

CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139
www.ci.miami-beach.fl.us



PLANNING DEPARTMENT

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BOARD OF ADJUSTMENT AFTER ACTION

FRIDAY, APRIL 4, 2003 - 9:00 A.M.

A. PROGRESS REPORTS

1. **FILE NO. 2301** **M-1 DEVELOPMENT CORP.
d/b/a ARDEN SAVOY PARTNERS, LLC
425 and 455 OCEAN DRIVE
LOTS 3,4,5 & 6; BLOCK 116
OCEAN BEACH ADDITION NO. 4; PB 3/115&151
MIAMI-DADE COUNTY, FLORIDA**

A variance was obtained on May 7, 1993 for variances associated with the substantial rehabilitation of an existing apartment/hotel into 61 apartments and 6 hotel rooms with an accessory restaurant. Since that time, the applicant has modified the variances requested to allow the conversion of the project into a 67-unit suites hotel. A new operator was introduced to the Board in November, 2002 and at that time the Board requested that the applicant present a progress report in April, 2003.

Next Progress Report due in one year.

2. **FILE NO. 2891** **1080 ALTON ROAD, LLC
1050-1080 ALTON ROAD
LOT 7; BLOCK 84; THIRD COMMERCIAL SUB.
PLAT BOOK 7-160; MIAMI-DADE COUNTY, FLORIDA**

The applicant will present a progress report regarding the operation of this restaurant which obtained a variance on September 6, 2002 to sell/serve beer and wine within the proximity of Beis Hamedrash Levi Yitzchok School. The presentation of this report is a condition of the Final Order signed on October 10, 2002. (Note: The Board requested the applicant return in April.)

No one appeared; therefore, this case is continued to the May 2nd meeting.

3. **FILE NO. 2892** **NORM & DEE, CORP.**
1220 NORMANDY DRIVE
LOTS 7 THRU 11 LESS S. 25 FT.; BLOCK 10
OCEANSIDE SECTION ISLE OF NORMANDY
PB 25-60; MIAMI-DADE COUNTY, FLORIDA

The applicant will present a progress report regarding the operation of this bar which obtained a variance on September 6, 2002 to add liquor service at the existing nonconforming bar, which is located within 300 feet of a religious institution (The Sephardic Congregation of Florida Synagogue). The presentation of this report is a condition of the Final Order signed on October 10, 2002. (Note: The Board requested the applicant return in April.)

Next Progress Report due in one year.

4. **FILE NO. 2921** **KIU, LLC d/b/a VELA CAFÉ**
448 ESPANOLA WAY
LOTS 1 TO 6 LESS N. 3 FT.; BLOCK 3-B
FIRST ADDITION TO WHITMAN'S SUB. OF
ESPANOLA VILLAS; PLAT BOOK 9-147;
MIAMI-DADE COUNTY, FLORIDA

The applicant will present a progress report regarding the operation of a restaurant which obtained a variance on January 10, 2003 in order to sell/serve alcoholic beverages within the proximity of Fisher-Feinberg Elementary School. A condition of the Order is that the applicant shall present a progress report in three months. (Note: The Board shall determine whether subsequent progress reports are needed, and if so, establish a time frame for future reports.)

Next Progress Report due in one year.

B. CONTINUED CASES

5. **FILE NO. 2928** **OSCAR DELGADO – WELWORTH ASSOCIATES, LLC**
7326 COLLINS AVENUE
LOT 4; BLOCK 9
THE TOWNSITE OF HARDING SUBDIVISION
PLAT BOOK 34– 4; MIAMI-DADE COUNTY, FLORIDA

This case is continued from the meeting of February 28, 2003.

The applicant is requesting the following variance in order to convert an existing

56 unit hotel building into a 28 unit apartment building:

1. A variance to waive 59 sq. ft. of the minimum required average unit size of 550 sq. ft. in order to convert the above 56 unit hotel into a 28 unit apartment building with an average unit size of 491 sq. ft.

DENIED

C. NEW CASES

6. **FILE NO. 2931 NORMANDY HOLDINGS II, LLC
155-193 NORTH SHORE DRIVE
LOTS 1 – 6; BLOCK 57
NORMANDY GOLF COURSE SUBDIVISION
PLAT BOOK 44-62; MIAMI-DADE COUNTY, FLORIDA**

The applicant is requesting the following variances in order to construct thirty-four (34) three and four-story town home units with two-car garages for each unit:

1. A variance to waive 20' – 8" of the minimum required north side pedestal setback of 32' – 0" in order to construct the above building 11' – 4" from the north side property line.
2. A variance to waive 11' – 0" of the minimum required south side pedestal setback of 32' – 0" in order to construct the above building 21' – 0" from the south side property line.
3. A variance to waive 14' - 8" of the minimum required south side at-grade parking setback of 19' – 8" in order to construct a driveway 5' – 0" from the south side property line.

Request Nos. 1 and 2 APPROVED with conditions. Request No. 3 was withdrawn.

7. **FILE NO. 2932 JUST AROUND THE CORNER, LLC;
TGNC DEVELOPMENT, LLC;
POP DEVELOPMENT, LLC
205-237 20TH ST.; 2000-2038 COLLINS AVENUE;
220-21ST STREET
LOTS 1,2,3,4 and LOTS 6 and 8; BLOCK C
AMENDED MAP OF THE OCEAN FRONT PROPERTY
OF THE MIAMI BEACH IMP. CO. SUBDIVISION**

PLAT BOOK 5 – 7; MIAMI-DADE COUNTY, FLORIDA

**FILE NO. 2932 JUST AROUND THE CORNER, LLC;
TGNC DEVELOPMENT, LLC;
POP DEVELOPMENT, LLC
205-237 20TH ST.; 2000-2038 COLLINS AVENUE;
220-21ST STREET**

The applicant is requesting the following variances in order to construct a six story, sixty five feet high mixed use building with ground floor commercial uses, 53 residential units and a parking garage which will connect to the existing 5 story valet garage:

1. A variance to exceed by 15 feet the maximum permitted height of 50 feet in order to construct the above 65 feet high building.
2. A variance to exceed by one story the five story maximum for the subject property in order to construct the above 6 story building.

Note: Residential uses shall follow the RM-1, 2, 3 setbacks. Mixed use buildings: When more than 25 percent of the total area of a building is used for residential or hotel units (as occurs in the proposed building), any floor containing such units shall follow the RM-1, 2, 3 setback regulations.

Therefore, from the second floor upward the proposed building must comply the RM-3 setback regulations.

If the above requests are approved then the applicant requests the following tower setback variance:

3. A variance to waive 15' of the minimum required 35' front tower setback along both 20th Street and 21st Street in order to construct the above building with a 20' tower setback from the north and south property lines.
4. A variance to waive 12' of the minimum required 20' pedestal front setback in order to construct the second floor residential level of the proposed building 8' from the front property line facing 21st Street.
5. A variance to waive 6' of the minimum required 12' west side pedestal setback in order to construct the above building 6' feet from the west interior side yard along 21st Street.
6. A variance to waive Section 142-247 which only permits valet parking to be stacked two vehicles deep in order to allow three deep stacking in a valet garage.

APPROVED with conditions.

- 8. FILE NO. 2933 NINA MANDEL
5223 NORTH BAY ROAD
LOT 7; BLOCK 17; LA GORCE GOLF SUBDIVISION
PLAT BOOK 14– 43; MIAMI-DADE COUNTY, FLORIDA**

The applicant is requesting the following variance in order to construct a new swimming pool for an existing single family residence.

1. A variance to waive 2.5' of the minimum required rear yard setback of 7.5' for swimming pools in order to construct a new swimming pool 5' from the rear property line to the water's edge of the pool.

APPROVED with conditions.

- 9. FILE NO. 2934 ATLANTIC SOUTH BEACH PROPERTIES LLC
733 THIRD STREET / 311 MERIDIAN AVENUE
LOTS 9 AND 10; BLOCK 55
OCEAN BEACH FLA. ADDITION NO. 3
PLAT BOOK 2– 81; MIAMI-DADE COUNTY, FLORIDA**

The applicant is requesting the following variance in order to construct a five-story 14 unit multifamily building and rehabilitate an existing historic bungalow:

1. A variance to exceed by 10' the maximum permitted height of 35' in order to construct the above building with a height of 45'.

APPROVED with conditions.

- 10. FILE NO. 2935 MICHAEL K. STAKE
6000 PINETREE DRIVE
LOT 8; BLOCK 6; BEACH VIEW ADDITION SUB.
PLAT BOOK 16– 10; MIAMI-DADE COUNTY, FLORIDA**

The applicant is requesting the following variance in order to construct a swimming pool within the required front yard of a single-family residence:

1. A variance to waive 10' – 0" of the minimum required 20' – 0" front yard

setback in order to construct a swimming pool 10' – 0" from the front property line.

APPROVED with conditions.

- 11. FILE NO. 2936 PALM INTERNATIONAL INC.
100 PALM AVENUE
LOT 38; BLOCK 1; PALM ISLAND SUBDIVISION
PLAT BOOK 6 – 54; MIAMI-DADE COUNTY, FLORIDA**

The applicant is requesting the following variance in order to construct a swimming pool within the required rear of the subject property.

1. A variance to waive **all** of the minimum required 7' – 6" rear yard setback in order to construct a swimming abutting the sea wall.

DENIED

- 12. FILE NO. 2938 AMERICAN INTERSTATE CORP.
2200-2218 COLLINS AVENUE
LOT 2; BLOCK 2
MIAMI BEACH IMPROVEMENT CO. SUBDIVISION
PLAT BOOK 5 – 7; MIAMI-DADE COUNTY, FLORIDA**

The applicant is requesting the following variances in order to rehabilitate an existing contributing historic building and construct a new addition that replicates a previously demolished historic building.

1. A variance to waive all of the minimum required 20' – 0" front yard setback in order to construct a second and third floor consisting entirely of residential units. *(Note: As per Section 142-338(a), residential uses shall follow the RM-3 setbacks.)*
2. A variance to waive 2' – 6" of the minimum required 7' – 6" side-yard setback (exterior yard, facing a street) in order to construct a second and third floor consisting entirely of residential units. *(Note: As per Section 142-338(a), residential uses shall follow the RM-3 setbacks.)*
3. A variance to waive all of the minimum required 7' – 6" side-yard setback (interior yard) in order to construct a second and third floor

consisting entirely of residential units. (Note: As per Section 142-338(a), residential uses shall follow the RM-3 setbacks.)

- 4. A variance to waive 104 s.f. of the minimum required 800 s.f. average unit size in order to construct new residential units with an average unit size of 696 s.f.

Request Nos. 1, 2 and 3 were APPROVED. Request No. 4 was CONTINUED to the May 2nd meeting.

- 13. **FILE NO. 2939 NIPOJEVE, LLC
1025-1037-1045 MICHIGAN AVENUE
LOTS 12, 13 AND 14; BLOCK 89
OCEAN BEACH ADDITION NO. 3
PLAT BOOK 2- 81; MIAMI-DADE COUNTY, FLORIDA**

The applicant is requesting the following variances in order construct a new four unit, three story multifamily building and a 15 space parking lot for the proposed new building and the three existing buildings on the property:

- 1. A variance to waive 1' – 7" of the minimum required side yard setback of 12' – 0" in order to construct a new three story residential building 10' – 5" from the south side yard.
- 2. A variance to waive 5' – 1" of the minimum required interior side setback of 7' – 6" for an at-grade parking lot in order to construct a 15 space parking lot 2' – 5" from the north side property line.
- 3. A variance to waive 3' of the minimum required rear yard setback of 5' for at-grade parking in order to construct the above 15 space parking lot 2' from the rear property line.

APPROVED with conditions.

D. NEXT MEETING DATE

May 2, 2003

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FLOOD PLAIN MANAGEMENT BOARD AFTER ACTION

FRIDAY, APRIL 4, 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

**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 February 28, 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.

WITHDRAWN by applicant.