



BOARD OF ADJUSTMENT

AFTER ACTION

FRIDAY, FEBRUARY 3, 2006

9:00 A.M.

CITY COMMISSION CHAMBERS, THIRD FLOOR
1700 CONVENTION CENTER DR., MIAMI BEACH, FLORIDA

A. EXTENSION OF TIME

1. **FILE NO. 3075** **ATLANTIC SUNSET BAY, LLC
6800 INDIAN CREEK DRIVE
LOTS 35, 36 and 37; BLOCK 3
AMENDED PLAT OF 2ND OCEANFRONT SUB.
PB 28-28; MIAMI-DADE COUNTY, FLORIDA**

The applicant is requesting the following modification to a condition of approval for a variance associated with the construction of a new fourteen (14) story, eighty (80) unit residential building:

Condition number 3 of the January 7, 2005 Order requires that a building permit be issued by January 7, 2006 and for the project to be completed by July 7, 2007. The applicant is requesting a six (6) month extension of time to obtain a building permit by July 7, 2006 and a six (6) month extension of time to complete the project by January 7, 2008.

APPROVED.

B. CONTINUED CASES

2. **FILE NO. 2881** **1229 PARTNERS, LLC
1778-1784 WEST AVENUE
LOT 5; BLOCK 16-A
ISLAND VIEW SUBDIVISION
PB 6-115; MIAMI-DADE COUNTY, FLORIDA**

File #2881: 1778-1784 West Avenue

This case is continued from the meetings of July 1, August 5, September 2, November 4, December 2, 2005 and January 6, 2006.

The applicant is requesting a modification to a previously approved variance associated with the construction of a new storage warehouse. The September 6, 2002 Final Order and associated recorded restrictive covenant limits the building to storage warehouse use only. The applicant is requesting to be allowed to have wholesale sales use, and administrative functions accessory and ancillary to the storage warehouse use.

APPROVED WITH CONDITIONS. PROGRESS REPORT DUE IN 30 DAYS REGARDING TENANTS AND LICENSING.

3. **FILE NO. 3167** **FONTAINEBLEAU FLORIDA HOTEL, LLC**
a foreign LLC
FONTAINEBLEAU FLORIDA TOWER 4, LLC
a Fla. LLC --- a/k/a THE FONTAINEBLEAU
4441 COLLINS AVENUE
PORTION OF THE INDIAN BEAC CORP.
SUB.; PB 8-61 & MIAMI BEACH IMP. CO. SUB.
PB 5-8; MIAMI-DADE COUNTY, FLORIDA
[complete legal description on file in the M.B. Planning Dept.]

This case is continued from the January 6, 2006 meeting.

The applicant is requesting the following variances in order to permit the complete demolition of the existing north tower and the construction of a new twenty-one (21) story hotel tower on the north portion of the property.

1. A variance to waive 45' - 5" of the required rear yard pedestal setback of 127' - 0" in order provide 81' - 7" from the ECL to the edge of the pedestal.
2. A variance to waive all of the minimum required rear yard setback of 50' - 0" for oceanfront lots in order to provide a pool deck at 0' - 0" from the bulkhead line.
3. A variance to exceed by 17' - 0" the maximum permitted height of 30' - 0" of any habitable space above grade in order to provide meeting room spaces and a pool deck at 50' - 0" above grade.

File #3167: The Fontainebleau, 4441 Collins Avenue

4. A variance to waive all of the required 86' - 0" interior side yard pedestal setback in order to provide 0' - 0" from the north property line to the north face of the pedestal.
5. A variance to waive all of the required 172' - 0" sum of the pedestal side yards setback in order to build the pedestal at 0' - 0" from the north property line.
6. A variance to waive all of the required tower interior side yard setback of 101' - 0" in order to build the tower at 0' - 0" from the north property line.
7. A variance to exceed the maximum allowable stacking of two vehicles within a valet parking garage in order to provide triple stacking of vehicles.
8. A variance to waive all the four (4) required off-street loading spaces.
9. A variance to waive the requirement of pitched roofs to only be comprised of barrel or cement tile so as to build a metal roof on the dome roof of the proposed Tropigala Theater prior to the approval of this roof finish by the Historic Preservation Board.
10. A variance to exceed by 10' - 0" the maximum permitted height of 200' - 0" in order to build accessory restrooms required for the proposed rooftop pool deck producing a 210' - 0" high building.

APPROVED WITH CONDITIONS.

C. NEW CASES

4. **FILE NO. 3171** **RANDOLPH S. GUMENICK**
714 LAKEVIEW DRIVE
LOT 15; BLOCK 30; LAKEVIEW SUBDIVISION
PB 14-42; MIAMI-DADE COUNTY, FLORIDA

The applicant is requesting the following variance in order to permit the placement of five (5) air compressor units and one (1) generator on the east side of a new two story single family residence.

1. A variance to waive 4' - 2" of the minimum required side yard setback of 10'-0", in order to provide five A/C units with a height of 5' - 2 1/2" above the elevation and one generator with a height of

6'- 6 5/8" (to the top of the enclosure) above the elevation to be located 5' - 10" from the east property line.

APPROVED WITH CONDITIONS.

5. **FILE NO. 3172** **HOSTERIA ROMANA ITALIAN MARKET INC.
437 ESPANOLA WAY
LOTS 1 THRU 6; BLOCK 3A
FIRST ADDITION TO WHITMAN'S SUB. OF
ESPANOLA VILLAS
PB 9-147; MIAMI-DADE COUNTY, FLORIDA**

The applicant is requesting the following variance in order to sell alcoholic beverages for consumption off the premises.

1. A variance to waive 181 feet of the minimum required 300 foot separation between a business that sells alcoholic beverages for consumption off the premises and an existing educational facility, Fisher-Feinberg Elementary School in order to sell alcoholic beverages for consumption off the premises with a distance of 119 feet to the school.

APPROVED WITH CONDITIONS. APPLICANT SHALL PRESENT A PROGRESS REPORT IN 30 DAYS.

6. **FILE NO. 3173** **REBECCA FARKAS
5005 LAKEVIEW DRIVE
LOTS 14, 15 AND A PART OF LOT 16; BLOCK 31
LAKEVIEW SUB.; PLAT BOOK 14-42
MIAMI-DADE COUNTY, FLORIDA**

The applicant is requesting the following variance in order to permit the construction of a two (2) story addition at the Northeast side of an existing single family residence:

1. A variance to waive 13' – 11" of the minimum required interior side yard of 25' - 11" to construct a two (2) story addition at 12' - 0" from the interior side property line.

APPROVED WITH CONDITIONS.

7. **FILE NO. 3174** **ALTOS DEL MAR LTD.
7725 ATLANTIC WAY
LOT 3; BLOCK 6; ALTOS DEL MAR NO. 1
PB 31-40; MIAMI-DADE COUNTY, FLORIDA**

The applicant is **appealing an administrative decision** issued by the Planning Director with regards to the ability to construct a basement level parking garage with nine (9) parking spaces at the reference property.

DENIED.

8. **FILE NO. 3175** **935 EUCLID INC.
935 EUCLID AVENUE
LOT 13; BLOCK 44
OCEAN BEACH FLORIDA ADDITION NO. 3
PB 2-81; MIAMI-DADE COUNTY, FLORIDA**

The applicant is requesting an after the fact variance in order to permit the retention of walkways on the north and south required interior setbacks associated with the alteration of a synagogue recently converted into a 12 unit residential building.

1. An after-the-fact variance to exceed by 1' - 10" the maximum permitted 3' - 0" walkway width in order to retain portions of walkways with a width of 4' - 10" within the interior required yards at the north and south sides of the property.

APPROVED WITH CONDITIONS.

9. **FILE NO. 3176** **DUNCAN ROSS and PETER REID
740 & 750 83RD STREET
LOTS 8 and 9; BLOCK 6; BISCAYNE BEACH SUB.
PB 44-67; MIAMI-DADE COUNTY, FLORIDA**

The applicant is requesting the following variances in order to permit the construction of a new four (4) story, eight (8) unit townhome project, which will replace two single story apartment buildings, to be demolished.

1. A variance to waive 10' - 0" of the required front yard setback of 20' - 0" in order to build the front façade of the building at 10' - 0" from the north property line.

2. A variance to exceed the maximum allowable projection of 25% (2'-6") into the required front yard by 51% (5'-2") in order to provide terraces at the ground floor with a projection of 76% (7'-8").
3. A variance to waive 10' - 0" of the minimum required drive width of 22' - 0" in order to build a drive with a width of 12' - 0".

APPROVED WITH CONDITIONS.

D. NEXT MEETING DATE

March 3, 2006

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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