



BOARD OF ADJUSTMENT

AFTER ACTION REPORT

FRIDAY, JANUARY 6, 2012

9:00 A.M.

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

A. EXTENSION OF TIME

1. **FILE NO.3455** **3193 ROYAL PALM, LLC.
3193 ROYAL PALM AVENUE
LOT 13, BLOCK 45, OF "PLAT OF ORCHARD
SUBDIVISION NO. 1"
PLAT BOOK 6, PG 111;
MIAMI-DADE COUNTY, FLORIDA**

The applicant is requesting the following modification to a condition of approval for variances in order to build a swimming pool and its associated deck within the required interior side and rear yards of an existing single family residence:

Condition number 6 of the Order dated May 7, 2010, requires that a full building permit for the project be obtained on or before November 7, 2011, 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 November 7, 2012.

SIX (6) MONTHS EXTENSION OF TIME GRANTED (JULY 7, 2012).

B. MODIFICATION

2. **FILE NO. 3097** **SOUTH SHORE LANDOWNERS, LLC
280-330 SOUTH SHORE DRIVE
LOTS 3,4 & 5; BLOCK 55
NORMANDY GOLF COURSE SUBDIVISION**

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**PLAT BOOK 44 PG 62;
MIAMI-DADE COUNTY, FLORIDA**

The applicant is requesting a modification to a condition of approval for a variance associated with the construction of a new two (2), four-story buildings with twenty-eight (28) residential units and forty-two (42) parking spaces:

The Modification Order dated July 10, 2009, required that the project be completed by November 6, 2011. The applicant is hereby requesting to delete the required completion date timeframe or, alternatively, to modify the condition to complete the project by November 6, 2014.

SIX (6) MONTHS EXTENSION OF TIME GRANTED (JULY 6, 2012).

C. NEW CASES

3. **FILE NO. 3538** **THE STERLING BUILDING, INC.
927 LINCOLN ROAD
LOTS 2, 3, 4, BLOCK 37, COMMERCIAL
SUBDIVISION OF THE ALTON BEACH REALTY
COMPANY, PLAT BOOK 6, PG 5;
MIAMI-DADE COUNTY, FLORIDA**

The applicant is requesting the following variances in order to permit the construction of a new 4-story addition at the rear of an existing structure:

1. A variance to waive all of the minimum required rear yard setback of 5'-0" in order to build the addition up to the rear property line.
2. A variance to exceed the maximum permitted projection of 25% of the required yard in order to build an eyebrow projection up to (and exceeding) the rear property line.

APPROVED WITH REVISED CONDITION NO. 2.

4. **FILE NO. 3539** **STUART MILLER
7 STAR ISLAND DRIVE
LOT 7 OF CORRECTED PLAT OF STAR ISLAND,
PLAT BOOK 31, PG 60;
MIAMI-DADE COUNTY, FLORIDA**

The applicant is requesting the following variance in order to permit a lap pool, fountain wall, pool deck, stairs, Jacuzzi and firepit at the rear of the

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property:

1. A variance to waive 11'-0" of the minimum required rear yard setback of 50'-0" in order to build a lap pool, fountain wall, pool deck, stairs, Jacuzzi and firepit at 39'-0" from the rear property line.

APPROVED

5. **FILE NO. 3544** **THE LINCOLN GARAGE**
 1691 MICHIGAN AVENUE
 LOTS 7 THROUGH 10, AND LOTS 16 THROUGH 20,
 BLOCK 37, "PALM VIEW SUBDIVISION",
 PLAT BOOK 6, PG 29;
 MIAMI-DADE COUNTY, FLORIDA

The applicant is requesting a variance in order to relocate allowable building signage:

1. A variance to relocate the permitted flat business sign from the south side, facing the alley to the east façade, facing Jefferson Avenue.

APPROVED.

6. **FILE NO. 3545** **WALGREEN CO.**
 7340 COLLINS AVENUE
 A PORTION OF LOT 6, BLOCK 9,
 "HARDING TOWNSITE", PLAT BOOK 34, PG 4;
 MIAMI-DADE COUNTY, FLORIDA

The applicant is requesting the following variance in order to sell beer, wine and liquor for off-premise consumption at a Walgreens:

1. A variance to waive 157' of the minimum required 300 foot separation between retail stores primarily selling alcoholic beverages in order to sell beer, wine and liquor for off-premise consumption within a Walgreens with a distance of 143' to a retail store, Collins Liquor Store.

APPLICANT REQUESTED CONTINUANCE TO THE FEBRUARY 3, 2012 MEETING.

7. **FILE NO.3546** **JONATHAN WEISBERG**
 2831 ROYAL PALM AVENUE AND

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**2841 ROYAL PALM AVENUE
LOT 11, IN BLOCK C, OF RESUBDIVISION
OF BLOCKS C, D & E OF FAIR GREEN,
PLAT BOOK 4, PG 154;
MIAMI-DADE COUNTY, FLORIDA
LOT 12, IN BLOCK C, OF RESUBDIVISION
OF BLOCKS C, D & E OF FAIR GREEN,
PLAT BOOK 4, PG 154;
MIAMI-DADE COUNTY, FLORIDA**

The applicant is requesting the following variance in order to convert two existing single family homes into one:

1. A variance to waive 22'-11 1/2" of the minimum required sum of the side yards of 33'-2" in order to build a connecting room and convert the two existing single family homes into one single family home, retaining a sum of the side yards of 10'-2 1/2".

APPROVED WITH AMENDED CONDITION NO. 2.

8. **FILE NO. 3547** **3201 HOTEL, LLC. AND TOWER 3315, LLC.
3201-3315 COLLINS AVENUE. MIAMI BEACH,
MIAMI-DADE COUNTY, FLORIDA
(FOR LEGAL DESCRIPTION PLEASE CONTACT
THE PLANNING DEPARTMENT)**

The applicant is requesting a modification to the approved site plans. The modification requires a new variance for the total height of the new construction and the modification of three (3) previously granted variances in order to permit the renovation of the existing Saxony Hotel and the construction of a new multifamily building:

1. A variance to waive ~~17'-11"~~ 22'-11" of the minimum required north side interior pedestal setback of 27' - 11", in order to place the pedestal at ~~10'-0"~~ 5'-0" from the north side property line.
2. A variance to waive ~~40'-4 1/2"~~ 45'-4 1/2" of the minimum required sum of the side yards at the pedestal level of 55' - 2" in order to provide a sum of the side yards of ~~14'-9 1/2"~~ 9'-9 1/2".
3. ~~A variance to waive all of the interior side pedestal setback in order to build new stairs from the existing nonconforming building line of 4'-9 1/2" to the south property line. A variance to waive 23'-1 1/2" of the required interior side pedestal setback of 27'-11" in order to build the pavilion, back of house rooms and garden terraces at 4'-9 1/2", following the existing south building line.~~

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4. A variance to exceed by 3'-0" the maximum permitted height of 200'-0" as measured from grade in order to build the new residential tower at a height of 203'-0" from grade.

APPROVED.

9. **FILE NO.3548** **ERIC BORUKHIN**
245 NORTH COCONUT LANE, MIAMI BEACH
MIAMI-DADE COUNTY, FLORIDA
(FOR LEGAL DESCRIPTION PLEASE CONTACT
THE PLANNING DEPT.)

The applicant is requesting the following variances in order to permit the construction of a new two-story single family residence:

1. A variance to exceed by 3'-0" the maximum building height of 25'-0" as measured from grade to the highest roof in order to build the addition at 28'-0" from grade.
2. A variance to exceed by 2'-8" the maximum permitted elevation height of +6'-0" NGVD within the required rear yard in order to build portions of a pool deck and the pool's retaining walls at +8'-8" NGVD.

APPROVED.

10. **FILE NO. 3549** **DAVID AND MOLLY AVAN**
2620 BIARRITZ DRIVE, MIAMI BEACH
MIAMI-DADE COUNTY, FLORIDA
(FOR LEGAL DESCRIPTION PLEASE CONTACT
THE PLANNING DEPT.)

The applicant is requesting the following variance in order to permit the construction of a new two-story single family residence:

1. A variance to waive 3'-8" of the minimum required sum of the side yards of 26'-9" in order to build a new two-story residence with a sum of the side yards of 23'-1".

APPROVED.

11. **FILE NO.3550** **ERIC AND RACHEL POSES**
4816 LAKEVIEW DRIVE
SURVEY OF LOT, BLOCK 28,

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**OF LAKEVIEW SUBDIVISION,
PLAT BOOK 14, PG 42;
MIAMI-DADE COUNTY, FLORIDA**

The applicant is requesting the following variances in order to permit the construction of a new one-story garage structure at the north side of the property:

1. A variance to waive 1'-8 1/2" of the minimum required interior side yard setback of 9'-2 1/2" in order to build a one-story garage structure located at 7'-6" from the north property line.
2. A variance to waive 8'-8 1/2" of the minimum required sum of the side yards of 23'-0" in order to build a new one-story garage at the north side of the property providing a sum of the side yards of 14'-3 1/2".

APPROVED.

12. **FILE NO. 3551** **GEILAN SAHMOUD TRUSTEES**
2142 NORTH BAY ROAD
LOT 6, IN BLOCK 15 OF "AMENDED
PLAT OF SUNSET LAKE SUBDIVISION"
PLAT BOOK 8, PG 52;
MIAMI-DADE COUNTY, FLORIDA

The applicant is requesting the following variances in order to permit the construction of an addition to an existing single family home:

1. ~~A variance to waive 5'-1" of the minimum required interior side yard setback of 10'-0" in order to build a second story addition located at 4'-11" from the north property line, following the existing footprint.~~
2. A variance to waive 5'-1" of the minimum required sum of the side yards of 25'-0" in order to build an addition providing a sum of the side yards of 19'-11".

APPROVED.

D. NEXT MEETING DATE

February 3, 2012

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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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