



BOARD OF ADJUSTMENT
AFTER ACTION

FRIDAY, DECEMBER 5, 2003 - 9:00 A.M.

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

A. PROGRESS REPORTS

1. **FILE NO. 2832 16TH STREET CORP. d/b/a LOUNGE 16
(formerly Bubbles, LLC)
423 – 16TH STREET
LOT 1; BLOCK 53; PINE RIDGE SUBDIVISION
PB 6-34; MIAMI-DADE COUNTY, FLORIDA**

The applicant will present a progress report regarding the operation of this bar which obtained a variance on December 7, 2001 to sell/serve beer, wine and champagne within 300 feet of a religious institution (The United Methodist Church a/k/a Iglesia Metodista Unida Mision); and also received a modification to that variance on June 7, 2002 in order to include the sale of liquor. The presentation of this report is a condition of the Modified Final Order signed on July 18, 2002.

Progress Report due June, 2004.

2. **FILE NO. 2920 DRAGO FOOD COMPANY INC.
d/b/a ROCKY'S CHEESESTEAKS & CHEESEBURGERS
7401 COLLINS AVENUE
LOT 14; BLOCK 1; HARDING TOWNSITE
PB 34-4; MIAMI-DADE COUNTY, FLORIDA**

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

Progress Report due June, 2004.

B. EXTENSION OF TIME

3. **FILE NO. 2794 REGIUS PROPERTIES, INC.
734 MICHIGAN AVENUE
LOT 4; BLOCK 96; OCEAN BEACH ADDN. NO. 3
PB 2 - PG 81; MIAMI-DADE COUNTY, FLORIDA**

The applicant is requesting a modification to a previously approved variance granted on March 1, 2002 which required the completion of the project by no later than September 2, 2004 to be changed to September 2, 2005.

Approved.

4. **FILE NO. 2889 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**

The applicant is requesting a one year extension of time to obtain a building permit to remodel an existing apartment building, construct a partial second story to said building and construct a new four story residential addition to the rear of the property. The applicant is also requesting a one year extension of time to complete the project. The extension, if granted, will give the applicant until November 1, 2004 to obtain a building permit and until November 1, 2005 to complete the project.

Approved.

C. CONTINUED CASES

5. **FILE NO. 2972 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; BLK. 111
OCEAN BEACH ADDITION NO. 3; PLAT BOOK 2-81
MIAMI-DADE COUNTY, FLORIDA**

Appeal From Administrative Decision

This case is continued from the November 7, 2003 meeting.

The applicant is appealing an administrative decision made by the Planning and Zoning Director. The administrative decision states that the subject project requires a minimum interior two way drive width of 22' within the existing garage. The applicant contends that the project only requires a minimum two way drive width of 20'.

Withdrawn by applicant at the hearing.

- 6. **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; BLK. 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 is continued from the November 7, 2003 meeting.

The applicant is requesting the following "after-the-fact" variances in order to complete the construction of an accessory parking garage for the Grand Murano and Icon residential towers:

- 1. A variance to waive 2' – 0" of the minimum required two-way drive width of 22' – 0" in order to retain the existing parking garage where a small portion of the two-way drive that is 20' – 0" wide.
- 2. A variance to waive 6" of the required setback of 1' – 6" for columns between parking spaces and parallel to an interior drive on each side of the required drive, measured from the edge of the required interior drive to the face of the column, in order to retain several columns at the south end of the garage setback only 1'-0".

Approved.

- 7. **FILE NO. 2974 SHOWTIME THEATRES OF FLORIDA, LLC
429 LENOX AVENUE
LOTS 7 AND 8; BLOCK 99
MUSSETTS RE-SUB OF RE-SUB
PB 38 – 69; MIAMI-DADE COUNTY, FLORIDA**

This case is continued from the November 7, 2003 meeting.

The applicant is requesting the following two (2) variances in order to exceed the maximum permitted size for a permanent main business sign and a building identification sign:

1. A variance to exceed the maximum permitted size of 30 square feet for a main business sign by 82.5 square feet in order to allow a 112.5 square feet sign to be placed on the one story parapet wall of the retail space facing north on 5th Street.
2. A variance to exceed the maximum permitted size of 70 square feet for a building identification sign by 27 square feet to allow a 97 square feet sign to be placed on the top of the tower located at the northwest corner of the property and facing north on 5th Street.

Continued to the January, 2004 meeting.

D. NEW CASES

8. **FILE NO. 2969 OCEAN BLVD., LLC
1036 OCEAN DRIVE
LOT 4; BLK. 15; OCEAN BEACH ADDITION NO. 2
PB 2-56; MIAMI-DADE COUNTY, FLORIDA**

The applicant is requesting the following variance in order to waive the minimum unit size for a suites hotel for sixteen (16) units out of a total of eighteen (18) at the subject property located in the historic district. (Note: 1036 Ocean Drive and 1052 Ocean Drive are joined by a unity of title and for zoning purposes are considered one parcel.)

1. A variance to waive a range of 85 to 244 sq. ft. of the minimum required unit suite hotel size of 550 square feet to allow for sixteen (16) units to range between 306 sq. ft. and 465 sq. ft. in size.

Continued to the February, 2004 meeting.

9. **FILE NO. 2980 OCEAN BLVD., LLC
1060 OCEAN DRIVE
LOT 1; BLOCK 15; OCEAN BEACH ADDN. NO. 2
PB 2-56; MIAMI-DADE COUNTY, FLORIDA**

The applicant is requesting the following variance in order to waive the minimum unit size for a suites hotel for fourteen (14) units out of a total of eighteen (18) at the subject property located in the historic district.

1. A variance to waive a range of 22 to 68 square feet of the minimum required unit suite hotel size of 550 square feet to allow for fourteen (14) units to range between 482 sq. ft. and 528 sq. ft. in size.

Continued to the February, 2004 meeting.

**10. FILE NO. 2981 LESLIE JOSE AND NATALIE ITA ZIGEL
4335 NORTH BAY ROAD
LOT 7; BLOCK 6; NAUTILUS SUBDIVISION
PB 8-95; MIAMI-DADE COUNTY, FLORIDA**

The applicant is requesting the following variances in order to build a new swimming pool, spa and deck in the rear yard of an existing single family residence:

- 1. A variance to waive 2'-9" of the minimum required 7'-6" rear yard setback to water's edge in order to construct a new swimming pool and spa 4'-9" from the rear property line.
- 2. A variance to waive 1'-9" of the minimum required 9'-0" side yard setback to water's edge in order to construct a new swimming pool and spa 7'-3" from the south side property line.
- 3. A variance to waive 1'-0" of the minimum required 7'-6" side yard setback to pool deck in order to construct a pool deck 6'-6" from the north side property line.
- 4. A variance to waive 5'-2" of the minimum required 7'-6" side yard setback to pool deck in order to construct a pool deck 2'-4" from the south side property line.

Approved.

**11. FILE NO. 2983 CHELSEA, LLC
1201-1215 WEST AVENUE
LOTS 13 AND 14; BLOCK 82
BAY VIEW SUBDIVISION
PB 9-110; MIAMI-DADE COUNTY, FLORIDA**

This case will not be heard today as it has not yet received approval from the Design Review Board.

Continued until DRB approval.

12. FILE NO. 2984 TODD B. AND C. ISABEL TRAGASH
261 PALM AVENUE
LOT 47; BLOCK 2-B
AMENDED RIVIERA AND THE FIRST AND SECOND
ADDITIONS THERETO; PLAT BOOK 32-37
MIAMI-DADE COUNTY, FLORIDA

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

1. A variance to waive 15' – 4" of the minimum required front yard setback of 20' along Coconut Lane in order to construct a second story over the existing garage 4' – 8" from the property line. The addition also consists of a two story portion which is setback 9' – 8" from the property line facing Coconut Lane.
2. A variance to waive 2' – 6" of the minimum required side yard setback of 7' – 6" in order to construct the above second story addition 5' – 0" from the west side yard.

Approved.

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

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.



FLOOD PLAIN MANAGEMENT BOARD
A G E N D A

FRIDAY, DECEMBER 5, 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 #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

REQUEST:

The applicant is requesting a six (6) month extension of time to obtain a building permit to substantially rehabilitate a historic structure. The extension if granted will give the applicant until April 17, 2004 to obtain a building permit.

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.