



BOARD OF ADJUSTMENT

AFTER ACTION REPORT

FRIDAY, FEBRUARY 1, 2008

9:00 A.M.

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

A. PROGRESS REPORT

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

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 (APRIL 4, 2008).

B. EXTENSION OF TIME

2. **FILE NO.3277** **ALTON SOBE, LLC**
929-939 ALTON ROAD
LOT 9 AND 10, BLOCK 123
OF LENOX MANOR SUBDIVISION,
PLAT BOOK 7, PG 15;
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 mixed use

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project commercial space fronting Alton Road, required parking located within a subterranean level as well as on the 2nd floor and residential units on the 3rd through 5th floors:

Condition number 6 of the Order dated January 5, 2007, requires that a full building permit for the project be obtained on or before July 5, 2008, within eighteen (18) months of the date of the hearing. The applicant is requesting a one (1) year extension of time to obtain a full building permit by July 5, 2009.

CONTINUED FOR 60 DAYS (APRIL 4, 2008).

C. MODIFICATION

3. **FILE NO. 3075** ATLANTIC SUNSET BAY, LLC
6800 INDIAN CREEK DRIVE
LOTS 35, 36 and 37; BLOCK 3
AMENDED PLAT OF 2ND OCEANFRONT SUB.
PB 28-28; MIAMI-DADE COUNTY, FLORIDA

The applicant is requesting a modification to a condition of approval for variances associated with the construction of a new fourteen (14) story, eighty (80) unit residential building. Modification 2 of the February 3, 2006 Modification Order require that the project be completed by January 7, 2008. The applicant is requesting to modify the completion date to January 7, 2010.

Modification Number 2 approved as part of the Modification Order issued on February 3, 2006, would be revised as follows:

2. The project shall be completed by January 7, ~~2008~~ 2010.

CONTINUED FOR 30 DAYS (MARCH 7, 2008).

D. CONTINUED CASE

4. **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

This case was continued from the January 4, 2008 meeting.

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.

APPROVED WITH ADDITIONAL CONDITIONS PER AGREEMENT BETWEEN APPLICANT AND ANA FUENTES AND KEVIN ARROW.

5. **FILE NO. 3331** **ANTHONY PARKS**
 4712 ALTON ROAD
 LOT 18, BLOCK 3,
 OF PLAT OF NAUTILUS SUBDIVISION
 PLAT BOOK 8, PG 95;
 MIAMI-DADE COUNTY, FLORIDA

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

The applicant is requesting the following variances in order to build a one-story addition at the northwest corner and a two-story addition at the south side of an existing one-story single family residence:

1. A variance to waive a range between 1' - 0" and 6" of the minimum required interior side yard setback of 7' - 6" in order to build a one-story addition, following the existing building line, at a range between 6' - 6" and 7' - 0" from the north property line.
2. A variance to waive a range between 2' - 0" and 4" of the minimum required interior side yard setback of 7' - 6" in order to build a one-story addition at a range between 5' - 6" and 7' - 2" from the south property line (the second story addition meets the minimum required interior side setback).
3. A variance to waive 4' - 9" of the minimum required sum of the side yards of 15' - 6" in order to provide a sum of the side yards of 10' - 9".

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- ~~4. A variance to waive 1' - 10" of the minimum required front yard setback of 20' - 0" in order to build a roofed balcony (open on one side) at the second floor, above the existing entry volume, at 18' - 2" from the front property line.~~

Variance no. 4 withdrawn by applicant

APPROVED.

6. **FILE NO. 3335** **PEDRO ADRIAN, TRUSTEE
ADRIAN MARIA ADRIAN ALMEIDA TRUST
210 PALM AVENUE
LOT 38 BLOCK 2 OF "PALM ISLAND"
PLAT BOOK 6, PG 54;
MIAMI-DADE COUNTY, FLORIDA**

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

The applicant is requesting the following variance in order to permit the placement of an emergency generator and condensing units on the northwest side of a new single family residence:

1. A variance to waive 1' - 0" of the minimum setback requirement of 10' - 0" from an interior property line, in order to locate an emergency generator and condensing units at 9' - 0" from the northwest property line.

APPLICANT REQUESTED 30 DAYS CONTINUANCE (MARCH 7, 2008).

E. **NEW CASES**

7. **FILE NO. 3338** **THE PALMS SOUTH BEACH, INC
3025 COLLINS AVENUE
ALL OF BLOCK 13, OF "OCEAN FRONT PROPERTY"
OF THE MIAMI BEACH IMPROVEMENT COMPANY
ACCORDING WITH THE AMENDED MAP THEREOF,
PLAT BOOK 5, PG 7 & 8; MIAMI-DADE COUNTY,
FLORIDA; AND ALSO THAT CERTAIN 16 FOOT STRIP
OF LAND IN BLOCK 13, OF OCEAN FRONT
PROPERTY OF THE MIAMI BEACH IMPROVEMENT
COMPANY, AS SHOWN ON THE AMENDED MAP
THEREOF, PLOT BOOK 5, PG 7 & 8,
MIAMI-DADE COUNTY, FLORIDA, WHICH IS BOUNDED
ON THE EASTERLY SIDE BY THE WESTERLY
BOUNDARY LINES OF LOTS 1 TO 4, INCLUSIVE, IN
BLOCK 13, OF AFORESAID SUBDIVISION, AND ON
THE NORTHERLY SIDE BY THE SOUTHERLY LINE**

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**THIRTY-FIRST STREET (SEVEN STREET) AND ON THE
SOUTHERLY SIDE BY NORTHERLY LINE OF THE
THIRTIETH STREET (SIXTH STREET)**

The applicant is requesting the following variance in order to build a single story rooftop addition on the southwest area of the existing hotel:

1. A variance to waive 15'-2" of the minimum required front tower setback of 50'-0" in order to build the rooftop addition at 34'-10" from the front property line.

APPROVED.

8. **FILE NO.3339** **CONGREGATION ADAS DEJ
225 37TH STREET
LOT 16, BLOCK 28 OF "MIAMI BEACH
IMPROVEMENT COMPANY SUBDIVISION"
PLAT BOOK 5, PG 8;
MIAMI-DADE COUNTY, FLORIDA**

The applicant is requesting the following variances in order to modify the existing rear structure and to build a rooftop addition:

1. A variance to waive all of the minimum required rear pedestal setback of 10' - 0" in order to build a second story up to the rear property line, following the existing ground floor building line.
2. A variance to waive 6' - 6" of the minimum required interior pedestal setback of 7' - 6" in order to build a new stair at 1' - 0" from the east property line.

APPROVED WITH ADDITIONAL CONDITION.

9. **FILE NO.3340** **927 EUCLID, LLC
927 EUCLID AVENUE
LOT 12, BLOCK 44,
OCEAN BEACH FLA ADDITION NO. 3,
PLAT BOOK 2, PG 81;
MIAMI-DADE COUNTY, FLORIDA**

The applicant is requesting the following after-the-fact variance in order to retain a metal ladder located within the existing legal non-conforming required rear yard setback on an existing multifamily building:

1. A variance to waive 7' - 8" of the minimum required rear pedestal setback of 14'-0" in order to retain a roof access ladder located at 6'

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- 4" from the east property line (the existing east wall of the building is located at 9' - 10" from the rear property line).

APPROVED.

F. APPEAL

10. **FILE NO. 3336** **WILLIE FLOYD**
70 FISHER ISLAND
LINDISFARNE ON FISHER ISLAND SEC 9
PB 149-86T-19314 PORTION OF LOTS 8 9 & 10 &
ALL LOTS 11 & 12 BLK 1 & PORTION OF TRS A9
& B-9 DESC BEG NE COR OF LOT 12 TH S 24
DEG W 151.94FT S 04 DEG E
MIAMI-DADE COUNTY, FLORIDA

An appeal of an administrative decision of the Planning Director, in regards to the zoning approval for building permit application BMS0702449 for the construction of the Palazzo del Sol condominium apartment building project at the subject address.

CONTINUED FOR 30 DAYS (MARCH 7, 2008).

G. NEXT MEETING DATE

March 7, 2008

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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FLOOD PLAIN MANAGEMENT BOARD AFTER ACTION REPORT

FRIDAY, FEBRUARY 1, 2008

HEARD AT THE CONCLUSION OF THE BOARD OF ADJUSTMENT MEETING

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

A. CONTINUED CASE

1. **FILE NO. FP08-02** **OCEAN-FAIRWIND, LLC
1000 & 1020 COLLINS AVENUE
LOTS 5, 6, 7 AND 8, IN BLOCK 30,
OF OCEAN BEACH, FLA., 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 the existing three-story Fairwind Hotel (1000 Collins Avenue) and of an existing two-story structure (1020 Collins Avenue) (re-approval of FP07-03, which was previously approved on August 3, 2007).

APPROVED.

B. APPEAL

2. **FILE NO. FP08-01** **WILLIE FLOYD
70 FISHER ISLAND
LINDISFARNE ON FISHER ISLAND
SEC 9 PB 149-86 T-19314 PORTION OF
LOTS 8 9 & 10 & ALL LOTS 11 & 12 BLK 1 &
PORTION OF TRS A9 & B-9 DESC BEG NE
COR OF LOT 12 TH S 24 DEG W 151.94FT S
04 DEG E; MIAMI-DADE COUNTY, FLORIDA**

The applicant is appealing a decision of the Building Official, associated

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with approval of building permit BMS0702449, permitting the subject building's basement floor to be constructed at below base flood elevation.

CONTINUED FOR 30 DAYS (MARCH 7, 2008).

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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