



BOARD OF ADJUSTMENT **AFTER ACTION**

FRIDAY, JANUARY 7, 2005 – 9:00 A.M.

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

A. INTRODUCTION OF NEW TENANT

1. **FILE NO. 2144** **JOHN S. ENNIS d/b/a CLUB 112**
formerly McCrory ASSOCIATES, LTD.
1439 WASHINGTON AVENUE

The new tenant at 1439 Washington Avenue, John S. Ennis (Club 112), or a representative, shall introduce himself to the Board. He shall advise the Board of his understanding of the conditions listed in the Order regarding this variance, which was originally granted to McCrory Assoc., Ltd. on September 7, 1990. The new tenant shall also describe the current operation. Note: Future reports shall be at the Board's discretion.

NO FURTHER REPORTS, UNLESS THERE IS A VIOLATION.

B. CONTINUED CASES

2. **FILE NO. 2993** **AMERICAN INTERSTATE CORP.**
2200-2236 COLLINS AVENUE

This case is continued from the meetings of March 5, April 2, May 7, October 1, November 5 and December 3, 2004.

The applicant is requesting the following variances in order to recreate a historic structure including an addition to an existing historic building with retail and residential units.

1. A variance to waive the minimum required front yard pedestal setback for residential use ranging from 20' – 0" to 16' - 0" between the 2nd and 4th floor in order to recreate a historic building and addition with a setback ranging from none to 4' - 0" from the south property line facing 22nd Street.

File No. 2993 (continued)

2. A variance to waive the minimum required interior side yard pedestal setback for residential use ranging from 7' – 6" to 2' – 6" between the 2nd and 4th floor in order to recreate a historic building and addition with a setback ranging from none to 3'- 0" from the interior property line.
3. A) A variance to waive 2' – 6" from the minimum required 7' – 6" side yard pedestal setback facing the street for residential use on the 2nd floor in order to recreate portions of a historic building setback 5' - 0" from the east property line facing Collins Avenue.

B) A variance to waive 3' – 0" from the minimum required 8' – 0" sum of the side yard setback in order to recreate portions of a historic building setback 5'- 0" from the east property line facing Collins Avenue.

WITHDRAWN AT THE HEARING.

C. NEW CASES

- 3. FILE NO. 3064 PATRINELY GROUP, LLC
a/k/a SAXONY CONDOMINIUMS
3201 and 3315 COLLINS AVENUE**

The applicant is requesting the following variances in order to construct a new eighteen-story, fifty (50) unit residential condominium apartment building.

1. A variance to waive the 17' – 11" of the minimum required north side interior pedestal setback of 27' – 11", in order to place the pedestal 10' – 0" from the north side property line.
2. A variance to waive the 17' – 11" of the minimum required north side interior tower setback of 47' – 11", in order to place the pedestal 30' – 0" from the north side property line.

APPROVED.

- 4. FILE NO. 3067 ITALBUILDING INC.
8021 HARDING AVENUE**

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

continued on next page . . .

File No. 3067 (continued)

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 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.
3. A variance to waive by 3' – 0" the maximum permitted fence height of 7' – 0" in order to construct a 10' – 0" high masonry screen for the parking area within the north interior required side setback.

APPROVED.

5. **FILE NO. 3068 J. CUBED, LLC a/k/a 5th and MERIDIAN
421 MERIDIAN AVENUE
421 MERIDIAN AVE.: LOT 9, BLOCK 56
425 MERIDIAN AVE.: LOT 10, BLOCK 56**

The applicant is requesting the following variances in order to construct a new five-story twenty (20) unit residential building:

1. A variance to waive 10' – 0" of the minimum required drive width of 22' – 0" for two-way traffic in order to provide a curb-cut and driveway entrance of 12' – 0" for a grade level parking area of more than 10 parking spaces.
2. A variance to waive 9' – 0" of the minimum required rear pedestal setback of 14' - 0" in order to permit the construction of the east side of the building at 5' - 0" from the rear property line.
3. A variance to waive 2' – 7" of the minimum required interior side pedestal setback of 7' - 6" in order to permit the construction of a portion of the south side of the building at 4' - 11" from the south property line, following the existing building line.
4. A variance to waive the minimum and maximum requirements for the pedestal front yard and the pedestal side yard facing a street setback of 0' – 0" in order to build pockets on the east and west sides of the building on the side facing 5th Street, providing 5' – 0" from the north

property at these pockets and to build portions of the front facing Meridian Avenue at 5' – 0" and at 10' – 0" from the west property line.

continued on next page . . .

File No. 3068 (continued)

5. A variance to waive the minimum requirement of one (1) accessory off-street loading space in order to not provide such space.

APPROVED.

**6. FILE NO. 3069 J. CUBED, LLC a/k/a JEFFERSON AVENUE LOFTS
401 JEFFERSON AVENUE**

The applicant is requesting the following variances in order to permit the construction of a new five (5) story mixed-use building with six (6) residential units and commercial / retail use on the ground level.

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.
3. A variance to waive the maximum allowable balcony projection of 25 percent of the required yard, in order to construct balconies which project 4' – 6" from the building at the front, side facing a street and rear property lines.

APPROVED.

**7. FILE NO. 3070 FUSION a/k/a NORMANDY TERRACES
1931 NORMANDY DRIVE**

The applicant is requesting the following variance in order to construct a new four-story six (6) unit residential building:

1. A variance to waive 3' – 6" of the minimum required interior drive aisle width of 22' – 0" in order to build a portion of the drive aisle with a width of 18' – 6".

APPROVED.

**8. FILE NO. 3071 PAUL STEVEN and MARTE V. SINGERMAN
4901 LAKE VIEW DRIVE**

The applicant is requesting the following variance in order to permit the replacement of one (1) of three (3) existing air compressor units, including the future replacement of the remaining two units, all located on the south side of the residence, but not to exceed the existing total number of three (3) air compressor units.

1. A variance to waive 2' - 10" of the minimum required interior side yard of 7' - 6" in order to replace one (1) existing air compressor unit located at 4' - 8" from the interior south side property line

APPROVED.

**9. FILE NO. 3072 SIMON STRONG
725 WEST DILIDO DRIVE**

The applicant is requesting the following variances in order to construct a new swimming pool within the required front yard (facing 8th Terrace) and the required side-yard facing a street (West Dilido Drive).

1. A variance to waive 15' - 0" of the minimum required 20' - 0" front yard setback in order to construct a new swimming pool at 5' - 0" from the front property line (to the swimming pool coping).
2. A variance to waive 5' - 0" of the minimum required 10' - 0" side yard setback (facing West Dilido Drive) in order to construct a new swimming pool at 5' - 0" from the side property line facing the street (to the swimming pool coping).

APPROVED.

**10. FILE NO. 3073 OFFICE DEPOT INC. d/b/a OFFICE DEPOT
1771 WEST AVENUE**

The applicant is requesting the following variance to relocate an existing business sign currently placed on the north elevation facing 18th Street to the east elevation of the building facing a private property:

1. A variance to permit the relocation of the permitted business sign facing 18th street to be placed on the east façade of the building facing a private property.

APPROVED.

**11. FILE NO. 3074 FIRST OCEAN RESIDENCE REALTY, LLC
1475 COLLINS AVENUE**

The applicant is requesting the following variances in order to construct a new four-story, twenty-four (24) unit residential condominium apartment building:

1. A variance to waive all of the minimum required rear pedestal setback of 10' – 0" feet in order to construct a portion of the parking garage at the rear property line.
2. A variance to waive 7' – 4" of the minimum required side facing a street pedestal setback of 15' – 0" feet in order to construct a portion of the parking garage at 7' – 8" from the side property line.
3. A variance to waive the maximum allowable balcony projection of 25 percent of the required yard, up to six feet, in order to construct balconies which project up to 1' – 6" from the front property line and up to 7' – 0" feet from the side property line facing a street (balconies would be eight feet deep).
4. A variance to waive the maximum permitted roof deck height of 3' – 0" feet in order to construct a pool deck 5' – 0" feet above the main roof line.

VARIANCE REQUESTS NOS. 2, 3 AND 4 APPROVED. REQUEST NO. 1 WAS CONTINUED TO THE FEBRUARY MEETING.

**12. FILE NO. 3075 ATLANTIC SUNSET BAY, LLC
6800 INDIAN CREEK DRIVE**

The applicant is requesting the following variances in order to construct a new fourteen-story, eighty (80) unit residential condominium apartment building.

1. A variance to waive 9' – 10" of the minimum required front subterranean setback of 20' – 0" feet in order to construct a subterranean parking deck at 10' – 2" from the front property line.
2. A variance to waive 6' – 6" of the minimum required north side interior subterranean setback of 13' – 0" feet in order to construct a subterranean parking deck at 6' – 6" from the north side property line.

3. A variance to waive 6' – 2" of the minimum required south side interior subterranean setback of 13' – 0" feet in order to construct a subterranean parking deck at 6' – 10" from the south side property line.

APPROVED.

13. FILE NO. 3077 340 JEFFERSON LLC
340 JEFFERSON AVENUE

The applicant is requesting the following variances in order to permit the construction of a new three (3) unit, three (3) story multifamily condominium:

1. A variance to exceed by 2' – 0" the maximum permitted wall height of 5' – 0" in order to permit the construction of a 7' – 0" high CBS wall within the required front yard facing Jefferson Avenue.
2. A variance to waive 1' – 6" of the minimum required 22' – 0" interior driveway isle width in order to permit a width of 18' – 6" providing access to six (6) parking spaces.
3. A variance to waive 8' – 11" of the minimum required rear yard pedestal setback in order to permit the construction of a new three (3) story building 5' – 1" from the rear property line.

VARIANCE REQUEST NOS. 2 AND 3 APPROVED. REQUEST NO. 1 WAS CONTINUED TO THE FEBRUARY MEETING.

D. NEXT MEETING DATE

February 4, 2005

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.
