



BOARD OF ADJUSTMENT
AFTER ACTION

FRIDAY, OCTOBER 27, 2000 - 1:00 P.M.

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

A. PROGRESS REPORT

1. **FILE NO. 2301** **M-1 DEVELOPMENT CORP.
d/b/a SUNTERRA RESORT
425 and 455 OCEAN DRIVE
LOTS 3,4,5 & 6; BLOCK 116
OCEAN BEACH ADDITION NO. 4; PB 3/115&151
MIAMI-DADE COUNTY, FLORIDA**

The applicant will present a progress report regarding variances initially granted on May 7, 1993 for substantial rehabilitation of an existing apartment/hotel. The presentation of this report is a condition of the Modified Order dated June 2, 2000. (Note: This applicant is presently required to present bi-monthly reports until a final Certificate of Occupancy is received. After the issuance of such Certificate, the applicant shall present yearly status reports).

Next Progress Report on December 1, 2000, to discuss the operation of the restaurant.

B. CONTINUED CASES

2. **FILE NO. 2769** **NATHAN RATNER TESTAMENTARY TRUST
1026-1036 LINCOLN ROAD
LOTS 10 & 11; BLOCK 47
LINCOLN SUB.; PLAT BOOK 9 - PAGE 69
MIAMI-DADE COUNTY, FLORIDA**

This case was continued from the meeting of October 6, 2000.

The applicant is requesting the following variance in order to construct a one story addition at the rear of the existing building:

1. A variance to waive all of the required rear yard setback of 5 feet in order to construct an addition to an existing building along the rear property line facing the alley (Lincoln Lane South).

Continued to December 1, 2000.

3. **FILE NO. 2770 NATHAN RATNER TESTAMENTARY TRUST
1026-1036 LINCOLN ROAD
LOTS 10 & 11; BLOCK 47
LINCOLN SUB.; PLAT BOOK 9 - PAGE 69
MIAMI-DADE COUNTY, FLORIDA**

APPEAL FROM ADMINISTRATIVE DECISION

This case was continued from the meeting of October 6, 2000.

The applicant is appealing an August 8, 2000 administrative decision made by the Planning and Zoning Director. The administrative decision states that Lincoln Lane is an alley and not a street and therefore the rear setback for the subject property should be 5 feet. The applicant contends that Lincoln Lane South is a street, which enables the subject property to have two fronts for zoning purposes and therefore, no setback is required along the alley.

Continued to December 1, 2000.

4. **FILE NO. 2756 BARCODE RESTAURANT, INC.
1437-1439 WASHINGTON AVENUE
LOTS 4 AND 5 and the WEST 12.5 FT. OF LOT 3;
BLOCK 2-B; ESPANOLA VILLAS
PB 7-145; MIAMI-DADE COUNTY, FLORIDA**

This case was continued from the meetings of September 8 and October 6, 2000.

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

1. A variance to waive 183 feet of the minimum required 300 feet separation between a business that sells/serves alcoholic beverages and an educational facility in order to sell/serve beer

and wine and liquor at a proposed restaurant 117 feet from Fisher-Feinberg Elementary School.

Approved. Must present progress report in February, 2001.

C. NEW CASES

5. **FILE NO. 2772 COLLINS AVENUE ASSOCIATES, LLC
a/k/a THE BATH CLUB
5937 COLLINS AVENUE
TRACT 1; PLAT BOOK 40 - PAGE 14
MIAMI-DADE COUNTY, FLORIDA**

The applicant is requesting the following variances in order to construct a new 124 unit, 18 story residential tower, with a height of 241 feet, to the top of the highest architectural projection:

1. A variance to waive 13' - 10" of the minimum required pedestal front yard setback of 20 feet in order to construct the entrance feature/ramp to the above building 6' - 2" from the front property line facing Collins Avenue.
2. A variance to waive 48.6 feet of the minimum required sum of the side yards of 97.2 feet in order to construct the project with a 48.6 feet sum of the side yards.
3. A variance to waive 17.4 feet of the minimum required side yard setback of 30.4 feet for driveways in order to construct the project with a north side driveway setback of 13 feet.
4. A variance to waive 7' - 3" of the minimum required side yard setback of 15 feet within the Oceanfront Overlay district in order to construct a tennis court 7' - 9" from the south side yard.
5. A variance to exceed by 60 feet the maximum permitted height in the RM-2 district, for the subject property, of 140 feet in order to construct the above project with a height, to the highest habitable floor, of 200 feet.

6. A variance to exceed by 3 stories the 15 story maximum permitted in the RM-2 zoning district, for the subject property, in order to construct the above building with 18 stories.
7. A variance to exceed by 16' - 3" the maximum allowable projection of 25 feet for decorative structures in order construct the tower with a decorative projection of 41' - 3" above the main roof height, for a total height for the structure of 241' - 3".

Approved with staff recommendations.

6. **FILE NO. 2773 63rd STREET ASSOCIATES, LTD.
250 W. 63rd STREET (a/k/a AQUA)
ALL OF ALLISON ISLAND AND ISLAND LYING IN
INDIAN CREEK BETWEEN GOVERNMENT LOTS 2-3
AND GOVERNMENT LOTS 4 THRU 7 SOUTH OF
63rd ST.; MIAMI-DADE COUNTY, FLORIDA**

The applicant is requesting the following variance in order to construct twelve (12) units to be used as guest suites which do not meet the minimum unit size:

1. A variance to waive 563 sq. ft. of the minimum required apartment unit size of 1000 sq. ft. in order to construct 12 units with sizes ranging from 437 sq. ft. to 743 sq. ft.

Continued to December 1, 2000.

7. **FILE NO. 2776 BIG TIME RECORDS, INC.
1412 OCEAN DRIVE
LOT 7; BLOCK 19
OCEAN BEACH ADDITION NO. 2
PB 2/56; MIAMI-DADE COUNTY, FLORIDA**

The applicant is requesting the following variance in order to to convert the entire ground floor of an existing apartment building into commercial retail space:

1. A variance to waive Section 142-904(b)(2) which only permits an apartment building located in the MXE district to have a

maximum of 25% of the ground floor space for commercial uses, in order to convert the entire ground floor of an existing apartment building into commercial retail uses.

Approved.

JGG/AV/ah

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