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BOARD OF ADJUSTMENT AFTER ACTION

### FRIDAY, JUNE 1, 2001 - 9:00 A.M.

1700 Convention Center Drive Commission Chambers - Third Floor Miami Beach, Florida 33139

### A. ELECTION OF OFFICERS

Chairman: Ted Berman

Vice Chairperson: Joy Malakoff

### B. DISCUSSION ITEMS

- I. CONFLICT OF INTEREST
  - a. CODE OF ETHICS
- II. TIME LIMITATIONS FOR VARIANCES

### C. PROGRESS REPORT

1. FILE NO. 2777 MAIRELY RODRIGUEZ
d/b/a TROPICAL ON THE BEACH
1415 WASHINGTON AVENUE

The applicant will present a progress report regarding the operation of this restaurant which obtained a variance on December 1, 2000 to sell/serve alcoholic beverages within the proximity of Fienberg-Fisher Elementary School. The presentation of this report was requested by the Board at its March 2, 2001 meeting (they requested that the applicant appear 60 days after obtaining an occupational license and certificate of use). (Note: The Board shall determine whether subsequent progress reports are needed, and if so, shall establish a time frame for future reports.)

No further reports unless necessary.

### D. DEFERRED and CONTINUED CASES

### 2. <u>FILE NO. 2801</u> MARIZA DE GUZMAN COBB 415 SOUTH SHORE DRIVE

This case was deferred by the Board at its meeting of May 4, 2001.

The applicant is requesting the following variance in order to construct an open covered porch in the rear yard of an existing single family residence:

1. A variance to waive 6.5' of the minimum required 20' rear yard setback in order to construct an open covered porch 13.5' from the rear property line facing the golf course.

Denied.

## 3. <u>FILE NO. 2808</u> **ALAN LIEBERMAN a/k/a ANGLERS HOTEL** 634 and 642 WASHINGTON AVENUE

This case was continued from the meeting of May 4, 2001.

The applicant is requesting the following variances in order to remodel an existing hotel, construct five (5) story and four (4) story hotel additions, and construct an accessory swimming pool, a jacuzzi, decks and walkways:

- 1. A variance to waive 13' 3" of the minimum required rear yard pedestal setback of 14' 0" in order to construct a four story and five story hotel addition 9 inches from the rear property line.
- 2. A variance to waive 7' of the minimum required south side yard setback of 12' in order to construct a 5 story hotel addition 5' from the south side yard.
- 3. A variance to waive 7' of the minimum required north side yard setback of 12' in order to construct a 4 story hotel addition 5' from the north side yard.
- 4. A variance to waive 14' of the minimum required 24' sum of the side yards in order to construct the above additions with a sum of the side yards of 10'.
- 5. A variance to waive all of the 7' 6" side yard setbacks for decks in order to construct an elevated deck and stair along the south side yard.

- 6. A variance to waive all of the 7' 6" side yard setbacks for decks in order to construct an elevated deck and stair along the north side yard.
- 7. A variance to waive 5' of the minimum required dimension of 15' for a commercial swimming pool in order to construct a 10' wide swimming pool.
- 8. A variance to waive the required 4' walkway around the swimming pool in order to construct the above mentioned swimming pool.
- 9. A variance in order to allow a jacuzzi in the front yard of the proposed hotel located approximately 8' from the front property line facing Washington Avenue.
- 10. A variance to waive the two (2) off street loading spaces required for the operation of the 87 hotel rooms.

Approved.

### E. NEW CASES

# 4. <u>FILE NO. 2811</u> GUSTAVO & GABRIELA ARIAS 814 - 86th STREET

The applicant is requesting the following variances in order to construct a two story addition to an existing townhouse:

- 1. A variance to waive all of the required east side setback of 7.5' in order to construct a two story addition along the interior east side yard.
- 2. A variance to waive eleven inches of the minimum required west side setback of 7.5' in order to construct a two story addition 6' 7" from the west side yard.
- 3. A variance to waive 9' 6" of the minimum required 20' rear yard setback in order to construct the above two story addition 10' 6" from the rear property line.

Approved.

5. <u>FILE NO. 2812</u> O.B.R. LIMITED, L.P. 4835 COLLINS AVENUE

The applicant is requesting the following variances in order to construct a 200' high, 490 unit detached hotel addition to the existing Wyndham Hotel (formerly the Doral Hotel):

- A variance to waive 16' of the minimum required 25' side setback for at-grade parking in order to provide a 9' north side setback for uncovered at-grade parking.
- 2. A variance to waive 21' 8" of the minimum required 80' sum of the pedestal side yards in order to construct the above building with a 58' 4" sum of the side yards.
- 3. A variance to waive 5,520 s.f. of the minimum required 12,500 s.f. of open space within the rear 50' of the property in order to construct a hotel addition and provide 6,980 s.f. of open space.

Approved.

## 6. <u>FILE NO. 2813</u> JEAN-CLAUDE REBOUL 1045 MICHIGAN AVENUE

The applicant is requesting the following variances in order to construct a five (5) unit four story detached addition to an existing single family residence which is also being converted into two units:

- 1. A variance to waive 2.5' of the minimum required 7.5' pedestal side setback in order to construct the above building with a 5' north side setback.
- 2. A variance to waive 11.5' of the minimum required 14' rear yard setback in order to construct the above building with a 2.5' setback to a projecting stairwell and 5' setback to the face of the building.
- 3. A variance to waive Section 130-251 which requires multifamily buildings designed with tandem parking spaces to have either a valet service or operator at all times or a restrictive covenant which limits the use of each pair of tandem spaces to one residential unit.

Denied.

7. FILE NO. 2815 CALIFORNIA ROLL, L.L.C.

#### 725 - 71st STREET

The applicant is requesting the following variance in order to serve beer and wine at a proposed restaurant within 300 feet of a property used as an educational facility:

1. A variance to waive 105' of the minimum required 300' separation between a commercial use which sells or offers for consumption alcoholic beverages and a property used as an educational facility. The restaurant is located approximately 195' from Dovid Jacob Memorial Campus, Yeshiva Tora Chaim.

Approved. Must present progress report 3 months after obtaining a beer and wine license.

## 8. <u>FILE NO. 2816</u> EMILIO MANTERO-ATIENZA 278 PALM AVENUE

The applicant is requesting the following "after-the-fact" variance in order to retain a third floor addition, for an existing single family residence, that was constructed without a permit:

1. A variance to exceed by 6' - 9" the maximum permitted height, for the subject property, of 25' in order to retain a 31' - 9" high partial third floor that was constructed without a permit.

Approved.

JGG/AV/ah

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