



## **BOARD OF ADJUSTMENT** **AFTER ACTION**

**MONDAY, JANUARY 7, 2002 - 9:00 A.M.**

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

### **A. INTRODUCTION OF NEW TENANT**

1. **FILE NO. 2684**      **CLAY HOTEL PARTNERSHIP, LTD.**  
   **d/b/a MADAME'S, L.L.C.**  
   **506 ESPANOLA WAY (1436 Drexel Avenue)**

A variance was obtained on January 8, 1999 to sell/serve alcoholic beverages at the above location (506 Espanola Way), as the applicant is within 300 feet of Fisher-Feinberg Elementary School. In accordance with the Order, signed and dated on April 20, 1999, condition no. 6 states:

*The property owner shall be responsible for compliance with all of the conditions of this variance. The current operator and any subsequent operators of the business shall be specifically apprised of all conditions. Subsequent operators shall be required to appear before the Board to affirm their understanding of the conditions listed, herein.*

Therefore, the new tenants of this establishment shall introduce themselves to the Board at this time. Note: Future reports shall be at the Board's discretion.

***Progress Report June, 2002.***

### **B. PROGRESS REPORTS**

2. **FILE NO. 2548**      **TRANSNATIONAL PROPERTIES, INC.**  
   **6801 COLLINS AVENUE**  
   (formerly The Carillon Hotel)

At the hearing on December 7, 2001, the Board requested a progress report regarding the status of the above-referenced property.

***Progress Report February 1, 2002.***

3. **FILE NO. 2371 TOY CORPORATION/TOY GALLERY  
(d/b/a Miro Cafe)  
448 ESPANOLA WAY**

The applicant will present a progress report regarding the operation of this restaurant which obtained a variance on March 4, 1994 to sell/serve alcoholic beverages within the proximity of Fienberg-Fisher Elementary School. The presentation of this report is a condition of the Final Order signed on March 16, 1994; also, the applicant presented a report at the meeting of October 5, 2001 and at that time the Board requested the applicant to appear again in 90 days.

***Applicant did not show up. Must report on February 1, 2002.***

4. **FILE NO. 2564 TENDENZA INC. (d/b/a Café Nuvo)  
412-414 ESPANOLA WAY**

The applicant will present a progress report regarding the operation of this restaurant which obtained a variance on March 7, 1997 to sell/serve alcoholic beverages within the proximity of Fienberg/Fisher Elementary School. The presentation of this report was requested by the Board on July 6, 2001, when the new tenant introduced himself.

***Applicant did not show up. Must report on February 1, 2002.*****C. EXTENSIONS OF TIME**

5. **FILE NO. 2757 NORTH BAY ROAD TRUST  
5300 NORTH BAY ROAD**

[Note: This case is continued from the October 5 and December 7, 2001 meetings.]

The applicant is requesting a one year extension of time to obtain a building permit for the construction of a second story addition over an existing single family garage/gatehouse. The variances were granted on October 6, 2000 and a building permit should have been obtained by October 6, 2001. The extension, if granted, will give the applicant until October 6, 2002 to obtain a building permit and until October 6, 2003 to complete the project.

***Continued to February 1, 2002.***

6. **FILE NO. 2781 SOUTH BEACH RESORT DEVELOPMENT, LLC  
(a/k/a DeSoleil South Beach Hotel-Condominium)  
1458 OCEAN DRIVE**

The applicant is requesting a one year extension of time to obtain a building permit for the construction of a new 50' high, 80 unit hotel with retail and restaurant accessory uses. The variances were granted on January 5, 2001 and a building permit should have been obtained by January 5, 2002. The extension, if granted, will give the applicant until January 5, 2003 to obtain a building permit.

**Granted. Project must be completed by January 5, 2005.**

**D. CONTINUED CASES**

7. **FILE NO. 2833 ROYAL AMBASSADOR TRAVEL INC.  
a/k/a TUDOR HOTEL  
1111 COLLINS AVENUE**

The applicant is appealing a June 25, 2001 administrative decision made by the Planning and Zoning Director. The administrative decision states that Section 142-904(b)(1)g does not permit the subject counter and cabinet fixture on the terrace of the existing Tudor Hotel and as such must be removed. The applicant contends that the counter has always been there and that the Planning Department is singling out the property.

**Granted.**

8. **FILE NO. 2847 MICHAEL K. ROARK and ELAINE WRIGHT  
221 WEST SAN MARINO DRIVE**

This case is continued from the meeting of December 7, 2001.

**Note:**

The applicant has amended the plans after meeting with staff and the original requests have been modified as indicated below in bolded and highlighted text.

The applicant is requesting the following variances in order to construct a swimming pool and deck in the front yard of an existing single family residence:

1. A variance to waive ~~42'—6'~~ **10'—0"** of the minimum required front yard setback of 20 feet in order to construct a pool and deck ~~7'—6"~~ **10'—0"** from the front property line facing Venetian Way.
2. A variance to waive ~~all~~ **2.5'** of the minimum required 4' side setback for driveways in order to construct a driveway ~~up to~~ **1.5'** from the south side property line.

**Granted.**

**E. NEW CASES**

**9. FILE NO. 2842      **GAVRIEL MAIRONE**  
**619 MERIDIAN AVENUE****

The applicant is requesting the following variances in order to construct a three-story addition consisting of a four-car garage on the ground floor and a residential unit on the second and third floors at the rear of an existing two-story apartment building that will also be rehabilitated:

1. A variance to waive 9' – 0" of the minimum required rear yard setback of 14' – 0" in order to construct the above addition 5' – 0" from the rear property line facing the alley.
2. A variance to waive 2' – 6" of the minimum required interior side yard setback of 7' – 6" in order to construct the above addition 5' – 0" from the north and south side yards.

**Granted.**

**10. FILE NO. 2849      **RABIN M. SARDA**  
**1344 EUCLID AVENUE****

The applicant is requesting the following variances in order to construct a new residential unit above an existing garage in the rear of the property:

1. A variance to waive 9' – 0" of the minimum required rear yard setback of 14' – 0" in order to construct a second story addition over an existing structure 5' – 0" from the rear property line facing the alley.
2. A variance to waive 2' – 6" of the minimum required interior side yard setback of 7' – 6" in order to construct the above addition 5' – 0" from the north side yard.

**Granted.**

**11. FILE NO. 2851      **SIAMAC SEDIGHIM**  
**721 W. 47<sup>TH</sup> STREET****

The applicant is requesting the following variances in order to construct a one-story addition to an existing single family residence:

1. A variance to waive 5' – 11" of the minimum required front yard

setback of 20' – 0" in order to construct the above one story addition 14' – 1" from the front property line facing W. 47<sup>th</sup> Street.

2. A variance to waive 11.6' of the minimum required side yard facing the waterway of 23.9' in order to construct the above one story addition 12.3' from the west side yard facing the waterway.

**Granted.**

**12. FILE NO. 2852 MIAMI BEACH CHAMBER OF COMMERCE  
1920 MERIDIAN AVENUE**

The applicant is requesting the following variance in order to install a sign on the parapet of the new Chamber of Commerce building facing Dade Boulevard and Meridian Avenue.

1. A variance to Section 138-172, which prohibits signs in the RM-1, 2, & 3 zoning district from being located above the ground floor in order to install a sign with copy reading "Miami Beach Chamber of Commerce", along the parapet of the subject building facing the corner of Meridian Avenue and Dade Boulevard.

**Granted.**