



BOARD OF ADJUSTMENT
AFTER ACTION

FRIDAY, FEBRUARY 7, 2003 - 9:00 A.M.

A. PROGRESS REPORTS

1. **FILE NO. 2564 Café NUVO (formerly TENDENZA INC.)
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 a one-year progress report was requested by the Board at its meeting on February 1, 2001.

Neither the applicant or a representative showed-up for the hearing; therefore, the case was continued to February 28, 2003.

2. **FILE NO. 2856 41ST STREET CVS, INC.
4040 PRAIRIE AVENUE**

The applicant will present a progress report regarding the operation of CVS/Pharmacy, which obtained a variance on February 1, 2002 to sell beer and wine within the proximity of North Beach Elementary School and Temple Beth Israel. The presentation of this report is a requirement of condition no. 5 of the Order.

No more progress reports are required, unless staff finds that there is a problem, and they would then be brought back before the Board.

B. CLARIFICATION

3. **FILE NO. 2769 NATHAN RATNER TESTAMENTARY TRUST
a/k/a LINCOLN ROAD SOUTH BEACH, LLC
1026-1036 LINCOLN ROAD**

The applicant is requesting a clarification from the Board of a previous condition of approval for variance file #2769 in which a rear setback variance for an addition was approved. A condition of approval was that if a restaurant space was proposed for the building that the applicant appear before the Board to discuss the restaurant's impact on the adjoining residential uses.

Continued to the meeting of February 28, 2003.

C. CONTINUED CASE

- 4. FILE NO. 2920 DRAGO FOOD COMPANY INC.
d/b/a ROCKY'S CHEESESTEAKS & CHEESEBURGERS
7401 COLLINS AVENUE**

This case is continued from the meeting of January 10, 2003.

The applicant is requesting the following variance in order to allow beer and wine to be served within a ten (10) seat restaurant:

1. A variance to waive twenty (20) of the minimum requirement of thirty (30) seats in order to permit a ten (10) seat restaurant to serve beer and wine.

Continued to the meeting of February 28, 2003.

D. NEW CASES

- 5. FILE NO. 2922 SIAVOSH SEDIGHIM
5746 LA GORCE DRIVE**

The applicant is requesting the following variances in order to construct a two story ground floor addition and a partial second floor addition above an existing single family residence:

1. A variance to waive 1.15' of the minimum required north side setback of 7.5' in order to construct a two story addition in the front of an existing residence and a second story addition over the existing portions of the residence 6.35' from the north side yard.
2. A variance to waive .4' (5") of the minimum required side setback of 5' in order to construct a second story addition over portions of an existing residence 4.6' from the south side yard.

3. A variance to exceed by 865 sq. ft. (12%) the maximum allowable lot coverage of 2,625 sq. ft. (35%) in order to construct the above additions resulting in a lot coverage of 47% or 3490 sq. ft.

Continued to the meeting of February 28, 2003.

**6. FILE NO. 2923 IBEX MERIDIAN LLC
1680 MERIDIAN AVENUE**

The applicant is requesting the following variances in order to convert an existing commercial office building into a mixed-use residential and commercial building.

1. A variance to waive 10' of the minimum required front pedestal setback of 20' for residential uses in a commercial district in order to retain the existing building for residential uses with a setback of 10' from the front property line facing Meridian Avenue.
2. A variance to waive 35' of the minimum required front tower setback of 45' in order to retain the existing building for residential uses with a front tower setback of 10' from the front property line facing Meridian Avenue.
3. A variance to waive 10' of the minimum required pedestal rear yard setback of 15' in order to retain the above building for residential uses 5' from the rear property line.
4. A variance to waive 17.5' of the minimum required tower rear yard setback of 22.5' in order to retain the above building for residential uses 5' from the rear property line.
5. A variance to waive all of the minimum required interior side yard pedestal setback of 7.5' in order to retain the above building for residential uses with zero (0') north and south side pedestal setbacks.
6. A variance to waive all of the minimum required interior side yard tower setback of 10' in order to retain the above building for residential uses with zero (0') north and south side tower setbacks.

Granted

7. **FILE NO. 2924 COLLINS AVENUE ASSOCIATES, LLC
a/k/a THE BATH CLUB
5937 COLLINS AVENUE**

The applicant is requesting the following variance in order to reconstruct a 10' high property wall along the front property line facing Collins Avenue.

1. A variance to exceed by 5' the maximum allowable height of 5' for walls located along the front property line in order to reconstruct a 10' high cbs wall along Collins Avenue towards the south side of the property.

Continued to the meeting of February 28, 2003.

8. **FILE NO. 2927 SOUTH BEACH RESORT DEVELOPMENT, LLC
a/k/a DeSoleil South Beach Hotel-Condominium
1458 OCEAN DRIVE**

The applicant is requesting the following variance and extension of time in order to be able to obtain a building permit for the construction of a new 50 unit hotel with retail and restaurant accessory uses:

1. A variance to waive Section 118-355(a) which limits extensions of time, to the date required to obtain a building permit, to a total of one year for approved variance requests.

If the above request is approved, the applicant then requests the following:

2. The applicant requests a second one-year extension of time for Board of Adjustment File No. 2781. The applicant is also requesting a modification to extend the completion date, for the above file, one additional year from January 5, 2005 to January 5, 2006.

Granted



FLOOD PLAIN MANAGEMENT BOARD
AFTER ACTION

FRIDAY, FEBRUARY 7, 2003

TO BE HEARD 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 #FP02-03** **FIRST MERIDIAN PROPERTIES, LLC**
234 MERIDIAN AVENUE
LOT 4 AND THE WESTERLY 56 FT. OF LOT 3
BLOCK 77; OCEAN BEACH ADDITION NO. 3
PLAT BOOK 2, PAGE 81
MIAMI-DADE COUNTY, FLORIDA

This case is continued from the meetings of November 1 and December 6, 2002, and January 10, 2003..

The applicant is requesting a variance in order to substantially remodel an existing multi-family building without having to elevate the building to the minimum flood elevation as required by FEMA.

Granted

2. **FILE NO. FP03-01** **LINCOLN ROAD SOUTH BEACH, LLC**
1024-1036 LINCOLN ROAD
LOTS 10 AND 11; BLOCK 47
LINCOLN SUBDIVISION; PLAT BOOK 9-69
MIAMI-DADE COUNTY, FLORIDA

This case is continued from the meeting of January 10, 2003.

The applicant is requesting a variance in order to be exempt from the flood proofing requirements for the existing commercial building facing Lincoln Road.

Continued to the meeting of February 28, 2003.

