



**BOARD OF ADJUSTMENT**

**AFTER ACTION REPORT**

**MONDAY, APRIL 2, 2007**

**9:00 A.M.**

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

**A. EXTENSIONS OF TIME**

1. **FILE NO. 2932**      **JUST AROUND THE CORNER, LLC;  
4 B's REALTY COLLINS AVE., LLC;  
POP DEVELOPMENT, LLC  
205-237 20<sup>TH</sup> ST.; 2000-2038 COLLINS AVE.;  
220-21<sup>ST</sup> STREET  
LOTS 1,2,3,4 and LOTS 6 and 8; BLOCK C  
AMENDED MAP OF THE OCEAN FRONT PROPERTY  
OF THE MIAMI BEACH IMPROVEMENT CO.  
SUBDIVISION, PLAT BOOK 5 , PG 7;  
MIAMI-DADE COUNTY, FLORIDA**

The applicant is requesting the following modification to a condition of approval for variances associated with the construction of a six (6) story mixed-use building with ground floor commercial uses, 53 residential units and parking garage which will connect to the existing five (5) story valet garage:

Condition number 10 of the Order dated April 4, 2003, required that the project be completed by April 4, 2005. On May 7, 2004, the applicant requested and was granted, a one (1) year extension of time to complete the project by April 4, 2006. On March 3, 2006, the applicant requested a two (2) year extension of time to complete the project by April 4, 2008; however, the Board of Adjustment granted a one (1) year extension to complete the project by April 4, 2007, and should an additional year be necessary, the applicant shall be permitted to apply for that extension prior to the April 4, 2007 expiration date. The applicant is hereby requesting a

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two (2) year extension of time to complete the project by April 4, 2009.

**APPROVED. IF NOTICES OF VIOLATION ARE ISSUED, PROGRESS REPORT SHALL BE PRESENTED.**

2. **FILE NO. 3007**      **JEFFREY MILLER**  
115-125 E. SAN MARINO  
THE NORTH 55 FT. OF LOT 9 AND THE  
SOUTH 5 FT. OF LOT 10,  
AND THE NORTH 55' OF LOT 10 AND  
ALSO ALL OF LOT 11;  
BLOCK 4 SAN MARINO ISLAND;  
PLAT BOOK 9 – PAGE 22,  
MIAMI-DADE COUNTY, FLORIDA

The applicant is requesting the following modification to a condition of approval for variances associated with the retention of a single family home and a new two-story detached guest quarters structure:

Condition number 4 of the Order dated May 7, 2004 and June 4, 2004, requires that the project be completed by June 4, 2006. The applicant is requesting a one (1) year extension of time to complete the project by June 4, 2007.

**APPROVED.**

3. **FILE NO. 3118**      **NORMANDY SHORES, LLC**  
25-135 N. SHORE DRIVE  
LOTS 8 and 9; BLOCK 57  
NORMANDY GOLF COURSE SUBDIVISION  
PLAT BOOK 40 PG 36;  
MIAMI-DADE COUNTY, FLORIDA

The applicant is requesting the following modification to a condition of approval for variances associated with the construction of a new four (4) story, forty-three (43) unit apartment complex:

A condition of the Order dated October 7, 2005 requires that a building permit be obtained by April 7, 2007. The applicant is requesting a one (1) year extension of time to obtain a full building permit by April 7, 2008.

**SIX (6) MONTHS EXTENSION OF TIME GRANTED.**

4. **FILE NO. 3121**      **ARTECITY PLAZA, LLC**  
2160 PARK AVENUE  
LOT 4 LESS SLY 50 FT.  
OCEAN PARK SUBDIVISION

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**PLAT BOOK 41 PG 50;  
MIAMI-DADE COUNTY, FLORIDA**

The applicant is requesting the following modification to a condition of approval for variances associated with the rehabilitation and renovation of an existing apartment building and the addition of ground floor retail space:

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

**SIX (6) MONTHS EXTENSION OF TIME GRANTED.**

5. **FILE NO. 3151**      **FONTAINEBLEAU FLORIDA HOTEL, LLC  
a/k/a THE FONTAINEBLEAU SOUTH PARKING LOT  
4360 and 4370 COLLINS AVENUE  
LOTS 1 and 2; BLOCK 40 & S. 4.55 FT. OF  
UNNUMBERED TR DESIGNATED AS JH  
SNOWDEN LYG N. & ADJ TO LOT 1, BLOCK 40 &  
TRS OPP SAME FACING INDIAN CREEK DR.;  
MIAMI BEACH IMP. CO. SUBDIVISION  
PLAT BOOK 5, PG 8;  
MIAMI-DADE COUNTY, FLORIDA**

The applicant is requesting the following modification to a condition of approval for variances associated with the construction of a new six (6) level, 748 space parking garage:

A condition of the Order dated November 4, 2005 requires that a building permit be obtained by May 4, 2007. The applicant is requesting a one (1) year extension of time to obtain a full building permit by May 4, 2008.

**SIX (6) MONTHS EXTENSION OF TIME GRANTED.**

**B. MODIFICATION AND NEW VARIANCE**

6. **FILE NO. 3009**      **CENTURIAN COLLINS AVENUE, LLC  
a/k/a THE ANKARA  
currently, The Creek Hotel (former applicant: Ken  
Fields) 2360 COLLINS AVENUE  
BLOCK 3 OF AMENDED PLAT OF OCEANFRONT  
PROPERTY OF THE MIAMI BEACH IMP. CO.  
SUBDIVISION PLAT BOOK 8-7; MIAMI-DADE**

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**COUNTY, FLORIDA (complete legal description on  
file in the Planning Department)**

The applicant is requesting a modification to the approved site plans, which are a result of changing the proposed use from apartment to hotel, and reducing the number of stories from eight (8) to seven (7). The modification requires a new variance:

1. A variance to exceed by 12 the number of hotel units allowed to be between 300-335 square feet (30 hotel units or 15% of all hotel units) in order to provide 42 hotel units (22%) between 300-335 square feet within the existing hotel area.

**APPROVED. PROGRESS REPORT DUE IN 30 DAYS (MAY 4, 2007).**

7. **FILE NO. 3198**      **MIGUEL ANGEL DIEGO**  
**7 FARREY LANE**  
**LOT 7; BELLE ISLE VILLAS SECOND SEC.**  
**PLAT BOOK 42, PG 100;**  
**MIAMI-DADE COUNTY, FLORIDA**

The applicant is requesting the following modification to a condition of approval for the previously granted variances and a new variance associated with the construction of a new two (2) story single family residence:

**Modification Request:**

A condition of the Order dated October 6, 2006 requires that the maximum building height be limited to twenty-five (25) feet above grade, as defined by the Code of the City of Miami Beach. The applicant is requesting to modify Condition number 1 of the final Order to allow the maximum building height to be twenty-eight feet and four inches (28'-4") above grade.

**New Variance Request:**

1. A variance to waive 10' - 0" the required front yard setback of 20' - 0" in order to build steps leading up to the front porch, located at 10' - 0" from the south property line.

**APPROVED.**

**C. NEW CASES**

8. **FILE NO. 3289**      **FRANCISCO SARRIA AND RICARDO SARRIA**

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56 PALM AVENUE  
LOT 32, BLOCK 1 OF PALM ISLAND,  
PLAT BOOK 6, PG 54;  
MIAMI-DADE COUNTY, FLORIDA,  
TOGETHER WITH ATRACT OF LAND 20 FEET  
WIDE ADJOINING AND ABUTTING TO THE  
SEAWARD SIDE OF SAID BLOCK 1 OF PALM  
ISLAND, PLAT BOOK 6, PG 54;  
MIAMI-DADE COUNTY, FLORIDA

The applicant is requesting the following After-the-Fact variance in order to permit the retention of a vessel that projects into the required seaward side yard setback of an existing residential property:

1. A variance to waive all of the required seaward side yard setback of 7' - 6" from an interior property line in order to retain a vessel docked with no setback (and encroaching into the adjacent lot to the west) from the west property line.

**APPROVED.**

9. **FILE NO. 3290** RICARDO SARRIA  
64 PALM AVENUE  
LOT 33 AND 20 FOOT ADJACENT STRIP IN THE  
BAY, BLOCK 1, PALM ISLAND,  
PLAT BOOK 6, PG 54;  
MIAMI-DADE COUNTY, FLORIDA

The applicant is requesting the following After-the-Fact variance in order to permit the retention of a vessel that projects into the required seaward side yard setback of an existing residential property:

1. A variance to waive all of the required seaward side yard setback of 7' - 6" from an interior property line in order to retain a vessel docked with no setback (and encroaching into the adjacent lot to the east) from the east property line.

**APPROVED.**

10. **FILE NO. 3291** SOUTH BEACH HEIGHTS I, LLC.  
600 ALTON ROAD  
LOTS 1 THROUGH 7, INCLUSIVE  
AND LOTS 20 THROUGH 32, INCLUSIVE,  
BLOCK 2, "AMENDED PLAT  
FLEETWOOD SUBDIVISION"  
PLAT BOOK 28, PG 34;  
MIAMI-DADE COUNTY, FLORIDA

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**(FOR COMPLETE LEGAL DESCRIPTION  
PLEASE CONTACT THE PLANNING DEPT.)**

The applicant is requesting the following variances in order to exceed the maximum permitted size for directional signs and the maximum height for a detached (monument) sign:

1. A variance to exceed by 7 square feet the maximum allowable directional sign size of 2 square feet in order to provide a directional sign with 9 square feet facing 6<sup>th</sup> Street (labeled 12 on sheet D-02).
2. A variance to exceed by 12 square feet the maximum allowable directional sign size of 2 square feet in order to provide a directional sign with 14 square feet facing Alton Road (labeled 7 on sheet D-03).
3. A variance to exceed by 2 square feet the maximum allowable directional sign size of 2 square feet in order to provide a directional sign with 4 square feet facing West Avenue (labeled 8 on sheet D-04).
4. A variance to exceed by 7 square feet the maximum allowable directional sign size of 2 square feet in order to provide a directional sign with 9 square feet facing West Avenue (labeled 10 on sheet D-04).
5. A variance to exceed by 7 square feet the maximum allowable directional sign size of 2 square feet in order to provide a directional sign with 9 square feet facing the parking lot (labeled 13 on sheet D-04).
6. A variance to exceed by 1' - 0" of the maximum allowable height of 4' - 0" for a detached sign in order to provide a detached sign with 5' - 0" in height facing West Avenue (labeled 11 on sheet D-04).
7. ~~A variance to waive x' of the minimum setback of 10' - 0" for detached signs in order to provide a detached sign at x' from the west property line (labeled 11 on sheet D-01).~~

**Variance number 7 withdrawn by applicant**

***CONTINUED FOR 30 DAYS (MAY 4, 2007).***

11. **FILE NO. 3292**      **DR. ANTONIO AND VIRGINIA MARQUEZ  
220 WEST DILIDO DRIVE  
LOT 9 AND 8 FOOT CONTIGUOS STRIP  
ON WEST SIDE, BLOCK 2 "DILIDO ISLAND"**

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**PLAT BOOK 8, PG 36;  
MIAMI-DADE COUNTY, FLORIDA**

The applicant is requesting the following variance in order to permit the construction of an exterior stair to the roof deck of an existing two-story residence:

1. A variance to waive 1' - 0" of the minimum required interior side yard setback of 7' - 6" in order to build an exterior stair at 6' - 6" from the north property line.

**CONTINUED FOR 30 DAYS (MAY 4, 2007).**

12. **FILE NO. 3293** SAVOY HOTEL PARTNERS, LLC.  
425-455 OCEAN DRIVE  
MIAMI BEACH, FLORIDA  
(FOR LEGAL DESCRIPTION PLEASE  
CONTACT THE PLANNING DEPT.)

The applicant requested continuance to the May 4, 2007 meeting.

13. **FILE NO. 3294** MATHIEU ROCHETTE  
520 EAST DILIDO DRIVE  
LOT 4, OF BLOCK 12, OF "DILIDO"  
PLAT BOOK 8, PG 36;  
MIAMI-DADE COUNTY, FLORIDA

The applicant is requesting the following variance in order to permit the construction of a swimming pool and its associated deck within the front yard of an existing single family residence:

1. A variance to waive 10' - 0" of the required 20' - 0" minimum front setback for a swimming pool and its associated deck in order to build the deck at 10' - 0" from the front (north) property line.

**APPROVED.**

14. **FILE NO. 3296** WHILHELM A. STEIN AND RINA STEIN  
540 WEST 37<sup>TH</sup> STREET  
LOT 12, BLOCK 49 OF ORCHARD  
SUBDIVISION NO. 2 AND 3,  
PLAT BOOK 8, PG 116;  
MIAMI-DADE COUNTY, FLORIDA

The applicant is requesting the following After-the-Fact variances in order

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to permit the retention of a generator along with its electric switch located within the required front yard, the retention of the existing pool deck and a walkway along the north and south sides of a property with a two-story residence:

1. A variance to waive a range between 2'-0" and 5'-0" of the required front yard setback of 20'-0" in order to retain an existing generator at 18'-0" from the front (west) property line and its electric switch at 15'-0" from the front (west) property line.
2. A variance to waive 4'-6" of the required interior side yard setback of 7'-6" for a pool deck in order to retain the south portion of the pool deck at 3'-0" from the south property line.
3. A variance to waive 3'-4" of the required rear yard setback of 6'-0" for a pool deck in order to retain the east portion of the pool deck at 2'-8" from the east property line.
4. A variance to waive 5'-0" of the required side yard facing the street setback of 10'-0" for a pool deck in order to retain the north portion of the pool deck at 5'-0" from the north property line.
5. A variance to exceed by 8" the maximum walkway width of 3'-0" in order to retain a walkway with a width of 3'-8" along the south side of the property.
6. A variance to exceed by 4'-0" the maximum walkway width of 3'-0" in order to retain a walkway with a width of 7'-0" along the north side of the property.

**CONTINUED FOR 30 DAYS (MAY 4, 2007).**

15. **FILE NO. 3298**      **619 MERIDIAN, LLC.**  
   **619 MERIDIAN AVENUE**  
   **LOT 11, BLOCK 58,**  
   **SUBDIVISION OCEAN BEACH FLA.,**  
   **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 two (2) new three-story multifamily buildings on a vacant lot:

1. A variance to waive a range between 6" and 2' - 6" of the required interior side yard pedestal setback of 7' - 6" in order to build the

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front building at 7' - 0" from the north property line and the rear building at 5' - 0" from the north property line.

2. A variance to waive 2' - 6" of the required interior side yard pedestal setback of 7' - 6" in order to build the two new buildings at 5' - 0" from the south property line.
3. A variance to waive 9' - 0" of the required rear yard setback of 14' - 0" in order to build the pedestal level at 5' - 0" from the rear property line.
4. A variance to exceed by 4' - 0" the maximum walkway width of 3' - 0" in order to build a walkway with a width of 7' - 0" within the required front yard setback.
5. A variance to exceed by 2' - 0" the maximum walkway width of 3' - 0" in order to build a walkway with a width of 5' - 0" within the required north interior side yard.
6. A variance to exceed by 2' - 0" the maximum walkway width of 3' - 0" in order to build a walkway with a width of 5' - 0" within the required south interior side yard.

**CONTINUED FOR 30 DAYS (MAY 4, 2007).**

**D. NEXT MEETING DATE**

May 4, 2007

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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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