



**BOARD OF ADJUSTMENT**

**AFTER ACTION REPORT**

**FRIDAY, AUGUST 5, 2011**

**9:00 A.M.**

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

**A. DISCUSSION ITEM**

- Ex parte communications

**B. NEW CASES**

1. **FILE NO. 3480**      **MIAMI BEACH OWNER, LLC  
4833 COLLINS AVENUE  
LOTS 20 THRU 22 & RIP RTS & STRIP BETWEEN  
COLLINS AVE. & INDIAN CREEK OPP. SAME.  
INDIAN BEACH CORP. AMD. PLAT SUBDIVISION  
PLAT BOOK 8-61;  
MIAMI-DADE COUNTY, FLORIDA**

***THIS CASE WAS CONTINUED BY STAFF.***

2. **FILE NO. 3514**      **NEW NATIONAL, LLC.  
1677 COLLINS AVENUE. MIAMI BEACH,  
MIAMI-DADE COUNTY, FLORIDA  
(FOR LEGAL DESCRIPTION PLEASE CONTACT  
THE PLANNING DEPARTMENT)**

The applicant is requesting the following variance in order to permit the rehabilitation of an existing structure:

1. A variance to waive the required 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 provide retain (within the historic

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building) 48 hotel units at less than 300 s.f (the smallest at 260 s.f.) and 17 hotel units between 300 and 335 s.f.

**APPROVED WITH MODIFIED CONDITION.**

3. **FILE NO. 3515**      **SEVILLE ACQUISITION, LLC.**  
**2901 COLLINS AVENUE. MIAMI BEACH,**  
**MIAMI-DADE COUNTY, FLORIDA**  
**(FOR LEGAL DESCRIPTION PLEASE CONTACT**  
**THE PLANNING DEPARTMENT)**

The applicant is requesting the following variances in order to permit the construction of new structures and the renovation of the existing hotel:

1. A variance to waive all of the minimum required north side yard pedestal setback of 27'-6 1/2" in order to construct an addition at the northeast side of the property, located to the north property line facing 30th Street.
2. A variance to waive all of the minimum required north side yard pedestal setback of 15'-0" and a minimum of 10'-0" rear setback from the Bulkhead line in order to construct an addition at the northeast side of the property, located up to the north property line facing 30th Street and the pool deck up to the Bulkhead line, and the addition at 4'-0" from the Bulkhead line.
3. A variance to waive 76'-10" of the required rear yard pedestal setback of 80'-10" in order to build at 4'-0" from the Bulkhead line to the façade of the rear addition.
4. A variance to waive all of the minimum required south side yard pedestal setback of 27'-6 1/2" in order to construct the 5-story building to the south property line.
5. A variance to waive all of the minimum required sum of the side yards of 55'-1" in order to provide 0'-0" as the sum of the side yards.
6. A variance to waive 6'-6" of the minimum required front tower setback of 50'-0" in order to construct a tower addition at 43'-6" from the front property line facing Collins Avenue.
7. A variance to waive 9'-6 1/2" of the minimum required side setback facing 30<sup>th</sup> Street for the tower portion of 27'-6" in order to build the tower at 18'-0" from the north property line.

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8. A variance to waive 26% of the minimum 50% view corridor required within the rear yard in order to provide 24%.
9. A variance to waive 27% of the minimum lot coverage of 50% of the required rear yard to be landscaped and open to the sky in order to provide 23% lot coverage. (From erosion control line to rear setback line which is 80'-10")

**CONTINUED TO THE SEPTEMBER 9, 2011 MEETING.**

4. **FILE NO. 3516**      **ROSHTOV 909, LLC.**  
**909 COLLINS AVENUE**  
**SURVEY OF LOT 10, BLOCK 14,**  
**OF OCEAN BEACH ADDITION NO. 2,**  
**PLAT BOOK 2, PG 56;**  
**MIAMI-DADE COUNTY, FLORIDA**

**THIS CASE WAS CONTINUED AT THE HPB MEETING AND WILL BE HEARD AT THE OCTOBER 7, 2011 BOA MEETING.**

5. **FILE NO. 3518**      **JOSE CARLOS PONTES**  
**370-380 SOUTH HIBISCUS DRIVE, MIAMI BEACH,**  
**MIAMI-DADE COUNTY, FLORIDA**  
**(FOR LEGAL DESCRIPTION PLEASE CONTACT**  
**THE PLANNING DEPARTMENT)**

The applicant is requesting the following variance in order to retain the existing building line at the East side of the property:

1. A variance to waive 4'-6" of the minimum required interior side yard setback of 12'-0" in order to retain the existing 7'-6" interior side yard setback on the East side of the property.

**APPROVED.**

6. **FILE NO. 3519**      **SML 350 LINCOLN, INC.**  
**350 LINCOLN ROAD**  
**LOT 16 AND THE WEST ½ OF LOT 5, BLOCK 54**  
**OF "FISHERS FIRST SUBDIVISION OF ALTON**  
**BEACH", PLAT BOOK 2, PG 77;MIAMI-DADE**  
**COUNTY, FLORIDA**

The applicant is requesting the following variance in order to sell beer and wine for off-premise consumption at a 7-Eleven, currently under

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construction:

1. A variance to waive 42.09' of the minimum required 300 foot separation between a business that sells alcoholic beverages and an existing religious institution, Lighthouse Church, in order to sell beer and wine for off-premise consumption within a 7-Eleven with a distance of 257.91' to the religious institution.

**APPROVED WITH ADDITIONAL CONDITION.**

7. **FILE NO. 3521**      **420 DEVELOPMENT AND DESIGN, LLC.**  
**420 WEST RIVO ALTO DRIVE**  
**LOT 15, BLOCK 2, OF RIVO ALTO ISLAND**  
**PLAT BOOK 7, PG 74; MIAMI-DADE COUNTY,**  
**FLORIDA (FOR COMPLETE LEGAL DESCRIPTION**  
**PLEASE CONTACT THE PLANNING DEPT.)**

The applicant is requesting the following variance in order to build the pool deck and pool retaining walls within the required rear yard:

1. A variance to exceed by 1'-10 1/2" the maximum permitted elevation height of +6'-9 1/2" NGVD within the required rear yard in order to build portions of a pool deck and the pool's retaining walls at +8'-8" NGVD.

**APPROVED.**

**C. APPEAL**

8. **FILE NO. 3520**      **1747 BAY ROAD PROPERTIES, LLC**  
**1743 PURDY AVENUE**  
**MIAMI BEACH, FLORIDA**  
**(FOR LEGAL DESCRIPTION PLEASE CONTACT**  
**THE PLANNING DEPARTMENT)**

1747 Bay Road Properties, LLC, is appealing an administrative determination concerning the request by Beach Towing Services Of Miami, Inc. for approval to operate a vehicle storage yard at the Giant Motors site, located at 1743 Purdy Avenue, in the CD-2 Commercial Medium Intensity zoning district. The Appeal contends that the Planning Director erroneously approved the requested business tax receipt authorizing such use at this location, as this use is not permitted in the subject zoning district..

**CONTINUED TO THE SEPTEMBER 9, 2011 MEETING.**

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**D. NEXT MEETING DATE**

September 9, 2011

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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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**MIAMIBEACH**

PLANNING DEPARTMENT

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

**FRIDAY, AUGUST 5, 2011**

**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. FP11-10**                      **QUINN MORGAN AND  
UPACALA MAPATUNA  
1815 MICHIGAN AVENUE  
LOT10,BLOCK 9, OF PALM VIEW  
SUBDIVISION; PLAT BOOK 6, PG 29;  
MIAMI-DADE COUNTY, FLORIDA**

The applicant is requesting a variance to waive the minimum required base flood plain elevation for the existing structure.

**APPROVED.**

- FILE NO. FP11-08**                      **NEW NATIONAL, LLC.  
1677 COLLINS AVE., MIAMI BEACH,  
MIAMI-DADE COUNTY, FLORIDA**

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**(FOR LEGAL DESCRIPTION PLEASE  
CONTACT THE PLANNING DEPT.)**

The applicant is requesting a variance to waive the minimum required base flood plain elevation for the existing structure.

***THIS CASE HAS BEEN CONTINUED BY STAFF.***

**APPEALS**

3. **FILE NO. FP11-04**                      **1701 COLLINS (MIAMI) OWNER, LLC.**  
**1701 COLLINS AVENUE**  
LOTS 1, 2, 19 AND 20, BLOCK 28 OF "FISHER'S FIRST SUBDIVISION OF ALTON BEACH", PLAT BOOK 2, P 77; MIAMI-DADE COUNTY, FLORIDA. TOGETHER WITH THAT AREA LYING EASTERLY OF LOTS 1 AND 2, BLOCK 28, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BOUNDED ON THE NORTH BY THE EXTENSION EASTERLY OF THE NORTHERLY LINE OF LOT 2 TO THE ESTABLISHED EROSION CONTROL LINE OR THE MEAN HIGH WATER MARK OF THE ATLANTIC OCEAN WHICHEVER IS MORE WESTERLY. BOUNDED ON THE SOUTH BY THE EXTENSION EASTERLY OF THE SOUTHERLY LINE OF LOT 1 TO THE SAID EROSION CONTROL LINE OR THE MEAN HIGH WATER MARK OF THE ATLANTIC OCEAN, WHICHEVER IS MORE WESTERLY. BOUNDED ON THE WEST BY THE EASTERLY LINE OF SAID LOTS 1, AND 2; BOUNDED ON THE EAST BY THE ESTABLISHED EROSION CONTROL LINE, OR MEAN HIGH WATER MARK OF THE ATLANTIC OCEAN, WHICHEVER IS MORE WESTERLY.

1701 Collins (Miami) Owner, LLC is appealing to the Floodplain Management Board the decision of the Building Director/designee to require the Project (the proposed restoration/renovation of the historic structure located at 1701 Collins Avenue) to attain a variance from the Floodplain Management ordinance, Chapter 54, "Floods," Article II, "Floodplain Management," City Code, if, at any time during the Project's duration, the Building Department makes a determination that the Project cost exceeds the cost basis set forth in the definition of substantial improvement as defined in Section 54-35 of the City Code.

***THIS CASE HAS BEEN WITHDRAWN BY THE APPLICANT.***

4. **FILE NO. FP11-07**                      **NEW NATIONAL, LLC.**  
**1677 COLLINS AVE., MIAMI BEACH,**  
**MIAMI-DADE COUNTY, FLORIDA**  
**(FOR LEGAL DESCRIPTION PLEASE  
CONTACT THE PLANNING DEPT)**

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New National, LLC (Owner) is appealing to the Floodplain Management Board, the decision of the Building Director or his designee to require the proposed restoration/renovation of the historic structure (the Project) located at 1677 Collins Avenue, to attain a variance from the Floodplain Management ordinance, Chapter 54, "Floods," Article II, City Code, if, at any time during the Project's duration, the Building Department makes a determination that the Project cost exceeds the cost basis set forth in the definition of substantial improvement as defined in Section 54-35 of the City Code.

**THIS CASE HAS BEEN CONTINUED BY STAFF.**

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