



**BOARD OF ADJUSTMENT
AFTER ACTION REPORT**

**FRIDAY, MARCH 2, 2007
9:00 A.M.**

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

A. PROGRESS REPORTS

1. **FILE NO.3257** **FAIRFAX HOTEL PARTNERSHIP, LTD.
1776 COLLINS AVENUE
LOTS 9, 10, 11 & 12, BLOCK 27,
OF FISHER'S SUBDIVISION OF ALTON BEACH,
PLAT BOOK 2, PG 77;
MIAMI-DADE COUNTY, FLORIDA**

The applicant will present a progress report in association with the operation of an accessory rooftop outdoor bar counter within an existing hotel, which received a variance on December 8, 2006.

PROGRESS REPORT DUE 30 DAYS AFTER THE ROOFTOP OUTDOOR BAR OPERATIONS BEGIN.

2. **FILE NO.3260** **BYHALL, LLC
401 69TH STREET
LOTS 3, 4, 5, 6, 7, 8, 9, AND 10, BLOCK H,
"CORRECTED PLAT OF ATLANTIC HEIGHTS"
LESS AND EXCEPT THE EAST 2 FEET OF
LOTS 7, 8, 9, AND 10M IN SAID BLOCK H,
PLAT BOOK 9, PG 14;
MIAMI-DADE COUNTY, FLORIDA**

The applicant will present a progress report associated with the construction of two (2) egress stairs to an existing seventeen (17) story building, which received variances on January 5, 2007

PROGRESS REPORT DUE IN 60 DAYS (MAY 4, 2007).

3. **FILE NO.3271** **GERMAN CARMONA**

BOARD OF ADJUSTMENT AFTER ACTION REPORT
MARCH 2, 2007

**825 MICHIGAN AVENUE
LOT 11, BLOCK 87,
OF OCEAN BEACH FLA ADDITION No. 3
PLAT BOOK 2, PG 81;
MIAMI-DADE COUNTY, FLORIDA**

The applicant will present a progress report associated with the renovation of an existing 2-story multifamily building and the construction of a new 3-story multifamily structure at the rear of the property, which received variances on January 5, 2007.

PROGRESS REPORT PRESENTED. NO FURTHER REPORTS UNLESS VIOLATIONS ARE ISSUED.

B. EXTENSIONS OF TIME

4. **FILE NO. 3072** **SIMON STRONG
725 WEST DILIDO DRIVE
LOT 1; BLOCK 14; DILIDO ISLAND
PLAT BOOK 8, PG 36;
MIAMI-DADE COUNTY, FLORIDA**

The applicant is requesting the following modification to a condition of approval for a variance associated with the construction of a new swimming pool within the required front yard (facing 8th Terrace) and the required side-yard facing a street (West Dilido Drive).

Condition number 11 of the Order dated January 7, 2005, requires that the project be completed by January 7, 2007. The applicant is requesting a one (1) year extension of time to complete the project by January 7, 2008.

THREE (3) MONTHS EXTENSION OF TIME GRANTED.

5. **FILE NO. 3114** **738 LINCOLN ROAD, LLC and 730 CORPORATION
726-744 LINCOLN ROAD
LOTS 4,5,6; BLOCK 50
ALTON BEACH REALTY CO.
SECOND COMMERCIAL SUB.
PLAT BOOK 6, PG 33;
MIAMI-DADE COUNTY, FLORIDA**

The applicant is requesting the following modification to a condition of approval for variances associated with the renovation and restoration of the existing commercial buildings, and the construction of a new five (5) story mixed-use structure:

A condition of the Order dated August 5, 2005 requires that a building

BOARD OF ADJUSTMENT AFTER ACTION REPORT
MARCH 2, 2007

permit be obtained by February 5, 2007. The applicant is requesting a one (1) year extension of time to obtain a full building permit by February 5, 2008.

NINE (9) MONTHS EXTENSION OF TIME GRANTED.

6. **FILE NO. 3182** RYDER PROPERTIES, LLC
d/b/a SOVEREIGN HOTEL
4385 COLLINS AVENUE
Parcel 1: Lot 1 less south 75 ft. thereof; Block 39
Miami Beach IPO's Oceanfront Sub.
Parcel 2: All of the southerly 75 ft. of that certain
tract marked and designated as R.P. Van Camp on
the amended map of the oceanfront property of
the Miami Beach Imp. Co. Plat Book 5, Pg 7 - 8;
MIAMI-DADE COUNTY, FLORIDA

The applicant is requesting the following modification to a condition of approval for variances associated with the renovation of an existing 7 story hotel, including the construction of a one story rooftop addition and a new 14 story ground level addition at the rear of the property:

A condition of the Order dated March 3, 2006 requires that a building permit be obtained by September 3, 2007. The applicant is requesting a one (1) year extension of time to obtain a full building permit by September 3, 2008.

SIX (6) MONTHS EXTENSION OF TIME GRANTED.

C. **CONTINUED CASE**

7. **FILE NO.3283** ROSA MARTINEZ AND MICHELLE McGUINNESS
845 82ND STREET AND 8225 HAWTHORNE AVE.
LOT 1, BLOCK 11, OF BISCAYNE BEACH
FIRST ADDITION, PLAT BOOK 47, PG 19;
MIAMI-DADE COUNTY, FLORIDA

This case was continued from the February 2, 2007 meeting.

The applicant is requesting the following variances in order to permit the construction of a six (6) townhouse unit, four (4) story multifamily residential building:

1. A variance to waive 10' - 0" of the minimum required front yard setback of 20' - 0", in order to build the pedestal of the building at 10' - 0" from the south property line, facing 82nd Street.

BOARD OF ADJUSTMENT AFTER ACTION REPORT
MARCH 2, 2007

2. A variance to waive ~~2' - 4"~~ of the minimum required rear yard setback of ~~5' - 0"~~ for at-grade parking in order to provide the drive access to the internal parking spaces at ~~2' - 8"~~ from the north property line.

VARIANCE NO. 2 WITHDRAWN BY APPLICANT.

3. A variance to waive 10' - 0" of the minimum required drive width of 22' - 0" for two-way traffic in order to provide a drive width of 12' - 0".
4. A variance to waive 6' - 6" of the minimum required interior drive aisle width of 22' - 0" in order to build the interior drive aisle with a width of 15' - 6".

APPROVED WITH ADDITIONAL CONDITIONS.

D. MODIFICATION AND NEW VARIANCE

8. **FILE NO. 3165** **KEY EDEN ROC GENERAL PARTNER, INC.**
 d/b/a EDEN ROC HOTEL
 4525 COLLINS AVENUE
 N. ½ OF LOT 3 & LOTS 4, 5 & 6 &
 RIP RTS & STRIP OPP SAME;
 INDIAN BEACH CORP. SUB.
 PLAT BOOK 8, PG 61;
 MIAMI-DADE COUNTY, FLORIDA

The applicant is requesting a modification to the approved site plans, inclusive of the addition of a ballroom space and vehicle elevators. The modification requires a new variance for the total amount of parking spaces required for hotel and related accessory uses, in order to permit the construction of a new twenty-one (21) story hotel tower on the south portion of the property and the renovation of the existing 14 story hotel.

1. A variance to reduce the total amount of parking required for a hotel and related accessory uses by 20 percent.

MODIFICATION APPROVED. VARIANCE REQUEST DEFERRED INDEFINITELY.

E. NEW CASES

9. **FILE NO. 3286** **MARIA G. MENZEL**
 49 PALM AVENUE
 LOT 14; BLOCK 1 OF PALM ISLAND,
 PLAT BOOK 6, PG 54;
 MIAMI-DADE COUNTY, FLORIDA
 (FOR COMPLETE LEGAL DESCRIPTION PLEASE

BOARD OF ADJUSTMENT AFTER ACTION REPORT
MARCH 2, 2007

CONTACT THE PLANNING DEPARTMENT)

The applicant is requesting the following variances in order to permit the construction of two (2), two-story additions to the west side of an existing two-story single family residence:

1. A variance to waive 7' - 0" of the minimum required interior side yard setback of 10' - 0" in order to provide 3' - 0" from the west property line to allow for the addition of a new four-car garage at the ground level, following the existing building line at the front of the home.
2. A variance to waive 3' - 6" of the minimum required interior side yard setback of 10' - 0" in order to provide 6' - 6" from the west property line to allow for the addition of a kitchen and terrace at the ground level, following the existing building line at the rear of the home.

APPROVED.

10. **FILE NO.3287** **MITCHELL AND ETA RUBINSON**
3525 FLAMINGO DRIVE
LOT 17, BLOCK 3,
"FLAMINGO TERRACE SUBDIVISION"
PLAT BOOK 10, PG 3;
MIAMI-DADE COUNTY, FLORIDA

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

1. A variance to waive 2' - 10" of the minimum required sum of the side yards of 25' - 0" in order to provide a 22' - 2" sum of the side yards.

APPROVED.

11. **FILE NO.3288** **WAVERLY AT SOUTH BEACH CONDO ASSOC.**
1330 WEST AVENUE
ALL OF THE SUBDIVISION OF THE NORTH 230 FT
OF LOT 1 OF THE SUBDIVISION OF BLOCK 80 OF
THE ALTON BEACH REALTY COMPANY, A PART
OF ALTON BEACH BAY FRONT SUBDIVISION,
PLAT BOOK 34, PG 25;
MIAMI-DADE COUNTY, FLORIDA

The applicant is requesting the following variance in order to permit the construction of a fence at the rear of a property with an existing residential

BOARD OF ADJUSTMENT AFTER ACTION REPORT
MARCH 2, 2007

building:

1. A variance to exceed by 1' - 0" the maximum permitted fence height of 5' - 0" when facing a waterway in order to build a fence with a height of 6' - 0" at the rear (west side) of the property.

APPROVED WITH MODIFIED CONDITIONS.

F. NEXT MEETING DATE

April 2, 2007 (Monday)

NOTE: *There were no cases scheduled for the Flood Plain Management Board.*****

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\aftMarch, 2007.doc