

OFF. 18271PG1999
REC.

**BEFORE THE BOARD OF ADJUSTMENT
OF THE CITY OF MIAMI BEACH, FLORIDA**

**MEETING DATE: AUGUST 7, 1998
FILE NO. 2651**

**IN RE: The application of
MR. & MRS. FRANK BUTTACAVOLI
5451 ALTON ROAD
LOT 2; BLOCK 13
LA GORCE GOLF SUB.; PB 14/43**

98R453425 1998 SEP 14 10:24

ORDER

The applicant, Mr. & Mrs. Frank Buttacavoli, filed an application with the Planning, Design and Historic Preservation Division for a variance in order to construct a one-car garage addition in the front of an existing single family residence, as follows:

1. A variance to waive 3' - 0" of the minimum required 20' - 0" front yard setback in order to construct the above mentioned one-car garage 17' - 0" from the front property line facing Alton Road.

Notice of the request for variance was given as required by law and mailed to owners of property within a distance of 375 feet of the exterior limits of the property on which application was made.

THE BOARD FINDS that the property in question is located in the RS-4 Zoning District.

THE BOARD FURTHER FINDS, based upon evidence, testimony, information and documentation presented to the Board, and portions of the staff report and recommendations, as applicable, which are incorporated herein by this reference, that with regard to the requested variance:

That 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 conditions and circumstances do not result from the action of the applicant;

That granting the variance requested will not confer on the applicant any special privilege that is denied by this Ordinance to other lands, buildings, or structures in the same zoning district;

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Mr. & Mrs. Frank Buttacavoli

5451 Alton Road

That literal interpretation of the provisions of this Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this Ordinance and would work unnecessary and undue hardship on the applicant;

That the variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure;

That the granting of the variance will be in harmony with the general intent and purpose of this Ordinance and that such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

IT IS THEREFORE ORDERED, by the Board, that the variance as requested and set forth above be APPROVED with the following conditions to which the applicant has agreed:

1. The landscape plan shall be redesigned, by a professional, to include foundation plantings along the south elevation of the new garage.
2. The south elevation of the proposed garage shall include decorative elements similar to the proposed front elevation of the garage and a detail of the overhead door for the golf cart entry shall also be provided.
3. *brick - ok JHS 2/25/2000*
The pre-cast concrete paver walkway along the south side of the house shall only be 3 feet wide, as permitted by the Zoning Ordinance.
4. Automobiles parked in the driveway leading to the front of the proposed garage shall be parked in a manner so as to not block the public sidewalk.
5. The applicant shall comply with the following, as required by the Public Works Department:
 - a. the removal and replacement of sidewalk/curb and gutter along Alton Road as necessary.
 - b. FDOT permit shall be required for the curb cuts.
6. The project, inclusive of compliance with the conditions prescribed, herein, shall be completed within eighteen (18) months of the date of this hearing.

Mr. & Mrs. Frank Buttacavoli
5451 Alton Road

RECORDED IN OFFICIAL RECORDS BOOK
OF DADE COUNTY, FLORIDA.
RECORD VERIFIED
HARVEY RUVIN
CLERK CIRCUIT COURT