



North Bay Village

Administrative Offices

1666 Kennedy Causeway, Suite 300 North Bay Village, FL 33141

Tel: (305) 756-7171 Fax: (305) 756-7722 Website: www.nbvillage.com

OFFICIAL AGENDA

NORTH BAY VILLAGE PLANNING & ZONING BOARD MEETING

TREASURE ISLAND ELEMENTARY SCHOOL
7540 EAST TREASURE DRIVE
NORTH BAY VILLAGE, FL 33141

TUESDAY
MARCH 18, 2014 – 7:30 P.M.

NOTICE IS HEREWITH GIVEN TO ALL INTERESTED PARTIES THAT IF ANY PERSON SHOULD DECIDE TO APPEAL ANY DECISION MADE AT THE FORTHCOMING MEETING OF THE PLANNING & ZONING BOARD. SUCH PERSON WILL NEED A RECORD OF THE PROCEEDINGS AND FOR SUCH PURPOSE, HE OR SHE 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 VILLAGE FOR THE INTRODUCTION OR ADMISSION OF OTHERWISE INADMISSIBLE EVIDENCE, NOR DOES IT AUTHORIZES CHALLENGES OR APPEALS NOT OTHERWISE ALLOWED BY LAW.

TO REQUEST THIS MATERIAL IN ACCESSIBLE FORMAT, SIGN LANGUAGE INTERPRETERS, INFORMATION ON ACCESS FOR PERSON WITH DISABILITIES, AND/OR ANY ACCOMMODATION TO REVIEW ANY DOCUMENT OR PARTICIPATE IN ANY VILLAGE-SPONSORED PROCEEDING, PLEASE CONTACT (305) 756-7171 FIVE DAYS IN ADVANCE TO INITIATE YOUR REQUEST. TTY USERS MAY ALSO CALL 711 (FLORIDA RELAY SERVICE).

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1. **CALL TO ORDER**
 2. **PLEDGE OF ALLEGIANCE, ROLL CALL**
 3. **(PUBLIC HEARINGS) ALL INDIVIDUALS DESIRING TO PROVIDE TESTIMONY SHALL BE SWORN IN.**

A. AN APPLICATION BY 7914 BUILDING, LLC CONCERNING PROPERTY LOCATED AT 7914, 7916 AND 7918 WEST DRIVE, TRACT C OF HARBOR ISLAND, NORTH BAY VILLAGE, FLORIDA, IN CONNECTION WITH THE DEVELOPMENT OF A 52 UNIT, 15 STORY MULTI-FAMILY CONDOMINIUM STRUCTURE:

1. A SPECIAL USE EXCEPTION PURSUANT TO SECTIONS 152.042(E) AND 152.098 OF THE NORTH BAY VILALGE CODE OF ORDINANCES TO ALLOW UP TO TWENTY (20) PERCENT OF THE DEVELOPMENT'S REQUIRED PARKING SPACES TO BE DESIGNED SPECIFICALLY FOR COMPACT VEHICLES.

1) Board Recommendation

B. AN APPLICATION BY KAKUTA SAINT CONCERNING PROPERTY LOCATED AT 7441 CENTER BAY DRIVE, NORTH BAY VILLAGE, FLORIDA, FOR THE FOLLOWING:

1. A VARIANCE PURSUANT TO SECTION 152.097 OF THE NORTH BAY VILLAGE CODE OF ORDINANCES TO ALLOW A GENERATOR TO ENCROACH 4 FEET INTO THE REQUIRED 10 FOOT SIDE INTERIOR SETBACK AREA.

1) Board Recommendation

C. AN APPLICATION BY WILLIAM WEBB CONCERNING THE PROPERTY AT 1357 BAY TERRACE, NORTH BAY ISLAND, NORTH BAY VILLAGE, FLORIDA, FOR THE FOLLOWING:

1. A VARIANCE PURSUANT TO SECTION 152.097 OF THE NORTH BAY VILLAGE CODE OF ORDINANCES TO PERMIT A TWO-STORY SINGL-FAMILY RESIDENTIAL STRUCTURE TO EXCEED THE MAXIMUM HEIGHT OF SECTION 152.026(C)(3), WHICH ALLOWS A BUILDING HEIGHT OF NO MORE THAN 25 FEET ABOVE FEMA BASE FLOOD ELEVATION.

1) Board Recommendation

D. AN APPLICATION BY HOLGER PIENING AND ANDREA FRANKE CONCERNING PROPERTY LOCATED AT 1700 SOUTH TREASURE DRIVE, TREASURE ISLAND, NORTH BAY VILLAGE, FLORIDA FOR THE FOLLOWING:

1. A VARIANCE PURSUANT TO SECTION 152.097 OF THE NORTH BAY VILLAGE CODE OF ORDINANCES TO PERMIT A 4.5 FOOT SIDE-INTERIOR SETBACK FOR THE CONSTRUCTION OF STEPS AND LANDING LEADING FROM THE SWIMMING POOL DECK, WHERE THE CODE REQUIRES A SETBAK OF 7.5 FEET.

2. A VARIANCE PURSUANT TO SECTION 152.097 OF THE NORTH BAY VILLAGE CODE OF ORDINANCES TO PERMIT THE POOL EQUIPMENT TO ENCROACH 3.3 FEET INTO THE REQUIRED 7.5 FOOT SIDE INTERIOR SETBACK AREA.

1) Board Recommendation

E. AN APPLICATION BY NORTH BAY CAUSEWAY, LLC CONCERNING PROPERTY LOCATED AT 1555 KENNEDY CAUSEWAY, NORTH BAY VILLAGE, FLORIDA, FOR THE FOLLOWING:

- 1. A SPECIAL USE EXCEPTION PURSUANT TO SECTIONS 152.030(C)(3) AND 152.098 OF THE NORTH BAY VILLAGE CODE OF ORDINANCES FOR DEVELOPMENT OF A MIXED-USE COMMERCIAL STRUCTURE IN THE CG (GENERAL COMMERCIAL) ZONING DISTRICT.**
- 2. SITE PLAN APPROVAL PURSUANT TO SECTION 152.105(C)(9) OF THE NORTH BAY VILLAGE CODE OF ORDINANCES FOR DEVELOPMENT OF A 127-UNIT, 22-STORY CONDOMINIUM STRUCTURE WITH A PARKING GARAGE.**

BAY VIEW OVERLAY STANDARDS REVIEW, INCLUDING HEIGHT APPROVAL, PURSUANT TO SECTION 152.032(A)(3) OF THE NORTH BAY VILLAGE CODE OF ORDINANCES.

- 3. A VARIANCE PURSUANT TO SECTION 152.097 OF NORTH BAY VILLAGE CODE OF ORDINANCES TO ALLOW 5 STORIES OF PARKING, WHERE SECTION 152.029(C) ALLOWS A MAXIMUM OF FOUR STORIES OF PARKING.**

1) Board Recommendation

4. APPROVAL OF MINUTES

A. REGULAR PLANNING & ZONING BOARD MEETING-FEBRUARY 18, 2014

1.) Board Action

5. ADJOURNMENT



Staff Report Special Use Exception

*Prepared for: North Bay Village
Planning & Zoning Board*

Applicant: 7914 Building LLC

Site Address: 7914, 7916, and 7918 West Drive

*Request: Special exception for up to twenty percent
of the required parking spaces to be
designated for compact vehicles*



Serving Florida Local Governments Since 1988

General Information

Owner/Applicant:	7914 Building LLC Fred Knoll
Applicant Address:	11098 Biscayne Blvd, Suite 203 Miami, FL 33161
Site Address:	7914, 7916, and 7918 West Drive
Contact Person:	Fred Knoll
Applicant Phone Number:	646-523-4367
E-mail Address	fred_knoll@mfkgrp.com

	Existing
Future Land Use	High Density Multi-family Residential
Zoning District	RM-70
Use of Property	Vacant
Acreage	33,600 sq ft

Legal Description of Subject Property

Lot 1 - 7914 West Drive
Harbor Island PB 44-72
Lot 14
Lot Size 80,000 x 140
OR 19456-1179 01 2001 2(3)
COC23266-2683 04 2005 2

Lot 2 - 7916 West Drive
Harbor Island PB 44-72
Lot 16
Lot Size 80,000 x 140
OR 19456-1179 01 2001 2(3)
COC23266-2683 04 2005 2

Lot 3 - 7918 West Drive
Harbor Island PB 44-72
Lot 18
Lot Size 80,000 x 140
OR 19456-1179 01 2001 2(3)
COC23266-2683 04 2005 2

Request

The applicant is requesting a special use exception pursuant to Sections 152.042(e) and 152.098 of the North Bay Village Code of Ordinances to allow up to twenty (20) percent of the development's required parking spaces to be designed specifically for compact vehicles.



General Description

The proposed site plan for the multi-family residential development shows 121 required parking spaces are provided, with 24 of those spaces to be designed for compact vehicles.

Consistency with Comprehensive Plan

The request for compact spaces, if approved for this site plan, is consistent with the Village's Comprehensive Plan, and the provision of safe on-site traffic flow as per Transportation Policy 3.2.7.

Consistency with Special Use Exception Standards

The granting of no more than 24 compact parking spaces, for this site plan, would not "substantially affect adversely the uses permitted in these regulations of adjacent property".

Findings and Recommendations

Staff finds that this request is consistent with Sections 152.042(e) and 152.098 in that this special use exception will not adversely affect the uses permitted in the regulations of adjacent properties.

Staff recommends **approval** of this request for the parking spaces designated for compact vehicles contingent upon a positive approval of a site plan for this development.

Submitted by:

James G. LaRue
James G. LaRue, AICP
Planning Consultant

March 11, 2014

Hearing: Planning & Zoning Board, March 18, 2014





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APPLICATION FOR PUBLIC HEARINGS:

Hearings and Notices: - All petitions for amendments, changes or supplements to these regulations for variances, special use exceptions, Site Plan Approval, Extension of Approved Site Plans, for Building Height Bonus Approval, or for an amendment, change or supplement to the Comprehensive Plan; district zoning map, or petitions appealing an administrative decision shall be considered at Public Hearings before the Planning & Zoning Board and, thereafter, the Village Commission. Notice of Public Hearings before the Planning & Zoning Board and the Village Commission shall be given by publishing and posting on the property (which is the subject of the request), the time, the place and the nature of the hearing at least 10 days before the hearing. The Village Clerk shall certify that the petition is complete before the hearing is legally advertised.

Applicant's Name: 7914 BUILDING LLC Phone: 305-814-7272

Mailing Address: 11098 BISCAYNE BLVD SUITE #203
MIAMI FL 33161

Legal Description of Property: LOT 14, 16, 18
SECT B, TOWNSHIP 53 SOUTH, 42 EAST, NBV

Existing Zoning: R-70 Lot Size: 140' x 240' Folio: 23-3209-001-0200
(OVERALL)

Type of Request: A SPECIAL USE EXCEPTION PURSUANT TO SECTIONS
152.042(E) AND 152.098 OF THE NORTH BAY VILLAGE CODE OF
ORDANCES TO ALLOW UP TO TWENTY(20) PERCENT OF THE DEVELOPMENT
REQUIRED PARKING TO BE DESIGNED FOR COMPACT VEHICLES

Reason for Request: (Attach additional Pages if necessary) IN ORDER TO
COMPLY WITH REQUIRED PARKING SPACES BY NORTH
BAY VILLAGE PLANNING AND ZONING

All applications shall be submitted to the Village Clerk on or before the deadline implemented by the Village.

Mayor
Connie Leon-Kreps

Vice Mayor
Eddie Lim

Commissioner
Dr. Richard Chervony

Commissioner
Wendy Duvall

Commissioner
Jorge G. **Page 4**

**APPLICATION FOR HEARING
BEFORE THE PLANNING & ZONING BOARD AND
VILLAGE COMMISSION
PAGE 2 OF 2**

Filing Fees - All persons, firms, or corporations petitioning the Planning & Zoning Board and the Village Commission necessitating the publication of notices in the newspaper, and all relative thereto, the payment of such money in advance to the Village Clerk shall be deemed a condition precedent to the consideration of such petition, conditional use permit or amendment.

I, (We), the undersigned, am (are) the (owner, tenant, agent, attorney) (designate one) of the subject property herein described. I (We) acknowledge and agree that during the consideration of the application before the Planning & Zoning Board and staff of North Bay Village, no rights shall vest on behalf of the applicant, which would be enforceable against the Village until after a Public Meeting is held by the Village Commission and the Village Commission has voted favorable on the proposed petition.

I, (We) further acknowledge that I (We) have read and understand the conditions for appearance before the Planning & Zoning Board and the Village Commission Pursuant to the Village Code Section 152.096. Any person submitting false information or misrepresenting in their presentation shall have all privileges granted to them by the Planning & Zoning Board and the Village Commission revoked.

(NOTE: ALL NEW AND SUBSTANTIAL IMPROVEMENTS MUST COMPLY WITH THE FLORIDA BUILDING CODE, DEPARTMENT OF ENVIRONMENTAL RESOURCE MANAGEMENT (DERM), AND FEMA (FLOOD) REGULATIONS).

Adam M Hendry
Authorized Signature

Adam M Hendry
Print Name

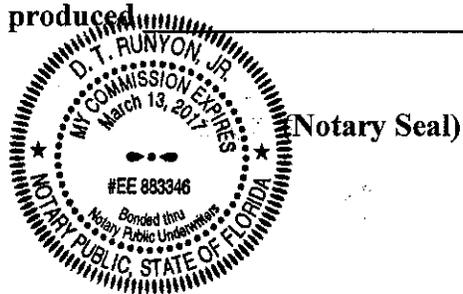
(In case of corporate ownership, the authorized signature shall be accompanied by a notation of the signer's position in the corporation and embossed with the corporate seal.)

STATE OF FLORIDA)
COUNTY OF MIAMI-DADE)

Sworn to and subscribed to before me this 7 day of FEB 2014
by ADAM M HENDRY
who is personally known to me or who has produced _____
as identification.

DTK JR

Notary Public



Office Use Only:

Date Submitted: 2/7/14

Tentative Meeting Date: 3/18/14

Date Paid: 2/7/14

Fee Paid: \$ 4,600
2/7/14

Cash or Check # _____

INDIGO - PARKING CALCULATIONS

7914-18 West Drive, North Bay Village

Parking	Visitor	Accessible	Residents	Compact	Sub-total	Additional	Totals
Ground	11	1	2	8	13		13
Level 2		2	23	4	27	5	32
Level 3		2	23	4	27	5	32
Level 4		2	23	4	27	5	32
Level 5		2	23	4	27	3	30
Totals	11	9	94	24	121	18	139

Parking Calculations:

	Required	Provided
Residential Parking (6 Accessible)	110	110
Visitor (1 Accessible)	11	11
Additional		18
Totals	121	139

*MF K Ow, LLC
Red Knoll*

Property Location:
7914 West Bay Drive - North Bay Village

Nov. 27-2013

Area Calculations:

Unit	# units	Area - SF	Levels	Total
Unit 'F'	1	1,290.00	1	1,290.00
Loft A	2	2,900.00	2-3 & 4-5	5,800.00
Loft B	2	2,390.00	2-3 & 4-5	4,780.00
Unit A	16	2,100.00	6(1), 7(1), 8, 9, 10, 11, 12,13,14,15	33,600.00
Unit B	16	2,100.00	6(1), 7(1), 8, 9, 10, 11, 12,13,14,15	33,600.00
Unit C	14	2,100.00	6(1), 7(1), 8, 9, 10, 11, 12,13	29,400.00
Unit D	2	4,200.00	14, 15 (TH) (3) bedroom	8,400.00
Unit E	2	4,200.00	14, 15 (TH) (3) bedroom	8,400.00
Sub-totals	55			

Total	125,270.00 SF
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Parking Calculations

Required

(51) 2 bedroom units at (2) parking per unit	51	2	102
(4) 3 bedroom units at (3) parking per unit	4	3	12
			114
10% for visitors	10%		12
5% Accessible	5%	5.1	
			126

Provided

(3) levels at 30 parking spaces	3	30	90
(1) levels at 26 parking spaces	1	26	26
14 parking spaces for visitors at level 1			14
			132



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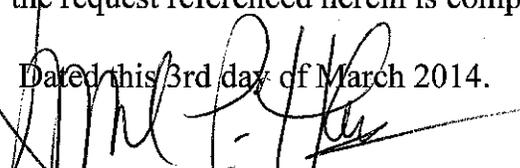
Tel: (305) 756-7171 Fax: (305) 756-7722 Website: www.nbvillage.com

Re: 7914 Building LLC
7914 West Drive
North Bay Village, FL 33141

Request for Special Use Exception for
For Compact Parking Spaces

I, Yvonne P. Hamilton, Village Clerk hereby certify, as per Section 152.096(A)(2) of the North Bay Village Code of Ordinances, that the petition filed by 7914 Building LLC for the request referenced herein is complete.

Dated this 3rd day of March 2014.


Yvonne P. Hamilton
Village Clerk

(Planning & Zoning Board Meeting-March 18, 2014)

Mayor
Connie Leon-Kreps

Vice Mayor
Eddie Lim

Commissioner
Dr. Richard Chervony

Commissioner
Wendy Duvall

Commissioner
Jorge Go **Page 9**



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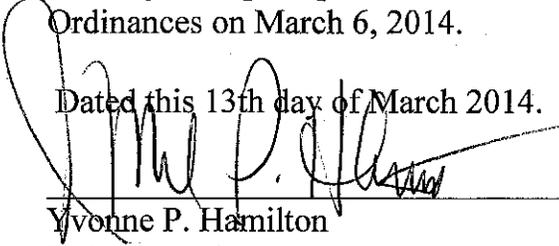
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Re: 7914 Building LLC
7914 West Drive
North Bay Village, FL 33141

Request for Special Use Exception for
For Compact Parking Spaces

I, Yvonne P. Hamilton, Village Clerk, hereby certify that the attached Notice of Public Hearing was mailed to property owners and residents within 300 feet of the property of the subject request pursuant to Section 152.096(A)(2) of the North Bay Village Code of Ordinances on March 6, 2014.

Dated this 13th day of March 2014.


Yvonne P. Hamilton
Village Clerk

(Planning & Zoning Board Meeting-March 18, 2014)

Mayor
Connie Leon-Kreps

Vice Mayor
Eddie Lim

Commissioner
Dr. Richard Chervony

Commissioner
Wendy Duvall

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Jorge **Page 10**



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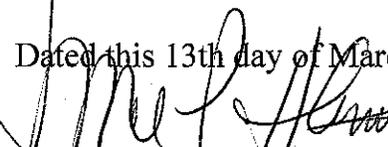
Tel: (305) 756-7171 Fax: (305) 756-7722 Website: www.nbvillage.com

Re: 7914 Building LLC
7914 West Drive
North Bay Village, FL 33141

Request for Special Use Exception for
For Compact Parking Spaces

I, Yvonne P. Hamilton, hereby certify that the attached Notice of Public Hearing to be held on March 18, 2014 was posted at the above-referenced property on March 8, 2014 pursuant to Section 152.096(A)(2) of the North Bay Village Code of Ordinances.

Dated this 13th day of March 2014.



Yvonne P. Hamilton
Village Clerk

(Planning & Zoning Board Meeting-March 18, 2014)

Mayor
Connie Leon-Kreps

Vice Mayor
Eddie Lim

Commissioner
Dr. Richard Chervony

Commissioner
Wendy Duvall

Commissioner
Jorge **Page 11**



NORTH BAY VILLAGE
NOTICE OF PUBLIC HEARING

PUBLIC NOTICE IS HEREBY GIVEN THAT THE PLANNING & ZONING BOARD OF NORTH BAY VILLAGE, FLORIDA, WILL HOLD ITS REGULAR MEETING ON **MARCH 18, 2014 AT 7:30 P.M. OR AS SOON AS POSSIBLE THEREAFTER, AT TREASURE ISLAND ELEMENTARY SCHOOL, 7540 EAST TREASURE DRIVE**, NORTH BAY VILLAGE, FLORIDA. DURING THIS MEETING, THE BOARD WILL CONSIDER THE FOLLOWING REQUEST AND SUBMIT A RECOMMENDATION TO THE VILLAGE COMMISSION:

1. **AN APPLICATION BY 7914 BUILDING, LLC CONCERNING PROPERTY LOCATED AT 7914, 7916 AND 7918 WEST DRIVE, TRACT C OF HARBOR ISLAND, NORTH BAY VILLAGE, FLORIDA, IN CONNECTION WITH THE DEVELOPMENT OF A 52 UNIT, 15 STORY MULTI-FAMILY CONDOMINIUM STRUCTURE:**
 - A. **A SPECIAL USE EXCEPTION PURSUANT TO SECTIONS 152.042(E) AND 152.098 OF THE NORTH BAY VILLAGE CODE OF ORDINANCES TO ALLOW UP TO TWENTY (20) PERCENT OF THE DEVELOPMENT'S REQUIRED PARKING SPACES TO BE DESIGNED SPECIFICALLY FOR COMPACT VEHICLES.**

INTERESTED PERSONS ARE INVITED TO APPEAR AT THIS MEETING OR BE REPRESENTED BY AN AGENT, OR TO EXPRESS THEIR VIEWS IN WRITING ADDRESSED TO THE PLANNING & ZONING BOARD C/O THE BUILDING & ZONING CLERK, 1666 KENNEDY CAUSEWAY, #300, NORTH BAY VILLAGE, FL 33141.

THE DOCUMENTS PERTAINING TO THIS PUBLIC HEARING MAY BE INSPECTED AT THE OFFICE OF THE VILLAGE CLERK DURING REGULAR WORKING HOURS AT 1666 KENNEDY CAUSEWAY, #300. INQUIRIES MAY BE DIRECTED TO THAT DEPARTMENT AT (305) 756-7171.

PURSUANT TO SECTION 286.0105, FLORIDA STATUTES, IF ANY PERSON DECIDES TO APPEAL ANY DECISION BY THE VILLAGE COMMISSION WITH RESPECT TO THIS OR ANY MATTER CONSIDERED AT ITS MEETING OR ITS HEARING, SUCH PERSON MUST 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.

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YVONNE P. HAMILTON, CMC
VILLAGE CLERK
(March 7, 2014)

OWNER/OCCUPANT
7904 WEST DR., APT 110
N. BAY VILLAGE, FL 33141

OWNER/OCCUPANT
7904 WEST DR., APT 112
N. BAY VILLAGE, FL 33141

OWNER/OCCUPANT
7904 WEST DR., APT 114
N. BAY VILLAGE, FL 33141

OWNER/OCCUPANT
7904 WEST DR., APT 115
N. BAY VILLAGE, FL 33141

OWNER/OCCUPANT
7904 WEST DR., APT 116
N. BAY VILLAGE, FL
33141

OWNER/OCCUPANT
7904 WEST DR., APT 117
N. BAY VILLAGE, FL 33141

OWNER/OCCUPANT
7904 WEST DR., APT 201
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OWNER/OCCUPANT
7904 WEST DR., APT 205
N. BAY VILLAGE, FL 33141

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7904 WEST DR., APT 203
N. BAY VILLAGE, FL 33141

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OWNER/OCCUPANT
7904 WEST DR., APT 304
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7904 WEST DR., APT 303
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7904 WEST DR., APT 310
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7904 WEST DR., APT 405
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OWNER/OCCUPANT
7904 WEST DR., APT 501
N. BAY VILLAGE, FL 33141

OWNER/OCCUPANT
7904 WEST DR., APT 315
N. BAY VILLAGE, FL 33141

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7904 WEST DR., APT 503
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OWNER/OCCUPANT
7904 WEST DR., APT 516
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OWNER/OCCUPANT
7904 WEST DR., APT 606
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OWNER/OCCUPANT
7904 WEST DR., APT 607
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OWNER/OCCUPANT
7904 WEST DR., APT 602
N. BAY VILLAGE, FL 33141

OWNER/OCCUPANT
7904 WEST DR., APT 603
N. BAY VILLAGE, FL 33141

OWNER/OCCUPANT
7904 WEST DR., APT 604
N. BAY VILLAGE, FL 33141



OWNER/OCCUPANT
7904 WEST DR., APT 608
N. BAY VILLAGE, FL 33141

OWNER/OCCUPANT
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7904 WEST DR., APT 610
N. BAY VILLAGE, FL 33141

OWNER/OCCUPANT
7904 WEST DR., APT 611
N. BAY VILLAGE, FL 33141

OWNER/OCCUPANT
7904 WEST DR., APT 612
N. BAY VILLAGE, FL 33141

OWNER/OCCUPANT
7904 WEST DR., APT 614
N. BAY VILLAGE, FL 33141

OWNER/OCCUPANT
7904 WEST DR., APT 615
N. BAY VILLAGE, FL 33141

OWNER/OCCUPANT
7904 WEST DR., APT 616
N. BAY VILLAGE, FL 33141

OWNER/OCCUPANT
7904 WEST DR., APT 617
N. BAY VILLAGE, FL 33141

OWNER/OCCUPANT
7904 WEST DR., APT 701
N. BAY VILLAGE, FL 33141

OWNER/OCCUPANT
7904 WEST DR., APT 702
N. BAY VILLAGE, FL 33141

OWNER/OCCUPANT
7904 WEST DR., APT 703
N. BAY VILLAGE, FL 33141

OWNER/OCCUPANT
7904 WEST DR., APT 704
N. BAY VILLAGE, FL 33141

OWNER/OCCUPANT
7904 WEST DR., APT 705
N. BAY VILLAGE, FL 33141

OWNER/OCCUPANT
7904 WEST DR., APT 706
N. BAY VILLAGE, FL 33141

OWNER/OCCUPANT
7904 WEST DR., APT 707
N. BAY VILLAGE, FL 33141

OWNER/OCCUPANT
7904 WEST DR., APT 708
N. BAY VILLAGE, FL 33141

OWNER/OCCUPANT
7904 WEST DR., APT 709
N. BAY VILLAGE, FL 33141

OWNER/OCCUPANT
7904 WEST DR., APT 710
N. BAY VILLAGE, FL 33141

OWNER/OCCUPANT
7904 WEST DR., APT 711
N. BAY VILLAGE, FL 33141

OWNER/OCCUPANT
7904 WEST DR., APT 712
N. BAY VILLAGE, FL 33141

OWNER/OCCUPANT
7904 WEST DR., APT 714
N. BAY VILLAGE, FL 33141

OWNER/OCCUPANT
7904 WEST DR., APT 715
N. BAY VILLAGE, FL 33141

OWNER/OCCUPANT
7904 WEST DR., APT 716
N. BAY VILLAGE, FL 33141

OWNER/OCCUPANT
7904 WEST DR., APT 717
N. BAY VILLAGE, FL 33141

OWNER/OCCUPANT
7904 WEST DR., APT 801
N. BAY VILLAGE, FL 33141

OWNER/OCCUPANT
7904 WEST DR., APT 802
N. BAY VILLAGE, FL 33141

OWNER/OCCUPANT
7904 WEST DR., APT 803
N. BAY VILLAGE, FL 33141

OWNER/OCCUPANT
7904 WEST DR., APT 804
N. BAY VILLAGE, FL 33141

OWNER/OCCUPANT
7904 WEST DR., APT 805
N. BAY VILLAGE, FL 33141

OWNER/OCCUPANT
7904 WEST DR., APT 806
N. BAY VILLAGE, FL 33141

OWNER/OCCUPANT
7904 WEST DR., APT 807
N. BAY VILLAGE, FL 33141

OWNER/OCCUPANT
7904 WEST DR., APT 808
N. BAY VILLAGE, FL 33141

OWNER/OCCUPANT
7904 WEST DR., APT 809
N. BAY VILLAGE, FL 33141

OWNER/OCCUPANT
7904 WEST DR., APT 810
N. BAY VILLAGE, FL 33141

OWNER/OCCUPANT
7904 WEST DR., APT 811
N. BAY VILLAGE, FL 33141

OWNER/OCCUPANT
7904 WEST DR., APT 812
N. BAY VILLAGE, FL 33141

OWNER/OCCUPANT
7904 WEST DR., APT 814
N. BAY VILLAGE, FL 33141

OWNER/OCCUPANT
7904 WEST DR., APT 815
N. BAY VILLAGE, FL 33141

OWNER/OCCUPANT
7904 WEST DR., APT 816
N. BAY VILLAGE, FL 33141

OWNER/OCCUPANT
7904 WEST DR., APT 817
N. BAY VILLAGE, FL 33141

OWNER/OCCUPANT
7904 WEST DR., APT 902
N. BAY VILLAGE, FL 33141

OWNER/OCCUPANT
7904 WEST DR., APT 903
N. BAY VILLAGE, FL 33141

OWNER/OCCUPANT
7904 WEST DR., APT 905
N. BAY VILLAGE, FL 33141

OWNER/OCCUPANT
7904 WEST DR., APT 907
N. BAY VILLAGE, FL 33141

OWNER/OCCUPANT
7904 WEST DR., APT 908
N. BAY VILLAGE, FL 33141

OWNER/OCCUPANT
7904 WEST DR., APT 909
N. BAY VILLAGE, FL 33141

OWNER/OCCUPANT
7904 WEST DR., APT 910
N. BAY VILLAGE, FL 33141

OWNER/OCCUPANT
7904 WEST DR., APT 911
N. BAY VILLAGE, FL 33141

OWNER/OCCUPANT
7904 WEST DR., APT 912
N. BAY VILLAGE, FL 33141

OWNER/OCCUPANT
7904 WEST DR., APT 1008
N. BAY VILLAGE, FL 33141

OWNER/OCCUPANT
7904 WEST DR., APT 915
N. BAY VILLAGE, FL 33141

OWNER/OCCUPANT
7904 WEST DR., APT 916
N. BAY VILLAGE, FL 33141

OWNER/OCCUPANT
7904 WEST DR., APT 1007
N. BAY VILLAGE, FL 33141

OWNER/OCCUPANT
7904 WEST DR., APT 1002
N. BAY VILLAGE, FL 33141

OWNER/OCCUPANT
7904 WEST DR., APT 1003
N. BAY VILLAGE, FL 33141

OWNER/OCCUPANT
7904 WEST DR., APT 1004
N. BAY VILLAGE, FL 33141

OWNER/OCCUPANT
7904 WEST DR., APT 1005
N. BAY VILLAGE, FL 33141



OWNER/OCCUPANT
7904 WEST DR., APT 1009
N. BAY VILLAGE, FL 33141

OWNER/OCCUPANT
7904 WEST DR., APT 1010
N. BAY VILLAGE, FL 33141

OWNER/OCCUPANT
7904 WEST DR., APT 1011
N. BAY VILLAGE, FL 33141

OWNER/OCCUPANT
7904 WEST DR., APT 1012
N. BAY VILLAGE, FL 33141

OWNER/OCCUPANT
7904 WEST DR., APT 1014
N. BAY VILLAGE, FL 33141

OWNER/OCCUPANT
7904 WEST DR., APT 1015
N. BAY VILLAGE, FL 33141

OWNER/OCCUPANT
7904 WEST DR., APT 1016
N. BAY VILLAGE, FL 33141

OWNER/OCCUPANT
7904 WEST DR., APT 1017
N. BAY VILLAGE, FL 33141

Shell Gas Service
C/O NV FAA LC
1345 Kennedy Causeway
N. Bay Village, FL 33141

BAYSHORE YACHT &
TENNIS CLUB CONDO
7904 WEST DR., OFFICE
N. BAY VILLAGE, FL 33141

Sakura Japanese Rest. Buffet
C/O Xiang Chen
19101 S. Dixie Highway
Miami, FL 33157

Indigo Lofts Development Co.
LLC
C/O Scott Greenwald
7310 S.W. 57th Court, #565
Miami, FL 33143

Nancy Y. Ansted &
Douglas Wolfe
1696 N.E. Miami Gardens
N. Miami Beach, FL 33179

OWNER/OCCUPANT
7904 WEST DR., APT 106
N. BAY VILLAGE, FL
33141

OWNER/OCCUPANT
7904 WEST DR., APT 109
N. BAY VILLAGE, FL
33141



OWNER/OCCUPANT
7910 WEST DR., APT 316
N. BAY VILLAGE, FL 33141

OWNER/OCCUPANT
7910 WEST DR., APT 100
N. BAY VILLAGE, FL
33141

OWNER/OCCUPANT
7910 WEST DR., APT 101
N. BAY VILLAGE, FL 33141

OWNER/OCCUPANT
7910 WEST DR., APT 102
N. BAY VILLAGE, FL 33141

OWNER/OCCUPANT
7910 WEST DR., APT 103
N. BAY VILLAGE, FL
33141

OWNER/OCCUPANT
7910 WEST DR., APT 104
N. BAY VILLAGE, FL 33141

OWNER/OCCUPANT
7910 WEST DR., APT 105
N. BAY VILLAGE, FL 33141

OWNER/OCCUPANT
7910 WEST DR., APT 106
N. BAY VILLAGE, FL
33141

OWNER/OCCUPANT
7910 WEST DR., APT 107
N. BAY VILLAGE, FL 33141

OWNER/OCCUPANT
7910 WEST DR., APT 108
N. BAY VILLAGE, FL 33141

OWNER/OCCUPANT
7910 WEST DR., APT 109
N. BAY VILLAGE, FL 33141

OWNER/OCCUPANT
7910 WEST DR., APT 110
N. BAY VILLAGE, FL 33141

OWNER/OCCUPANT
7910 WEST DR., APT 111
N. BAY VILLAGE, FL 33141

OWNER/OCCUPANT
7910 WEST DR., APT 112
N. BAY VILLAGE, FL 33141

OWNER/OCCUPANT
7910 WEST DR., APT 114
N. BAY VILLAGE, FL 33141

OWNER/OCCUPANT
7910 WEST DR., APT 115
N. BAY VILLAGE, FL 33141

OWNER/OCCUPANT
7910 WEST DR., APT 201
N. BAY VILLAGE, FL 33141

OWNER/OCCUPANT
7910 WEST DR., APT 202
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OWNER/OCCUPANT
7910 WEST DR., APT 203
N. BAY VILLAGE, FL 33141

OWNER/OCCUPANT
7910 WEST DR., APT 204
N. BAY VILLAGE, FL 33141

OWNER/OCCUPANT
7910 WEST DR., APT 205
N. BAY VILLAGE, FL 33141

OWNER/OCCUPANT
7910 WEST DR., APT 206
N. BAY VILLAGE, FL 33141

OWNER/OCCUPANT
7910 WEST DR., APT 207
N. BAY VILLAGE, FL 33141

OWNER/OCCUPANT
7910 WEST DR., APT 208
N. BAY VILLAGE, FL 33141

OWNER/OCCUPANT
7910 WEST DR., APT 209
N. BAY VILLAGE, FL 33141

OWNER/OCCUPANT
7910 WEST DR., APT 210
N. BAY VILLAGE, FL 33141

OWNER/OCCUPANT
7910 WEST DR., APT 211
N. BAY VILLAGE, FL 33141

OWNER/OCCUPANT
7910 WEST DR., APT 212
N. BAY VILLAGE, FL 33141

OWNER/OCCUPANT
7910 WEST DR., APT 214
N. BAY VILLAGE, FL 33141

OWNER/OCCUPANT
7910 WEST DR., APT 215
N. BAY VILLAGE, FL 33141



OWNER/OCCUPANT
7910 WEST DR., APT 216
N. BAY VILLAGE, FL 33141

OWNER/OCCUPANT
7910 WEST DR., APT 301
N. BAY VILLAGE, FL 33141

OWNER/OCCUPANT
7910 WEST DR., APT 302
N. BAY VILLAGE, FL 33141

OWNER/OCCUPANT
7910 WEST DR., APT 303
N. BAY VILLAGE, FL 33141

OWNER/OCCUPANT
7910 WEST DR., APT 304
N. BAY VILLAGE, FL 33141

OWNER/OCCUPANT
7910 WEST DR., APT 305
N. BAY VILLAGE, FL 33141

OWNER/OCCUPANT
7910 WEST DR., APT 306
N. BAY VILLAGE, FL 33141

OWNER/OCCUPANT
7910 WEST DR., APT 307
N. BAY VILLAGE, FL 33141

OWNER/OCCUPANT
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N. BAY VILLAGE, FL 33141

OWNER/OCCUPANT
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N. BAY VILLAGE, FL 33141

OWNER/OCCUPANT
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N. BAY VILLAGE, FL 33141

OWNER/OCCUPANT
7910 WEST DR., APT 311
N. BAY VILLAGE, FL 33141

OWNER/OCCUPANT
7910 WEST DR., APT 312
N. BAY VILLAGE, FL 33141

OWNER/OCCUPANT
7910 WEST DR., APT 314
N. BAY VILLAGE, FL 33141

OWNER/OCCUPANT
7910 WEST DR., APT 315
N. BAY VILLAGE, FL 33141



Owner/Occupant
7918 Harbor Island Drive, #6
N. Bay Village, FL 33141

Owner/Occupant
7918 Harbor Island Drive, #6
N. Bay Village, FL 33141

Owner/Occupant
7918 Harbor Island Drive, #6
N. Bay Village, FL 33141

Owner/Occupant
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N. Bay Village, FL 33141

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N. Bay Village, FL 33141

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N. Bay Village, FL 33141

Owner/Occupant
7918 Harbor Island Drive, #6
N. Bay Village, FL 33141

Owner/Occupant
7918 Harbor Island Drive, #111
N. Bay Village, FL 33141

Owner/Occupant
7918 Harbor Island Drive, #309
N. Bay Village, FL 33141

Owner/Occupant
7918 Harbor Island Drive, #209
N. Bay Village, FL 33141

Owner/Occupant
7918 Harbor Island Drive, #208
N. Bay Village, FL 33141

Owner/Occupant
7918 Harbor Island Drive, #210
N. Bay Village, FL 33141

Owner/Occupant
7918 Harbor Island Drive, #110
N. Bay Village, FL 33141

Owner/Occupant
7918 Harbor Island Drive, #108
N. Bay Village, FL 33141

Owner/Occupant
7918 Harbor Island Drive, #310
N. Bay Village, FL 33141

Owner/Occupant
7918 Harbor Island Drive, #212
N. Bay Village, FL 33141

Owner/Occupant
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N. Bay Village, FL 33141

Owner/Occupant
7918 Harbor Island Drive, #308
N. Bay Village, FL 33141

Owner/Occupant
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N. Bay Village, FL 33141

Owner/Occupant
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N. Bay Village, FL 33141

Owner/Occupant
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N. Bay Village, FL 33141

Owner/Occupant
7918 Harbor Island Drive, #311
N. Bay Village, FL 33141

Owner/Occupant
7918 Harbor Island Drive, #207
N. Bay Village, FL 33141

Owner/Occupant
7918 Harbor Island Drive, #307
N. Bay Village, FL 33141

Owner/Occupant
7918 Harbor Island Drive, #107
N. Bay Village, FL 33141

Owner/Occupant
7900 Harbor Island Drive, #1418
N. Bay Village, FL 33141

Owner/Occupant
7900 Harbor Island Drive, #1521
N. Bay Village, FL 33141

Owner/Occupant
7900 Harbor Island Drive, #PH21
N. Bay Village, FL 33141

Owner/Occupant
7900 Harbor Island Drive, #1409
N. Bay Village, FL 33141

Owner/Occupant
7900 Harbor Island Drive, #706
N. Bay Village, FL 33141

Owner/Occupant
7900 Harbor Island Drive, #821
N. Bay Village, FL 33141

Owner/Occupant
7900 Harbor Island Drive, #921
N. Bay Village, FL 33141

Owner/Occupant
7900 Harbor Island Drive, #704
N. Bay Village, FL 33141

Owner/Occupant
7900 Harbor Island Drive, #1220
N. Bay Village, FL 33141

Owner/Occupant
7900 Harbor Island Drive, #1424
N. Bay Village, FL 33141

Owner/Occupant
7900 Harbor Island Drive, #1013
N. Bay Village, FL 33141

Owner/Occupant
7900 Harbor Island Drive, #PH4
N. Bay Village, FL 33141

Owner/Occupant
7900 Harbor Island Drive, #1526
N. Bay Village, FL 33141

Owner/Occupant
7900 Harbor Island Drive, #708
N. Bay Village, FL 33141

Owner/Occupant
7900 Harbor Island Drive, #1511
N. Bay Village, FL 33141

Owner/Occupant
7900 Harbor Island Drive, #1517
N. Bay Village, FL 33141

Owner/Occupant
7900 Harbor Island Drive, #PH28
N. Bay Village, FL 33141

Owner/Occupant
7900 Harbor Island Drive, #1005
N. Bay Village, FL 33141

Owner/Occupant
7918 Harbor Island Drive, #915
N. Bay Village, FL 33141

Owner/Occupant
7918 Harbor Island Drive, #1003
N. Bay Village, FL 33141

Owner/Occupant
7918 Harbor Island Drive, #723
N. Bay Village, FL 33141

Owner/Occupant
7918 Harbor Island Drive, #1508
N. Bay Village, FL 33141

Owner/Occupant
7918 Harbor Island Drive, #807
N. Bay Village, FL 33141

Owner/Occupant
7918 Harbor Island Drive, #PH8
N. Bay Village, FL 33141

Owner/Occupant
7918 Harbor Island Drive, #PH10
N. Bay Village, FL 33141

Owner/Occupant
7918 Harbor Island Drive, #611
N. Bay Village, FL 33141

Owner/Occupant
7918 Harbor Island Drive, #705
N. Bay Village, FL 33141

Owner/Occupant
7918 Harbor Island Drive, #925
N. Bay Village, FL 33141

Owner/Occupant
7918 Harbor Island Drive, #1217
N. Bay Village, FL 33141

Owner/Occupant
7918 Harbor Island Drive, #904
N. Bay Village, FL 33141

Owner/Occupant
7918 Harbor Island Drive, #911
N. Bay Village, FL 33141

Owner/Occupant
7918 Harbor Island Drive, #1223
N. Bay Village, FL 33141

Owner/Occupant
7918 Harbor Island Drive, #1423
N. Bay Village, FL 33141

Owner/Occupant
7900 Harbor Island Drive, #1413
N. Bay Village, FL 33141

Owner/Occupant
7900 Harbor Island Drive, #1502
N. Bay Village, FL 33141

Owner/Occupant
7900 Harbor Island Drive, #1402
N. Bay Village, FL 33141

Owner/Occupant
7900 Harbor Island Drive, #1004
N. Bay Village, FL 33141

Owner/Occupant
7900 Harbor Island Drive, #605
N. Bay Village, FL 33141

Owner/Occupant
7900 Harbor Island Drive, #814
N. Bay Village, FL 33141

Owner/Occupant
7900 Harbor Island Drive, #820
N. Bay Village, FL 33141

Owner/Occupant
7900 Harbor Island Drive, #825
N. Bay Village, FL 33141

Owner/Occupant
7900 Harbor Island Drive, #1028
N. Bay Village, FL 33141

Owner/Occupant
7900 Harbor Island Drive, #513
N. Bay Village, FL 33141

Owner/Occupant
7900 Harbor Island Drive, #717
N. Bay Village, FL 33141

Owner/Occupant
7900 Harbor Island Drive, #1212
N. Bay Village, FL 33141

Owner/Occupant
7900 Harbor Island Drive, #1017
N. Bay Village, FL 33141

Owner/Occupant
7900 Harbor Island Drive, #503
N. Bay Village, FL 33141

Owner/Occupant
7900 Harbor Island Drive, #PH18
N. Bay Village, FL 33141

Owner/Occupant
7900 Harbor Island Drive, #1009
N. Bay Village, FL 33141

Owner/Occupant
7900 Harbor Island Drive, #719
N. Bay Village, FL 33141

Owner/Occupant
7900 Harbor Island Drive, #524
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N. Bay Village, FL 33141

Owner/Occupant
7900 Harbor Island Drive, #1404
N. Bay Village, FL 33141

Owner/Occupant
7900 Harbor Island Drive, #510
N. Bay Village, FL 33141

Owner/Occupant
7900 Harbor Island Drive, #1419
N. Bay Village, FL 33141

Owner/Occupant
7900 Harbor Island Drive, #711
N. Bay Village, FL 33141

Owner/Occupant
7900 Harbor Island Drive, #1208
N. Bay Village, FL 33141

Owner/Occupant
7900 Harbor Island Drive, #816
N. Bay Village, FL 33141

Owner/Occupant
7900 Harbor Island Drive, #707
N. Bay Village, FL 33141

Owner/Occupant
7900 Harbor Island Drive, #PH1
N. Bay Village, FL 33141

Owner/Occupant
7900 Harbor Island Drive, #1522
N. Bay Village, FL 33141

Owner/Occupant
7900 Harbor Island Drive, #1512
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Owner/Occupant
7900 Harbor Island Drive, #521
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Owner/Occupant
7900 Harbor Island Drive, #917
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7900 Harbor Island Drive, #817
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Owner/Occupant
7900 Harbor Island Drive, #1112
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7900 Harbor Island Drive, #520
N. Bay Village, FL 33141

Owner/Occupant
7900 Harbor Island Drive, #1204
N. Bay Village, FL 33141

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7900 Harbor Island Drive, #716
N. Bay Village, FL 33141

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7900 Harbor Island Drive, #1425
N. Bay Village, FL 33141

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7900 Harbor Island Drive, #PH12
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Owner/Occupant
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7900 Harbor Island Drive, #922
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Owner/Occupant
7900 Harbor Island Drive, #924
N. Bay Village, FL 33141

Owner/Occupant
7900 Harbor Island Drive, #612
N. Bay Village, FL 33141

Owner/Occupant
7900 Harbor Island Drive, #1226
N. Bay Village, FL 33141

Owner/Occupant
7900 Harbor Island Drive, #1126
N. Bay Village, FL 33141

Owner/Occupant
7900 Harbor Island Drive, #809
N. Bay Village, FL 33141

Owner/Occupant
7900 Harbor Island Drive, #909
N. Bay Village, FL 33141

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7900 Harbor Island Drive, #810
N. Bay Village, FL 33141

Owner/Occupant
7900 Harbor Island Drive, #1219
N. Bay Village, FL 33141

Owner/Occupant
7900 Harbor Island Drive, #1107
N. Bay Village, FL 33141

Owner/Occupant
7900 Harbor Island Drive, #506
N. Bay Village, FL 33141

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7900 Harbor Island Drive, #1119
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7900 Harbor Island Drive, #519
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Owner/Occupant
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7900 Harbor Island Drive, #818
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Owner/Occupant
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Owner/Occupant
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Owner/Occupant
7900 Harbor Island Drive, #515
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Owner/Occupant
7900 Harbor Island Drive, #1106
N. Bay Village, FL 33141

Owner/Occupant
7900 Harbor Island Drive, #1111
N. Bay Village, FL 33141

Owner/Occupant
7900 Harbor Island Drive, #1021
N. Bay Village, FL 33141

Owner/Occupant
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N. Bay Village, FL 33141

Owner/Occupant
7900 Harbor Island Drive, #1206
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Owner/Occupant
7900 Harbor Island Drive, #824
N. Bay Village, FL 33141

Owner/Occupant
7900 Harbor Island Drive, #1023
N. Bay Village, FL 33141

Owner/Occupant
7900 Harbor Island Drive, #610
N. Bay Village, FL 33141

Owner/Occupant
7900 Harbor Island Drive, #1022
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NEIGHBORS CALENDAR

CALENDAR, FROM 9NE

General Admission. 305-223-7060.
Women's Health Symposium: Promotes a holistic approach to health care, nutrition, healthy cooking, physical fitness, acupuncture, detoxing the body, healthy heart, and thermography. For more information visit the website.
 8:30 a.m. March 8, Hallandale Beach Cultural Community Center, 410 SE Third St., Hallandale Beach. Free. 954-303-3585.

FARMERS' MARKETS

The Garden Market: The Garden Market is a weekly farmers market that takes place rain or shine every Wednesday in the Miami Beach Botanical Garden. Vendors from The Market Company will be selling.
 11 a.m. March 12, Miami Beach Botanical Garden, 2000 Convention Center Dr., Miami Beach. Free. 305-673-7256, ext. 206.

FASHION

Macy's at Pembroke Lakes Mall Helps You Get Ready for Prom: Check out the latest fashion trends for prom hosted by fashion blogger Kelly Saks of Kelly's Closet to help you prepare for the one of the most memorable days of your life!
 R.
 2 p.m. March 8, Macy's Pembroke Lakes Mall, 11605 Pines Blvd., Pembroke Pines. Free.

Moroccan Couture Pop-up Boutique: Pop-up boutique and advance look into the fashion revolution Moroccan jetsetter & Miami Beach resident Asmaa Benkhirane is about to launch with Le Beau Maroc, a boutique feast.
 12 p.m. March 8, Semilla Eatery & Bar, 1330 Alton Rd., Miami Beach. Free. 305-793-8268.

FOLK & TRADITIONAL

Music of the Americas at Zoo Miami: After enjoying a day strolling around Zoo Miami's beautiful pathways, there is no better way to relax than at our Amazon and Beyond's Village Plaza.
 1 p.m. March 8, Zoo Miami, 12400 SW 152 St., Richmond Naval Air Station. Free with zoo admission. 305-255-5551.

FOOD & DINING

A Night at the Museum: A Celebration of the Pageantry of Purim: Join us for the Jewish Museum of Florida-FIU's annual festive event featuring delicious gourmet food, music, entertainment and fun!
 Celebrating the triumph of good over evil.
 6:30 p.m. March 13, Jewish Museum of Florida-FIU, 301 Washington Ave., Miami Beach. 786-972-3162.
Diamonds -N- Pearls 2K14: The Miami Nupes & The Lovely Ladies Of AKA In Assoc/ W SV Marketing Presents Name of Party: Diamonds & Pearls (Spring Break 2K14) Venue and address: Room Service Lounge 929

Wa.

11 p.m. March 9, Room Service, 929 Washington Ave., Miami Beach. 305-763-8330.
Free Tango Class and Milonga in Coral Gables: Free Tango Class 8pm Milonga 9pm
 Special tango menu
 121 Alhambra Plaza, Coral Gables, 33344
 305-448-2511
 The world's best all you can eat Argentine Steakhouse.
 Awesome.
 8 p.m. March 12, Siga la Vaca - Authentic Argentine Steakhouse, 121 Alhambra Plaza, Coral Gables. Free. 786-355-0882.

Jazz on the Green: Take a break from the Miami scene and experience a live jazz band playing on our beautiful open garden while enjoying our three course prix fixe menu including mussels, tuna, calamari or lamb and paired with a glass of sparkling wine and our friendly staff ready to spoil you.
 7:30 p.m. March 7, Peacock Garden Cafe, Coconut Grove, Southwest Coconut Grove, 305-774-3332.
Live Reggae Music | Every Sunday | Free Admission: Reggae Sundays - Sunset In Negri!
 A FREE Family Friendly Event & FREE Parking & Always Rain or Shine! Great Jerk chicken & pork BBQ, Festival Bread, fresh fried fish, soup, c.
 6 p.m. March 9, Negri On The Green, 315 S. 62nd Ave., Hollywood. Free. 954-582-4345.

FOOTBALL

Flag Football 2014: Description Youth flag football for ages 7-14.
 Activity Flag Football 2014 #120102 Type Sports Leagues Sub-Activities
 Flag Football 10U Flag Football 11U Flag Football 12U Flag Football 13U Flag Football 14U Flag Football 7U Flag Football 8U Flag Football 9U
 6 p.m. March 10, Miami Gardens City Hall, 155 NW 167th St.,

GALLERIES

Everglades-Painted Tapestries: Opening reception for artist Mal Yap. Her latest work, "Cloudscapes and Meditations" done entirely with palette knives, explores the unbelievable colors and ever changing moods of the Florida Everglades and Biscayne Bay. Parts of sales benefits South Florida National Park Trust. Exhibit continues through March.
 7 p.m. March 7, ArtSight Gallery, 1524 Ponce de Leon Blvd., Coral Gables. Free. 305-725-8630.
Life is Art presents Art/Work Connections #7 - Gallery Prep: Art/Work Connections, monthly series of seminars presented by Life is Art on a variety of topics vital to the success of working artists, features Reed V. North, experienced gallerist. He speaks on how to get prepared to pitch a gallery, create a powerful portfolio, do research to find the best gallery for your work and approach the gallery.
 6:30 p.m. March 11, Yo Space, 294 NE 62nd St., Little Haiti. \$10. 3055767033 ext. 122.

GOLF

Cadillac World Golf Championship: 8 a.m. March 6, Trump National Doral Miami, 4400 NW 87th Ave., Doral Resort and Country Club. 305-592-2000.
WGC Cadillac Golf Championships: 6 a.m. March 9, Trump National Doral Miami, 4400 NW 87th Ave., Doral Resort and Country Club. 305-592-2000.
World Golf Championship Friday Competition: 7 a.m. March 7, Doral Golf Resort and Spa, 440 NW 87th Ave., Fontainebleau East. 305-592-2000.
World Golf Championship Saturday Competition: 7 a.m. March 8, Doral Golf Resort and Spa, 440 NW 87th Ave., Fontainebleau East. 305-592-2000.
World Golf Championship Sunday Competition: 7 a.m. March 9, Doral Golf Resort and Spa, 440 NW 87th Ave., Fontainebleau East. 305-592-2000.
World Golf Championship Thursday Competition: 7 a.m. March 6, Doral Golf Resort and Spa, 440 NW 87th Ave., Fontainebleau East. 305-592-2000.

HIKING

Starlight Walk: Experience the Anhinga Trail by starlight. Listen for pig frogs. Look for fireflies and gator eyes. Meet at the Royal Palm benches. Flashlight optional. Through March 22.
 7 p.m. March 8, Everglades National Park, 40001 State Hwy. 9336, Homestead, included in admission (admission not provided to Herald). 305-242-7700.
Wilderness Walk: For 12+ (strenuous). Wade through the River of Grass into the shadows of a gator hole or a cypress dome. Reservations and info at Ernest F. Coe Visitor Center. Daily through March 22.
 2 p.m. March 8, Everglades National Park, 40001 State Hwy. 9336, Homestead. Included in admission. Admission not provided to Herald. 305-242-7700.

INDIE

My Deer + Tremends: It's ART WALK SATURDAY and by 10pm the galleries start slowing down. So make sure to join the Gumm Drops crew and King's Head Records gang for a night full of music, amazing food and drinks. Featuring MY DEER and Tremends Muzic as well as special taste of Dude Skywalker on the turn tables.
 No Cover!
 10 p.m. March 8, Will Call Miami, 700 NE Second Ave., Park West. Free. 305-577-5900.

JAZZ

Lindsey Blair Quartet Live in the Cellar: Group's debut performance Downstairs in the Cellar.
 10 p.m. March 6, Le Chat Noir, 2 S. Miami Ave., Downtown Miami. No cover. 305-377-8899.
Lunchtime Jazz in the Plaza: Enjoy a

• TURN TO CALENDAR, 18NE



NORTH BAY VILLAGE NOTICE OF PUBLIC HEARING

PUBLIC NOTICE IS HEREBY GIVEN THAT THE PLANNING & ZONING BOARD OF NORTH BAY VILLAGE, FLORIDA, WILL HOLD ITS REGULAR MEETING ON **MARCH 18, 2014 AT 7:30 P.M. OR AS SOON AS POSSIBLE THEREAFTER, AT TREASURE ISLAND ELEMENTARY SCHOOL, 7540 EAST TREASURE DRIVE**, NORTH BAY VILLAGE, FLORIDA. DURING THIS MEETING, THE BOARD WILL CONSIDER THE FOLLOWING REQUESTS AND SUBMIT A RECOMMENDATION TO THE VILLAGE COMMISSION:

- AN APPLICATION BY WILLIAM WEBB CONCERNING THE PROPERTY AT 1857 BAY TERRACE, NORTH BAY ISLAND, NORTH BAY VILLAGE, FLORIDA, FOR THE FOLLOWING:
 - A VARIANCE PURSUANT TO SECTION 162.097 OF THE NORTH BAY VILLAGE CODE OF ORDINANCES TO PERMIT A TWO-STORY SINGLE-FAMILY RESIDENTIAL STRUCTURE TO EXCEED THE MAXIMUM HEIGHT OF SECTION 152.026(C)(9), WHICH ALLOWS A BUILDING HEIGHT OF NO MORE THAN 25 FEET ABOVE FEMA BASE FLOOD ELEVATION.
- AN APPLICATION BY HOLGER PIENING AND ANDREA FRANK CONCERNING PROPERTY LOCATED AT 1700 SOUTH TREASURE DRIVE, TREASURE ISLAND, NORTH BAY VILLAGE, FLORIDA FOR THE FOLLOWING:
 - A VARIANCE PURSUANT TO SECTION 152.097 OF THE NORTH BAY VILLAGE CODE OF ORDINANCES TO PERMIT A 4.5 FOOT SIDE-INTERIOR SETBACK FOR THE CONSTRUCTION OF A SWIMMING POOL, WHERE THE CODE REQUIRES A SETBACK OF 7.5 FEET.
 - A VARIANCE PURSUANT TO SECTION 152.097 OF THE NORTH BAY VILLAGE CODE OF ORDINANCES TO PERMIT THE POOL EQUIPMENT TO ENCROACH 3.3 FEET INTO THE REQUIRED 7.5 FOOT SIDE INTERIOR SETBACK AREA.
- AN APPLICATION BY 7814 BUILDING, LLC CONCERNING PROPERTY LOCATED AT 7814, 7816 AND 7818 WEST DRIVE, TRACT C OF HARBOR ISLAND, NORTH BAY VILLAGE, FLORIDA, IN CONNECTION WITH THE DEVELOPMENT OF A 52 UNIT, 15 STORY MULTI-FAMILY CONDOMINIUM STRUCTURE:
 - A SPECIAL USE EXCEPTION PURSUANT TO SECTIONS 152.042(E) AND 152.098 OF THE NORTH BAY VILLAGE CODE OF ORDINANCES TO ALLOW UP TO TWENTY (20) PERCENT OF THE DEVELOPMENT'S REQUIRED PARKING SPACES TO BE DESIGNED SPECIFICALLY FOR COMPACT VEHICLES.
- AN APPLICATION BY NORTH BAY CAUSEWAY, LLC CONCERNING PROPERTY LOCATED AT 1555 KENNEDY CAUSEWAY, NORTH BAY VILLAGE, FLORIDA, FOR THE FOLLOWING:
 - A SPECIAL USE EXCEPTION PURSUANT TO SECTIONS 162.030(C)(3) AND 152.098 OF THE NORTH BAY VILLAGE CODE OF ORDINANCES FOR DEVELOPMENT OF A MIXED-USE COMMERCIAL STRUCTURE IN THE CG (GENERAL COMMERCIAL) ZONING DISTRICT.
 - SITE PLAN APPROVAL PURSUANT TO SECTION 152.105(C)(9) OF THE NORTH BAY VILLAGE CODE OF ORDINANCES FOR DEVELOPMENT OF A 127-UNIT, 22-STORY CONDOMINIUM STRUCTURE WITH A PARKING GARAGE.
 BAY VIEW OVERLAY STANDARDS REVIEW, INCLUDING HEIGHT APPROVAL, PURSUANT TO SECTION 152.032(A)(3) OF THE NORTH BAY VILLAGE CODE OF ORDINANCES.
 - A VARIANCE PURSUANT TO SECTION 152.097 OF THE NORTH BAY VILLAGE CODE OF ORDINANCES TO ALLOW 5 STORIES OF PARKING, WHERE SECTION 152.029(C) ALLOWS A MAXIMUM OF FOUR STORIES OF PARKING.
- AN APPLICATION BY KAKUTA SAINT CONCERNING PROPERTY LOCATED AT 7441 CENTER BAY DRIVE, NORTH BAY VILLAGE, FLORIDA, FOR THE FOLLOWING:
 - A VARIANCE PURSUANT TO SECTION 162.097 OF THE NORTH BAY VILLAGE CODE OF ORDINANCES TO ALLOW A GENERATOR TO ENCROACH 4 FEET INTO THE REQUIRED 10 FOOT SIDE INTERIOR SETBACK AREA.

INTERESTED PERSONS ARE INVITED TO APPEAR AT THIS MEETING OR BE REPRESENTED BY AN AGENT, OR TO EXPRESS THEIR VIEWS IN WRITING ADDRESSED TO THE PLANNING & ZONING BOARD C/O THE BUILDING & ZONING CLERK, 1686 KENNEDY CAUSEWAY, #300, NORTH BAY VILLAGE, FL 33141.

THE DOCUMENTS PERTAINING TO THIS PUBLIC HEARING MAY BE INSPECTED AT THE OFFICE OF THE VILLAGE CLERK DURING REGULAR WORKING HOURS AT 1686 KENNEDY CAUSEWAY, #300. INQUIRIES MAY BE DIRECTED TO THAT DEPARTMENT AT (305) 756-7171.

PURSUANT TO SECTION 286.0105, FLORIDA STATUTES, IF ANY PERSON DECIDES TO APPEAL ANY DECISION BY THE VILLAGE COMMISSION WITH RESPECT TO THIS OR ANY MATTER CONSIDERED AT ITS MEETING OR ITS HEARING, SUCH PERSON MUST 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 VILLAGE 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 ACCESSIBLE FORMAT, SIGN LANGUAGE INTERPRETERS, INFORMATION ON ACCESS FOR PERSON WITH DISABILITIES, AND/OR ANY ACCOMMODATION TO REVIEW ANY DOCUMENT OR PARTICIPATE IN ANY VILLAGE-SPONSORED PROCEEDING, PLEASE CONTACT (805) 756-7171 FIVE DAYS IN ADVANCE TO INITIATE YOUR REQUEST. TTY USERS MAY ALSO CALL 711 (FLORIDA RELAY SERVICE).

YVONNE R. HAMILTON, CMC
 VILLAGE CLERK
 February 28, 2014



Staff Report Variance Request

Prepared for: North Bay Village
Planning & Zoning Board

Applicant: Kaukuta Saint

Request: Variance to Side Yard Setback

LalRue Planning
& Management Services, Inc.
1375 Jackson Street, Suite 206
Fort Myers, Florida
239-334-3366

Serving Florida Local Governments Since 1988

General Information

Owner/Applicant:	Kaukuta Saint
Applicant Address:	7441 Center Bay Drive North Bay Village, FL 33141
Site Address:	7441 Center Bay Drive
Contact Person:	Kaukuta Saint
Applicant/Contact Phone Number:	786-338-0347
E-mail Address:	k.fb@me.com

Future Land Use Map Classification	Single Family Residential
Zoning District	RS-1
Use of Property	Single Family Home
Acreage (per survey and property appraiser)	0.18 ac.

Legal Description of Subject Property

LOT 5, BLOCK 4, OF NORTH BAY ISLAND, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 40 AT PAGE 59 OF THE PUBLIC RECORDS OF MIAMI-DADE, FLORIDA

SAID LANDS LYING AND BEING IN THE CITY OF NORTH BAY VILLAGE, MIAMI-DADE COUNTY, FLORIDA CONTAINING 7,700 SQUARE FEET (0.177 ACRES), MORE OR LESS.

Requested Variance

The applicant is requesting a 4 foot variance to the 10 foot minimum side yard setback allowed in the North Bay Village RS-1 Zoning District, thereby allowing a generator to be 6 feet from the side lot line where 10 feet is required.



Project Description

The applicant owns a single family residence on Center Bay Drive, in North Bay Village. Section 152.056 of the North Bay Village Code requires that every front, side, and rear yard setback shall be open and unobstructed from the ground to the sky. In order to provide power to his residence in times of power outage, the applicant would like to place a generator in the southern side setback area of the property. The generator would be placed on an existing concrete pad and would be located next to existing AC units that are also currently encroaching on the side yard setback area. The existing AC units encroach approximately 4 feet into the side yard setback area. The dimensions of the proposed generator are approximately 2.1 feet by 2.4 feet by 4 feet. And the applicant states that it will encroach no further into the side setback area than the existing AC units. Additionally, the applicant has stated that there are existing trees and shrubs which will screen the generator; and he plans to apply for a building permit to continue an existing side yard fence, so that it will extend past the proposed generator. Please see attached letter, survey, and generator specifications submitted by the applicant.

Required Findings

Sec. 152.097(B) sets forth the findings that are required for the reviewing body(ies) to authorize any variance request. Sec. 152.097(C) requires that the reviewing body(ies) must make an affirmative finding with respect to the criteria listed below. For ease of review, each of the criteria contained in subparagraphs (B)(1) through (B)(3) have been separated into their component parts.

- (1)a. That there are (or are not) special circumstances and conditions which are peculiar to the land, structure, or building involved and which are not generally applicable to other lands, structures, or buildings in the same zoning district;

Staff Comments: The Applicant has provided no evidence of special circumstances and/or conditions that are unique to the land or proposed structure. The property is a rectangular shaped lot of 7,700 square feet, in excess of the 7,000 square foot minimum lot size required in the RS-1 Zoning District. The property is 70 feet wide, meeting the RS-1 District minimum frontage requirement of 70 feet.

- (1)b. that the special circumstances and conditions were not (or were) self-created by any person having an interest in the property;

Applicant: The applicant states that the existing single family structure is built out to the required front and side setbacks and that this makes placement of the generator difficult.

Staff Comments: There are no special circumstances and/or conditions. The need for the generator is a matter of choice. The fact that the existing structure is built out to the front and side setback areas does not constitute something that is peculiar to the land or structure and is not a valid reason for granting a variance.



- (1)c. and that the strict application of the provisions of this chapter would (or would not) deprive the Applicant of the reasonable use of the land, structure, or building for which the variance is sought;

Applicant: The applicant has stated that, on North Bay Island, there are existing standby generators and other equipment like AC compressors and pool equipment installed within the required side setbacks at various locations.

Staff Comments: The applicant's statement on this matter is accurate and indicative of the general allowance of mechanical equipment to encroach on side yard setback areas on North Bay Island, however those situations came to occur. Since the encroachment of mechanical equipment seems to be a pervasive situation, staff agrees that it is a reasonable use of the land to allow new mechanical equipment to be placed in such a manner that it encroaches no further than existing mechanical equipment.

- (1)d. and would (or would not) involve an unnecessary hardship for the Applicant.

Staff Comments: The definition of an unnecessary hardship in Chapter 152 is as follows:

"(2) *Hardship, unnecessary.* Arduous restrictions upon the uses of a particular property, which are unique and distinct from that of adjoining property owners. Granting of relief from an unnecessary hardship should not violate sound zoning principles, including considerations that: adjacent properties will not be substantially reduced in value, it is not granting a special privilege not to be enjoyed by others in similar circumstances, and the public interest is maintained, including following the spirit of this chapter and the comprehensive master plan. Invalid and nonjustifiable bases for pleading unnecessary hardship include but are not limited to:

- (a) Loss of the "best" use of the land, and business competition.
- (b) Self-created hardships by the applicant's own acts.
- (c) Neighboring violations and nonconformities.
- (d) Claims of inability to sell the property.
- (e) General restrictions of this chapter."

Since several neighboring properties already contain existing mechanical equipment encroachments, this is not a unique request.

- (2)a. That granting the variance requested will not (or will) confer on the Applicant any special privilege that is denied by this chapter to other land, structures, or buildings in the same zoning district;

Staff Comments: Granting the request of this variance allows the applicant an encroachment similar to those currently existing on neighboring properties.



- (2)b. and the variance granted is the minimum variance that will make possible the reasonable use of the land, structure, or building.

Staff Comments: The variance sought by the applicant would allow the proposed equipment to encroach no further than existing equipment.

- (3) That granting the variance will (or will not) be in harmony with the general intent and purpose of this chapter, and that such variance will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

Staff Comments: It is possible that the decibel levels associated with the operation of a generator could exceed that of the existing mechanical equipment of neighboring North Bay Island properties, in which case, this proposal would be injurious to the neighborhood or otherwise detrimental to the public welfare. However, the applicant has provided manufacturer specifications for the proposed generator, which include operational decibel levels. The manufacturer states that the maintenance cycle generates 60 decibels and normal operation generates 66 decibels. Research conducted by staff indicates that 66 decibels may be slightly louder than the average AC unit, but is approximately equivalent to the noise level of a household vacuum cleaner. Additionally, usage will most likely not be on a regular basis.

The City's LDC contains the same criteria in Sec. 2.7.6 as discussed above except they are numbered (1) through (6). The LDC also includes a seventh criterion which reads as follows:

7. The variance request is not based exclusively upon a desire to reduce the cost of development.

Staff Comments: This variance request is not based on a desire to reduce the cost of development.



Recommendations

Staff recommends **approval** of the requested variance to allow a 6 foot setback from the property line where a 10 foot setback is required, with the following stipulations:

1. To comply with Section 151.25, screening must be provided which screens the entire height of the generator structure (applicant has stated his intention to comply with this by extending his side yard fence).
2. Generator testing times shall be restricted to between 10am and 2pm on weekdays and non-holidays.
3. Building permits and related approvals for generator installation must be obtained from the Building Official prior to commencement of construction.
4. All applicable state and federal permits must be obtained before commencement of construction.
5. Cost Recovery charges must be paid pursuant to Section 152.110. Specifically, no building permit shall be issued for the property until all application fees, cost recovery deposits and outstanding fees and fines related to the property (including fees related to any previous development proposal applications on the property), have been paid in full.
6. Authorization or issue of a variance or a building permit by the Village does not in any way create a right on the part of the applicant to obtain a permit from a state or federal agency, and does not create liability on the part of the Village for issuance of a variance or a building permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes action that result in a violation of federal or state law.

Submitted by:

James G. LaRue
James G. LaRue, AICP
Planning Consultant

March 11, 2014

Hearing: Planning & Zoning Board, March 18, 2014





North Bay Village

Administrative Offices

1666 Kennedy Causeway, Suite 300 North Bay Village, FL 33141

Tel: (305) 756-7171 Fax: (305) 756-7722 Website: www.nbvillage.com

APPLICATION FOR PUBLIC HEARINGS:

Hearings and Notices: - All petitions for amendments, changes or supplements to these regulations for variances, special use exceptions, Site Plan Approval, Extension of Approved Site Plans, for Building Height Bonus Approval, or for an amendment, change or supplement to the Comprehensive Plan; district zoning map, or petitions appealing an administrative decision shall be considered at Public Hearings before the Planning & Zoning Board and, thereafter, the Village Commission. Notice of Public Hearings before the Planning & Zoning Board and the Village Commission shall be given by publishing and posting on the property (which is the subject of the request), the time, the place and the nature of the hearing at least 10 days before the hearing. The Village Clerk shall certify that the petition is complete before the hearing is legally advertised.

Applicant's Name: KAUKUTA SAINT Phone: 786 3380347

Mailing Address: 7441 CENTER BAY DRIVE
N. BAY VILLAGE 33141 FL

Legal Description of Property: LOT 5 BLOCK 4 OF N. BAY ISLAND

Existing Zoning: RS-1 Lot Size: 7700 Folio: 23-3209-008-810

Type of Request: VARIANCE FOR SIDE SETBACK
FOR INSTALLATION OF STANDBY GENERATOR
NEXT TO EXISTING A/C COMPRESSORS

Reason for Request: (Attach additional Pages if necessary) PLEASE SEE
ATTACHED LETTER

All applications shall be submitted to the Village Clerk on or before the deadline implemented by the Village.

Mayor
Connie Leon-Kreps

Vice Mayor
Eddie Lim

Commissioner
Dr. Richard Chervony

Commissioner
Wendy Duvall

Commissioner
Jorge Gonzalez

**APPLICATION FOR HEARING
BEFORE THE PLANNING & ZONING BOARD AND
VILLAGE COMMISSION
PAGE 2 OF 2**

Filing Fees - All persons, firms, or corporations petitioning the Planning & Zoning Board and the Village Commission necessitating the publication of notices in the newspaper, and all relative thereto, the payment of such money in advance to the Village Clerk shall be deemed a condition precedent to the consideration of such petition, conditional use permit or amendment.

I, (We), the undersigned, am (are) the (owner, tenant, agent, attorney) (designate one) of the subject property herein described. I (We) acknowledge and agree that during the consideration of the application before the Planning & Zoning Board and staff of North Bay Village, no rights shall vest on behalf of the applicant, which would be enforceable against the Village until after a Public Meeting is held by the Village Commission and the Village Commission has voted favorable on the proposed petition.

I, (We) further acknowledge that I (We) have read and understand the conditions for appearance before the Planning & Zoning Board and the Village Commission Pursuant to the Village Code Section 152.096. Any person submitting false information or misrepresenting in their presentation shall have all privileges granted to them by the Planning & Zoning Board and the Village Commission revoked.

(NOTE: ALL NEW AND SUBSTANTIAL IMPROVEMENTS MUST COMPLY WITH THE FLORIDA BUILDING CODE, DEPARTMENT OF ENVIRONMENTAL RESOURCE MANAGEMENT (DERM), AND FEMA (FLOOD) REGULATIONS).

ZWT ST KAUKUZA SAINT
Authorized Signature Print Name

ZWT ST
(In case of corporate ownership, the authorized signature shall be accompanied by a notation of the signer's position in the corporation and embossed with the corporate seal.)

STATE OF FLORIDA)
COUNTY OF MIAMI-DADE)

Sworn to and subscribed to before me this 21st day of February 2014
by KAUKUZA SAINT
who is personally known to me or who has produced Driver's License (FL)
as identification.

[Signature]
Notary Public

(Notary Seal)

- Mayor
Connie Leon-Kreps
- Vice Mayor
Eddie Lim
- Commissioner
Dr. Richard Chervony
- Commissioner
Wendy Duvall
- Commissioner
Jorge Gonzalez

Office Use Only:

Date Submitted: 2/21/14

Fee Paid: \$ 100.

Tentative Meeting Date: 3/11/14

Cash or Check # _____

Date Paid: 2/21/14

Mayor
Connie Leon-Kreps

Vice Mayor
Eddie Lim

Commissioner
Dr. Richard Chervony

Commissioner
Wendy Duvall

Commissioner
Jorge Gonzalez



KAUKUTA SAINT

7441 Center Bay Drive
N bay Village, 33141, FLORIDA

T 786.338.0347

K.FB@ME.COM

February 20, 2014

Dear city of North Bay Village,

Under the provisions of section 152.097 of the city code I am requesting a VARIANCE TO THE SIDE SETBACK REQUIREMENTS FOR INSTALLATION OF A STANDBY GENERATOR to be used in times of loss of power from FPL, for example after a tropical storm or a transformer failure.

On N. Bay island there are existing standby generators and other equipment like AC compressors and pool pumps or pool heating equipment installed within the required side setbacks at various locations.

As you can see on the attached survey the existing property is built right up to the front and side setbacks making location of the proposed generator within the required setbacks difficult as it is limited by the existing building structure as well as the existing pool and deck. These conditions were not created by me and were existing at the time of purchase to the property.

Currently the property has two existing Air Conditioning compressor units that are encroaching the side setback by 4 feet. The units are approximately 3 ft wide and are positioned about 1 ft from the property. There is an existing concrete pad and there is ample space to install the SMALL 2 X 2 X 4 ft standby generator so it would ENCROACH NO MORE THAN THE CURRENT AC UNITS.

Details of the proposed generator are attached including the manufacturers stated noise figures of 66dBA during normal use and 60 dBA for its maintenance cycle.

To mitigate any further noise concerns there are existing trees and shrubs at the property line and I am continuing the existing wooden fence at the back of the property up to the front of the property which should further improve any potential sound concerns as well as remove the sight lines to the existing AC units as well as the proposed generator. If the generator were installed at the required setback of 10 feet rather than the proposed 6 feet the difference in noise would be very small.

Subject to approval, the installation will be carried out by a state licensed generator and electrical contractor with all the required permits.

Sincerely yours,

KAUKUTA SAINT

Attachments:

- 1 - Property survey and proposed generator location.
- 2 - Proposed generator technical specifications



KAUKUTA SAINT

7441 Center Bay Drive
N bay Village, 33141, FLORIDA

T 786.338.0347

K.FB@ME.COM

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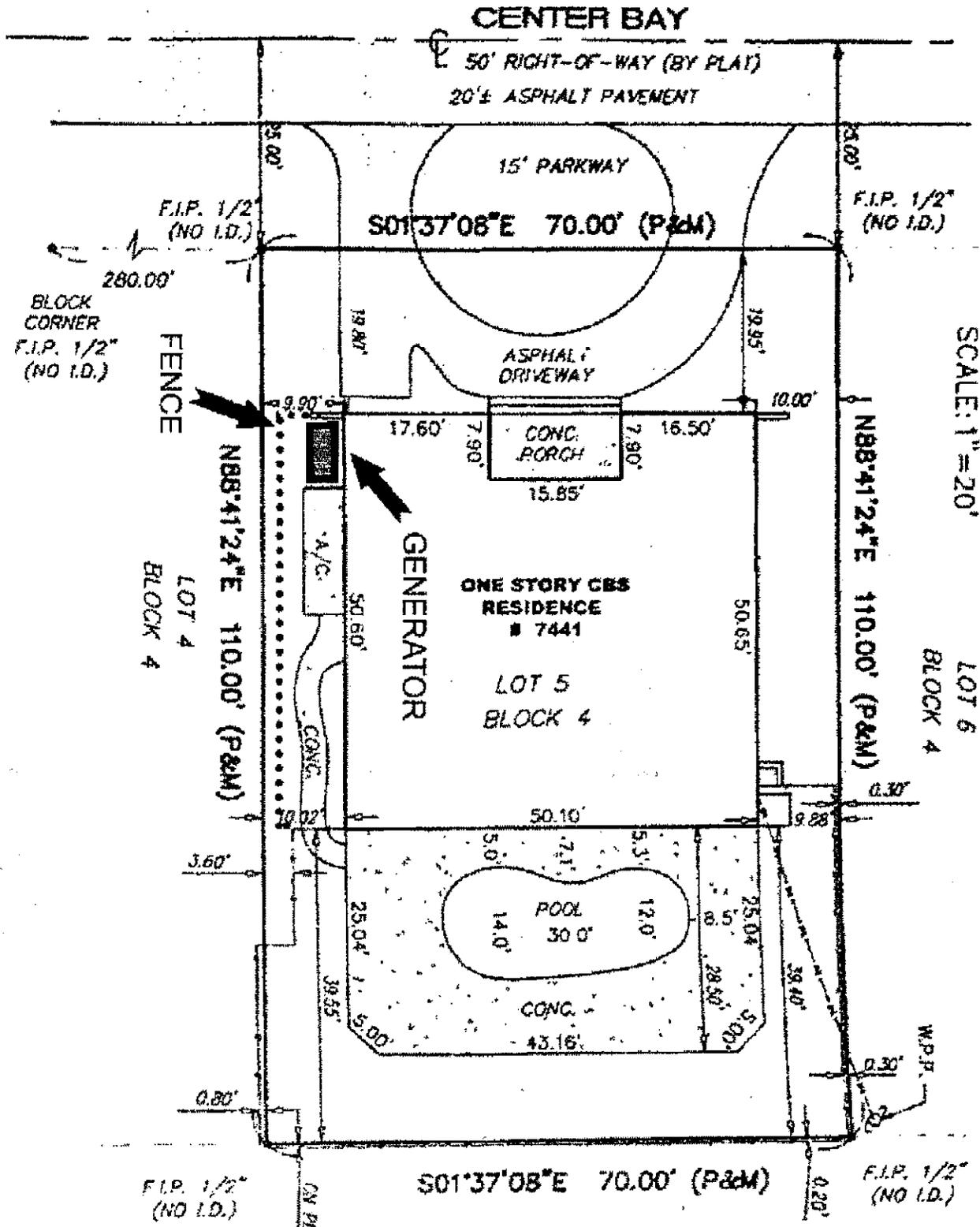
Sincerely yours,

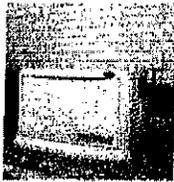
KAUKUTA SAINT

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STANDBY GENERATORS

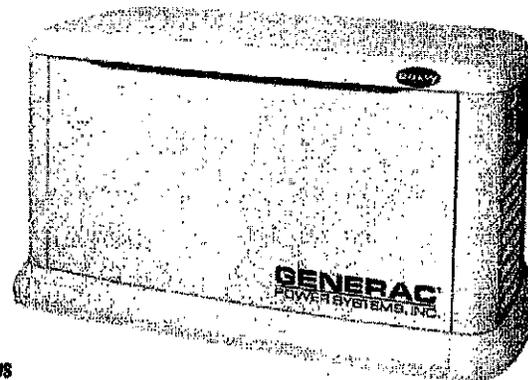
20 kW

Air-Cooled Gas Engine Generator Sets

Continuous Standby Power Rating
Model 05533 (Aluminum - Gray) - 20 kW 60Hz

INCLUDES:

- True Power® Electrical Technology
- Two Line LCD Digital Controller
- Electronic Governor
- External Main Circuit Breaker, System Status & Maintenance Interval LED's and GFCI Duplex Outlet
- Flexible Fuel Line Connector
- Composite Mounting Pad
- Natural Gas or LP Gas Operation
- UL 2200 Listed



QUIET TEST.

FEATURES

- **INNOVATIVE DESIGN & PROTOTYPE TESTINGS** are key components of GENERAC'S success in "IMPROVING POWER BY DESIGN." But it doesn't stop there. Total commitment to component testing, reliability testing, environmental testing, destruction and life testing, plus testing to applicable CSA, NEMA, EGSA, and other standards, allows you to choose GENERAC POWER SYSTEMS with the confidence that these systems will provide superior performance.
- **TRUE POWER® ELECTRICAL TECHNOLOGY:** Superior harmonics and sine wave form produce less than 5% Total Harmonic Distortion for utility quality power. This allows confident operation of sensitive electronic equipment and micro-chip based appliances, such as variable speed HVAC.
- **TEST CRITERIA:**
 - ✓ PROTOTYPE TESTED
 - ✓ NEMA MG1-22 EVALUATION
 - ✓ SYSTEM TORSIONAL TESTED
 - ✓ MOTOR STARTING ABILITY
- **SOLID-STATE, FREQUENCY COMPENSATED VOLTAGE REGULATION.** This state-of-the-art power maximizing regulation system is standard on all Generac models. It provides optimized FAST RESPONSE to changing load conditions and MAXIMUM MOTOR STARTING CAPABILITY by electronically torque-matching the surge loads to the engine.
- **SINGLE SOURCE SERVICE RESPONSE:** from Generac's dealer network provides parts and service know-how for the entire unit, from the engine to the smallest electronic component. You are never on your own when you own a GENERAC POWER SYSTEM.
- **GENERAC TRANSFER SWITCHES.** Long life and reliability are synonymous with GENERAC POWER SYSTEMS. One reason for this confidence is that the GENERAC product line includes its own transfer systems and controls for total system compatibility.

GENERAC™

POWER SYSTEMS



SPECIFICATIONS

Standby Generator- 20 kW

ENGINE	<p>Maximizes engine "breathing" for increased fuel efficiency. Plateau honed cylinder walls and plasma moly rings help engine run cooler, reducing oil consumption. Because heat is the primary cause of engine wear, the OHVI has a significantly longer life than competitive engines.</p> <p>Rigid construction and added durability provide long engine life.</p> <p>These features combine to assure smooth, quick starting every time.</p> <p>Superior lubrication to all vital bearings means better performance, less maintenance and significantly longer engine life. Now featuring a 2 year/200 hour oil change interval.</p> <p>Superior shutdown protection prevents catastrophic engine damage due to low oil.</p> <p>Prevents damage due to overheating.</p>
	<p>Allows for smaller, light weight unit that operates 25% more efficiently than a revolving armature generator.</p> <p>Produces a smooth output waveform for compatibility with electronic equipment.</p> <p>Maximizes motor starting capability. Provides more surge capability than brushless generator designs.</p> <p>Regulates the output voltage to $\pm 2\%$ prevents damaging voltage spikes.</p> <p>For your safety</p>
	<p>Sold separately</p>
	<p>Selects the operating mode.</p> <p>Constantly monitors utility voltage, setpoints 65% dropout, 75% pick-up, of standard voltage.</p> <p>Prevents nuisance start-ups of the engine, adjustable 10-30 seconds.</p> <p>Ensures engine is ready to assume the load, setpoint approximately 10 seconds.</p> <p>Allows engine to cool prior to shutdown, setpoint approximately 1 minute.</p> <p>Operates engine to prevent oil seal drying and damage between power outages.</p> <p>Maintains battery amperage to insure starting.</p> <p>Protects generator from overload.</p>
UNIT	<p>Provides the ultimate protection against mother nature. Hinged key locking roof panel for security. Lift-out front for easy access to all routine maintenance items. Electrostatically applied textured epoxy paint for added durability.</p> <p>Quiet, critical grade muffler is mounted inside the unit to prevent injuries.</p> <p>Makes for an easy, eye appealing installation.</p>
	<p>Easy installation</p>

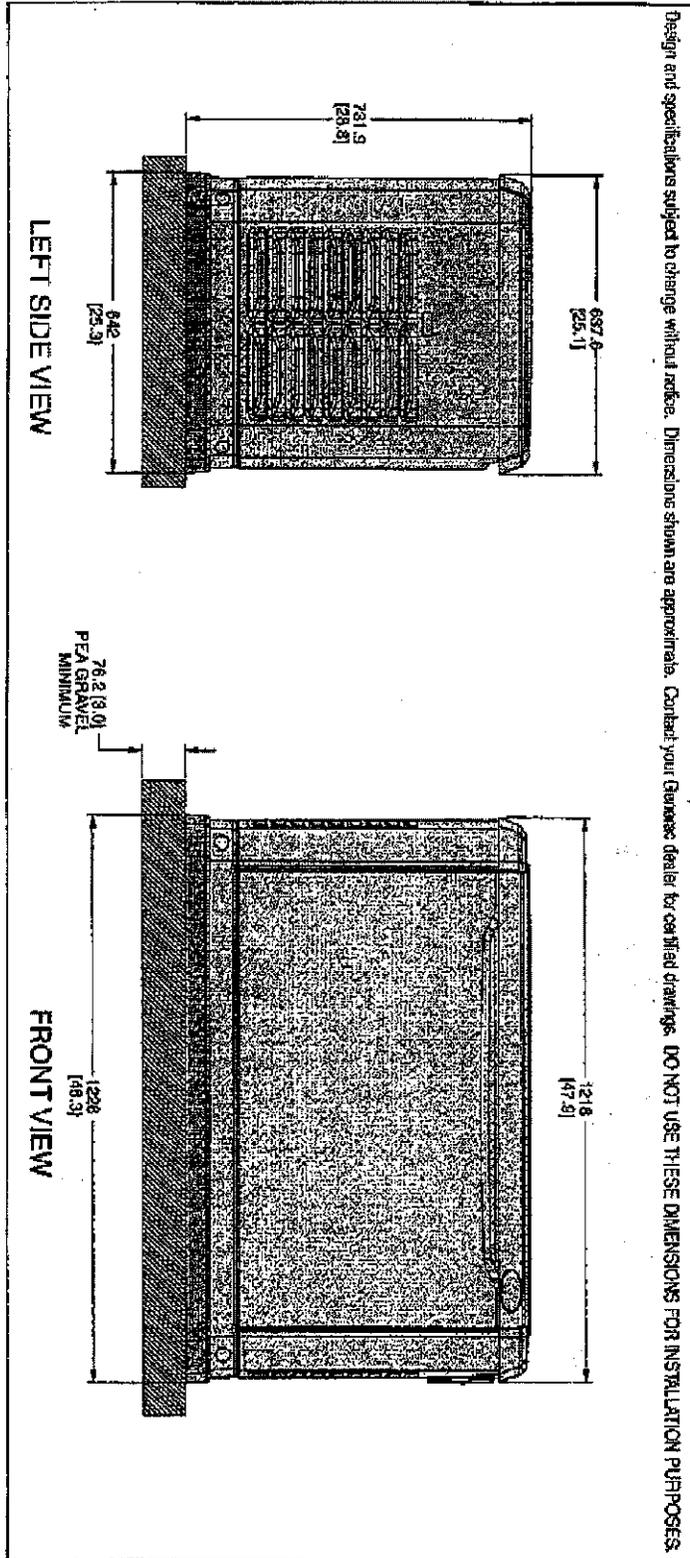


Standby Generator- 20 kW

POWER SYSTEMS

Rated Voltage	120/240
Rated Maximum Continuous Load Current	
120 Volts	166.6 LP/150 NG
240 Volts	83.3 LP/75 NG
Total Harmonic Distortion	Less than 5%
Main Line Circuit Breaker	100 Amp
Phase	1
Number of Rotor Poles	2
Rated AC Frequency	60Hz
Power Factor	1
Unit Weight	451 Pounds
	48 x 26 x 20
	66
Quiet-Test™ low speed exercise mode	60
Type of Engine	GENERAC OHV V-TWIN
Number of Cylinders	2
Rated Horsepower	36 @ 3,600 rpm
Displacement	999cc
Cylinder Block	Aluminum w/Cast Iron Sleeves
Valve Arrangement	Overhead Valve
Ignition System	Solid-state w/Magnets
Governor System	Electronic
Compression Ratio	9.6:1
Starter	12 Vdc
Oil Capacity including Filter	Approx. 1.7 Qts.
Operating RPM	3,600
Fuel Consumption	
Natural Gas	
cu. ft./hr.	
1/2 Load	208
Full Load	284
Liquid Propane	
1/2 Load	
Full Load	
Required fuel pressure to generator fuel inlet at all load ranges - 5 to 7 inches of water column for natural gas, 11 to 14 inches of water column for LP gas	
2-Line Plain Text LCD Display	Simple user interface for ease of operation
Mode Switch	
-Auto	Automatic Start on Utility failure. 7 day exerciser
-Off	Stops unit. Power is removed. Control and charger still operate.
	Start with starter control, unit stays on, if utility fails, transfer to load takes place.
Engine Start Sequence	
Engine Warm-up	10 seconds
Engine Cool-Down	1 minute
Starter Lock-out	Starter cannot re-engage until 5 sec. after engine has stopped.
2.6 Amp Timed Trickle Battery Charger	Standard
Automatic Voltage Regulator w/Overvoltage Protection	Standard
Automatic Low Oil Pressure Shutdown	Standard
Overspeed Shutdown	Standard, 72Hz
High Temperature Shutdown	Standard
Overcrank Protection	Standard
Safety Fuse	Standard





GENERAC POWER SYSTEMS, INC. • P.O. BOX 297 • WHITEWATER, WI 53190

WEBSITE: www.generac.com

Bulletin 0176740SBY / Printed in U.S.A. 03.08

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**NORTH BAY VILLAGE
NOTICE OF PUBLIC HEARING**

PUBLIC NOTICE IS HEREBY GIVEN THAT THE PLANNING & ZONING BOARD OF NORTH BAY VILLAGE, FLORIDA, WILL HOLD ITS REGULAR MEETING ON **MARCH 18, 2014 AT 7:30 P.M. OR AS SOON AS POSSIBLE THEREAFTER, AT TREASURE ISLAND ELEMENTARY SCHOOL, 7540 EAST TREASURE DRIVE**, NORTH BAY VILLAGE, FLORIDA. DURING THIS MEETING, THE BOARD WILL CONSIDER THE FOLLOWING REQUESTS AND SUBMIT A RECOMMENDATION TO THE VILLAGE COMMISSION:

- 1. AN APPLICATION BY KAKUTA SAINT CONCERNING PROPERTY LOCATED AT 7441 CENTER BAY DRIVE, NORTH BAY VILLAGE, FLORIDA, FOR THE FOLLOWING:**
 - A. A VARIANCE PURSUANT TO SECTION 152.097 OF THE NORTH BAY VILLAGE CODE OF ORDINANCES TO ALLOW A GENERATOR TO ENCROACH 4 FEET INTO THE REQUIRED 10 FOOT SIDE INTERIOR SETBACK AREA.**

INTERESTED PERSONS ARE INVITED TO APPEAR AT THIS MEETING OR BE REPRESENTED BY AN AGENT, OR TO EXPRESS THEIR VIEWS IN WRITING ADDRESSED TO THE PLANNING & ZONING BOARD C/O THE BUILDING & ZONING CLERK, 1666 KENNEDY CAUSEWAY, #300, NORTH BAY VILLAGE, FL 33141.

THE DOCUMENTS PERTAINING TO THIS PUBLIC HEARING MAY BE INSPECTED AT THE OFFICE OF THE VILLAGE CLERK DURING REGULAR WORKING HOURS AT 1666 KENNEDY CAUSEWAY, #300. INQUIRIES MAY BE DIRECTED TO THAT DEPARTMENT AT (305) 756-7171.

PURSUANT TO SECTION 286.0105, FLORIDA STATUTES, IF ANY PERSON DECIDES TO APPEAL ANY DECISION BY THE VILLAGE COMMISSION WITH RESPECT TO THIS OR ANY MATTER CONSIDERED AT ITS MEETING OR ITS HEARING, SUCH PERSON MUST 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.

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YVONNE P. HAMILTON, CMC
VILLAGE CLERK
(March 7, 2014)



North Bay Village

Administrative Offices

1666 Kennedy Causeway, Suite 300 North Bay Village, FL 33141

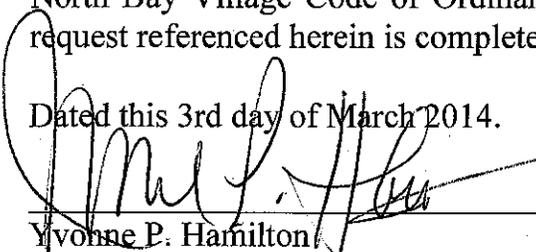
Tel: (305) 756-7171 Fax: (305) 756-7722 Website: www.nbvillage.com

Re: Kakuta Saint
7441 Center Bay Drive
North Bay Village, FL 33141

Request for Variance to Install Generator that would encroach
Side Interior Setback

I, Yvonne P. Hamilton, Village Clerk hereby certify, as per Section 152.096(A)(2) of the North Bay Village Code of Ordinances, that the petition filed by Kakuta Saint for the request referenced herein is complete.

Dated this 3rd day of March 2014.



Yvonne P. Hamilton
Village Clerk

(Planning & Zoning Board Meeting-March 18, 2014)

Mayor
Connie Leon-Kreps

Vice Mayor
Eddie Lim

Commissioner
Dr. Richard Chervony

Commissioner
Wendy Duvall

Commissioner
Jorge ~~Page~~ **53**



North Bay Village

Administrative Offices

1666 Kennedy Causeway, Suite 300 North Bay Village, FL 33141

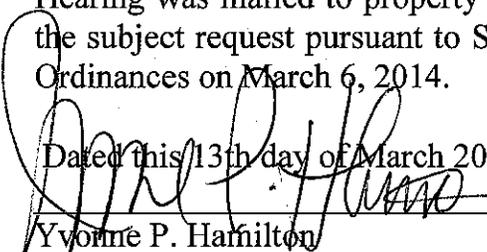
Tel: (305) 756-7171 Fax: (305) 756-7722 Website: www.nbvillage.com

Re: Kakuta Saint
7441 Center Bay Drive
North Bay Village, FL 33141

Request for Variance to Install Generator that would encroach
Side Interior Setback

I, Yvonne P. Hamilton, Village Clerk, hereby certify that the attached Notice of Public Hearing was mailed to property owners and residents within 300 feet of the property of the subject request pursuant to Section 152.096(A)(2) of the North Bay Village Code of Ordinances on March 6, 2014.

Dated this 13th day of March 2014.



Yvonne P. Hamilton
Village Clerk

(Planning & Zoning Board Meeting-March 18, 2014)



North Bay Village

Administrative Offices

1666 Kennedy Causeway, Suite 300 North Bay Village, FL 33141

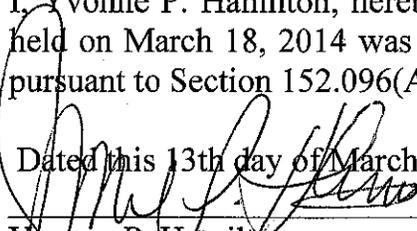
Tel: (305) 756-7171 Fax: (305) 756-7722 Website: www.nbvillage.com

Re: Kakuta Saint
7441 Center Bay Drive
North Bay Village, FL 33141

Request for Variance to Install Generator that would encroach
Side Interior Setback

I, Yvonne P. Hamilton, hereby certify that the attached Notice of Public Hearing to be held on March 18, 2014 was posted at the above-referenced property on March 8, 2014 pursuant to Section 152.096(A)(2) of the North Bay Village Code of Ordinances.

Dated this 13th day of March 2014.



Yvonne P. Hamilton
Village Clerk

(Planning & Zoning Board Meeting-March 18, 2014)

Mayor
Connie Leon-Kreps

Vice Mayor
Eddie Lim

Commissioner
Dr. Richard Chervony

Commissioner
Wendy Duvall

Commissioner
Jorge **Page 55**

Owner/Occupant
7401 Miami View Drive
N. Bay Village, FL 33141

Owner/Occupant
7421 Miami View Drive
N. Bay Village, FL 33141

Owner/Occupant
7431 Miami View Drive
N. Bay Village, FL 33141

Owner/Occupant
7441 Miami View Drive
N. Bay Village, FL 33141

Owner/Occupant
7501 Miami View Drive
N. Bay Village, FL 33141

Owner/Occupant
7511 Miami View Drive
N. Bay Village, FL 33141

Owner/Occupant
7521 Miami View Drive
N. Bay Village, FL 33141

Owner/Occupant
7531 Miami View Drive
N. Bay Village, FL 33141

Owner/Occupant
7601 Miami View Drive
N. Bay Village, FL 33141

Owner/Occupant
7600 Center Bay Drive
N. Bay Village, FL 33141

Owner/Occupant
7530 Center Bay Drive
N. Bay Village, FL 33141

Owner/Occupant
7510 Center Bay Drive
N. Bay Village, FL 33141

Owner/Occupant
7500 Center Bay Drive
N. Bay Village, FL 33141

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7430 Center Bay Drive
N. Bay Village, FL 33141

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7420 Center Bay Drive
N. Bay Village, FL 33141

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Owner/Occupant
7601 Center Bay Drive
N. Bay Village, FL 33141

Owner/Occupant
7400 Coquina Drive
N. Bay Village, FL 33141

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Owner/Occupant
7530 Coquina Drive
N. Bay Village, FL 33141

Owner/Occupant
7600 Coquina Drive
N. Bay Village, FL 33141

NEIGHBORS CALENDAR

CALENDAR, FROM 9NE

General Admission. 305-223-7050.
Women's Health Symposium:
 Promotes a holistic approach to health care, nutrition, healthy cooking, physical fitness, acupuncture, detoxing the body, healthy heart, and thermography. For more information visit the website.
 8:30 a.m. March 8, Hallandale Beach Cultural Community Center, 410 SE Third St., Hallandale Beach. Free. 954-303-3585.

FARMERS' MARKETS

The Garden Market: The Garden Market is a weekly farmers market that takes place rain or shine every Wednesday in the Miami Beach Botanical Garden. Vendors from The Market Company will be selling.
 1 a.m. March 12, Miami Beach Botanical Garden, 2000 Convention Center Dr., Miami Beach. Free. 305-673-7256, ext. 206.

FASHION

Macy's at Pembroke Lakes Mall Helps You Get Ready for Prom:
 Check out the latest fashion trends for prom hosted by fashion blogger Kelly Saks of Kelly's Closet to help you prepare for the one of the most memorable days of your life!
 R.
 2 p.m. March 8, Macy's Pembroke Lakes Mall, 1605 Pines Blvd., Pembroke Pines. Free.
Moroccan Couture Pop-up Boutique: Pop-up boutique and advance look into the fashion revolution Moroccan Jetsetter & Miami Beach resident Asmaa Benkirane is about to launch with Le Beau Maroc, a boutique featur.
 12 p.m. March 8, Semilla Eatery & Bar, 1350 Alton Rd., Miami Beach. Free. 305-793-8268.

FOLK & TRADITIONAL

Music of the Americas at Zoo Miami:
 After enjoying a day strolling around Zoo Miami's beautiful pathways, there is no better way to relax than at our Amazon and Beyond's Village Plaza.
 1 p.m. March 8, Zoo Miami, 12400 SW 152 St., Richmond Naval Air Station. Free with zoo admission. 305-255-5551.

FOOD & DINING

A Night at the Museum: A Celebration of the Pageantry of Purim:
 Join us for the Jewish Museum of Florida-FIU's annual festive event featuring delicious gourmet food, music, entertainment and fun!
 Celebrating the triumph of good over evil.
 6:30 p.m. March 13, Jewish Museum of Florida-FIU, 301 Washington Ave., Miami Beach. 786-972-3162.
Diamonds -N- Pearls 2K14: The Miami Nupes & The Lovely Ladies Of AKA in Assoc/ W SV Marketing Presents Name of Party: Diamonds & Pearls (Spring Break 2K14) Venue and address: Room Service Lounge 929

Wa.

11 p.m. March 9, Room Service, 929 Washington Ave., Miami Beach. 305-763-8330.
Free Tango Class and Milonga in Coral Gables! Free Tango Class 8pm - Milonga 9pm
 Special tango menu!
 121 Alhambra Plaza, Coral Gables, 33134
 305-448-2511
 The world's best all you can eat Argentine Steakhouse.
 Awesome.
 8 p.m. March 12, Siga la Vaca - Authentic Argentine Steakhouse, 121 Alhambra Plaza, Coral Gables. Free. 786-355-0882.

Jazz on the Green: Take a break from the Miami scene and experience a live jazz band playing on our beautiful open garden while enjoying our three course prix fixe menu including mussels, tuna, calamari or lamb and paired with a glass of sparkling wine and our friendly staff ready to spoil you.
 7:30 p.m. March 7, Peacock Garden Cafe, Coconut Grove, Southwest Coconut Grove, 305-774-3332.
Live Reggae Music | Every Sunday | Free Admission: Reggae Sundays - Sunset in Negri!

A FREE Family Friendly Event & FREE Parking & Always Rain or Shine! Great Jerk chicken & pork BBQ, Festival Bread, fresh fried fish, soup, c.
 6 p.m. March 9, Negri On The Green, 315 S. 62nd Ave., Hollywood. Free. 954-382-4345.

FOOTBALL

Flag Football 2014: Description Youth flag football for ages 7-14. Activity Flag Football 2014 #1201.02 Type Sports Leagues Sub-Activities Flag Football 10U Flag Football 11U Flag Football 12U Flag Football 13U Flag Football 14U Flag Football 7U Flag Football 8U Flag Football 9U
 6 p.m. March 10, Miami Gardens City Hall, 155 NW 167th St.,

GALLERIES

Everglades-Painted Tapestries:
 Opening reception for artist Mai Yap. Her latest work, "Cloudscapes and Meditations" done entirely with palette knives, explore the unbelievable colors and ever changing moods of the Florida Everglades and Biscayne Bay. Parts of sales benefits South Florida National Park Trust. Exhibit continues through March.
 7 p.m. March 7, ArtSight Gallery, 1524 Ponce de Leon Blvd., Coral Gables. Free. 305-725-8630.
Life Is Art presents Art/Work Connections #7 - Gallery Prep:
 Art/Work Connections, monthly series of seminars presented by Life Is Art on a variety of topics vital to the success of working artists, features Reed V. Horth, experienced gallerist. He speaks on how to get prepared to pitch a gallery, create a powerful portfolio, do research to find the best gallery for your work and approach the gallery.
 6:30 p.m. March 11, Yo Space, 294 NE 62nd St., Little Haiti. \$10. 3055767033 ext. 12.

GOLF

Cadillac World Golf Championships:
 8 a.m. March 6, Trump National Doral Miami, 4400 NW 87th Ave., Doral Resort and Country Club. 305-592-2000.

WGC Cadillac Golf Championships:
 6 a.m. March 9, Trump National Doral Miami, 4400 NW 87th Ave., Doral Resort and Country Club. 305-592-2000.

World Golf Championship Friday Competition:
 7 a.m. March 7, Doral Golf Resort and Spa, 440 NW 87th Ave., Fontainebleau East. 305-592-2000.

World Golf Championship Saturday Competition:
 7 a.m. March 8, Doral Golf Resort and Spa, 440 NW 87th Ave., Fontainebleau East. 305-592-2000.

World Golf Championship Sunday Competition:
 7 a.m. March 9, Doral Golf Resort and Spa, 440 NW 87th Ave., Fontainebleau East. 305-592-2000.

World Golf Championship Thursday Competition:
 7 a.m. March 6, Doral Golf Resort and Spa, 440 NW 87th Ave., Fontainebleau East. 305-592-2000.

HIKING

Starlight Walk: Experience the Anhinga Trail by starlight. Listen for pig frogs, look for fireflies and gator eyes. Meet at the Royal Palm benches. Flashlight optional. Through March 22.

7 p.m. March 8, Everglades National Park, 40001 State Hwy. 9336, Homestead. Included in admission (admission not provided to Herald). 305-242-7700.

Wilderness Walk: For 12+ (strenuous). Wade through the River of Grass into the shadows of a gator hole or a cypress dome. Reservations and info at Ernest F. Coe Visitor Center. Daily through March 22.

2 p.m. March 8, Everglades National Park, 40001 State Hwy. 9336, Homestead. Included in admission. Admission not provided to Herald. 305-242-7700.

INDIE

My Deer + Tremends: It's ART WALK SATURDAY and by 10pm the galleries start slowing down. So make sure to join the Gumdrops crew and King's Head Records gang for a night full of music, amazing food and drinks. Featuring MY DEER and Tremends. Muzic as well as special taste of Dude Skywalker on the turn tables.
 No Cover!
 10 p.m. March 8, Will Call Miami, 700 NE Second Ave., Park West. Free. 305-577-5900.

JAZZ

Lindsey Blair Quartet Live In the Cellar: Group's debut performance Downstairs in the Cellar.
 10 p.m. March 6, Le Chat Noir, 2 S. Miami Ave., Downtown Miami. No cover. 305-377-8899.
Lunchtime Jazz in the Plaza: Enjoy a

• TURN TO CALENDAR, 18NE



NORTH BAY VILLAGE NOTICE OF PUBLIC HEARING

PUBLIC NOTICE IS HEREBY GIVEN THAT THE PLANNING & ZONING BOARD OF NORTH BAY VILLAGE, FLORIDA, WILL HOLD ITS REGULAR MEETING ON **MARCH 18, 2014 AT 7:30 P.M. OR AS SOON AS POSSIBLE THEREAFTER, AT TREASURE ISLAND ELEMENTARY SCHOOL, 7540 EAST TREASURE DRIVE**, NORTH BAY VILLAGE, FLORIDA. DURING THIS MEETING, THE BOARD WILL CONSIDER THE FOLLOWING REQUESTS AND SUBMIT A RECOMMENDATION TO THE VILLAGE COMMISSION:

1. AN APPLICATION BY WILLIAM WEBB CONCERNING THE PROPERTY AT 1357 BAY TERRACE, NORTH BAY ISLAND, NORTH BAY VILLAGE, FLORIDA, FOR THE FOLLOWING:
 - A. A VARIANCE PURSUANT TO SECTION 152.097 OF THE NORTH BAY VILLAGE CODE OF ORDINANCES TO PERMIT A TWO-STORY SINGLE-FAMILY RESIDENTIAL STRUCTURE TO EXCEED THE MAXIMUM HEIGHT OF SECTION 152.028(C)(8), WHICH ALLOWS A BUILDING HEIGHT OF NO MORE THAN 25 FEET ABOVE FEMA BASE FLOOD ELEVATION.
2. AN APPLICATION BY HOLGER PIENING AND ANDREA FRANKE CONCERNING PROPERTY LOCATED AT 1700 SOUTH TREASURE DRIVE, TREASURE ISLAND, NORTH BAY VILLAGE, FLORIDA FOR THE FOLLOWING:
 - A. A VARIANCE PURSUANT TO SECTION 152.097 OF THE NORTH BAY VILLAGE CODE OF ORDINANCES TO PERMIT A 4.5 FOOT SIDE-INTERIOR SETBACK FOR THE CONSTRUCTION OF A SWIMMING POOL, WHERE THE CODE REQUIRES A SETBACK OF 7.5 FEET.
 - B. A VARIANCE PURSUANT TO SECTION 152.097 OF THE NORTH BAY VILLAGE CODE OF ORDINANCES TO PERMIT THE POOL EQUIPMENT TO ENCR OACH 3.3 FEET INTO THE REQUIRED 7.5 FOOT SIDE INTERIOR SETBACK AREA.
3. AN APPLICATION BY 7914 BUILDING, LLC CONCERNING PROPERTY LOCATED AT 7914, 7918 AND 7918 WEST DRIVE, TRACT C OF HARBOR ISLAND, NORTH BAY VILLAGE, FLORIDA, IN CONNECTION WITH THE DEVELOPMENT OF A 52 UNIT, 15 STORY MULTI-FAMILY CONDOMINIUM STRUCTURE:
 - A. A SPECIAL USE EXCEPTION PURSUANT TO SECTIONS 152.042(E) AND 152.098 OF THE NORTH BAY VILLAGE CODE OF ORDINANCES TO ALLOW UP TO TWENTY (20) PERCENT OF THE DEVELOPMENT'S REQUIRED PARKING SPACES TO BE DESIGNED SPECIFICALLY FOR COMPACT VEHICLES.
4. AN APPLICATION BY NORTH BAY CAUSEWAY, LLC CONCERNING PROPERTY LOCATED AT 1656 KENNEDY CAUSEWAY, NORTH BAY VILLAGE, FLORIDA, FOR THE FOLLOWING:
 - A. A SPECIAL USE EXCEPTION PURSUANT TO SECTIONS 152.030(C)(3) AND 152.098 OF THE NORTH BAY VILLAGE CODE OF ORDINANCES FOR DEVELOPMENT OF A MIXED-USE COMMERCIAL STRUCTURE IN THE CG (GENERAL COMMERCIAL) ZONING DISTRICT.
 - B. SITE PLAN APPROVAL PURSUANT TO SECTION 152.105(C)(9) OF THE NORTH BAY VILLAGE CODE OF ORDINANCES FOR DEVELOPMENT OF A 127-UNIT, 22-STORY CONDOMINIUM STRUCTURE WITH A PARKING GARAGE.
 BAY VIEW OVERLAY STANDARDS REVIEW, INCLUDING HEIGHT APPROVAL, PURSUANT TO SECTION 152.032(A)(3) OF THE NORTH BAY VILLAGE CODE OF ORDINANCES.
 - C. A VARIANCE PURSUANT TO SECTION 152.097 OF THE NORTH BAY VILLAGE CODE OF ORDINANCES TO ALLOW 5 STORIES OF PARKING, WHERE SECTION 152.028(C) ALLOWS A MAXIMUM OF FOUR STORIES OF PARKING.
5. AN APPLICATION BY KAKUTA SAINT CONCERNING PROPERTY LOCATED AT 7441 CENTER BAY DRIVE, NORTH BAY VILLAGE, FLORIDA, FOR THE FOLLOWING:
 - A. A VARIANCE PURSUANT TO SECTION 152.097 OF THE NORTH BAY VILLAGE CODE OF ORDINANCES TO ALLOW A GENERATOR TO ENCR OACH 4 FEET INTO THE REQUIRED 10 FOOT SIDE INTERIOR SETBACK AREA.

INTERESTED PERSONS ARE INVITED TO APPEAR AT THIS MEETING OR BE REPRESENTED BY AN AGENT, OR TO EXPRESS THEIR VIEWS IN WRITING ADDRESSED TO THE PLANNING & ZONING BOARD C/O THE BUILDING & ZONING CLERK, 1666 KENNEDY CAUSEWAY, #300, NORTH BAY VILLAGE, FL 33141.

THE DOCUMENTS PERTAINING TO THIS PUBLIC HEARING MAY BE INSPECTED AT THE OFFICE OF THE VILLAGE CLERK DURING REGULAR WORKING HOURS AT 1666 KENNEDY CAUSEWAY, #300. INQUIRIES MAY BE DIRECTED TO THAT DEPARTMENT AT (305) 756-7171.

PURSUANT TO SECTION 286.0105, FLORIDA STATUTES, IF ANY PERSON DECIDES TO APPEAL ANY DECISION BY THE VILLAGE COMMISSION WITH RESPECT TO THIS OR ANY MATTER CONSIDERED AT ITS MEETING OR ITS HEARING, SUCH PERSON MUST 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 VILLAGE 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 ACCESSIBLE FORMAT, SIGN LANGUAGE INTERPRETERS, INFORMATION ON ACCESS FOR PERSON WITH DISABILITIES, AND/OR ANY ACCOMMODATION TO REVIEW ANY DOCUMENT OR PARTICIPATE IN ANY VILLAGE-SPONSORED PROCEEDING, PLEASE CONTACT (305) 756-7171 FIVE DAYS IN ADVANCE TO INITIATE YOUR REQUEST. TTY USERS MAY ALSO CALL 711 (FLORIDA RELAY SERVICE).

YVONNE R. HAMILTON, CMC
 VILLAGE CLERK
 (February 28, 2014)



Staff Report Variance Request

Prepared for: North Bay Village
Planning & Zoning Board

Applicant: William C. Webb Jr.

Request: Variance to Maximum Building Height



Serving Florida Local Governments Since 1988

General Information

Owner/Applicant:	William C. Webb Jr.
Applicant Address:	1357 Bay Terrace North Bay Village, FL 33141
Site Address:	1357 Bay Terrace
Contact Person:	Lee C. Picker
Applicant/Contact Phone Number:	954-236-8095
E-mail Address:	leepicker@email.com

Future Land Use Map Classification:	Single Family Residential
Zoning District:	RS-1
Use of Property:	Single Family Home
Acreeage (per survey and site plan):	0.20 ac.

Legal Description of Subject Property

LOT 5 & LOT 4 LESS W37FT & STRIP 1.65 FT WIDE ADJACENT SAME ON SOUTH BLOCK 1 SAID LANDS LYING AND BEING IN THE CITY OF NORTH BAY VILLAGE, MIAMI-DADE COUNTY, FLORIDA CONTAINING 8,858 SQUARE FEET (0.203 ACRES), MORE OR LESS.

Requested Variance

The applicant is requesting a 4 foot variance to the 25 foot maximum building height allowed above FEMA base flood elevation, thereby allowing the average height of the roof to be 29 feet above FEMA base flood height where only 25 feet is allowed.

It should be noted that in order to build the structure according to the plans submitted, the applicant must receive a 4.5 foot variance to 25 foot maximum building height allowed above FEMA base flood elevation, thereby allowing the average height of the roof to be 29.5 feet above FEMA base flood height where only 25 feet is allowed.



Project Description

In April of 2013, the Village Commission granted approval of a request for this property for a variance to the front yard setback to allow a 17 foot setback where a 20 foot setback is required. The plans that were submitted for that variance request did not include measurements depicting building height.

In October of 2013, the applicant submitted a full set of plans for site plan approval of a Building Permit. North Bay Village Code Section 152.026(C)(3) requires structures in the RS-1 Zoning District to conform to the following maximum building height:

Three stories, or 25 feet plus the required FEMA base flood elevation, neither to exceed a cumulative total of 35 feet.

The plans depicted a two story structure. Thus, two height maximums must be adhered to:

- The building height from FEMA base flood elevation may not exceed 25 feet, and
- The building height from grade (with grade defined as the highest elevation of the paved street in front of the property) may not exceed 35 feet.

Staff could not approve the plans submitted because the plans depicted a structure with a 29 foot 2 inch building height from FEMA base flood elevation.

In January of 2014, the applicant submitted revised plans depicting a structure that met Village Code and the parameters of the front setback variance that was granted. Staff approved that site plan.

In February of 2014, the applicant submitted an application for request of a variance to the maximum building height of the RS-1 Zoning District, stating in the application the reason for the request as follows:

To keep with the original design of the house that was presented and approved by the Commission; we are requesting a height variance of four (4) feet. Redesigning the current plans will result in a delay and detract from the overall aesthetics of the house and neighborhood. Our goal is to avoid the look of an office building in a residential neighborhood, albeit a Mediterranean design ie: 1495 and/or 1520 South Treasure Drive.

The Applicant has also submitted a letter which is attached to this report. In that letter, and the above application statement, the Applicant refers to "the original design that was presented and approved by the Commission". Staff would like to make clear that the Village Commission has only approved a request for a variance to the front yard setback. Since the plans that were submitted for that variance request did not include measurements depicting the building height, there was no way for staff or the Commission to know that the Applicant intended to build higher than is allowed by the Village Code. No plans have been approved for this property for a structure which exceeds the maximum allowable building height.



Additionally, staff would like to point out that the applicant has formally requested a "height variance of four (4) feet". However, the plans submitted with the latest variance application depict a structure with an average roof height that is 29.5 feet above FEMA base flood elevation. So in order for the structure to be built as shown, a 4.5 foot variance to the 25 foot maximum building height allowed above FEMA base flood elevation would have to be granted.

Required Findings

Sec. 152.097(B) sets forth the findings that are required for the reviewing body(ies) to authorize any variance request. Sec. 152.097(C) requires that the reviewing body(ies) must make an affirmative finding with respect to the criteria listed below. For ease of review, each of the criteria contained in subparagraphs (B)(1) through (B)(3) have been separated into their component parts.

- (1)a. That there are (or are not) special circumstances and conditions which are peculiar to the land, structure, or building involved and which are not generally applicable to other lands, structures, or buildings in the same zoning district;

Staff Comments: The Applicant has provided no evidence of special circumstances and/or conditions that are unique to the land or proposed structure. The property is a rectangular shaped lot of 8,858 square feet, in excess of the 7,000 square foot minimum lot size required in the RS-1 Zoning District. Architectural considerations are not valid reasons for granting a variance.

- (1)b. that the special circumstances and conditions were not (or were) self-created by any person having an interest in the property;

Applicant Comments: Unfortunately, the changes in the flood criteria by FEMA has caused us to raise the finish floor on the home by four (4) feet from our previous two-story home, which in turn makes it extremely challenging to build a two story home.

Staff Comments: There are no special circumstances and/or conditions. Though the FEMA criteria may have changed since the time of construction of the Applicant's existing residence, the current FEMA criteria are applied to all properties in coastal high hazard areas. The request for more height is a matter of choice necessitated only by the preference of the Applicant for a building size that results in the need for the variance.

- (1)c. and that the strict application of the provisions of this chapter would (or would not) deprive the Applicant of the reasonable use of the land, structure, or building for which the variance is sought;

Applicant Comments: When building a two-story home, the current criteria results in having to either put a flat roof on the home, which is not conducive with the design aesthetics or to incorporate unreasonable lower interior ceilings that are not in keeping with homes of this caliber.



Staff Comments: The Applicant has already received a building permit to build a structure that conforms to the Village Code and the parameters of the front setback variance that was already granted by the Commission. The Applicant has the right to build a structure that has already been permitted and the strict application of the maximum building height will not deny the Applicant the reasonable use of his property.

- (1)d. and would (or would not) involve an unnecessary hardship for the Applicant.

Staff Comments: The definition of an unnecessary hardship in Chapter 152 is as follows:

"(2) *Hardship, unnecessary.* Arduous restrictions upon the uses of a particular property, which are unique and distinct from that of adjoining property owners. Granting of relief from an unnecessary hardship should not violate sound zoning principles, including considerations that: adjacent properties will not be substantially reduced in value, it is not granting a special privilege not to be enjoyed by others in similar circumstances, and the public interest is maintained, including following the spirit of this chapter and the comprehensive master plan. Invalid and unjustifiable bases for pleading unnecessary hardship include but are not limited to:

- (a) Loss of the "best" use of the land, and business competition.
- (b) Self-created hardships by the applicant's own acts.
- (c) Neighboring violations and nonconformities.
- (d) Claims of inability to sell the property.
- (e) General restrictions of this chapter."

There is no unique characteristic about the lot that requires a variance to the maximum building height. If the Applicant should choose to build a new home of such a size that it requires that the structure exceed the maximum building height, any perceived hardship is one that is self-created.

Allowing the Applicant to build the structure that has already received a building permit does not deprive the Applicant of reasonable use of the land.

- (2)a. That granting the variance requested will not (or will) confer on the Applicant any special privilege that is denied by this chapter to other land, structures, or buildings in the same zoning district;

Staff Comments: It is our opinion that granting the requested front yard setback variance would confer on the Applicant a special privilege that is denied to other lands in the RS-1 zoning district.



- (2)b. and the variance granted is the minimum variance that will make possible the reasonable use of the land, structure, or building.

Staff Comments: Strict application of the maximum building height will not deny the Applicant the reasonable use of his property. Consequently, we are of the opinion that no variance to the maximum building height is necessary; especially since the applicant has the right to build a structure according to the plans that were submitted and approved in January 2014, which do meet the Code.

- (3) That granting the variance will (or will not) be in harmony with the general intent and purpose of this chapter, and that such variance will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

Applicant Comments: Approval of this variance and/or an adjustment of the City code in accordance with the new flood criteria will allow the City to attract future homeowners desiring to build homes that lend themselves to the overall Mediterranean ambiance that North Bay Village lends itself to. This variance and/or code change will be beneficial to all current and future homeowners as well as the City and will in time allow the City to benefit from an increased tax base.

Staff Comments: While we do not feel that the granting of the variance would be particularly injurious to the neighborhood or otherwise detrimental to the public welfare, nevertheless, the granting of the variance will not be in harmony with the general intent of Chapter 152. Most importantly, the request does not meet the very specific requirements for granting a variance.

The City's LDC contains the same criteria in Sec. 2.7.6 as discussed above except they are numbered (1) through (6). The LDC also includes a seventh criterion which reads as follows:

7. The variance request is not based exclusively upon a desire to reduce the cost of development.

Staff Comments: We do not believe that the Applicant has based this variance request exclusively to reduce the cost of development.

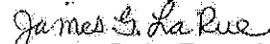


Recommendations

Staff recommends **denial** of the requested variance to allow the structure to exceed the North Bay Village maximum building height to be more than 25 feet above FEMA base flood elevation.

Staff finds that the requested variance does not meet the requirements of Sec. 152.097 (C) in that the materials submitted do not adequately allow for an affirmative finding on any of the criteria contained in 152.097(B) as specifically identified by the foregoing Staff Comments.

Submitted by:


James G. LaRue, AICP
Planning Consultant

March 11, 2014

Hearing: Planning & Zoning Board, March 18, 2014





North Bay Village

Administrative Offices

1666 Kennedy Causeway, Suite 300 North Bay Village, FL 33141

Tel: (305) 756-7171 Fax: (305) 756-7722 Website: www.nbvillage.com

APPLICATION FOR PUBLIC HEARINGS:

Hearings and Notices: → All petitions for amendments, changes or supplements to these regulations for variances, special use exceptions, Site Plan Approval, Extension of Approved Site Plans, for Building Height Bonus Approval, or for an amendment, change or supplement to the Comprehensive Plan, district zoning map, or petitions appealing an administrative decision shall be considered at Public Hearings before the Planning & Zoning Board and, thereafter, the Village Commission. Notice of Public Hearings before the Planning & Zoning Board and the Village Commission shall be given by publishing and posting on the property (which is the subject of the request), the time, the place and the nature of the hearing at least 10 days before the hearing. The Village Clerk shall certify that the petition is complete before the hearing is legally advertised.

Applicant's Name: William C. Webb Jr. **Phone:** 305-624-8484 / 786-236-0689

Mailing Address: 1300 NW 167th Street, Suite 2, Miami, FL 33169

Legal Description of Property: 1357 Bay Terrace, North Bay Village
9 53 42 NORTH BAY ISLAND PB 40-59 LOT 5 & LOT 4 LESS W37FT & STRIP 1.65FT

Existing Zoning: RS-1 Single Family **Lot Size:** 103' x 86' **Folio:** 23-3209-008-0040
WIDE ADJ SAME ON SOUTH BLK 1 LOT SIZE 103,000 X 86 OR 18208-4224 0798 1

Type of Request: Height Variance

Reason for Request: (Attach additional Pages if necessary) To keep with the original design of the house

that was presented and approved by the Commission; we are requesting a height variance of four (4) feet. Redesigning the current plans will

result in a delay and detract from the overall aesthetics of the house and neighborhood. Our goal is to avoid the look of an office building in

a residential neighborhood, albeit a modern and not Mediterranean design, ie: 1495 and/or 1520 South Treasure Drive

All applications shall be submitted to the Village Clerk on or before the deadline implemented by the Village.

Mayor
Connie Leon-Kreps

Vice Mayor
Eddie Lim

Commissioner
Dr. Richard Chervony

Commissioner
Wendy Duvall

Commissioner
Jorge Gonzalez

**APPLICATION FOR HEARING
BEFORE THE PLANNING & ZONING BOARD AND
VILLAGE COMMISSION
PAGE 2 OF 2**

Filing Fees - All persons, firms, or corporations petitioning the Planning & Zoning Board and the Village Commission necessitating the publication of notices in the newspaper, and all relative thereto, the payment of such money in advance to the Village Clerk shall be deemed a condition precedent to the consideration of such petition, conditional use permit or amendment.

I, (We), the undersigned, am (are) the (owner, tenant, agent, attorney) (designate one) of the subject property herein described. I (We) acknowledge and agree that during the consideration of the application before the Planning & Zoning Board and staff of North Bay Village, no rights shall vest on behalf of the applicant, which would be enforceable against the Village until after a Public Meeting is held by the Village Commission and the Village Commission has voted favorable on the proposed petition.

I, (We) further acknowledge that I (We) have read and understand the conditions for appearance before the Planning & Zoning Board and the Village Commission Pursuant to the Village Code Section 152.096. Any person submitting false information or misrepresenting in their presentation shall have all privileges granted to them by the Planning & Zoning Board and the Village Commission revoked.

(NOTE: ALL NEW AND SUBSTANTIAL IMPROVEMENTS MUST COMPLY WITH THE FLORIDA BUILDING CODE, DEPARTMENT OF ENVIRONMENTAL RESOURCE MANAGEMENT (DERM), AND FEMA (FLOOD) REGULATIONS).


Authorized Signature

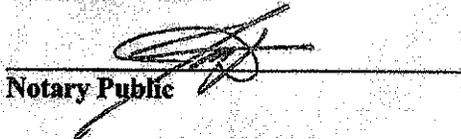
William C. Webb Jr

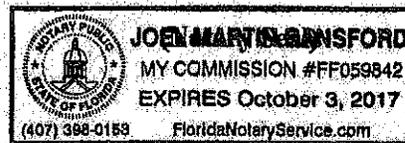
Print Name

(In case of corporate ownership, the authorized signature shall be accompanied by a notation of the signer's position in the corporation and embossed with the corporate seal.)

STATE OF FLORIDA)
COUNTY OF MIAMI-DADE)

Sworn to and subscribed to before me this 17 day of February 2014
by William C. Webb Jr
who is personally known to me or who has produced personally known
as identification.


Notary Public



Mayor
Connie Leon-Kreps

Vice Mayor
Eddie Lim

Commissioner
Dr. Richard Chervony

Commissioner
Wendy Duvall

Commissioner
Jorge Gonzalez

Office Use Only:

Date Submitted: 2/17/14

Fee Paid: \$ 1,200.00

Tentative Meeting Date: 3/18/14

Cash or Check # 10455

Date Paid: 2/17/14

Mayor
Connie Leon-Kreps

Vice Mayor
Eddie Lim

Commissioner
Dr. Richard Chervony

Commissioner
Wendy Duvall

Commissioner
Jorge Gonzalez

William C. Webb Jr
1300 NW 167th Street, Suite 2
Miami, FL 33169

March 6, 2014

Benjamin L. Smith
LaRue Planning & Management Service, Inc.
1375 Jacksonville Street, # 206
Fort Myers, FL 33901

RE: 1357 Bay Terrace – Height Variance Request

Dear Mr. Smith,

To keep with the original design of the house that was presented and approved by the Commission, we are requesting a height variance of four (4) feet.

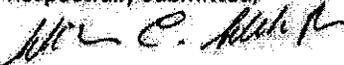
Redesigning the current plans will detract from the overall aesthetics of the house and neighborhood. To modify the roof hip to incorporate a flat roof does not lend itself to the Mediterranean style of the original design that was presented. Albeit flat roofs lend themselves to modern design, i.e. 1495 and 1520 South Treasure Drive; the flat roof design is not in keeping with the ambience of North Bay Island.

Unfortunately the changes in the flood criteria by FEMA has caused us to raise the finish floor of the home by four (4) feet from our previous two-story home, which in turn makes it extremely challenging to build a two-story home. When building a two-story home, the current criteria results in having to either put a flat roof on the home, which is not conducive with the design aesthetics or to incorporate unreasonable lower interior ceilings that are not in keeping with homes of this caliber. The four foot height variance that we are requesting is in direct correlation to the four foot height increase required by the new flood criteria.

The current code provides for measurement from the base flood level, which currently is the street level that will be four feet lower when fill is incorporated into the property. Approval of this variance and/or an adjustment of the City code in accordance with the new flood criteria will allow the City to attract future homeowners desiring to build homes that lend themselves to the overall Mediterranean ambience that North Bay Village lends itself to. This variance and/or code change will be beneficial to all current and future homeowners as well as the City and will in time allow the City to benefit from an increased tax base.

I appreciate your consideration of my request to allow the construction of my home as originally designed and approved by the Commission.

Respectfully submitted,



William C. Webb Jr





FRONT (north) ELEVATION 1/4" = 1'-0"



North Bay Village

Administrative Offices

1666 Kennedy Causeway, Suite 300 North Bay Village, FL 33141

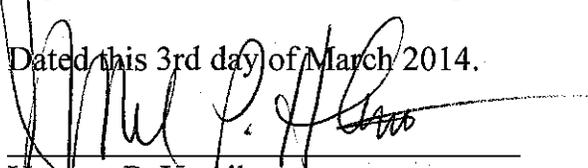
Tel: (305) 756-7171 Fax: (305) 756-7722 Website: www.nbvillage.com

Re: William Webb
1357 Bay Terrace
North Bay Village, FL 33141

Request for Variance to Exceed Maximum Building Height

I, Yvonne P. Hamilton, Village Clerk hereby certify, as per Section 152.096(A)(2) of the North Bay Village Code of Ordinances, that the petition filed by William Webb for the request referenced herein is complete.

Dated this 3rd day of March 2014.



Yvonne P. Hamilton
Village Clerk

(Planning & Zoning Board Meeting-March 18, 2014)

Mayor
Connie Leon-Kreps

Vice Mayor
Eddie Lim

Commissioner
Dr. Richard Chervony

Commissioner
Wendy Duvall

Commissioner
Jorge Bagez 71



North Bay Village

Administrative Offices

1666 Kennedy Causeway, Suite 300 North Bay Village, FL 33141

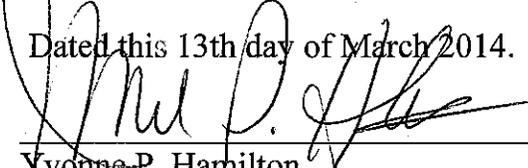
Tel: (305) 756-7171 Fax: (305) 756-7722 Website: www.nbvillage.com

Re: William Webb
1357 Bay Terrace
North Bay Village, FL 33141

Request for Variance to Exceed Maximum Building Height

I, Yvonne P. Hamilton, Village Clerk, hereby certify that the attached Notice of Public Hearing was mailed to property owners and residents within 300 feet of the property of the subject request pursuant to Section 152.096(A)(2) of the North Bay Village Code of Ordinances on March 6, 2014.

Dated this 13th day of March 2014.


Yvonne P. Hamilton
Village Clerk

(Planning & Zoning Board Meeting-March 18, 2014)

Mayor
Connie Leon-Kreps

Vice Mayor
Eddie Lim

Commissioner
Dr. Richard Chervony

Commissioner
Wendy Duvall

Commissioner
Jorge **Page 72**



North Bay Village

Administrative Offices

1666 Kennedy Causeway, Suite 300 North Bay Village, FL 33141

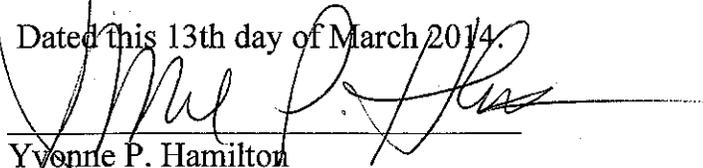
Tel: (305) 756-7171 Fax: (305) 756-7722 Website: www.nbvillage.com

Re: William Webb
1357 Bay Terrace
North Bay Village, FL 33141

Request for Variance to Exceed Maximum Building Height

I, Yvonne P. Hamilton, hereby certify that the attached Notice of Public Hearing to be held on March 18, 2014 was posted at the above-referenced property on March 8, 2014 pursuant to Section 152.096(A)(2) of the North Bay Village Code of Ordinances.

Dated this 13th day of March 2014.



Yvonne P. Hamilton
Village Clerk

(Planning & Zoning Board Meeting-March 18, 2014)

Mayor
Connie Leon-Kreps

Vice Mayor
Eddie Lim

Commissioner
Dr. Richard Chervony

Commissioner
Wendy Duvall

Commissioner
Jorge Page **Page 73**



**NORTH BAY VILLAGE
NOTICE OF PUBLIC HEARING**

PUBLIC NOTICE IS HEREBY GIVEN THAT THE PLANNING & ZONING BOARD OF NORTH BAY VILLAGE, FLORIDA, WILL HOLD ITS REGULAR MEETING ON **MARCH 18, 2014 AT 7:30 P.M. OR AS SOON AS POSSIBLE THEREAFTER, AT TREASURE ISLAND ELEMENTARY SCHOOL, 7540 EAST TREASURE DRIVE**, NORTH BAY VILLAGE, FLORIDA. DURING THIS MEETING, THE BOARD WILL CONSIDER THE FOLLOWING REQUEST AND SUBMIT A RECOMMENDATION TO THE VILLAGE COMMISSION:

1. **AN APPLICATION BY WILLIAM WEBB CONCERNING THE PROPERTY AT 1357 BAY TERRACE, NORTH BAY ISLAND, NORTH BAY VILLAGE, FLORIDA, FOR THE FOLLOWING:**
 - A. **A VARIANCE PURSUANT TO SECTION 152.097 OF THE NORTH BAY VILLAGE CODE OF ORDINANCES TO PERMIT A TWO-STORY SINGLE-FAMILY RESIDENTIAL STRUCTURE TO EXCEED THE MAXIMUM HEIGHT OF SECTION 152.026(C)(3), WHICH ALLOWS A BUILDING HEIGHT OF NO MORE THAN 25 FEET ABOVE FEMA BASE FLOOD ELEVATION.**

INTERESTED PERSONS ARE INVITED TO APPEAR AT THIS MEETING OR BE REPRESENTED BY AN AGENT, OR TO EXPRESS THEIR VIEWS IN WRITING ADDRESSED TO THE PLANNING & ZONING BOARD C/O THE BUILDING & ZONING CLERK, 1666 KENNEDY CAUSEWAY, #300, NORTH BAY VILLAGE, FL 33141.

THE DOCUMENTS PERTAINING TO THIS PUBLIC HEARING MAY BE INSPECTED AT THE OFFICE OF THE VILLAGE CLERK DURING REGULAR WORKING HOURS AT 1666 KENNEDY CAUSEWAY, #300. INQUIRIES MAY BE DIRECTED TO THAT DEPARTMENT AT (305) 756-7171.

PURSUANT TO SECTION 286.0105, FLORIDA STATUTES, IF ANY PERSON DECIDES TO APPEAL ANY DECISION BY THE VILLAGE COMMISSION WITH RESPECT TO THIS OR ANY MATTER CONSIDERED AT ITS MEETING OR ITS HEARING, SUCH PERSON MUST 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 VILLAGE 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 ACCESSIBLE FORMAT, SIGN LANGUAGE INTERPRETERS, INFORMATION ON ACCESS FOR PERSON WITH DISABILITIES, AND/OR ANY ACCOMMODATION TO REVIEW ANY DOCUMENT OR PARTICIPATE IN ANY VILLAGE-SPONSORED PROCEEDING, PLEASE CONTACT (305) 756-7171 FIVE DAYS IN ADVANCE TO INITIATE YOUR REQUEST. TTY USERS MAY ALSO CALL 711 (FLORIDA RELAY SERVICE).

YVONNE P. HAMILTON, CMC
VILLAGE CLERK
(March 7, 2014)

Owner/Occupant
7401 Center Bay Drive
N. Bay Village, FL 33141

Owner/Occupant
7411 Center Bay Drive
N. Bay Village, FL 33141

Owner/Occupant
7421 Center Bay Drive
N. Bay Village, FL 33141

Owner/Occupant
7431 Center Bay Drive
N. Bay Village, FL 33141

Owner/Occupant
7441 Center Bay Drive
N. Bay Village, FL 33141

Owner/Occupant
7400 Coquina Bay Drive
N. Bay Village, FL 33141

Owner/Occupant
7410 Coquina Bay Drive
N. Bay Village, FL 33141

Owner/Occupant
7420 Coquina Bay Drive
N. Bay Village, FL 33141

Owner/Occupant
7500 Coquina Bay Drive
N. Bay Village, FL 33141

Owner/Occupant
7421 Coquina Bay Drive
N. Bay Village, FL 33141

Owner/Occupant
7431 Coquina Bay Drive
N. Bay Village, FL 33141

Owner/Occupant
7501 Coquina Bay Drive
N. Bay Village, FL 33141

Owner/Occupant
7400 Beach View Drive
N. Bay Village, FL 33141

Owner/Occupant
7410 Beach View Drive
N. Bay Village, FL 33141

Owner/Occupant
7420 Beach View Drive
N. Bay Village, FL 33141

Owner/Occupant
7430 Beach View Drive
N. Bay Village, FL 33141

Owner/Occupant
7411 Beach View Drive
N. Bay Village, FL 33141

Owner/Occupant
7421 Beach View Drive
N. Bay Village, FL 33141

Owner/Occupant
7501 Beach View Drive
N. Bay Village, FL 33141

Owner/Occupant
7401 Beach View Drive
N. Bay Village, FL 33141

Owner/Occupant
1331 Bay Terrace
N. Bay Village, FL 33141

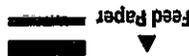
Owner/Occupant
1321 Bay Terrace
N. Bay Village, FL 33141

Owner/Occupant
1353 Bay Terrace
N. Bay Village, FL 33141

Owner/Occupant
1357 Bay Terrace
N. Bay Village, FL 33141

Owner/Occupant
1359 Bay Terrace
N. Bay Village, FL 33141

Owner/Occupant
1365 Bay Terrace
N. Bay Village, FL 33141



NEIGHBORS CALENDAR

CALENDAR, FROM 9NE

General Admission. 305-223-7060.
Women's Health Symposium: Promotes a holistic approach to health care, nutrition, healthy cooking, physical fitness, acupuncture, detoxing the body, healthy heart, and thermography. For more information visit the website.
 8:30 a.m. March 8, Hallandale Beach Cultural Community Center, 40 SE Third St., Hallandale Beach. Free. 954-303-3585.

FARMERS' MARKETS

The Garden Market: The Garden Market is a weekly farmers market that takes place rain or shine every Wednesday in the Miami Beach Botanical Garden. Vendors from The Market Company will be selling.
 11 a.m. March 12, Miami Beach Botanical Garden, 2000 Convention Center Dr., Miami Beach. Free. 305-673-7256, ext. 205.

FASHION

Macy's at Pembroke Lakes Mall Helps You Get Ready for Prom: Check out the latest fashion trends for prom hosted by fashion blogger Kelly Saks of Kelly's Closet to help you prepare for the one of the most memorable days of your life!
 R.
 2 p.m. March 8, Macy's Pembroke Lakes Mall, 11005 Pines Blvd., Pembroke Pines. Free.

Moroccan Couture Pop-up Boutique: Pop-up boutique and advance look into the fashion revolution Moroccan Jettseter & Miami Beach resident Asmaa Benkifane is about to launch with Le Beau Maroc, a boutique featur.
 12 p.m. March 8, Semilla Eatery & Bar, 1830 Alton Rd., Miami Beach. Free. 305-793-8268.

FOLK & TRADITIONAL

Music of the Americas at Zoo Miami: After enjoying a day strolling around Zoo Miami's beautiful pathways, there is no better way to relax than at our Amazon and Beyond's Village Plaza.
 1 p.m. March 8, Zoo Miami, 12400 SW 152 St., Richmond Naval Air Station. Free with zoo admission. 305-255-5551.

FOOD & DINING

A Night at the Museum: A Celebration of the Pageantry of Purim: Join us for the Jewish Museum of Florida-FIU's annual festive event featuring delicious gourmet food, music, entertainment and fun!
 Celebrating the triumph of good over evil a.
 6:30 p.m. March 13, Jewish Museum of Florida-FIU, 301 Washington Ave., Miami Beach. 786-972-3162.
Diamonds - N - Pearls 2K14: The Miami Nupes & The Lovely Ladies Of AKA In Assoc/ W SV Marketing Presents Name of Party: Diamonds & Pearls (Spring Break 2K14) Venue and address: Room Service Lounge 929

Wa.

11 p.m. March 9, Room Service, 929 Washington Ave., Miami Beach. 305-763-8330.

Free Tango Class and Milonga in Coral Gables: Free Tango Class 8pm Milonga 9pm
 Special tango menu!
 121 Alhambra Plaza, Coral Gables, 33134
 305-448-2511

The world's best all you can eat Argentine Steakhouse.
 Awesome.

8 p.m. March 12, Siga la Vaca - Authentic Argentine Steakhouse, 121 Alhambra Plaza, Coral Gables. Free. 786-355-0882.

Jazz on the Green: Take a break from the Miami scene and experience a live jazz band playing on our beautiful open garden while enjoying our three course prix fixe menu including mussels, tuna, calamari or lamb and paired with a glass of sparkling wine and our friendly staff ready to spoil you.
 7:30 p.m. March 7, Peacock Garden Cafe, Coconut Grove, Southwest Coconut Grove. 305-774-3332
Live Reggae Music | Every Sunday | Free Admission: Reggae Sundays - Sunset In Negri

A FREE Family Friendly Event & FREE Parking & Always Rain or Shine! Great Jerk chicken & pork BBQ, Festival Bread, fresh fried fish, soup, c.

6 p.m. March 9, Negri On The Green, 315 S. 62nd Ave., Hollywood. Free. 954-582-4345.

FOOTBALL

Flag Football 2014: Description Youth flag football for ages 7-14. Activity Flag Football 2014 #120102 Type Sports Leagues Sub-Activities Flag Football 10U Flag Football 11U Flag Football 12U Flag Football 13U Flag Football 14U Flag Football 7U Flag Football 8U Flag Football 9U
 6 p.m. March 10, Miami Gardens City Hall, 1515 NW 167th St.,

GALLERIES

Everglades-Painted Tapestries: Opening reception for artist Mai Yap. Her latest work, "Cloudscapes and Meditations" done entirely with palette knives, explore the unbelievable colors and ever changing moods of the Florida Everglades and Biscayne Bay. Parts of sales benefits South Florida National Park Trust. Exhibit continues through March.
 7 p.m. March 7, ArtSight Gallery, 1524 Ponce de Leon Blvd., Coral Gables. Free. 305-725-8630.
Life Is Art presents Art/Work Connections #7 - Gallery Prep: Art/Work Connections, monthly series of seminars presented by Life Is Art on a variety of topics vital to the success of working artists, features Read V. Horth, experienced gallerist. He speaks on how to get prepared to pitch a gallery, create a powerful portfolio, do research to find the best gallery for your work and approach the gallery.
 6:30 p.m. March 11, Yo Space, 294 NE 62nd St., Little Haiti. \$10. 3055767033 ext. 122.

GOLF

Cadillac World Golf Championship: 8 a.m. March 6, Trump National Doral Miami, 4400 NW 87th Ave., Doral Resort and Country Club. 305-592-2000.

WGC Cadillac Golf Championships: 6 a.m. March 9, Trump National Doral Miami, 4400 NW 87th Ave., Doral Resort and Country Club. 305-592-2000.

World Golf Championship Friday Competition: 7 a.m. March 7, Doral Golf Resort and Spa, 440 NW 87th Ave., Fountainbleau East. 305-592-2000.
World Golf Championship Saturday Competition: 7 a.m. March 8, Doral Golf Resort and Spa, 440 NW 87th Ave., Fountainbleau East. 305-592-2000.
World Golf Championship Sunday Competition: 7 a.m. March 9, Doral Golf Resort and Spa, 440 NW 87th Ave., Fountainbleau East. 305-592-2000.
World Golf Championship Thursday Competition: 7 a.m. March 6, Doral Golf Resort and Spa, 440 NW 87th Ave., Fountainbleau East. 305-592-2000.

HIKING

Starlight Walk: Experience the Anhinga Trail by starlight, listen for pig frogs, look for fireflies and gator eyes. Meet at the Royal Palm benches. Flashlight optional. Through March 22.
 7 p.m. March 8, Everglades National Park, 4000 State Hwy. 9336, Homestead. Included in admission (admission not provided to Herald). 305-242-7700.

Wilderness Walk: For 12+ (strenuous). Wade through the River of Grass into the shadows of a gator hole or a cypress dome. Reservations and info at Ernest F. Coe Visitor Center. Daily through March 22.

2 p.m. March 8, Everglades National Park, 4000 State Hwy. 9336, Homestead. Included in admission. Admission not provided to Herald. 305-242-7700.

INDIE

My Deer + Tremends: It's ART WALK SATURDAY and by 10pm the galleries start slowing down. So make sure to join the Gumm Drops crew and King's Head Records gang for a night full of music, amazing food and drinks. Featuring MY DEER and Tremends Music as well as special taste of Dude Skywalker on the tumb tables.
 No Cover!
 10 p.m. March 8, Will Call Miami, 700 NE Second Ave., Park West. Free. 305-577-5900.

JAZZ

Lindsay Blair Quartet Live in the Cellar: Group's debut performance Downstairs in the Cellar!
 10 p.m. March 6, Le Ciat Noir, 2 S. Miami Ave., Downtown Miami. No cover. 305-377-8899.
Lunchtime Jazz in the Plaza: Enjoy a

• TURN TO CALENDAR, 18NE



NORTH BAY VILLAGE NOTICE OF PUBLIC HEARING

PUBLIC NOTICE IS HEREBY GIVEN THAT THE PLANNING & ZONING BOARD OF NORTH BAY VILLAGE, FLORIDA, WILL HOLD ITS REGULAR MEETING ON **MARCH 18, 2014 AT 7:30 P.M. OR AS SOON AS POSSIBLE THEREAFTER, AT TREASURE ISLAND ELEMENTARY SCHOOL, 7540 EAST TREASURE DRIVE**, NORTH BAY VILLAGE, FLORIDA. DURING THIS MEETING, THE BOARD WILL CONSIDER THE FOLLOWING REQUESTS AND SUBMIT A RECOMMENDATION TO THE VILLAGE COMMISSION:

- AN APPLICATION BY WILLIAM WEBB CONCERNING THE PROPERTY AT 1357 BAY TERRACE, NORTH BAY ISLAND, NORTH BAY VILLAGE, FLORIDA, FOR THE FOLLOWING:
 - A VARIANCE PURSUANT TO SECTION 152.097 OF THE NORTH BAY VILLAGE CODE OF ORDINANCES TO PERMIT A TWO-STORY SINGLE-FAMILY RESIDENTIAL STRUCTURE TO EXCEED THE MAXIMUM HEIGHT OF SECTION 152.026(C)(3), WHICH ALLOWS A BUILDING HEIGHT OF NO MORE THAN 25 FEET ABOVE FEMA BASE FLOOD ELEVATION.
- AN APPLICATION BY HOLGER PIENING AND ANDREA FRANKE CONCERNING PROPERTY LOCATED AT 1700 SOUTH TREASURE DRIVE, TREASURE ISLAND, NORTH BAY VILLAGE, FLORIDA FOR THE FOLLOWING:
 - A VARIANCE PURSUANT TO SECTION 152.097 OF THE NORTH BAY VILLAGE CODE OF ORDINANCES TO PERMIT A 4.5 FOOT SIDE-INTERIOR SETBACK FOR THE CONSTRUCTION OF A SWIMMING POOL, WHERE THE CODE REQUIRES A SETBACK OF 7.5 FEET.
 - A VARIANCE PURSUANT TO SECTION 152.097 OF THE NORTH BAY VILLAGE CODE OF ORDINANCES TO PERMIT THE POOL EQUIPMENT TO ENCRoACH 3.3 FEET INTO THE REQUIRED 7.5 FOOT SIDE INTERIOR SETBACK AREA.
- AN APPLICATION BY 7814 BUILDING, LLO CONCERNING PROPERTY LOCATED AT 7814, 7816 AND 7818 WEST DRIVE, TRACT C OF HARBOR ISLAND, NORTH BAY VILLAGE, FLORIDA, IN CONNECTION WITH THE DEVELOPMENT OF A 52 UNIT, 15 STORY MULTI-FAMILY CONDOMINIUM STRUCTURE:
 - A SPECIAL USE EXCEPTION PURSUANT TO SECTIONS 152.042(E) AND 152.098 OF THE NORTH BAY VILLAGE CODE OF ORDINANCES TO ALLOW UP TO TWENTY (20) PERCENT OF THE DEVELOPMENT'S REQUIRED PARKING SPACES TO BE DESIGNED SPECIFICALLY FOR COMPACT VEHICLES.
- AN APPLICATION BY NORTH BAY CAUSEWAY, LLO CONCERNING PROPERTY LOCATED AT 1555 KENNEDY CAUSEWAY, NORTH BAY VILLAGE, FLORIDA, FOR THE FOLLOWING:
 - A SPECIAL USE EXCEPTION PURSUANT TO SECTIONS 152.030(C)(8) AND 152.098 OF THE NORTH BAY VILLAGE CODE OF ORDINANCES FOR DEVELOPMENT OF A MIXED-USE COMMERCIAL STRUCTURE IN THE CG (GENERAL COMMERCIAL) ZONING DISTRICT.
 - SITE PLAN APPROVAL PURSUANT TO SECTION 152.105(C)(9) OF THE NORTH BAY VILLAGE CODE OF ORDINANCES FOR DEVELOPMENT OF A 127-UNIT, 22-STORY CONDOMINIUM STRUCTURE WITH A PARKING GARAGE.

 BAY VIEW OVERLAY STANDARDS REVIEW, INCLUDING HEIGHT APPROVAL, PURSUANT TO SECTION 152.032(A)(3) OF THE NORTH BAY VILLAGE CODE OF ORDINANCES.
 - A VARIANCE PURSUANT TO SECTION 152.097 OF THE NORTH BAY VILLAGE CODE OF ORDINANCES TO ALLOW 6 STORIES OF PARKING, WHERE SECTION 152.026(C) ALLOWS A MAXIMUM OF FOUR STORIES OF PARKING.
- AN APPLICATION BY KAKUTA SAINT CONCERNING PROPERTY LOCATED AT 7441 CENTER BAY DRIVE, NORTH BAY VILLAGE, FLORIDA, FOR THE FOLLOWING:
 - A VARIANCE PURSUANT TO SECTION 152.097 OF THE NORTH BAY VILLAGE CODE OF ORDINANCES TO ALLOW A GENERATOR TO ENCRoACH 4 FEET INTO THE REQUIRED 10 FOOT SIDE INTERIOR SETBACK AREA.

INTERESTED PERSONS ARE INVITED TO APPEAR AT THIS MEETING OR BE REPRESENTED BY AN AGENT, OR TO EXPRESS THEIR VIEWS IN WRITING ADDRESSED TO THE PLANNING & ZONING BOARD C/O THE BUILDING & ZONING CLERK, 1668 KENNEDY CAUSEWAY, #300, NORTH BAY VILLAGE, FL 33141.

THE DOCUMENTS PERTAINING TO THIS PUBLIC HEARING MAY BE INSPECTED AT THE OFFICE OF THE VILLAGE CLERK DURING REGULAR WORKING HOURS AT 1668 KENNEDY CAUSEWAY, #300. INQUIRIES MAY BE DIRECTED TO THAT DEPARTMENT AT (305) 756-7171.

PURSUANT TO SECTION 228.0105, FLORIDA STATUTES, IF ANY PERSON DECIDES TO APPEAL ANY DECISION BY THE VILLAGE COMMISSION WITH RESPECT TO THIS OR ANY MATTER CONSIDERED AT ITS MEETING OR ITS HEARING, SUCH PERSON MUST 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.

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TO REQUEST THIS MATERIAL IN ACCESSIBLE FORMAT, SIGN LANGUAGE INTERPRETERS, INFORMATION ON ACCESS FOR PERSON WITH DISABILITIES, AND/OR ANY ACCOMMODATION TO REVIEW ANY DOCUMENT OR PARTICIPATE IN ANY VILLAGE SPONSORED PROCEEDINGS, PLEASE CONTACT (305) 756-7171 FIVE DAYS IN ADVANCE TO INITIATE YOUR REQUEST. TTY USERS MAY ALSO CALL 711 (FLORIDA RELAY SERVICE).

YVONNE R. HAMILTON, GMC
 VILLAGE CLERK
 (February 28, 2014)



Staff Report Variance Request

*Prepared for: North Bay Village
Planning & Zoning Board*

Applicant: Holger Piening

Request: Variance to Minimum Side Yard Setback

LaRue Planning
& Management Services, Inc.
1375 Jackson Street, Suite 206
Fort Myers, Florida
239-334-3366

Serving Florida Local Governments Since 1988

General Information

Owner/Applicant:	Holger Piening
Applicant Address:	1700 S Treasure Dr North Bay Village, FL 33141
Site Address:	1700 S Treasure Dr
Contact Person:	Nicole J. Huesmann
Contact Phone Number:	305-858-0220
E-mail Address:	njhuesmann@njhlaw.com

Future Land Use Map Classification	Single Family Residential
Zoning District	RS-2
Use of Property	Single Family Home
Acreage (per survey)	0.21 ac.

Legal Description of Subject Property

LOT 5, BLOCK 1 OF TREASURE ISLAND, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 50 ON PAGE 67 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA

SAID LANDS LYING AND BEING IN NORTH BAY VILLAGE, MIAMI-DADE COUNTY, FLORIDA CONTAINING 9,000 SQUARE FEET (0.207 ACRES), MORE OR LESS.

Requested Variance

The applicant's request is for approval of a variance "to permit steps and landing leading from the pool deck into the residence along the East side to encroach 4.5 (7.5 feet required) from the interior side East property line."

The plans submitted by the applicant for this variance depict the steps and landing 3.5 feet from the east side property line. So in order for the plans to be built as shown, the Commission must approve a 4 foot variance from the 7.5 foot required side setback, allowing the steps and landing to encroach 4 feet into the required 7.5 foot side yard setback.



Project Description

The applicant plans to construct a new single family home in the North Bay Village RS-2 Zoning District. The project incorporates ground level decking throughout the backyard that will extend around the sides of the house into the areas between the sides of the house and the side lot lines. The plans depict a stoop with stairs extending out from one side of the house leading down to the deck. The stoop and stairs are depicted as encroaching 4 feet into the required side yard setback area. According to Section 152.027(C)(2), the setback requirement from the side property line is 7.5 feet.

In order to allow the applicant to build the plans as submitted, a 4 foot variance to the 7.5 foot required side yard setback must be approved by the Village Commission, thereby allowing a 3.5 foot setback where 7.5 feet is required.

Required Findings

Sec. 152.097(B) sets forth the findings that are required for the reviewing body(ies) to authorize any variance request. Sec. 152.097(C) requires that the reviewing body(ies) must make an affirmative finding with respect to the criteria listed below. For ease of review, each of the criteria contained in subparagraphs (B)(1) through (B)(3) have been separated into their component parts.

- (1)a. That there are (or are not) special circumstances and conditions which are peculiar to the land, structure, or building involved and which are not generally applicable to other lands, structures, or buildings in the same zoning district;

Staff Comments: The Applicant has provided no evidence of special circumstances and/or conditions that are unique to the land or proposed structure. The property is a rectangular shaped lot of 9,000 square feet, in excess of the 6,000 square foot minimum lot size required in the RS-2 Zoning District; and with 60 foot width, which meets the 60 foot minimum frontage required in the RS-2 District. Architectural considerations are not valid reasons for granting a variance.

- (1)b. that the special circumstances and conditions were not (or were) self-created by any person having an interest in the property;

Staff Comments: There are no special circumstances and/or conditions. The need for a stoop and steps is matters of choice necessitated only by the preference of the Applicant for a side entrance and a building size that results in the need for the variance.



- (1)c. and that the strict application of the provisions of this chapter would (or would not) deprive the Applicant of the reasonable use of the land, structure, or building for which the variance is sought;

Staff Comments: While it would require the construction of a somewhat smaller home or the elimination of the steps and stoop from the building plans, the strict application of the minimum front yard setback of 7.5 feet will not deny the Applicant the reasonable use of the property.

- (1)d. and would (or would not) involve an unnecessary hardship for the Applicant.

Applicant Comments: The requirements of flood elevation criteria for the residence and the access to the wooden pool deck create a hardship for the Applicant. In addition the width of the lot and the associated setbacks to a narrow lot restricts the Applicant from reasonable use of the land. Strict application of the Village Code for these structures create an unnecessary hardship.

Staff Comments: The definition of an unnecessary hardship in Chapter 152 is as follows:

"(2) *Hardship, unnecessary.* Arduous restrictions upon the uses of a particular property, which are unique and distinct from that of adjoining property owners. Granting of relief from an unnecessary hardship should not violate sound zoning principles, including considerations that: adjacent properties will not be substantially reduced in value, it is not granting a special privilege not to be enjoyed by others in similar circumstances, and the public interest is maintained, including following the spirit of this chapter and the comprehensive master plan. Invalid and nonjustifiable bases for pleading unnecessary hardship include but are not limited to:

- (a) Loss of the "best" use of the land, and business competition.
- (b) Self-created hardships by the applicant's own acts.
- (c) Neighboring violations and nonconformities.
- (d) Claims of inability to sell the property.
- (e) General restrictions of this chapter."

There is no unique characteristic about the lot that requires a variance to the minimum side yard setback. The size of the structure is a choice made by the Applicant.

If the Applicant should choose to build a new home of such a size that it requires that the structure encroach into the required setback, any perceived hardship is one that is self-created. Similarly, if the Applicant wishes to add the stoop and steps, a thinner house would allow such features without the need for a variance.

Requiring the Applicant to modify the proposed site plan to meet the code does not deprive the Applicant of reasonable use of the land. A minor loss of square footage does not constitute an unnecessary hardship.



- (2)a. That granting the variance requested will not (or will) confer on the Applicant any special privilege that is denied by this chapter to other land, structures, or buildings in the same zoning district;

Staff Comments: The width and depth of the lot is the same as many of the other lots in the RS-2 district. It is our opinion that granting the requested side yard setback variance would confer on the Applicant a special privilege that is denied to other lands in the RS-2 zoning district.

- (2)b. and the variance granted is the minimum variance that will make possible the reasonable use of the land, structure, or building.

Applicant Comments: The granting of the requested variances is the minimum variance possible to allow the Applicant reasonable and functional use of the land and building. It would permit the applicant to construct a residence that is compatible other residences in the area.

Staff Comments: Strict application of the minimum side yard setback of 7.5 feet will not deny the Applicant the reasonable use of his property. Consequently, we are of the opinion that no variance to the side yard setback is necessary.

- (3) That granting the variance will (or will not) be in harmony with the general intent and purpose of this chapter, and that such variance will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

Applicant Comments: Granting the variance would allow the applicant to construct a residence that would be in harmony with the general intent of the LDRs. The overall height of the landing and pool pump equipment would not be detrimental to the public welfare. The proposed residence when completed will increase property values to neighboring properties.

Staff Comments: We do not feel that the granting of the variance would be particularly injurious to the neighborhood or otherwise detrimental to the public welfare. Nevertheless, the granting of the variance will not be in harmony with the general intent of Chapter 152. Most importantly, the request does not meet the very specific requirements for granting a variance.

The City's LDC contains the same criteria in Sec. 2.7.6 as discussed above except they are numbered (1) through (6). The LDC also includes a seventh criterion which reads as follows:

7. The variance request is not based exclusively upon a desire to reduce the cost of development.

Staff Comments: We do not believe that the Applicant has based this variance request exclusively to reduce the cost of development.

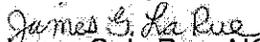


Recommendations

Staff recommends **denial** of the requested variance to allow less than the required 7.5 foot setback from the side property line.

Staff finds that the requested variance does not meet the requirements of Sec. 152.097 (C) in that the materials submitted do not adequately allow for an affirmative finding on any of the criteria contained in 152.097(B) as specifically identified by the foregoing Staff Comments.

Submitted by:


James G. LaRue, AICP
Planning Consultant

March 11, 2014

Hearing: North Bay Village Planning & Zoning Board, March 18, 2014



NICOLE J. HUESMANN, P.A.
Attorney at Law

DATE: 02/07/2014 10:33 AM

February 7, 2014

150 Alhambra Circle, Suite 1150
Coral Gables, Florida 33134
Phone (305) 858-0220
Fax (305) 854-6810
njhuesmann@njhlaw.com

VIA HAND DELIVERY

Ms. Yvonne Hamilton
Village Clerk
North Bay Village
1666 Kennedy Causeway, Suite 300
North Bay Village, Florida 33141

Re: **Letter of Intent for variance request for 1700 S. Treasure Drive / North Bay Village**

Dear Ms. Hamilton:

On behalf of our client Holger Piening ("Applicant"), we respectfully submit this Letter of Intent accompanying our application for public hearing. The Applicant is proposing to develop a single family residence on the property located at Lot 5 of Block 1 of Treasure Island, Plat Book 50 Page 67 a/k/a 1700 S. Treasure Drive.

As part of the site plan approval, the Applicant is respectfully seeking approval of setback encroachment variances for the proposed residence. Accordingly, our requests are as follows:

- A variance from the provisions of Section 152-056 of the Village Code to permit steps and landing leading from the pool deck into the residence along the East side to encroach 4.5 feet (7.5 feet required) from the interior side East property line.
- A variance from the provisions of Section 152-056 of the Village Code to permit pool pump equipment to encroach into the East side 4.2 feet (7.5 feet required) from the interior side East property line.

Proposed Development

The Applicant is proposing to construct a new single family residence and pool on the property located at 1700 S. Treasure Drive abutting Biscayne Bay. The property dimensions are 60 feet wide by 150 feet in length, making the building site long and narrow.

MIAMI 4034348.1 80814/43852



Ms. Yvonne Hamilton
Page 2
February 7, 2014

As part of the design the design proposes a pool and a wooden pool deck at grade level which is 6.46 feet (NGVD) on the rear for the property facing Biscayne Bay. The pool and wooden pool deck do not violate any setbacks. However, a variance will be required for a structure (steps and landing) on the East side of the house. The purpose for these steps and landing is for ingress and egress to the bathroom to the pool which is located within the residence. Due to flood requirements the house elevation is required to be 8.0 feet (NGVD) and in order to provide proper ingress and egress to the pool bathroom the steps and landing is needed. The height difference between the wooden pool deck and the residence is 1.54 feet.

Additionally, abutting the steps and landing structure the applicant is proposing to place the pool pump equipment. The encroachment into the side East setback of the pool pump equipment is less than the encroachment of the steps and landing. The industry norm regarding the placement of the pool equipment has been to place the pool pump equipment on the side of the properties to enable easy maintenance and repairs to the equipment as well as for the safety of the property owner and guests.

We believe that the above-noted variances may be justified when taking into account the width of the parcel and the associated setbacks to structures. The height for steps and landing structure and the pool pump equipment do not provide a detrimental impact to adjoining property. The Applicant has made every effort to prepare a design and to select a pool pump equipment manufacturer that will have the least amount of impact to the adjoining properties.

Standards of review for variances pursuant to Section 152.097 (B) of the Village Code

- (1) Special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same zoning district; that the special circumstances and conditions were not (or were) self-created by any person having an interest in the property; and that the strict application of the reasonable use of land, structure, or building for which the variance is sought and would (or would not) involve an unnecessary hardship for the applicant.

The requirements of flood elevation criteria for the residence and the access to the wooden pool deck create a hardship for the Applicant. In addition the width of the lot and the associated setbacks to a narrow lot restricts the Applicant from reasonable use of the land. Strict application of the Village Code for these structures create an unnecessary hardship.



Ms. Yvonne Hamilton
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February 7, 2014

- (2) Granting the variance requested will not (or will) confer on the applicant any special privilege that is denied by this chapter to other land, structures or buildings in the same zoning district; and the variance granted is the minimum variance that will make possible the reasonable use of the land, structure or building.

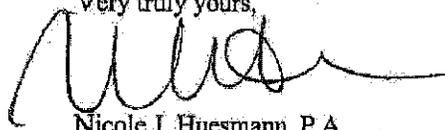
The granting of the requested variances is the minimum variance possible to allow the Applicant reasonable and functional use of the land and building. It would permit the applicant to construct a residence that is compatible other residences in the area.

- (3) The granting of the variance will (or will not) be in harmony with the general intent and purpose of this chapter, and that such variance will not be injurious to the neighborhood, or otherwise detrimental to the public welfare.

Granting of the variance would allow the applicant to construct a residence that would be in harmony with the general intent of the LDRs. The overall height of the landing and pool pump equipment would not be detrimental to the public welfare. The proposed residence when completed will increase property values to neighboring properties.

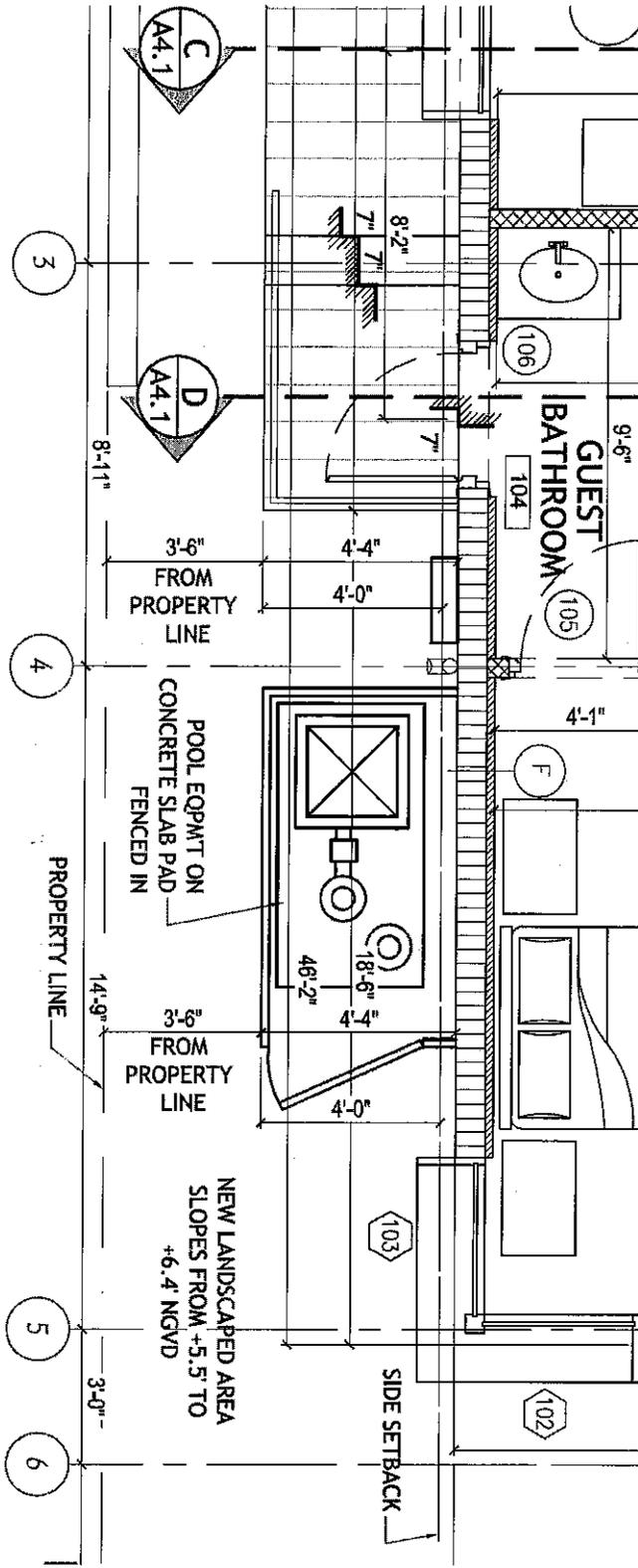
Based on the foregoing we respectfully request your support of the application. Thank you for your consideration.

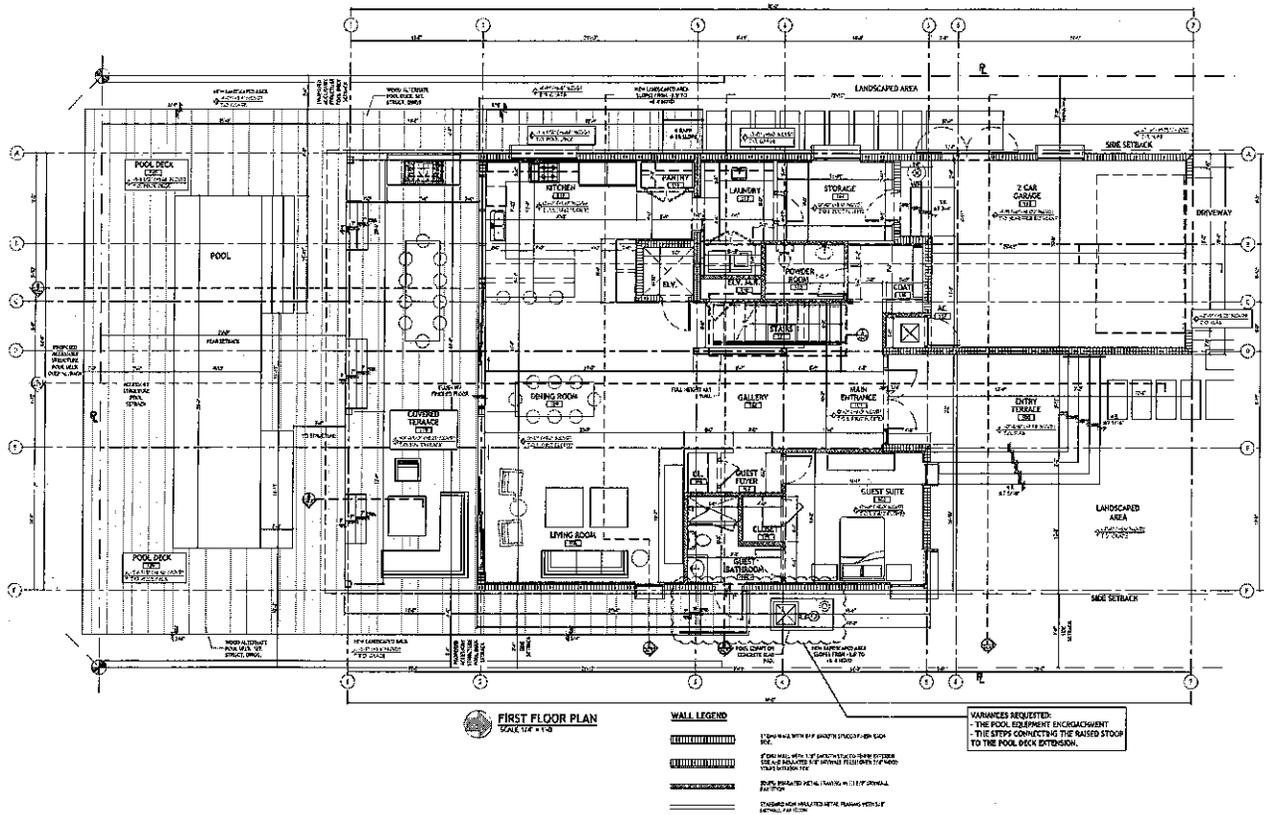
Very truly yours,



Nicole J. Huesmann, P.A.









Staff Report Variance Request

Prepared for: North Bay Village
Planning & Zoning Board

Applicant: Holger Piening

Request: Variance from Side Yard Setback
Standards for Placement of Pool
Equipment



**LaRue Planning
& Management Services, Inc.**

1375 Jackson Street, Suite 206
Port Myers, Florida
239-334-3366

Serving Florida Local Governments Since 1988

General Information

Applicant	Holger Piening
Applicant Address	1700 S Treasure Dr North Bay Village, FL 33141
Site Address	1700 S Treasure Dr
Contact Person	Nicole J. Huesmann
Contact Phone Number	305-358-0220
E-mail Address	njhuesmann@njhlaw.com

Future Land Use Map Classification	Single Family Residential
Zoning District	RS-2
Use of Property	Single Family Home
Acreage	0.21 ac.

Legal Description of Subject Property

LOT 5, BLOCK 1 OF TREASURE ISLAND, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 50 ON PAGE 67 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA

SAID LANDS LYING AND BEING IN NORTH BAY VILLAGE, MIAMI-DADE COUNTY, FLORIDA CONTAINING 9,000 SQUARE FEET (0.207 ACRES), MORE OR LESS.

Requested Variance

The applicant's request is for approval of a variance "to permit pool pump equipment to encroach into the East side 4.2 (7.5 feet required) from the interior side East property line."

The plans submitted by the applicant for this variance depict the pool equipment 3.5 feet from the east side property line. So in order for the plans to be built as shown, the Village Commission must approve a 4 foot variance from the 7.5 foot required side setback, allowing the pool equipment to be placed 3.5 feet from the property line where 7.5 feet is required.



Project Description

The applicant intends to construct a new single family home in the North Bay Village RS-2 Zoning District. North Bay Village Code Section 152.027 requires structures in the RS-2 zoning district to be setback at least 7.5 feet from the interior lot lines. The plans depict the first floor of the proposed structure 7 foot 10 inches from the east side property line and the applicant would like to place the pool equipment on the side of the house encroaching into the required side yard setback area.

In order to allow the applicant to build the plans as submitted, a 4 foot variance to the 7.5 foot required side yard setback must be approved by the Village Commission, thereby allowing a 3.5 foot setback where 7.5 feet is required.

Required Findings:

Sec. 152.0971(B) sets forth findings that are required for the reviewing body(ies) to authorize any non-use variance request. In addition to staff comments on these items, the applicant's comments (included in his letter) have been listed as well. For ease of review, each of the criteria contained in subparagraphs (B)(1) through (B)(3) have been separated into their component parts.

- (1) The variance will be in harmony with the general appearance and character of the community.

Applicant Comments: The pool pump equipment does not provide a detrimental impact to adjoining property

Staff Comments: The plans and renderings submitted by the applicant depict landscaping along the property line. From the plans provided, it is not clear if the proposed landscaping will be tall enough to completely obscure the pool equipment from view, but this can be made a condition of approval.

- (2) The variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

Applicant Comments: The applicant has made every effort to prepare a design and to select a pool pump equipment manufacturer that will have the least amount of impact to the adjoining properties.

Staff Comments: Provided that the equipment installed is operational at a reasonable decibel level, staff does not believe that the pool equipment will be detrimental to public welfare.



- (3) The improvement is designed and arranged on the site in a manner that minimizes aerial and visual impact on the adjacent residences.

Staff Comments: This improvement should not have an aerial/visual impact on the adjacent residences.

Staff finds that the requested variance does meet the requirements of Section 152.0971 in that the materials submitted adequately allow for an affirmative finding on all of the criteria contained as specifically identified by the foregoing staff comments.

Recommendation:

Staff recommends **approval** of a variance to allow a 3.5 foot setback from the property line where a 7.5 foot setback is required, with the following stipulations:

1. To comply with Section 151.25, landscaping and/or other methods of screening must be provided which screens the entire height of the pool equipment.
2. Building permits and related approvals for generator installation must be obtained from the Building Official prior to commencement of construction.
3. All applicable state and federal permits must be obtained before commencement of construction.
4. Cost Recovery charges must be paid pursuant to Section 152.110. Specifically, no building permit shall be issued for the property until all application fees, cost recovery deposits and outstanding fees and fines related to the property (including fees related to any previous development proposal applications on the property), have been paid in full.
5. Authorization or issue of a variance or a building permit by the Village does not in any way create a right on the part of the applicant to obtain a permit from a state or federal agency, and does not create liability on the part of the Village for issuance of a variance or a building permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes action that result in a violation of federal or state law.

Submitted by:

James G. LaRue
James G. LaRue, AICP
Planning Consultant

March 11, 2014

Hearing: North Bay Village Planning and Zoning Board, March 18, 2014





North Bay Village

02-07-14 PM 1:36 RCVD

Administrative Offices

1666 Kennedy Causeway, Suite 300 North Bay Village, FL 33141

Tel: (305) 756-7171 Fax: (305) 756-7722 Website: www.nbvillage.com

APPLICATION FOR PUBLIC HEARINGS:

Hearings and Notices: - All petitions for amendments, changes or supplements to these regulations for variances, special use exceptions, Site Plan Approval, Extension of Approved Site Plans, for Building Height Bonus Approval, or for an amendment, change or supplement to the Comprehensive Plan; district zoning map, or petitions appealing an administrative decision shall be considered at Public Hearings before the Planning & Zoning Board and, thereafter, the Village Commission. Notice of Public Hearings before the Planning & Zoning Board and the Village Commission shall be given by publishing and posting on the property (which is the subject of the request), the time, the place and the nature of the hearing at least 10 days before the hearing. The Village Clerk shall certify that the petition is complete before the hearing is legally advertised.

Applicant's Name: Holger Piening and Andrea Franke Phone: 786 332 9512 or 305 858 0220

Mailing Address: C/O Nicole J. Huesmann, 150 Alhambra Cir, #1150, Coral Gables, FL 33134

Legal Description of Property: Lot 5, Block 1, Treasure Island, PB 50, Page 67
Address: 1700 S. Treasure Dr., Miami, FL 33131

Existing Zoning: Res. Single family Lot Size: 9,000 sf Folio: 2332 09 009 0050

Type of Request: Variance-see attached sheet.

Reason for Request: (Attach additional Pages if necessary) See attached sheet.

All applications shall be submitted to the Village Clerk on or before the deadline implemented by the Village.

Mayor
Connie Leon-Kreps

Vice Mayor
Eddie Lim

Commissioner
Dr. Richard Chervony

Commissioner
Wendy Duvall

Commissioner
Jorge Gonzalez

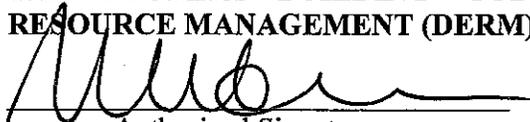
**APPLICATION FOR HEARING
BEFORE THE PLANNING & ZONING BOARD AND
VILLAGE COMMISSION
PAGE 2 OF 2**

Filing Fees - All persons, firms, or corporations petitioning the Planning & Zoning Board and the Village Commission necessitating the publication of notices in the newspaper, and all relative thereto, the payment of such money in advance to the Village Clerk shall be deemed a condition precedent to the consideration of such petition, conditional use permit or amendment.

I, (We), the undersigned, am (are) the (owner, tenant, agent, attorney) (designate one) of the subject property herein described. I (We) acknowledge and agree that during the consideration of the application before the Planning & Zoning Board and staff of North Bay Village, no rights shall vest on behalf of the applicant, which would be enforceable against the Village until after a Public Meeting is held by the Village Commission and the Village Commission has voted favorable on the proposed petition.

I, (We) further acknowledge that I (We) have read and understand the conditions for appearance before the Planning & Zoning Board and the Village Commission Pursuant to the Village Code Section 152.096. Any person submitting false information or misrepresenting in their presentation shall have all privileges granted to them by the Planning & Zoning Board and the Village Commission revoked.

(NOTE: ALL NEW AND SUBSTANTIAL IMPROVEMENTS MUST COMPLY WITH THE FLORIDA BUILDING CODE, DEPARTMENT OF ENVIRONMENTAL RESOURCE MANAGEMENT (DERM), AND FEMA (FLOOD) REGULATIONS).

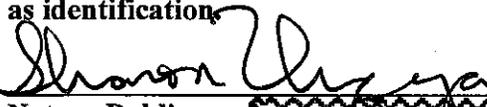

Authorized Signature

Nicole J. Huesmann as AIF for
Print Name
Holger Piening and Andrea Franke

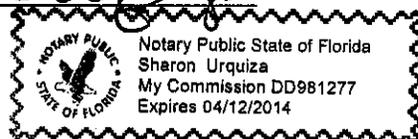
(In case of corporate ownership, the authorized signature shall be accompanied by a notation of the signer's position in the corporation and embossed with the corporate seal.)

STATE OF FLORIDA)
COUNTY OF MIAMI-DADE)

Sworn to and subscribed to before me this 7th day of February 2014
by Nicole J. Huesmann as AIF for Holger Piening and Andrea Franke
who is personally known to me or who has produced _____
as identification.


Notary Public

(Notary Seal)



Mayor
Connie Leon-Kreps

Vice Mayor
Eddie Lim

Commissioner
Dr. Richard Chervony

Commissioner
Wendy Duvall

Commissioner
Jorge Gonzalez

Office Use Only:

Date Submitted: _____

Fee Paid: \$ _____

Tentative Meeting Date: _____

Cash or Check # _____

Date Paid: _____

Mayor
Connie Leon-Kreps

Vice Mayor
Eddie Lim

Commissioner
Dr. Richard Chervony

Commissioner
Wendy Duvall

Commissioner
Jorge Gonzalez

NICOLE J. HUESMANN, P.A.
Attorney at Law

DATE RECEIVED: 02/07/14

February 7, 2014

150 Alhambra Circle, Suite 1150
Coral Gables, Florida 33134
Phone (305) 858-0220
Fax (305) 854-6810
njhuesmann@njhlaw.com

VIA HAND DELIVERY

Ms. Yvonne Hamilton
Village Clerk
North Bay Village
1666 Kennedy Causeway, Suite 300
North Bay Village, Florida 33141

Re: **Letter of Intent for variance request for 1700 S. Treasure Drive / North Bay Village**

Dear Ms. Hamilton:

On behalf of our client Holger Piening ("Applicant"), we respectfully submit this Letter of Intent accompanying our application for public hearing. The Applicant is proposing to develop a single family residence on the property located at Lot 5 of Block 1 of Treasure Island, Plat Book 50 Page 67 a/k/a 1700 S. Treasure Drive.

As part of the site plan approval, the Applicant is respectfully seeking approval of setback encroachment variances for the proposed residence. Accordingly, our requests are as follows:

- A variance from the provisions of Section 152-056 of the Village Code to permit steps and landing leading from the pool deck into the residence along the East side to encroach 4.5 feet (7.5 feet required) from the interior side East property line.
- A variance from the provisions of Section 152-056 of the Village Code to permit pool pump equipment to encroach into the East side 4.2 feet (7.5 feet required) from the interior side East property line.

Proposed Development

The Applicant is proposing to construct a new single family residence and pool on the property located at 1700 S. Treasure Drive abutting Biscayne Bay. The property dimensions are 60 feet wide by 150 feet in length, making the building site long and narrow.

MIAMI 4034348.1 80814/43852



Ms. Yvonne Hamilton
Page 2
February 7, 2014

As part of the design the design proposes a pool and a wooden pool deck at grade level which is 6.46 feet (NGVD) on the rear for the property facing Biscayne Bay. The pool and wooden pool deck do not violate any setbacks. However, a variance will be required for a structure (steps and landing) on the East side of the house. The purpose for these steps and landing is for ingress and egress to the bathroom to the pool which is located within the residence. Due to flood requirements the house elevation is required to be 8.0 feet (NGVD) and in order to provide proper ingress and egress to the pool bathroom the steps and landing is needed. The height difference between the wooden pool deck and the residence is 1.54 feet.

Additionally, abutting the steps and landing structure the applicant is proposing to place the pool pump equipment. The encroachment into the side East setback of the pool pump equipment is less than the encroachment of the steps and landing. The industry norm regarding the placement of the pool equipment has been to place the pool pump equipment on the side of the properties to enable easy maintenance and repairs to the equipment as well as for the safety of the property owner and guests.

We believe that the above-noted variances may be justified when taking into account the width of the parcel and the associated setbacks to structures. The height for steps and landing structure and the pool pump equipment do not provide a detrimental impact to adjoining property. The Applicant has made every effort to prepare a design and to select a pool pump equipment manufacturer that will have the least amount of impact to the adjoining properties.

Standards of review for variances pursuant to Section 152.097 (B) of the Village Code

- (1) Special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same zoning district; that the special circumstances and conditions were not (or were) self-created by any person having an interest in the property; and that the strict application of the reasonable use of land, structure, or building for which the variance is sought and would (or would not) involve an unnecessary hardship for the applicant.

The requirements of flood elevation criteria for the residence and the access to the wooden pool deck create a hardship for the Applicant. In addition the width of the lot and the associated setbacks to a narrow lot restricts the Applicant from reasonable use of the land. Strict application of the Village Code for these structures create an unnecessary hardship.



Ms. Yvonne Hamilton
Page 3
February 7, 2014

- (2) Granting the variance requested will not (or will) confer on the applicant any special privilege that is denied by this chapter to other land, structures or buildings in the same zoning district; and the variance granted is the minimum variance that will make possible the reasonable use of the land, structure or building.

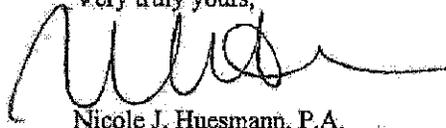
The granting of the requested variances is the minimum variance possible to allow the Applicant reasonable and functional use of the land and building. It would permit the applicant to construct a residence that is compatible other residences in the area.

- (3) The granting of the variance will (or will not) be in harmony with the general intent and purpose of this chapter, and that such variance will not be injurious to the neighborhood, or otherwise detrimental to the public welfare.

Granting of the variance would allow the applicant to construct a residence that would be in harmony with the general intent of the LDRs. The overall height of the landing and pool pump equipment would not be detrimental to the public welfare. The proposed residence when completed will increase property values to neighboring properties.

Based on the foregoing we respectfully request your support of the application. Thank you for your consideration.

Very truly yours,



Nicole J. Huesmann, P.A.



Applicant Name: Holger Piening and Andrea Franke

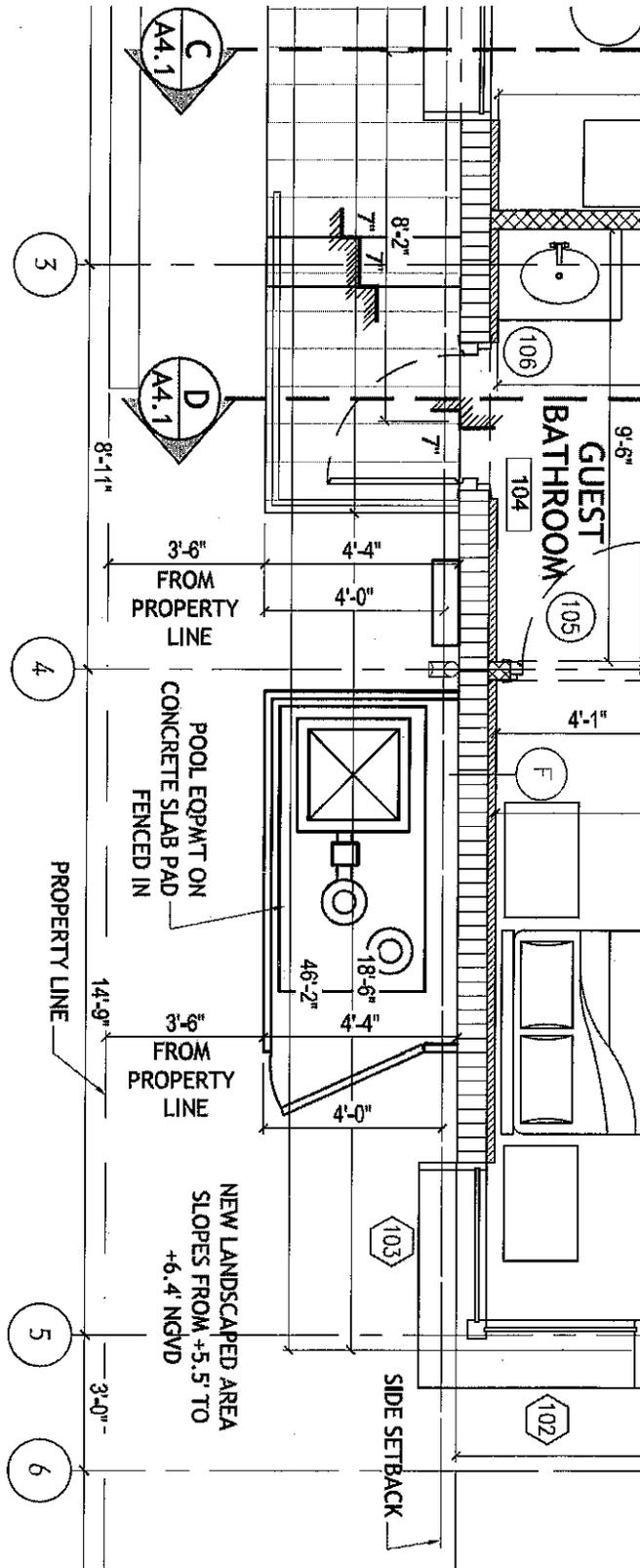
Property Address: 1700 S. Treasure Drive, Miami, Florida 33131

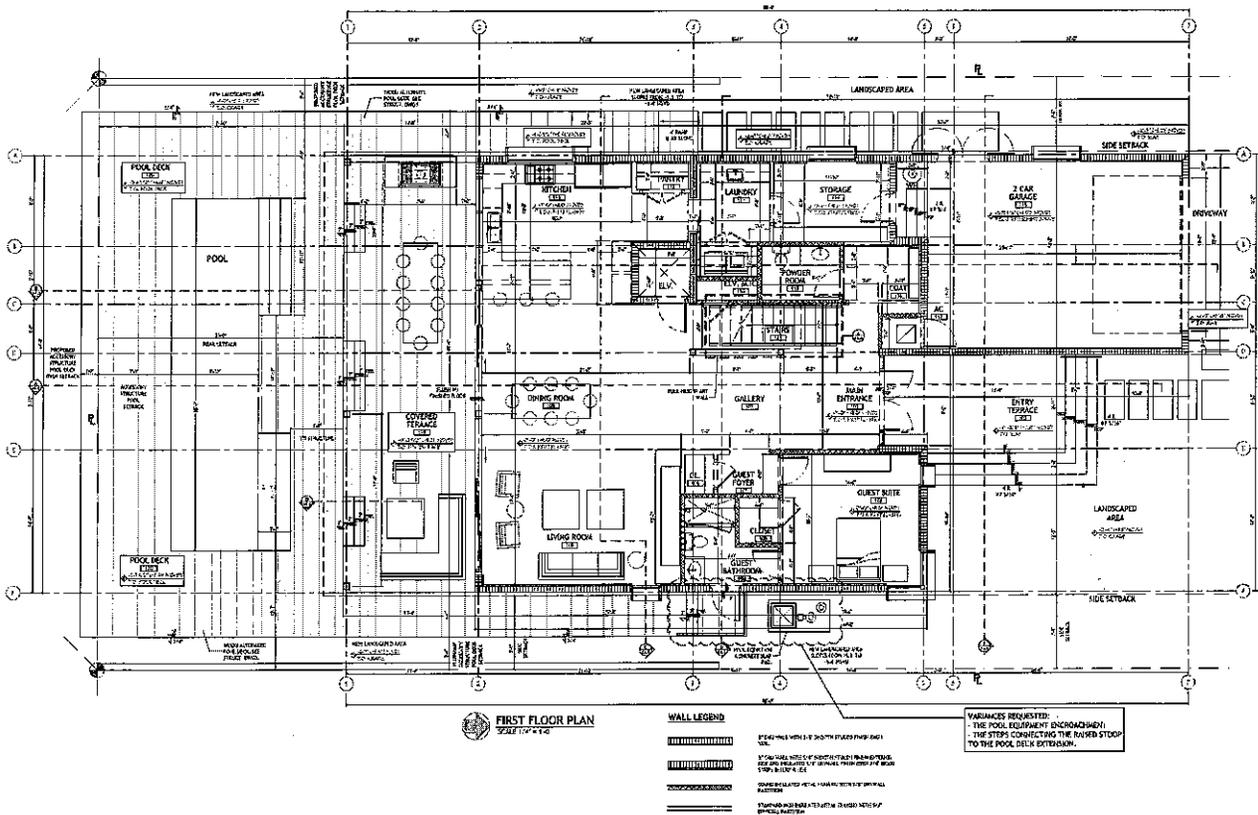
Folio: 2332 09 009 0050

RE: Application for Public Hearings

Variations requested:

- 1 - Pool equipment located on the east side setback. It will be of a noise reduced model and blocked from view with either hedges or fenced in.
- 2 - Since the landing of the guest suite bathroom is raised from grade, it can be argued that it is defined as a balcony. Hence the steps that lead from the balcony to the deck (at 6.4' NGVD) will be the only structure under variance. Refer to attached code "Setback Encroachments" section 152.056.A for allowed balcony encroachment.







**NORTH BAY VILLAGE
NOTICE OF PUBLIC HEARING**

PUBLIC NOTICE IS HEREBY GIVEN THAT THE PLANNING & ZONING BOARD OF NORTH BAY VILLAGE, FLORIDA, WILL HOLD ITS REGULAR MEETING ON **MARCH 18, 2014 AT 7:30 P.M. OR AS SOON AS POSSIBLE THEREAFTER, AT TREASURE ISLAND ELEMENTARY SCHOOL, 7540 EAST TREASURE DRIVE**, NORTH BAY VILLAGE, FLORIDA. DURING THIS MEETING, THE BOARD WILL CONSIDER THE FOLLOWING REQUESTS AND SUBMIT A RECOMMENDATION TO THE VILLAGE COMMISSION:

1. **AN APPLICATION BY HOLGER PIENING AND ANDREA FRANKE CONCERNING PROPERTY LOCATED AT 1700 SOUTH TREASURE DRIVE, TREASURE ISLAND, NORTH BAY VILLAGE, FLORIDA FOR THE FOLLOWING:**
 - A. **A VARIANCE PURSUANT TO SECTION 152.097 OF THE NORTH BAY VILLAGE CODE OF ORDINANCES TO PERMIT A 4.5 FOOT SIDE-INTERIOR SETBACK FOR THE CONSTRUCTION OF A SWIMMING POOL, WHERE THE CODE REQUIRES A SETBACK OF 7.5 FEET.**
 - B. **A VARIANCE PURSUANT TO SECTION 152.097 OF THE NORTH BAY VILLAGE CODE OF ORDINANCES TO PERMIT THE POOL EQUIPMENT TO ENCROACH 3.3 FEET INTO THE REQUIRED 7.5 FOOT SIDE INTERIOR SETBACK AREA.**

INTERESTED PERSONS ARE INVITED TO APPEAR AT THIS MEETING OR BE REPRESENTED BY AN AGENT, OR TO EXPRESS THEIR VIEWS IN WRITING ADDRESSED TO THE PLANNING & ZONING BOARD C/O THE BUILDING & ZONING CLERK, 1666 KENNEDY CAUSEWAY, #300, NORTH BAY VILLAGE, FL 33141.

THE DOCUMENTS PERTAINING TO THIS PUBLIC HEARING MAY BE INSPECTED AT THE OFFICE OF THE VILLAGE CLERK DURING REGULAR WORKING HOURS AT 1666 KENNEDY CAUSEWAY, #300. INQUIRIES MAY BE DIRECTED TO THAT DEPARTMENT AT (305) 756-7171.

PURSUANT TO SECTION 286.0105, FLORIDA STATUTES, IF ANY PERSON DECIDES TO APPEAL ANY DECISION BY THE VILLAGE COMMISSION WITH RESPECT TO THIS OR ANY MATTER CONSIDERED AT ITS MEETING OR ITS HEARING, SUCH PERSON MUST 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 VILLAGE 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 ACCESSIBLE FORMAT, SIGN LANGUAGE INTERPRETERS, INFORMATION ON ACCESS FOR PERSON WITH DISABILITIES, AND/OR ANY ACCOMMODATION TO REVIEW ANY DOCUMENT OR PARTICIPATE IN ANY VILLAGE-SPONSORED PROCEEDING, PLEASE CONTACT (305) 756-7171 FIVE DAYS IN ADVANCE TO INITIATE YOUR REQUEST. TTY USERS MAY ALSO CALL 711 (FLORIDA RELAY SERVICE).

YVONNE P. HAMILTON, CMC
VILLAGE CLERK
(March 7, 2014)



North Bay Village

Administrative Offices

1666 Kennedy Causeway, Suite 300 North Bay Village, FL 33141

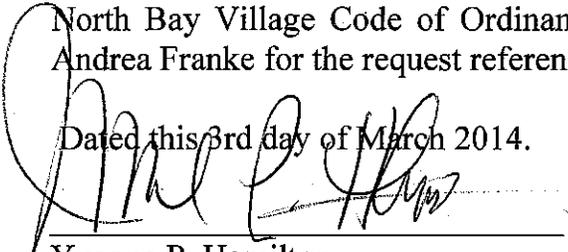
Tel: (305) 756-7171 Fax: (305) 756-7722 Website: www.nbvillage.com

Re: Holger Piening and Andrea Franke
1700 South Treasure Drive
North Bay Village, FL 33141

Request for Variance for Interior Side Setback for
Construction of Swimming Pool

I, Yvonne P. Hamilton, Village Clerk hereby certify, as per Section 152.096(A)(2) of the North Bay Village Code of Ordinances, that the petition filed by Holger Piening and Andrea Franke for the request referenced herein is complete.

Dated this 3rd day of March 2014.



Yvonne P. Hamilton
Village Clerk

(Planning & Zoning Board Meeting-March 18, 2014)

Mayor
Connie Leon-Kreps

Vice Mayor
Eddie Lim

Commissioner
Dr. Richard Chervony

Commissioner
Wendy Duvall

Commissioner
Jorge Page 104



North Bay Village

Administrative Offices

1666 Kennedy Causeway, Suite 300 North Bay Village, FL 33141

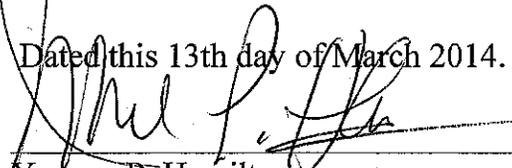
Tel: (305) 756-7171 Fax: (305) 756-7722 Website: www.nbvillage.com

Re: Holger Piening and Andrea Franke
1700 South Treasure Drive
North Bay Village, FL 33141

Request for Variance for Interior Side Setback for
Construction of Swimming Pool

I, Yvonne P. Hamilton, Village Clerk, hereby certify that the attached Notice of Public Hearing was mailed to property owners and residents within 300 feet of the property of the subject request pursuant to Section 152.096(A)(2) of the North Bay Village Code of Ordinances on March 6, 2014.

Dated this 13th day of March 2014.



Yvonne P. Hamilton
Village Clerk

(Planning & Zoning Board Meeting-March 18, 2014)

Mayor
Connie Leon-Kreps

Vice Mayor
Eddie Lim

Commissioner
Dr. Richard Chervony

Commissioner
Wendy Duvall

Commissioner
Jorge Page **Page 105**



North Bay Village

Administrative Offices

1666 Kennedy Causeway, Suite 300 North Bay Village, FL 33141

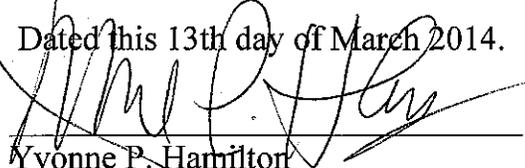
Tel: (305) 756-7171 Fax: (305) 756-7722 Website: www.nbvillage.com

Re: Holger Piening and Andrea Franke
1700 South Treasure Drive
North Bay Village, FL 33141

Request for Variance for Interior Side Setback for
Construction of Swimming Pool

I, Yvonne P. Hamilton, hereby certify that the attached Notice of Public Hearing to be held on March 18, 2014 was posted at the above-referenced property on March 8, 2014 pursuant to Section 152.096(A)(2) of the North Bay Village Code of Ordinances.

Dated this 13th day of March 2014.



Yvonne P. Hamilton
Village Clerk

(Planning & Zoning Board Meeting-March 18, 2014)

Mayor
Connie Leon-Kreps

Vice Mayor
Eddie Lim

Commissioner
Dr. Richard Chervony

Commissioner
Wendy Duvall

Commissioner
Jorge Page 106

Owner/Occupant
1650 S. Treasure Drive
N. Bay Village, FL 33141

Owner/Occupant
1680 S. Treasure Drive
N. Bay Village, FL 33141

Owner/Occupant
1690 S. Treasure Drive
N. Bay Village, FL 33141

Owner/Occupant
1671 S. Treasure Drive
N. Bay Village, FL 33141

Owner/Occupant
1710 S. Treasure Drive
N. Bay Village, FL 33141

Owner/Occupant
1720 S. Treasure Drive
N. Bay Village, FL 33141

Owner/Occupant
1730 S. Treasure Drive
N. Bay Village, FL 33141

Owner/Occupant
1740 S. Treasure Drive
N. Bay Village, FL 33141

Owner/Occupant
1750 S. Treasure Drive
N. Bay Village, FL 33141

Owner/Occupant
1771 S. Treasure Drive
N. Bay Village, FL 33141

Owner/Occupant
1641 S. Treasure Drive
N. Bay Village, FL 33141

Owner/Occupant
1671 S. Treasure Drive
N. Bay Village, FL 33141

Owner/Occupant
1701 S. Treasure Drive
N. Bay Village, FL 33141

Owner/Occupant
1721 S. Treasure Drive
N. Bay Village, FL 33141

Owner/Occupant
1741 S. Treasure Drive
N. Bay Village, FL 33141

Owner/Occupant
7504 Hispanola Avenue
N. Bay Village, FL 33141

Owner/Occupant
7508 Hispanola Avenue
N. Bay Village, FL 33141

Owner/Occupant
7512 Hispanola Avenue
N. Bay Village, FL 33141

Owner/Occupant
7505 Hispanola Avenue
N. Bay Village, FL 33141

Owner/Occupant
7509 Hispanola Avenue
N. Bay Village, FL 33141

Owner/Occupant
7513 Hispanola Avenue
N. Bay Village, FL 33141

Owner/Occupant
7517 Hispanola Avenue
N. Bay Village, FL 33141

Owner/Occupant
7504 Jewel Avenue
North Bay Village, FL 33141

Owner/Occupant
7508 Jewel Avenue
North Bay Village, FL 33141

Owner/Occupant
7512 Jewel Avenue
North Bay Village, FL 33141

Owner/Occupant
7504 Mutiny Avenue
N. Bay Village, FL 33141

Owner/Occupant
7508 Mutiny Avenue
N. Bay Village, FL 33141

Owner/Occupant
7512 Mutiny Avenue
N. Bay Village, FL 33141

Owner/Occupant
7516 Mutiny Avenue
N. Bay Village, FL 33141

Owner/Occupant
7505 Mutiny Avenue
N. Bay Village, FL 33141

Owner/Occupant
7509 Mutiny Avenue
N. Bay Village, FL 33141

Owner/Occupant
7512 Mutiny Avenue
N. Bay Village, FL 33141

Owner/Occupant
7517 Mutiny Avenue
N. Bay Village, FL 33141

NEIGHBORS CALENDAR

CALENDAR, FROM 9NE

General Admission, 305-223-7050. Women's Health Symposium: Promotes a holistic approach to health care, nutrition, healthy cooking, physical fitness, acupuncture, detoxing the body, healthy heart, and thermography. For more information visit the website.
8:30 a.m. March 8, Hallandale Beach Cultural Community Center, 410 SE Third St., Hallandale Beach. Free. 954-303-3585.

FARMERS' MARKETS

The Garden Market: The Garden Market is a weekly farmers market that takes place rain or shine every Wednesday in the Miami Beach Botanical Garden. Vendors from The Market Company will be selling.
11 a.m. March 12, Miami Beach Botanical Garden, 2000 Convention Center Dr., Miami Beach. Free. 305-673-7256, ext. 205.

FASHION

Macy's at Pembroke Lakes Mall Helps You Get Ready for Prom: Check out the latest fashion trends for prom hosted by fashion blogger Kelly Saks of Kelly's Closet to help you prepare for the one of the most memorable days of your life!
R.
2 p.m. March 8, Macy's Pembroke Lakes Mall, 11005 Pines Blvd., Pembroke Pines. Free.
Moroccan Couture Pop-up Boutique: Pop-up boutique and advance look into the fashion evolution Moroccan Jaisseter & Miami Beach resident Asmaa Benkhrane is about to launch with Le Beau Maroc, a boutique featur.
12 p.m. March 8, Semilla Eatery & Bar, 1330 Alton Rd., Miami Beach. Free. 305-393-8268.

FOLK & TRADITIONAL

Music of the Americas at Zoo Miami: After enjoying a day strolling around Zoo Miami's beautiful pathways, there is no better way to relax than at our Amazon and Beyond's Village Plaza.
1 p.m. March 8, Zoo Miami, 12400 SW 152 St., Richmond Naval Air Station. Free with zoo admission. 305-255-5551.

FOOD & DINING

A Night at the Museum: A Celebration of the Pageantry of Purim: Join us for the Jewish Museum of Florida-FIU's annual festive event featuring delicious gourmet food, music, entertainment and fun!
Celebrating the triumph of good over evil a.
6:30 p.m. March 13, Jewish Museum of Florida-FIU, 301 Washington Ave., Miami Beach. 786-972-3162.
Diamonds -N- Pearls 2K14: The Miami Nupes & The Lovely Ladies Of AKA In Assoc/ W SV Marketing Presents Name of Party: Diamonds & Pearls (Spring Break 2K14) Venue and address: Room Service Lounge 929

Wa.

11 p.m. March 9, Room Service, 929 Washington Ave., Miami Beach. 305-763-8330.
Free Tango Class and Milonga In Coral Gables: Free Tango Class 8pm Milonga 9pm
Special tango menu!
121 Alhambra Plaza, Coral Gables. 33134
305-448-2511
The world's best all you can eat Argentine Steakhouse.
Awesome.
8 p.m. March 12, Siga la Vaca - Authentic Argentine Steakhouse, 121 Alhambra Plaza, Coral Gables. Free. 786-355-0882.

Jazz on the Green: Take a break from the Miami scene and experience a live jazz band playing on our beautiful open garden while enjoying our three course prix fixe menu including mussels, tuna, calamari or lamb and paired with a glass of sparkling wine and our friendly staff ready to spoil you.
7:30 p.m. March 7, Peacock Garden Cafe, Coconut Grove, Southwest Coconut Grove. 305-774-3332.
Live Reggae Music | Every Sunday | Free Admission: Reggae Sundays - Sunset In Negril
A FREE Family Friendly Event & FREE Parking & Always Rain or Shine! Great Jerk chicken & pork BBQ, Festival Bread, fresh fried fish, soup, c.
6 p.m. March 9, Negril On The Green, 315 S. 62nd Ave., Hollywood. Free. 954-382-4345.

FOOTBALL

Flag Football 2014: Description Youth flag football for ages 7-14. Activity Flag Football 2014 #1120102
Type Sports Leagues Sub-Activities
Flag Football 10U Flag Football 11U Flag Football 12U Flag Football 13U Flag Football 14U Flag Football 7U Flag Football 8U Flag Football 9U
6 p.m. March 10, Miami Gardens City Hall, 1515 NW 167th St.,

GALLERIES

Everglades-Painted Tapestries: Opening reception for artist Mal Yap. Her latest work, "Cloudscapes and Meditations" done entirely with palette knives, explore the unbelievable colors and ever changing moods of the Florida Everglades and Biscayne Bay. Parts of sales benefits South Florida National Park Trust. Exhibit continues through March.
7 p.m. March 7, ArtSight Gallery, 1524 Ponce de Leon Blvd., Coral Gables. Free. 305-725-8630.
Life Is Art presents Art/Work Connections #7 - Gallery Prep: Art/Work Connections, monthly series of seminars presented by Life Is Art on a variety of topics vital to the success of working artists, features Reed V. Horth, experienced gallerist. He speaks on how to get prepared to pitch a gallery, create a powerful portfolio, do research to find the best gallery for your work and approach the gallery.
6:30 p.m. March 11, Yo Space, 294 NE 62nd St., Little Haiti. \$10. 3055767033 ext. 122.

GOLF

Cadillac World Golf Championship:
8 a.m. March 6, Trump National Doral Miami, 4400 NW 87th Ave., Doral Resort and Country Club. 305-592-2000.
WGC Cadillac Golf Championships:
6 a.m. March 9, Trump National Doral Miami, 4400 NW 87th Ave., Doral Resort and Country Club. 305-592-2000.
World Golf Championship Friday Competition:
7 a.m. March 7, Doral Golf Resort and Spa, 440 NW 87th Ave., Fontainebleau East. 305-592-2000.
World Golf Championship Saturday Competition:
7 a.m. March 8, Doral Golf Resort and Spa, 440 NW 87th Ave., Fontainebleau East. 305-592-2000.
World Golf Championship Sunday Competition:
7 a.m. March 9, Doral Golf Resort and Spa, 440 NW 87th Ave., Fontainebleau East. 305-592-2000.
World Golf Championship Thursday Competition:
7 a.m. March 6, Doral Golf Resort and Spa, 440 NW 87th Ave., Fontainebleau East. 305-592-2000.

HIKING

Starlight Walk: Experience the Anhinga Trail by starlight, listen for pig frogs, look for fireflies and gator eyes. Meet at the Royal Palm benches. Flashlight optional. Through March 22.
7 p.m. March 8, Everglades National Park, 40001 State Hwy. 9336, Homestead. Included in admission (admission not provided to Herald). 305-242-7700.
Wilderness Walk: For 12+ (strenuous). Wade through the River of Grass into the shadows of a gator hole or a cypress dome. Reservations and info at Ernest F. Coe Visitor Center. Daily through March 22.
2 p.m. March 8, Everglades National Park, 40001 State Hwy. 9336, Homestead. Included in admission. Admission not provided to Herald. 305-242-7700.

INDIE

My Deer + Tremends: It's ART WALK SATURDAY and by 10pm the galleries start slowing down. So make sure to join the Gumdrops crew and King's Head Records gang for a night full of music, amazing food and drinks. Featuring MY DEER and Tremends. Music as well as special taste of Dude Skywalker on the turn tables.
No Cover!
10 p.m. March 8, Will Call Miami, 700 NE Second Ave., Park West. Free. 305-577-5900.

JAZZ

Lindsay Blair Quartet Live in the Cellar: Group's debut performance Downstairs in the Cellar.
10 p.m. March 6, Le Chat Noli, 2 S. Miami Ave., Downtown Miami. No cover. 305-377-8899.
Lunchtime Jazz in the Plaza: Enjoy a

• TURN TO CALENDAR, 18NE



NORTH BAY VILLAGE NOTICE OF PUBLIC HEARING

PUBLIC NOTICE IS HEREBY GIVEN THAT THE PLANNING & ZONING BOARD OF NORTH BAY VILLAGE, FLORIDA, WILL HOLD ITS REGULAR MEETING ON MARCH 18, 2014 AT 7:30 P.M. OR AS SOON AS POSSIBLE THEREAFTER, AT TREASURE ISLAND ELEMENTARY SCHOOL, 7540 EAST TREASURE DRIVE, NORTH BAY VILLAGE, FLORIDA. DURING THIS MEETING, THE BOARD WILL CONSIDER THE FOLLOWING REQUESTS AND SUBMIT A RECOMMENDATION TO THE VILLAGE COMMISSION:

- AN APPLICATION BY WILLIAM WEBB CONCERNING THE PROPERTY AT 1957 BAY TERRACE, NORTH BAY ISLAND, NORTH BAY VILLAGE, FLORIDA, FOR THE FOLLOWING:
 - A VARIANCE PURSUANT TO SECTION 152.097 OF THE NORTH BAY VILLAGE CODE OF ORDINANCES TO PERMIT A TWO-STORY SINGLE-FAMILY RESIDENTIAL STRUCTURE TO EXCEED THE MAXIMUM HEIGHT OF SECTION 152.026(C)(3), WHICH ALLOWS A BUILDING HEIGHT OF NO MORE THAN 25 FEET ABOVE FEMA BASE FLOOD ELEVATION.
- AN APPLICATION BY HOLGER PIENING AND ANDREA FRANKE CONCERNING PROPERTY LOCATED AT 1700 SOUTH TREASURE DRIVE, TREASURE ISLAND, NORTH BAY VILLAGE, FLORIDA FOR THE FOLLOWING:
 - A VARIANCE PURSUANT TO SECTION 152.097 OF THE NORTH BAY VILLAGE CODE OF ORDINANCES TO PERMIT A 4.5 FOOT SIDE-INTERIOR SETBACK FOR THE CONSTRUCTION OF A SWIMMING POOL, WHERE THE CODE REQUIRES A SETBACK OF 7.5 FEET.
 - A VARIANCE PURSUANT TO SECTION 152.097 OF THE NORTH BAY VILLAGE CODE OF ORDINANCES TO PERMIT THE POOL EQUIPMENT TO ENCROACH 3.3 FEET INTO THE REQUIRED 7.5 FOOT SIDE INTERIOR SETBACK AREA.
- AN APPLICATION BY 7914 BUILDING, LLC CONCERNING PROPERTY LOCATED AT 7914, 7916 AND 7918 WEST DRIVE, TRACT C OF HARBOR ISLAND, NORTH BAY VILLAGE, FLORIDA, IN CONNECTION WITH THE DEVELOPMENT OF A 52 UNIT, 16 STORY MULTI-FAMILY CONDOMINIUM STRUCTURE.
 - A SPECIAL USE EXCEPTION PURSUANT TO SECTIONS 152.042(E) AND 152.048 OF THE NORTH BAY VILLAGE CODE OF ORDINANCES TO ALLOW UP TO TWENTY (20) PERCENT OF THE DEVELOPMENT'S REQUIRED PARKING SPACES TO BE DESIGNED SPECIFICALLY FOR COMPACT VEHICLES.
- AN APPLICATION BY NORTH BAY CAUSEWAY, LLC CONCERNING PROPERTY LOCATED AT 1555 KENNEDY CAUSEWAY, NORTH BAY VILLAGE, FLORIDA, FOR THE FOLLOWING:
 - A SPECIAL USE EXCEPTION PURSUANT TO SECTIONS 152.030(C)(9) AND 152.098 OF THE NORTH BAY VILLAGE CODE OF ORDINANCES FOR DEVELOPMENT OF A MIXED-USE COMMERCIAL STRUCTURE IN THE CG (GENERAL COMMERCIAL) ZONING DISTRICT.
 - SITE PLAN APPROVAL PURSUANT TO SECTION 152.105(C)(8) OF THE NORTH BAY VILLAGE CODE OF ORDINANCES FOR DEVELOPMENT OF A 127-UNIT, 22-STORY CONDOMINIUM STRUCTURE WITH A PARKING GARAGE.
 - BAY VIEW OVERLAY STANDARDS REVIEW, INCLUDING HEIGHT APPROVAL, PURSUANT TO SECTION 152.032(A)(3) OF THE NORTH BAY VILLAGE CODE OF ORDINANCES.
 - A VARIANCE PURSUANT TO SECTION 152.097 OF THE NORTH BAY VILLAGE CODE OF ORDINANCES TO ALLOW 5 STORIES OF PARKING, WHERE SECTION 152.028(C) ALLOWS A MAXIMUM OF FOUR STORIES OF PARKING.
- AN APPLICATION BY KAKUTA SAINT CONCERNING PROPERTY LOCATED AT 7441 CENTER BAY DRIVE, NORTH BAY VILLAGE, FLORIDA, FOR THE FOLLOWING:
 - A VARIANCE PURSUANT TO SECTION 152.097 OF THE NORTH BAY VILLAGE CODE OF ORDINANCES TO ALLOW A GENERATOR TO ENCROACH 4 FEET INTO THE REQUIRED 10 FOOT SIDE INTERIOR SETBACK AREA.

INTERESTED PERSONS ARE INVITED TO APPEAR AT THIS MEETING OR BE REPRESENTED BY AN AGENT, OR TO EXPRESS THEIR VIEWS IN WRITING ADDRESSED TO THE PLANNING & ZONING BOARD C/O THE BUILDING & ZONING CLERK, 1666 KENNEDY CAUSEWAY, #300, NORTH BAY VILLAGE, FL 33141.

THE DOCUMENTS PERTAINING TO THIS PUBLIC HEARING MAY BE INSPECTED AT THE OFFICE OF THE VILLAGE CLERK DURING REGULAR WORKING HOURS AT 1666 KENNEDY CAUSEWAY, #300. INQUIRIES MAY BE DIRECTED TO THAT DEPARTMENT AT (805) 756-7171.

PURSUANT TO SECTION 286.0105, FLORIDA STATUTES, IF ANY PERSON DECIDES TO APPEAL ANY DECISION BY THE VILLAGE COMMISSION WITH RESPECT TO THIS OR ANY MATTER CONSIDERED AT ITS MEETING OR ITS HEARING, SUCH PERSON MUST 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 VILLAGE 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 ACCESSIBLE FORMAT, SIGN LANGUAGE INTERPRETERS, INFORMATION ON ACCESS FOR PERSON WITH DISABILITIES, AND/OR ANY ACCOMMODATION TO REVIEW ANY DOCUMENT OR PARTICIPATE IN ANY VILLAGE-SPONSORED PROCEEDING, PLEASE CONTACT (805) 756-7171 FIVE DAYS IN ADVANCE TO INITIATE YOUR REQUEST. TTY USERS MAY ALSO CALL 711 (FLORIDA RELAY SERVICE).

YVONNE R. HAMILTON, CMC
VILLAGE CLERK
(February 28, 2014)



Staff Report Special Use Exception

Prepared for: North Bay Village
Planning & Zoning Board

Applicant: North Bay Causeway, LLC

Site Address: 1555 Kennedy Causeway

Request: Special Exception for Development of a
Mixed Use Commercial Structure in the
CG Zoning District

General Information

Owner/Applicant:	North Bay Causeway, LLC
Applicant Address:	9130 S. Dadeland Blvd, Suite 1509 Miami, FL 33156
Site Address:	1555 Kennedy Causeway
Contact Person:	Neisen O. Kasdin
Contact Phone Number:	305-374-5600
E-mail Address	neisen.kasdin@akerman.com

Future Land Use	Commercial
Zoning District	CG
Use of Property	Restaurant (vacant
Acreage	1.92 acres

Legal Description of Subject Property

PARCEL A
COMMENCING AT THE ONE-HALF MILE POST ON THE WEST LINE OF SECTION 9, TOWNSHIP 53 SOUTH, RANGE 42 EAST, AS SHOWN ON THE MAP OF HIGHWAY RIGHT-OF-WAY OF PROPOSED NORTHEAST SEVENTY-NINTH STREET CAUSEWAY, WHICH SAME IS RECORDED IN PLAT BOOK 25, AT PAGE 70 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA; RUN NORTH 88°41'24" EAST FOR 1960 FEET; THENCE NORTH 01°37'08" WEST FOR 50.00 FEET TO THE POINT OF BEGINNING OF THE HEREINAFTER DESCRIBED PARCEL; THENCE FROM THE ABOVE ESTABLISHED POINT OF BEGINNING CONTINUE NORTH 01°37'08" WEST FOR A DISTANCE OF 180 FEET TO A POINT; THENCE RUN NORTH 88°41'24" EAST FOR A DISTANCE OF 200 FEET TO A POINT; THENCE RUN SOUTH 01°37'08" EAST FOR A DISTANCE OF 180 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF N.E. 79TH STREET CAUSEWAY; THENCE RUN SOUTH 88°41'24" WEST ALONG SAID LINE FOR A DISTANCE OF 200 FEET TO THE POINT OF BEGINNING. LYING AND BEING IN MIAMI-DADE COUNTY, FLORIDA.

PARCEL B
COMMENCING AT THE ONE-HALF MILE POST ON THE WEST LINE OF SECTION 9, TOWNSHIP 53 SOUTH, RANGE 42 EAST, AS SHOWN ON THE MAP OF HIGHWAY RIGHT-OF-WAY OF PROPOSED NORTHEAST SEVENTY-NINTH STREET CAUSEWAY, WHICH SAME IS RECORDED IN PLAT BOOK 25, AT PAGE 70 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA; RUN NORTH 88°41'24" EAST, FOR 2160 FEET THENCE NORTH 01°37'08" WEST FOR 50.00 FEET TO THE POINT OF BEGINNING OF THE HEREINAFTER DESCRIBED PARCEL; THENCE FROM THE ABOVE ESTABLISHED POINT OF BEGINNING CONTINUE NORTH 01°37'08" WEST FOR A DISTANCE OF 180 FEET TO A POINT; THENCE RUN NORTH 88°41'24" EAST FOR A DISTANCE OF 265 FEET TO A POINT; THENCE RUN SOUTH 01°37'08" EAST FOR A DISTANCE OF 180 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF N.E. 79TH STREET CAUSEWAY; THENCE RUN SOUTH 88°41'24" WEST ALONG SAID LINE FOR A DISTANCE OF 265 FEET TO THE POINT OF BEGINNING. LYING AND BEING IN MIAMI-DADE COUNTY, FLORIDA.



Adjacent Land Use Map Classifications and Zoning District

North	Future Land Use	Water
	Zoning District	Water
	Existing Land Use	Biscayne Bay
East	Future Land Use	Commercial
	Zoning District	CG
	Existing Land Use	Trio on the Bay
South	Future Land Use	Commercial
	Zoning District	CG
	Existing Land Use	Restaurants, Dry Cleaner and Public Storage
West	Future Land Use	Commercial
	Zoning District	CG
	Existing Land Use	Approved Isle of Dreams Mixed-Use Condo

Request

The applicant is requesting a special use exception pursuant to Sections 152.030(C)(3) and 152.098 of the North Bay Village Code of Ordinances for development of a mixed-use commercial structure in the CG (General Commercial) zoning district.

General Description

The submitted plans depict the proposed development as a 22-story, mixed-use residential and commercial development with 127 multi-family units. Additionally, the tabular project summary shows 9,740 square feet of office space, 3,132 square feet of retail space, and 10,878 square feet of restaurant customer service area. It does not state the entire square footage of restaurant area.

Consistency with Comprehensive Plan

While the Comprehensive Plan is silent as to mixed-use in the Commercial Future Land Use category, it does allow all of the proposed uses. We believe that a mix of multi-family units and the proposed commercial uses is consistent with the intent of the Commercial Future Land Use category.



Consistency with Special Use Exception Standards

Section 152.098 provides for Village Commission approval of a special use exception if there are clear indications that such an exception will not substantially adversely affect the uses of adjacent property.

Other Requirements and Considerations

The property to the west is a TV station and a property proposed for another mixed-use condo tower; to the immediate east is the Trio on the Bay. To the south, across Kennedy Causeway are restaurants, a dry cleaners and a self storage facility. A mixed use structure encompassing multi-family residential units, a restaurant and retail and office uses on the subject property is compatible with, and will have no adverse effect upon, the existing or proposed uses of the adjacent properties.

Findings and Recommendations

Staff finds that the request is consistent with Sections 152.030(C)(3) and 152.098 in that this modification of a special use exception will not adversely affect the uses permitted in the regulations of adjacent properties.

Based on the foregoing analysis, Staff recommends **approval** of the request for the special use exception for a mixed-use residential and commercial structure.

Submitted by:

James G. LaRue
James G. LaRue, AICP
Planning Consultant

March 11, 2014

Hearing: North Bay Village Planning & Zoning Board, March 18, 2014





Staff Report Site Plan

Prepared for: North Bay Village
Planning and Zoning Board

Applicant: North Bay Causeway LLC

Site Address: 1555 Kennedy Causeway

Request: Site Plan Approval for a Mixed-Use
Condominium Building



Serving Florida Local Governments Since 1988

General Information

Owner/Applicant:	North Bay Causeway, LLC
Applicant Address:	9130 S. Dadeland Blvd, Suite 1509 Miami, FL 33156
Site Address:	1555 Kennedy Causeway
Contact Person:	Neisen O. Kasdin
Contact Phone Number:	305-374-5600
E-mail Address	neisen.kasdin@akerman.com

Future Land Use	Commercial
Zoning District	CG
Use of Property	Restaurant (vacant
Acreage	1.92 acres

Legal Description of Subject Property

PARCEL A

COMMENCING AT THE ONE-HALF MILE POST ON THE WEST LINE OF SECTION 9, TOWNSHIP 53 SOUTH, RANGE 42 EAST, AS SHOWN ON THE MAP OF HIGHWAY RIGHT-OF-WAY OF PROPOSED NORTHEAST SEVENTY-NINTH STREET CAUSEWAY, WHICH SAME IS RECORDED IN PLAT BOOK 25, AT PAGE 70 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA; RUN NORTH 88°41'24" EAST FOR 1960 FEET; THENCE NORTH 01°37'08" WEST FOR 50.00 FEET TO THE POINT OF BEGINNING OF THE HEREINAFTER DESCRIBED PARCEL; THENCE FROM THE ABOVE ESTABLISHED POINT OF BEGINNING CONTINUE NORTH 01°37'08" WEST FOR A DISTANCE OF 180 FEET TO A POINT; THENCE RUN NORTH 88°41'24" EAST FOR A DISTANCE OF 200 FEET TO A POINT; THENCE RUN SOUTH 01°37'08" EAST FOR A DISTANCE OF 180 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF N.E. 79TH STREET CAUSEWAY; THENCE RUN SOUTH 88°41'24" WEST ALONG SAID LINE FOR A DISTANCE OF 200 FEET TO THE POINT OF BEGINNING. LYING AND BEING IN MIAMI-DADE COUNTY, FLORIDA.

PARCEL B

COMMENCING AT THE ONE-HALF MILE POST ON THE WEST LINE OF SECTION 9, TOWNSHIP 53 SOUTH, RANGE 42 EAST, AS SHOWN ON THE MAP OF HIGHWAY RIGHT-OF-WAY OF PROPOSED NORTHEAST SEVENTY-NINTH STREET CAUSEWAY, WHICH SAME IS RECORDED IN PLAT BOOK 25, AT PAGE 70 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA; RUN NORTH 88°41'24" EAST, FOR 2160 FEET THENCE NORTH 01°37'08" WEST FOR 50.00 FEET TO THE POINT OF BEGINNING OF THE HEREINAFTER DESCRIBED PARCEL; THENCE FROM THE ABOVE ESTABLISHED POINT OF BEGINNING CONTINUE NORTH 01°37'08" WEST FOR A DISTANCE OF 180 FEET TO A POINT; THENCE RUN NORTH 88°41'24" EAST FOR A DISTANCE OF 265 FEET TO A POINT; THENCE RUN SOUTH 01°37'08" EAST FOR A DISTANCE OF 180 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF N.E. 79TH STREET CAUSEWAY; THENCE RUN SOUTH 88°41'24" WEST ALONG SAID LINE FOR A DISTANCE OF 265 FEET TO THE POINT OF BEGINNING. LYING AND BEING IN MIAMI-DADE COUNTY, FLORIDA.



Request

The applicant is requesting:

1. Height bonus review in conjunction with site plan approval pursuant to Section 152.029(C)(8)(H) of the North Bay Village Code of Ordinances.
2. Site plan approval pursuant to Section 152.105(C)(9) of the North Bay Village Code of Ordinances for development of a 127 dwelling unit, 22 story mixed-use condominium structure in the CG zoning district.

General Description

The site plan request for this development is for a 127 dwelling unit, 22 story, mixed use condominium. This site is the current location of the Crabhouse restaurant. The applicant is requesting approval for bonus height to 240 ft and a variance to the 4 story limitation on parking garage levels to allow 5 garage levels.

The tabular project summary shows 9,740 square feet of office space, 3,132 square feet of retail space, and 10,878 square feet of restaurant customer service area. It does not state the entire square footage of restaurant area.

Consistency with Comprehensive Plan

The multifamily mixed-use is consistent with the description of the Commercial Future Land Use category under Policy 2.1.1a of the Future Land Use Element.

Adjacent Land Use Map Classifications and Zoning District

North	Future Land Use	Water
	Zoning District	Water
	Existing Land Use	Biscayne Bay
East	Future Land Use	Commercial
	Zoning District	CG
	Existing Land Use	Trio on the Bay
South	Future Land Use	Commercial
	Zoning District	CG
	Existing Land Use	Restaurants, Dry Cleaner and Public Storage
West	Future Land Use	Commercial
	Zoning District	CG
	Existing Land Use	Approved Isle of Dreams Mixed-Use Condo



Adequacy of Public Facilities

Traffic Analysis

We have reviewed the Traffic Impact Study (TIS) for 1555 Kennedy Causeway Prepared by Richard Garcia & Associates, Inc. and offer the following comments:

1. The Study uses appropriate ITE peak hour trip generation factors for high-rise residential condominium and general office use, walk-in bank, quality restaurant and bagel/coffee shop.
2. The Study uses what would appear to be reasonable internal capture and pass-by trip rates for a mixed-use development.
3. The findings of the TIS with regard to the roadway analysis for Kennedy Causeway are summarized as follows:
 - a. The proposed project will generate a net increase of 155 new vehicle trips during the AM peak hour and 161 vehicle trips during the PM peak hour.
 - b. The Level of Service Standard (LOSS) for Kennedy Causeway is D. The range of traffic for a Level of Service (LOS) of D is from 2,091 to 4,500 peak hour trips.
 - c. The roadway is currently operating at LOS D in both the AM and PM peak hours. The proposed 2017 AM and PM peak hour traffic levels without development of the subject project are estimated at 2,919 and 2,750, respectively. Therefore the roadway will be operating at LOS D.
 - d. When the project is completed in 2017, and the additional 155 AM peak hour trips and the 161 PM peak hour trips are added to the projected traffic in 2017, the resultant AM and PM Peak hour trips on North Bay/Kennedy Causeway will be less than the FDOT standard of 4,500. This means the roadway will continue to operate at LOS D once the project is completed.
4. The Applicant should be prepared to discuss the effects on the community of the reduced level of service at the intersection of Kennedy Causeway and Adventure Avenue resulting from the traffic generated at this intersection by the proposed project.
5. We have also looked at the aggregate traffic impact on North Bay Causeway of the projects at 1555 Kennedy Causeway, 1755 Kennedy Causeway, 1415 Kennedy Causeway, and 7914-7918 West Drive. The following table shows that even with the aggregate impact of all four developments, Kennedy Causeway will still operate at LOS D.



Project	Peak-Hour Trips	
	AM	PM
1. Mixed-use, 1555 Kennedy Causeway	155	161
2. Condo-hotel, 1755 Kennedy Cswy.	92	106
3. Isle of Dreams, 1415 Kennedy Cswy.	160	220
4. Indigo, 927914 -- 7918 West Drive	44	33
Total	451	520
Projected trips in 2017 w/o #1	2,919	2,750
Total with new developments	3,370	3,270
Capacity at LOS D	4,500	4,500
Remaining Capacity	1,130	1,230

The Traffic Study prepared by KPB Consulting, Inc. for the Indigo project also provides insight from a more regional perspective. The KPB analysis cites Miami-Dade County MPO and FDOT, January 2014 as the source for the available peak hour capacity on NE 79th Street between North Bayshore Drive and U.S. 1 on the mainland. Based on existing traffic volumes and peak hour trips associated with "approved but not built" developments, there is a remaining capacity of 968 trips along that roadway segment. Adding in the 520 trips estimated for the four developments above, the remaining capacity for peak-hour trips between N. Bayshore Dr. and U.S. 1 will amount to 448.

Traffic Analysis Conclusion

After reviewing the materials, it is apparent that a project of the size and mix of uses proposed will not generate traffic levels that would result in violation of the Village's adopted LOSS of D for Kennedy Causeway. This would be true even if one eliminated trips due to internal capture.

Water and Sewer Analysis

The applicant has not yet supplied a water analysis or an updated sewer analysis study.



Comparison of Submitted Site Plan With Land Development Regulations

Section	Regulation	Required	Provided										
North Bay Village LDC													
152.029(C)(1)	Minimum lot area	27,000 sq ft	83,699 sq ft (1.92 acres)										
152.029(C)(1)	Minimum frontage	75 ft	465 ft										
152.029(C)(2)	Minimum front setback	40 ft	40 ft										
152.029(C)(2)	Minimum side setback	15 ft on one side. 20% of lot width on the other side <u>20% of 465 = 93</u> Combination of both side setbacks to be at least 60 ft	15 ft on east side 93 ft on west side Combination of both side setbacks equal to 108 ft										
152.029(C)(2)	Minimum rear setback	25 ft	25 ft										
152.029(C)(3)	Required lot area per dwelling unit	<table border="1"> <thead> <tr> <th>Unit type</th> <th>Lot area/unit</th> </tr> </thead> <tbody> <tr> <td>Efficiency</td> <td>620</td> </tr> <tr> <td>1-BR</td> <td>620</td> </tr> <tr> <td>2-BR</td> <td>685</td> </tr> <tr> <td>3-BR</td> <td>750</td> </tr> </tbody> </table> $78 \times 620 = 48,360$ $2 \times 620 = 1,240$ $45 \times 685 = 30,825$ $2 \times 750 = 1,500$ $48,360 + 1,240 + 30,825 + 1,500 = 81,925$ sq ft of required lot area	Unit type	Lot area/unit	Efficiency	620	1-BR	620	2-BR	685	3-BR	750	81,925 < 83,699
Unit type	Lot area/unit												
Efficiency	620												
1-BR	620												
2-BR	685												
3-BR	750												
Comprehensive Plan Future Land Use Policy 2.1.1a	Maximum density	70 dwelling units per acre	66.15 dwelling units per acre										
152.029(C)(4)	Maximum building height	150 ft or 15 stories, whichever is less	240 ft Applicant requesting approval of bonus height under Section 152.029(C)(8)										



Section	Regulation	Required	Provided										
152.029(C)(4)	Maximum parking levels	4 stories	5 stories of parking garage. Applicant requesting a variance to this requirement under Section 152.097										
152.029(C)(5)	Minimum pervious area	20% of total parcel <u>20% of 83,699 =</u> 16,740 sq ft	23,008 sq ft										
152.029(C)(6)	Minimum dwelling unit floor area	<table border="1"> <thead> <tr> <th>Unit type</th> <th>Floor area</th> </tr> </thead> <tbody> <tr> <td>Efficiency</td> <td>600</td> </tr> <tr> <td>1-BR</td> <td>900</td> </tr> <tr> <td>2-BR</td> <td>1,200</td> </tr> <tr> <td>3-BR</td> <td>1,350</td> </tr> </tbody> </table>	Unit type	Floor area	Efficiency	600	1-BR	900	2-BR	1,200	3-BR	1,350	Efficiencies shown at 741 and 745 sq ft 1BRs shown at 1,111 sq ft 2BR shown at 1,298; 1,480; 1,544; and 1,635 sq ft 3BR shown at 2,289 sq ft
Unit type	Floor area												
Efficiency	600												
1-BR	900												
2-BR	1,200												
3-BR	1,350												
152.029(C)(7)	Baywalk/boardwalk requirement	A public access boardwalk must be provided along shoreline and access to that boardwalk must be provided with a walkway from the ROW. Dedicated easements shall be recorded for the boardwalk and access corridors.	Provided										
152.029(C)(8)	Building height bonus	Additional height may be purchased	Applicant is purchasing 90 ft of additional height at \$6,750 per dwelling unit for total cost of \$857,250.										
152.029(C)(8)	Building density bonus	Additional density may be purchased, not to exceed 70 units per acre	N/A										



Section	Regulation	Required	Provided
152.029(C)(9)2	Paving surfaces	Except for covered garages, all exterior paving surfaces shall be constructed of brick pavers	Not all exterior paving surfaces are depicted utilizing brick pavers.
152.029(C)(9)3	Required water feature	A water feature shall be provided in the front	Depicted on Landscape Plan as being NW rear corner of the property. This does not meet the requirement that the water feature shall be provided in the front of each development.
152.029(C)(9)6	Screening of parking garages	Parking garages shall be constructed with architectural features that obscure it from public view	Provided
152.029(C)(9)7	Street tree lighting	Lighting shall be provided in all areas in front where trees are planted	Provided
5.2.2(a)(1)	Minimum standard parking space dimensions	9 ft by 18 ft	Provided
5.2.2(a)(2)	Minimum compact parking space dimensions	8 ft by 16 ft	N/A
5.2.2(a)(3)	Minimum handicapped parking space dimensions	Must comply with all applicable accessibility standards	Not in compliance.
152.042(D)	Minimum number of handicapped spaces	2% of total required spaces. <u>2% of 448 = 9 handicapped spaces required</u>	9 handicapped parking spaces are provided, though one does not meet minimum dimension requirements
ADA Requirement	Minimum number of handicapped spaces	9 handicapped spaces for facilities with 401 to 500 parking spaces	
152.042(E)	Maximum number of compact parking spaces	20% of required parking spaces	N/A
152.042(K)	Minimum setback of ROW from parking spaces	20 ft	Provided



Section	Regulation	Required	Provided										
152.042(M)	Minimum separation of parking from walkways and streets	Parking spaces shall be separated from walkways, sidewalks, streets, or alleys by an approved wall, fence, curbing, or other protective device	Provided										
152.042(P)	Back-out parking prohibition	Parking spaces shall be designed so that no vehicle shall be required to back into a public ROW to obtain egress	Provided										
152.044(A)(2)	Minimum number of parking spaces per dwelling unit	<table border="1"> <thead> <tr> <th>Unit Type</th> <th>Spaces Req</th> </tr> </thead> <tbody> <tr> <td>Efficiency</td> <td>1.5</td> </tr> <tr> <td>1BR&2BR</td> <td>2</td> </tr> <tr> <td>3BR</td> <td>3</td> </tr> <tr> <td colspan="2">Plus 10% for Guests</td> </tr> </tbody> </table>	Unit Type	Spaces Req	Efficiency	1.5	1BR&2BR	2	3BR	3	Plus 10% for Guests		
		Unit Type	Spaces Req										
		Efficiency	1.5										
		1BR&2BR	2										
		3BR	3										
Plus 10% for Guests													
$78 \times 1.5 = 117$ $2 \times 2 = 4$ $45 \times 2 = 90$ $2 \times 3 = 6$ $10\% = 21.7$ <u>238.7 spaces required</u>													
1 space per 300 sq ft of gross floor area $9,740 / 300 = 32.5$													
1 space per 75 sq ft of customer svc area $10,878 / 75 = 145$													
1 space per 200 sq ft of gross floor area $3,132 / 200 = 15.7$													
	Total spaces required	$238.7 + 32.5 + 145 + 15.7 = 448$ spaces	Only 415 parking spaces provided										
152.045(B)	Minimum loading space dimensions	12 ft by 30 ft, and at least 14.5 ft of vertical clearance	Dimensions not shown										
152.045(C)	Loading space joint usage	Loading spaces for two or more uses may be collectively provided if so located as to be usable by all.	Utilized										



Section	Regulation	Required	Provided												
152.045(E)	Loading and standard parking space restriction	No areas supplied to meet required off-street parking facilities may be utilized to meet the requirements for loading spaces.	In compliance												
152.045(F)(1)	Minimum number of loading spaces for retail, office and restaurant	<table border="1"> <thead> <tr> <th>Gross floor area</th> <th>Spaces</th> </tr> </thead> <tbody> <tr> <td><10,000</td> <td>0</td> </tr> <tr> <td>10,000-20,000</td> <td>1</td> </tr> <tr> <td>20,000-40,000</td> <td>2</td> </tr> <tr> <td>40,000-60,000</td> <td>3</td> </tr> <tr> <td>>60,000</td> <td>4</td> </tr> </tbody> </table> <p> <u>9,740 sq ft of Office</u> <u>3,132 sq ft of Retail</u> <u>~13,500 sq ft of Rest</u> <u>~26,372 Total sq ft</u> <u>2 load spaces required</u> </p>	Gross floor area	Spaces	<10,000	0	10,000-20,000	1	20,000-40,000	2	40,000-60,000	3	>60,000	4	2 loading spaces
Gross floor area	Spaces														
<10,000	0														
10,000-20,000	1														
20,000-40,000	2														
40,000-60,000	3														
>60,000	4														
152.045(F)(2)	Minimum number of loading spaces for multi-family	<table border="1"> <thead> <tr> <th>Gross floor area</th> <th>Spaces</th> </tr> </thead> <tbody> <tr> <td><25,000</td> <td>0</td> </tr> <tr> <td>25,000-50,000</td> <td>1</td> </tr> <tr> <td>50,000-100,000</td> <td>2</td> </tr> <tr> <td>>100,000</td> <td>3</td> </tr> </tbody> </table> <p>3 load spaces required</p>	Gross floor area	Spaces	<25,000	0	25,000-50,000	1	50,000-100,000	2	>100,000	3	Only 2 loading spaces provided		
Gross floor area	Spaces														
<25,000	0														
25,000-50,000	1														
50,000-100,000	2														
>100,000	3														
152.056	Maximum balcony encroachment into side or rear yard	4 ft	N/A												
155.17	Minimum width of maneuvering aisle	23 ft	Provided												
155.17	Minimum width of 2-way access aisle	23 ft	Provided												
155.18(A)3	Dumpster screening	Dumpster enclosures shall be designed in a manner as to visually screen the dumpster from adjacent view and shall be located in visually obscure areas of the site.	Provided												



Section	Regulation	Required	Provided
155.18(A)4	Dumpster placement	Dumpster enclosures shall be placed in such a manner as to allow front end loader sanitation trucks to pick up garbage in a forward motion. Backing out the sanitation truck is prohibited	Provided
155.18(A)5	Mechanical equipment screening	Roof-mounted mechanical equipment and elevator shafts shall be screened by a parapet wall or grilles, and shall be painted in muted colors or match the building and shall not be visible from the street.	Provided
155.18(A)7	Mechanical equipment screening	Service bays, ground mounted air conditioning units, and other mechanical equipment shall be screened from public and on-site pedestrian view, and buffered.	In compliance
Appendix D	Required benches along bay walk	Benches shall be provided at a minimum of 2.5 ft sections of bench per 100 ft of linear shoreline	Provided
Miami-Dade Landscaping Chapter 18A			
18A-4(C)	Vegetative survey	A vegetation survey shall be provided for all sites at the same scale as the landscape plan.	Not yet provided
18A-4(D)	Irrigation plan	An Irrigation Plan shall be submitted. Where a landscape plan is required, an irrigation plan shall be submitted concurrently.	Not yet provided



Section	Regulation	Required	Provided
18A-6(A)(5)	Maximum lawn area	40% of lot area, less the area covered by buildings	Sod not depicted on plans
18A-6(C)(1)	Tree height	Except street trees, all trees shall be a minimum of 10 ft high with a minimum of 2 inch caliper, except that 30% of the tree requirement may be met by native species with a minimum height of 8 ft.	In compliance
18A-6(C)(2)	Street trees	Street trees shall be provided along all roadways at a maximum average spacing of 35 feet on center (25' for palms). <u>With 465 linear feet of frontage, either 14 trees or 19 palms are required.</u>	Only 10 trees and 2 palms provided along street.
18A-6(C)(3)	Trees under power lines	Where overhead power lines require low growing trees, street trees shall have a minimum height of 8 feet and a maximum average spacing of 25 feet on center.	A power line is present along the ROW. Street trees do not meet this requirement
18A-6(C)(4)	Palms	Palms which are spaced no more than 25 feet on center and have a 14 foot minimum height or 4 inch minimum caliper diameter may count as a required tree.	
18A-6(C)(5)	Number of required trees	28 trees per acre required in multi-family residential zoning categories <u>28 x 1.92 = 54 required trees</u>	89 trees and palms provided



Section	Regulation	Required	Provided
18A-6(C)(11)	Limitations on required trees	<p>At least 30% shall be native species.</p> <p>At least 50% shall be low maintenance and drought tolerant.</p> <p>Of the required trees, no more than 30% shall be palms</p>	<p>In compliance.</p> <p>This requirement has been met by native trees.</p> <p>Not in compliance</p>
18A-6(C)(12)	Limitations on required trees	80% of required trees shall be listed in the Miami-Dade Landscape Manual, the Miami-Dade Street Tree Master Plan and/or the University of Florida's Low Maintenance Landscape Plants for South Florida list.	



Section	Regulation	Required	Provided
18A-6(D)(1)	Shrubs	<p>All shrubs must be a minimum of 18 inches at time of planting.</p> <p>10 shrubs are required for each required tree. <u>540 shrubs required</u></p> <p>30% shall be native species</p> <p>50% shall be low maintenance and drought tolerant</p> <p>80% of required shrubs shall be listed in the Miami-Dade Landscape Manual, the Miami-Dade Street Tree Master Plan and/or the University of Florida's Low Maintenance Landscape Plants for South Florida list.</p>	<p>Only 240 shrubs provided</p> <p>In compliance</p> <p>This requirement has been met by native shrubs.</p>



Section	Regulation	Required	Provided
18A-6(H)	Use buffers	<p>Where dissimilar land uses exist on adjacent properties, that area shall be provided with a buffer consisting of trees spaced to a maximum average of 35-feet on center with shrubs which normally grow to a height of 6 feet, or a 6 foot wall with trees, within a 5 foot wide landscape strip.</p> <p>Shrubs shall be a minimum of 30 inches high and planted at a maximum of 36 inches on center; or if planted at a minimum height of 36 inches, shall have a maximum average spacing of 48 inches on center.</p>	Use buffers are not required. Adjacent land uses do not meet definition of dissimilar use.
18A-6(I)	Parking lot buffers	<p>All parking lots adjacent to a right of way shall be screened by a continuous planting with a 7 foot landscape strip incorporating said planting</p> <p>Shrubs shall be a minimum of 18 inches high and planted at a maximum of 30 inches on center; or if planted at a minimum height of 36 inches, shall have a maximum average spacing of 48 inches on center.</p>	<p>Must depict on plans that planting strip is 7 ft wide</p> <p>Not stated</p>



Section	Regulation	Required	Provided
18A-6(J)	Parking lot landscaping	<p>10 square feet of landscaped area per parking space shall be provided within a parking lot.</p> <p>Trees shall be planted within the parking lot at a minimum density of one tree per 80 square feet of landscaped area, exclusive of parking lot buffers.</p> <p>Each tree shall have a minimum of 5 feet of planting area width, exclusive of curb dimension.</p>	Parking layout to be revised
Miami-Dade Biscayne Bay Management Plan			
33D-38(1)b	Minimum rear setback	<p>50% of building height above 35 ft (measured from mean high water line), up to 75 ft maximum.</p> <p><u>75 ft required</u></p>	25 ft
33D-38(2)a	Minimum visual corridor	<p>20% of lot width on one side, with a 20 ft minimum and a 100 ft maximum. Structures not permitted in view corridor.</p> <p><u>93 ft required</u></p>	93 ft on west side
33D-38(3)	Minimum side setback	Minimum of 25 ft	93 ft on west side
33D-33(4)	Waiver from County	A waiver may be obtained from the Miami-Dade Shoreline Review Committee for exemption from the above requirements	Not yet provided



Recommendations

BUILDING HEIGHT BONUS:

Staff recommends **approval** of the building density bonus based on submittal of a site plan which meets the North Bay Village Code.

SITE PLAN:

Staff recommends **denial** of the site plan based on our findings of deficiency, as highlighted above in this report.

At such time as the Planning & Zoning Board can recommend approval of this project, staff recommends that such a recommendation should also be based on the following conditions being met prior to the issuance of a building permit:

- 1) Submittal of a vegetative survey, irrigation plan and landscape plan which meet Miami-Dade Chapter 18A requirements
- 2) Submittal of water and sewer analysis demonstrating sufficient capacity to meet demand.
- 3) Prior to the issuance of a building permit, the public access easement and boardwalk must be dedicated and recorded. Applicant shall agree, in writing, that boardwalks shall be open to the public from sun-up until either 10:00 pm or at least until any businesses adjacent to the boardwalk remains open to the public, whichever is later; and boardwalk lighting shall remain on until boardwalk is closed to the public.
- 4) Site plan approval from Miami-Dade Shoreline Review Committee.
- 5) Meeting School Board Concurrency requirements as determined by School Board Staff.
- 6) Payment of any applicable impact fees.
- 7) Payment of bonus height fees, as required under Section 152.029(C)8.
- 8) Tie-in to Village's wastewater system at a Village designed proximate location (proposed connection point) and payment of pro-rata costs involved in tying into appropriate connection point.



- 9) Cost recovery charges must be paid pursuant to Section 152.110. Specifically, no new development application shall be accepted and no building permit or certificate of occupancy shall be issued for the property until all application fees, cost recovery deposits and outstanding fees and fines related to the property (including fees related to any previous development proposal applications), have been paid in full.
- 10) Building permits and related approvals must be obtained from the Building Official prior to commencement of construction.
- 11) Approval of this site plan does not in any way create a right on the part of the applicant to obtain a permit from a state or federal agency, and does not create liability on the part of the Village for approval if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes action that result in a violation of federal or state law.
- 12) All applicable state and federal permits must be obtained before commencement of construction.

Submitted by:

James G. LaRue
James G. LaRue, AICP
Planning Consultant

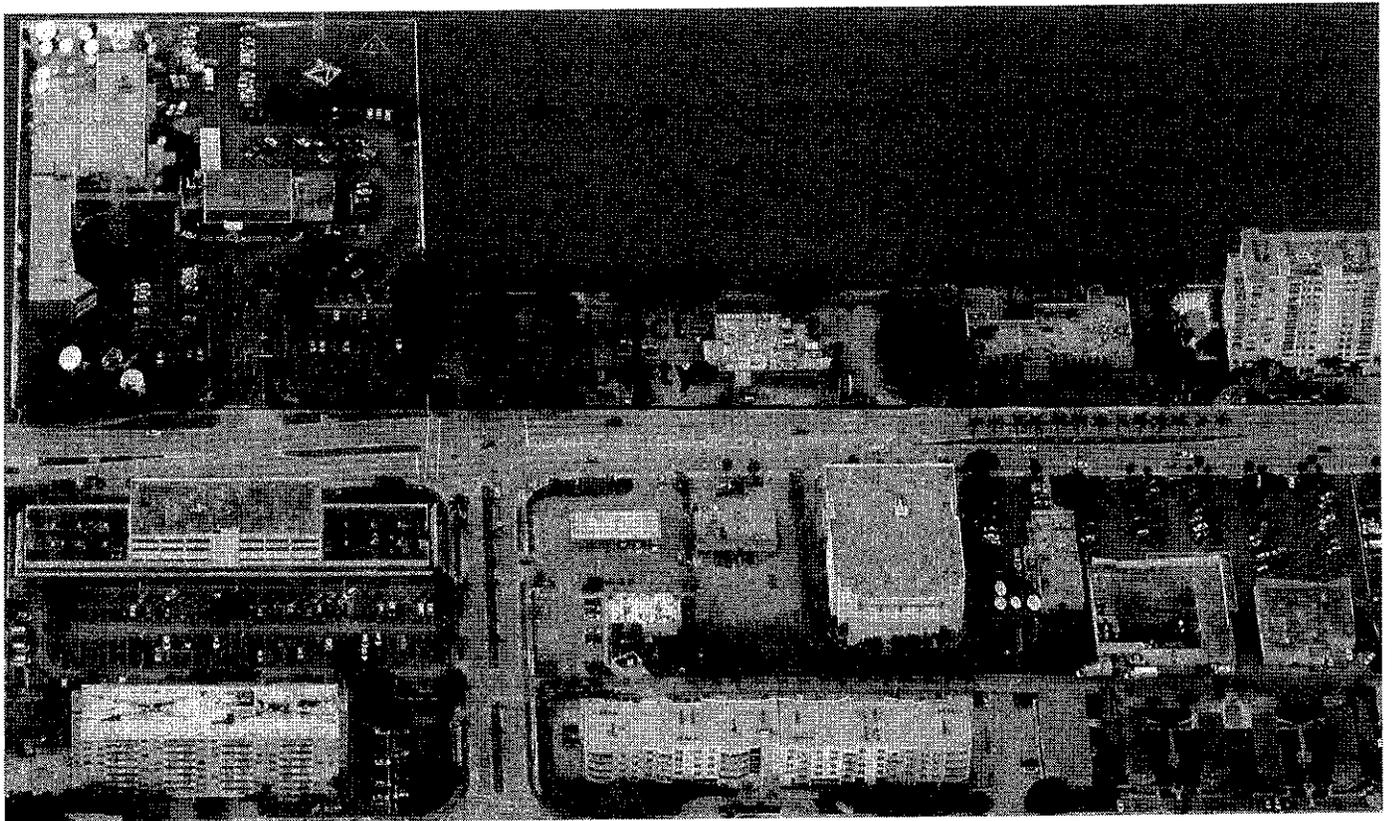
March 11, 2014

Hearing: North Bay Village Planning & Zoning Board, March 18, 2014

Attachments: Aerial photograph
Future Land Use Map
Zoning Map

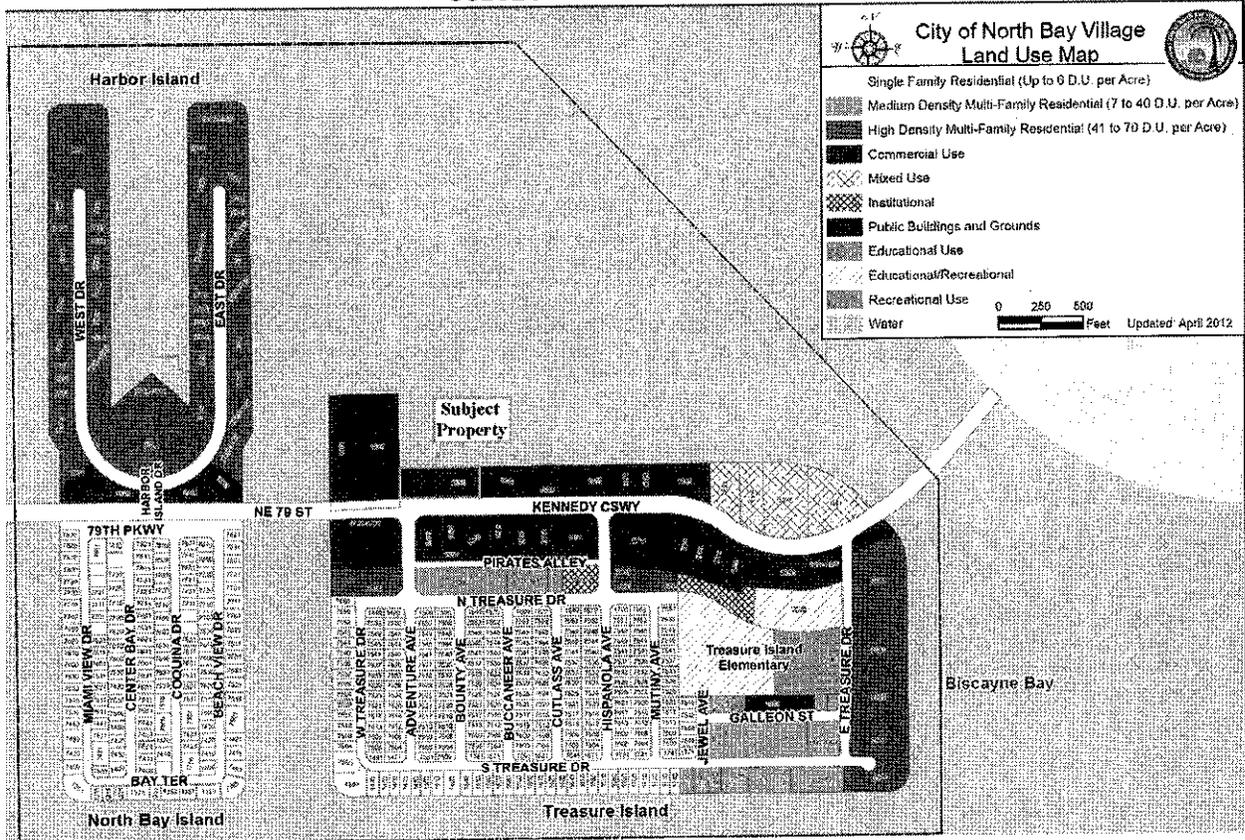


**AERIAL
SUBJECT SITE AND ENVIRONS**



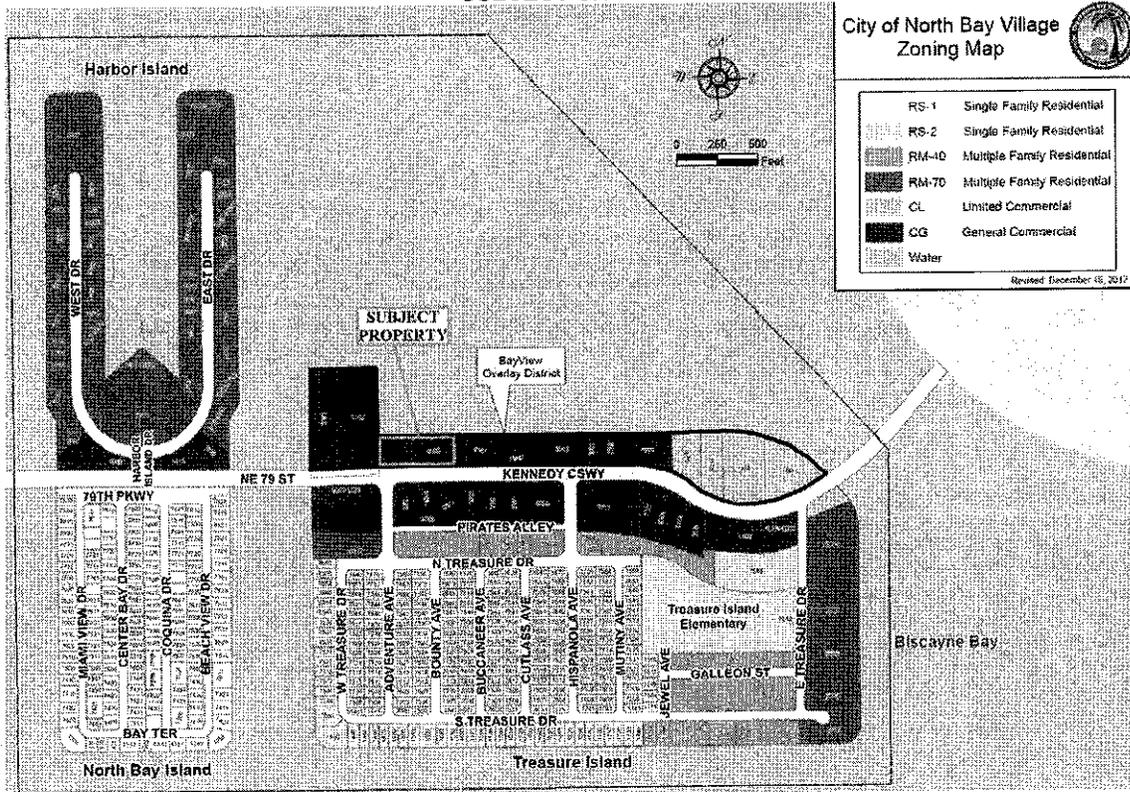
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**FUTURE LAND USE
SUBJECT SITE AND ENVIRONS**



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**ZONING
SUBJECT SITE AND ENVIRONS**



Serving Florida Local Governments Since 1988



Staff Report Variance

Prepared for: North Bay Village
Planning & Zoning Board

Applicant: North Bay Causeway, LLC

Site Address: 1555 Kennedy Causeway

Request Variance to allow five levels of parking
garage where the Code allows not more
than four.

General Information

Owner/Applicant:	North Bay Causeway, LLC
Applicant Address:	9130 S. Dadeland Blvd, Suite 1509 Miami, FL 33156
Site Address:	1555 Kennedy Causeway
Contact Person:	Neisen O. Kasdin
Contact Phone Number:	305-374-5600
E-mail Address	neisen.kasdin@akerman.com

Future Land Use	Commercial
Zoning District	CG
Use of Property	Restaurant (closed)
Acreage	1.92 acres

Legal Description of Subject Property

PARCEL A
COMMENCING AT THE ONE-HALF MILE POST ON THE WEST LINE OF SECTION 9, TOWNSHIP 53 SOUTH, RANGE 42 EAST, AS SHOWN ON THE MAP OF HIGHWAY RIGHT-OF-WAY OF PROPOSED NORTHEAST SEVENTY-NINTH STREET CAUSEWAY, WHICH SAME IS RECORDED IN PLAT BOOK 25, AT PAGE 70 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA; RUN NORTH 88°41'24" EAST FOR 1960 FEET; THENCE NORTH 01°37'08" WEST FOR 50.00 FEET TO THE POINT OF BEGINNING OF THE HEREINAFTER DESCRIBED PARCEL; THENCE FROM THE ABOVE ESTABLISHED POINT OF BEGINNING CONTINUE NORTH 01°37'08" WEST FOR A DISTANCE OF 180 FEET TO A POINT; THENCE RUN NORTH 88°41'24" EAST FOR A DISTANCE OF 200 FEET TO A POINT; THENCE RUN SOUTH 01°37'08" EAST FOR A DISTANCE OF 180 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF N.E. 79TH STREET CAUSEWAY; THENCE RUN SOUTH 88°41'24" WEST ALONG SAID LINE FOR A DISTANCE OF 200 FEET TO THE POINT OF BEGINNING. LYING AND BEING IN MIAMI-DADE COUNTY, FLORIDA.

PARCEL B
COMMENCING AT THE ONE-HALF MILE POST ON THE WEST LINE OF SECTION 9, TOWNSHIP 53 SOUTH, RANGE 42 EAST, AS SHOWN ON THE MAP OF HIGHWAY RIGHT-OF-WAY OF PROPOSED NORTHEAST SEVENTY-NINTH STREET CAUSEWAY, WHICH SAME IS RECORDED IN PLAT BOOK 25, AT PAGE 70 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA; RUN NORTH 88°41'24" EAST, FOR 2160 FEET THENCE NORTH 01°37'08" WEST FOR 50.00 FEET TO THE POINT OF BEGINNING OF THE HEREINAFTER DESCRIBED PARCEL; THENCE FROM THE ABOVE ESTABLISHED POINT OF BEGINNING CONTINUE NORTH 01°37'08" WEST FOR A DISTANCE OF 180 FEET TO A POINT; THENCE RUN NORTH 88°41'24" EAST FOR A DISTANCE OF 265 FEET TO A POINT; THENCE RUN SOUTH 01°37'08" EAST FOR A DISTANCE OF 180 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF N.E. 79TH STREET CAUSEWAY; THENCE RUN SOUTH 88°41'24" WEST ALONG SAID LINE FOR A DISTANCE OF 265 FEET TO THE POINT OF BEGINNING. LYING AND BEING IN MIAMI-DADE COUNTY, FLORIDA.



Request

The Applicant is requesting a variance pursuant to Section 152.097 of the North Bay Village Code of Ordinances in connection with the development of a mixed use condominium to allow 4.5 stories of parking garage where Section 152.029(C)(4) allows not more than 4.

Since there is no such thing as a half story, the Village Commission should consider this as a request for a variance to allow 5 stories of parking garage where Section 152.029(C)(4) allows not more than 4.

Required Findings

The Sec. 152.097(B) and (C) requires that in order to authorize, recommend or grant any variance, the reviewing body(ies) must make an affirmative finding with respect to the criteria listed below. For ease of review, each of the criteria contained in subparagraphs (B)(1) through (B)(3) have been separated into their component parts, as follows:

- (1)a. That there are (or are not) special circumstances and conditions which are peculiar to the land, structure, or building involved and which are not generally applicable to other lands, structures, or buildings in the same zoning district;

Applicant Response: The unique circumstances relating to the proposed structure are that it complies with all of the site development standards including height, density, intensity (FAR), setbacks and off street parking. However, in order to realize the intensity of development permitted by the Code and Comprehensive Plan and yet meet the required off street parking for uses that will occupy the building, the parking structure must extend to 4.5 stories.

Staff Comments: It is difficult to see the special circumstances or conditions to this property which are not applicable to other properties along Kennedy Causeway or in the CG District. However, it must be stated that other developments along the Causeway have requested and received relief from this parking level limitation after objecting to its restrictiveness.

- (1)b. that the special circumstances and conditions were not (or were) self-created by any person having an interest in the property;

Applicant Response: The limitation on four (4) stories for a parking structure was not created by the applicant, yet a strict interpretation of the Code on this point would deprive the Applicant of a reasonable use of the property as is otherwise permitted by the Code.



Staff Comments: The applicant's current design for this development seems to have artificially created the need for this variance request. It is up to the applicant to explain the necessity to exceed the parking level limitation.

- (1)c. and that the strict application of the provisions of this chapter would (or would not) deprive the applicant of the reasonable use of the land, structure, or building for which the variance is sought and would (or would not) involve an unnecessary hardship for the applicant.

Applicant Response: The Code provision limiting the parking structure to four (4) stories is unreasonable as the same limitation of the stories of parking is applied to a building of 150 feet in height as to a building of 240 feet in height, both of which are permitted under the RM-70 regulations.

Staff Comments: There seems to be ample development and reasonable use of this property without granting a variance. There is no hardship just because the applicant doesn't wish to meet the District requirements.

- (2)a. That granting the variance requested will not (or will) confer on the applicant any special privilege that is denied by this chapter to other land, structures, or buildings in the same zoning district;

Applicant Response: Granting the variance does not confer on the Applicant any special privilege. Should another property owner believe that a property would be unnecessarily burdened as a result of the regulation the property owner is able to submit a request for a variance, provided the variance criteria are met.

Staff Comments: If approved, the variance would not be so substantial as to confer a special privilege to this property holder.

- (2)b. and the variance granted is the minimum variance that will make possible the reasonable use of the land, structure, or building.

Applicant Response: The proposed variance is the minimum that will make possible the reasonable use of the land in accordance with the site development standards other than regarding limitations on parking structure stories.

Staff Comments: The variance requested is probably the minimum that would make possible the reasonable use of this property. The request is also minor in that the development barely exceeds the 4 level limitation of parking.



- (3) That granting the variance will (or will not) be in harmony with the general intent and purpose of this chapter, and that such variance will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

Applicant Response: Granting the variance will be in harmony with the general intent of this chapter as the North Bay Village Code of Ordinances and Comprehensive Plan clearly intend for development to be constructed intensely along the Kennedy Causeway. The Project complies with all other site development standards including setbacks, height, density and FAR; the proposed variance does not alter the building envelope, building height or intensity of development within the building beyond that which is permitted by Code. Granting the variance merely allows for an additional half-story within the building to be occupied by parking.

The project will not be injurious to the neighborhood nor detrimental to the public welfare; the vision for the project is to revitalize the commercial corridor along Kennedy Causeway and to improve the quality of life for its residents. Granting of the variance will allow the project to proceed as designed and work towards enhancing the commercial corridor as a destination for tourists and residents of the neighborhood and region.

Staff Comments: The variance, if granted, is not injurious to the neighborhood or otherwise detrimental to the public welfare.

The City's LDC contains the same criteria in Sec. 2.7.6 as discussed above except they are numbered (1) through (6). The LDC also includes a seventh criterion which reads as follows:

7. The variance request is not based exclusively upon a desire to reduce the cost of development.

Staff Comments: The applicant has not stated and staff does not believe that reducing the cost of development was a reason for this request.



Recommendations

Staff finds that the requested variance generally meets the requirements of Sections 152.097(B) and 152.097(C). Consequently, staff recommends **approval** of the requested variance to allow up to 5 stories of parking garage.

It should be also noted that staff is currently working on a list of suggested revisions to North Bay Village's Land Development Regulations, and that removal of this requirement (the limitation of 4 stories of parking garage levels in the RM-70 District Regulations) is one of the suggested revisions, because the limitation may be unduly restrictive.

Submitted by:

James G. LaRue
James G. LaRue, AICP
Planning Consultant

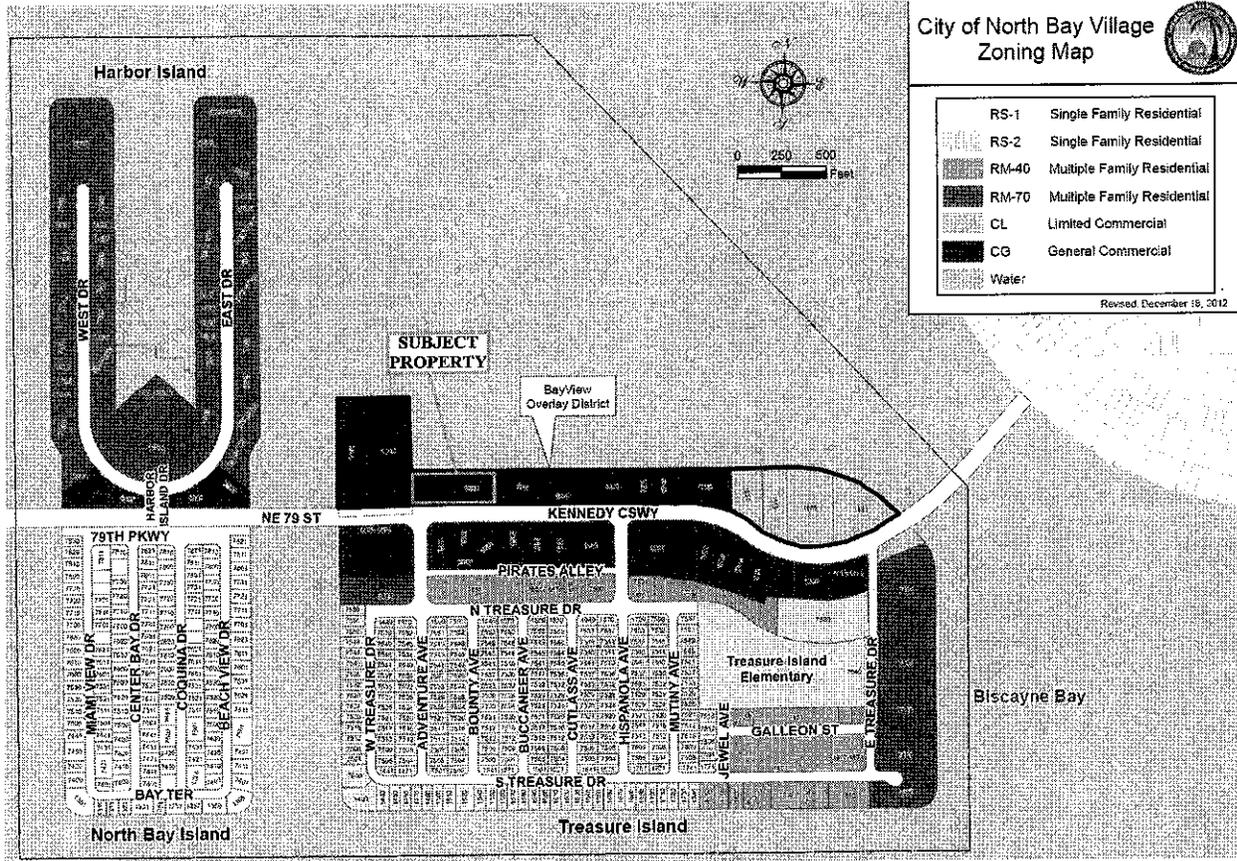
March 11, 2014

Hearing: Planning & Zoning Board, March 18, 2014

Attachments: Zoning Map



**ZONING
SUBJECT SITE AND ENVIRONS**



Serving Florida Local Governments Since 1988



Neisen O. Kasdin

Akerman LLP
One Southeast Third Avenue
Suite 2500
Miami, FL 33131-1714
Tel: 305.374.5600
Fax: 305.374.5095

February 7, 2014

Jim LaRue, Planning Director
North Bay Village
1666 Kennedy Causeway, Suite 300
North Bay Village, FL 33141

**Re: 1555 Kennedy Causeway
North Bay Village, FL**

Dear Mr. LaRue:

On behalf of the applicant, North Bay Causeway, LLC (the "Applicant"), enclosed herein please find an application for development of the subject property, located at 1555 Kennedy Causeway (the "Property") in North Bay Village (the "Village"), Florida. The Property is approximately 1.92 acres in size and presently occupied by a vacant restaurant building and surface parking lot, formerly known as The Crab House. The proposed development will consist of a mixed use building to be occupied by 127 multifamily residential units, office, retail space, and structured parking (the "Project"). The retail users on the ground floor are likely to include a coffee café, restaurant/bar and bank. Office space will occupy portions of the second and third levels of the building.

This application includes a request for site plan approval, special use exception and variance. Since the Property is located adjacent to Biscayne Bay, in addition to this submittal, the Applicant will submit a separate application for review by the Biscayne Bay Shoreline Committee.

The Property is located on the north side of Kennedy Causeway on Treasure Island and is located at the western end of the commercial district of the Village. Historically, this area of the Kennedy Causeway was a vibrant enclave of restaurants and retail destinations, although in recent years the area has experienced a decline. Through this Project, the Applicant seeks to contribute towards revitalizing the Causeway and creating a destination for residents and tourists, drawing activity and revenues to the Village. As part of the Project, a portion of bay walk will be

akerman.com

{28020364;1}

constructed along the Property's Biscayne Bay frontage to create linear access for pedestrians along the waterfront.

The Property is located within the General Commercial (CG) zoning district as depicted on the North Bay Village Zoning Map. Similarly zoned properties are located to the east, west and south and Biscayne Bay lies to the north. The Property also lies within the Bay View Overlay (BVO) district, although the Project will not utilize any provisions of the BVO regulations. Per the North Bay Village Land Use Map, the Property is designated as Commercial land use.

1. Special Use Exception

As set forth in Village Code of Ordinance Section 152.030(C)(3) and upon approval of the City Commission, mixed use commercial and multifamily structures are permitted within the CG zoning district, provided they conform with all site development standards as set forth under Section 152.029(C) (the "RM-70 regulations").

As further set forth in Village Code of Ordinances Section 152.098(B), the City Commission may permit certain uses or buildings as special use exceptions, *provided there are clear indications that such exceptions will not substantially affect adversely the uses permitted in these regulations of adjacent property.*

The proposed use of the Property for a mixed use structure is not anticipated to adversely impact the uses that may be permitted on adjacent properties, which are similarly zoned "CG" and could similarly utilize the special use exception for construction of a mixed use structure. If adjacent properties do not utilize the special use exception and instead develop or remain as strictly commercial uses, the Project would still not be anticipated to adversely impact those uses because residents of the Project will likely utilize any commercial services or establishments within the immediate proximity.

2. Application for Site Plan Approval

The proposed project consists of a 22-story mixed use building to be occupied by residential and commercial uses as well as a parking structure that will be incorporated into the podium of the building. Approximately 19,748 square feet (sq.ft.) dedicated to retail uses and approximately 7,055 sq. ft. dedicated to lobby/common areas will be located on the ground floor. The Applicant envisions a restaurant will occupy the waterfront space on the ground level, while the remaining areas on the ground level will be used for retail use with specific tenancy to be determined at a later time. At this time, the anticipated users are a coffee café and bank.

Per the North Bay Village Land Use Map, the Property is designated as Commercial land use. Pursuant to Policy 2.1.1.a. of the North Bay Village Comprehensive Plan, "Commercial" means *A broad range of general and professional office, retail, banking, hotel, service*

establishments, and high density residential. Further, this policy identifies a maximum floor area ratio (FAR) of 2.5 for commercial uses. The Project's FAR will not exceed 2.5, which is consistent with the Comprehensive Plan.

As described in the previous section of this letter, the project will utilize the special use exception and therefore is being developed based on the site development standards of the RM-70 zoning district described at Village Code of Ordinances Section 152.029(C) and as follows.

i. Minimum Lot Size

As set forth in North Bay Village Code of Ordinances Section 152.029(C)(1), the minimum lot size is 27,000 square feet and the minimum frontage requirement is 75 feet. The Property is approximately 83,699 square feet in area and has frontage of 465 feet on Kennedy Causeway. The property is in compliance with this Section with respect to minimum lot size and frontage.

ii. Setbacks

The setbacks for the proposed structure are as follows:

Type	Required	Provided
Front	40'	40'
Rear	25'	25'
Side (west/interior)	20% of lot width	93' (20% of lot width)
Side (east/interior)	15'	15'

The proposed setbacks are in compliance with North Bay Village Code of Ordinances Section 152.029(C)(2).

iii. Density

The proposed density has been calculated in accordance with the table set forth in North Bay Village Code of Ordinances Section 152.029(C)(3), which allows residential units varying densities based on unit size.

The proposed dwelling units are broken down as follows:

Unit Type	# Units	Required lot area (Sq. ft./unit)	Required lot area
Efficiency/One Bedroom	80	620	49,600
Two-bedroom	45	685	30,825
Three-bedroom	2	750	1,500
Total	127		81,925

As the total provided land area of 83,699 square feet exceeds the required land area of 81,925 square feet to meet the density requirements, the Project complies with North Bay Village Code of Ordinances Section 152.029(C)(3).

iv. Building Height

Although the maximum building height permitted by right is 150 feet, an applicant may elect to claim building height bonuses totaling 90 feet pursuant to North Bay Village Code of Ordinances Section 152.029(C)(8)(A) through (8)(F). The Applicant has elected to utilize the available bonus heights and therefore the Project will consist of a 22-story building, no portion of which will extend higher than 240 feet.

v. Pervious Area

As set forth in North Bay Village Code of Ordinances Section 152.029(C)(5), the minimum pervious area required is 20% of the lot width, or 16,740 square feet. The proposed pervious area totals approximately 23,008. The Project complies with this section.

vi. Minimum Floor Area

North Bay Village Code of Ordinances Section 152.029(C)(6) sets forth the minimum floor area required for each type of multifamily dwelling unit. All of the proposed dwelling units meet the requirements for minimum floor area

Unit type	Min. floor area required	Min. floor area provided
Efficiency (B and D)	600 sq. ft.	741 sq. ft.
One-bedroom (PH4)	900 sq. ft.	1,111 sq. ft.
Two-bedroom (A, C, PH1, PH2)	1200 sq. ft.	1,298 sq. ft.
Three-bedroom + (PH3)	1300 sq. ft.	2,289 sq. ft.

The project complies with the minimum floor area requirements.

vii. Additional Requirements

Pursuant to North Bay Village Code of Ordinances Section 152.029(C)(9), properties developed under the RM-70 zoning requirements shall provide additional elements, as follows:

1. *A public access boardwalk as required by the Miami-Dade County Shoreline Review Committee. (Developer shall dedicate an easement to the City conveying the boardwalk and a public access corridor.*

A public access boardwalk is provided along the Biscayne Bay shoreline at the north side of the Property. An application will be submitted to the Miami-Dade Shoreline Review Committee for review.

- 2. All exterior paving surfaces, except for covered parking garages, shall be constructed of brick pavers.*

As detailed on the Project plans, the proposed exterior parking surfaces will be constructed of brick pavers.

- 3. A water feature shall be provided in front of each development.*

A water feature will be provided and is detailed on the landscape plans.

- 4. Developments shall comply with existing landscaping requirements, as well as changes implemented in the future to conform to contiguous developments and landscaping plans implemented for the causeway and interior island areas.*

The proposed project complies with the landscaping requirements of the Miami-Dade County Code. The property owner will make all efforts to comply with any future landscaping plans implemented for the causeway and interior island areas.

- 5. Developments shall provide streetscape benches along the boardwalk area.*

As is required by the Miami-Dade County Biscayne Shoreline Ordinance, benches will be provide along the proposed boardwalk area.

- 6. All parking garages shall be constructed with architectural features that hide them from public view (glass, screening, greenery, etc).*

As shown on the renderings, the proposed parking structure shall be architecturally screened to minimize visual impact.

- 7. Lighting shall be provided in all areas in the front of development where trees are planted.*

As detailed on the landscape plans, lighting shall be provided in all areas in the front of development where trees are planted.

viii. Off Street Parking

In accordance with North Bay Village Code of Ordinances Section 152.044, the required off street parking for multifamily units is one and one-half (1.5) spaces per efficiency unit, two (2) parking spaces per one and two bedroom units and three (3) spaces for three bedroom and larger units. Additionally, the parking requirement for office use is one (1) parking space per 300 square feet of gross floor area; for retail is one (1) space per 200 square feet of gross floor area; and for restaurant is one (1) space per 75 square feet of customer service area.

The parking requirements are summarized as follows:

Use	Parking Calculation	Units/floor area	Required spaces
Efficiency	1.5 spaces/unit	78	117
One & Two-bedroom units	2 spaces/unit	47	94
Three bedroom units	3 spaces/unit	2	6
Office	1 space/300 sq. ft. GFA	9,740	32.5
Retail	1 space/200 sq. ft. GFA	3,132	15.6
Restaurant	1 space/75 sq. ft. customer service area	10,878	145.04
Total			411

A total of 411 parking spaces will be provided for the Project, as is required by Code.

ix. Site Plan Requirements

The project is in compliance with the requirements for site plans that contain more than 299 sq. ft. of commercial space as described at North Bay Village Code Section 152.105(C)(9)(a) through (d) as follows:

- (a) Protects against and minimizes any undesirable effects upon contiguous and nearby property.*

The Project will not result in undesirable effects on contiguous and nearby property. The project is anticipated to positively impact an underutilized commercial corridor. The Project will consist of an attractive building and landscaping on what is presently a vacant restaurant parcel and surface parking lot and will provide public access along the waterfront.

(b) Provides sufficient off-street parking and loading facilities so that it will not be necessary to use the streets in the vicinity for this purpose.

The proposed project provides sufficient off street parking and loading facilities.

(c) Provides a sufficient setbacks, open space, and landscaping in order to protect and enhance the appearance and character of the neighborhood.

The Project will enhance the character of the commercial corridor along Kennedy Causeway. The streetscape will be improved by the provision of attractive landscaping along the Property's frontage, thereby enhancing the appearance and character of the neighborhood and substantially improving the pedestrian realm from its present condition.

(d) Can be accommodated by existing community roads, services, and utilities, or the necessary additions are provided by the developer.

The project will have direct access to Kennedy Causeway. The impacts to the roadway are discussed within the Traffic Impact Study prepared by Richard Garcia & Associates, which is enclosed with this application. Existing infrastructure is available to serve the site.

3. Application for Variance

As set forth in North Bay Village Code of Ordinances Section 152.029(C)(4), *a maximum of four stories may be utilized for a parking structure.* The Applicant is submitting a building and site design that complies with all setbacks, lot coverage and other site development standards including off street parking and loading. However, in order to realize the density and intensity permitted on the subject property under the zoning regulations and meet the off street parking requirements, a minimum of 4.5 stories of parking must be included in the building. As such, the Applicant is requesting a variance to deviate from the requirement that the stories for a parking structure be limited to four.

The Project is in compliance with the variance criteria, as described at Code Section 152.097 as follows:

(1) That there are (or are not) special circumstances and conditions which are peculiar to the land, structure, or building involved and which are not generally applicable to other lands, structures, or buildings in the same zoning district; that the special circumstances and conditions were not (or were) self-created by any person having an interest in the property; and that the strict application of the provisions of this chapter would (or would not) deprive the applicant of the reasonable use of the land, structure, or building for which the variance is sought and would (or would not) involve an unnecessary hardship for the applicant.

The unique circumstances relating to the proposed structure are that it complies with all of the site development standards including height, density, intensity (FAR), setbacks and off street parking. However, in order to realize the intensity of development permitted by the Code and Comprehensive Plan and yet meet the required off street parking for uses that will occupy the building, the parking structure must extend to 4.5 stories. The limitation on four (4) stories for a parking structure was not created by the applicant, yet a strict interpretation of the Code on this point would deprive the Applicant of a reasonable use of the property as is otherwise permitted by the Code. Further, the Code provision limiting the parking structure to four (4) stories is unreasonable as the same limitation on the stories of parking is applied to a building of 150 feet in height as to a building of 240 feet in height, both of which are permitted under the RM-70 regulations.

(2) That granting the variance requested will not (or will) confer on the applicant any special privilege that is denied by this chapter to other land, structures, or buildings in the same zoning district; and the variance granted is the minimum variance that will make possible the reasonable use of the land, structure, or building.

Granting the variance does not confer on the Applicant any special privilege. Should another property owner believe that a property would be unnecessarily burdened as a result of the regulation, the property owner is able to submit a request for a variance, provided the variance criteria are met. The proposed variance is the minimum that will make possible the reasonable use of the land in accordance with the site development standards other than regarding limitations on parking structure stories.

(3) That granting the variance will (or will not) be in harmony with the general intent and purpose of this chapter, and that such variance will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

Granting the variance will be in harmony with the general intent of this chapter as the North Bay Village Code of Ordinances and Comprehensive Plan clearly intend for development to be constructed intensely along the Kennedy Causeway. The Project complies with all other site development standards including setbacks, height, density and FAR; the proposed variance does not alter the building envelope, building height or intensity of development within the building beyond that which is permitted by Code. Granting of the variance merely allows for an additional half-story within the building to be occupied by parking.

The project will not be injurious to the neighborhood nor detrimental to the public welfare; the vision for the project is to revitalize the commercial corridor along Kennedy Causeway and to improve the quality of life for its residents. Granting of the variance will allow the project to proceed as designed and work towards enhancing the commercial corridor as a destination for tourists and residents of the neighborhood and region.

Jim LaRue
February 7, 2014
Page 9

Thank you for your consideration of this Project.

Sincerely,



Neisen O. Kasdin



North Bay Village

Administrative Offices

1666 Kennedy Causeway, Suite 300 North Bay Village, FL 33141

Tel: (305) 756-7171 Fax: (305) 756-7722 Website: www.nbvillage.com

APPLICATION FOR PUBLIC HEARINGS:

Hearings and Notices: - All petitions for amendments, changes or supplements to these regulations for variances, special use exceptions, Site Plan Approval, Extension of Approved Site Plans, for Building Height Bonus Approval, or for an amendment, change or supplement to the Comprehensive Plan; district zoning map, or petitions appealing an administrative decision shall be considered at Public Hearings before the Planning & Zoning Board and, thereafter, the Village Commission. Notice of Public Hearings before the Planning & Zoning Board and the Village Commission shall be given by publishing and posting on the property (which is the subject of the request), the time, the place and the nature of the hearing at least 10 days before the hearing. The Village Clerk shall certify that the petition is complete before the hearing is legally advertised.

Applicant's Name: North Bay Causeway, LLC Phone: (305) 670-1991

Mailing Address: 9130 S. Dadeland Blvd, Suite 1509
Miami, FL 33156

Legal Description of Property: Parcels A and B - See enclosed survey.

Existing Zoning: CG Lot Size: 1.92 acres Folio: 23-3209-000-0030; 0020

Type of Request: Applicant requests Special Exception Use approval
for proposed mixed use multifamily and commercial building
pursuant to North Bay Village Code of Ordinances Section 152.030(C)(3).

Reason for Request: (Attach additional Pages if necessary) See attached Letter of
Intent.

1555 Kennedy Cswy

All applications shall be submitted to the Village Clerk on or before the deadline implemented by the Village.

Mayor
Connie Leon-Kreps

Vice Mayor
Eddie Lim

Commissioner
Dr. Richard Chervony

Commissioner
Wendy Duvall

Commissioner
Jorge Gonzalez

**APPLICATION FOR HEARING
BEFORE THE PLANNING & ZONING BOARD AND
VILLAGE COMMISSION
PAGE 2 OF 2**

Filing Fees - All persons, firms, or corporations petitioning the Planning & Zoning Board and the Village Commission necessitating the publication of notices in the newspaper, and all relative thereto, the payment of such money in advance to the Village Clerk shall be deemed a condition precedent to the consideration of such petition, conditional use permit or amendment.

I, (We), the undersigned, am (are) the (owner, tenant, agent, attorney) (designate one) of the subject property herein described. I (We) acknowledge and agree that during the consideration of the application before the Planning & Zoning Board and staff of North Bay Village, no rights shall vest on behalf of the applicant, which would be enforceable against the Village until after a Public Meeting is held by the Village Commission and the Village Commission has voted favorable on the proposed petition.

I, (We) further acknowledge that I (We) have read and understand the conditions for appearance before the Planning & Zoning Board and the Village Commission Pursuant to the Village Code Section 152.096. Any person submitting false information or misrepresenting in their presentation shall have all privileges granted to them by the Planning & Zoning Board and the Village Commission revoked.

(NOTE: ALL NEW AND SUBSTANTIAL IMPROVEMENTS MUST COMPLY WITH THE FLORIDA BUILDING CODE, DEPARTMENT OF ENVIRONMENTAL RESOURCE MANAGEMENT (DERM), AND FEMA (FLOOD) REGULATIONS).

Authorized Signature

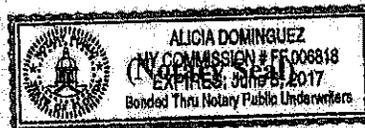
MIGUEL ANGEL BARBAGALLO AS MANAGING MEMBER
Print Name
OF B DEVELOPMENTS LLC AS MANAGER OF NORTH BAY
CASEWAY LLC

(In case of corporate ownership, the authorized signature shall be accompanied by a notation of the signer's position in the corporation and embossed with the corporate seal.)

STATE OF FLORIDA)
COUNTY OF MIAMI-DADE)

Sworn to and subscribed before me this 4 day of February 2014
by Miguel Angel Barbagallo
who is personally known to me or who has produced _____
as identification.

Notary Public



Mayor
Connie Leon-Kreps

Vice Mayor
Eddie Lim

Commissioner
Dr. Richard Chervony

Commissioner
Wendy Duvall

Commissioner
Jorge Gonzalez

Office Use Only:

Date Submitted: _____

Fee Paid: \$ _____

Tentative Meeting Date: _____

Cash or Check # _____

Date Paid: _____

Mayor
Connie Leon-Kreps

Vice Mayor
Eddie Lim

Commissioner
Dr. Richard Chervony

Commissioner
Wendy Duvall

Commissioner
Jorge Gonzalez



North Bay Village

02-07-11 PR2:12 RCVS

Administrative Offices

1666 Kennedy Causeway, Suite 300 North Bay Village, FL 33141

Tel: (305) 756-7171 Fax: (305) 756-7722 Website: www.nbvillage.com

APPLICATION FOR PUBLIC HEARINGS:

Hearings and Notices: - All petitions for amendments, changes or supplements to these regulations for variances, special use exceptions, Site Plan Approval, Extension of Approved Site Plans, for Building Height Bonus Approval, or for an amendment, change or supplement to the Comprehensive Plan; district zoning map, or petitions appealing an administrative decision shall be considered at Public Hearings before the Planning & Zoning Board and, thereafter, the Village Commission. Notice of Public Hearings before the Planning & Zoning Board and the Village Commission shall be given by publishing and posting on the property (which is the subject of the request), the time, the place and the nature of the hearing at least 10 days before the hearing. The Village Clerk shall certify that the petition is complete before the hearing is legally advertised.

Applicant's Name: North Bay Causeway, LLC Phone: (305) 670-1991

Mailing Address: 9130 S. Dadeland Blvd, Suite 1509

Miami, FL 33156

Legal Description of Property: Parcels A and B - See enclosed survey.

Existing Zoning: CG Lot Size: 1.92 acres Folio: 23-3209-000-0030; 0020

Type of Request: Applicant requests site plan approval for proposed mixed use building containing retail, office and residential units. See enclosed Letter of Intent for further detail.

Reason for Request: (Attach additional Pages if necessary) See attached Letter of Intent.

1555 Kennedy Cowy.

All applications shall be submitted to the Village Clerk on or before the deadline implemented by the Village.

Mayor
Connie Leon-Kreps

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**APPLICATION FOR HEARING
BEFORE THE PLANNING & ZONING BOARD AND
VILLAGE COMMISSION
PAGE 2 OF 2**

Filing Fees - All persons, firms, or corporations petitioning the Planning & Zoning Board and the Village Commission necessitating the publication of notices in the newspaper, and all relative thereto, the payment of such money in advance to the Village Clerk shall be deemed a condition precedent to the consideration of such petition, conditional use permit or amendment.

I, (We), the undersigned, am (are) the (owner, tenant, agent, attorney) (designate one) of the subject property herein described. I (We) acknowledge and agree that during the consideration of the application before the Planning & Zoning Board and staff of North Bay Village, no rights shall vest on behalf of the applicant, which would be enforceable against the Village until after a Public Meeting is held by the Village Commission and the Village Commission has voted favorable on the proposed petition.

I, (We) further acknowledge that I (We) have read and understand the conditions for appearance before the Planning & Zoning Board and the Village Commission Pursuant to the Village Code Section 152.096. Any person submitting false information or misrepresenting in their presentation shall have all privileges granted to them by the Planning & Zoning Board and the Village Commission revoked.

(NOTE: ALL NEW AND SUBSTANTIAL IMPROVEMENTS MUST COMPLY WITH THE FLORIDA BUILDING CODE, DEPARTMENT OF ENVIRONMENTAL RESOURCE MANAGEMENT (DERM), AND FEMA (FLOOD) REGULATIONS).

Authorized Signature

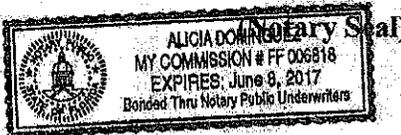
MIGUEL ANGEL BARBAGALLO AS
MANAGING MEMBER OF B DEVELOPMENTS LLC
MANAGER OF NORTH BAY CAUSEWAY LLC

(In case of corporate ownership, the authorized signature shall be accompanied by a notation of the signer's position in the corporation and embossed with the corporate seal.)

STATE OF FLORIDA)
COUNTY OF MIAMI-DADE)

Sworn to and subscribed to before me this 4 day of February 2014
by Miguel Angel Barbajallo
who is personally known to me or who has produced _____
as identification.

Notary Public



- Mayor
Connie Leon-Kreps
- Vice Mayor
Eddie Lim
- Commissioner
Dr. Richard Chervony
- Commissioner
Wendy Duvall
- Commissioner
Jorge Gonzalez

Office Use Only:

Date Submitted: _____

Fee Paid: \$ _____

Tentative Meeting Date: _____

Cash or Check # _____

Date Paid: _____

Mayor
Connie Leon-Kreps

Vice Mayor
Eddie Lim

Commissioner
Dr. Richard Chervony

Commissioner
Wendy Duvall

Commissioner
Jorge Gonzalez



North Bay Village

Administrative Offices

1666 Kennedy Causeway, Suite 300 North Bay Village, FL 33141

Tel: (305) 756-7171 Fax: (305) 756-7722 Website: www.nbvillage.com

APPLICATION FOR PUBLIC HEARINGS:

Hearings and Notices: - All petitions for amendments, changes or supplements to these regulations for variances, special use exceptions, Site Plan Approval, Extension of Approved Site Plans, for Building Height Bonus Approval, or for an amendment, change or supplement to the Comprehensive Plan; district zoning map, or petitions appealing an administrative decision shall be considered at Public Hearings before the Planning & Zoning Board and, thereafter, the Village Commission. Notice of Public Hearings before the Planning & Zoning Board and the Village Commission shall be given by publishing and posting on the property (which is the subject of the request), the time, the place and the nature of the hearing at least 10 days before the hearing. The Village Clerk shall certify that the petition is complete before the hearing is legally advertised.

Applicant's Name: North Bay Causeway, LLC Phone: (305) 670-1991

Mailing Address: 9130 S. Dadeland Blvd, Suite 1509
Miami, FL 33156

Legal Description of Property: Parcels A and B - See enclosed survey.

Existing Zoning: CG Lot Size: 1.92 acres Folio: 23-3209-000-0030; 0020

Type of Request: Applicant requests variance from North Bay Village Code of Ordinances Section 152.029(C)(4) that limits the stories for a parking structure to four (4).

Reason for Request: (Attach additional Pages if necessary) See attached Letter of Intent.

1555 Kennedy Causeway

All applications shall be submitted to the Village Clerk on or before the deadline implemented by the Village.

Mayor
Connie Leon-Kreps

Vice Mayor
Eddie Lim

Commissioner
Dr. Richard Chervony

Commissioner
Wendy Duvall

Commissioner
Jorge Gonzalez

APPLICATION FOR HEARING
BEFORE THE PLANNING & ZONING BOARD AND
VILLAGE COMMISSION
PAGE 2 OF 2

Filing Fees - All persons, firms, or corporations petitioning the Planning & Zoning Board and the Village Commission necessitating the publication of notices in the newspaper, and all relative thereto, the payment of such money in advance to the Village Clerk shall be deemed a condition precedent to the consideration of such petition, conditional use permit or amendment.

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(NOTE: ALL NEW AND SUBSTANTIAL IMPROVEMENTS MUST COMPLY WITH THE FLORIDA BUILDING CODE, DEPARTMENT OF ENVIRONMENTAL RESOURCE MANAGEMENT (DERM), AND FEMA (FLOOD) REGULATIONS).



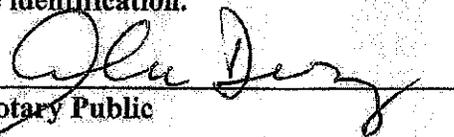
Authorized Signature

MIGUEL ANGEL BARBAJALLO AS MANAGING MEMBER
OF BDEVELOPMENTS LLC, MANAGER OF NORTH BAY CAUSWAY LLC
Print Name

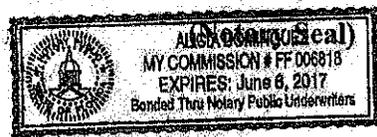
(In case of corporate ownership, the authorized signature shall be accompanied by a notation of the signer's position in the corporation and embossed with the corporate seal.)

STATE OF FLORIDA)
COUNTY OF MIAMI-DADE)

Sworn to and subscribed to before me this 4 day of February 2014
by Miguel Angel Barbajallo
who is personally known to me or who has produced _____
as identification.



Notary Public



Mayor
Connie Leon-Kreps

Vice Mayor
Eddie Lim

Commissioner
Dr. Richard Chervony

Commissioner
Wendy Duvall

Commissioner
Jorge Gonzalez

Office Use Only:

Date Submitted: 2/7/14

Fee Paid: \$ 16,600.

Tentative Meeting Date: 3/18/14

Cash or Check # _____

Date Paid: 2/7/14

Mayor
Connie Leon-Kreps

Vice Mayor
Eddie Lim

Commissioner
Dr. Richard Chervony

Commissioner
Wendy Duvall

Commissioner
Jorge Gonzalez



North Bay Village

Administrative Offices

1666 Kennedy Causeway, Suite 300 North Bay Village, FL 33141

Tel: (305) 756-7171 Fax: (305) 756-7722 Website: www.nbvillage.com

Re: North Bay Causeway LLC
1555 Kennedy Causeway
North Bay Village, FL 33141

**AN APPLICATION BY NORTH BAY CAUSEWAY, LLC CONCERNING
PROPERTY LOCATED AT 1555 KENNEDY CAUSEWAY, NORTH BAY
VILLAGE, FLORIDA, FOR THE FOLLOWING:**

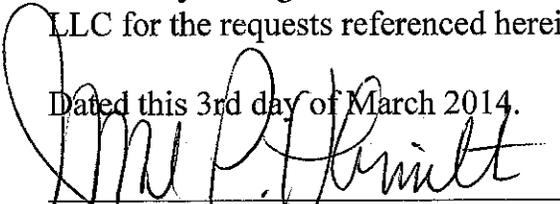
- A. A SPECIAL USE EXCEPTION PURSUANT TO SECTIONS 152.030(C)(3) AND 152.098 OF THE NORTH BAY VILLAGE CODE OF ORDINANCES FOR DEVELOPMENT OF A MIXED-USE COMMERCIAL STRUCTURE IN THE CG (GENERAL COMMERCIAL) ZONING DISTRICT.
- B. SITE PLAN APPROVAL PURSUANT TO SECTION 152.105(C)(9) OF THE NORTH BAY VILLAGE CODE OF ORDINANCES FOR DEVELOPMENT OF A 127-UNIT, 22-STORY CONDOMINIUM STRUCTURE WITH A PARKING GARAGE.

**BAY VIEW OVERLAY STANDARDS REVIEW, INCLUDING
HEIGHT APPROVAL, PURSUANT TO SECTION 152.032(A)(3) OF
THE NORTH BAY VILLAGE CODE OF ORDINANCES.**

- C. A VARIANCE PURSUANT TO SECTION 152.097 OF THE NORTH BAY VILLAGE CODE OF ORDINANCES TO ALLOW 5 STORIES OF PARKING, WHERE SECTION 152.029(C) ALLOWS A MAXIMUM OF FOUR STORIES OF PARKING.

I, Yvonne P. Hamilton, Village Clerk hereby certify, as per Section 152.096(A)(2) of the North Bay Village Code of Ordinances, that the petition filed by North Bay Causeway LLC for the requests referenced herein is complete.

Dated this 3rd day of March 2014.


Yvonne P. Hamilton
Village Clerk

(Planning & Zoning Board Meeting-March 18, 2014)

Mayor
Connie Leon-Kreps

Vice Mayor
Eddie Lim

Commissioner
Dr. Richard Chervony

Commissioner
Wendy Duvall

Commissioner
Jorge Zayas



North Bay Village

Administrative Offices

1666 Kennedy Causeway, Suite 300 North Bay Village, FL 33141

Tel: (305) 756-7171 Fax: (305) 756-7722 Website: www.nbvillage.com

Re: North Bay Causeway LLC
1555 Kennedy Causeway
North Bay Village, FL 33141

**AN APPLICATION BY NORTH BAY CAUSEWAY, LLC CONCERNING
PROPERTY LOCATED AT 1555 KENNEDY CAUSEWAY, NORTH BAY
VILLAGE, FLORIDA, FOR THE FOLLOWING:**

**A. A SPECIAL USE EXCEPTION PURSUANT TO SECTIONS
152.030(C)(3) AND 152.098 OF THE NORTH BAY VILLAGE
CODE OF ORDINANCES FOR DEVELOPMENT OF A MIXED-
USE COMMERCIAL STRUCTURE IN THE CG (GENERAL
COMMERCIAL) ZONING DISTRICT.**

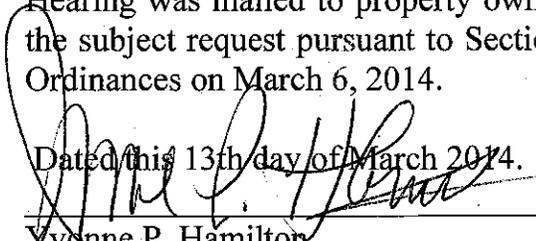
**B. SITE PLAN APPROVAL PURSUANT TO SECTION 152.105(C)(9)
OF THE NORTH BAY VILLAGE CODE OF ORDINANCES FOR
DEVELOPMENT OF A 127-UNIT, 22-STORY CONDOMINIUM
STRUCTURE WITH A PARKING GARAGE.**

**BAY VIEW OVERLAY STANDARDS REVIEW, INCLUDING
HEIGHT APPROVAL, PURSUANT TO SECTION 152.032(A)(3) OF
THE NORTH BAY VILLAGE CODE OF ORDINANCES.**

**C. A VARIANCE PURSUANT TO SECTION 152.097 OF THE NORTH
BAY VILLAGE CODE OF ORDINANCES TO ALLOW 5 STORIES
OF PARKING, WHERE SECTION 152.029(C) ALLOWS A
MAXIMUM OF FOUR STORIES OF PARKING.**

I, Yvonne P. Hamilton, Village Clerk, hereby certify that the attached Notice of Public Hearing was mailed to property owners and residents within 300 feet of the property of the subject request pursuant to Section 152.096(A)(2) of the North Bay Village Code of Ordinances on March 6, 2014.

Dated this 13th day of March 2014.


Yvonne P. Hamilton
Village Clerk

(Planning & Zoning Board Meeting-March 18, 2014)

Mayor
Connie Leon-Kreps

Vice Mayor
Eddie Lim

Commissioner
Dr. Richard Chervony

Commissioner
Wendy Duvall

Commissioner
Jorge S. Sotelo



North Bay Village

Administrative Offices

1666 Kennedy Causeway, Suite 300 North Bay Village, FL 33141

Tel: (305) 756-7171 Fax: (305) 756-7722 Website: www.nbvillage.com

Re: North Bay Causeway LLC
1555 Kennedy Causeway
North Bay Village, FL 33141

**AN APPLICATION BY NORTH BAY CAUSEWAY, LLC CONCERNING
PROPERTY LOCATED AT 1555 KENNEDY CAUSEWAY, NORTH BAY
VILLAGE, FLORIDA, FOR THE FOLLOWING:**

**A. A SPECIAL USE EXCEPTION PURSUANT TO SECTIONS
152.030(C)(3) AND 152.098 OF THE NORTH BAY VILLAGE
CODE OF ORDINANCES FOR DEVELOPMENT OF A MIXED-
USE COMMERCIAL STRUCTURE IN THE CG (GENERAL
COMMERCIAL) ZONING DISTRICT.**

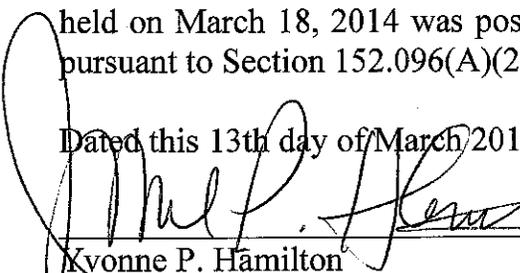
**B. SITE PLAN APPROVAL PURSUANT TO SECTION 152.105(C)(9)
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DEVELOPMENT OF A 127-UNIT, 22-STORY CONDOMINIUM
STRUCTURE WITH A PARKING GARAGE.**

**BAY VIEW OVERLAY STANDARDS REVIEW, INCLUDING
HEIGHT APPROVAL, PURSUANT TO SECTION 152.032(A)(3) OF
THE NORTH BAY VILLAGE CODE OF ORDINANCES.**

**C. A VARIANCE PURSUANT TO SECTION 152.097 OF THE NORTH
BAY VILLAGE CODE OF ORDINANCES TO ALLOW 5 STORIES
OF PARKING, WHERE SECTION 152.029(C) ALLOWS A
MAXIMUM OF FOUR STORIES OF PARKING.**

I, Yvonne P. Hamilton, hereby certify that the attached Notice of Public Hearing to be held on March 18, 2014 was posted at the above-referenced property on March 8, 2014 pursuant to Section 152.096(A)(2) of the North Bay Village Code of Ordinances.

Dated this 13th day of March 2014.


Yvonne P. Hamilton
Village Clerk

(Planning & Zoning Board Meeting-March 18, 2014)

Mayor
Connie Leon-Kreps

Vice Mayor
Eddie Lim

Commissioner
Dr. Richard Chervony

Commissioner
Wendy Duvall

Commissioner
Jorge Page



**NORTH BAY VILLAGE
NOTICE OF PUBLIC HEARING**

PUBLIC NOTICE IS HEREBY GIVEN THAT THE PLANNING & ZONING BOARD OF NORTH BAY VILLAGE, FLORIDA, WILL HOLD ITS REGULAR MEETING ON **MARCH 18, 2014 AT 7:30 P.M. OR AS SOON AS POSSIBLE THEREAFTER, AT TREASURE ISLAND ELEMENTARY SCHOOL, 7540 EAST TREASURE DRIVE**, NORTH BAY VILLAGE, FLORIDA. DURING THIS MEETING, THE BOARD WILL CONSIDER THE FOLLOWING REQUESTS AND SUBMIT A RECOMMENDATION TO THE VILLAGE COMMISSION:

1. AN APPLICATION BY NORTH BAY CAUSEWAY, LLC CONCERNING PROPERTY LOCATED AT 1555 KENNEDY CAUSEWAY, NORTH BAY VILLAGE, FLORIDA, FOR THE FOLLOWING:

A. A SPECIAL USE EXCEPTION PURSUANT TO SECTIONS 152.030(C)(3) AND 152.098 OF THE NORTH BAY VILLAGE CODE OF ORDINANCES FOR DEVELOPMENT OF A MIXED-USE COMMERCIAL STRUCTURE IN THE CG (GENERAL COMMERCIAL) ZONING DISTRICT.

B. SITE PLAN APPROVAL PURSUANT TO SECTION 152.105(C)(9) OF THE NORTH BAY VILLAGE CODE OF ORDINANCES FOR DEVELOPMENT OF A 127-UNIT, 22-STORY CONDOMINIUM STRUCTURE WITH A PARKING GARAGE.

BAY VIEW OVERLAY STANDARDS REVIEW, INCLUDING HEIGHT APPROVAL, PURSUANT TO SECTION 152.032(A)(3) OF THE NORTH BAY VILLAGE CODE OF ORDINANCES.

C. A VARIANCE PURSUANT TO SECTION 152.097 OF THE NORTH BAY VILLAGE CODE OF ORDINANCES TO ALLOW 5 STORIES OF PARKING, WHERE SECTION 152.029(C) ALLOWS A MAXIMUM OF FOUR STORIES OF PARKING.

INTERESTED PERSONS ARE INVITED TO APPEAR AT THIS MEETING OR BE REPRESENTED BY AN AGENT, OR TO EXPRESS THEIR VIEWS IN WRITING ADDRESSED TO THE PLANNING & ZONING BOARD C/O THE BUILDING & ZONING CLERK, 1666 KENNEDY CAUSEWAY, #300, NORTH BAY VILLAGE, FL 33141.

THE DOCUMENTS PERTAINING TO THIS PUBLIC HEARING MAY BE INSPECTED AT THE OFFICE OF THE VILLAGE CLERK DURING REGULAR WORKING HOURS AT 1666 KENNEDY CAUSEWAY, #300. INQUIRIES MAY BE DIRECTED TO THAT DEPARTMENT AT (305) 756-7171.

PURSUANT TO SECTION 286.0105, FLORIDA STATUTES, IF ANY PERSON DECIDES TO APPEAL ANY DECISION BY THE VILLAGE COMMISSION WITH RESPECT TO THIS OR ANY MATTER CONSIDERED AT ITS MEETING OR ITS HEARING, SUCH PERSON MUST 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 VILLAGE 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 ACCESSIBLE FORMAT, SIGN LANGUAGE INTERPRETERS, INFORMATION ON ACCESS FOR PERSON WITH DISABILITIES, AND/OR ANY ACCOMMODATION TO REVIEW ANY DOCUMENT OR PARTICIPATE IN ANY VILLAGE-SPONSORED PROCEEDING, PLEASE CONTACT (305) 756-7171 FIVE DAYS IN ADVANCE TO INITIATE YOUR REQUEST. TTY USERS MAY ALSO CALL 711 (FLORIDA RELAY SERVICE).

YVONNE P. HAMILTON, CMC
VILLAGE CLERK
(March 7, 2014)

BAYVIEW CONDOMINIUM
1625 KENNEDY CAUSEWAY
N. BAY VILLAGE, FL 33141

Florvest LLC
968 N.E. 84th Street
Miami, FL 33138

Baymar Hotels & Properties, Inc.
1111 Kane Concourse, #211
Bay Harbor Islands, FL 33154-2040

ATLANTIC BROADBAND
1681 KENNEDY CAUSEWAY
NORTH BAY VILLAGE, FL
33141

SHELL SERVICE STATION
1508 KENNEDY CAUSEWAY
N. BAY VILLAGE, FL 33141

Trio on the Bay
1601 Kennedy Causeway
N. Bay Village, FL 33141

PRESIDENT SUPERMARKET
1600 KENNEDY CAUSEWAY
N. BAY VILLAGE, FL 33141

BMS North Bay Village
P.O. Box 25025
Glendale, CA 91201

CAUSEWAY TOWER
1666 KENNEDY CSWY., #600
N. BAY VILLAGE, FL 33141

GOL TV
1580 Kennedy Causeway
N. Bay Village, FL 33141

SUNBEAM TELEVISION CORP
P.O. BOX 118
MIAMI, FL 33138-0000

ROBERT LEIDER
GENERAL MANAGER, WSVN
1401 79TH STREET CAUSEWAY
N. BAY VILLAGE, FL 33141

SIAM BAYSHORE THAI
THAI RESTAURANT
1524 KENNEDY CAUSEWAY
NORTH BAY VILLAGE, FL 33141

HESS 02565000
ATTN: CAROL HEALY
P.O. BOX 981747
EL PASO, TX 79998-1747

Owner/Occupant
1625 Kennedy Causeway, #501E
N. Bay Village, FL 33141

Owner/Occupant
1625 Kennedy Causeway,
#502F
N. Bay Village, FL 33141

Owner/Occupant
1625 Kennedy Causeway,
#503F
N. Bay Village, FL 33141

Owner/Occupant
1625 Kennedy Causeway,
#504D
N. Bay Village, FL 33141

Owner/Occupant
1625 Kennedy Causeway,
#505B
N. Bay Village, FL 33141

Owner/Occupant
1625 Kennedy Causeway,
#506B
N. Bay Village, FL 33141

Owner/Occupant
1625 Kennedy Causeway,
#507A
N. Bay Village, FL 33141

Owner/Occupant
1625 Kennedy Causeway,
#508A
N. Bay Village, FL 33141

Owner/Occupant
1625 Kennedy Causeway,
#509C
N. Bay Village, FL 33141

Owner/Occupant
1625 Kennedy Causeway, #601E
N. Bay Village, FL 33141

Owner/Occupant
1625 Kennedy Causeway,
#602F
N. Bay Village, FL 33141

Owner/Occupant
1625 Kennedy Causeway,
#603F
N. Bay Village, FL 33141

Owner/Occupant
1625 Kennedy Causeway,
#604D
N. Bay Village, FL 33141

Owner/Occupant
1625 Kennedy Causeway,
#605B
N. Bay Village, FL 33141

Owner/Occupant
1625 Kennedy Causeway,
#606B
N. Bay Village, FL 33141

Owner/Occupant
1625 Kennedy Causeway,
#607A
N. Bay Village, FL 33141

Owner/Occupant
1625 Kennedy Causeway,
#608A
N. Bay Village, FL 33141

Owner/Occupant
1625 Kennedy Causeway,
#609C
N. Bay Village, FL 33141

Owner/Occupant
1625 Kennedy Causeway, #701E
N. Bay Village, FL 33141

Owner/Occupant
1625 Kennedy Causeway,
#702F
N. Bay Village, FL 33141

Owner/Occupant
1625 Kennedy Causeway,
#703F
N. Bay Village, FL 33141

Owner/Occupant
1625 Kennedy Causeway,
#704D
N. Bay Village, FL 33141

Owner/Occupant
1625 Kennedy Causeway,
#705D
N. Bay Village, FL 33141

Owner/Occupant
1625 Kennedy Causeway,
#706B
N. Bay Village, FL 33141

Owner/Occupant
1625 Kennedy Causeway,
#707A
N. Bay Village, FL 33141

Owner/Occupant
1625 Kennedy Causeway,
#708A
N. Bay Village, FL 33141

Owner/Occupant
1625 Kennedy Causeway,
#709C
N. Bay Village, FL 33141

Owner/Occupant
1625 Kennedy Causeway, #801E
N. Bay Village, FL 33141

Owner/Occupant
1625 Kennedy Causeway,
#802H
N. Bay Village, FL 33141

Owner/Occupant
1625 Kennedy Causeway,
#803H
N. Bay Village, FL 33141

Owner/Occupant
1625 Kennedy Causeway,
#804D
N. Bay Village, FL 33141

Owner/Occupant
1625 Kennedy Causeway,
#805D
N. Bay Village, FL 33141

Owner/Occupant
1625 Kennedy Causeway,
#806B
N. Bay Village, FL 33141

Owner/Occupant
1625 Kennedy Causeway,
#807A
N. Bay Village, FL 33141

Owner/Occupant
1625 Kennedy Causeway,
#808A
N. Bay Village, FL 33141

Owner/Occupant
1625 Kennedy Causeway,
#809C
N. Bay Village, FL 33141

Owner/Occupant
1625 Kennedy Causeway, #901E
N. Bay Village, FL 33141

Owner/Occupant
1625 Kennedy Causeway,
#902H
N. Bay Village, FL 33141

Owner/Occupant
1625 Kennedy Causeway,
#903H
N. Bay Village, FL 33141

Owner/Occupant
1625 Kennedy Causeway,
#904D
N. Bay Village, FL 33141

Owner/Occupant
1625 Kennedy Causeway,
#508A
N. Bay Village, FL 33141

Owner/Occupant
1625 Kennedy Causeway,
#509C
N. Bay Village, FL 33141

Owner/Occupant
1625 Kennedy Causeway,
#907A
N. Bay Village, FL 33141

Owner/Occupant
1625 Kennedy Causeway,
#908A
N. Bay Village, FL 33141

Owner/Occupant
1625 Kennedy Causeway,
#909C
N. Bay Village, FL 33141

Owner/Occupant
1625 Kennedy Causeway,
#1001E
N. Bay Village, FL 33141

Owner/Occupant
1625 Kennedy Causeway,
#1002H
N. Bay Village, FL 33141

Owner/Occupant
1625 Kennedy Causeway,
#1003H
N. Bay Village, FL 33141

Owner/Occupant
1625 Kennedy Causeway
#1004D
N. Bay Village, FL 33141

Owner/Occupant
1625 Kennedy Causeway
#1005B
N. Bay Village, FL 33141

Owner/Occupant
1625 Kennedy Causeway
#1006B
N. Bay Village, FL 33141

Owner/Occupant
1625 Kennedy Causeway
#1007A
N. Bay Village, FL 33141

Owner/Occupant
1625 Kennedy Causeway
#1008A
N. Bay Village, FL 33141

Owner/Occupant
1625 Kennedy Causeway
#1009C
N. Bay Village, FL 33141

Owner/Occupant
1625 Kennedy Causeway
#1102D
N. Bay Village, FL 33141

Owner/Occupant
1625 Kennedy Causeway
#1103B
N. Bay Village, FL 33141

Owner/Occupant
1625 Kennedy Causeway
#1104B
N. Bay Village, FL 33141

Owner/Occupant
1625 Kennedy Causeway
#1105G
N. Bay Village, FL 33141

Owner/Occupant
1625 Kennedy Causeway
#1106G
N. Bay Village, FL 33141

Owner/Occupant
1625 Kennedy Causeway
#1109C
N. Bay Village, FL 33141

Owner/Occupant
1625 Kennedy Causeway,
#1201E
N. Bay Village, FL 33141

Owner/Occupant
1625 Kennedy Causeway,
#1202D
N. Bay Village, FL 33141

Owner/Occupant
1625 Kennedy Causeway,
#1203B
N. Bay Village, FL 33141

Owner/Occupant
1625 Kennedy Causeway
#1204B
N. Bay Village, FL 33141

Owner/Occupant
1625 Kennedy Causeway
#1205G
N. Bay Village, FL 33141

Owner/Occupant
1625 Kennedy Causeway
#1207C
N. Bay Village, FL 33141

Owner/Occupant
1625 Kennedy Causeway
#PH101E
N. Bay Village, FL 33141

Owner/Occupant
1625 Kennedy Causeway
#PH102D
N. Bay Village, FL 33141

Owner/Occupant
1625 Kennedy Causeway
#PH103B
N. Bay Village, FL 33141

Owner/Occupant
1625 Kennedy Causeway
#PH104B
N. Bay Village, FL 33141

Owner/Occupant
1625 Kennedy Causeway
#PH105G
N. Bay Village, FL 33141

Owner/Occupant
1625 Kennedy Causeway
#PH106G
N. Bay Village, FL 33141

Owner/Occupant
1625 Kennedy Causeway
#PH107C
N. Bay Village, FL 33141

NEIGHBORS CALENDAR

CALENDAR, FROM 9NE

General Admission. 305-223-7060.
Women's Health Symposium: Promotes a holistic approach to health care, nutrition, healthy cooking, physical fitness, acupuncture, detoxing the body, healthy heart, and thermography. For more information visit the website.
 8:30 a.m. March 8, Hallandale Beach Cultural Community Center, 40 SE Third St., Hallandale Beach. Free. 954-303-3585.

FARMERS' MARKETS

The Garden Market: The Garden Market is a weekly farmers market that takes place rain or shine every Wednesday in the Miami Beach Botanical Garden. Vendors from The Market Company will be selling.
 11 a.m. March 12, Miami Beach Botanical Garden, 2000 Convention Center Dr., Miami Beach. Free. 305-673-7256, ext. 206.

FASHION

Macy's at Pembroke Lakes Mall Helps You Get Ready for Prom: Check out the latest fashion trends for prom hosted by fashion blogger Kelly Saks of Kelly's Closet to help you prepare for the one of the most memorable days of your life!
 7 a.m. March 8, Macy's Pembroke Lakes Mall, 1605 Pines Blvd., Pembroke Pines. Free.

Moroccan Couture Pop-up Boutique: Pop-up boutique and advance look into the fashion revolution Moroccan. Jetsetter & Miami Beach resident Asmaa Benkirane is about to launch with Le Beau Maroc, a boutique featuring.
 12 p.m. March 8, Semilla Eatery & Bar, 1530 Alton Rd., Miami Beach. Free. 305-793-8268.

FOLK & TRADITIONAL

Music of the Americas at Zoo Miami: After enjoying a day strolling around Zoo Miami's beautiful pathways, there is no better way to relax than at our Amazon and Beyond's Village Plaza.
 1 p.m. March 8, Zoo Miami, 12400 SW 152 St., Richmond Naval Air Station. Free with zoo admission. 305-255-5551.

FOOD & DINING

A Night at the Museum: A Celebration of the Pageantry of Purim: Join us for the Jewish Museum of Florida-FIU's annual festive event featuring delicious gourmet food, music, entertainment and fun!
 Celebrating the triumph of good over evil a.
 6:30 p.m. March 13, Jewish Museum of Florida-FIU, 301 Washington Ave., Miami Beach. 786-972-3162.
Diamonds - N - Pearls 2K/4: The Miami Nupes & The Lovely Ladies Of AKA In Assoc/ W SV Marketing Presents Name of Party: Diamonds & Pearls (Spring Break 2K/4) Venue and address: Room Service Lounge 929

Wa.

11 p.m. March 9, Room Service, 929 Washington Ave., Miami Beach. 305-763-8330.
Free Tango Class and Milonga in Coral Gables: Free Tango Class 8pm Milonga 9pm
 Special tango menu!
 121 Alhambra Plaza, Coral Gables, 3304
 305-448-2511
 The world's best all you can eat Argentine Steakhouse.
 Awesome.
 8 p.m. March 12, Siga la Vaca - Authentic Argentine Steakhouse, 121 Alhambra Plaza, Coral Gables. Free. 786-355-0882.

Jazz on the Green: Take a break from the Miami scene and experience a live jazz band playing on our beautiful open garden while enjoying our three course prix fixe menu including mussels, tuna, calamari or lamb and paired with a glass of sparkling wine and our friendly staff ready to spoil you.
 7:30 p.m. March 7, Peacock Garden Cafe, Coconut Grove, Southwest Coconut Grove. 305-774-3332.
Live Reggae Music | Every Sunday | Free Admission: Reggae Sundays - Sunset in Negri!

A FREE Family Friendly Event & FREE Parking & Always Rain or Shine! Great Jerk chicken & pork BBQ, Festival Bread, fresh fried fish, soup, &.
 6 p.m. March 9, Negri on The Green, 315 S. 62nd Ave., Hollywood. Free. 954-382-4345.

FOOTBALL

Flag Football 2014: Description Youth flag football for ages 7-14.
 Activity Flag Football 2014 #1201.02
 Type Sports Leagues Sub-Activities
 Flag Football 10U Flag Football 11U
 Flag Football 12U Flag Football 13U
 Flag Football 14U Flag Football 7U
 Flag Football 8U Flag Football 9U
 6 p.m. March 10, Miami Gardens City Hall, 155 NW 157th St.,

GALLERIES

Everglades-Painted Tapestries: Opening reception for artist Mal Yap. Her latest work, "Cloudscapes and Meditations" done entirely with palette knives, explore the unbelievable colors and ever changing moods of the Florida Everglades and Biscayne Bay. Parts of sales benefits South Florida National Park Trust. Exhibit continues through March.
 7 p.m. March 7, ArtSight Gallery, 1524 Ponce de Leon Blvd., Coral Gables. Free. 305-725-8630.
Life is Art presents Art/Work Connections #77 - Gallery Prep: Art/Work Connections, monthly series of seminars presented by Life is Art on a variety of topics vital to the success of working artists, features Reed V. North, experienced galleryist. He speaks on how to get prepared to pitch a gallery, create a powerful portfolio, do research to find the best gallery for your work and approach the gallery.
 6:30 p.m. March 11, Yo Space, 294 NE 62nd St., Little Haiti. \$10. 3055761033 ext. 122.

GOLF

Cadillac World Golf Championships: 8 a.m. March 6, Trump National Doral Miami, 4400 NW 87th Ave., Doral Resort and Country Club. 305-592-2000.

WGC Cadillac Golf Championships: 6 a.m. March 9, Trump National Doral Miami, 4400 NW 87th Ave., Doral Resort and Country Club. 305-592-2000.

World Golf Championship Friday Competition: 7 a.m. March 7, Doral Golf Resort and Spa, 440 NW 87th Ave., Fontainebleau East. 305-592-2000.

World Golf Championship Saturday Competition: 7 a.m. March 8, Doral Golf Resort and Spa, 440 NW 87th Ave., Fontainebleau East. 305-592-2000.

World Golf Championship Sunday Competition: 7 a.m. March 9, Doral Golf Resort and Spa, 440 NW 87th Ave., Fontainebleau East. 305-592-2000.

World Golf Championship Thursday Competition: 7 a.m. March 6, Doral Golf Resort and Spa, 440 NW 87th Ave., Fontainebleau East. 305-592-2000.

HIKING

Starlight Walk: Experience the Anhinga Trail by starlight, listen for pig frogs, look for fireflies and gator eyes. Meet at the Royal Palm benches. Flashlight optional. Through March 22.

7 p.m. March 8, Everglades National Park, 40001 State Hwy. 9336, Homestead. Included in admission (admission not provided to Herald). 305-242-7700.

Wilderness Walk: For 12+ (strenuous): Wade through the River of Grass into the shadows of a gator hole or a cypress dome. Reservations and info at Ernest F. Coe Visitor Center. Daily through March 22.

2 p.m. March 8, Everglades National Park, 40001 State Hwy. 9336, Homestead. Included in admission. Admission not provided to Herald. 305-242-7700.

INDIE

My Deer + Tremends: It's ART WALK SATURDAY and by10pm the galleries start slowing down. So make sure to join the Gumdrops crew and King's Head Records gang for a night full of music, amazing food and drinks. Featuring MY DEER and Tremends. Music as well as special taste of Dude Skywalker on the turn tables.
 No Cover
 10 p.m. March 8, Will Call Miami, 700 NE Second Ave., Park West. Free. 305-577-5900.

JAZZ

Lindsay Blair Quartet Live in the Cellar: Group's debut performance Downstairs in the Cellar.
 10 p.m. March 6, Le Chat Noir, 2 S. Miami Ave., Downtown Miami. No cover. 305-377-8889.
Lunchtime Jazz in the Plaza: Enjoy a

• TURN TO CALENDAR, 13NE



NORTH BAY VILLAGE NOTICE OF PUBLIC HEARING

PUBLIC NOTICE IS HEREBY GIVEN THAT THE PLANNING & ZONING BOARD OF NORTH BAY VILLAGE, FLORIDA, WILL HOLD ITS REGULAR MEETING ON MARCH 16, 2014 AT 7:30 P.M. OR AS SOON AS POSSIBLE THEREAFTER, AT TREASURE ISLAND ELEMENTARY SCHOOL, 7560 EAST TREASURE DRIVE, NORTH BAY VILLAGE, FLORIDA. DURING THIS MEETING, THE BOARD WILL CONSIDER THE FOLLOWING REQUESTS AND SUBMIT A RECOMMENDATION TO THE VILLAGE COMMISSION:

- AN APPLICATION BY WILLIAM WEBB CONCERNING THE PROPERTY AT 1357 BAY TERRACE, NORTH BAY ISLAND, NORTH BAY VILLAGE, FLORIDA, FOR THE FOLLOWING:
 - A VARIANCE PURSUANT TO SECTION 152.097 OF THE NORTH BAY VILLAGE CODE OF ORDINANCES TO PERMIT A TWO-STORY SINGLE-FAMILY RESIDENTIAL STRUCTURE TO EXCEED THE MAXIMUM HEIGHT OF SECTION 152.026(C)(3), WHICH ALLOWS A BUILDING HEIGHT OF NO MORE THAN 25 FEET ABOVE FEMA BASE FLOOD ELEVATION.
- AN APPLICATION BY HOLGER PIENING AND ANDREA FRANKE CONCERNING PROPERTY LOCATED AT 1700 SOUTH TREASURE DRIVE, TREASURE ISLAND, NORTH BAY VILLAGE, FLORIDA FOR THE FOLLOWING:
 - A VARIANCE PURSUANT TO SECTION 152.097 OF THE NORTH BAY VILLAGE CODE OF ORDINANCES TO PERMIT A 4.5 FOOT SIDE-INTERIOR SETBACK FOR THE CONSTRUCTION OF A SWIMMING POOL, WHERE THE CODE REQUIRES A SETBACK OF 7.5 FEET.
 - A VARIANCE PURSUANT TO SECTION 152.097 OF THE NORTH BAY VILLAGE CODE OF ORDINANCES TO PERMIT THE POOL EQUIPMENT TO ENCROACH 3.3 FEET INTO THE REQUIRED 7.5 FOOT SIDE INTERIOR SETBACK AREA.
- AN APPLICATION BY 7914 BUILDING, LLC CONCERNING PROPERTY LOCATED AT 7914, 7916 AND 7918 WEST DRIVE, TRACT C OF HARBOR ISLAND, NORTH BAY VILLAGE, FLORIDA, IN CONNECTION WITH THE DEVELOPMENT OF A 52 UNIT, 15 STORY MULTI-FAMILY CONDOMINIUM STRUCTURE:
 - A SPECIAL USE EXCEPTION PURSUANT TO SECTIONS 162.042(E) AND 162.098 OF THE NORTH BAY VILLAGE CODE OF ORDINANCES TO ALLOW UP TO TWENTY (20) PERCENT OF THE DEVELOPMENT'S REQUIRED PARKING SPACES TO BE DESIGNED SPECIFICALLY FOR COMPACT VEHICLES.
- AN APPLICATION BY NORTH BAY CAUSEWAY, LLC CONCERNING PROPERTY LOCATED AT 1555 KENNEDY CAUSEWAY, NORTH BAY VILLAGE, FLORIDA, FOR THE FOLLOWING:
 - A SPECIAL USE EXCEPTION PURSUANT TO SECTIONS 162.098(C)(3) AND 162.098 OF THE NORTH BAY VILLAGE CODE OF ORDINANCES FOR DEVELOPMENT OF A MIXED-USE COMMERCIAL STRUCTURE IN THE C6 (GENERAL COMMERCIAL) ZONING DISTRICT.
 - SITE PLAN APPROVAL PURSUANT TO SECTION 152.105(C)(9) OF THE NORTH BAY VILLAGE CODE OF ORDINANCES FOR DEVELOPMENT OF A 127-UNIT, 22-STORY CONDOMINIUM STRUCTURE WITH A PARKING GARAGE.

BAY VIEW OVERLAY STANDARDS REVIEW, INCLUDING HEIGHT APPROVAL, PURSUANT TO SECTION 162.032(A)(3) OF THE NORTH BAY VILLAGE CODE OF ORDINANCES.
- AN APPLICATION BY KAKUTA SAINT CONCERNING PROPERTY LOCATED AT 7441 CENTER BAY DRIVE, NORTH BAY VILLAGE, FLORIDA, FOR THE FOLLOWING:
 - A VARIANCE PURSUANT TO SECTION 152.097 OF THE NORTH BAY VILLAGE CODE OF ORDINANCES TO ALLOW A GENERATOR TO ENCROACH 4 FEET INTO THE REQUIRED 10 FOOT SIDE INTERIOR SETBACK AREA.

INTERESTED PERSONS ARE INVITED TO APPEAR AT THIS MEETING OR BE REPRESENTED BY AN AGENT, OR TO EXPRESS THEIR VIEWS IN WRITING ADDRESSED TO THE PLANNING & ZONING BOARD C/O THE BUILDING & ZONING CLERK, 1686 KENNEDY CAUSEWAY, #300, NORTH BAY VILLAGE, FL 33141.

THE DOCUMENTS PERTAINING TO THIS PUBLIC HEARING MAY BE INSPECTED AT THE OFFICE OF THE VILLAGE CLERK DURING REGULAR WORKING HOURS AT 1686 KENNEDY CAUSEWAY, #300. INQUIRIES MAY BE DIRECTED TO THAT DEPARTMENT AT (305) 756-7171.

PURSUANT TO SECTION 286.0105, FLORIDA STATUTES, IF ANY PERSON DECIDES TO APPEAL ANY DECISION BY THE VILLAGE COMMISSION WITH RESPECT TO THIS OR ANY MATTER CONSIDERED AT ITS MEETING OR ITS HEARING, SUCH PERSON MUST 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 VILLAGE 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 ACCESSIBLE FORMAT, SIGN LANGUAGE INTERPRETERS, INFORMATION ON ACCESS FOR PERSON WITH DISABILITIES, AND/OR ANY ACCOMMODATION TO REVIEW ANY DOCUMENT OR PARTICIPATE IN ANY VILLAGE-SPONSORED PROCEEDING, PLEASE CONTACT (305) 756-7171 FIVE DAYS IN ADVANCE TO INITIATE YOUR REQUEST. TTY USERS MAY ALSO CALL 711 (FLORIDA RELAY SERVICE).

YVONNE P. HAMILTON, CMO
 VILLAGE CLERK
 (February 28, 2014)



North Bay Village

Administrative Offices

1666 Kennedy Causeway, Suite 300 North Bay Village, FL 33141

Tel: (305) 756-7171 Fax: (305) 756-7722 Website: www.nbvillage.com

PLANNING & ZONING BOARD MEETING

**TREASURE ISLAND ELEMENTARY SCHOOL
7540 EAST TREASURE DRIVE
NORTH BAY VILLAGE, FL 33141**

FEBRUARY 18, 2014 – 7:30 P.M.

1. CALL TO ORDER, PLEDGE OF ALLEGIANCE, ROLL CALL

The meeting was called to order at 7:40 P.M. by Chair Reinaldo Trujillo and the Pledge of Allegiance was recited. Also present at Roll Call were Board Members Vice Chair James Carter, Bud Farrey, Marvin Wilmoth and Barry Beschel. Also present were Building & Zoning Clerk Elena Grek, Village Clerk Yvonne P. Hamilton, and the Village Planner Jim LaRue. Mayor Connie Leon-Kreps, Vice Mayor Eddie Lim, Commissioner Richard Chervony and Village Manager Frank K. Rollason were in attendance.

As a quorum was determined to be present, the meeting commenced.

Interim Village Attorney Robert L. Switkes swore in those individuals who indicated that they would testify.

Mr. Switkes asked the members of the Board if they had any conflict of interest pertaining to the request. Board Member Bud Farrey disclosed his profession in the construction material business. There were no other disclosures.

3. APPROVAL OF MINUTES

A. REGULAR PLANNING & ZONING BOARD MEETING- JANUARY 30, 2014

The Minutes were amended to reflect the correct definition of “dwelling, hotel room” and “dwelling, hotel suite” as approved by the Board on January 30, 2014 as follows:

1. Adoption of the definition for “Dwelling hotel room/Dwelling hotel suite” as outlined in Section 509.013(4)(a) Florida Statute, “any unit, group of units, dwelling, building, or group of buildings within a single complex of buildings, which is rented to guests more than three times in a calendar year for periods of less than 30 days or one (1) calendar month, whichever is less, or which is advertised or held out to the public as a place regularly rented to guests; for no more than 90 nonconsecutive days with 30-day interval, with kitchen facilities.
2. There shall be no kitchens facilities in units that are less than 750 square feet in size.
3. The density shall be calculated on hotel occupancy, 132 units at 99 units per acre.

Marvin Wilmoth moved to approve the Minutes of January 30, 2014 as amended, and Barry Beschel seconded the motion, which carried unanimously on a roll call vote.

**B. REGULAR PLANNING & ZONING BOARD MEETING –
SEPTEMBER 19, 2013**

Chair Reinaldo Trujillo moved to approve the Minutes of September 19, 2013 as submitted. James Carter seconded the motion, which carried unanimously on a roll call vote.

4. (PUBLIC HEARINGS) ALL INDIVIDUALS DESIRING TO PROVIDE TESTIMONY SHALL BE SWORN IN. (CONTINUED FROM JANUARY 30, 2014 MEETING)

A. AN APPLICATION BY 7914 BUILDING, LLC CONCERNING PROPERTY LOCATED AT 7914, 7916 AND 7918 WEST DRIVE, TRACT C OF HARBOR ISLAND, NORTH BAY VILLAGE, FLORIDA FOR THE FOLLOWING:

1. **SITE PLAN APPROVAL PURSUANT TO SECTION 152.105(C)(9) OF THE NORTH BAY VILLAGE CODE OF ORDINANCES FOR DEVELOPMENT OF A 53 UNIT, 15 STORY MULTI-FAMILY CONDOMINIUM STRUCTURE IN THE RM-70 (HIGH DENSITY MULTIPLE-FAMILY RESIDENTIAL) ZONING DISTRICT.**

2. **BONUS DENSITY REVIEW PURSUANT TO SECTION 152.029(C)(8)(H) OF THE NORTH BAY VILLAGE CODE OF ORDINANCES.**
3. **A SPECIAL USE EXCEPTION PURSUANT TO SECTIONS 152.042(E) AND 152.098 OF THE NORTH BAY VILLAGE CODE OF ORDINANCES TO ALLOW UP TO TWENTY (20) PERCENT OF THE DEVELOPMENT'S REQUIRED PARKING SPACES TO BE DESIGNED SPECIFICALLY FOR COMPACT VEHICLES.**

Village Clerk Yvonne P. Hamilton read the items into the record.

Wayne Pathman, of Pathman Lewis, LLP, One Biscayne Tower, Suite 2400, Two South Biscayne Boulevard, Miami, FL 33141, presented the item to the Board.

Victor Rodriguez, Architect for the project, addressed the Board.

The Chair opened the public hearing.

Lauren Luck, Esq, Law Offices of Isaac Benmergui, P.A., 1150 Kane Concourse, 2nd Floor, Bay Harbor Islands, FL 33154, addressed the Board on behalf of 7929 West Drive regarding concerns of removing parking spaces on the island.

Mary Lou Trujillo, of 7601 E. Treasure Drive, addressed the Board regarding her concerns with the use of compact parking spaces and the traffic impact that will be generated from the project.

Robert Breiner, of 7941 West Drive, addressed the Board regarding the traffic impact.

Fane Lozman addressed the Board in favor of the project.

The Chair closed the public hearing.

Mr. Pathman discussed the idea to use the compact parking spaces for valet parking.

Mr. Rodriguez discussed the parking plan.

Village Planner Jim LaRue presented the requests to the Board.

Following discussion, Marvin Wilmoth made a motion to approve the Site Plan for development of a 53-unit, 15 story condominium structure at 7914 West Drive and Building Height Bonus Review, with the finding that the plan is consistent with the North Bay Village Comprehensive Plan, with the following conditions:

1. Dedication and recording of the public access easement and boardwalk prior to the issuance of a building permit.
2. Site plan approval from the Miami-Dade Shoreline Review Committee.
3. Meeting School Board Concurrency requirements as determined by School Board Staff.
4. Submittal of an irrigation plan which meets Miami-Dade Chapter 18A requirements.
5. Payment of bonus height fees, as required under Section 152.029(C)8A-8F.
6. Payment of any applicable impact fees.
7. Cost recovery charges must be paid pursuant to Section 152.110. Specifically, no new development application shall be accepted and no building permit or certificate of occupancy shall be issued for the property until all application fees, cost recovery deposits and outstanding fees and fines related to the property (including fees related to any\previous development proposal applications on the property), have been paid in full.
8. Building permits and related approvals must be obtained from the Building Official prior to commencement of construction.
9. Approval of this site plan does not in any way create a right on the part of the applicant to obtain a permit from a state or federal agency, and does not create liability on the part of the Village for approval if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes action that results in a violation of federal or state law.
10. All applicable state and federal permits must be obtained before commencement of construction.

Barry Beschel seconded the motion, which was adopted by a 5-0 roll call vote. The vote was as follows: Bud Farrey, Barry Beschel, Reinaldo Trujillo, James Carter, and Marvin Wilmoth all voting Yes.

The Chair requested that a record be kept of all the bonuses that are being approved for “density”.

B. AN APPLICATION BY 1755 NBV, LLC IN CONNECTION WITH THE DEVELOPMENT OF A 132-UNIT, 25-STORY CONDOMINIUM HOTEL AT 1755 KENNEDY CAUSEWAY FOR THE FOLLOWING:

- 3. A VARIANCE PURSUANT TO SECTION 152.097 OF THE NORTH BAY VILLAGE CODE OF ORDINANCES IN CONNECTION WITH THE DEVELOPMENT OF A CONDOMINIUM HOTEL STRUCTURE TO ALLOW LESS THAN THE SIDE-YARD SETBACK AS REQUIRED BY SECTION 152.032(C)(2)(C).**

Village Planner Jim LaRue clarified the Variance request was for a 20’ foot setback as opposed to the 15 feet that was previously requested.

Counsels for the applicant Neisen Kasdin and Maeve Desmond, of Akerman LLC, property owner Miguel Barbagallo, Matthew Piccard, and Architect Kobi Karp were present on behalf of the project. Mr. Kasdin and Mr. Karp presented the project to the Board.

It was noted that the project was discussed with the neighbors at the Lexi Condominium on February 17, 2014 and a substantial reduction was made to the project’s tower width and a minor reduction was made to the pedestal width. The changes were positively received.

The Chair opened the floor to public comments.

Fane Lozman, Tony Eng, of 7901 Hispanola Avenue, Barry Smith, of 1601 Kennedy Causeway, Kevin Vericker, of 7520 Hispanola Avenue, Bunny Hart, of 7901 Hispanola Avenue, and Federico Fascetto, of 7901 Hispanola Avenue addressed the Board.

The Chair closed the public hearing.

Neisen Kasdin, Miguel Barbagallo, and Matthew Piccard participated in discussion with the Board.

Following discussion, Marvin Wilmoth made a motion to approve the Variance request. Bud Farrey seconded the motion, which was adopted by a 3-2 roll call vote. The vote was as follows: Bud Farrey, Reinaldo Trujillo, and Marvin Wilmoth all voting Yes. James Carter and Barry Beschel voted No.

4. BAY VIEW OVERLAY STANDARDS REVIEW, INCLUDING HEIGHT APPROVAL, PURSUANT TO SECTION 152.032(A)(3) OF THE NORTH BAY VILLAGE CODE OF ORDINANCES.

Village Planner Jim LaRue made a brief presentation on the item.

The Chair opened the floor to public comments and there were no speakers.

Marvin Wilmoth made a motion to approve the request to utilize the Bay View Overlay Standards for review of the project, including the height approval. Bud Farrey seconded the motion, which was adopted by a 5-0 roll call vote. The vote was as follows: Bud Farrey, Barry Beschel, Reinaldo Trujillo, James Carter, and Marvin Wilmoth all voting Yes.

5. A SPECIAL USE EXCEPTION PURSUANT TO SECTIONS 152.042(E) AND 152.098 OF THE NORTH BAY VILLAGE CODE OF ORDINANCES TO ALLOW UP TO TWENTY (20) PERCENT OF THE DEVELOPMENT'S REQUIRED PARKING SPACES TO BE DESIGNED SPECIFICALLY FOR COMPACT VEHICLES.

Village Planner Jim LaRue made a brief presentation on the request for 28 compact parking spaces.

Mr. Kasdin noted that while the use of the hotel may require self-parking, there can be valet parking.

The Chair opened the floor to public comments and there were no speakers.

Marvin Wilmoth made a motion to approve the Special Use Exception request for the compact parking spaces with the condition that the Site Plan for the project is approved. Barry Beschel seconded the motion, which was adopted by a 5-0 roll call vote. The vote was as follows: Bud Farrey, Barry Beschel, Reinaldo Trujillo, James Carter, and Marvin Wilmoth all voting Yes.

6. SITE PLAN APPROVAL PURSUANT TO SECTION 152.105(C)(9) OF THE NORTH BAY VILLAGE CODE OF ORDINANCES FOR DEVELOPMENT OF A 132-UNIT 22-STORY CONDOMINIUM HOTEL STRUCTURE WITH A PARKING GARAGE.

BUILDING HEIGHT BONUS REVIEW PURSUANT TO SECTION 152.029(C)(8)(A-F) OF THE NORTH BAY VILLAGE CODE OF ORDINANCES.

Village Planner Jim LaRue presented a favorable recommendation of the request.

The Chair opened the public hearing and there were no speakers.

Following discussion, Marvin Wilmoth made a motion to approve the Site Plan for development of a 132-unit, 25 story condominium hotel structure with a parking garage at 1755 Kennedy Causeway and Building Height Bonus Review, with the finding that the plan is consistent with the North Bay Village Comprehensive Plan, with the following conditions:

1. Dedication and recording of the public access easement and boardwalk prior to the issuance of a building permit.
2. Site plan approval from the Miami-Dade Shoreline Review Committee.
3. Meeting School Board Concurrency requirements as determined by School Board Staff.
4. Submittal of an irrigation plan which meets Miami-Dade Chapter 18A requirements.
5. Payment of bonus height fees, as required under Section 152.029(C)8A-8F.
6. Payment of any applicable impact fees.
7. Cost recovery charges must be paid pursuant to Section 152.110. Specifically, no new development application shall be accepted and no building permit or certificate of occupancy shall be issued for the property until all application fees, cost recovery deposits and outstanding fees and fines related to the property (including fees related to any previous development proposal applications on the property), have been paid in full.
8. Building permits and related approvals must be obtained from the Building Official prior to commencement of construction.
9. Approval of this site plan does not in any way create a right on the part of the applicant to obtain a permit from a state or federal agency, and does not create liability on the part of the Village for approval if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes action that results in a violation of federal or state law.

10. All applicable state and federal permits must be obtained before commencement of construction.

Barry Beschel seconded the motion, which was adopted by a 5-0 roll call vote. The vote was as follows: Bud Farrey, Barry Beschel, Reinaldo Trujillo, James Carter, and Marvin Wilmoth all voting Yes.

Bud Farrey seconded the motion, which was adopted by a 5-0 roll call vote. The vote was as follows: Bud Farrey, Barry Beschel, Reinaldo Trujillo, James Carter, and Marvin Wilmoth all voting Yes.

It was suggested that a report with the cumulative total of the traffic impact from all of the projects sbe prepared.

5. ADJOURNMENT

The meeting adjourned at 10:10 p.m.

*Prepared and submitted by: Yvonne P. Hamilton
Village Clerk*

*Adopted by the Planning & Zoning Board on
this ___ day of _____ 2014.*

Reinaldo Trujillo, Chair

(Note: The Minutes are summary of the proceeding.)