



BOARD OF ADJUSTMENT
AFTER ACTION

FRIDAY, JULY 25, 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. 2684 CLAY HOTEL PARTNERSHIP, LTD.
a/k/a CHILL RESTAURANT
506 ESPANOLA WAY
LOTS 1 AND 2; BLOCK 4B
ESPANOLA VILLAS 1st ADDITION
PLAT BOOK 9 – 147; MIAMI-DADE COUNTY, FLORIDA

The applicant will present a progress report regarding the operation of this restaurant which obtained a variance on January 9, 1999 to sell/serve alcoholic beverages within 300 feet of an educational facility (Fisher-Feinberg Elementary School).

Next Progress Report due in six months (January, 2004).

B. EXTENSION OF TIME

2. FILE NO. 2872 SUN SOUTH PLACE
530 MERIDIAN AVENUE
LOT 4; BLOCK 74
OCEAN BEACH ADDITION NO. 3
PB 2-81; MIAMI-DADE COUNTY, FLORIDA

The applicant is requesting a six month extension of time to obtain a building permit to substantially remodel an existing hotel building. The variance was granted on June 7, 2002. The extension, if granted, will give the applicant until December 7, 2003 to obtain a building permit.

Approved.

C. MODIFICATIONS

3. **FILE NO. 2921** **TAPAS & TINTOS, INC. (formerly KIU, LLC)**
 448 ESPANOLA WAY
 LOTS 1 TO 6 LESS N. 3 FT.; BLOCK 3-B
 FIRST ADDITION TO WHITMAN'S SUB. OF ESPANOLA
 VILLAS; PB 9-147; MIAMI-DADE COUNTY, FLORIDA

The new tenants of this establishment shall introduce themselves to the Board and, are requesting a modification of a previously approved variance, granted on January 10, 2003, in order to permit the sale of alcoholic beverages as package goods for consumption off the premises.

Approved. Progress Report due in six months (January, 2004).

4. **FILE NO. 2777** **MAIRELY RODRIGUEZ**
 d/b/a TROPICAL ON THE BEACH
 1415 WASHINGTON AVENUE
 LOT 13; BLOCK 26; OCEAN BEACH ADDITION NO. 2
 PBOOK 2 -56; MIAMI-DADE COUNTY, FLORIDA

The applicant is requesting a modification of a previously approved variance, granted on December 1, 2000, in order to request permission to add entertainment and dancing to an existing restaurant.

Continued until the September meeting, or, until the Planning Board approves this case.

D. CONTINUED CASE

5. **FILE NO. 2949** **ELVERA CHARITABLE REMAINDER TRUST**
 THEODORE CRANDALL, TRUSTEE
 401 JEFFERSON AVENUE
 THE WESTERLY 45 FT. OF LOTS 7 AND 8; BLOCK 75
 OCEAN BEACH FL. ADDITION NO. 3
 PB 2-81; MIAMI-DADE COUNTY, FLORIDA

This case is continued from the meeting of June 6, 2003.

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. The Board requested that the applicant modify the building and notify the Planning Dept. when ready to proceed.

E. NEW CASES

**6. FILE NO. 2950 BETA EPSILON CADILLAC, LLC
d/b/a THE CADILLAC HOTEL
3925 COLLINS AVENUE**

40"

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 St., and bounded on the south by the northerly line of 39th 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 the following variances in order to install two main permitted use signs and two accessory use signs on a hotel building currently under renovation:

1. A variance to waive Section 138-172 which prohibits flat wall signs above the ground floor in order to install a flat wall sign with copy reading "Courtyard – Marriott" on the ninth floor parapet facing Collins Avenue.
2. If the above variance is approved, the applicant then requests a variance to exceed by 56.8 sq. ft. the maximum allowable size of 30 sq. ft. for flat wall signs in order to install the above sign facing Collins Avenue with a size of 86.8 sq. ft.
3. A variance to waive Section 138-172 which prohibits flat wall signs above the ground floor in order to install a flat wall sign with copy reading "Courtyard – Marriott" on the ninth floor parapet facing 39th Street.
4. If the above variance is approved, the applicant then requests a variance to exceed by 56.8 sq. ft. the maximum allowable size of 30 sq. ft. for flat wall signs in order to install the above sign facing 39th Street with a size of 86.8 sq. ft.

5. A variance to waive section 138-172 which only permits detached accessory use signs in order to install an accessory use flat wall sign with copy reading "Carrabba's Italian Grill" on the west elevation facing Collins Avenue.
6. If the above request is approved, the applicant then request a variance to exceed by 16 sq. ft. the maximum allowable size of 20 sq. ft. for accessory use signs in order to install the above sign with a size of 36 sq. ft.
7. A variance to relocate the permitted accessory use sign facing the ocean to the south elevation in order to install a second accessory use flat wall sign with copy reading "Carrabba's Italian Grill" facing 39th Street.
8. If the above request is approved, the applicant then request a variance to exceed by 16 sq. ft. the maximum allowable size of 20 sq. ft. for accessory use signs in order to install the above sign with a size of 36 sq. ft.

***Variance Request Nos. 1,2,3,4,7 and 8 were APPROVED.
Variance Request Nos. 5 and 6 were DENIED.***

7. **FILE NO. 2951 MOUNT VERNON LLC (d/b/a MOUNT VERNON HOTEL)
6084 COLLINS AVENUE
LOT 1; LYLE G. HALL SUBDIVISION
PLAT BOOK 40-5; MIAMI-DADE COUNTY, FLORIDA**

The applicant is requesting the following variance in order to substantially rehabilitate an existing hotel:

1. A variance to waive 51.2 sq. ft. of the minimum required hotel unit size of 300 sq. ft., in order to retain 24 hotel rooms with sizes ranging from 248.8 sq. ft to 293.9 sq ft. and an average size of 271.3 sq. ft. for all 31 hotel units.

APPROVED.

8. **FILE NO. 2952** **ITALBUILDING INC.**
8021 HARDING AVENUE
LOT 3 LESS W. 2.5 FT.; BLOCK 6
ALTOS DEL MAR NO. 3; PLAT BOOK 8-41
MIAMI-DADE COUNTY, FLORIDA

The applicant is requesting the following variances in order to construct a new four-story five (5) unit residential building:

1. A variance to waive 100 sq. ft. of the minimum required lot size of 5600 sq. ft. in the RM-1 zoning district in order to construct a new residential building on a lot containing only 5500 sq. ft.

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

2. A variance to waive 3' – 4" of the minimum required front yard setback of 20' – 0" in order to construct the above building with projecting stairs and landing on the second, third and fourth floors 16' – 8" from the front property line facing Harding Avenue.
3. A variance to waive 1' – 9" of the minimum required side yard setback of 7' – 6" in order to construct the above building with an exterior walkway on the second, third and fourth floors 5' – 9' from the north side property line.
4. A variance to waive 5' – 0" of the minimum required two-way drive width of 22' – 0" in order to provide a 17' – 0" wide two-way drive within the parking garage.

Variance Request Nos. 1 and 4 were APPROVED.

Variance Request Nos. 2 and 3 were DENIED.

9. **FILE NO. 2953** **SEVEN HUNDRED REALTY CORP.**
700-714 LINCOLN ROAD/1630-1640 EUCLID AVENUE
LOTS 1 and 2; BLOCK 50
ALTON BEACH REALTY CO. 2ND COMMERCIAL SUB.
PLAT BOOK 6-33; MIAMI-DADE COUNTY, FLORIDA

The applicant is requesting the following variance in order to construct an addition to an existing commercial building:

1. A variance to waive all of the minimum required rear yard setback of 5' in order to construct an addition at the rear of an existing commercial building.

Approved, with the stipulation that progress reports be presented on a monthly basis until the applicant is ready to proceed with the addition. The applicant must come into compliance with Code Enforcement and other impacted City departments prior to the issuance of a building permit.

- 10. FILE NO. 2954 BONI REAL ESTATE, LLC (d/b/a Teasers)
524 OCEAN DRIVE
A PORTION OF LOT 3; BLOCK 2
FRIEDMAN & COPE SUB.; PLAT BOOK 4-83
MIAMI-DADE COUNTY, FLORIDA**

This case must receive approval from the Historic Preservation Board before it can be heard by the Board of Adjustment; therefore, it shall not be heard today.

- 11. FILE NO. 2955 BONI REAL ESTATE, LLC (d/b/a TEASERS 2)
530 OCEAN DRIVE
LOTS 1 and 2; BLOCK 2
FRIEDMAN & COPE SUB.; PLAT BOOK 4-83
MIAMI-DADE COUNTY, FLORIDA**

This case must receive approval from the Historic Preservation Board before it can be heard by the Board of Adjustment; therefore, it shall not be heard today.

- 12. FILE NO. 2956 MURANO TWO, LTD. & MURANO THREE, LTD.
d/b/a MURANO GRANDE AT PORTOFINO and ICON
400-450 ALTON ROAD
LOTS 30-41 AND A PORTION OF LOT 42; BLOCK 111
OCEAN BEACH ADDITION NO. 3; PLAT BOOK 2-81
MIAMI-DADE COUNTY, FLORIDA
(Detailed legal description on file in the CMB Planning Dept.)**

This case will not be heard today. It is being continued in order to allow the applicant to update the application. The public will again be notified when this case proceeds.

13. **FILE NO. 2958** **LENNY KRAVITZ, TRUSTEE**
7936 BISCAYNE POINT CIRCLE
LOT 5; BLOCK 1; BISCAYNE POINT
PLAT BOOK 14 – PAGE 35
MIAMI-DADE COUNTY, FLORIDA

The applicant is requesting the following variance in order to order to allow an addition to an existing single family residence:

1. A variance to increase the existing nonconforming lot coverage of 42.2% (35% permitted) to 49.5%, in order to construct an additional 402 sq. ft. of enclosed area for any existing one story single family residence.

Continued to the September meeting.

14. **FILE NO. 2959** **FERNANDO HARA LEVY**
6580 INDIAN CREEK DRIVE (d/b/a PELICAN CREEK)
LOTS 22 and 23; BLOCK 3
AMENDED PLAT OF 2ND OCEANFRONT SUBDIVISION
PLAT BOOK 28-28; MIAMI-DADE COUNTY, FLORIDA

The applicant is requesting the following variances in order to construct a new 6 story multi-family residential building:

1. A variance to exceed by five (5) feet the maximum allowable height of sixty (60) feet in the RM-2 zoning district in order to construct a new sixty-five (65') high multifamily building.
2. A variance to waive 15' of the minimum required front tower setback of 35' in order to construct the above building with a tower setback of 20' from Indian Creek Drive.
3. A variance to waive all of the minimum required 20' setback for at-grade parking and driveways in order to construct an entrance drive parallel to the front property line along Indian Creek Drive.
4. A variance to waive Section 130 -101 in order to construct the above 52 unit building without the two (2) required loading spaces.

Approved.

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

CITY OF MIAMI BEACH

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



PLANNING DEPARTMENT

Telephone 305-673-7550
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FLOOD PLAIN MANAGEMENT BOARD A G E N D A

FRIDAY, JULY 25, 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. FP03-03

**1700 MERIDIAN ASSOCIATES, LLC
d/b/a THE MONCLAIR
1700 MERIDIAN AVENUE
LOT 1 and PORTIONS OF LOTS 2, 3 and 4; BLOCK 21
AMENDED PLAT OF GOLF COURSE SUB. OF
ALTON BEACH REALTY CO.
PLAT BOOK 6-26; MIAMI-DADE COUNTY, FLORIDA**

REQUEST:

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 first floor level.

Approved.