



BOARD OF ADJUSTMENT

AFTER ACTION REPORT

FRIDAY, NOVEMBER 7, 2008

9:00 A.M.

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

A. EXTENSION OF TIME

1. **FILE NO.3283** **ROSA MARTINEZ AND MICHELLE McGUINNESS
845 82ND STREET AND 8225 HAWTHORNE AVE.
LOT 1, BLOCK 11, OF BISCAYNE BEACH
FIRST ADDITION, PLAT BOOK 47, PG 19;
MIAMI-DADE COUNTY, FLORIDA**

The applicant is requesting the following modification to a condition of approval for variances associated with the construction of a six (6) townhouse unit, four (4) story multifamily residential building:

Condition number 8 of the Order dated March 2, 2007, requires that a full building permit for the project be obtained on or before September 2, 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 September 2, 2009.

APPROVED.

B. MODIFICATION

2. **FILE NO. 2578** **KOBA ZAKARIADZE / CHILL & GRILL, INC.
1429 WASHINGTON AVENUE
A SOUTHERLY PART OF THAT CERTAIN**

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UN-NUMBERED LOT LYING IMMEDIATELY NORTH OF LOT 16; SAID UN-NUMBERED LOT NOW KNOWN AS LOT 17, BLOCK 26, OCEAN BEACH ADDITION NO. 2, PLAT BOOK 2, PG 56; DADE COUNTY, FLORIDA (FOR COMPLETE LEGAL DESCRIPTION PLEASE CONTACT THE PLANNING DEPT.)

The applicant is requesting a modification to a condition of approval for a variance which permitted a restaurant that serves beer and wine in a location less than 300 feet from an educational facility. Condition No. 6 of the June 6, 1997 Order permitted the sale of beer and wine only, and prohibited the establishment from selling hard liquor in any form. The applicant requests to modify this condition to permit the sale of hard liquor.

APPROVED WITH A MODIFIED CONDITION, AND AN ADDITIONAL CONDITION.

3. **FILE NO. 3068** **J. CUBED, LLC A/K/A 5TH AND MERIDIAN
421 AND 425 MERIDIAN AVENUE
421 MERIDIAN AVE.: LOT 9, BLOCK 56
425 MERIDIAN AVE.: LOT 10, BLOCK 56
OCEAN BEACH ADDITION NO. 3
PB 2-81; MIAMI-DADE COUNTY, FLORIDA**

The applicant is requesting a modification to the approved site plans, associated with the partial demolition, renovation and alteration of an existing structure, and a new 5-story mixed-use residential structure with ground level commercial space and twenty (20) residential units. The description of the project as currently proposed, will consist of the partial demolition, renovation and alteration of an existing structure, and a new 5-story mixed-use structure, with ground level restaurant space, outdoor dining on the southwest corner of the second floor and twenty (20) hotel rooms. The modification does not require new variances.

APPLICANT REQUESTED CONTINUANCE TO THE JANUARY 9, 2009 MEETING.

C. CONTINUED CASE

4. **FILE NO.3372** **THIERRY COULON
1531 W. 22ND STREET, SUNSET ISLAND 4
EAST 30 FT OF LOT 29 & WEST 45 OF LOT 30,
BLOCK 4A, SUBDIVISION:**

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**“SUNSET ISLANDS NO. 4”
PLAT BOOK 40, PG 8;
MIAMI-DADE COUNTY, FLORIDA**

This case was continued at the September 5, 2008 meeting.

The applicant is requesting an After-the-Fact variance in order to retain an existing pool deck:

1. An after-the-fact variance to waive all of the required interior side yard setback of 7'-6" from the pool deck to an interior property line in order to retain the existing pool deck up to the west property line.

APPROVED WITH ADDITIONAL LANDSCAPE CONDITION.

D. NEW CASES

5. **FILE NO. 3381** **LINCOLN TOBACCO, INC.
D/B/A DECO DRIVE CIGARS
414 LINCOLN ROAD
LOTS 2, 3, AND 4, BLOCK 53 OF “PINE RIDGE
SUBDIVISION”, PLAT BOOK 6, PG 34;
MIAMI-DADE COUNTY, FLORIDA
LESS 5.0” OF LOTS 2 AND 3 ,
AND ALSO LESS THE WEST 59.42” OF THE
NORTH 20’ OF LOT 3, BEING DESCRIBED IN DEED
BOOK 2075, PG 191;
MIAMI-DADE COUNTY, FLORIDA**

The applicant is requesting the following variance in order to serve alcoholic beverages within a 30-seat bar/lounge and cigar shop:

1. A variance to waive thirty (30) seats of the minimum requirement of sixty (60) seats for a thirty (30) seat bar/lounge and cigar shop to serve alcoholic beverages for consumption on the premises.

APPROVED WITH MODIFIED CONDITION.

6. **FILE NO.3384** **MIAMI BEACH JEWISH COMMUNITY CENTER, INC
4221-4229 PINETREE DRIVE
LOTS 5, 6 & 7; FLAMINGO BAY SUBDIVISION
PB 6-101; MIAMI-DADE COUNTY, FLORIDA**

The applicant is requesting the following variance in order to permit the

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construction of a new three (3) story educational, cultural and recreational facility:

1. A variance to waive 17' - 10 ½" of the minimum required front parking setback of 20' - 0" in order to build a surface parking area at 2' - 1 ½" from the front property line.

APPROVED.

7. **FILE NO. 3385** **JACOB NEISS, FRU MANAGEMENT, INC.**
D/B/A HOLIDAY INN RESORT
4333 COLLINS AVENUE
LOTS 3 AND 4, BLOCK 39; OCEAN FRONT
PROPERTY OF THE MIAMI BEACH
IMPROVEMENT COMPANY
PLAT BOOK 5, PG 7 AND 8;
MIAMI-DADE COUNTY, FLORIDA

The applicant is requesting the following variances in order to install signage with copy reading "Holiday Inn" on an existing hotel:

1. A variance to waive 9'-0" of the minimum required front yard setback of 10'-0" in order to place a monument sign at 1'-0" from the front property line.
2. A variance to exceed by 293 s.f. the maximum allowable flat sign size of 30 s.f. in order to place a flat sign of 323 s.f. and to locate it above the ground floor, on the parapet of the building, facing Collins Avenue.

APPROVED WITH MODIFIED CONDITIONS.

8. **FILE NO. 3387** **JACOB NEISS, MID-BEACH MANAGEMENT, INC.**
D/B/A FOUR POINTS BY SHERATON
4343 COLLINS AVENUE
THE SOUTH 75 FEET OF LOT 1 AND ALL LOT 2,
BLOCK 39, OCEAN FRONT PROPERTY OF THE
MIAMI BEACH IMPROVEMENT COMPANY
SUBDIVISION
PLAT BOOK 5, PG 7 AND 8;
MIAMI-DADE COUNTY, FLORIDA

The applicant is requesting the following variances in order to install signage with copy reading "Four Points by Sheraton" and its logo on an existing hotel:

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1. A variance to relocate a permissible Oceanfront sign identifying the building to the west elevation facing Collins Avenue.

If variance 1 is granted, then the applicant requests variance 2:

2. A variance to exceed by 164 s.f. the maximum allowable flat sign size of 30 s.f. in order to place a sign of 194 s.f. and to locate it above the ground floor, on the parapet of the building, facing Collins Avenue.
3. A variance to exceed by 18 s.f. the maximum allowable flat sign size of 30 s.f. in order to place a sign of 48 s.f. on the porte-cochere, facing Collins Avenue.

VARIANCES NO. 1 AND NO. 2 APPROVED AS MODIFIED BY STAFF.
VARIANCE NO. 3, DENIED.

9. **FILE NO.3388** **MIAMI BEACH COMMUNITY DEVELOPMENT
CORP. / VILLA MATTI
221 28TH STREET
LOTS 1, 2, 6, AND 7, BLOCK 10, MIAMI BEACH
IMPROVEMENT COMPANY SUBDIVISION
PLAT BOOK 5, PG 7;
MIAMI-DADE COUNTY, FLORIDA**

The applicant is requesting the following variances in order to permit the construction of a new six (6) story structure for low income elderly housing:

1. A variance to waive 7' - 0" of the minimum required 8' - 0" interior side pedestal setback at the north side of the property in order to build a new required electrical vault at 1' - 0" from the north property line.
2. A variance to waive 19' - 6" of the minimum required 22' - 6" rear pedestal setback at the west side of the property in order to build a new required electrical vault at 3' - 0" from the rear property line.
3. A variance to waive 14' - 4" of the minimum required sum of the side yards of 16' - 0" at the pedestal level in order to provide a sum of the side yards of 1' - 8".
4. A variance to waive 1' - 0" of the minimum required two-way interior drive aisle width of 22' - 0" in order to build a drive aisle at the west side of the property with a width of 21' - 0".

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APPROVED WITH ADDITIONAL CONDITIONS.

10. **FILE NO. 3389** **MIAMI BEACH COMMUNITY DEVELOPMENT
CORP. / THE ALLEN HOTEL
2001 WASHINGTON AVENUE
COMMENCING AT THE N.E. CORNER OF BLOCK "G"
AS SHOWN ON TE PLAT OF THE RESUBDIVISION
OF BLOCKS G. H. J AND TRIANGULAR TRACT
PLAT BOOK 6, PG 102; DADE COUNTY, FLORIDA
(FOR COMPLETE LEGAL DESCRIPTION PLEASE
CONTACT THE PLANNING DEPT.)**

The applicant is requesting the following variance in order to permit the rehabilitation of an existing structure:

1. A variance to waive the required minimum and average unit size of 400 s.f. in a rehabilitated building in order to provide 36 of the proposed 39 units with a size ranging from 256 s.f. to 371 s.f. and an average unit size of 320 s.f. (3 units are proposed to be 470 s.f.)

APPROVED WITH ADDITIONAL CONDITION.

11. **FILE NO. 3390** **EUROMARKET DESIGNS, INC. D/B/A CB2
845 LINCOLN ROAD
THE WEST 1/2 OF LOT 1, BLOCK 36, OF
AMENDED PLAT OF GOLF COURSE
SUBDIVISION.
PLAT BOOK 6, PG 26
MIAMI-DADE COUNTY, FLORIDA
(FOR COMPLETE LEGAL DESCRIPTION PLEASE
CONTACT THE PLANNING DEPT.)**

The applicant is requesting the following variances in order to place signage on a new three (3) story commercial structure:

1. A variance to allow a permitted building identification sign facing north Lincoln Lane to be located below the parapet.
2. A variance to relocate a permitted flat wall sign facing Jefferson Avenue to the south façade, above the entrance, not facing directly on a street.

APPROVED.

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E. NEXT MEETING DATE

December 5, 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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