



BOARD OF ADJUSTMENT **AFTER ACTION**

FRIDAY, AUGUST 6, 2004 – 9:00 A.M.

A. PROGRESS REPORT

1. **FILE NO. 2548** **SOUTH CARILLON JOINT VENTURE, LLC
6801 COLLINS AVENUE
(formerly, Transnational Properties, Inc.
a/k/a Carillon Hotel)
NORTH 25 FT. OF LOT 48 AND
ALL OF LOTS 49 THRU 53; BLK. 1
AMENDED PLAT OF 2ND OCEANFRONT SUB.
PLAT BOOK 28 - 28
LOTS 1 TO 6; BLOCK B; ATLANTIC HEIGHTS SUB.
PLAT BOOK 9-14; MIAMI-DADE COUNTY, FLORIDA**

The applicant shall present a progress report relating to variances associated with the renovation of the existing Carillon Hotel and the construction of a 143 unit, 22-story condominium tower and a 327 unit, 35-story condominium tower. Variances were originally granted in January and March, 1997 and were subsequently extended and modified over the years.

At the hearing of November 7, 2003, the Board established the following time frames:

1. The existing Carillon Hotel shall be completed by July 1, 2005.
2. The south building shall be completed by October 1, 2006.
3. The north building shall be completed by December 1, 2008.

The applicant is presenting this progress report so that the Board can monitor issues regarding construction and its affect on the surrounding properties. The Board shall establish a time frame for subsequent reports, if necessary.

PROGRESS REPORT DUE IN SIX MONTHS.

B. MODIFICATION

2. **FILE NO. 2684 CLAY HOTEL PARTNERSHIP, LTD.
a/k/a TANGERINE 1436 (LoveLife Corp.)
506 ESPANOLA WAY (a/k/a 1436 Drexel Avenue)
LOTS 1 AND 2; BLOCK 4B
ESPANOLA VILLAS 1st ADDITION
PLAT BOOK 9-147; MIAMI-DADE COUNTY, FLORIDA**

As per City of Miami Beach Code Section 118-356: Revocation or modification of variance, the Board of Adjustment has set a public hearing to modify conditions of a variance which permitted the sale and service of alcohol within the minimum required distance separation from an educational facility.

CONTINUED TO SEPTEMBER 3, 2004 MEETING.

C. CONTINUED CASES

3. **FILE NO. 3014 DOUGLAS W. SWALINA
405 W. DILIDO DRIVE
LOT 8; BLOCK 10; DILIDO ISLAND
PLAT BOOK 8-36; MIAMI-DADE COUNTY, FLORIDA**

This case is continued from the meeting of July 2, 2004.

The applicant has revised his application to reduce the number of variances and is now requesting the following After-the-Fact variances in order to retain an accessory structure on the front yard facing 4th Terrace:

1. An after-the-fact variance to waive 8' – 5" of the minimum required 20' – 0" front yard setback in order to retain an existing one-story accessory structure 11' – 6" from the front property line facing 4th Terrace.
2. An after-the-fact variance to waive the required barrel tile or cement tile in order to retain a metal roof on a pitched roof of an accessory structure within the required front yard.

APPROVED.

4. **FILE NO. 3015 DAVID LAHNER
5925 ALTON ROAD
LOT 7; BLOCK 5; LA GORCE GOLF SUBDIVISION**

PLAT BOOK 14-43; MIAMI-DADE COUNTY, FLORIDA

This case is continued from the meeting of July 2, 2004.

The applicant is requesting the following rear yard setback variance in order to permit the construction of a one-story addition to an existing single family home:

1. A variance to waive 6' – 0" of the minimum required 20' – 0" rear required yard setback in order to construct a one-story addition to the rear of the existing single family residence and set back 14' – 0' from the rear property line.

APPROVED.

D. NEW CASES

5. **FILE NO. 3021 ARTECITY HOLDINGS, LTD.
a/k/a GOVERNOR HOTEL
435 W. 21ST STREET, 2135 WASHINGTON COURT,
2130-2140 PARK AVENUE
LOTS 1,2,3 and 6 and 7; OCEAN PARK SUBDIVISION
AND OCEAN PARK RE-SUBDIVISION
PLAT BOOK 41-50 and 45-40
MIAMI-DADE COUNTY, FLORIDA**

The applicant is requesting the following variances in order to restore a historic hotel, four (4) historic apartment buildings and construct two (2) new high-rise multifamily buildings:

1. A variance to waive 10' – 0" of the minimum required 20' – 0" front yard subterranean setback in order to construct underground parking 10' – 0" from the front property line facing Park Avenue.
2. A variance to waive 8' – 0" of the minimum required 20' – 0" front yard subterranean setback in order to construct underground parking 12' – 0" from the front property line facing 21st Street.
3. A) A variance to waive 10' – 0" of the minimum required 20' – 0" front yard subterranean setback in order to construct underground parking 10' – 0" from the front property line facing Washington Court.

B) A variance to waive 15' – 0" of the minimum required 20' – 0" front yard subterranean setback in order to construct underground parking 5' – 0" from the front property line facing 22nd Street.

4. A) A variance to waive 5' - 0" of the minimum required 15' - 0" interior yard subterranean setback in order to construct underground parking 10' - 0" from the northeast interior property line perpendicular to Park Avenue.

B) A variance to waive 2' - 4" of the minimum required 15' - 0" interior yard subterranean setback in order to construct underground parking 12' - 8" from the northeast interior property line perpendicular to 22nd Street.
5. A variance to waive 8' - 0" of the minimum required 20' - 0" front yard pedestal setback in order to construct a new multifamily building 12' - 0" from the front property line facing 21st Street.
6. A variance to waive 10' - 0" of the minimum required 20' - 0" front yard pedestal setback in order to construct a new multifamily building 10' - 0" from the front property line facing Park Avenue.
7. A) A variance to waive 10' - 0" of the minimum required 20' - 0" front yard pedestal setback in order to construct a new multifamily building 10' - 0" from the front property line facing Washington Court.

B) A variance to waive 15' - 0" of the minimum required 20' - 0" front yard pedestal setback in order to construct a new multifamily building 5' - 0" from the front property line facing 22nd Street.
8. A) A variance to waive 11' - 4" of the minimum required 24' - 0" interior yard pedestal setback in order to construct a new multifamily building 12' - 8" from the northeast interior property line perpendicular to 22nd Street.

B) A variance to waive 14' - 0" of the minimum required 24' - 0" interior yard pedestal setback in order to construct a new multifamily building 10' - 0" from the northeast interior property line perpendicular to Park Avenue.
9. A variance to waive 29' - 6" of the minimum required 48' - 0" sum of the side yards pedestal setback in order to construct a multifamily building with 18' - 6" sum of the side yards setback for portions of the property facing Washington Court and 22nd Street.
10. A variance to exceed by 1' - 2" the maximum permitted projection of 1' - 4" in order to permit the construction of balconies within the front required yard 2' - 6" from the front property line facing 22nd Street.

11. A variance to exceed by 8' – 4" the maximum permitted 50' – 0" building height in order in to permit the construction of two (2) new high-rise multifamily buildings with 58' – 4" in height as measured from grade.
12. A variance to exceed by one (1) the maximum permitted number of five (5) stories in order in to permit the construction of a new high-rise multifamily building with a total of six (6) stories.
13. A variance to waive 12' – 4" of the minimum required 28' – 4" front yard tower setback in order to construct a new multifamily building 12' – 0" from the front property line facing 21st Street.
14. A variance to waive 18' – 4" of minimum required 28' – 4" front yard tower setback in order to construct a new multifamily building 10' – 0" from the front property line facing Park Avenue.
15. A) A variance to waive 18' – 4" of the minimum required 28' – 4" front yard tower setback in order to construct a new multifamily building 10' – 0" from the front property line facing Washington Court.

B) A variance to waive 23' – 4" of the minimum required 28' – 4" front yard tower setback in order to construct a new multifamily building 5' - 0" from the front property line facing 22nd Street.
16. A) A variance to waive 12' – 2" of the minimum required 24' – 10" interior yard tower setback in order to construct a new multifamily building 12' – 8" from the northeast interior property line perpendicular to 22nd Street.

B) A variance to waive 14' – 10" of the minimum required 24' – 10" interior yard tower setback in order to construct a new multifamily building 10' – 0" from the northeast interior property line perpendicular to Park Avenue.

APPROVED.

6. **FILE NO. 3029 SOUTH BEACH HEIGHTS I, LLC
650, 710 and 720 ALTON ROAD
LOTS 20 THROUGH 26; BLOCK 2
FLEETWOOD SUBDIVISION
PLAT BOOK 28-34; MIAMI-DADE COUNTY, FLORIDA**

The applicant is requesting the following variances in order to permit the construction of a new five-story medical office building:

1. A variance to exceed by 8' – 0" the maximum permitted height of 50' – 0" in order in to permit the construction of a five (5) story building with a proposed height of 58' – 0" as measured from grade.
2. A variance to waive 5' – 0" of the minimum required 10' – 0" rear yard pedestal setback in order to permit the construction of a five (5) story building 5' – 0" from the rear property line facing the alley.

APPROVED.

7. **FILE NO. 3030 SOUTH BEACH HEIGHTS I, LLC
630 ALTON ROAD
LOTS 1 THRU 4 LESS STREET AND
LOTS 5 THRU 7 and LOTS 27 THRU 32; BLOCK 2 and
PROP INT IN & TO COMMON ELEMENTS NOT
DEDICATED TO PUBLIC; FLEETWOOD SUBDIVISION
PLAT BOOK 28-34; MIAMI-DADE COUNTY, FLORIDA**

The applicant is requesting the following variances in order to construct a one-story ground floor addition, parking, handicap ramps and terraces:

1. A variance to waive all of the minimum required 20' – 0" front yard setback in order to construct a one-story ground floor addition with no setback from the front property line facing Alton Road.
2. A variance to waive all of the required 15' - 0" side yard setback facing the street in order to construct handicap ramps and terraces within the required side yard facing 6th Street.
3. A variance to waive 15' – 0" of the minimum required 20' – 0" front yard setback in order to construct two (2) parking spaces 5' – 0" from the front property line facing West Avenue.
4. A variance to waive all of the minimum required 15' – 0" north interior side yard setback in order to construct a one-story ground floor addition with no setback from the north property line.

APPROVED.

8. **FILE NO. 3031 ROBERT KAHN
4522 SHERIDAN AVENUE
LOT 6; BLOCK E; SURPRISE LAKE SUBDIVISION
PLAT BOOK 9-114; MIAMI-DADE COUNTY, FLORIDA**

The applicant is requesting the following variance from the south property line in order to construct a two-story addition to the rear of an existing single family residence:

1. A variance to waive 2' – 6" of the minimum required 7' – 6" interior side yard setback in order to permit the construction of a second story addition set back 5' – 0" from the south property line.

APPROVED.

9. **FILE NO. 3032 JASON WIESENFELD
235 SOUTH HIBISCUS DRIVE
LOT 2; BLOCK N OF HIBISCUS ISLAND
PLAT BOOK 34-887; MIAMI-DADE COUNTY, FLORIDA**

The applicant is requesting the following variances in order to construct a new swimming pool, spa and pool deck:

1. A variance to waive 5' -1" of the minimum required 9' – 0" interior side yard in order to permit the construction of a new swimming pool and spa 3' – 11" from the north property line.
2. A variance to waive 3" – 7" of the minimum required 7' – 6" interior side yard in order to permit the construction of a pool deck 3' – 11" from the north property line.

APPROVED.

10. **FILE NO. 3033 MATTHEW MACDONALD
5830 LAGORCE DRIVE
LOT 4; BLOCK 9; BEACH VIEW ADDITION
PLAT BOOK 16-10; MIAMI-DADE COUNTY, FLORIDA**

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

1. A variance to waive 15' – 0" of the minimum required 20' – 0" rear yard setback in order to construct a two-story addition to the rear of an existing single family residence set back 5' – 0" from the rear property line facing the golf course.

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

CONTINUED TO SEPTEMBER 3, 2004 MEETING.

11. **FILE NO. 3034 C and A 1560, LLC
1520 LENOX AVENUE
LOT 3; BLOCK 65
COMMERCIAL SUB. OF THE ALTON BEACH
REALTY CO.; PLAT BOOK 6-5
MIAMI-DADE COUNTY, FLORIDA**

The applicant is requesting the following variances in order to retain an existing one-story legal non-conforming structure and permit construction of a new four-story multifamily building with three units and thirteen (13) parking spaces:

1. A variance to waive all of the minimum required 20' – 0" front pedestal setback in order to retain portions of an existing legal non-conforming one-story structure with no setback from the front property line facing Lenox Avenue.
2. A variance to waive all of the minimum required 7' - 6" interior side yard pedestal setback in order to retain portions of an existing legal non-conforming one-story structure with no setback from the north interior property line.
3. A) A variance to waive all of the minimum required interior side yard pedestal setback in order to retain portions of an existing legal non-conforming one-story structure with no setback from the south interior property line.

B) A variance to waive 4' – 0" of the minimum required 7' – 6" interior side yard pedestal setback in order to construct a new four-story building 3' - 6 " from the south interior property line.
4. A variance to waive all of the minimum required 5' – 0" rear yard surface parking setback in order to construct parking with no setback from the rear property line facing the alley.

APPROVED.

12. **FILE NO. 3035 JEFFERSON PLACE LLP
826-836 7TH STREET
LOT 16; BLOCK 73**

**OCEAN BEACH ADDITION NO. 3 SUBDIVISION
PLAT BOOK 2-81; MIAMI-DADE COUNTY, FLORIDA**

The applicant is requesting the following interior side yard setback variance in order to permit six (6) air conditioning compressor units to be placed within the required north side yard:

1. A variance to waive 3' – 1 ½" of the minimum required 5' – 0" interior side yard setback in order to permit the installation of (6) air conditioning compressor units set back 1' - 10 ½" from the north interior property line.

APPROVED.

- 13. FILE NO. 3036 LG 94, LLC
94 LA GORCE CIRCLE
PORTIONS OF LOTS 1 AND 2
SUBDIVISION OF BLOCK 5; LA GORCE ISLAND
PLAT BOOK 44-56; MIAMI-DADE COUNTY, FLORIDA**

APPEAL FROM ADMINISTRATIVE DECISION

The applicant is appealing an administrative decision with regards to the height determination for a new single family residence issued by the Planning Director and the Public Works Director which shows that the structure as constructed exceeds the maximum permitted height by 6 inches.

CONTINUED TO SEPTEMBER (OR LATER) MEETING. APPLICANT WILL ADVISE.

- 14. FILE NO. 3037 LG 94, LLC
94 LA GORCE CIRCLE
PORTIONS OF LOTS 1 AND 2
SUBDIVISION OF BLOCK 5; LA GORCE ISLAND
PLAT BOOK 44-56; MIAMI-DADE COUNTY, FLORIDA**

The applicant is requesting the following after-the-fact height variance in order to retain a recently constructed single family residence which exceeds the maximum permitted height:

1. An after-the-fact variance to exceed by 6 3/8" the maximum permitted height of 33' – 0" in order to retain an existing single family residence with a building height of 33' – 6 3/8" inches as measured from grade.

APPROVED.

E. NEXT MEETING DATE

September 3, 2004

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FLOOD PLAIN MANAGEMENT BOARD
AFTER ACTION

FRIDAY, AUGUST 6, 2004

1. **FILE NO. FP04-04** ARTECITY HOLDINGS, LTD. a/k/a GOVERNOR HOTEL
435 W. 21ST STREET, 2135 WASHINGTON COURT,
2130-2140 PARK AVENUE
LOTS 1,2,3 and 6 and 7; OCEAN PARK SUBDIVISION
AND OCEAN PARK RE-SUBDIVISION
PB 41-50 and 45-40; MIAMI-DADE COUNTY, FLORIDA

The applicant is requesting a variance to waive the minimum required base flood plain elevation for multiple historic buildings on the site including two (2) new six-story multifamily buildings.

APPROVED.

2. **FILE NO.FP04-05** MAJESTIC ORGANIZATION, LLC a/k/a CORAL HOUSE
1030 WASHINGTON AVENUE
LOT 5; BLOCK 36 and THAT PORT. OF R/W
ABUTTING LOT 5 & WLY OF 1030 WASHINGTON AV.
OCEAN BEACH ADDITION NO. 3
PLAT BOOK 2-81; MIAMI-DADE COUNTY, FLORIDA

The applicant is requesting a variance to waive the minimum required base flood plain elevation for a historic one-story structure undergoing a complete restoration.

APPROVED.

3. **FILE NO. FP04-06** JEFFERSON PLACE LLP
826-836 7TH STREET
LOT 16; BLOCK 73
OCEAN BEACH ADDITION NO. 3 SUBDIVISION
PLAT BOOK 2-81; MIAMI-DADE COUNTY, FLORIDA

The applicant is requesting a variance to waive the minimum required base flood plain elevation for a historic one-story structure undergoing a complete restoration.

APPROVED.