



BOARD OF ADJUSTMENT

AFTER ACTION REPORT

FRIDAY, JANUARY 9, 2009

9:00 A.M.

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

A. EXTENSION OF TIME

1. **FILE NO. 3293** **SAVOY HOTEL PARTNERS, LLC.
425-455 OCEAN DRIVE
MIAMI BEACH, FLORIDA
(FOR LEGAL DESCRIPTION PLEASE
CONTACT THE PLANNING DEPT.)**

The applicant is requesting the following modification to a condition of approval for variances associated with the construction of a service corridor within the required north side yard setback:

Condition number 5 of the Order dated May 4, 2007, requires that a full building permit for the project be obtained on or before November 4, 2008, within eighteen (18) months of the date of the hearing. The applicant is requesting a one (1) year extension of time to obtain a full building permit by November 4, 2009.

**EXTENSION OF TIME GRANTED TO COINCIDE WITH HPB
APPROVAL EXPIRATION DATE (JUNE 28, 2009).**

2. **FILE NO. 3314** **SOUTH STONE, LLC
1341 15TH TERRACE
LOT 12, BLOCK 67-A, OF ALTON BEACH
BAYFRONT SUBDIVISION,
PLAT BOOK 16, PG 1;
MIAMI-DADE COUNTY, FLORIDA**

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The applicant is requesting the following modification to a condition of approval for a variance associated with the construction of a new three (3) story multifamily building with four (4) units:

Condition number 6 of the Order dated August 3, 2007, requires that a full building permit for the project be obtained on or before February 3, 2009, within eighteen (18) months of the date of the hearing. The applicant is requesting a one (1) year extension of time to obtain a full building permit by February 3, 2010.

APPROVED.

B. MODIFICATION

3. **FILE NO. 2670** **SAGAMORE PARTNERS, LTD.**
 a/k/a THE SAGAMORE HOTEL
 1671 COLLINS AVENUE
 THE SOUTH 5 FEET OF THE NORTH 25 FEET
 OF THE WEST 32.40 FEET OF LOT 16, BLOCK 29,
 FISHER'S FIRST SUBDIVISION OF ALTON BEACH,
 PLAT BOOK 2, PG 77;
 MIAMI-DADE COUNTY, FLORIDA

The applicant is requesting a modification to the Order dated December 4, 1998, associated with the construction of a six unit penthouse level on top of the existing main building and a driveway along the south property line. The modification consists of the removal of Condition No. 4 of the December 4, 1998 Order, the modification of variance No. 4 and the withdrawal of variance No. 5.

APPROVED.

C. CONTINUED CASES

4. **FILE NO. 3068** **J. CUBED, LLC .**
 421 AND 425 MERIDIAN AVENUE
 421 MERIDIAN AVE.: LOT 9, BLOCK 56
 425 MERIDIAN AVE.: LOT 10, BLOCK 56
 OCEAN BEACH ADDITION NO. 3
 PB 2-81; MIAMI-DADE COUNTY, FLORIDA

The applicant is requesting a modification to the approved site plans,

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associated with the partial demolition, renovation and alteration of an existing structure, and a new 5-story mixed-use residential structure with ground level commercial space and twenty (20) residential units. The description of the project as currently proposed, will consist of the partial demolition, renovation and alteration of an existing structure, and a new 5-story mixed-use structure, with ground level restaurant space, outdoor dining on the southwest corner of the second floor and twenty (20) hotel rooms. The modification does not require new variances.

APPLICANT REQUESTED CONTINUANCE FOR 60 DAYS (MARCH 6, 2009).

5. **FILE NO. 3328** **ST. PATRICK CHURCH AND SCHOOL**
 3701 NORTH MERIDIAN AVENUE
 LOTS 12 THRU 19 INCLUSIVE BLOCK 2 OF
 “AMENDED PLAT OF GARDEN SUBDIVISION”
 PLAT BOOK 31, PG 9;
 MIAMI-DADE COUNTY, FLORIDA;
 ALL OF BLOCK 5
 OF “AMENDED PLAT OF GARDEN SUBDIVISION”
 PLAT BOOK 31, PG 9;
 MIAMI-DADE COUNTY, FLORIDA

The applicant is requesting the following variances in order to permit the construction of a new single story pre-kindergarten classroom building and a dumpster enclosure, along with the re-construction of North Meridian Avenue to include parking and a variance waiving the provisions of Chapter 130, Article III of the City Code, to permit the use of a grass parking system for dual-use playfield / auxiliary parking lot:

1. A variance to waive all of the required front yard setback of 20' - 0" and to waive 5'-0" in order to build the new classroom building up to the west property line, facing North Meridian Avenue and a new dumpster enclosure at 15'-0".
2. A variance to waive the provisions of Chapter 130, Article III of the City Code, to permit the use of a grass parking system (to resurface the existing playing field bounded by the waterway at the east, North Meridian Avenue to the west and the south property line) for dual-use playfield / auxiliary non-marked parking lot.

APPLICANT REQUESTED CONTINUANCE FOR 60 DAYS (MARCH 6, 2009).

D. NEW CASES

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6. **FILE NO. 3394** **ANDREW AND SARA MORIBER**
 1434 WEST 24TH STREET
 LOT 2, BLOCK 3C, 3RD REVISED
 PLAT OF SUNSET ISLAND
 PLAT BOOK 40, PG 8;
 MIAMI-DADE COUNTY, FLORIDA

The applicant is requesting the following variances in order to permit the construction of a one-story addition within the required rear and side yard facing the street:

1. A variance to waive 2'-10" of the minimum required side yard facing the street setback of 15'-0" in order to build the addition at 12'-2" from the north property line, facing West 24th Street, and following the existing building line.
2. A variance to waive 7'-9" of the minimum required rear yard setback of 20'-3" in order to build the addition at 12'-6" from the east property line.

APPROVED.

7. **FILE NO.3395** **JOHN WOOD**
 4235 NORTH BAY ROAD
 LOT 5, BLOCK 7, OF NAUTILUS SUBDIVISION
 PLAT BOOK 8, PG 95;
 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:

1. A. A variance to waive 1'-0" of the minimum required rear yard setback of 6'-0" in order to build the exterior face of the coping and pool deck at 5'-0" from the rear property line.
- B. A variance to waive 1'-10" of the minimum rear yard setback of 7'-6" in order to build the water's edge of the swimming pool at 5'-8" from the rear property line.

APPROVED.

8. **FILE NO.3396** **ALESSANDRO RENZETTI /**
 TWOFIFTY COLLINS, LLC.

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**250-260 COLLINS AVENUE
LOTS 1 & 2, BLOCK 8,
OF OCEAN BEACH FLORIDA,
PLAT BOOK 2, PG 38;
MIAMI-DADE COUNTY, FLORIDA**

The applicant is requesting the following variances in order to permit the renovation of two existing two-story buildings and the construction of a rooftop addition on each:

1. A variance to waive Section 142-697(b) which requires that 5'-0" shall be the minimum and the maximum front yard setback required in order to build the rooftop addition at 23'-0" from the front property line, facing Collins Avenue.
2. A variance to waive 2'-3" of the minimum and maximum required side yard facing the street pedestal setback of 5'-0" in order to build the rooftop addition at 2'-9" from the north property line, aligned with the existing walls below, facing 3rd Street.
3. A variance to waive 4'-11" of the minimum required rear yard setback of 13'-0" in order to build the rooftop addition at 8'-1" from the rear property line.

APPROVED.

9. FILE NO. 3397

**THE PALMS SOUTH BEACH, INC
3025 COLLINS AVENUE**

**ALL OF BLOCK 13, OF "OCEAN FRONT PROPERTY"
OF THE MIAMI BEACH IMPROVEMENT COMPANY
ACCORDING WITH THE AMENDED MAP THEREOF,
PLAT BOOK 5, PG 7 & 8; MIAMI-DADE COUNTY, FLORIDA; AND
ALSO THAT CERTAIN 16 FOOT STRIP OF LAND IN BLOCK 13, OF
OCEAN FRONT PROPERTY OF THE MIAMI BEACH IMPROVEMENT
COMPANY, AS SHOWN ON THE AMENDED MAP THEREOF, PLOT
BOOK 5, PG 7 & 8, MIAMI-DADE COUNTY, FLORIDA, WHICH IS
BOUNDED ON THE EASTERLY SIDE BY THE WESTERLY
BOUNDARY LINES OF LOTS 1 TO 4, INCLUSIVE, IN BLOCK 13, OF
AFORESAID SUBDIVISION, AND ON THE NORTHERLY SIDE BY
THE SOUTHERLY LINE THIRTY-FIRST STREET (SEVEN STREET)
AND ON THE SOUTHERLY SIDE BY NORTHERLY LINE OF THE
THIRTIETH STREET (SIXTH STREET)**

The applicant is requesting the following variance in order to permit the construction of a rooftop addition to the existing penthouse:

1. A variance to waive 11'-0" of the minimum required side yard facing the street setback of 16'-0" in order to build the rooftop addition at 5'-0" from the north property line.

APPROVED.

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10. **FILE NO. 3398** **ANDREW MIRMELLI FOR
M & M PARKING MANAGEMENT, LLC
1732 JAMES AVENUE
THE NORTH ½ OF LOT 4 AND ALL OF
LOT 5 IN BLOCK 26 OF FIRST
SUBDIVISION OF ALTON BEACH
PLAT BOOK 2-, PG 77;
MIAMI-DADE COUNTY, FLORIDA**

The applicant is requesting the following variance in order to permit the renovation of an existing surface parking lot:

1. A variance to waive 4'-6" and 6'-0" of the minimum required front yard setback of 20' - 0" in order to renovate and operate the existing surface parking lot at 15'-6" to the front property line at the north side of the property and 14'-0" to the front property line at the south side of the property.

APPROVED WITH AN ADDITIONAL CONDITION.

11. **FILE NO. 3399** **NINA KAKIASHVILI FOR
BUDDHA LOUNGE, LLC. D/B/A THE GATES
743 WASHINGTON AVENUE
LOT 14, BLOCK 33 OF OCEAN
BEACH ADDITION # 1
PLAT BOOK 3, PG 11;
MIAMI-DADE COUNTY, FLORIDA**

The applicant is requesting the following variance in order to dance hall / entertainment establishment not also operating as a restaurant at the subject location:

1. A variance to waive the minimum distance separation of 300 feet required between dance hall/entertainment establishments licensed to sell alcoholic beverages, and not also operating as a restaurant with full kitchen and serving full meals.

APPLICANT REQUESTED CONTINUANCE FOR 30 DAYS (FEBRUARY 6, 2009).

E. NEXT MEETING DATE

February 6, 2009

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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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