PORTOFINO
400 ALTON ROAD**

The applicant is requesting the following variance in order to add additional directional language to a previously approved construction sign facing the MacArthur Causeway (5th Street):

1. A waiver of the allowable text on construction signs to allow directional language and sales center information.

GRANTED

13. **FILE NO. 2839 TERRA INTERNATIONAL DEVELOPMENTS, LLC
5970-90 INDIAN CREEK DRIVE**

The applicant is requesting the following variances in order to construct a new six (6) story, thirty (33) unit multifamily building with fifty (50) parking spaces:

1. A variance to waive 3' – 0" of the minimum required front tower setback of 30' – 0" in order to construct the tower portion with a setback of 27' – 0" from the front property line facing Indian Creek Drive.
2. A variance to waive 16' – 0" of the minimum required front setback for at-grade parking and driveways of 20' – 0", in order to construct an entrance drive, parallel to Indian Creek Drive, 4' – 0" from the front property line.
3. A variance waive 9' – 0" of the minimum required side yard setback of 2' – 6" for at-grade parking in order to provide parking 8' – 6" from the north side and 3' – 0" south side property lines.
4. A variance to allow three deep tandem parking along the north side yard of the proposed building.
5. A variance to waive the required 18" setback from interior drives for columns located within parking garages.

REQUEST NOS. 1,2 AND 3: GRANTED

REQUEST NO. 4: DENIED

REQUEST NO. 5: DENIED WITHOUT PREJUDICE

14. **FILE NO. 2829** **CHARLES E. SMITH RESIDENTIAL REALTY, INC.
1230 and 1234 12TH ST., and 1141 WEST AVENUE**

The applicant is requesting the following variances in order to construct a 30 space temporary parking lot with a crushed rock surface:

1. A variance to waive 2' – 6" of the minimum required 5' landscaping setback along the interior side yard and 6" of the minimum required 5' landscape setback along 12th Street.
2. A variance to allow a temporary parking lot to have a crushed-rock parking surface.

GRANTED

15. **FILE NO.2841** **CHARLES E. SMITH RESIDENTIAL REALTY, INC.
1225, 1235,1245 - 11TH STREET**

The applicant is requesting the following variances in order to construct a 30 space temporary parking lot with a crushed rock surface:

1. A variance to waive 3' of the minimum required 5' landscaping setback along the side yard facing 11th Street.
2. A variance to allow a temporary parking lot to have a crushed-rock parking surface.

GRANTED

16. **FILE NO. 2840 CHARLES E. SMITH RESIDENTIAL REALTY, INC.
1000-1200 WEST AVENUE**

The applicant is requesting the following variances in order to install a flat wall sign on the fourth floor of an existing apartment building with copy reading "Mirador":

1. A variance to relocate a permissible Bayfront accessory sign, identifying the building, to the east elevation facing West Avenue.

Upon approval of Request No. 1, the applicant requests the following:

2. A variance to Section 138-172, which limits flat signs to a maximum of 30 sq. ft. and prohibits signs in the RM-1, 2, & 3 zoning district from being located above the ground floor in order to install the above relocated bayfront sign, containing 150 sq. ft., with copy reading "Mirador", on the fourth floor of the subject building facing West Avenue.

CONTINUED TO JANUARY 7, 2002

17. **FILE NO. 2842 GAVRIEL MAIRONE
619 MERIDIAN AVENUE**

Please Note: This case has not received approval from the Historic Preservation Board; therefore, it will be continued until approval has been obtained.

18. **FILE NO. 2843 THE LOFTS OF NORTH BEACH, INC.
185 SOUTH SHORE DRIVE**

The applicant is requesting the following variances in order to construct a

order to relocate a permitted ground floor flat wall sign to the parapet facing the Julia Tuttle Causeway (41st Street.).

2. A variance to exceed by 155 sq. ft. the maximum permitted size for flat wall signs of 30 sq. ft. in order to place the above mentioned new sign on the parapet containing 185 sq. ft., with copy reading "Howard Johnson".

GRANTED

22. **FILE NO. 2847 MICHAEL K. ROARK and ELAINE WRIGHT**
221 WEST SAN MARINO DRIVE

The applicant is requesting the following variances in order to construct a swimming pool and deck in the front yard of an existing single family residence:

1. A variance to waive 12' – 6' feet of the minimum required front yard setback of 20 feet in order to construct a pool and deck 7' – 6" from the front property line facing Venetian Way.
2. A variance to waive all of the minimum required side setback for driveways in order to construct a driveway up to the south side yard.

CONTINUED TO JANUARY 7, 2002

23. **FILE NO. 2850 TEMPLE BETH SHALOM**
4144 CHASE AVENUE

The applicant is requesting the following variance in order to construct an addition to an existing temple and school:

1. A variance to waive 10" of the minimum required side setback of 50' for schools in residential districts order to construct a two story ground floor addition to an existing school building 49' – 2" from the north side yard.

GRANTED