

# MIAMIBEACH

## PLANNING DEPARTMENT

---

### BOARD OF ADJUSTMENT STAFF REPORT

FROM: Thomas R. Mooney, AICP  
Planning Director

DATE: September 9, 2016 Meeting

RE: **File No. 3800**  
**The Kugel Factory.**  
**540 West 41<sup>st</sup> Street**

---

#### **90-Day Progress Report:**

The subject site is situated in the CD-2 district, and fronts 41<sup>st</sup> Street. The space, one of three retail businesses in the building. A variance was approved on February 5, 2016, to reduce 120 feet of the minimum required 300 foot separation between a food store selling alcoholic beverages for consumption off-the premises at a distance of 180 feet from North Beach Elementary School, located at 4100 Prairie Avenue.

Condition B5 of the Final Order requires that a progress report be presented to the Board within 90 days after obtaining the Occupational License. The applicant, The Kugel Factory is before the Board at this hearing for this purpose.

Staff would note that there are no open violations on the property at this time. Attached is a copy of the Final Order associated with this variance approval.

TRM:MAB:IV

F:\PLAN\Szba\RECOMM\3800 September 9 2016 - 540 W 41st Street - Progress Report.docx