

Fla. State Board of Health (see letter attached to application) on pool SP-252

PRINCE MICHAEL and --- 24 HOTEL RMS with 1 bath plans  
 Owner WENTWORTH APARTMENTS (Plans submitted) Permit No. 35764-36649  
 N.50' of Lot 2 & 11 Block 7 Subdivision M.D. IMPR. CO. Address 2618 Collins Avenue  
 S.50' of 3 & 10 OCEAN FRONT Bond No. 3226-01-076  
 General Contractor Jack Mintzer d/b/a J.S.M. CONTRACTORS Engineer Riley & Ross  
 Architect Roy F. France  
 Zoning Regulations: Use RE Area 15  
 Building Size: Front 218' Depth 90' Height 30'44'  
 Certificate of Occupancy No. Temp #1518 12/21/51 Use APARTMENT HOUSE - 33 units: 24 - 2 brms - 2  
 Type of Construction #2 CBS Foundation Concrete Piling\* Roof Flat 25x50 Date May 4, 1951  
 Foundation Cost \$ 100,000. ONLY \$ 150,000. 250,000 total. Approx. 598,197 cu.ft.

PLUMBING Contractor # 32142 Fixzit System \* Sewer Connection 2 - 6"\* Date Aug. 10, 1951  
 # 32477 Miami Station Inc. Fixzit Temporary Water Closet 2\* Oct. 16, 1951  
 Water Closets 101 Swimming Pool Traps  
 Lavatories 101 Steam or Hot Water Boilers 1 (\$5,000) Down Spouts 6  
 Bath Tubs 90 ROUGH APPROVAL Fire Standpipes 2  
 Showers 5 FINAL APPROVAL Tap-out 10/16/ 51 LR  
 Urinals 2 E. Cox 7-20-52  
 Sinks 35 & 4 sinks (slop)

Dish Washing Machine 1  
 Laundry Trays  
 Laundry Washing Machines  
 Drinking Fountains 4  
 Floor Drains 21  
 Grease Traps 1  
 Safe Wastes  
 GAS Contractor  
 Gas Ranges -----33  
 Gas Water Heaters  
 Gas Space Heaters  
 Gas Refrigerators  
 Gas Steam Tables 1  
 Gas Broilers  
 GAS Rough APPROVAL 10/22/1951 Rothman  
 GAS FINAL APPROVAL 12/20/1951 Rothman  
 Gas Frylators ----- 1  
 Gas Pressing Machine  
 Gas Vents for Stove

AIR CONDITIONING Contractor  
 SEPTIC TANK Contractor  
 OIL BURNER Contractor  
 SPRINKLER Contractor

ELECTRICAL Contractor #35044- Claude Southern Corp. Date Sept. 20, 1951  
 OUTLETS Switches 225 Ranges Temporary Service  
 Lights 360 Irons 33 Neon Transformers  
 Receptacles 437 Refrigerators 33 Sign Outlets 3  
 Fans  
 HEATERS Water 2 Motors 21, Centers of Distributions 18  
 Space Appliances Service 1  
 Radio 110 Violations  
 FIXTURES 360 Electrical Contractor Date

FINAL APPROVAL  
 By Meginniss  
 Date 12/20/1951

ALTERATIONS & ADDITIONS

#63861 Metropolitan Air Cond.: Repair floor of cooling tower - \$176 - Dec. 9, 1960

#63053 T & T Painting Co: Partial outside & inside painting - \$1400- Sept. 28, 1960

Building Permits:#37634 Five signs (1 roof sign reading "PRINCE MICHAEL"- 192 sq.ft.\$800.)(Two flat wall signs reading "PRINCE MICHAEL"- 160 sq.ft. \$600)( Two flat wall signs reading "M.P." 44 sq.ft. \$300..) Claude Southern Corp.,contr. \$1,700..12/ 6/51

#37674 Passenger Elevator -2,500 lbs. or 15 passengers-Eastern Elevator Co.,contr. \$12,750..Dec.12,1951

#37749 Remodeling for dining room as per Zoning Ordinance #289- Apt.-Hotel-Jack Mintzer \$ 1,000....Dec. 21, 1951

#37865 115 ton air condition- see plan #37653(plan for above same)-Roy F.France, arch: John Sasnett, engr: Jack Mintzer,contr. \$ 40,000....Jan. 18, 1952

#12523 Painting: Thomas Goddard: \$ 1,000:....Aug. 26, 1953

#57626 T&T Painting: Exterior Painting - \$1800 - Oct. 17, 1958

#61586 Amber Fuel Oil Co: Install 1-1000 gal fuel oil tank underground, No. side, Fire Report #2797 - \$300 - April 11, 1960

Plumbing Permits#32895 Fixzit Plumbing: 2 sinks, 1grease trap, 3 floor drains, 4 safe waste drains, 1 soda fountain, 1 gas range, 1 gas water heater, 1 steam table, 1 frylator- OK -L.Rothman 1/18/52 Jan. 18, 1952

Electrical Permits#35674 Claude Southern Corp: 18 neon transformers- Dec. 6, 1951 ok 5/8/52 PM

#35712 Eastern Elevator: 1 motor- 12/12/51

COASTAL CONTROL ZONE

CUMULATIVE COST OF CONSTRUCTION OF PERMITS ISSUED

DATE ISSUED	PROCESS NO.	DESCRIPTION OF WORK	WORK COST	CUMULATIVE WORK COST	APPRAISED BLDG. VALUE BEFORE REMODEL	%	COMMENTS	BUILDING PERMIT NO.
							<p align="center"><u>INSPECTION AND APPEAL PROCEDURE</u></p> <p>The following review process and appeal procedures are only applicable to violation notices that relate to units which have illegally installed kitchens and units which are below the minimum size established by the City. The South Florida Building Code, the Miami Beach Property Maintenance Standards, the Miami Beach Zoning Ordinance and Fire Codes remain in full force and effect.</p> <p>The Code Enforcement Officer will identify those buildings which have illegally installed kitchens and/or undersized units and issue the appropriate violation notice based upon the current standards as presented in the City's regulations. The Property Owner will be advised that he may seek a hearing pertaining to the undersized units and/or illegally installed kitchens before the Board of Adjustment. The Officer will suggest that he contact the Planning &amp; Zoning Department for purposes of filing the appeal. If an appeal is not filed or compliance not obtained within 90 days of the notice of violation and final order, a hearing before the Code Enforcement Board will be scheduled. If the appeal is filed within the 90-day period, then a hearing will be scheduled before the Board of Adjustment for its adjudication of the matter. The Planning &amp; Zoning Director, in formulating his recommendation to the Board of Adjustment, shall utilize the criteria below. Should the Board of Adjustment approve the appeal, then the owner will file an application with the Building Department for a building permit. Should the appeal be denied, then the owner will be required to comply with all applicable laws and codes.</p> <p align="center"><u>CRITERIA FOR RETENTION OF UNDERSIZED UNITS AND ILLEGALLY INSTALLED KITCHENS</u></p> <ol style="list-style-type: none"> <li>1. The Miami Beach Property Maintenance Standards, Miami Beach Zoning Ordinance (excluding unit size, density and kitchens), South Florida Building Code and Fire Codes shall be complied with based upon the current standards and regulations.</li> <li>2. Historic Structures - If the building is an historic structure, the exterior improvements (paint, windows, door, architectural detailing) shall substantially meet the design criteria as listed in the U.S. Secretary of Interior Standards for the Rehabilitation of Historic Structures prior to the City approving the units. The term "historic conforming structure" shall mean those buildings which are either contributing or conforming in architectural style, scale, setback, date of construction and/or historic association and/or are listed as such on the Historic Property Data Base as maintained by the Planning &amp; Zoning Department. Buildings which are not considered historic shall have facade improvements which are consistent with the architectural style in which they were designed.</li> <li>3. Density, Unit Size, Kitchens - The determination as to density, unit size and whether kitchens are permitted shall be based upon the room configuration and sizes permitted by the City. Data which is maintained on the City's Building card, Occupational Licenses, microfilm and other City records shall be utilized in determining the number of permitted units and kitchens. Appeal of the violation notice shall be to the Board of Adjustment under the procedures as set forth above.</li> <li>4. Length of Ownership, Number of Code Violations, Police and Fire Calls - How long a property has been owned by a</li> </ol>	

ATTACHMENT 1



AUGUST 12, 1988

ANALYSIS

The following is the Department's analysis based upon the criteria listed in the Inspection and Appeal Process:

<u>CRITERIA</u>	<u>ANALYSIS</u>
1. Codes	<u>Consistent</u> - On March 28, 1985, 29 violations, mostly of a minor nature, were cited. These deficiencies were subsequently corrected and the case closed on October 2, 1985. No current violations exist other than those which are the subject of this variance request.
2. Historic Structure	<u>Not Consistent</u> - This building, constructed in 1951, is not considered to be a historic structure
3. Density	<u>Not Consistent</u> - The Density is 183 units/acre. The existing density of 183 units/acre exceeds the allowable density of 140 units/acre by 30%. All 90 units are below the 400 sq. ft. minimum.
4. Length of Ownership History of Code Violations Police Activity Fire Inspection	<u>Consistent</u> - The applicant has been owner of the subject property for approximately 16 months. The building has no serious history of code violations, and previous violations were removed in a sufficient and timely manner. The most recent fire inspection, on February 6, 1987, found 15 violations primarily involving lack of fire rated doors, self-closing hardware, and other deficiencies involving exits. It should be noted that these violations were issued prior to the current owners' purchase, and all violations have since been corrected. Police activity at the subject property for the past year indicates 32 calls, including 10 reports of suspicious persons, 3 disturbances, 1 burglary, 1 theft and 1 auto theft.
5. Minimum Unit Size	<u>Not Consistent</u> - All the units are below 400 square feet minimum. The average unit size is 286.45 sq. ft.

AUGUST 12, 1988

<u>CRITERIA</u>	<u>ANALYSIS</u>
6. Dade County Unsafe Structures Board	<u>Consistent</u> - This building is not under order of the Dade County Unsafe Structures Board.
7. Vacant, Closed or of Non-Conforming Status	<u>Not Consistent</u> - The building is currently occupied, but is otherwise non-conforming.
8. Date of Acquisition	<u>Consistent</u> - The owner's application indicates the property was acquired in March, 1987. This was prior to the September 16, 1987 initiation of the City-wide Code Enforcement program.

SUMMARY OF RECOMMENDATION

As the applicant has substantially complied with the above criteria, it is recommended that the variances be approved with the following conditions:

1. The applicant shall submit plans for a building permit which shall be approved by the Planning & Zoning Department prior to the issuance of the permit and the completed project prior to the issuance of a Certificate of Completion or Occupational License. The building permit application is for the following work:
  - a. A detailed landscape plan shall be submitted. The plan shall include, but not be limited to:
    - (1) Clearing and replanting of the cut lots along Indian Creek, and
    - (2) Planting of raised beds in front of the building.
    - (3) The landscape plan and installed materials shall be approved prior to the issuance of a Certificate of Occupancy;
  - b. All neon signage to be in working order;
  - c. Repaint front (east) facade and appropriate portions of the west facade;
  - d. Repaint logo/sign and area around said sign on south facade.

Attachments

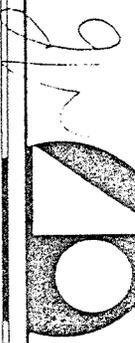
JK:CH:asm  
Variance 2

cc: Harold Rosen



# CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH FLORIDA 33139



DEPARTMENT OF PLANNING

CITY HALL  
1700 CONVENTION CENTER DRIVE  
TELEPHONE: 673-7550

## BOARD OF ADJUSTMENT

### SUMMARY

FRIDAY, NOVEMBER 4, 1988 -9:00 A.M.  
1700 Convention Center Drive  
Commission Chambers -Third Floor  
Miami Beach, Florida 33139

BUILDING DEPARTMENT  
NOV 23 PM 2:56

FILE NO. 1912-A

17084

AVENUE HOTEL CORP., A FLORIDA CORPORATION  
2618 COLLINS AVENUE  
NORTH 50 FT. OF LOTS 2 and 11 and the  
SOUTH 50 FT. OF LOTS 3 and 10; BLOCK 7  
AMENDED IN PLAT OCEANFRONT PROPERTY; PB 5/7&8

JAM  
NOV 23 1988

### "AFTER THE FACT"

### "APPEAL FROM ADMINISTRATIVE DECISION"

THIS CASE WAS DEFERRED BY THE BOARD FROM ITS MEETING OF AUGUST 19, 1988.

THE APPLICANT IS APPEALING AN ADMINISTRATIVE DECISION THAT THE SUBJECT PROPERTY SHALL CONSIST OF 57 UNITS (24 HOTEL ROOMS AND 33 APARTMENTS). THE APPLICANT REQUESTS THE BOARD APPROVE 90 UNITS (57 HOTEL ROOMS WITHOUT KITCHENS AND 33 HOTEL ROOMS WITH KITCHENS). THIS APPEAL IS PURSUANT TO THE RULES AND PROCEDURES OF A RESOLUTION APPROVED BY THE CITY COMMISSION.

APPLICANT REQUESTS THE BOARD APPROVE THE RETENTION OF 66 HOTEL ROOMS THAT DO NOT MEET THE MINIMUM REQUIRED 400 SQ. FT. OF FLOOR AREA AND THE RETENTION OF KITCHENS WHICH WERE INSTALLED WITHOUT BUILDING PERMITS IN 33 OF THOSE 66 ROOMS. (THESE ROOMS WERE CREATED AS PART OF AN ILLEGAL CONVERSION OF 33 APARTMENTS INTO 66 HOTEL ROOMS).

The Board GRANTED THE APPEAL for a six month extension of time in which to complete the work and comply with all conditions as required by Variance #1843, first heard on September 11, 1987 and an Appeal of Administrative Decision (File #1912) heard on August 19, 1988 which was reset to be heard on November 4, 1988. A building permit for all work must be obtained by January 4, 1989 and all work including all the repair to the seawall must be completed within six months or the variance and appeal will become null and void.

BUILDING PERMITS: #M8801317 - Airstron Inc. - 1 9800 Cooling towers - 8-9-88 *OK*  
#M8900639 - Airstorn Inc. - A/C central replacement of 3-20ton a/c units - 5-2-89 *OK*

ELECTRICAL PERMITS: #BE891724 - Metro Electric - New smoke detectors (90) - 9-25-89 *OK*





## ALTERATIONS & ADDITIONS

### Building Permits:

#1970-/Belcher Oil Co.- 2 Hot Water Boilers-Hotel.-\$1200-3-14-72

#2146-Sun State Air Cond- 60 Tons Air Cond. Central-\$19,000-7-12-72

#01858-Abbott Roofing Co.-Re-roofing-\$7850-10-3-72

#3460-Parks & Thompson Inc.- 15ton central a/c-\$5400-1-13-76

M04220-Parks Thompson-replace water tower and condenser-\$9100-8-16-78

#14099-A C Gonzalez-Outside painting-\$2000-11-1-78

#M08047 4/18/86 Acme Chute Co - trash chute repair

#M08047 4/18/86 Acme Chute Co - trash chute repair

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Plumbing Permits: #49337-Serota Plumbing- 54 Sink, Residence; 20 Gas Outlets-8-16-72

#53955-Sally Rapkin- pool piping-7-30-76

#60583-Silver Plumbing- general repairs-3-16-77

#60597-Weather Tight Co.- 3" domestic well-3-21-77

#57681-Felix Fera Plumbing- converting oil to gas-9-19-79

#57958- S and R Plumbing- 1 boiler-12-4-79

#58041-Peoples Gas System- 1 meter set(gas)12-31-79

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### Electrical Permits:

#72299-Ocean Electric- Fire alarm system; 6 sirens; 8 pulls; 1 master-5-30-75

#72846-Foster Electric- 2 pump motors 0-1HO; 1 15ton a/c-1-12-76

#74934-Chino Electric- 1 motor 3 HP, 1 motor 5HP-8-16-78

Owner \_\_\_\_\_ Permit No. \_\_\_\_\_ Cost \_\_\_\_\_  
 Lot \_\_\_\_\_ Block \_\_\_\_\_ Subdivision \_\_\_\_\_ Address \_\_\_\_\_  
 General Contractor \_\_\_\_\_ Bond No. \_\_\_\_\_  
 Architect \_\_\_\_\_ Engineer \_\_\_\_\_  
 Zoning Regulations: \_\_\_\_\_ Use \_\_\_\_\_ Area \_\_\_\_\_ Lot Size \_\_\_\_\_  
 Building Size: \_\_\_\_\_ Front \_\_\_\_\_ Depth \_\_\_\_\_ Height \_\_\_\_\_ Stories \_\_\_\_\_  
 Certificate of Occupancy No. \_\_\_\_\_ Use \_\_\_\_\_

Type of Construction \_\_\_\_\_ Foundation \_\_\_\_\_ Roof \_\_\_\_\_ Date \_\_\_\_\_  
 PLUMBING Contractor \_\_\_\_\_ Sewer Connection \_\_\_\_\_ Date \_\_\_\_\_  
 Temporary Water Closet \_\_\_\_\_  
 Water Closets \_\_\_\_\_ Swimming Pool Traps \_\_\_\_\_ Down Spouts \_\_\_\_\_  
 Lavatories \_\_\_\_\_ Steam or Hot Water Boilers \_\_\_\_\_ Wells \_\_\_\_\_  
 Bath Tubs \_\_\_\_\_  
 Showers \_\_\_\_\_ ROUGH APPROVAL \_\_\_\_\_  
 Urinals \_\_\_\_\_ FINAL APPROVAL \_\_\_\_\_  
 Sinks \_\_\_\_\_

Dish Washing Machine \_\_\_\_\_ Date \_\_\_\_\_  
 Laundry Trays \_\_\_\_\_ Gas Frylators \_\_\_\_\_  
 Laundry Washing Machines \_\_\_\_\_ Gas Pressing Machine \_\_\_\_\_  
 Drinking Fountains \_\_\_\_\_ Gas Vents for Stove \_\_\_\_\_  
 Floor Drains \_\_\_\_\_  
 Grease Traps \_\_\_\_\_ GAS Rough APPROVAL \_\_\_\_\_  
 Safe Wastes \_\_\_\_\_ GAS FINAL APPROVAL \_\_\_\_\_

AIR CONDITIONING Contractor \_\_\_\_\_  
 SEPTIC TANK Contractor \_\_\_\_\_  
 OIL BURNER Contractor \_\_\_\_\_  
 SPRINKLER Contractor \_\_\_\_\_

ELECTRICAL Contractor \_\_\_\_\_ Date \_\_\_\_\_  
 Switches \_\_\_\_\_ Ranges \_\_\_\_\_ Temporary Service \_\_\_\_\_  
 OUTLETS Lights \_\_\_\_\_ Irons \_\_\_\_\_ Neon Transformers \_\_\_\_\_  
 Receptacles \_\_\_\_\_ Refrigerators \_\_\_\_\_ Sign Outlets \_\_\_\_\_  
 Fans \_\_\_\_\_ Meter Change \_\_\_\_\_  
 Motors \_\_\_\_\_ Centers of Distributions \_\_\_\_\_  
 HEATERS Water \_\_\_\_\_ Appliances \_\_\_\_\_ Service \_\_\_\_\_  
 Space \_\_\_\_\_ Violations \_\_\_\_\_  
 FIXTURES \_\_\_\_\_ Electrical Contractor \_\_\_\_\_ Date \_\_\_\_\_

FINAL APPROVAL  
 By \_\_\_\_\_ Date \_\_\_\_\_  
 Alterations or Repairs—Over \_\_\_\_\_

5. FILE NO. 1843

17089

AVENUE HOTELS CORPORATION

2618 COLLINS AVENUE

THE NORTH 50' OF LOTS 2 & 11

AND THE SOUTH 50' OF LOTS 3 & 10;

BLOCK 7; AMENDED PLAT OCEANFRONT PROPERTY

PB 5/7&8

NOV 5 1987

APPLICANT WISHES TO AMEND THE CONDITION THAT THE BULKHEAD ALONG THEIR OUTLOTS ON INDIAN CREEK BE REPAIRED/REPLACED PRIOR TO THE ISSUANCE OF A BUILDING PERMIT AND AN OCCUPATIONAL LICENSE. (THIS WAS A CONDITION IMPOSED BY THE BOARD IN CONNECTION WITH THE GRANTING OF VARIANCES FOR THE OPERATION OF A RESTAURANT).

THE APPLICANT IS REQUESTING A TWO-YEAR TIME LIMIT FROM THE DATE A PERMIT AND LICENSE ARE ISSUED TO COMPLY WITH SAID CONDITION.

Approved. Applicant to repair or replace bulkhead within six (6) months of obtaining a Certificate of Occupancy for the restaurant.

Mr. Bob Blum has been designated as the Board's representative. Construction to begin by March 31, 1988. Permit to be obtained within 60 days of this meeting.

COASTAL CONTROL ZONE  
CUMULATIVE COST OF CONSTRUCTION OF PERMITS ISSUED

DATE	PROCESS	DESCRIPTION	WORK COST	CUMULATIVE	APPRAISED BLDG.	PERMIT NO.

ISSUED NO.	OF WORK	COST	WORK COST	VALUE BEFORE REMODEL %	COMMENTS

This case is scheduled to be heard at the November 4, 1988 meeting.

Discussion regarding offer by owners of the Prince Michael to donate the outlots on Indian Creek to the City.

FILE NO. 1912      AVENUE HOTEL CORP., A FLORIDA CORPORATION  
 17089              2618 COLLINS AVENUE

The following matters were also discussed:

OCT. 7, 1988

# CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH FLORIDA 33139



DEPARTMENT OF PLANNING

17089

CITY HALL  
1700 CONVENTION CENTER DRIVE  
TELEPHONE: 673-7550

TO: CHAIRMAN & BOARD MEMBERS  
ZONING BOARD OF ADJUSTMENT

AUGUST 12, 1988

FROM: JUD KURLANCHEEK  
PLANNING & ZONING DIRECTOR *JK*

SUBJECT: PLANNING DEPARTMENT RECOMMENDATION: AUGUST 19, 1988 MEETING

FILE NO. 1912 AVENUE HOTEL CORP., A FLORIDA CORPORATION  
2618 COLLINS AVENUE  
NORTH 50 FT. OF LOTS 2 and 11 and the  
SOUTH 50 FT. OF LOTS 3 and 10; BLOCK 7  
AMENDED IN PLAT OCEANFRONT PROPERTY; PB 5/7&8

## BACKGROUND

On September 16, 1987, the City Commission adopted the attached Inspection and Appeal Process which is to be used by the Board of Adjustment in reviewing violation notices that relate to units which have illegally installed kitchens, are below the minimum size established by the City, or exceed density limitations. In the majority of cases, these occurred several years ago, when purchasers of property were unaware that these problems existed in the building. The purpose of this procedure is to resolve the violations. (See attachment 1 for a copy of the Inspection and Appeal Process.)

The applicant is appealing an Administrative Decision which limited the subject property to a maximum of 57 units (24 hotel rooms and 33 apartments). The building was originally constructed in 1951 as a 57 unit residential building, with 33 apartments and 24 hotel rooms. At some point after the original construction, the 33 apartment units were illegally converted to 66 hotel rooms while the kitchens were retained in the 33 units. The applicant is now requesting retention of a total of 90 units, 57 hotel rooms without kitchens and 33 hotel rooms with kitchens.

BOARD OF ADJUSTMENT SUMMARY

AUGUST 19, 1988

6. FILE NO. 1912

17089

AVENUE HOTEL CORP., A FLORIDA CORPORATION

2618 COLLINS AVENUE

NORTH 50 FT. OF LOTS 2 and 11 and the

SOUTH 50 FT. OF LOTS 3 and 10; BLOCK 7

AMENDED IN PLAT OCEANFRONT PROPERTY; PB 5/7&8

"AFTER THE FACT"

"APPEAL FROM ADMINISTRATIVE DECISION"

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DEFERRED by the Board to the meeting of November 4, 1988.

CUMULATIVE COST OF CONSTRUCTION OF PERMITS ISSUED

COASTAL CONTROL ZONE

ISSUED NO.	OF WORK	COST	WORK COST	VALUE BEFORE REMODEL %	COMMENTS	PERMIT NO.
DATE	DESCRIPTION	WORK	CUMULATIVE	APPRAISED BLDG.		BUILDING

5. FILE NO. 1843

17089

AVENUE HOTELS CORPORATION  
2618 COLLINS AVENUE  
THE NORTH 50' OF LOTS 2 & 11  
AND THE SOUTH 50' OF LOTS 3 & 10;  
BLOCK 7; AMENDED PLAT OCEANFRONT PROPERTY  
PB 5/7&8

SEP 11 1987

APPLICANT REQUESTS THE FOLLOWING VARIANCES IN ORDER TO OPERATE A RESTAURANT IN A BUILDING THAT CONTAINS LESS THAN THE MINIMUM REQUIRED 100 UNITS:

1. Applicant wishes to waive Section 7-3B.5. that requires an apartment/hotel building to contain at least 100 units to qualify for the operation of an accessory use, and instead, be permitted to operate a restaurant in this building that contains 57 units (24 hotel rooms and 33 apts.).
2. Applicant wishes to waive all of the required 19 off-street parking spaces for the operation of the above mentioned restaurant with 75 seats.

The variance was approved with the stipulation that the following conditions be complied with prior to the issuance of a building permit:

1. The applicant shall repair and/or replace the bulkhead along their outlots on Indian Creek. Plans for a building permit shall include these improvements and an Occupational License for the restaurant shall not be issued until they are completed;
2. The outlots shall be cleaned of debris. The Department shall determine which shrubs and/or trees will be removed and the balance of the area shall be re-sodded and an irrigation system installed. The intent of these improvements is to create a well-maintained lawn with palm trees on this highly visible arterial. A landscape plan shall be approved by the Department prior to the issuance of a building permit and the improvements approved by the Department prior to the issuance of an Occupational License for the restaurant. The applicant and/or property owner shall receive a credit based upon the value of improvements listed in Items #1 & 2 towards the parking impact fee; and,

FILE .  
AVENUE  
2618 COLLINS AVENUE

3. The applicant and successors shall contribute an amount of money equivalent to the purchase of 9.5 parking decals (cash in lieu of parking decal program) on an annual basis. The first and subsequent direct payments to the City shall be received annually on the anniversary date that the Certificate of Occupancy for the seats was received. Funds generated through the receipt of the cash in lieu of decal program shall be placed in a City account entitled, "Mid-Collins Avenue Improvement Account", which is dedicated towards the construction of improvements in the vicinity of the site and consistent with the Department's neighborhood plan for this area.

4. Provide proper garbage facilities.

5. Provide proper grease interceptor.