



BOARD OF ADJUSTMENT

AFTER ACTION REPORT

FRIDAY, NOVEMBER 2, 2007

9:00 A.M.

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

A. PROGRESS REPORTS

- 1. 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**

This case was continued from the October 5, 2007 meeting.

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 (JANUARY 4, 2008).

- 2. 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**

The applicant will present a progress report associated with the approval

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of variances granted on August 3, 2007, for directional signage.

PROGRESS REPORT DUE IN 60 DAYS (JANUARY 4, 2008).

B. EXTENSION OF TIME

3. **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 5-8; 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:

Condition number 3 of the Order dated November 4, 2005, requires that a building permit for the project be obtained on or before May 4, 2007, within eighteen (18) months of the date of the hearing. On April 2, 2007, the applicant requested a one (1) year extension of time to obtain a full building permit by May 4, 2008. At that hearing, the applicant was granted six (6) months, to November 4, 2007 to obtain the full building permit, and should additional time be necessary, be permitted to return to the Board to request the extension prior to the expiration date. The applicant is hereby requesting six (6) months extension of time to obtain a full building permit by May 4, 2008.

APPROVED.

C. MODIFICATION

4. **FILE NO. 3094** **EDUARDO DARER a/k/a NINE45 JEFFERSON
945 JEFFERSON AVENUE
LOT 14; BLOCK 70; OCEAN BEACH ADDITION NO. 3
PLAT BOOK 2, PG 81;
MIAMI-DADE COUNTY, FLORIDA**

The applicant is requesting the following modification to a condition of approval for variances associated with the construction of a seven (7) unit, four (4) story multifamily building:

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Condition number 4 of the Order dated April 1, 2005, required that the project be completed by April 1, 2007. The applicant is hereby requesting a one (1) year and seven (7) months modification to complete the project by November 2, 2008 (one (1) year from the date of this hearing).

COMPLETION DATE EXTENDED 6 MONTHS FROM TODAY'S HEARING DATE (MAY 2, 2008).

D. CONTINUED CASE

5. **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 October 5, 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 (DECEMBER 7, 2007).

E. NEW CASES

6. **FILE NO. 3330** **FRANK AVILA AND FRANCISCO AVILA**
8000 CECIL STREET
LOTS 6 AND 7, BLOCK 12 OF "BISCAYNE POINTE",
PLAT BOOK 14, PG 35;
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 an existing gazebo and deck at the rear of a parcel with a single family residence:

1. A variance to waive 2 ½" of the minimum required rear yard setback of 7' - 6" in order to retain the north gazebo line at 7' - 3 ½" from the north property.
2. A variance to waive 4' - 4 ¾" of the minimum required interior side yard setback of 7' - 6" in order to retain the existing gazebo at 3' - 1 ¼" from the west property line.
3. A variance to waive 5' - 4 ¾" of the minimum required interior side yard setback of 7' - 6" in order to retain the existing pool deck at 2' - 1 ¼" from the west property line.

CONTINUED FOR 60 DAYS (JANUARY 4, 2008).

7. **FILE NO. 3332** **HSS HOLDINGS, LLC d/b/a FUSION 41**
 726 41ST STREET
 LOT 5 OF THE PLAT OF "41ST STREET BLOCK"
 PLAT BOOK 40, PG 47;
 MIAMI-DADE COUNTY, FLORIDA

The applicant is requesting the following variance in order to sell/serve beer and wine at an existing fifty (50) seat restaurant:

1. A variance to waive a range between 20.00 feet and 195.00 feet of the minimum required 300 foot separation between a business that sells/serves alcoholic beverages and Beth Israel Congregation, Temple Beth Shalom School and North Beach Elementary School, in order to sell/serve beer and wine at an existing restaurant.

APPROVED.

F. APPEAL

8. **FILE NO. 3191** **AB GREEN LIDO LLC**
 d/b/a THE STANDARD / LIDO SPA
 40 ISLAND AVENUE
 LOTS 39, 40, 41 & 42 & PROPERTY INTEREST IN
 & TO COMMON ELEMENTS NOT DEDICATED TO
 PUBLIC; BELL ISLE SUBDIVISION
 PLAT BOOK 5-11;
 MIAMI-DADE COUNTY, FLORIDA

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

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The applicant is appealing an Administrative Decision of the Director of the Planning Department pertaining to the hours of sale of alcohol and the outdoor bar counter service within a legal nonconforming use (hotel) within the RM-1 zoning district.

THIS CASE HAS BEEN WITHDRAWN BY THE APPLICANT.

G. NEXT MEETING DATE

December 7, 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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MIAMI BEACH

PLANNING DEPARTMENT

FLOOD PLAIN MANAGEMENT BOARD
AFTER ACTION REPORT

FRIDAY, NOVEMBER 2, 2007

HEARD AT THE CONCLUSION OF THE BOARD OF ADJUSTMENT MEETING

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

H. CONTINUED CASE

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

This case was continued from the October 5, 2007 meeting.

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.

THIS CASE HAS BEEN WITHDRAWN BY THE APPLICANT.

I. NEW CASE

2. **FILE NO. FP07-06** **COLLINS HOTEL ASSOCIATES, LLC**
1690 COLLINS AVENUE AND
1685 JAMES AVENUE
PARCEL 1: LOT 10 LESS WEST 119.7 FEET
AND NORTH 1/2 OF LOT 9 LESS WEST 119.7,
BLOCK 30, ALTON BEACH FIRST
SUBDIVISION, PLAT BOOK 2, PG 77;
MIAMI-DADE COUNTY, FLORIDA

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PARCEL 2: WEST 119.7 FEET OF LOT 10 AND
WEST 119.7 FEET NORTH 1/2 OF LOT 9, BLOCK

30, ALTON BEACH FIRST SUBDIVISION, PLAT
BOOK 2, PG 77;
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 two existing structures.

APPROVED.

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