



**BOARD OF ADJUSTMENT**

**AFTER ACTION REPORT**

**FRIDAY, NOVEMBER 4, 2011**

**9:00 A.M.**

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

**A. DISCUSSION ITEM**

- Ex parte communications

**B. PROGRESS REPORT**

1. **FILE NO. 3436**      **THE MIMOSA, LLC.**  
6529 INDIAN CREEK DR. AND 6526 COLLINS AVENUE  
LOT 44 AND THE SOUTH 8 FEET OF LOT 43,  
BLOCK 7 OF "AMENDED PLAT OF SECOND  
OCEAN FRONT SUBDIVISION OF THE MIAMI  
BEACH BAYSHORE COMPANY", PLAT BOOK 28,  
PG 28; MIAMI-DADE COUNTY, FLORIDA  
LOT 21, BLOCK 7 OF "AMENDED PLAT OF  
SECOND OCEANFRONT SUBDIVISION"  
PLAT BOOK 28, PG 28;  
MIAMI-DADE COUNTY, FLORIDA

The applicant will present a progress report as required by BOA File 3436, issued on October 2, 2009, in order to address Condition No. 5, regarding the street trees as per the City of Miami Beach Master Street Tree Plan.

**NO FURTHER PROGRESS REPORTS UNLESS REQUESTED BY STAFF.**

**C. NEW CASES**

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2. **FILE NO. 3408**      **DONOVAN GOUGON**  
251 PALM AVENUE  
LOT 44, BLOCK 2-B OF ENTITLED AMENDED  
RIVIERA AND THE FIRST AND SECOND  
ADDITIONS,  
PLAT BOOK 32, PG 37;  
MIAMI-DADE COUNTY, FLORIDA

The applicant is requesting the following variance in order to permit the construction of a swimming pool and its associated coping within the required front yard of an existing single family residence:

1. A variance to waive 9'-0" and 10'-0" of the required 20'-0" minimum front yard setback for a swimming pool and its associated coping in order to build the coping at 10'-0" and the water's edge at 11'-0" to the front property line, facing Palm Avenue.

**APPROVED WITH MODIFIED CONDITION.**

3. **FILE NO. 3528**      **CLAREMONT PARTNERS, LLC.**  
1700 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 retain 67 hotel units at less than 300 s.f (the smallest at 220 s.f.) and 2 hotel units between 300 and 335 s.f.

**DEFERRED INDEFINITELY.**

4. **FILE NO. 3536**      **SIMON STRONG**  
725 WEST DILIDO DRIVE  
LOT 1, BLOCK 14; OF DILIDO ISLAND  
SUBDIVISION, PLAT BOOK 8, PG 36;  
MIAMI-DADE COUNTY, FLORIDA

The applicant is requesting the following variance in order to permit a one-story addition at the rear of the property:

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1. A variance to waive 12'-6" of the minimum required rear yard setback of 20'-0" in order to build the addition and terrace at 7'-6" from the rear property line.

**APPROVED.**

5. **FILE NO. 3538**      **THE STERLING BUILDING, INC.**  
**927 LINCOLN ROAD**  
**LOTS 2, 3, 4, BLOCK 37, COMMERCIAL**  
**SUBDIVISION OF THE ALTON BEACH REALTY**  
**COMPANY, PLAT BOOK 6, PG 5;**  
**MIAMI-DADE COUNTY, FLORIDA**

The applicant is requesting the following variances in order to permit the construction of a new 4-story addition at the rear of an existing structure:

1. A variance to waive all of the minimum required rear yard setback of 5'-0" in order to build the addition at various locations throughout the upper portions of the rear façade.
2. A variance to exceed the maximum permitted projection of 25% of the required yard in order to build an eyebrow projection up to (and exceeding) the rear property line.

**CONTINUED TO THE JANUARY 6, 2012 MEETING.**

6. **FILE NO. 3539**      **STUART MILLER**  
**7 STAR ISLAND DRIVE**  
**LOT 7 OF CORRECTED PLAT OF STAR ISLAND,**  
**PLAT BOOK 31, PG 60;**  
**MIAMI-DADE COUNTY, FLORIDA**

The applicant is requesting the following variance in order to permit a lap pool at the rear of the property:

1. A variance to waive 10'-7" of the minimum required rear yard setback of 50'-0" in order to build a lap pool at 39'-5" from the rear property line.

**TO BE RE-NOTICED.**

**D. APPEAL**

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7. **FILE NO. 3535** **BEACH TOWING SERVICES OF MIAMI, INC.**  
**1747-1759 BAY ROAD**  
**MIAMI BEACH, FLORIDA**  
**(FOR LEGAL DESCRIPTION PLEASE CONTACT**  
**THE PLANNING DEPARTMENT)**

Beach Towing Services of Miami, Inc. is appealing an administrative determination concerning an application to the Planning Board for a Conditional Use by 1747 Bay Road Properties, LLC. (Planning Board file #1991). The appeal contends that the Planning Director's decision to place this application on the August 23, 2011 Planning Board agenda was incorrect, contending that the automatic stay provision under Section 118-137 of the City Code and Article 4, Section 4 of the Board of Adjustment By-Laws was in effect, and that the application should not have been placed on the agenda.

**DENIED.**

**E. NEXT MEETING DATE**

December 2, 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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