

Miami Zoning Board Minutes

Time: 7:00 PM

Monday, March 13, 2006

City Hall, 3500 Pan American Drive

Dinner Key, Miami, Florida

ANY PERSON WHO RECEIVES COMPENSATION, REMUNERATION OR EXPENSES FOR CONDUCTING LOBBYING ACTIVITIES IS REQUIRED TO REGISTER AS A LOBBYIST WITH THE CITY CLERK PRIOR TO ENGAGING IN LOBBYING ACTIVITIES BEFORE CITY STAFF BOARDS, COMMITTEES, OR THE CITY COMMISSION. A COPY OF THE APPLICABLE ORDINANCE IS AVAILABLE AT THE OFFICE OF THE CITY CLERK (MIAMI CITY HALL), LOCATED AT 3500 PAN AMERICAN DRIVE, MIAMI, FLORIDA 33133.

- a) Invocation
- b) Pledge of Allegiance
- c) Roll Call
- d) Swearing in of Public

- 1 . Approximately 165 & 171-173 NW 39 Street and 3925 NW 2 Avenue **2004-0919**

(Complete legal description on file with the Department of Hearing Boards)

Continued to
April 24, 2006
Vote: 7-1

Special Exception as listed in Ordinance No. 11000, as amended, the Zoning Ordinance of the City of Miami, Article 4, Section 401, Schedule of District Regulations, for development of a primary and secondary school in the R-1 district. Continued from the Zoning Board hearing of January 23, 2006.

- 2 . Approximately 2951 NW 36 Street **2005-1069**

(Complete legal description on file with the Department of Hearing Boards)

Continued to
April 10, 2006
Vote: 6-0

Special Exception as listed in Ordinance No. 11000, as amended, the Zoning Ordinance of the City of Miami, Article 4, Section 401, Schedule of District Regulations to permit residential uses within the C-2 Liberal Commercial at a density of R-3 Multifamily Medium-Density Residential or higher; R-4 Multifamily High-Density Residential in this case. Continued from the Zoning Board hearing of January 9, 2006.

- 3 . Approximately 3535 Hiawatha Avenue **2005-1049**

(Complete legal description on file with the Department of Hearing Boards)

**Continued to
April 24, 2006
Vote: 8-0**

Variance as part of a Major Use Special Permit for the Hiawatha Village project, from Ordinance No. 11000, as amended, the Zoning Ordinance of the City of Miami, Article 4, Section 401, Schedule of District Regulations, Maximum height allowed, to allow 65'6" (50'0" allowed). Continued from the Zoning Board hearings of December 12, 2005, January 9, 2006 and February 13, 2006.

- 4 . Approximately 1636, 1646 & 1650 NE Miami Court and 1653, 1655 & 1657 N Miami Avenue **2004-0908**

(Complete legal description on file with the Department of Hearing Boards)

**ZB 2006-1142
Approval of Extension
of Time for 12 Months
Vote: 5-3**

Extension of Time for Variances granted by the Zoning Board on March 14, 2005, Resolution No. ZB 2005-1002, vote of 5-2, from Ordinance No. 11000, as amended, the Zoning Ordinance of the City of Miami, Article 4, Section 401, Schedule of District Regulations, Required street front yard, to allow a street front yard setback of 0'0" (10'0" required); (Note: this property is a corner lot and has 2 side streets), Required side street yard on corner lot, to allow a side street yard setback of 0'0" (7'6" required), Required side street yard on corner lot, to allow a side street yard setback of 0'0" (7'6" required) and Allowable footprint, proposed 53% (22,125 sq. ft.), allowed 40% (16,724 sq. ft.), request to increase by 13% (5,400 sq. ft.).

- 5 . Approximately 215, 221 & 227 NE 26 Terrace **2005-0944**

(Complete legal description on file with the Department of Hearing Boards)

**ZB 2006-1143
Approval of Extension
of Time for 12 Months
Vote: 5-3**

Extension of Time for Variances granted by the Zoning Board of February 28, 2005, Resolution No. ZB 2005-1000, vote of 5-2, from Ordinance No. 11000, as amended, the Zoning Ordinance of the City of Miami, Article 4, Section 401, Schedule of District Regulations, Required front yard, to allow a front yard setback of 0'0" (10'0" required), Article 6, Section 620.2.3, Allowed footprint, 66.7% (10,615 sq. ft.) proposed, 60% (9,540 sq. ft.) allowed, and Article 4, Section 401, Schedule of District Regulations, Required green space, 7.7% (1,277 sq. ft.) proposed, 10% (1,590 sq. ft.) required; Class II Special Permit pursuant to Article 9, Section 917.3, for waiver of City of Miami Offstreet Parking Guides and Standards, to permit driveways and back-out space of 21'2" where 23'0" is required.

- 6 . Approximately 2460 SW 16 Court and a portion of 2465 SW 17 Avenue **2005-0975**
 (Complete legal description on file with the Department of Hearing Boards)
ZB 2006-1144 Change of Zoning as listed in Ordinance No. 11000, as amended, the
 Recommended Zoning Ordinance of the City of Miami, Article 4, Section 401,
 Denial Schedule of District Regulations, from O Office and SD-12 Buffer
Vote: 7-1 Overlay District to C-1 Restricted Commercial.
- 7 . Approximately 3885 NW 6 Street and 600 NW 38 Court **2006-1086**
 (Complete legal description on file with the Department of Hearing Boards)
Continued (No Date) Change of Zoning as listed in Ordinance No. 11000, as amended, the
Vote: 8-0 Zoning Ordinance of the City of Miami, Article 4, Section 401,
 Schedule of District Regulations, from R-1 Single Family Residential to
 R-1 Single Family Residential with an SD-12 Buffer Overlay District.
- 8 . Approximately 33 and 45 SE 7 Street & 38 and 40 SE 6 Street **2006-1101**
 (Complete legal description on file with the Department of Hearing Boards)
ZB 2006-1145 Change of Zoning as listed in Ordinance No. 11000, as amended, the
 Recommended Zoning Ordinance of the City of Miami, Article 4, Section 401,
 Approval Schedule of District Regulations, from SD-7 Central Brickell Rapid
Vote: 6-2 Transit Commercial-Residential Districts to SD-7 Central Brickell Rapid
 Transit Commercial-Residential Districts and SD-19 Designated F.A.R.
 Overlay District, F.A.R. of 6.25.
- 9 . Approximately 57 SE 7 Street and a portion of 600 Brickell Avenue **2006-1102**
 (Complete legal description on file with the Department of Hearing Boards)
ZB 2006-1146 Change of Zoning as listed in Ordinance No. 11000, as amended, the
 Recommended Zoning Ordinance of the City of Miami, Article 4, Section 401,
 Approval Schedule of District Regulations, from SD-5 Brickell Avenue Area
Vote: 5-3 Residential-Office District to SD-7 Central Brickell Rapid Transit
 Commercial-Residential Districts and SD-19 Designated F.A.R.
 Overlay District, F.A.R. of 6.25.

- 10 . Approximately 600-680 Brickell Avenue **2006-1103**
 (Complete legal description on file with the Department of Hearing Boards)
ZB 2006-1147 Special Exception as part of a Major Use Special Permit for the 600
 Recommended Brickell project, as listed in Ordinance No. 11000, as amended, the
 Approval Zoning Ordinance of the City of Miami, Article 9, Section 917.1.2,
Vote: 5-3 Valet Parking generally, to allow valet parking to serve hotel and
 restaurant uses for up to 50% (five parking spaces for restaurant and 45
 parking spaces for hotel uses) of required parking.
- 11 . Approximately 40 NE 75 Street **2006-1096**
 (Complete legal description on file with the Department of Hearing Boards)
Continued to Special Exception as listed in Ordinance No. 11000, as amended, the
March 27, 2006 Zoning Ordinance of the City of Miami, Article 4, Section 401,
Vote: 7-1 Schedule of District Regulations, to allow multifamily residential
 structures of a density equal to R-3 or higher, in this case, R-4.
- 12 . Approximately 280 NW 22 Lane **2006-1097**
 (Complete legal description on file with the Department of Hearing Boards)
ZB 2006-1148 Special Exception as listed in Ordinance No. 11000, as amended, the
 Approval with Conditions Zoning Ordinance of the City of Miami, Article 4, Section 401,
 for 12 Months Schedule of District Regulations, to allow multifamily residential
Vote: 8-0 structures of a density equal to R-3 or higher, in this case, R-4.
- 13 . Approximately 3150, 3160, 3170, 3180, 3190 and 3198 **2006-1100**
 SW 38 Avenue
 (Complete legal description on file with the Department of Hearing Boards)
ZB 2006-1149 Special Exception as listed in Ordinance No. 11000, as amended, the
 Approval with Conditions Zoning Ordinance of the City of Miami, Article 4, Section 401,
 for 12 Months Schedule of District Regulations, to permit residential uses within the C-
Vote: 8-0 2 at a density of R-3 or higher, in this case, R-4.

14 . Approximately 5301-5501 Biscayne Boulevard **2004-0917**

(Complete legal description on file with the Department of Hearing Boards)

ZB 2006-1150

Motion to Deny Appeal

Vote: 6-2

Appeal by Donald J Hayden, Esq. and JoNel Newman, Esq. on behalf of the Morningside Civic Association, Rod Alonso, Ron Stebbins, Scott Crawford and Elvis Cruz, of the Class II Special Permit Application No. 04-0198, approved with conditions by the Planning Director on October 27, 2004, for new construction. Continued from the Zoning Board hearing of February 27, 2006.

Article 20 of Ordinance No. 11000 establishes that decisions of the Zoning Board, whether acting on matters of appeal from the Zoning Administrator or Director of the Department of Planning and Development or acting in their original jurisdiction on matters of Special Exceptions or Variances, are to be deemed final unless, within fifteen (15) days of the date of the Board decision, a request for review by the City Commission is made in the manner set out in this Article.

Should any person desire to appeal any decision of the Miami Zoning Board with respect to any matter to be considered at this meeting, that person shall ensure that a verbatim record of the proceedings is made including all testimony and evidence upon which any appeal may be based (F/S 286.0105).