



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

**FRIDAY, MAY 6, 2005 – 9:00 A.M.**

### **A. EXTENSIONS OF TIME**

1. **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 applicant will present a progress report regarding the operation of this restaurant which obtained a variance on January 10, 2003 to sell/serve alcoholic beverages within 300 feet of an educational facility (Fisher-Feinberg Elementary School). This variance was modified on July 25, 2003 in order to permit the sale of wine as package goods for consumption off the premises, continue the sale of wine for consumption on the premises during non-school hours; and, prohibit of the sale of beer and liquor on or off the premises. (Note: The Board shall determine whether subsequent progress reports are needed, and if so, shall establish a time frame for future reports.)

***NEXT REPORT DUE IN SIX MONTHS.***

2. **FILE NO. 2301**      **ARDEN SAVOY PARTNERS, LLC**  
**formerly M-1 DEVELOPMENT CORP.**  
**425 and 455 OCEAN DRIVE**  
**LOTS 3,4,5 & 6; BLOCK 116**  
**OCEAN BEACH ADDITION NO. 4**  
**PB 3-115&151; MIAMI-DADE COUNTY, FLORIDA**

A variance was obtained on May 7, 1993 for variances associated with the substantial rehabilitation of an existing apartment/hotel into 61 apartments and 6 hotel rooms with an accessory restaurant. Since that time, the applicant has modified the variances requested to allow the conversion of the project into a 67-unit suites hotel.

The applicant shall present a progress report in order to address any concerns which impact the neighboring properties in this area. (Note: The Board shall determine whether subsequent progress reports are needed, and if so, shall establish a time frame for future reports.)

***NO FURTHER PROGRESS REPORT UNLESS THERE IS A PROBLEM OR VIOLATION.***

**B. CONTINUED CASE**

3.     **FILE NO. 3095     SEVEN HUNDRED REALTY CORP.**  
**700-714 LINCOLN ROAD/1630-1646 EUCLID AVENUE**  
**LOTS 1 and 2; BLOCK 50**  
**ALTON BEACH REALTY CO. 2<sup>ND</sup> COMMERCIAL SUB.**  
**PLAT BOOK 6-33; MIAMI-DADE COUNTY, FLORIDA**

This case is continued from the meeting of April 1, 2005.

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 CONDITIONS.***

**C. NEW CASES**

4.     **FILE NO. 3086     LAR BRO LC**  
**1020 PENNSYLVANIA AVENUE**  
**LOT 6; BLOCK 43; OCEAN BEACH ADDITION NO. 3**  
**PLAT BOOK 2-81; MIAMI-DADE COUNTY, FLORIDA**

The applicant is requesting the following variances in order to permit the renovation of an existing two (2) story historic building and additions of a new two (2) and four (4) story building with a total of eight (8) units and four (4) parking spaces:

1.     A variance to exceed by ten (10") inches the maximum permitted 40' – 0" building height in order to permit a 40' – 10" building height as measured from grade.
2.     A variance to waive 2' - 6" of the minimum required 7' – 6" interior side pedestal setback in order to permit the construction of a new two (2) story building addition 5' – 0" from the north interior property line.
3.     A) A variance to waive all of the minimum required 14' – 0" rear yard pedestal setback in order to permit the construction of a new four (4) story building addition with no setback from the rear property line facing the alley.

**File No. 3086: 1020 Pennsylvania Ave. (continued)**

B) A variance to waive 3' – 3 ½" of the minimum required 5' – 0" rear yard parking setback in order to permit the construction of a four (4) parking spaces 1' – 8 ½" from the rear property line facing the alley.

C) A variance to exceed by 2' – 2" the maximum permitted balcony projection of 3' – 6" in order to permit a projection of 5' - 4" within the required rear yard facing the alley.

4. ~~((WITHDRAWN BY APPLICANT)) A variance to waive 312.7 square feet of the minimum required size for commercial swimming pool of 450 square feet in order to permit a swimming pool with an area of 137.3 square feet.~~
5. ~~((WITHDRAWN BY APPLICANT)) A variance to waive 4' – 6" of the minimum required 7' – 6" interior side yard setback in order to construct a swimming pool deck set back 2' – 0" from the north interior property line.~~
6. ~~((WITHDRAWN BY APPLICANT)) A variance to waive 3' – 0" of the minimum required 9' – 0" interior side yard setback in order to construct a swimming pool set back 6' – 0" from the north interior property line.~~

***VARIANCE REQUEST NO. 1 DENIED WITHOUT PREJUDICE.  
VARIANCE REQUEST NOS. 2 AND 3 APPROVED WITH CONDITIONS.***

5. **FILE NO. 3089      HOI SANG YEUNG d/b/a NORMANDY PLACE  
2000 NORMANDY DRIVE  
LOT 35; BLOCK 36  
MIAMI VIEW SECTION of the ISLE of NORMANDY PART 1  
PLAT BOOK 34-80; MIAMI-DADE COUNTY, FLORIDA**

The applicant is requesting the following variances in order to permit the construction of residential units on the 2<sup>nd</sup>, 3<sup>rd</sup> and 4<sup>th</sup> floor to follow the permitted commercial pedestal setback at the ground level:

1. A variance to waive 15' – 0" of the minimum required 20' – 0" front pedestal setback in order to permit the construction of a four (4) story mixed-use building with residential uses on the 2<sup>nd</sup>, 3<sup>rd</sup> and 4<sup>th</sup> floor set back 5' - 0" from the front property line facing Normandy Drive.
2. A variance to waive 15' – 0" of the minimum required 20' – 0" front pedestal setback in order to permit the construction of a four (4) story

mixed-use building with residential uses on the 2<sup>nd</sup>, 3<sup>rd</sup> and 4<sup>th</sup> floor set back 5' - 0" from the front property line facing Biarritz Drive.

**File No. 3089: 2000 Normandy Dr. (continued)**

3. A variance to waive 15' – 0" of the minimum required 20' – 0" front pedestal setback in order to permit the construction of a four (4) story mixed-use building with residential uses on the 2<sup>nd</sup>, 3<sup>rd</sup> and 4<sup>th</sup> floor set back 5' - 0" from the front property line facing 71<sup>st</sup> Street.
4. A variance to waive 15' – 4" of the minimum required 20' – 4" rear pedestal setback in order to permit the construction of a four (4) story mixed-use building with residential uses on the 2<sup>nd</sup>, 3<sup>rd</sup> and 4<sup>th</sup> floor set back 5' - 0" from the rear property line facing a public alley.

***APPROVED WITH CONDITIONS.***

6. **FILE NO. 3096      LARA M. CURCIO  
104 EAST SAN MARINO DRIVE  
LOT 1; BLOCK 5  
PLAT OF SAN MARINO  
PLAT BOOK 9-22; MIAMI-DADE COUNTY, FLORIDA**

The applicant is requesting the following variance to permit the construction of a swimming pool within the required front yard setback of a single family home facing 1<sup>st</sup> Terrace:

1. A variance to waive 15' – 0" of the minimum required 20' – 0" front yard building setback requirement in order to construct a swimming pool in the front yard of an existing single family home.

***APPROVED WITH CONDITIONS.***

7. **FILE NO. 3097      SOUTH SHORE LANDOWNERS, LC  
280-330 SOUTH SHORE DRIVE  
LOTS 3, 4 & 5; BLOCK 55  
NORMANDY GOLF COURSE SUBDIVISION  
PLAT BOOK 44-62; MIAMI-DADE COUNTY, FLORIDA**

The applicant is requesting the following variances in order to permit the construction of two (2) four (4) story buildings with twenty-eight (28) units and forty-two (42) parking spaces:

1. A variance to waive 8' – 0" of the minimum required 22' – 0" two-way driveway width in order to permit the construction of two (2) separate drives 14' – 0" in width each and both facing South Shore Drive.

**File No. 3097: 280-330 S. Shore Dr. (continued)**

2. A variance to exceed by a range of 15' – 0" and 1' – 0" from the maximum permitted deck projection of 5' – 0" within the required front yard setback in order to permit construction of four (4) separate patios and one (1) access way set back a range of 0' – 0" and 14' – 0" from the front property line facing South Shore Drive.
3. A variance to exceed by 12% from the maximum permitted 30% encroachment of deck surfaces within the rear required yard in order to permit a 42% encroachment within the rear yard facing Normandy Waterway.

***APPROVED WITH CONDITIONS.***

8. **FILE NO. 3099      NORA R. ALVAREZ (REINFELD)**  
**3050 ALTON ROAD**  
**LOT 16; BLOCK 9**  
**AMENDED PLAT OF SUNSET LAKE SUBDIVISION**  
**PLAT BOOK 8-52; MIAMI-DADE COUNTY, FLORIDA**

The applicant is requesting the following after-the-fact interior side setback variance in order to retain a one-story addition along the southwest property line of an existing one-story single family residence:

1. An after-the-fact variance to waive 2' – 8" of the minimum required 7' – 6" in order to retain a one (1) story addition built 4' -10" from the southwest property line.

***APPROVED WITH CONDITIONS.***

9. **FILE NO. 3100      EXCLUSIVACATIONS AT MIAMI BEACH LLC**  
**6525 COLLINS AVENUE**  
**NORTH 40 FT. OF LOT 37; BLOCK 1**  
**AMENDED PLAT OF 2<sup>ND</sup> OCEANFRONT SUBDIVISION**  
**PLAT BOOK 28-28; MIAMI-DADE COUNTY, FLORIDA**

The applicant is requesting the following variances in order to permit the renovation of an existing three (3) story historic hotel and a new nine (9) story

addition with a total of 60 hotel units:

1. A variance to waive 2' – 6" of the minimum required 7' – 6" south interior pedestal setback in order to permit an addition to follow the existing setback of a historic building 5' – 0" from the south property line.

**File No. 3100: 6525 Collins Ave. (continued)**

2. A variance to waive 2' – 6" of the minimum required 7' – 6" north interior pedestal setback in order to permit an addition to follow the existing setback of a historic building 5' – 0" from the north property line.
3. (a) A variance to permit the relocation of a permissible business flat sign from the ground floor level facing the Atlantic Ocean (east) to be placed on the building parapet wall of the new tower facing Collins Avenue (west).  
  
(b) A variance to exceed by 33.30 square feet from the maximum permitted 10 square feet flat business sign allowed at ground level facing the Atlantic Ocean to be 43.30 square feet.

***CONTINUED TO JUNE 3, 2005 MEETING.***

- 10. FILE NO. 3102 NRJ SOCIETE CORPORATION  
619 MERIDIAN AVENUE  
LOT 11; BLOCK 58  
OCEAN BEACH FLA. ADDITION NO. 3  
PLAT BOOK 2-81; MIAMI-DADE COUNTY, FLORIDA**

The applicant is requesting the following variances in order to permit the renovation of an existing two (2) story historic building and construction of a new three (3) story building residential addition with a total of seven (7) units and four (4) parking spaces.

1. A variance to waive 2' – 6" of the minimum required 7' - 6" interior side pedestal setback in order to permit the construction of an addition to follow the existing 5' – 0" south setback of an existing historic building.
2. A variance to waive 2' – 6" of the minimum required 7' - 6" interior side pedestal setback in order to permit the construction of an addition to follow the existing 5' – 0" north setback of an existing historic building.
3. A variance to waive 9' – 0" of the minimum required 14' – 0" rear pedestal setback in order to permit the construction of an addition to

the rear of an existing historic building set back 5' – 0" from the rear property line facing the alley.

4. ~~((WITHDRAWN BY APPLICANT)) A variance to exceed by 58% from the maximum permitted deck projection of 25% within the required front yard in order to permit 83% projection with a paved surface.~~

***APPROVED WITH CONDITIONS.***

11. **FILE NO. 3104      CHELSEA, LLC a/k/a CHELSEA LOFTS  
1201-1215 WEST AVENUE  
LOTS 13 AND 14; BLOCK 82  
BAY VIEW SUBDIVISION  
PLAT BOOK 9-110; MIAMI-DADE COUNTY, FLORIDA**

The applicant is requesting the following variances to exceed the maximum permitted projection of balconies over the required side yard facing 12th Street and rear yard facing Alton Court:

1. A variance to exceed by 2' – 6" from the maximum permitted projection of 2' - 3" in order to allow balcony projections of 4' – 9" into the required side yard facing 12<sup>th</sup> Street.
2. A variance to exceed by three inches (3") from the maximum permitted projection of 4' – 3" in order to allow balcony projections 4' – 6" into the required rear yard facing the alley.

***APPROVED WITH CONDITIONS.***

12. **FILE NO. 3105      TALMUDIC COLLEGE 4000 ALTON ROAD, INC.  
4000 ALTON ROAD  
LOTS 52, 53 and 54; BLOCK 1; NAUTILUS SUB.  
PLAT BOOK 8-95; MIAMI-DADE COUNTY, FLORIDA  
and LOT E, LESS THE WEST 0.10 FT. THEREOF;  
RESUBDIVISION OF LOTS 48, 49, 50 and 51  
BLOCK 1  
PLAT BOOK 35-46; MIAMI-DADE COUNTY, FLORIDA  
[full legal description on file in the City of Miami Beach Planning Dept.]**

The applicant is requesting the following variances in order to permit the conversion of an exiting seven (7) story hotel to an institutional use (university), including the addition of new three (3) and six (6) story buildings with townhomes, dormitories, classrooms, and cafeteria among other accessory institutional uses:

1. ~~((WITHDRAWN BY APPLICANT)) – A variance to exceed by a range of three inches (3”) and 3’ – 8” from the maximum permitted sidewalk width of 3’ – 0” within the required front yard setback in order to permit the construction of walkways and patios with a width ranging between 3’ – 3” and 6’ – 8” facing Alton Road.~~
2. ~~((WITHDRAWN BY APPLICANT)) – Front pedestal setback variance in order to permit the construction of steps within the required front yard setback facing Alton Road.~~

**File No. 3105: 4000 Alton Road (continued)**

3. A variance to waive a range of 13’ – 0” and 15’ – 0” of the minimum required 24’ – 0” interior pedestal setback in order to permit the construction of a new three (3) and six (6) story buildings set back between 11 – 0” and 9’ – 0” from the south interior property line.
4. A variance to waive a range of 29’ – 0” and 31’ – 0” of the minimum required 48’ – 0” sum of the interior side yards pedestal setback in order to permit the construction of a new three (3) and six (6) story buildings with a sum of the side yards ranging between 19’ – 0” and 17’ – 0”.
5. A variance to waive a range of 3’ – 0” and 16’ – 0” of the minimum required 25’ – 0” interior tower setback in order to permit the construction of a new six (6) story building set back between 22’ – 0” and 9’ – 0” from the south interior property line.
6. A variance to exceed by 9’ – 6” from the maximum permitted 60’ – 0” building height in order to allow the construction of a new six (6) story building with a building height of 69’ – 6” from grade as defined by code.

***VARIANCE REQUEST NOS. 3,4,5 AND 6 APPROVED WITH CONDITIONS.***

**D. NEXT MEETING DATE**

June 3, 2005



**BOARD OF ADJUSTMENT AFTER ACTION**  
**2005**

**MAY 6,**

*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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