



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

**FRIDAY, JUNE 6, 2003 - 9:00 A.M.**

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

**A. PROGRESS REPORT**

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

The applicant will present a progress report regarding the operation of this restaurant which obtained a variance on February 28, 2003 to sell/serve beer and wine in a ten seat restaurant. (Note: The Board shall determine whether subsequent progress reports are needed, and if so, shall establish a time frame for future reports.)

***PROGRESS REPORT DUE IN SIX MONTHS.***

**B. EXTENSION OF TIME**

2. **FILE NO. 2870** **SEVILLE BEACH HOTEL CORP.**  
**2901 COLLINS AVENUE**

The applicant is requesting a one year extension of time to obtain a building permit to construct a one story parking structure in the rear of the property, reconstruct the pool deck and two levels of cabana type hotel suites over the new parking structure, a two story rooftop addition and substantially remodel existing hotel. The variances were granted on July 2, 2002 and a building permit obtained by July 3, 2003. The extension, if granted, will give the applicant until July 2, 2004 to obtain a building permit.

***APPROVED.***

**C. CLARIFICATION**

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

The applicant is requesting a clarification from the Board due to a previous condition of approval for variance file #2769 in which a rear setback variance an addition was approved. A condition of approval was that if a restaurant proposed for the building, that the applicant must appear before the Board to discuss the restaurant's impact on the adjoining residential uses. t

***APPROVED FOR RESTAURANT USE WITH AN INITIAL SEAT COUNT OF 40 SEATS INSIDE AND 40 SEATS OUTSIDE, AND OTHER CONDITIONS. PROGRESS REPORT DUE THREE MONTHS AFTER OPENING.***

**D. NEW CASES**

4.     **FILE NO. 2945           TODD POSES  
  5736 PINETREE DRIVE**

The applicant is requesting the following after-the-fact variance in order to retain two air-conditioning compressors installed along the south side of an existing residence.

1.     A variance to waive all of the minimum required 5' - 0" required setback in order to permit two air conditioning units to be placed along the side of an existing single family residence.

***APPROVED WITH CONDITIONS.***

5.     **FILE NO. 2946           LNR JEFFERSON LLC  
  1691 MICHIGAN AVENUE**

The applicant is requesting the following variance in order to permit the construction of a projecting sign that exceeds the maximum permitted area.

1.     A variance to exceed by 71 square feet the maximum permitted area of a projecting sign of 15 square feet in order to permit a 86 square foot projecting sign.

***APPROVED WITH CONDITIONS.***

**6. FILE NO. 2947 JOHN J. CIENKI  
1025 SHORE LANE**

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

1. A variance to exceed by 109 sq. ft. the maximum permitted lot coverage of 2281 sq. ft. in order to construct a second floor addition on existing residence with a total lot coverage of 2390 sq. ft. **a**

*Maximum lot coverage: Lot area (6517.8 sq. ft.) x 35% = 2281 sq. ft.  
Provided lot coverage: 2390 sq. ft.  
2390 sq. ft. – 2281 sq. ft. = 109 sq. ft.*

2. A variance to waive 2' – 2" of the minimum side-yard setback of 7' – 6" in order to construct a second floor addition 5' – 4" from the side property line.

**APPROVED WITH CONDITIONS.**

**7. FILE NO. 2948 DAVID and LAURA BENSON  
312 PALM AVENUE**

The applicant is requesting the following variances in order to construct two, two-story additions to an existing single family residence:

1. A variance to waive 3' – 4" of the minimum required front yard setback of 20' – 0" in order to construct a new two story addition 16' – 8" from the front property line facing Palm Avenue.
2. A variance to waive 8' - 0" of the minimum required front yard setback of 20' – 0" in order to construct a new two story addition 12' – 0" from the front property line facing Coconut Lane.
3. A variance to waive 3' – 6" of the minimum required interior side yard setback of 10' – 8" in order to construct a two story addition 7' – 2" from the interior side property line.
4. A variance to waive 2' – 7" of the minimum required side facing a street setback of 15' – 0" in order to construct a two story addition 12' – 5" from the street side property line.

**APPROVED WITH CONDITIONS.**

8.     **FILE NO. 2949**           **ELVERA CHARITABLE REMAINDER TRUST**  
  **THEODORE CRANDALL, TRUSTEE**  
  **401 JEFFERSON AVENUE**

The applicant is requesting the following variances in order to allow development on a vacant parcel of land. (*Note: A formal development application has not been submitted to the Historic Preservation Board.*)

1.     A variance to waive 1,500 sq. ft. of the minimum required lot area of 6,000 sq. ft. in order to permit development on a 4,500 sq. ft. lot.
  
2.     A variance to waive 5' – 0" of the minimum required lot width of 50' – 0" in order to permit development on a lot 45' – 0" in width.

***CONTINUED FOR 60 DAYS.***

**Note:** The Flood Plain Management Board shall convene at the conclusion of the Board of Adjustment meeting.

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# CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139  
[www.ci.miami-beach.fl.us](http://www.ci.miami-beach.fl.us)



PLANNING DEPARTMENT

Telephone 305-673-7550  
Facsimile 305-673-7559

## FLOOD PLAIN MANAGEMENT BOARD AFTER ACTION

**FRIDAY, JUNE 6, 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. FP03-02**

**BETA EPSILON CADILLAC, LLC  
d/b/a THE CADILLAC HOTEL  
3925 COLLINS AVENUE**

Lots 1 thru 8 inclusive and the 16' alley bounded on the west by the easterly lines of Lots 5 thru 8; bounded on the east by the westerly lines of Lots 1 thru 4; bounded on the north by the southerly line of 40<sup>th</sup> St., and bounded on the south by the northerly line of 39<sup>th</sup> St.; Block 31; amended plat of Oceanfront Property of Miami Beach Imp. Co. Sub.; Plat Book 5-7 and 8  
**Miami-Dade County, Florida**

The applicant is requesting a variance from the minimum required flood elevation in order to not have to raise the elevation of the first floor and therefore retain the existing terrazzo floor and to not be required to install temporary removable flood barriers, which are used in the event of a storm, along the exterior of the building.

***APPROVED.***

*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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