



BOARD OF ADJUSTMENT

AFTER ACTION REPORT

MONDAY SEPTEMBER 9, 2013

9:00 A.M.

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

A. **NEW CASES**

1. **File No. 3636**
Laszlo Fazekas
288 Palm Avenue

The applicant is requesting the following variance in order to permit the construction of a new two-story single family residence:

1. A. A variance to waive 2,625 sq. ft. of the minimum required lot size, in an RS-4 zoning district, of 6000 sq. ft. in order to build a new two-story home in a parcel containing 3,375 sq. ft.

B. A variance to waive 5 feet of the minimum lot width of 50 feet in an RS-4 zoning district in order to build a new two-story home in a parcel with a width of 45 feet.

C. A variance to waive 181 s.f. of the minimum unit size of 1,800 s.f. in order to build a home of 1,619 s.f.
2. A variance to waive 12'-6" and 11'-8" of the required 20'-0" minimum front yard setback for a swimming pool and its associated coping in order to build the coping at 7'-6" and the water's edge at 8'-4" to the front property line, facing South Coconut Lane.
3. A variance to exceed by 3'-0" the maximum building height of 25'-0" as measured from grade to the highest roof in order to build the addition at 28'-0" from grade.

APPROVED WITH MODIFIED CONDITIONS -Leser/Urquiza 7-0.

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**2. File No. 3642
Twice Around 1775, LLC
1775 Collins Avenue**

The applicant is requesting the following variances in order to permit attached and detached additions at the rear of the property:

1. A. A variance to waive all of the minimum required 8'-2" south interior pedestal setback in order to build an accessibility ramp up to the south property line.
B. A variance to waive 3'-2" of the minimum required 8'-2" south interior pedestal setback in order to build a detached addition at 5'-0" from the south property line.
2. A. A variance to waive 3'-7" of the minimum required 8'-2" north side yard facing the street pedestal setback in order to permit an attached deck addition to follow the existing setback of a historic building 4'-7" from the north property line.
B. A variance to waive 3'-7" of the minimum required 8'-2" north side yard facing the street pedestal setback in order to permit a detached addition at 5'-0" from the north property line.
3. A variance to waive 11'-8" of the required sum of the side yards of 16'-3" in order to provide a sum of the side yards of 4'-7".
4. A variance to waive 43'-1" of the minimum required rear pedestal setback of 127'-3" in order to build the detached addition at 84'-2" from the rear property line.

APPROVED -Preira/Malakoff 7-0.

**3. File No. 3645
Boos Development Group, Inc.
1475 Collins Avenue**

The applicant is requesting the following variances in order to permit the construction of a new two-story CVS retail store:

1. A variance to waive all of the minimum required 20'-0" front pedestal setback in order to build the structure up to the west property line, facing Collins Avenue.
2. A variance to waive the requirement of having one open courtyard, 10 feet in width and a minimum area of three square feet for every linear foot of lot frontage (302.4 s.f.), facing Collins Avenue.

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3. A variance to waive all of the required side yard facing the street pedestal setback of 15'-2" in order to build the structure up to the north property line, facing 15th Street.

CONTINUED TO THE OCTOBER 4, 2013 BOA MEETING. (NEEDS TO BE APPROVED BY THE HISTORIC PRESERVATION BOARD) -Leser/Malakoff 6-0 (Preira absent).

**4. File No. 3649
Berkeley Shore, LLC
1610 Collins Avenue**

The applicant is requesting the following variances in order to permit the renovation of the existing guest rooms and the addition of a tower at the rear of the property:

1.
 - A. A variance to waive the required minimum hotel unit size within the Historic structure: 15% of the hotel units shall be between 300-335 s.f. and 85% of units shall be 335 s.f. of larger, in order to retain 24 hotel units at less than 300 s.f (the smallest at 230 s.f., 73% of units), 5 hotel units between 300 s.f. and 335 s.f. (the smallest at 309 s.f., 15% of the units) and 4 hotel units exceeding 335 s.f. (12% of units).
 - B. A variance to waive the required minimum hotel unit size of the reconstructed units within the Historic structure: 15% of the hotel units shall be between 300-335 s.f. and 85% of units shall be 335 s.f. of larger, in order to reconstruct 12 hotel units at less than 300 s.f (the smallest at 275 s.f., 50% of units) and 4 hotel units between 300 s.f. and 335 s.f. (the smallest at 300 s.f., 50% of the units).
2. A variance to waive all of the required 5'-0" parking rear setback in order to build the paving up to the rear property line.
3. A variance to waive 9'-0" of the required interior two-way drive aisle width of 22 feet in order to provide an interior aisle width of 13'-0" as a back-up space for the three proposed valet parking spaces at the rear at the ground level and within the subterranean parking.
4. A variance to waive 4'-4 1/2" of the minimum required rear pedestal setback of 24'-2" in order to build the car loading platform and steps at 19'-9 1/2" from the rear property line
5. A variance to waive 2'-3 1/2" of the minimum required interior side yard pedestal setback of 7'-6" in order to build a pedestrian access ramp at 5'-2 1/2" from the south property line.

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6. A variance to waive 4'-0 ½" of the minimum required interior side yard tower setback of 12'-6" in order to build the tower levels at 8'-5 ½" from the north property line.
7. A variance to waive 2'-2" of the minimum required interior side yard tower setback of 12'-6" in order to build the tower levels at 10'-4" from the south property line.

CONTINUED TO THE NOVEMBER 1, 2013 BOA MEETING. (IT WILL BE HEARD BY THE HISTORIC PRESERVATION BOARD ON OCTOBER 8, 2013) -Leser/Urquiza 6-0 (Preira absent).

5. **File No. 3650
Christian De Berdouare and Jennifer Valoppi
5750 North Bay Road**

The applicant is requesting the following variance in order to permit the redevelopment of a single family home:

1. A variance to exceed by 14.3% the maximum coverage within the required rear yard of 30% in order to build a pool deck and accessory building with a total coverage of 44.3%.

APPLICANT REQUESTED CONTINUANCE TO THE OCTOBER 4, 2013 MEETING – Rosenfeld/Malakoff 6-0 (Preira absent).

6. **File No. 3651
Indochine Miami, LLC
1334 Washington Avenue**

The applicant is requesting the following variance in order to sell beer, wine and liquor at a restaurant:

1. A variance to waive 71.6 feet of the minimum required 300 foot separation between a business that sells alcoholic beverages for consumption and an existing educational facility, Fisher-Feinberg Elementary School in order to sell beer, wine and liquor for consumption on the premises with a distance of 228.4 feet to the school.

APPROVED –Fox/Rosenfeld 7-0.

7. **File No. 3652
8505 Harding, LLC
8505 Harding Avenue**

The applicant is requesting the following variances in order to permit the renovation and

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rooftop addition to two existing residential buildings:

1. A variance to waive 3'-7 1/2" of the minimum required interior side yard pedestal setback of 8'-9 1/2" in order to build exterior porches and a rooftop addition at 5'-2" from the east property line of Building I (south building).
2. A variance to waive 10'-5" of the minimum required front yard pedestal setback of 20'-0" in order to build the access steps to the ground floor porch of the south building at 9'-7" from the south property line, facing 85th Street.
3. A variance to waive 7" of the minimum required parking stall width of 8'-6" in order to provide parking stalls with a width of 7'- 11" in Building II (north building).
4. A variance to exceed by 3'- 2" the maximum permitted projection of 1'-3 1/2" in order to build terraces projecting 4'- 5 1/2" into the north required rear yard of Building II (north building).
5. A variance to waive 13'-0" of the minimum required rear pedestal setback of 18'-0" in order to extend the 2nd floor of Building II (north building) and to build the rooftop addition at 5'-0" from the north property line.
6. A variance to waive 3'-9 1/2" of the minimum required interior side yard pedestal setback of 8'-9 1/2" in order to build the rooftop addition of Building II (north building) at 5'- 0" from the east property line.

APPROVED -Malakoff/ Rosenfeld 7-0.

8. **File No. 3653
Deco Sandwiches and Burger, LLC
1361 Washington Avenue**

The applicant is requesting the following variance in order to sell beer and wine at a restaurant:

1. A variance to waive 186 feet of the minimum required 300 foot separation between a business that sells alcoholic beverages for consumption and an existing educational facility, Fisher-Feinberg Elementary School in order to sell beer and wine for consumption on the premises with a distance of 114 feet to the school.

APPROVED -Rosenfeld/Urquiza 7-0.

9. **File No. 3654
Normandy Ventures, LLC
25-135 North Shore Drive**

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The applicant is requesting the following modification and variances in order to permit the placement of three required FPL transformers within the required front yard of the residential project:

1. A variance to waive 14'-0" of the minimum required front pedestal setback of 20'-0" in order to place three FPL transformers at 6'-0" from the front property line, facing North Shore Drive.
2. A variance to waive to waive 38'-3" of the required 40'-3" north side yard interior pedestal setback in order to provide a setback of 2'-0" from the north property line.
3. A variance to waive 22'-3" of the required 40'-3" south side yard pedestal setback in order to provide a setback of 18'-0" from the south property line.
4. A variance to waive to waive ~~86'-9"~~ 105'-9" of the required 125'-9" sum of the side yards in order to provide a ~~39'-0"~~ 20'-0" sum of the side yards.

APPROVED -Rosenfeld/Malakoff 7-0.

**10. File No. 3655
Rio Station Juice Bar, Inc.
625 Lincoln Road**

The applicant is requesting the following variance in order to sell liquor for consumption at an existing restaurant:

1. A variance to waive thirty (30) seats of the minimum requirement of sixty (60) seats for a thirty (30) seat restaurant to serve liquor for consumption on the premises.

APPROVED -Leser/Urquiza 7-0.

**11. File No. 3656
418 Meridian, LLC
418-422 and 426 Meridian Avenue**

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.

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- 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'-5" the maximum allowable balcony projection of 1'-11" in order to allow balcony projections of 3'-4" 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. or larger, in order to retain eight (8) units at a range between 215 s.f. and 266 s.f. within the existing structure.

APPROVED -Rosenfeld/Malakoff 7-0.

**12. File No. 3657
Plymouth Hotel, LLC
318 21st Street**

The applicant is requesting the following variance in order to permit the renovation and rooftop addition to an existing 2-story apartment building, to be converted to a hotel:

- 1. A variance to waive 1'-6" of the minimum required west interior side yard pedestal setback of 7'-6" in order to build a roof top addition at 6'-0" from the west property line, following the existing building line.

APPROVED. THIS CASE WILL BE HEARD AT THE OCTOBER 8, 2013 HISTORIC PRESERVATION BOARD. IF THERE ARE SUBSTANTIAL CHANGES, THE APPLICANT SHALL COME BACK TO THE NOVEMBER 1, 2013 BOA MEETING - Malakoff/Fox 7-0.

**13. File No. 3658
Plymouth Hotel, LLC
336 21st Street**

The applicant is requesting the following variances in order to permit the renovation and rooftop addition to an existing 3-story hotel:

- 1. A variance to waive 8'- 2" and 5'-1" of the required interior side yard pedestal setback of 10'-0" in order to widen the existing egress stair at 1'-10' from the south property line and construct the rooftop addition at 4'-11" from the south property line, following the existing building line.

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2. A variance to waive 12'-2" and 10'-1" of the required rear yard pedestal setback of 15'-0" in order to widen the existing egress stair at 2'-10" from the east property line and the rooftop addition at 4'-11" from the east property line, following the existing building line.
3. A variance to waive 7'-11" & 4'-11" of the minimum required sum of the side yards of 20'-0" in order to provide a sum of the side yards of 12'-1" & 15'-1".
4. A variance to waive the required minimum hotel unit size within the structure: 15% of the hotel units shall be between 300-335 s.f. and 85% of units shall be 335 s.f. or larger, in order to retain 68 hotel units at less than 300 s.f (the smallest at 202 s.f., 72% of rooms new and existing, 86% of just existing rooms), 12 (existing only)/ 13 (total) hotel units between 300 s.f. and 335 s.f. (the smallest at 300 s.f., 14% of units new and existing, 15% of just existing rooms) and 14 (only new) hotel rooms exceeding 335 s.f. (15% of existing and new rooms).

APPROVED. THIS CASE WILL BE HEARD AT THE OCTOBER 8, 2013 HISTORIC PRESERVATION BOARD. IF THERE ARE SUBSTANTIAL CHANGES, THE APPLICANT SHALL COME BACK TO THE NOVEMBER 1, 2013 BOA MEETING - Preira/Rosenfeld 7-0.

B. NEXT MEETING DATE

Friday, October 4, 2013

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

FLOOD PLAIN MANAGEMENT BOARD

AFTER ACTION REPORT

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HEARD AT THE CONCLUSION OF THE BOARD OF ADJUSTMENT MEETING

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

A. NEW CASE

FP13-04: LeaseFlorida 5th St, LLC, 418-426 Meridian Avenue

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

APPROVED -Malakoff/Urquiza 7-0.

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