



### BOARD OF ADJUSTMENT

### AFTER ACTION REPORT

FRIDAY, JANUARY 5, 2007

9:00 A.M.

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

#### A. PROGRESS REPORTS

1. FILE NO. 3247      **PARK ISLE ASSOCIATES, LLC**  
**7251 WAYNE AVENUE**  
**TRACK "A"**  
**PARKVIEW ISLAND SUBDIVISION**  
**PLAT BOOK 60, PG 6;**  
**MIAMI-DADE COUNTY, FLORIDA**

The applicant shall present a progress report in association with the renovation of five (5) two-story residential building, which received variances on September 8, 2006.

**NO FURTHER PROGRESS REPORTS UNLESS NOTICES OF VIOLATION ARE ISSUED.**

#### B. INTRODUCTION OF NEW OWNER/TENANT

2. FILE NO. 2760      **JAZID, INC.**  
**1342 WASHINGTON AVENUE**  
**LOTS 6, 7 AND 11; BLOCK 21**  
**H. PRATTS RESUB. OCEAN BEACH NO. 3**  
**PB 6/17; MIAMI-DADE COUNTY, FLORIDA**

The applicant, as the new tenant/owner 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 a variance to waive the minimum required distance separation between a business that sells/serves alcoholic beverages

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and an educational facility, which was originally granted to Jazid, Inc. on September 8, 2000. The new tenant/owner shall also describe the current operation.

## **TENANT/OWNER INTRODUCED HIMSELF TO THE BOARD.**

### **C. CONTINUED CASE**

3. **FILE NO.3260**      **BYHALL, LLC**  
   **401 69<sup>TH</sup> STREET**  
   **LOTS 3, 4, 5, 6, 7, 8, 9, AND 10, BLOCK H,**  
   **“CORRECTED PLAT OF ATLANTIC HEIGHTS”**  
   **LESS AND EXCEPT THE EAST 2 FEET OF LOTS 7,**  
   **8, 9, AND 10M IN SAID BLOCK H, PLAT BOOK 9,**  
   **PG 14; MIAMI-DADE COUNTY, FLORIDA**

This case was continued from the December 8, 2006 meeting.

The applicant is requesting the following variances in order to permit the construction of two (2) egress stairs to an existing seventeen (17) story existing building:

1. A variance to waive all of the required front pedestal setback of 20'-0" in order to build a required egress stair up to the front property line.
2. A variance to waive all of the required interior pedestal setback of 16' - 0" in order to build a required egress stair up to the north property line.

## **APPROVED. PROGRESS REPORT DUE IN 60 DAYS ( MARCH 2, 2007).**

### **D. NEW CASES**

4. **FILE NO.3252**      **DIEGO PINEIRO**  
   **7620 DICKENS AVENUE**  
   **LOT 4, LESS THE EAST 2.5 FEET,**  
   **BLOCK 29, ALTOS DEL MAR NO. 3,**  
   **PLAT BOOK 8, PG 41;**  
   **MIAMI-DADE COUNTY, FLORIDA**

The applicant is requesting the following variances in order to permit the construction of a new three (3) story multifamily building with four (4) units:

1. A variance to waive 100 square feet of the minimum lot size of 5,600 square feet in order to develop a lot of 5,500 square feet.

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2. A variance to waive 7' – 10" of the minimum required 22' – 0" interior aisle dimension for 90 degree parking in order to provide an interior aisle with 14' - 2" in width.
3. A variance to waive 2' - 6" of the minimum required interior side yard setback of 7' - 6" at the pedestal level in order to build the north exterior wall of the building at 5' - 0" from the north property line.

**APPROVED.**

5. **FILE NO.3263**      **ISSER & YONA ELISHIS**  
**3675 FLAMINGO DRIVE**  
**LOT 25, BLOCK 1, FLAMINGO TERRACE,**  
**PLAT BOOK 10, PG 3;**  
**MIAMI-DADE COUNTY, FLORIDA**

The applicant is requesting the following variances in order to permit an addition to an existing residential structure:

1. A variance to waive a range between 5" (at the main house's ground floor), 11" (at a portion of the second floor of the main house) and 5' - 3 5/8" (to retain the existing garage structure and to build a new second story above it as well as to build a pergola) of the minimum required interior side yard setback of 10' - 6" in order to build the footprint of the house at a range between 10' - 1" (the main house's ground floor), 9' - 7" (the main house's second floor) and 5' - 2 3/8" (allowing to retain the existing garage structure and to build a new second story above it as well as to build a pergola), from the north property line.
2. A variance to waive 6' - 1" of the required sum of the side yards of 26' - 3" in order to build the structures with the sum of the side yards of 20' - 2".

**APPROVED WITH MODIFIED CONDITIONS.**

6. **FILE NO.3271**      **GERMAN CARMONA**  
**825 MICHIGAN AVENUE**  
**LOT 11, BLOCK 87,**  
**OF OCEAN BEACH FLA ADDITION No. 3,**  
**PLAT BOOK 2, PG 81;**  
**MIAMI-DADE COUNTY, FLORIDA**

The applicant is requesting the following variances in order to permit the renovation of the existing 2-story multifamily building and the construction

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of a new 3-story multifamily structure at the rear of the property:

1. A variance to waive 2' - 6" of the minimum required interior side pedestal setback of 7' - 6" in order to build the 1<sup>st</sup> and 2<sup>nd</sup> floors of the new structure at 5' - 0" from the north property line, following the existing building line.
2. A variance to waive 9' - 0" of the minimum required rear yard pedestal setback of 14' - 0" in order to build the pedestal level (2<sup>nd</sup> and 3<sup>rd</sup> floors) at 5' - 0" from the rear property line.
3. A variance to waive 3" of the minimum required interior side yard setback of 5' - 0" for at-grade parking in order to build a parking space at 4' - 9" from the south property line.

**APPROVED WITH ADDITIONAL CONDITIONS. PROGRESS REPORT  
DUE IN 60 DAYS ( MARCH 2, 2007).**

7. **FILE NO.3272**      **300 MERIDIAN AVENUE CORP.  
300 MERIDIAN AVENUE  
LOT 8, BLOCK 76,  
OCEAN BEACH, FLA., ADDITION NO. 3,  
PLAT BOOK 2, PG 81;  
MIAMI-DADE COUNTY, FLORIDA**

The applicant is requesting the following variances in order to permit the construction of a single story attached garage addition to an existing 2-story multifamily building:

1. A variance to waive 9' - 6" of the minimum required rear pedestal setback of 14' - 0" in order to build a single story attached garage at 4' - 6" from the west property line.
2. A variance to waive 1' - 3" of the minimum required rear setback of 5' - 0" for at-grade parking in order to create a parking space at 3' - 9" from the west property line.

**APPROVED.**

8. **FILE NO.3273**      **MIRTHA C. ECHARTE  
3701 CHASE AVENUE  
LOTS 16 AND THE SOUTH 15 FEET OF LOT 15,  
BLOCK 7, SUBDIVISION "FIRST ADDITION  
TO MID-GOLF SUBDIVISION",  
PLAT BOOK 7, PG 161;  
MIAMI-DADE COUNTY, FLORIDA**

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The applicant is requesting the following variance in order to permit the construction of a single story addition to an existing one story single family home:

1. A variance to waive 10' - 3" of the minimum required side yard facing the street setback of 15' - 0" in order to build a single story addition at 4' - 9" from the south property line.

**CONTINUED TO FEBRUARY 2, 2007.**

9. **FILE NO.3274**      **ADAM SIMON**  
**5901 ALTON ROAD**  
**LOT 9, BLOCK 5,**  
**OF LA GORCE-GOLF-SUBDIVISION,**  
**PLAT BOOK 14, PG 43;**  
**MIAMI-DADE COUNTY, FLORIDA**

The applicant is requesting the following variances in order to permit the construction of a two (2) story addition to an existing single story single family home:

1. A variance to exceed by 5.99 the maximum allowable lot coverage of 35% in order to provide a lot coverage of 40.99%.
2. A variance to waive 6' - 10" of the minimum required side yard facing the street setback of 15' - 0" in order to build a new two-story addition at 8' - 2" from the south property line, facing 59<sup>th</sup> Street.

**CONTINUED TO FEBRUARY 2, 2007.**

10. **FILE NO.3275**      **DENNIS CARSON**  
**4555 NORTH BAY ROAD**  
**LOT 12, BLOCK 4,**  
**PLAT OF NAUTILUS SUBDIVISION,**  
**PLAT BOOK 8, PG 95;**  
**MIAMI-DADE COUNTY, FLORIDA**

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

1. A variance to waive 4' - 5 1/4" of the minimum required sum of the side yards setback of 18' - 9" in order to build a two story addition resulting in a sum of the side yards of 14' - 3 3/4".

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11. **APPROVED.**  
**FILE NO.3276**      **DANIEL LATOUR**  
**180 NORTH HIBISCUS DRIVE**  
**LOT 6, BLOCK L,**  
**RESUBDIVISION OF BLOCKS "C" & "D"**  
**OF "HIBISCUS ISLAND", PLAT BOOK 34, PG 87,**  
**MIAMI-DADE COUNTY, FLORIDA**

The applicant is requesting the following variances in order to permit the construction of a swimming pool and its associated deck within the front yard of a property with an existing single family residence:

1. A variance to waive 9' - 0" of the required 20' - 0" minimum front setback for a swimming pool deck in order to build the deck at 11' - 0" from the front property line, facing E 1<sup>st</sup> Ct.
2. A variance to waive 8' - 4" of the required 20' - 0" minimum front setback for a swimming pool and deck in order to build the waterline of the swimming pool at 11' - 8" from the front property line, facing E 1<sup>st</sup> Ct.
3. A variance to exceed by 1' - 7" the maximum allowable elevation of the required front yard of +7.0' NGVD in order to build the portion of the pool deck that encroaches into the required front yard at an elevation of +8.58' (8'-7") NGVD.

**DENIED WITH PREJUDICE.**

12. **FILE NO.3277**      **ALTON SOBE, LLC**  
**929-939 ALTON ROAD**  
**LOT 9 AND 10, BLOCK 123**  
**OF LENOX MANOR SUBDIVISION,**  
**PLAT BOOK 7, PG 15;**  
**MIAMI-DADE COUNTY, FLORIDA**

The applicant is requesting the following variance in order to permit the construction of a mixed use project commercial space fronting Alton Road, required parking located within a subterranean level as well as on the 2<sup>nd</sup> floor and residential units on the 3<sup>rd</sup> through 5<sup>th</sup> floors:

1. A variance to waive all of the required 20' - 0" minimum front pedestal setback in order to build the residential units up to the front property line.

**APPROVED.**

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13. **FILE NO.3281**      **WINO, LLC**  
**930 10TH STREET**  
**THE EAST 67.5 FEET OF LOTS 15 AND 16,**  
**BLOCK 88,“OCEAN BEACH, FLA ADDITION NO. 3”,**  
**PLAT BOOK 2, PG 81;**  
**MIAMI-DADE COUNTY, FLORIDA**

The applicant is requesting the following variances in order to permit the construction of parallel parking spaces on the east side of a property with an existing two-story residential building:

1. A variance to waive all of the required interior side setback of 5' - 0" for at grade parking lots in order to provide parking spaces up to the east property line.
2. ~~A variance to waive 7' - 9" of the minimum required front setback of 20' - 0" in order to provide a parking space at 12' - 3" from the front property line.~~

**VARIANCE WITHDRAWN BY THE APPLICANT**

3. ~~A variance to waive 2' - 0" of the minimum standard parallel parking space length of 21' - 0" in order to build a parking space with a length of 19' - 0".~~

**VARIANCE WITHDRAWN BY THE APPLICANT**

**APPROVED.**

**E. NEXT MEETING DATE**

February 2, 2007.

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*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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### **FLOOD PLAIN MANAGEMENT BOARD** **AFTER ACTION REPORT**

**FRIDAY, JANUARY 5, 2007**  
**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

1. **FILE NO. FP07-01**      **DENNIS CARSON**  
**4555 NORTH BAY ROAD**  
**LOT 12, BLOCK 4,**  
**PLAT OF NAUTILUS SUBDIVISION,**  
**PLAT BOOK 8, PG 95; MIAMI-DADE COUNTY,**  
**FLORIDA**

The applicant is requesting a variance to waive the minimum required base flood plain elevation to allow the restoration of an existing 2-story structure.

**APPROVED.**

2. **FILE NO. FP07-02**      **2901 BEACH VENTURES LLLP**  
**2911 INDIAN CREEK DRIVE**  
**(2912 COLLINS AVENUE)**  
**MIAMI BEACH, FLORIDA**  
**(FOR LEGAL DESCRIPTION,**  
**PLEASE CONTACT THE PLANNING DEPT.)**

The applicant is requesting a variance to waive the minimum required base flood plain elevation to allow the partial demolition and renovation of two (2), two-story structures.

**CONTINUED TO FEBRUARY 2, 2007.**

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