



BOARD OF ADJUSTMENT

AFTER ACTION REPORT

**FRIDAY, SEPTEMBER 8, 2006
9:00 A.M.**

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

A. CASE REQUESTING CONTINUANCE

- FILE NO. 3239 JEWISH MUSEUM OF FLORIDA, INC.
301-311 WASHINGTON AVENUE
LOTS 9, 10 AND 11, BLOCK 7
OCEAN BEACH FLORIDA
PLAT BOOK 2, PG38;
MIAMI-DADE COUNTY, FLORIDA**

The applicant is requesting the following variances in order to permit the construction of a new 2-story atrium located between the two existing structures:

1. A variance to exceed by 15' - 7" the maximum and minimum front pedestal setback requirement of 5' - 0" in order to provide a front pedestal setback of 20' - 7" from the front property line, facing Washington Avenue.
2. A variance to waive all of the required rear pedestal setback of 15' - 0" in order to build up to the east property line, facing an alley.

THIS CASE IS CONTINUED UNTIL FURTHER NOTICE.

B. EXTENSION OF TIME

- FILE NO. 3133 OG DEVELOPMENT GROUP, LLC**

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**formerly known as OCEAN GRANDE HOTEL
100 – 37TH STREET
LOTS 4 and 5 AND PORTION OF 16 FT. ALLEY
BET. LOTS 4 and 5 & RIP. RTS.; BLOCK 25
MIAMI BEACH IMPROVEMENT CO. SUBDIVISION
PLAT BOOK 5, PG. 8;
MIAMI-DADE COUNTY, FLORIDA**

The applicant is requesting a modification to a condition of approval for variances associated with the renovation of an existing historic building and the construction of a new six (6) story residential building with retail at the ground level and a total of ten (10) units and nine (9) parking spaces. A condition of the Order dated September 2, 2005 requires that a building permit be obtained by September 2, 2006 and that the project be completed by September 2, 2007. The applicant is requesting a one (1) year extension of time to obtain a building permit by September 2, 2007 and to complete the project by September 2, 2009.

EXTENSION OF TIME APPROVED FOR 6 MONTHS (MARCH 2, 2007). PROJECT TO BE COMPLETED BY SEPTEMBER 2, 2009. PROGRESS REPORT DUE IN 30 DAYS (OCTOBER 6, 2006).

C. CONTINUED CASES

3. **FILE NO. 3210** **MR. & MRS. MARK KATSMAN
841 W. 47TH STREET
EAST ½ OF LOT 8 AND ALL OF LOT 9; BLOCK 13
NAUTILUS ADDITION OF MIAMI BEACH BAYSHORE CO.
PLAT BOOK 8 PG 130;
MIAMI-DADE COUNTY, FLORIDA**

This case was continued from the July 7, 2006 meeting.

THE APPLICANT HAS WITHDRAWN THE APPLICATION.

4. **FILE NO. 3218** **VICTOR S. VACCARO
1411 BISCAYNE POINTE RD.
LOT 15; BLOCK 10
BISCAYNE POINT
PLAT BOOK 14 PG 35;
MIAMI-DADE COUNTY, FLORIDA**

This case was continued from the July 7, 2006 meeting.

The applicant is requesting the following variance in order to build a concrete

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deck within the required interior side yard on the west side of an existing one (1) story single family residence:

1. A variance to waive 4' - 7 ½" of the minimum required interior side yard setback of 5' - 7 ½" in order to build a raised concrete deck and a planter at 1' - 0" from the west property line.

THE APPLICANT REQUESTED CONTINUANCE TO THE OCTOBER 6, 2006 MEETING.

5. **FILE NO. 3224** **JOSE GARCIA**
6115 PINETREE DRIVE
LOT 6, BLOCK 2, BEACH VIEW ADDITION
PLAT BOOK 16, PG 10;
MIAMI-DADE COUNTY, FLORIDA

This case was continued from the August 4, 2006 meeting.

The applicant is requesting the following variances in order to permit the construction of a two (2) and three (3) story addition to the east side of an existing two (2) story single family residence:

1. A variance to waive 3' - 6" of the minimum required setback of 7' - 6" from the rear property line to the water's edge in order to build the swimming pool water's edge at 4' - 0" from the rear property line.
2. ~~A variance to waive 2' - 6" of the minimum required interior side setback of 9' - 0" from the interior property line to the water's edge in order to build the swimming pool water's edge at 7' - 6" from the north property line.~~

VARIANCE #2 WITHDRAWN BY APPLICANT

3. A variance to waive the requirement that pitched roofs may only be comprised of barrel or cement tile in order to build a metal roof.

VARIANCE #3 APPROVED ON AUGUST 4, 2006

VARIANCE #1 WITHDRAWN BY APPLICANT.

6. **FILE NO. 3235** **INDIAN CREEK HOTEL INVESTORS, LTD**
6060 INDIAN CREEK DRIVE
LOTS 31 - 34, BLOCK 2
AMENDED PLAT OF SECOND
OCEAN FRONT SUBDIVISION
PLAT BOOK 28, PG 28;
MIAMI-DADE COUNTY, FLORIDA

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This case was continued from the August 4, 2006 meeting.

The applicant is requesting the following variances in order to permit the relocation of allowable business signage and to exceed their maximum permitted size:

1. A variance to permit the relocation of an allowed ground level main use flat business sign from the permitted ground floor location to the upper level of the building, facing Indian Creek Drive.
2. A variance to exceed by 96 square feet the maximum permitted size of a flat business sign of 30 square feet in order to provide a flat business sign of 126 square feet on the east façade of the building, facing Indian Creek Drive.
3. A variance to permit the relocation of an allowed ground level main use flat business sign from the permitted ground floor location facing the waterway, to the upper level of the building, facing an interior lot, to the north.
4. A variance to exceed by 96 square feet the maximum permitted size of a flat business sign of 30 square feet in order to provide a flat business sign of 126 square feet on the north façade of the building, facing an interior lot.

APPROVED WITH MODIFICATIONS.

D. NEW CASES

7. **FILE NO. 3236** **SHANE H. SUTTON**
115 2ND SAN MARINO TERRACE
LOT 3, BLOCK 6
SAN MARINO ISLAND SUBDIVISION
PLAT BOOK 9, PG 22;
MIAMI-DADE COUNTY, FLORIDA

The applicant is requesting the following variances in order to permit the construction of a new swimming pool and its associated deck at the rear of an existing single family residence:

1. A variance to waive 3' - 4" of the minimum required interior side yard setback of 9' - 0" in order to provide 5' - 8" from the west property line to the water's edge.

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2. A variance to waive the entire minimum required interior side yard setback of 7' - 6" in order to build the pool deck up to the west property line.
3. A variance to exceed by 201.3 square feet the maximum allowable required rear yard coverage of 360 square feet in order to provide 561.3 square feet coverage.

APPROVED.

8. **FILE NO. 3237** **THOMAS DANLUCK**
55 LA GORCE CIRCLE
LOT 11, BLOCK 10
OF LA GORCE ISLAND
PLAT BOOK 34, PG 83;
MIAMI-DADE COUNTY, FLORIDA

The applicant is requesting the following variances in order to permit the construction of swimming pool and its associated deck within the required interior side yard setback on the south side of an existing one (1) story single family residence:

1. A variance to waive 3' - 0" of the minimum required interior side yard setback of 9' - 0" from the interior side property line to the water's edge in order to provide 6' - 0" from the south property line to the water's edge.
2. A variance to waive 2' - 6" of the required interior side yard setback of 7' - 6" from the interior property line to the edge of the pool deck in order to build the pool deck at 5' - 0" from the south property line.

APPROVED.

9. **FILE NO. 3238** **5020 NORTH BAY ROAD, LLC**
5020 NORTH BAY ROAD
ALL OF LOTS 37 AND 38, BLOCK 14
LA GORCE GOLF SUBDIVISION
AND PART OF LOTS 36 AND 39 IN BLOCK 14
OF LA GORCE GOLF SUBDIVISION
PLAT BOOK 14, PG 43;
MIAMI-DADE COUNTY, FLORIDA

The applicant is requesting the following variances in order to permit the construction of an accessory structure within the required front and interior side yards on the east side of the property:

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1. A variance to waive 5' - 0" of the minimum required front setback of 20' - 0" in order to build an accessory structure and a chiller pad at 15' - 0" from the front property line.
2. A variance to waive 13' - 8" of the minimum required interior side yard setback of 21' - 2" in order to build an accessory structure and chiller pad at 7' - 6" from the east interior property line.

CONTINUED FOR 30 DAYS (OCTOBER 6, 2006).

- 10. FILE NO. 3240 CASABLANCA CONDOMINIUM ASSOCIATION
6345 COLLINS AVENUE
LOTS 21-P, 21-Q, 21-R, AND 22 IN BLOCK 1,
SECOND OCEAN FRONT SUBDIVISION,
PLAT BOOK 28, PG28;
MIAMI-DADE COUNTY, FLORIDA**

The applicant is requesting the following variance in order to retain existing undersize residential units within a building:

1. A variance to waive 75 s.f. of the minimum required unit size of 400 s.f. in order to provide residential units of 325 s.f.

APPROVED WITH MODIFICATIONS.

- 11. FILE NO. 3241 928 JEFFERSON AVENUE, 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 variances in order to permit the construction of a three (3) story addition to the west side of an existing two (2) story structure:

1. A variance to waive all of the required setback for at-grade parking of 5' - 0" in the rear in order to build three parking spaces at 0' - 0" from the west property line.
2. A variance to waive 2' - 6" of the minimum required interior side setback of 7' - 6" in order to build the pedestal level at 5' - 0" from the north property line.
3. A variance to waive 9' - 0" of the minimum required rear pedestal setback of 14' - 0" in order to build the pedestal level at 5' - 0" from the west property line.

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4. A variance to exceed by 1' - 9" the maximum allowable projection of 1' - 3" in order to allow a balcony projection of 3' - 0" into the required rear yard setback.

APPROVED.

12. **FILE NO. 3243** **DARIA DEVELOPMENT, LLC**
1551 WEST AVENUE
LOT 8, BLOCK 66,
COMMERCIAL SUBDIVISION OF
THE ALTON BEACH REALTY COMPANY,
PLAT BOOK 6, PG 5;
MIAMI-DADE COUNTY, FLORIDA

The applicant is requesting the following variances in order to permit the construction of four (4) off-street parking spaces within a lot with two (2) two-story residential buildings:

1. A variance to exceed by two (2) the maximum allowable number of parking spaces per platted lot in order to provide four (4) parking spaces.
2. A variance to exceed by 2' - 8" the maximum allowable driveway curb cut width of 12' - 0" in order to provide a driveway curb cut of 14' - 8" at the front property line, facing West Avenue.
3. A variance to waive 1' - 0" of the minimum required interior side yard setback for at-grade parking of 5' - 0" in order to provide a setback of 4' - 0" from the north property line.
4. A variance to waive a range of 3' - 5" to 1' - 0" of the minimum required side yard facing the street setback for at-grade parking of 5' - 0" in order to provide a setback ranging from 1' - 7" to 4' - 0" from the south property line.
5. A variance to waive 2' - 0" of the minimum required access driveway setback requirement of 3' - 0" from any property line in order to provide an access driveway at 1' - 0" from the south property line, facing 15th Terrace.

THE APPLICANT REQUESTED CONTINUANCE TO THE OCTOBER 6, 2006 MEETING.

13. **FILE NO. 3244** **ROUGET, LLC**
447 ESPANOLA WAY
LOT 1, 2, 3, 4, 5, AND 6 OF BLOCK3 A,

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**OF FIRST ADDITION TO WHITMANS SUBDIVISION
OF ESPANOLA VILLAS,
PLAT BOOK 9, PG 147;
MIAMI-DADE COUNTY, FLORIDA**

The applicant is requesting the following variance in order to sell/serve beer and wine and liquor at a new restaurant:

1. A variance to waive 177.5 feet of the minimum required 300 foot separation between a business that sells/serves alcoholic beverages for consumption and an existing educational facility, Fisher-Feinberg Elementary School, in order to sell/serve alcoholic beverages for consumption within a new restaurant with a distance of 122.5 feet to the school.

APPROVED WITH MODIFICATIONS.

- 14. FILE NO. 3245 LINX AT NORMANDY, LLC
165-185 SOUTH SHORE DRIVE
LOT 6, 7, AND 8, BLOCK 56,
NORMANDY GOLF COURSE SUBDIVISION
PLAT BOOK 44, PG 62;
MIAMI-DADE COUNTY, FLORIDA**

The applicant is requesting the following variances in order to permit the construction of a new four (4) story multifamily building with twenty-four (24) units:

1. A variance to waive 4' – 1" of the minimum required 9' – 1" northeast interior side yard parking setback in order to permit the construction of a new multifamily building with a 5' – 0" side yard setback from the northeast property line.
2. A variance to waive 4' – 1" of the minimum required 9' – 1" southwest interior side yard parking setback in order to permit the construction of a new multifamily building with a 5' – 0" side yard setback from the southwest property line.
3. A variance to waive 7' - 0" of the minimum required 14' – 6" northeast interior side yard pedestal setback in order to permit the construction of a new multifamily building 7' – 6" from the northeast property line.
4. A variance to waive 7' - 0" of the minimum required 14' – 6" southwest interior side yard pedestal setback in order to permit the construction of a new multifamily building 7' – 6" from the southwest property line.

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5. A variance to waive 14' – 1" of the minimum required 29' -1" sum of the side yards pedestal setback in order to permit the construction of a new multifamily building with a 15' – 0" sum of the side yards pedestal setback.

CONTINUED FOR 30 DAYS (OCTOBER 6, 2006).

15. **FILE NO. 3246** STANLEY DAVID FERGUSON
700-710 82ND STREET
LOT 13 AND 14, BLOCK 5,
BISCAYNE BEACH SUBDIVISION
PLAT BOOK 44, PG 67;
MIAMI-DADE COUNTY, FLORIDA

The applicant is requesting the following variances in order to permit the construction of a new four (4) story, ten (10) unit townhome project, which will replace two (2) single story apartment buildings, to be demolished.

1. A variance to waive 10' - 0" of the required front yard setback of 20' - 0" in order to build the front façade of the building at 10' - 0" from the north property line.
2. A variance to exceed the maximum allowable projection of 25% (2'-6") into the required front yard by 60% (6'-0") in order to provide terraces at the ground floor with a projection of 85% (8'-6").
3. A variance to waive 10' - 0" of the minimum required drive width of 22' - 0" in order to build a drive with a width of 12' - 0".

APPROVED.

16. **FILE NO. 3247** PARK ISLE ASSOCIATES, LLC
7251 WAYNE AVENUE
TRACK "A"
PARKVIEW ISLAND SUBDIVISION
PLAT BOOK 60, PG 6;
MIAMI-DADE COUNTY, FLORIDA

The applicant is requesting the following variances in order to permit the renovation of five (5) two-story residential buildings:

1. A variance to waive 267 s.f. of the minimum required unit size of 900 s.f. in order to provide residential units of 633 s.f.

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2. A variance to waive 105.4 s.f. of the minimum required average unit size of 1,100 s.f. in order to provide an average unit size of 994.6 s.f.

APPROVED. PROGRESS REPORT IN 90 DAYS (DECEMBER 1, 2006).

E. NEXT MEETING DATE

October 6, 2006

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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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MIAMI BEACH

PLANNING DEPARTMENT

FLOOD PLAIN MANAGEMENT BOARD
AFTER ACTION REPORT

FRIDAY, SEPTEMBER 8, 2006

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

FILE NO. FP06-07

**WSG 34TH STREET, LLC
6901 COLLINS AVENUE
LOTS 5 AND 6, BLOCK A
IN ATLANTIC HEIGHTS CORRECTED PLAT,
PLAT BOOK 9, PG 14;
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 3-story structure.

THIS CASE IS CONTINUED TO THE OCTOBER 6, 2006 MEETING.

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