



BOARD OF ADJUSTMENT
AFTER ACTION

FRIDAY, JUNE 2, 2000 - 9:00 A.M.

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

A. MODIFICATIONS

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 and the Planning Department are requesting to modify various conditions of approval in order to reflect the current status of the project. The project, a substantial renovation of an existing apartment/hotel, originally obtained variances on May 7, 1993 and was modified on October 10, 1997 to allow the conversion of the project into a 67 unit suites hotel.

Several conditions of the Order were modified, and, the Board shall retain jurisdiction of this file. Until the applicant obtains a final Certificate of Occupancy, the applicant shall present bi-monthly status report to the Board. After the issuance of such Certificate, the applicant shall present yearly status reports to the Board.

2. **FILE NO. 2366** **DAGAM OIL CO., INC.
331 - 23rd STREET
LOT 11, LESS THE SOUTHERLY 10 FT.
BLOCK 3; AMENDED MAP OF THE
OCEANFRONT PROPERTY OF THE
MIAMI BEACH IMPROVEMENT CO.
PLAT BOOK 5 - PAGE 7
MIAMI-DADE COUNTY, FLORIDA**

The applicant wishes to modify a previously approved variance in

order to change the copy on an existing detached sign from AFINA@ to ACITGO@. Variances to exceed the maximum permitted sign area by 5 sq. ft. and to waive 5' of the minimum required 10' setback were approved on March 4, 1994.

Approved, and, The applicant shall present a progress report to the Board at their December, 2000 hearing to confirm that all of the conditions of this Order have been met .

B. CONTINUED CASE

3. FILE NO. 2744 CLAY HOTEL PARTNERSHIP, LTD.
d/b/a LAVA CAFE, INC.
512 ESPANOLA WAY
LOTS 1 AND 2 LESS THE N. 3,000 FT. FOR ROAD
BLOCK 4B; ESPANOLA VILLAS 1st ADDITION
PLAT BOOK 9 - PAGE 147
MIAMI-DADE COUNTY, FLORIDA

This case is continued from the meeting of May 5, 2000.

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

1. A variance to waive 235 feet of the minimum required 300 feet separation between a business that sells/serves alcoholic beverages and an educational facility (Fisher-Feinberg Elementary School) in order to sell/serve beer and wine at a proposed restaurant.

Continued to the July 7, 2000 hearing.

C. NEW CASES

4. FILE NO. 2747 MIGUEL NOBILE
601 THRU 613 MICHIGAN AVENUE
LOTS 9 AND 10; BLOCK 85
OCEAN BEACH ADDITION NO. 3; PB 2/81
MIAMI-DADE COUNTY, FLORIDA

The applicant is requesting the following Aafter the fact@ variances in order to retain an existing accessory parking lot, constructed without permit, for a multifamily building:

1. A variance to waive 2' of the minimum required 5' rear setback for at-grade parking lots in order to retain the existing parking lot 3' from the alley.
2. A variance to waive 6" of the minimum required 8' - 6" parking space width and 2' of the minimum required parking space length of 18' in order to retain the existing 12 space accessory parking lot with 8' x 16' parking spaces.

Approved with conditions.

5. **FILE NO.2748 CRAIG ROBINS
2511 LAKE AVENUE, SUNSET ISLAND NO. 2
LOT 8; BLOCK 2
SUNSET LAKE EXTENSION
PB 40/23; MIAMI-DADE COUNTY, FLORIDA**

The applicant is requesting the following variance in order to remodel and construct an addition to an existing single family residence:

1. A variance to exceed by 9' - 10" the maximum permitted height of 25' for the subject property in order to construct a 34' - 10" high addition to a single family residence.

At the hearing, the applicant modified the request so that the addition will be no higher than 33 feet. The variance was approved with conditions.

6. **FILE NO. 2749 ROYAL ATLANTIC ASSOCIATION
a/k/a ROYAL ATLANTIC CONDOMINIUM
465 OCEAN DRIVE
LOTS 1 AND 2; BLOCK 116
OCEAN BEACH ADDITION NO. 2; PB 3/151
MIAMI-DADE COUNTY, FLORIDA**

The applicant is requesting the following variances in order to install a sign on an existing residential building:

1. A variance to exceed by 204 sq. ft. the maximum permitted size for flat wall signs of 30 sq. ft. in order to install a 234 sq. ft. sign with copy reading ARoyal Atlantic®, along with a building logo, on the south elevation facing 5th St. and Lummus Park.
2. A variance to waive Section 138-172 which does not permit flat signs to be located above the ground floor in order to install the above mentioned sign on the top floors of the south elevation facing 5th St. and Lummus Park.

Continued to the July 7, 2000 meeting.

D. APPEALS

7. **FILE NO. 2715 TRANSNATIONAL PROPERTIES, INC.
6801 COLLINS AVENUE
(formerly, The Carillon Hotel)
NORTH 25 FT. OF LOT 48 AND ALL OF
LOTS 49 THRU 53; BLOCK 1
AMENDED PLAT OF 2ND OCEANFRONT SUB.
PB 28/28
LOTS 1 TO 6; BLOCK B; ATLANTIC HEIGHTS SUB.
PB 9/14; MIAMI-DADE COUNTY, FLORIDA**

Appeal From Administrative Decision

This case was continued from the meetings of September 3, November 5 and December 3, 1999, and February 4 and May 5, 2000.

The applicant is appealing a June 16, 1999 administrative decision made by the Planning and Zoning Director. The administrative decision states that a lawsuit filed by the adjoining property, The Sterling House Condominium Inc., does not trigger the stay provisions of the Miami Beach Code Section 118-263(a) and therefore the time frames prescribed by the respective orders of the Design Review Board and Board of Adjustment, for a full building permit, still apply. The applicant contends that the filing of a lawsuit, by the adjoining property, is sufficient to trigger the stay provisions of the Miami Beach City Code.

Appeal Denied.

8. **FILE NO. 2746 PETER SZABO
1020 OCEAN DRIVE (a/k/a CLEVELANDER HOTEL)**

**LOTS 6, 7 AND 8; BLOCK 15
OCEAN BEACH ADDITION NO. 2; PB 2/56
MIAMI-DADE COUNTY, FLORIDA**

The applicant is appealing a March 16, 2000 administrative decision made by the Planning and Zoning Director. The administrative decision generally states that permitted accessory uses may not comprise more than 50% of the total floor area of the main permitted use. The applicant contends that this interpretation is in error and that the code does not suggest or support this interpretation on how to determine the total amount of accessory uses permitted for a project.

Appeal Denied.

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