



BOARD OF ADJUSTMENT

AFTER ACTION REPORT

FRIDAY, JULY 11, 2008

9:00 A.M.

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

A. EXTENSION OF TIME

1. **FILE NO.3267** **MICHAEL MUSKAT, PHILLIP MUSKAT,
1247 BAYVIEW DEVELOPMENT CORP.
1255 WEST AVENUE
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 new six (6) story multifamily building, to replace two existing single story homes and one existing 2-story building, to be demolished:

Condition number 8 of the Order dated February 2, 2007, requires that a building permit for the project be obtained on or before August 2, 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 August 2, 2009.

**APPROVED W/ ADDED CONDITION TO MAINTAIN PROPERTY AND
CLOSE VIOLATIONS.**

B. CONTINUED CASE

2. **FILE NO. 3366** **760 COLLINS ASSOCIATES, LTD.**

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**760 COLLINS AVENUE
LOT 1, BLOCK 33,
OCEAN BEACH FLA., ADDITION NO. 1,
PLAT BOOK 3, PG 11;
MIAMI-DADE COUNTY, FLORIDA**

The applicant is requesting the following variance to permit the elimination of four (4) existing parking spaces in order to allow the construction of a new structure:

1. A variance to waive Section 130-35 that requires that no existing required parking space may be eliminated for any use in order to eliminate the four existing required parking spaces to build a new structure.

APPROVED

C. NEW CASES

3. **FILE NO.3350** **AARON J. AND ANDREA EDELSTEIN
201 EAST DILIDO DRIVE
LOT 6, BLOCK 5 PLAT OF DILIDO
PLAT BOOK 8, PG 36;
MIAMI-DADE COUNTY, FLORIDA**

The applicant is requesting the following after-the-fact variance in order to retain an existing generator within the required north interior side yard:

1. An After-the-Fact variance to waive 6'-0" of the minimum required interior side setback of 7'-6" in order to retain a generator at 1'-6" from the north property line.

APPROVED

4. **FILE NO.3360** **SANDI D. TIBI
4485 N. MERIDIAN AVENUE
LOT 22, BLOCK 8 OF
"NAUTILUS ADDITION"
PLAT BOOK 8, PG 130;
MIAMI-DADE COUNTY, FLORIDA**

The applicant is requesting the following variances in order to build a one-story addition to an existing one-story single family residence:

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1. A variance to waive 5'-0" of the minimum required front yard setback of 20'-0" in order to build a one-story addition at 15'-0" from the front property line.
2. A variance to waive 2'-4" of the required sum of the side yards of 16'-6" in order to build a one-story addition that provides a sum of the side yards of 14'-2".
3. An After the Fact variance to waive 1'-3" of the minimum required interior side setback of 4'-0" to retain the existing carport at 2'-9" from the north property line, not attached to the building.
4. An After the Fact variance to waive 1'-3" of the minimum required interior side setback of 4'-0" to retain the existing driveway at 2'-9" from the north property line.

APPROVED

5. **FILE NO. 3368** **ATLANTIC VIEW PARTNERS, LTD.**
4299 COLLINS AVENUE
LOTS 1, 2, 5 & 6 AND THAT CERTAIN 16 FOOT
STRIP OF LAND FORMERLY PART OF THE
ALLEYWAY (NOW VACATED) BOUNDED AND
LYING BETWEEN SAID LOTS, ALL IN BLOCK 37,
OF THE AMENDED MAP OF THE OCEAN FRONT
PROPERTY OF THE MIAMI BEACH
IMPROVEMENT COMPANY
PLAT BOOK 5, PAGES 7 AND 8,
MIAMI-DADE COUNTY, FLORIDA

The applicant is requesting the following variances in order to replace/update signage on the existing hotel:

1. A variance to exceed by 132.3 s.f. the maximum allowable flat sign size of 30 s.f. in order to place a sign of 162.3 s.f. on an existing parapet facing Collins Avenue and to allow the flat sign to be located above the ground floor (on the parapet).
2. A variance to allow the relocation of an allowable sign facing the oceanfront to be relocated to the south parapet of the building.

If variance 2 is granted, then the applicant requests variance 3:

3. A variance to allow a flat sign that does not directly face a street.

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4. A variance to allow the relocation of an allowable flat sign facing 43rd Street to be relocated to the south side of the porte cochere.

If variance 4 is granted, then the applicant requests variance 5:

5. A variance to allow a flat sign that does not directly face a street.

APPROVED

6. **FILE NO.3370** **PLAZA HOTEL, LLC.**
 418-422 & 426 MERIDIAN AVENUE
 LOT 3-4, BLOCK 75 OF OCEAN
 BEACH 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 new four-story structure:

1. A. A variance to waive 6'-4" of the minimum required rear yard setback of 14'-0" in order to build the new southwest four (4) story structure at 7'-8" from the rear property line.

 B. A variance to waive 5'-1" of the minimum required rear yard setback of 14'-0" in order to build the new west four (4) story structure at 8'-11" from the rear property line.

 C. A variance to waive all of the minimum required rear yard setback of 14'-0" in order to provide the FPL pad up to the rear property line.
2. A variance to exceed by 1'-3 1/2" the maximum allowable balcony projection of 1'-11" in order to allow balcony projections of 3'-2 1/2" on the west side of the new southwest structure.
3. A variance to waive the requirement of minimum hotel unit size: 15% of the hotel units shall be between 330-335 s.f. and 85% of units shall be 335 s.f. of larger, in order to retain eight (8) units at a range between 215 s.f. and 266 s.f. within the existing structure.

APPROVED AS REQUESTED + ADD HPB OPERATIONAL REQUIREMENTS + PROGRESS REPORT IN 60 DAYS (SEPTEMBER 5, 2008) TO ADDRESS TENANTS.

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7. **FILE NO. 3371** **MORTON'S OF CHICAGO/MIAMI BEACH, LLC.**
4041 COLLINS AVENUE
MIAMI BEACH, FLORIDA
(FOR COMPLETE LEGAL DESCRIPTION, PLEASE
CONTACT THE PLANNING DEPT.)

The applicant is requesting a variance in order to create a porch/terrace along Collins Avenue to be used for outdoor restaurant seating and variances to place signage for an accessory use:

1. A variance to exceed by 10'-3" the maximum allowable porch/terrace projection of 3'-9" in order to create an outdoor dining area with a projection of 14'-0" (1'-0" setback from the front property line) and aligned with the existing south façade of the building, located at 5'-3" from the south property line.
2. A variance to allow the relocation of an allowable accessory sign facing the oceanfront to be relocated as a flat sign (with a size of 20 s.f.) to the front façade of the building.
3. A variance to exceed by 13.12 s.f. the maximum allowable accessory sign size of 5 s.f. in order to place an 18.12s.f. accessory sign attached to the perimeter wall.

APPROVED + ADDITIONAL CONDITION OF NO OUTDOOR SPEAKERS OR MUSIC MAY BE PERMITTED ON THE FRONT PATIO OUTDOOR DINING AREA.

8. **FILE NO.3372** **THIERRY COULON**
1531 W. 22ND STREET, SUNSET ISLAND 4
EAST 30 FT OF LOT 29 & WEST 45 OF LOT 30,
BLOCK 4A, SUBDIVISION:
"SUNSET ISLANDS NO. 4"
PLAT BOOK 40, PG 8;
MIAMI-DADE COUNTY, FLORIDA

The applicant is requesting an After-the-Fact variance in order to retain an existing pool deck:

1. An After-the-Fact variance to waive all of the required interior side yard setback of 7'-6" from the pool deck to an interior property line in order to retain the existing pool deck up to the west property line.

CONTINUED 60 DAYS, TO SEPTEMBER 5, 2008

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D. NEXT MEETING DATE

August 1, 2008

**NOTE: *THERE WERE NO CASES SCHEDULED FOR THE FLOOD
PLAIN MANAGEMENT BOARD.***

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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