



BOARD OF ADJUSTMENT

AFTER ACTION REPORT

FRIDAY, OCTOBER 5, 2007

9:00 A.M.

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

A. PROGRESS REPORTS

- 1. FILE NO. 2684 CLAY HOTEL PARTNERSHIP, LTD.
CHOCOLATE, INC. (TENANT)
506 ESPANOLA WAY a/k/a 1436 DREXEL AVE.
LOTS 1 and 2; BLOCK 4B
ESPANOLA VILLAS FIRST ADDITION
PLAT BOOK 9-147;
MIAMI-DADE COUNTY, FLORIDA**

This item was continued from the September 7, 2007 meeting.

The applicant will present a progress report regarding the operation of this restaurant which obtained a variance on January 8, 1999 to sell/serve alcoholic beverages within 300 feet of an educational facility (Fisher-Feinberg Elementary School). The progress report is required to address a cure letter, dated August 20, 2007, referencing possible violations of the conditions of the variance order.

NO FURTHER PROGRESS REPORTS UNLESS VIOLATIONS OR NOTICES OF VIOLATION ARE ISSUED.

- 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**

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**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 30 DAYS (NOVEMBER 2, 2007).

B. EXTENSIONS OF TIME

3. **FILE NO. 3177** **GREEN COMET, LLC
344 OCEAN DRIVE
LOT 3 LESS EASTERLY 15 FT.; BLOCK 4
OCEAN BEACH FLA. SUBDIVISION
PLAT BOOK 2, PG 38;
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 three (3) story, four (4) unit residential building:

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.

**6 MONTHS AND 10 DAYS EXTENSION OF TIME GRANTED
(MARCH 13, 2008).**

4. **FILE NO. 3181** **TERRA BEACHSIDE VILLAS II, LLC
a/k/a TERRA II BEACHSIDE VILLAS
6064 COLLINS AVENUE
LOTS 2,3,4 and 5; LYLE G. HALL SUBDIVISION
PLAT BOOK 40, PG 5;
MIAMI-DADE COUNTY, FLORIDA**

The applicant is requesting the following modification to a condition of approval for variances associated with the construction of a 32 unit addition to the north of the previously approved 117 unit Terra project:

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

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one (1) year extension of time to obtain a full building permit by September 3, 2008.

APPROVED WITH ADDITIONAL CONDITIONS.

C. MODIFICATION

5. **FILE NO. 2961** **FONTAINEBLEAU FLORIDA TOWER 3, LLC
4441 COLLINS AVENUE
(4391 COLLINS AVENUE, TOWER III)
23 26 27 34 53 42 MIAMI BEACH IMP CO
SUB PB 5-8 LOT 200FT X 270 FT N OF BLK 39
MARKED R P VAN CAMP LESS S75FT & LESS
WLY25FT MIAMI-DADE COUNTY, FLORIDA
(FOR COMPLETE LEGAL DESCRIPTION, PLEASE
CONTACT THE PLANNING DEPT.)**

The applicant is requesting a modification to a condition of approval for a variance associated with the construction of an addition to an existing hotel.

The applicant is requesting a modification to a condition of the April 1, 2005 Modification/Extension of Time Order to permit the applicant six (6) months, up to May 7, 2008, in which to complete the project.

APPROVED.

D. CONTINUED CASES

6. **FILE NO. 3297** **88 LA GORCE, LLC.
88 LA GORCE CIRCLE
LOTS 5 AND THE NORTHERLY PORTION OF LOT
6, BLOCK 4 "LA GORCE ISLAND",
PLAT BOOK 40, PG 7;
MIAMI-DADE COUNTY, FLORIDA
(FOR COMPLETE LEGAL DESCRIPTION PLEASE
CONTACT THE PLANNING DEPT.)**

This case was continued from the September 7, 2007 meeting.

The applicant is requesting the following variances in order to permit the retention of an existing two (2) story single family residence:

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1. A variance to waive 1' - 3 ¼" of the minimum required interior side yard setback of 11' - 4 ½" in order to retain the north building line at 10' - 1 ¼" from the north property line.
2. A variance to waive 8' - 10 ½" of the minimum required sum of the side yards of 28' - 5 ½" in order to provide a sum of the side yards of 19' - 7".

APPROVED.

7. **FILE NO. 3308** **JHMB, LLC d/b/a JAMES HOTEL**
100 21ST STREET
LOTS 1, 3 AND 5; BLOCK A, OF AMENDED PLAT
OF THE OCEAN FRONT PROPERTY OF THE
MIAMI BEACH IMPROVEMENT COMPANY
PLAT BOOK 5, PG 7;
MIAMI-DADE COUNTY, FLORIDA

This case was continued from the August 3, 2007 meeting.

The applicant is requesting the following variances in order to permit the partial demolition, renovation and restoration of the existing 8-story hotel, including the extension of the existing single story cabana structure at the rear of the site, a one-story addition to the southwest area of the property, an addition at the southwest corner of the building and the installation of signage on the west side of an existing wall:

1. A variance to waive Section 138-172 which prohibits flat wall signs above the ground floor in order to install a flat wall sign with copy reading "The James" on the west side of an existing wall.
2. If the above variance is approved, the applicant then requests a variance to exceed by 205 sq. ft. the maximum allowable size of 30 sq. ft. for flat wall signs in order to install the above sign with a size of 235 sq. ft.
3. A variance to waive 7" of the required interior pedestal setback of 10' - 0" in order to build a one story addition at the southwest side of the property at 9' - 5" from the west property line, following the existing building line.
4. A variance to waive 6' - 7 ½" of the required interior tower setback of 16' - 0 ½" in order to build an addition at the southwest side of the property at 9' - 5" from the west property line, following the existing building line.

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5. A variance to exceed by 24% the maximum permitted lot coverage of 50% within the Oceanfront Overlay in order to allow a coverage of 74%.

APPLICANT REQUESTED 60 DAYS CONTINUANCE (DECEMBER 7, 2007).

8. **FILE NO. 3321** **CYPRESS BAY DEVELOPMENT, LLC.**
1225-1237 20TH STREET
ALL LOTS 23 AND 24 AND THE NORTH 70,000
FEET OF LOTS 25 AND 26 IN BLOCK 15A OF
"ISLAND VIEW ADDITION OF MIAMI BEACH BAY
SHORE COMPANY",
PLAT BOOK 9, PG 144;
MIAMI-DADE COUNTY, FLORIDA

This case was continued from the September 7, 2007 meeting.

The applicant is requesting the following variances in order to permit the construction of a new five (5) story mixed-use structure on a vacant lot:

1. A variance to exceed by 2' - 3" the maximum allowable building height of 50' - 0" in order to build a 52' - 3" tall structure, as measured from grade (+3.75' NGVD) to the top of the roof slab.
- ~~2. A variance to waive all of the minimum required setback dimension of 1' - 6" from the edge of the required interior drive to the face of a structural column.~~

Variance 2 has been withdrawn by the applicant.

APPLICANT REQUESTED 30 DAYS CONTINUANCE (NOVEMBER 2, 2007).

9. **FILE NO. 3327** **81 WASHINGTON ASSOCIATES, LTD.**
81 WASHINGTON AVENUE, 230 1ST STREET
LOTS 20 AND 21, BLOCK 10, OCEAN BEACH
PLATBOOK 2, PG. 38;
MIAMI-DADE COUNTY, FLORIDA

This case was continued from the September 7, 2007 meeting.

The applicant is requesting the following variance to permit the elimination of five (5) existing parking spaces in order to allow the renovation of the existing structure, incorporating a new restaurant at ground level,

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4. A variance to waive 2' - 11" of the minimum required front yard setback of 20' - 0" in order to build a two-story circular element, a hall at the ground floor and a balcony at the second floor, at 17' - 1" from the front property line.

CONTINUED FOR 60 DAYS (DECEMBER 7, 2007).

F. NEXT MEETING DATE

November 2, 2007

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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MIAMIBEACH

PLANNING DEPARTMENT

FLOOD PLAIN MANAGEMENT BOARD
AFTER ACTION REPORT

FRIDAY, OCTOBER 5, 2007

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

1. **FILE NO. FP07-05** **RC 909, LLC**
909 COLLINS AVENUE
LOT 10, BLOCK 14,
OF OCEAN BEACH ADDITION NO. 2,
PLAT BOOK 2, PG 56;
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 2-story structure and the construction of a retail addition at the front, facing Collins Avenue.

CONTINUED FOR 30 DAYS (NOVEMBER 2, 2007).

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