



**BOARD OF ADJUSTMENT**

**AFTER ACTION REPORT**

**FRIDAY, OCTOBER 3, 2008**

**9:00 A.M.**

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

**A. PROGRESS REPORT**

- FILE NO.3260**      **BYHALL, LLC**  
**401 69<sup>TH</sup> STREET**  
**LOTS 3, 4, 5, 6, 7, 8, 9, AND 10, BLOCK H,**  
**“CORRECTED PLAT OF ATLANTIC HEIGHTS”**  
**LESS AND EXCEPT THE EAST 2 FEET OF**  
**LOTS 7, 8, 9, AND 10M IN SAID BLOCK H,**  
**PLAT BOOK 9, PG 14;**  
**MIAMI-DADE COUNTY, FLORIDA**

The applicant will present a progress report associated with the construction of two (2) egress stairs to an existing seventeen (17) story building, which received variances on January 5, 2007.

***PROGRESS REPORT DUE IN 30 DAYS (NOVEMBER 7, 2008).***  
***(OWNERS/RESIDENTS MUST BE NOTIFIED OF THE MEETING).***

**B. EXTENSION OF TIME**

- FILE NO. 3094**      **EDUARDO DARER a/k/a NINE45 JEFFERSON**  
**945 JEFFERSON AVENUE**  
**LOT 14; BLOCK 70;**  
**OCEAN BEACH ADDITION NO. 3**  
**PLAT BOOK 2, PG 81;**  
**MIAMI-DADE COUNTY, FLORIDA**

**BOARD OF ADJUSTMENT AFTER ACTION REPORT**  
**OCTOBER 3, 2008**

The applicant is requesting the following modification to a condition of approval for variances associated with the construction of a seven (7) unit, four (4) story multifamily building:

The Modification Order dated April 4, 2008, required that the project be completed by October 4, 2008. The applicant is hereby requesting to modify the completion date to October 4, 2009.

**MODIFICATION OF COMPLETION DATE TO APRIL 4, 2009**  
**GRANTED.**

**C. CONTINUED CASE**

3. **FILE NO. 3375**      **CASA D'AZZURRO – ERIC KORCHIA**  
**250 E. SAN MARINO DRIVE**  
**LOT 8 OF BLOCK 7,**  
**“PLAT OF SAN MARINO”**  
**PLAT BOOK 9, PAGE 22;**  
**MIAMI-DADE COUNTY, FLORIDA**

This case was continued at the September 5, 2008 meeting. The applicant is requesting the following variances in order to permit the construction of a swimming pool within the front yard of single family residence currently under construction:

1. ~~A variance to waive 4'-0" of the required 20'-0" minimum front setback for a swimming pool in order to build the exterior side of the infinity edge gutter at 16'-0" from the front (north) property line, facing 3<sup>rd</sup> Terrace.~~
2. A variance to waive 18'-0" of the required front yard setback of 20'-0" in order to locate the pool equipment pad at 2'-0" from the front (north) property line, facing 3<sup>rd</sup> Terrace.

**DENIED.**

**D. NEW CASES**

4. **FILE NO. 3376**      **KAAMOS, LLC.**  
**1650 JAMES AVENUE**  
**LOTS 1, 2, 3 AND 4, EXCEPT THE WEST**  
**6 FEET THEREO, OF BLOCK 31 OF**  
**“FISHER’S FIRST SUBDIVISION OF ALTON BEACH”**

**BOARD OF ADJUSTMENT AFTER ACTION REPORT**  
**OCTOBER 3, 2008**

**PLAT BOOK 2, PAGE 77;  
MIAMI-DADE COUNTY, FLORIDA**

The applicant is requesting the following variance to exceed the allowable hours of operation of accessory outdoor bar counters of a proposed restaurant:

1. A variance to exceed the allowable hours of operation of accessory outdoor bar counters until 2:00 a.m. during the week and until 3:00 am on Saturdays, Sundays and holidays.

**HOURS OF OPERATION EXTENDED AS FOLLOWS: SATURDAYS, SUNDAYS AND HOLIDAYS UNTIL 2:00 A.M. PLANNING BOARD CONDITION ADDED TO THE APPROVAL. PROGRESS REPORT DUE 3 MONTHS AFTER VENUE IS OPENED.**

5. **FILE NO.3378**      **BENZION KORF  
FRIENDS OF LUBAVITCH OF FL, INC.  
6100 PINETREE DRIVE  
LOT 10, BLOCK 5,  
BEACH VIEW ADDITION,  
PLAT BOOK 16, PG 10;  
MIAMI-DADE COUNTY, FLORIDA**

The applicant is requesting the following after-the-fact variances in order to retain a privacy fence and an existing pool deck:

1. An after-the-fact variance to exceed by 1'-0" the maximum allowable fence height of 6'-0" in order to retain the existing perimeter fence facing Pinetree Drive and 61<sup>st</sup> Street at a height of 7'-0" measured from grade.
2. An after-the-fact variance to waive all of the minimum required front yard setback of 20'-0" in order to extend an existing pool deck currently located at 10'-2 1/2" from the front property line, facing Pinetree Drive.
3. An after-the-fact variance to waive all of the minimum required side yard facing the street setback of 10'-0" in order to extend an existing pool deck currently located at 8'-1 1/2" from the south property line, facing 61<sup>st</sup> Street.

**APPROVED WITH MODIFIED CONDITIONS.**

6. **FILE NO.3379**      **304-312 OCEAN DRIVE, LLC.**

**BOARD OF ADJUSTMENT AFTER ACTION REPORT**  
**OCTOBER 3, 2008**

**304-312 OCEAN DRIVE  
LOT 8, LESS THE SOUTHEASTERLY  
15 FEET THEREOF, IN BLOCK 4,  
OF OCEAN BEACH, FLORIDA,  
PLAT BOOK 2, PG 38, MIAMI-DADE COUNTY,  
FLORIDA AND LOT 7, LESS THE EASTERLY 12  
FEET THEREOF, IN BLOCK 4, OF OCEAN BEACH,  
FLORIDA, PLAT BOOK 2, PG 38;  
MIAMI-DADE COUNTY, FLORIDA**

The applicant is requesting the following variances in order to permit the construction of a rooftop addition on the existing building facing 3<sup>rd</sup> Street and a new 3-story structure at the north side of the property:

1. A variance to waive 6' - 10" of the required 11' - 10" minimum rear yard pedestal setback to build a rooftop addition at the south side of the property and a new 3-story structure at the north side of the property at 5' - 0" from the rear property line.
2. A variance to waive the requirement of providing a minimum and a maximum setback of 5'-0" at the pedestal level when facing a street in order to build the rooftop addition at 14'-1" and 16'-3" from the south property line, facing 3<sup>rd</sup> Street.

**APPROVED.**

7. **FILE NO. 3380**      **1200 WEST AVENUE LESSEE, LLC.  
1200 WEST AVENUE  
MIAMI BEACH, FLORIDA  
(FOR THE LEGAL DESCRIPTION  
PLEASE CONTACT THE PLANNING DEPT.)**

The applicant is requesting the following variance in order to permit the construction of an open-air stair at the northeast side of the existing building:

1. A variance to waive 39'-1" of the required 74'-0" minimum interior side pedestal setback to build an open-air stair (from ground level to second level only) located at 34'-11" from the north property line.

**APPROVED.**

8. **FILE NO. 3382**      **KNR MICHIGAN, LLC.  
d/b/a SOSTA PIZZERIA & CARPACCIO BAR  
1025 LINCOLN ROAD**

**BOARD OF ADJUSTMENT AFTER ACTION REPORT**  
**OCTOBER 3, 2008**

THE SOUTH 75 FEET OF LOT 4, AND THE 11.75 FEET  
OF THE WEST PORTION OF THE SOUTH 75 FEET  
OF LOT 5, ALL IN BLOCK 38 OF "COMMERCIAL  
SUBDIVISION OF THE ALTON BEACH REALTY  
COMPANY'S PLAT" A SUBDIVISION,  
PLAT BOOK 6, PG 5;  
MIAMI-DADE COUNTY, FLORIDA

The applicant is requesting the following variance in order to serve beer,  
wine and alcoholic beverages within a 40-seat restaurant:

1. A variance to waive twenty (20) seats of the minimum requirement  
of sixty (60) seats for a forty (40) seat restaurant to serve beer,  
wine and alcoholic beverages for consumption on the premises.

**APPROVED.**

**E. NEXT MEETING DATE**

November 7, 2008

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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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MIAMI BEACH

PLANNING DEPARTMENT

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**FLOOD PLAIN MANAGEMENT BOARD**  
**AFTER ACTION REPORT**

**FRIDAY, OCTOBER 3, 2008**

**BOARD OF ADJUSTMENT AFTER ACTION REPORT**  
**OCTOBER 3, 2008**

**AT THE CONCLUSION OF THE BOARD OF ADJUSTMENT MEETING**

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

1. **FILE NO. FP08-09**                      **UNITED BOX, INC. d/b/a FRANKLIN HOTEL**  
**860 COLLINS AVENUE**  
**LOT 1, BLOCK 32**  
**OF OCEAN BEACH FLA. ADDITION NO. 1,**  
**PLAT BOOK 3, PG 11;**  
**MIAMI-DADE COUNTY, FLORIDA**

The applicant is requesting a variance to waive the minimum required base flood plain elevation to allow the renovation and restoration of an existing 3-story structure.

**THE APPLICANT REQUESTED CONTINUANCE TO THE NOVEMBER 7, 2008 MEETING.**

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