

BOARD OF ADJUSTMENT

AFTER ACTION REPORT

FRIDAY, JANUARY 9, 2015

9:00 A.M.

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

A. CONTINUANCES/ WITHDRAWALS

1. File No. 3650
Christian de Berdouare and Jennifer Valoppi
5750 North Bay Road

Continued to the February 6, 2015 meeting –Preira/Goldberg 7-0.

2. File No. 3769
418 Meridian LLC.
418-426 Meridian Avenue

Continued to the February 6, 2015 meeting –Goldberg/Colin 7-0.

B. INTRODUCTION OF NEW TENANT

1. File No. 2921
Tapas Espanola, LLC.
448 Espanola Way

Tenant introduced to the Board. No action required.

C. MODIFICATIONS

1. File No. 3178
MBEACH1, LLLP.
1111 Lincoln Rd, 1665 Alton Road, 1666 Lenox Avenue

The applicant is requesting a modification to conditions of approval associated with previously approved variances for the renovation and alteration of the existing buildings and construction of a new 7-story mixed-use parking structure, and new 2-story mixed-use building. Specifically the applicant is requesting elimination of a condition requiring that the surface parking lot remain open and maintained as a surface parking lot or other open space area.

Approved –Fox/Baron 6-0 (Tandy recused).

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D. PREVIOUSLY CONTINUED CASES

- 3. File No. 3771
MBEACH1, LLLP.
1666 Lenox Avenue**

The applicant is requesting the following variance in order to construct a new two-story mixed-use building:

1. A variance to waive all minimum required front pedestal setback of 20'-0" for residential uses in order to construct a residential floor up to the property line facing Lenox Avenue.
2. A variance to waive all minimum required side pedestal setback of 7'-6" for residential uses in order to construct a residential floor up to the north property line.
3. A variance to waive all minimum required sum of the side pedestal setbacks of 15'-0" for residential uses in order to construct a residential floor up to the property line on both sides.

Approved with modified condition –Baron/Colin 6-0 (Tandy recused).

- 4. File No. 3726
William M. Pizzorni
1220 South Biscayne Point Road**

The applicant is requesting the following variance in order to build a new dock for a new two story single family home:

1. A variance to exceed by 8'-0" the maximum permitted 40'-0" projection into the waterway that exceeds 100'-0" in width in order to permit the construction of a T-shaped dock and one (1) mooring pile with a total projection of 48'-0" into the waterway.

Approved with a correction and additional condition –Goldberg/Tandy 7-0.

- 5. File No. 3761
Indian Creek II, LLC.
4777 Pine Tree Drive**

The applicant is requesting the following variance in order to build a new dock for the existing two story single family home:

1. A variance to exceed by 23.1' the maximum permitted 40'-0" projection into the waterway that exceeds 100'-0" in width in order to permit the construction of a new dock and five (5) mooring piles with a total projection of 63.1' into the waterway.

Approved with additional condition –Baron/Colin 6-0 (Tandy recused).

- 6. File No. 3773
4821 Pinetree Dr., LLC.
4821 Pine Tree Drive**

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The applicant is requesting the following variance in order to construct a new dock for the existing single family home:

1. A variance to exceed by 24'-3" the maximum permitted 40'-0" projection into the waterway that exceeds 100'-0" in width, in order to permit the construction of a new dock with a total projection of 64'-3" into the waterway.

Approved with additional condition –Baron/Fox 6-0 (Tandy recused).

7. **File No. 3764**
Royal Polo Hotel, LLC.
2940 Collins Avenue

The applicant is requesting the following variance in order to place an FPL transformer facing 30th Street as part of the renovations to the existing building:

1. A variance to waive all minimum required street side pedestal setback of 7'-6" in order to construct the FPL transformers up to the north property line facing 30th Street.

Approved –Goldberg/Tandy 7-0.

E. NEW CASES

1. **File No. 3774**
You Ki, Inc
840 Washington Ave

The applicant is requesting the following variance in order to serve beer and wine for consumption on the premises:

1. A variance to waive twenty-two (22) seats of the minimum required thirty (30) seats for a restaurant to serve beer and wine in order to operate a restaurant with eight (8) seats and serve beer and wine for consumption on the premises.

Approved with modified condition –Preira/Baron 7-0.

2. **File No. 3775**
Southgate Towers, LLLP.
910 West Avenue.

The applicant is requesting the following variance in order construct new docks for the existing apartment buildings:

2. A variance to exceed by 9'-0" the maximum permitted 125'-0" projection into the waterway that exceeds 1,000'-0" in width in order to permit the construction of a marina with a total projection of 134'-0" into the waterway.

Approved –Goldberg/Tandy 7-0.

3. **File No. 3776**
Espanola Cigars Corp.
409 Espanola Way

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The applicant is requesting the following variances in order to serve beer and wine for consumption on the premises:

1. A variance to waive twenty-two (22) seats of the minimum required thirty (30) seats for a restaurant to serve beer and wine in order to operate a restaurant with eight (8) seats and serve beer and wine for consumption on the premises.
2. A variance to waive 182 feet of the minimum required 300 foot separation between a business that sells alcoholic beverages for consumption and an existing educational facility, Leroy D. Fienberg Elementary School, in order to sell beer and wine for on-site consumption at a distance of 118 feet from the school.

Approved with modified condition and extended hours of operation to 2:00 a.m.–Baron/Colin 7-0.

F. APPEALS

1. **File No. 3759**
Sunset Parking Systems, Inc.
800-810 Lincoln Road

The applicant is appealing an administrative determination that the site is not part of a unified building site and that a lot split is not required for the separation of the lots. [Note: Previously continued from December 5, 2014 meeting].

Continued to the February 6, 2015 meeting –Preira/Baron 6-0 (Fox recused).

G. NEXT MEETING DATE

Friday, February 6, 2015

All persons are invited to appear or be represented by an agent at the public hearing and provide testimony before the Board. The applications and all documents related thereto are available for public inspection during normal business hours in the office of the Planning Department located at 1700 Convention Center Drive, 2nd Floor, City Hall, Miami Beach, Florida 33139. Inquiries may be directed to the Department at (305) 673-7550. Any of the above items may be continued to another meeting date and, under such circumstances, further advertised legal notice may not be provided.

Pursuant to Florida Statutes Section 286.0105, any person wishing to appeal Board decisions must ensure a verbatim record of the proceedings including testimony and evidence upon which the appeal is to be based. This notice does not constitute consent by the City for the introduction or admission of otherwise inadmissible or irrelevant evidence, nor does it authorize challenges or appeals not otherwise allowed by the law.

In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodation to participate in this proceeding should contact the Board's administrator at (305) 673-7550 no later than four (4) days prior to the proceeding. If hearing impaired, telephone the Florida Relay Service numbers, (800) 955-8771 (TDD) or (800) 955-8770 (Voice) for assistance.