



BOARD OF ADJUSTMENT

AFTER ACTION REPORT

FRIDAY, FEBRUARY 4, 2011

9:00 A.M.

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

A. PROGRESS REPORTS

1. **FILE NO. 3169** **PROJECT DEVELOPMENT, LLC.
a/k/a W WINE BOUTIQUE
1328 ALTON ROAD
LOTS 3 and 4; BLOCK 81
THIRD COMMERCIAL SUBDIVISION
PLAT BOOK 7, PG 160;
MIAMI-DADE COUNTY, FLORIDA**

The applicant will present a progress report associated with the approval of a modification granted on November 5, 2010 regarding a business that sells wine and liquor within the minimum required distance separation from an educational facility.

NO FURTHER PROGRESS REPORTS.

2. **FILE NO. 3481** **GALILEO ENTERPRISES, LLC. /
CRISTINA ESPEJO HALABI, MANAGER
447 ESPANOLA WAY
LOT 1, 2, 3, 4, 5, AND 6 OF BLOCK 3 A,
OF FIRST ADDITION TO WHITMANS SUBDIVISION
OF ESPANOLA VILLAS,
PLAT BOOK 9, PG 147;
MIAMI-DADE COUNTY, FLORIDA**

The applicant will be presenting a progress report associated with the

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approval of a variance granted on November 5, 2010 regarding a restaurant that sells/serves alcoholic beverages within the minimum required distance separation from an educational facility.

PROGRESS REPORT DUE 90 DAYS AFTER A CERTIFICATE OF OCCUPANCY IS ISSUED.

3. **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 applicant will present a progress report associated with the approval of a modification/extension of time granted on November 6 2009, regarding the construction of a new, four-story structure. The progress report is required to address possible violations of the conditions of the variance order. At this progress report, the Board of Adjustment will consider the issue of noncompliance with the conditions of approval, and may set a public hearing for the possible modification or revocation of the variance.

APPLICANT TO APPEAR IN FRONT OF THE BOARD ON APRIL 1, 2011 FOR POSSIBLE REVOCATION OF THE ORDER.

B. CONTINUED CASE

4. **FILE NO. 3487** **E.D.Y., INC. d/b/a SURFSTYLE**
1155 COLLINS AVENUE
LOTS 13 and 14; BLOCK 16
OCEAN BEACH ADDITION NO. 2
PLAT BOOK 2-56;
MIAMI-DADE COUNTY, FLORIDA

The applicant is requesting the following variances in order to permit the placement of building signage:

1. A variance to relocate an allowable building identification sign on a three (3) story building from the north parapet facing 12th Street to a vertical architectural feature facing an alley to the east, Ocean Court.
2. A variance to waive the requirement of a building identification sign to be located on the parapet of the building in order to provide a

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building identification sign on an architectural feature facing an Collins Avenue.

APPROVED WITH ADDITIONAL CONDITIONS.

C. MODIFICATION

5. **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.

- ~~4. 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~~

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~~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~~

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~~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%.~~

APPLICANT REQUESTED CONTINUANCE TO THE MARCH 18, 2011 MEETING.

D. NEW CASE

6. **FILE NO. 3489** **MAJESTIC ORGANIZATION, LLC**
1020-1050 WASHINGTON AVENUE
LOTS 1 THROUGH 6, BLOCK 36,
OCEAN BEACH, FLA, ADDITION NO. 3,
PLAT BOOK 2, PG 81;
MIAMI-DADE COUNTY, FLORIDA
(FOR COMPLETE LEGAL DESCRIPTION PLEASE
CONTACT THE PLANNING DEPARTMENT)

The applicant is requesting variances in order to relocate allowable building identification signage:

1. A variance to relocate a flat business sign from the east side (facing Washington Avenue) of the building at the ground floor in order to locate on an existing perimeter wall on the southwest corner of Washington Avenue and 11th Street.
2. A variance to relocate a building identification flat sign from its permitted location facing Washington Avenue to the south side of the building, not facing a street.

APPROVED WITH MODIFIED CONDITION.

E. NEXT MEETING DATE

March 18, 2011

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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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