

**BOARD OF ADJUSTMENT MINUTES
1700 CONVENTION CENTER DRIVE 3RD FL.**

Wednesday, December 7, 2016, 9:00 AM | City Commission Chambers

- I. ATTENDANCE
 - II. APPROVAL OF MINUTES
 - III. CITY ATTORNEY UPDATES
 - IV. SWEARING IN OF PUBLIC
 - V. REQUESTS FOR CONTINUANCES/WITHDRAWALS
 - VI. REQUESTS FOR EXTENSIONS OF TIME
 - VII. DISCUSSION ITEMS
 - VIII. PROGRESS REPORT
 - IX. MODIFICATION OF PREVIOUSLY APPROVED BOARD ORDER
 - X. CONTINUED ITEMS
 - XI. OPEN AND CONTINUED ITEMS
 - XII. NEW APPLICATIONS
 - XIII. APPEALS (BOA ONLY)
 - XIV. OTHER BUSINESS
 - XV. ADJOURNMENT
-

AGENDA ITEMS

ATTENDANCE

APPROVAL OF MINUTES

1. After Action Report -November 4, 2016

Motion

Motion to Approve

Moved By: Noah Fox

Supported By: Richard Baron

Ayes: Admin, Baron, Fox, Goldberg, Nagler, Orlowsky, Segal, Tandy

MOTION Passed

REQUESTS FOR CONTINUANCES/WITHDRAWALS

CONTINUED ITEMS

2. ZBA16-0019 -1340 Bay Drive

David and Cindy Eisenberg

Motion 1

Motion to accept all four (4) variances

Motion to Approve

Moved By: Richard Baron

Supported By: Heidi Tandy

Ayes: Baron, Goldberg, Tandy

Nays: Nagler, Orlowsky, Segal

Abstain: Fox

MOTION Failed

Motion 2

Motion to approve variances Nos. 2, 3 and 4 with the denial of variance No. 1

Motion to Approve

Moved By: Richard Segal

Supported By: James Orlowsky

Ayes: Goldberg, Nagler, Orlowsky, Segal

Nays: Baron, Tandy

Abstain: Fox

MOTION Failed

Motion 3

Motion to approve variances Nos. 2, 3, and 4

Motion to Approve

Moved By: Richard Segal

Supported By: Heidi Tandy

Ayes: Baron, Goldberg, Nagler, Orlowsky, Segal, Tandy

Abstain: Fox

MOTION Passed

Motion 4

Motion to approve variance No. 1

Motion to Approve

Moved By: Richard Baron

Supported By: Heidi Tandy

Ayes: Baron, Goldberg, Tandy

Nays: Nagler, Orlowsky, Segal

Abstain: Fox

MOTION Failed

NEW APPLICATIONS

3. ZBA16-0024 -409-411 Espanola Way

Espanola Cigars Corp.

Motion to approve the variance. During school hours, beer & liquor should only be served with meals. Condition regarding smoking, eliminated.

Motion to Approve w/ Conditions

Moved By: Noah Fox

Supported By: Richard Baron

Ayes: Baron, Fox, Goldberg, Nagler, Orlowsky, Segal, Tandy

MOTION Passed

4. ZBA16-0028 -5618 La Gorce Drive

Justin Toal

Motion

Motion to Approve

Moved By: Richard Baron

Supported By: Heidi Tandy

Ayes: Baron, Fox, Goldberg, Nagler, Orlowsky, Segal, Tandy

MOTION Passed

5. ZBA16-0029 -579 Lakeview Drive

Isabel Chattas

Motion

Motion to Approve

Moved By: Richard Baron

Supported By: Noah Fox

Ayes: Baron, Fox, Goldberg, Nagler, Orlowsky, Segal

Abstain: Tandy

MOTION Passed

6. ZBA16-0030 -42 La Gorce Circle

Mash Miami, Inc.

Motion

Motion to Approve

Moved By: Noah Fox

Supported By: Heidi Tandy

Ayes: Fox, Goldberg, Nagler, Orlowsky, Segal, Tandy

Absent: Baron

MOTION Passed

APPEALS (BOA ONLY)

7. ZBA16-0020 -6801 Collins Avenue [Note: This item will be heard first on the agenda]
Z Capital Florida Resort, LLC.

Motion to deny the Appeal. (Decision of the Planning Director upheld).

Motion to Approve

Moved By: Richard Baron

Supported By: Richard Segal

Ayes: Baron, Fox, Goldberg, Nagler, Orlowsky, Segal, Tandy

MOTION Passed

ADJOURNMENT

Applications listed herein have been filed with the Planning Department for review by the Design Review Board, pursuant Section 118-252, and 118-71 of the City's Land Development Regulations. All persons are invited to attend this meeting or be represented by an agent, or to express their views in writing addressed to the Design Review Board c/o the Planning Department, 1700 Convention Center Drive, 2nd Floor, Miami Beach, Florida 33139. Applications for items listed herein are available for public inspection at the following link: or during normal business hours at the Planning Department, 1700 Convention Center Drive, 2nd Floor, Miami Beach, Florida 33139. Inquiries may be directed to the Department at (305) 673-7550. Any items listed in this agenda may be continued. Under such circumstances, additional legal notice would not be provided. Please contact the Planning Department at (305) 673-7550 for information on the status of continued items.

Pursuant to Section 286.0105, Fla. Stat., the City hereby advises the public that: Appeals of any decision made by this Board with respect to any matter considered at its meeting or hearing, such person will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. This notice does not constitute consent by the City for the introduction or admission of otherwise inadmissible or irrelevant evidence, nor does it authorize challenges or appeals not otherwise allowed by law.

To request this material in alternate format, sign language interpreter (five-business day notice is required), information on access for persons with disabilities, and accommodation to review any document or participate in any city-sponsored proceedings, call 305.604.2489 and select 1 for English or 2 for Spanish, then option 6; TTY users may call via 711 (Florida Relay Service).