

PLANNING DEPARTMENT

BOARD **O**F **A**DJUSTMENT

AFTER ACTION REPORT

FRIDAY, APRIL 1, 2011

9:00 A.M.

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

Α. **MODIFICATION OR REVOCATION**

1. **FILE NO. 3370** PLAZA HOTEL, LLC.

> 418-422 & 426 MERIDIAN AVENUE LOT 3-4, BLOCK 75 OF OCEAN BEACH ADDITION

NO. 3, PLAT BOOK 2, PG 81;

MIAMI-DADE COUNTY, FLORIDA

The City of Miami Beach Board of Adjustment granted approval for variances associated with the construction of a new four-story structure at the subject address on July 11, 2008. On November 6, 2009, an extension of time was granted to obtain a full building permit by January 11, 2011. The last progress report was presented on February 4, 2011. The Board of Adjustment set a March 18, 2011 public hearing to consider the modification or revocation of the variances due to violations.

VARIANCES HAVE BEEN REVOKED.

В. **MODIFICATION**

2. **FILE NO. 3433**

DELPHINE DRAY 2740 NORTH BAY ROAD LOT 10, IN BLOCK 12 OF "AMENDED PLAT OF SUNSET LAKE SUBDIVISION" PLAT BOOK 8, PG 52; **MIAMI-DADE COUNTY, FLORIDA**

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

The applicant is requesting the following modification to a condition of approval for a variance associated with an addition to an existing two-story single family home:

Final Order: Modified Condition # 4:

- 4. The applicant shall be permitted to remove the existing strangler fig located at the north side of the property, directly adjacent to the existing garage, to be replaced by four (4) or five (5) Gumbo Limbo trees.
- The applicant shall comply with all the conditions proffered in the Staging, Pruning and Construction Procedures letter dated September 22, 2009, including the following:

(A) Foundation.

- 1. The owner will pour a new foundation over the existing foundation. This new foundation will be a pile foundation.
- 2. The proposed structure shall be constructed on piles with a grade beam bridging existing roots. There shall not be a continuous footer excavated within the root zone of the subject tree.
- 3. There will be grade beams running between the piles designed to bridge any major tree roots.
- 4. While the existing slab is damaged based upon the root intrusion, it will remain in place so as not to hurt the roots. Air space shall be maintained between the old and new floors.
- 5. The new raised floor slab will be approximately three (3) feet above the existing floor slab, and over the existing tree roots.
- 6. The piles or columns shall be located in areas where major roots will not be affected.
- (B) Construction Staging for Northern Portion of Home.
 - 1. Construction staging shall be done in the front or south of the existing garage.
 - 2, Any cranes will be operated from the south side of the garage
 - where the open driveway provides ample space,
 - 3, The scaffolding that will be used to construct the block walls and to install the trusses will be erected from within the structure,
 - 4, During construction, the boom will come from the south side and will not extend over or into the tree.

5, The area located between the existing garage and the property line shall be kept free of heavy equipment operation, storage of materials, dumping, or other construction activities which could cause damage to the tree, There shall be no grade changes, bulldozing, scarifying or any other type of soil disturbance within this area.

- (C) Pruning (to be observed prior to, during and after construction):
 - 1, There shall be no damage, wounding, or other types of physical injury made to the tree trunk, buttress roots, surface roots, limbs, branches, or other exposed parts of the tree,
 - 2, Prior to construction activities, the tree shall be pruned following the guidelines in the most recent edition (2008) of the American National Standards Institute (ANSI) A- 300 document, Only the part of the tree on Applicant's property shall be pruned,
 - 3, The pruning method to be performed on the tree shall include crown cleaning and crown raising, as defined in the ANSI A-300 document,
 - 4, The crown shall be cleaned to "remove one or more of the following non-beneficial parts: dead, diseased, and/ or broken branches", Minimum branch size to be removed shall be one (1) inch.
 - 5. The crown shall be raised to "provide vertical clearance", The height to which the crown shall be raised shall be approximately 30 feet from grade, Minimum branch size to be removed shall be one inch, Existing limbs and branches which have previously be pruned shall be removed back to parent limbs or suitable lateral branches. Epicormic shoot growth ("suckers") emanating from behind the old cuts shall be removed.
 - 6. Scaffolding limbs higher than 30 feet above grade shall not be pruned or removed.
 - 7. Not more than 25 % of the tree's live foliage shall be removed during the pruning operation.
 - 8. The live crown ratio (crown height relative to overall plant height) shall not be reduced to less than 50%.

APPROVED WITH MODIFIED CONDITIONS.

C. CONTINUED CASE

3. <u>FILE NO. 3491</u> DR. JOSE E. ESCALANTE

625 WEST 47TH STREET

LOT 3 AND THE WEST 2 INCHES OF LOT 4, IN BLOCK 32, OF "LAKE VIEW SUBDIVISION",

PLAT BOOK 14, PG 42;

MIAMI-DADE COUNTY, FLORIDA

The applicant is requesting the following variance in order to build a two-story addition on the East side of the property, following the existing building line:

1. A variance to waive 2'-6" of the minimum required 7'-6" interior side setback in order to build a two-story addition at 5'-0" from the East property line, following the existing building line.

APPROVED.

D. .NEW CASES

4. <u>FILE NO. 3496</u> PETER & MICHELLE ORAVITZ

833 WEST 46TH STREET

LOT 10, BLOCK 14 OF "NAUTILUS ADDITION",

PLAT BOOK 8, PG 130;

MIAMI-DADE COUNTY, FLORIDA

The applicant is requesting the following variances in order to build a onestory addition on the front of the property and to permit the extension of a driveway:

- 1. A variance to waive 4'-6" of the minimum required 20'-0" front yard setback in order to build a one-story addition at 15'-6" from the front property line.
- 2. A variance to waive 3'-6" of the maximum permitted deck setback of 7'-6" in order to continue the length of the driveway 42'-6" measured from the front property line along the East side of the property at 4'-0" from the East property line (driveway is considered a deck beyond the required front yard).

<u>APPLICANT REQUESTED CONTINUANCE TO THE JUNE 3, 2011 MEETING.</u>

5. FILE NO. 3497 LILY MUNNE
920 STILLWATER DRIVE

LOT 2, BLOCK 16 OF "BISCAYNE BEACH SECOND ADDITION",

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PLAT BOOK 46, PG 39, MIAMI-DADE COUNTY, FLORIDA

The applicant is requesting the following after-the-fact variance in order to retain the existing dock on the northwest side of the property:

1. A variance to waive 6'-7" of the minimum required interior side yard setback of 7'-6" in order to retain the existing dock at 11" from the northwest property line.

APPROVED.

6. FILE NO. 3498 SUNSET FOLIE, LLC.

1701 SUNSET HARBOR DRIVE, UNIT C102 LOTS 1 AND 2, BLOCK 16 OF "ISLAND VIEW SUBDIVISION", PLAT BOOK 6, PG 115, MIAMI-DADE COUNTY, FLORIDA

The applicant is requesting the following variance in order to sell beer and wine for consumption at a restaurant:

1. A variance to waive thirteen (13) seats of the minimum requirement of thirty (30) seats for a seventeen (17) seat restaurant to serve beer and wine for consumption on the premises.

APPROVED WITH MODIFIED CONDITION.

E. APPEAL

7. FILE NO. 3495 BEACH TOWING SERVICES OF MIAMI, INC.

1747-1759 BAY ROAD MIAMI BEACH, FLORIDA (FOR LEGAL DESCRIPTION PLEASE CONTACT THE PLANNING DEPARTMENT)

Beach Towing is appealing an administrative determination concerning a Planning Board Conditional Use application by 1747 Bay Road Properties, LLC, regarding whether the Planning Director's scheduling of the public hearing for January 25, 2011 was incorrect due to alleged deficiencies regarding the application deadline, the completeness of the application, and posting of required notice of public hearing on the subject property. The Appeal contends that the submittal did not meet the scheduled application deadline, was not complete are required by Section 118-193,

and that the subject property was not posted as required by Section 118-193.

APPEAL DENIED.

F. NEXT MEETING DATE

May 6, 2011

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, APRIL 1, 2011 HEARD AT THE CONCLUSION OF THE BOARD OF ADJUSTMENT MEETING

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

1. <u>FILE NO. FP11-02</u>

COMCO, LLC.
701 LINCOLN ROAD, MIAMI BEACH,
MIAMI-DADE COUNTY, FLORIDA
(FOR COMPLETE LEGAL
DESCRIPTION PLEASE CONTACT
THE PLANNING DEPARTMENT)

The applicant is requesting a variance to waive the minimum required base flood plain elevation for the existing structure.

APPROVED.

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