



BOARD OF ADJUSTMENT

AFTER ACTION REPORT

**FRIDAY, AUGUST 4, 2006
9:00 A.M.**

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

A. CONTINUED CASE

1. FILE NO. 3223

**GG REALTY, INC
354 WASHINGTON AVENUE
THE NORTH 75 FEET OF BLOCK 50
OF A SUBDIVISION OF BLOCK FIFTY
OCEAN BEACH ADDITION NO. 3
PLAT BOOK 7, PG 48;
MIAMI-DADE COUNTY, FLORIDA**

This case was continued from the July 7, 2006 meeting. The request for the height variance has been withdrawn. The applicant is requesting the following variances in order to permit the construction of a three (3) story addition of a multifamily structure along with the renovation of two existing structures:

1. A variance to exceed by 1' - 9 ½" the maximum allowable projection of 1' - 10 ½" into the required interior side yard setback in order to provide a projection of 3' - 8" into the south portion of the property.
2. A variance to exceed by 2' - 11" the maximum allowable projection of 1' - 3" into the required front yard setback in order to provide a projection of 4' - 2" into the west portion of the property.
3. ~~A variance to exceed by 5' - 10" the maximum allowable building height of 35' - 0" in order to construct the building at 40' - 10" from grade.~~

VARIANCE NO. 3 WITHDRAWN BY APPLICANT

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4. A variance to waive 223 s.f. of the minimum required unit size of 650 s.f. within new construction in order to provide a unit with 427 s.f.
5. A variance to waive 321 s.f. of the minimum required average unit size of 900 s.f. within new construction in order to provide an average unit size of 579 s.f.

APPROVED.

B. PROGRESS REPORTS

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 possible violations of conditions associated with this variance.

UPON A NOTICE OF VIOLATION THE APPLICANT SHALL APPEAR BEFORE THE BOARD FOR A PROGRESS REPORT.

3. **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**

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.

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PROGRESS REPORT DUE IN 60 DAYS (OCTOBER 6, 2006). STAFF MAY PLACE THIS ITEM ON THE AGENDA IF NOTICES OF VIOLATION ARE ISSUED.

C. EXTENSION OF TIME

4. **FILE NO. 3103** **CARIBBEAN GROUP OWNERS, LLC**
 d/b/a CARIBBEAN HOTEL
 3737 COLLINS AVENUE
 LOTS 1 – 8 and 16 FT. ALLEY OPP.
 LOTS 1 & 8 BLOCK 27;
 MIAMI BEACH IMPROVEMENT CO. SUB.
 PLAT BOOK 5-7&8;
 MIAMI-DADE COUNTY, FLORIDA

This case was continued from the July 7, 2006 meeting.

The applicant is requesting a modification to a condition of approval for variances associated with the renovation of an existing historic building and the construction of a new nineteen (19) story residential building with 105 units and 158 parking spaces. A condition of the Order dated June 3, 2005 requires that a building permit be obtained by June 3, 2006. The applicant is requesting a one (1) year extension of time to obtain a building permit by June 3, 2007.

APPROVED.

D. CONTINUED CASES

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

The applicant is requesting continuance until the October 6, 2006 meeting, in order to get Design Review Board approval prior to Board of Adjustment hearing.

THE APPLICANT REQUESTED CONTINUANCE TO THE OCTOBER 6, 2006 MEETING.

6. **FILE NO. 3206** **KENNETH GOLDRING**
 4490 N. JEFFERSON AVENUE
 LOT 21; BLOCK 26
 NAUTILUS EXTENSION 4
 PLAT BOOK 40, PG 68;

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

APPROVED.

9. **FILE NO. 3222** **BEAULIEU LLC**
510 E. DiLIDO DRIVE
LOT 5; BLOCK 12;
SUBDIVISION "DiLIDO"
PLAT BOOK 8 PG36
MIAMI-DADE COUNTY, FLORIDA

This case was continued at the July 7, 2006 meeting. The Board of Adjustment approved variance request No. 1 at that meeting and continued variance request No. 2 to the meeting on August 4, 2006.

The applicant is requesting the following variances in order to permit the construction of a new two (2) story single family residence:

1. A variance to waive a range of 6' - 6" to 11' - 8" 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 a range of 13' - 6" to 8' - 4" from the deck to the front property line. **APPROVED AT THE JULY 7, 2006 MEETING.**
2. A variance to waive the requirement that pitched roofs may only be comprised of barrel or cement tile in order to build a metal roof.

APPROVED.

E. NEW CASES

10. **FILE NO. 3224** **JOSE GARCIA**
6115 PINETREE DRIVE
LOT 6, BLOCK 2, BEACH VIEW ADDITION
PLAT BOOK 16, PG 10;
MIAMI-DADE COUNTY, FLORIDA

The applicant is requesting the following variances in order to permit the construction of a two (2) and three (3) story addition to the east side of an existing two (2) story single family residence:

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1. A variance to waive 3' - 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 4' - 0" from the rear property line.
2. A variance to waive 2' - 6" of the minimum required interior side setback of 9' - 0" from the interior property line to the water's edge in order to build the swimming pool water's edge at 7'-6" from the north property line.
3. A variance to waive the requirement that pitched roofs may only be comprised of barrel or cement tile in order to build a metal roof.

**VARIANCE NO. 1 WAS CONTINUED TO THE SEPTEMBER 8, 2006 MTG.
VARIANCE NO. 2 WAS WITHDRAWN. VARIANCE NO. 3 WAS APPROVED.**

11. **FILE NO. 3226** **WALGREENS
6710 COLLINS AVENUE
LOTS 1, 2, 3, 4, 33 AND 34,
BLOCK 6 OF AMENDED PLAT
OF SECONDOCEAN FRONT SUBDIVISION
PLAT BOOK 28, PG 28;
MIAMI-DADE COUNTY, FLORIDA**

The applicant is requesting the following variances in order to permit the replacement of business signage and to exceed their maximum permitted size:

1. A variance to exceed by 53.45 square feet the maximum permitted size of a flat business sign of 30 square feet in order to provide a flat business sign with 83.45 square feet on the east façade of the building, facing Collins Avenue.
2. A variance to exceed by 53.45 square feet the maximum permitted size of a flat business sign of 30 square feet in order to provide a flat business sign with 83.45 square feet on the south façade of the building, facing 67th Street.
3. A variance to exceed by 53.45 square feet the maximum permitted size of a flat business sign of 30 square feet in order to provide a flat business sign with 83.45 square feet on the west façade of the building, facing Harding Avenue.
4. A variance to exceed by .5 square feet the maximum permitted size of an accessory sign of 20 square feet in order to provide a 20.5 square feet accessory sign on the east façade of the building, facing Collins Avenue.

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APPROVED.

12. **FILE NO. 3227** **NEPTUNE PREMIER HOLDINGS, LLC**
1632 MERIDIAN AVENUE
LOTS 5, BLOCK 49,
LINCOLN SUBDIVISION
PLAT BOOK 9, PG 69;
MIAMI-DADE COUNTY, FLORIDA

The applicant is requesting the following variances associated with the renovation and restoration of an existing 3-story structure in order to remodel thirty-five (35) existing apartment units:

1. A variance to waive a range of 52.92 square feet to .81 square feet of the minimum unit size requirement of 400 square feet in order to retain the existing units at a range of 347.08 square feet to 399.19 square feet.
2. A variance to waive 185 square feet of the minimum required average unit size of 550 square feet in order to retain the average unit size at 365 square feet.

APPROVED.

13. **FILE NO. 3228** **THOMAS NOWAK AND ANDRE NORDSETH**
720 - 726 82ND STREET
LOTS 11-12, BLOCK 5,
OF BISCAYNE BEACH SUBDIVISION
PLAT BOOK 44, PG 67;
MIAMI-DADE COUNTY, FLORIDA

The applicant is requesting the following variances in order to permit the construction of a new four (4) story, ten (10) 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 60% (6'-0") in order to provide terraces at the ground floor with a projection of 85% (8'-6").

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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.

14. **FILE NO. 3229** **ANTON EGGER
811 82ND STREET
LOT 38, BLOCK 6,
OF BISCAYNE BEACH SUBDIVISION
PLAT BOOK 44, PG 67;
MIAMI-DADE COUNTY, FLORIDA**

The applicant is requesting the following variances in order to permit the construction of a new four (4) story, five (5) unit townhome project, which will replace a single story apartment building, 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 waive 4' - 6" of the minimum required 22' - 0" interior driving aisle in order to permit a 17' - 6" aisle servicing eight (8) parking spaces.

APPROVED.

15. **FILE NO. 3230** **MATTHEW L. LEIBOWITZ
8 WEST RIVO ALTO DRIVE
LOT 1, BLOCK 1, "PLAT OF RIVO ALTO"
PLAT BOOK 7, PG 74;
MIAMI-DADE COUNTY, FLORIDA**

The applicant is requesting the following variance in order to permit the construction of a new swimming pool deck, water feature and outdoor barbeque grill at the rear of an existing single family residence:

1. A variance to waive all of the required interior side yard setback for a pool deck in order to build the pool deck, water feature and outdoor barbeque grill up to the east property line.

APPROVED.

16. **FILE NO. 3233** **CALOGERO, INC
D/B/A CAFÉ AVANTI**

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**732 41ST STREET
41ST STREET BLOCK, LOTS 1 - 4
PLAT BOOK 40, PG 47;
MIAMI-DADE COUNTY, FLORIDA**

The applicant is requesting the following variance in order to sell/serve beer and wine and liquor at an existing restaurant:

1. A variance to waive a range between 35.37 feet and 159.89 feet of the minimum required 300 foot separation between a business that sells/serves alcoholic beverages and Beth Israel Congregation, Temple Beth Shalom School and North Beach Elementary School, in order to sell/serve beer and wine and liquor at an existing restaurant.

APPROVED. PROGRESS REPORT IN 3 MONTHS (NOVEMBER 3, 2006)

**17. FILE NO. 3234 AB GREEN LIDO, LLC
40 ISLAND AVENUE
LOTS 39, 40, 41 AND 42
OF "AMENDED PLAT OF BELLE ISLE"
PLAT BOOK 5, PG 11;
BELLE ISLAND, ON VENETIAN CAUSEWAY
MIAMI-DADE COUNTY, FLORIDA**

The applicant is requesting the following variances in order to permit the expansion of an existing elevator room:

1. A variance to waive 4' - 5" of the minimum required interior side yard setback of 15' - 2 ½" in order to expand the existing elevator room, located at 10' - 9 ½" from the west property line.
2. A variance to waive 7' - 9 ½" of the required sum of the side yards of 30' - 5" in order to provide a sum of the side yards of 22' - 7 ½".

APPROVED.

**18. FILE NO. 3235 INDIAN CREEK HOTEL INVESTORS, LTD
6060 INDIAN CREEK DRIVE
LOTS 31 - 34, BLOCK 2
AMENDED PLAT OF SECOND
OCEAN FRONT SUBDIVISION
PLAT BOOK 28, PG 28;
MIAMI-DADE COUNTY, FLORIDA**

The applicant is requesting the following variances in order to permit the relocation of allowable business signage and to exceed their maximum permitted size:

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1. A variance to permit the relocation of an allowed ground level main use flat business sign from the permitted ground floor location to the upper level of the building, facing Indian Creek Drive.
2. A variance to exceed by 96 square feet the maximum permitted size of a flat business sign of 30 square feet in order to provide a flat business sign of 126 square feet on the east façade of the building, facing Indian Creek Drive.
3. A variance to permit the relocation of an allowed ground level main use flat business sign from the permitted ground floor location facing the waterway, to the upper level of the building, facing an interior lot, to the north.
4. A variance to exceed by 96 square feet the maximum permitted size of a flat business sign of 30 square feet in order to provide a flat business sign of 126 square feet on the north façade of the building, facing an interior lot.

CONTINUED TO THE SEPTEMBER 8, 2006 MEETING.

F. NEXT MEETING DATE

September 8, 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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MIAMIBEACH

PLANNING DEPARTMENT

FLOOD PLAIN MANAGEMENT BOARD
AFTER ACTION REPORT

FRIDAY, AUGUST 4, 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. FP06-06

NEPTUNE PREMIER HOLDINGS, LLC
1632 MERIDIAN AVENUE
LOT 5, BLOCK 49
LINCOLN SUBDIVISION
PLAT BOOK 9, PG 69;
MIAMI-DADE COUNTY, FLORIDA

The applicant is requesting a variance to waive the minimum required base flood plain elevation to allow the renovation and restoration of an existing 3-story structure.

APPROVED.

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