



BOARD OF ADJUSTMENT

AFTER ACTION

FRIDAY, MAY 5, 2006

9:00 A.M.

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

A. PROGRESS REPORTS

1. **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**

This report was continued from the meeting of April 7, 2006.

The applicant will present a progress report in association with this operation which received a variance on September 6, 2002 in order to waive the required side yard setback facing a street in order to allow the construction of this storage warehouse.

Progress Report due in 30 days (June 2, 2006), and a CMB building official is requested to attend the meeting.

2. **FILE NO. 3074** **FIRST OCEAN RESIDENCE REALTY, LLC
1475 COLLINS AVENUE
ALL THAT PART OF LOTS 3 and 4; BLOCK 77
FISHER'S FIRST SUB. OF ALTON BEACH
PB 2-77; MIAMI-DADE COUNTY, FLORIDA
(full legal description on file with the City of Miami
Beach Planning Dept.)**

The applicant shall present a progress report regarding this property which received variances on January 7, 2005 in order to construct a new four-

story, 24 unit condominium apartment building, and also received a modification/extension of time for the project on January 6, 2006. The conditions and compliance of those conditions imposed at the modification/extension hearing shall be discussed.

No more progress reports scheduled. Should this property receive a violation, the applicant shall be brought back to the Board.

3. **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 shall present a progress report regarding the operation of this market, which obtained a variance on February 3, 2006, in order to sell alcoholic beverages for consumption off the premises within 300 feet of an educational facility (Fisher-Feinberg Elementary School). (Note: The Board shall determine whether subsequent progress reports are needed, and if so, shall establish a time frame for future reports.)

No more progress reports scheduled.

4. **FILE NO. 2301** **SAVOY HOTEL PARTNERS, LLC
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 possible violations of conditions associated with this variance.

Progress report in 90 days, or sooner if there are any violations.

B. INTRODUCTION OF NEW TENANT

5. **FILE NO. 2144** **MANTRA ENTERTAINMENT GROUP, LLC
formerly McCrory ASSOCIATES, LTD.
1437-1439 WASHINGTON AVENUE
WEST 12.5 FT.OF LOT 3 and
ALL OF LOTS 4 AND 5; BLOCK 2B
ESPANOLA VILLAS; PLAT BOOK 7 – PAGE 145
MIAMI-DADE COUNTY, FLORIDA**

The new tenant at this establishment shall introduce himself/herself to the Board and advise the Board of their 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.

The applicant shall report back to the Board if there are any violations.

C. CONTINUED CASE

6. **FILE NO. 3198** **MIGUEL ANGEL DIEGO
7 FARREY LANE
LOT 7; BELLE ISLE VILLAS SECOND SEC.
PB 42-100; MIAMI-DADE COUNTY, FLORIDA**

This application was reviewed at the April 7, 2006 meeting, and continued to this month's meeting in order for the applicant to modify the plans for the proposed new construction. The applicant has revised the plans, lowering the height of the home and eliminating access to a portion of the roof deck in order to provide more privacy to the neighboring properties.

The applicant is requesting the following variances in order to permit the construction of a new three (3) story single family residence:

1. A variance to waive 1,328 sq. ft. of the minimum required lot size of 5,600 sq. ft. in the RM-1 zoning district in order to build on a lot containing only 4,272 sq. ft.
2. A variance to waive 2.97' of the minimum required lot width of 50' - 0" in order to construct on a lot with a 47.03' of frontage.

If the above requests are approved, then the applicant requests the following variance:

3. A variance to exceed by 3' - 0" the maximum permitted fence height of 5' - 0" at the front property line in order to provide an 8' - 0" high entry feature.

Continued for 60 days (July 7, 2006).

D. NEW CASES

7. **FILE NO. 3187 DAVE & SHARON MISKIT
621 W. DiLIDO DRIVE
LOT 1; BLOCK 13; DiLIDO ISLAND
PB 8-36; MIAMI-DADE COUNTY, FLORIDA**

The applicant is requesting the following variance in order to permit the construction of a one (1) story addition at the north portion of an existing one story single family residence:

1. A variance to waive 6' – 3" of the minimum required front yard setback of 20' - 0" in order to provide 13' – 9" from the north property line to the one story addition.

Approved with conditions.

8. **FILE NO. 3199 MARK ZHUK
22 N. HIBISCUS DRIVE
LOT 4; BLOCK E
HIBISCUS ISLAND RESUB. SUBDIVISION
PB 34-87; MIAMI-DADE COUNTY, FLORIDA**

The applicant is requesting the following variances in order to permit the construction of a one story addition at the south side of an existing one story single family residence and a swimming pool and its associated deck on the southeast side of the property and after the fact variances in order to retain an existing wood and concrete deck areas at the interior required yards:

1. A variance to waive 5' - 6" of the minimum required interior side yard of 11' - 6" in order to construct a one story addition at 6' - 0" from the interior south property line.
2. A variance to waive 5' - 0" of the minimum required front yard setback for swimming pools and decks of 20' - 0" from the front property line in order to construct a pool and its associated deck at 15' - 0" from the deck to the front property line.

- 3. A. A variance to waive 1' - 6" of the minimum required setback of 7' - 6" from the interior south property line to the edge of the pool deck in order to build the pool deck at 6' - 0" from the interior lot line.
- B. A variance to waive 2' - 6" of the minimum required setback of 9' - 0" from the interior south property line to the water's edge in order to build the swimming pool water's edge at 6' - 6" from the interior lot line.
- 4. An after the fact variance to waive all of the required interior side setback of 7'-6" from the edge of the deck to the south interior property line in order to retain an existing wood deck up to the south property line.
- 5. An after the fact variance to waive a range of the required interior side setback of 7'-6" from the edge of the deck to the west interior property line in order to retain an existing wood deck up to the west property line and a concrete deck at 2'-0" from the west property line.

Approved with conditions.

- 9. **FILE NO. 3200** **843 MERIDIAN LLC**
 843 MERIDIAN AVENUE
 LOT 13; BLOCK 60
 OCEAN BEACH ADDITION NO. 3
 PB 2-81; MIAMI-DADE COUNTY, FLORIDA

The applicant is requesting the following variances in order to provide parking for a proposed 3-story addition to an existing historic building:

- 1. A. A variance to waive 3' – 6" of the required 5' – 0" interior north side yard at-grade parking lot setback in order to provide one parking space.
- B. A variance to waive 3' – 0" of the required 5' – 0" interior south side yard at-grade parking lot setback in order to provide one parking space.
- 2. A variance to waive 4' – 9" of the required 5' – 0" rear yard at-grade parking lot setback in order to provide one parking space.

Continued to June 2, 2006.

10. **FILE NO. 3201** **MASTER CONDOMINIUMS, LLC**
1045 MERIDIAN AVENUE
LOT 14; BLOCK 62
OCEAN BEACH FLORIDA ADDITION NO. 3
PB 14-82; MIAMI-DADE COUNTY, FLORIDA

The applicant is requesting the following variances in order to add three angled parking spaces to the rear of this existing apartment building:

1. A. A variance to waive 1' - 6" of the required 5' - 0" interior side yard at-grade parking lot setback in order to provide one parking space at 3'-6" from the north property line.
- B. A variance to waive 1' - 0" of the required 5' - 0" interior side yard at-grade parking lot setback in order to provide one parking space at 4'-0" from the south property line.
2. A variance to waive all of the required 5' - 0" rear yard at-grade parking lot setback in order to provide three parking spaces.
3. A variance to waive 5' - 0" of the required 18' - 0" minimum length of a parking space in order to provide three angled parking spaces at the rear of the property with a dimension of 13' - 0".

Approved with conditions.

11. **FILE NO. 3202** **ISAAC & SUZANNE NAHON**
3427 MERIDIAN AVENUE
LOT 4; BLOCK 2
AMENDED PLAT OF GARDEN SUBDIVISION
PB 31-9; MIAMI-DADE COUNTY, FLORIDA

The applicant is requesting the following variances in order to permit the construction of a new two (2) story single family residence and a swimming pool and its associated deck on the rear of the property:

1. A variance to exceed by 4% the maximum permitted lot coverage of 35% in order to provide 39% lot coverage.
2. A. A variance to waive 1' - 6" of the minimum required setback of 6' - 0" from the rear property line to the edge of the pool deck in order to build the pool deck at 4' - 6" from the rear property line.

- B. A variance to waive 1' - 6" of the minimum required setback of 7' - 6" from the rear property line to the water's edge in order to build the swimming pool water's edge at 6' - 0" from the rear property line.

Denied without prejudice.

- 12. **FILE NO. 3203** **MIAMI BEACH OWNER, LLC
4388 COLLINS AVENUE
LOTS 20 THRU 22 & RIP RTS & STRIP BETWEEN
COLLINS AVE. & INDIAN CREEK OPP. SAME.
INDIAN BEACH CORP. AMD. PLAT SUBDIVISION
PB 8-61; MIAMI-DADE COUNTY, FLORIDA**

The applicant is requesting the following variances in order to renovate existing cabana buildings on the pool deck of Wyndham Hotel (the former Doral Hotel):

- 1. A. A variance to waive 19' – 8.5" of the required 24' – 0" interior north side yard pedestal setback.
- B. A variance to waive 18' – 2.5" of the required 24' – 0" interior south side yard pedestal setback.
- 2. A variance to waive 37' – 11" of the required 48' – 0" sum of the side yards pedestal setback.
- 3. A. A variance to waive 10' – 8.5" of the required 15' – 0" north side oceanfront overlay district side setback.
- B. A variance to waive 18' – 2.5" of the required 24' – 0" south side oceanfront overlay district side setback.
- 4. A variance to waive all of the required 10' – 0" oceanfront overlay district rear setback.
- 5. A variance to waive 46% of the required 50% oceanfront overlay district maximum lot coverage.

Continued to June 2, 2006.

- 13. **FILE NO. 3204** **ELBAZ FAMILY CORP.
1754 BAY ROAD
EAST ½ OF LOT 8; BLOCK 16
ISLAND VIEW SUBDIVISION
PB 6-115; MIAMI-DADE COUNTY, FLORIDA**

As per Planning Dept. staff, this case will not be heard today. It shall be heard at the June meeting, barring any unforeseen circumstances.

Continued to June 2, 2006.

14. **FILE NO. 3205** **JEFFERSON AVENUE HOLDINGS, LLC
635-643 JEFFERSON AVENUE
LOTS 13 and 14; BLOCK 73
OCEAN BEACH ADDITION NO. 3 SUB.
PB 2-81; MIAMI-DADE COUNTY, FLORIDA**

The applicant is requesting the following variances in order to construct two three-story additions at the rear of two existing historic apartment buildings.:

1. A. A variance to waive 3' – 0" of the required 8' – 0" interior north side yard pedestal setback.
- B. A variance to waive 3' – 0" of the required 8' – 0" interior south side yard pedestal setback.
2. A variance to waive 6' – 0" of the required 16' – 0" sum of the side yards pedestal setback.
3. A variance to waive 9' – 0" of the required 14' – 0" rear yard pedestal setback.
4. A variance to waive all of the required 5' – 0" rear yard at-grade parking lot setback in order to provide five parking spaces.
5. A variance to waive 3' – 0" of the required 22' – 0" minimum width of interior parking aisle.

Approved with conditions.

15. **FILE NO. 3207** **HARVEY LeVINE
2430 NORTH SHORE TERRACE
N. 45 FT. LOT 16 & S 19 FT. LOT 17
NORMANDY GOLF COURSE SUBDIVISION
PB 55-95; MIAMI-DADE COUNTY, FLORIDA**

The applicant is requesting a variance in order to permit the construction of a new shingle roof on an existing one (1) story single family residence:

1. A variance to waive the requirement that pitched roofs may only be comprised of barrel or cement tile in order to build a new shingle roof.

Approved with conditions.

E. NEXT MEETING DATE

June 2, 2006

NOTE: The Flood Plain Management Board meeting shall begin at the conclusion of the Board of Adjustment agenda.

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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MIAMI BEACH

PLANNING DEPARTMENT

FLOOD PLAIN MANAGEMENT BOARD
AFTER ACTION

FRIDAY, MAY 5, 2006

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 NO. FP06-04

843 MERIDIAN LLC
843 MERIDIAN AVENUE
LOT 13; BLOCK 60
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 to allow the construction of a 3-story addition to an existing historic building.

Continued to June 2, 2006.

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