



BOARD OF ADJUSTMENT MEETING NOTICE

Date: March 1st, 2024

A Public Hearing will be held before the Board of Adjustment on: **WEDNESDAY, MARCH 13TH, 2024 AT 6:00 P.M.**

This meeting will be held in-person at: Development Services Department (Lobby) 700 NW 19th Avenue, Fort Lauderdale, Florida 33311 to determine whether the following application should be granted. To view more information about this item, please visit: www.fortlauderdale.gov/government/BOA

CASE:	PLN-BOA-24020004
OWNER:	FL-5 HOLDINGS LLC
AGENT:	ANDREW SHEIN, ESQ
ADDRESS:	1460 SW 23 ST, FORT LAUDERDALE, FL 33315
LEGAL DESCRIPTION:	PARCEL "A", MARINA LANDINGS, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 183, PAGE 601, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA. (SEE SURVEY).
ZONING DISTRICT:	RD-15 - RESIDENTIAL SINGLE FAMILY AND DUPLEX/MEDIUM DENSITY
COMMISSION DISTRICT:	4
REQUESTING:	<u>Sec. 47-22.3. G- Ground sign</u>

- Requesting a variance to permit a ground sign in the RD-15 zoning district, whereas ULDR Section 47-22.3. G. does not permit ground signs in the RD-15 zoning district to permit a ground sign at a height of 9'- 6", whereas ULDR Section 47.22.3.G limits ground signs to 5' in height.

To watch and listen to the meeting, please visit:
<https://www.fortlauderdale.gov/government/BOA> OR
www.youtube.com/cityoffortlauderdale

If you have any questions, please feel free to contact me directly at 954-828-6342.

MOHAMMED MALIK
ZONING ADMINISTRATOR

Florida Statutes, Sec. 286.0105

NOTE: If any person decides to appeal any decision made with respect to any matter considered at this public meeting or hearing, he/she will need a record of the proceedings, and for such purpose, he/she may need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based.




PLN-BOA-24020004

LEGEND

-  Municipal Boundary
-  Subject Site

N



0 100 200
US Feet

CASE: PLN-BOA-24020004

Sec. 27-22.3. G. – GROUND SIGN

Ground sign. Ground signs may be used in any zoning district, except RS-4.4, RS-8 and RD-15, where permitted by ordinance. Such signs may not exceed five (5) feet in height and may not be installed in such a manner that a total height of eight (8) feet above natural grade is exceeded. Ground signs shall conform to size specifications as shown in subsection E.1. Ground signs shall have a minimum setback of five (5) feet from the front property line and a minimum of five (5) feet from interior side property line. Such signs in RC-15, RM-15, RML-25, RMM-25 and RMH-25 zones shall not exceed twenty-four (24) square feet. Such signs shall not be located within the twenty-five-foot sight triangle as described in this section.

Record

Showing 1-35 of 35

<input type="checkbox"/>	Record_Permit_or Acco nt #	Record Descr pt on	Appl cat on Name	Record Type	Balance	Planner Name	treet #	D r	treet Name e	Type	Un t # (start)	tat s
<input type="checkbox"/>	BE24020184	NEIGHBOR BELIEVES THEY ARE REMOVING MORE TREES TH...		Building Cod Cas		L onardo Martin z	1460	SW	23	ST	COMM	Clos d e
<input type="checkbox"/>	PLN-BOA-24020004		Marina Landings	Z- Board of Adjustm nt (BOA)	0		1460	SW	23	ST	COMM	Op n
<input type="checkbox"/>	ENG-USR-24020001	1460 SW 23 ST	1460 SW 23 ST	Utility S rvic R qu st	0		1460	SW	23	ST	COMM	Op n
<input type="checkbox"/>	ENG-USR-24020002	1460 SW 23 ST	1460 SW 23 ST	Utility S rvic R qu st	0		1460	SW	23	ST	COMM	Op n
<input type="checkbox"/>	BE23120089	THE WARNIG HORN ON THE CONSTRUCTION EQUIPMENT (LO... e		Building Cod Cas		Mary Rich	1460	SW	23	ST	COMM	Clos d
<input type="checkbox"/>	ELE-COM-23120017	ELECTRICAL FOR BLD-FEN-23110013	MARINA LANDINGS	El ctrical Comm rcial P rmit e	0		1460	SW	23	ST e		Issu d
<input type="checkbox"/>	ENG-STRM-23120002 e	ROW - Stormwat r P rmit	MARINA LANDINGS e	ROW Stormwat r P rmit	0		1460	SW	23	ST	COMM	P nding Iv
<input type="checkbox"/>	ENG-MOT-23110025	MOT FOR BLD-SITWORK-23060002	BLD-SITWORK-23060002	ROW Maint nanc of Traffic P rmit	0		1460	SW	23	ST	COMM	Awaiting C
<input type="checkbox"/>	ENG-MOT-23110026 e	MOT FOR BLD-SITWORK-23060002 e	BLD-SITWORK-23060002 e	ROW Maint nanc of Traffic P rmit e	0		1460	SW	23	ST	COMM	Awaiting C
<input type="checkbox"/>	TAM-MOT-23110069	TAM-MOT e	Marina Landings TAM-MOT	Maint nanc of Traffic Application	0	Francyn Webb r	1460	SW	23 e	ST	COMM	Awaiting C
<input type="checkbox"/>	TAM-MOT-23110070		Marina Landings TAM-MOT	Maint nanc of Traffic Application	0	Francyn Webb r	1460	SW	23	ST	COMM	Compl t
<input type="checkbox"/>	TAM-MOT-23110071 e		Marina Landings TAM-MOT	Maint nanc of Traffic Application	0	Francyn Webb r	1460	SW	23	ST	COMM	Compl t
<input type="checkbox"/>	TAM-MOT-23110072		Marina Landings TAM-MOT e	Maint nanc of Traffic Application e	0	Francyn W bb r e	1460	SW	23	ST	COMM	Disapprov
<input type="checkbox"/>	LND-TREE-23110502 e	R c'vd cashi r ch ck #459825 \$22,698.00 SPECIMEN ... e	Sp cim n Tr R moval e	Landschap Tr R moval-R location P rmit e	0		1460	SW	23	ST	COMM	Issu d e
<input type="checkbox"/>	ELE-LV-23110012	ELECTRICAL FOR BLD-FEN-23110013	MARINA LANDINGS	El ctrical Low Voltag P rmit	0 e		1460	SW	23	ST		Void
<input type="checkbox"/>	BLD-FEN-23110022	ELECTRICAL APP FOR ENTRY GATES e	MARINA LANDINGS	F nc P rmit	0		1460	SW	23	ST		Void
<input type="checkbox"/>	ELE-COM-23110029 e	ELECTRICAL FOR ENTRY GATES	MARINA LANDINGS	El ctrical Comm rcial P rmit e	0 e		1460 e	SWe	23 e	STe		Void e
<input type="checkbox"/>	BLD-FEN-23110013	Entry Gat s	MARINA LANDINGS	F nc P rmit	0		1460	SW	23	ST		Issu d e
<input type="checkbox"/>	TAM-MOT-23110019	TAM application for BLD-SITWORK-23060002 e	Marina Landings MOT/TAM	Maint nanc of Traffic Application e	0	Francyn W bb r e	1460	SW	23	ST		Void
<input type="checkbox"/>	BLD-SIGN-23110004 e	Entry F atur Monum nt Sign	MARINA LANDINGS ENTRY e	Sign P rmit	159 e		1460	SW	23	ST		Awaiting C
<input type="checkbox"/>	ENG-MOT-23110001 e	MOT FOR BLD-SITWORK-23060002 e		ROW Maint nanc of Traffic P rmit e	0		1460	SW	23	ST	COMM	Awaiting C
<input type="checkbox"/>	BLD-ACC-23100027	Entry Monum nt Sign	MARINA LANDINGS	Acc ssory Structur P rmit	0		1460	SW	23	ST		Void
<input type="checkbox"/>	ELE-COM-23100088	ELECTRIC FOR BLD-SIGN-23110004	MARINA LANDINGS	El ctrical Comm rcial P rmit	0		1460	SW	23	ST		P nding Iv
<input type="checkbox"/>	ENG-SITE-23100003 e	Sit pr p & rosion control FOR BLD-SITWORK-2306... e	MARINA LANDINGS	ROW Sit Pr p and Erosion Control P rmit e	0		1460	SW	23	ST		In Proc ss
<input type="checkbox"/>	ENG-SW-23100006	SIDEWALK & CURB PERMIT	MARINA LANDINGS	ROW Sid walk and Curb P rmit	0		1460 e	SWe	23 e	STe		Awaiting C
<input type="checkbox"/>	PLB-COM-23100023	Installation of 3 n w drainag w lls for n w 34 s...	Marina Landings - Drainag W... e	Plumbing Commercial P rmit	0 e		1460	SW	23	ST		Awaiting C
<input type="checkbox"/>	PLB-COM-23100006	INSTALL NEW SEWER AND WATER DISTRIBUTION SYSTEM	Marina Landings	Plumbing Comm rcial P rmit	5883.02 e		1460	SW	23	ST		Awaiting F
<input type="checkbox"/>	PLB-IRR-23100002	INSTALL COMMON AREA IRRIGATION AND 34 SINGLE FAMI... e	Marina Landings Irrigation (... e	Plumbing Irrigation P rmit	0		1460	SW	23	ST		Issu d
<input type="checkbox"/>	BLD-RDEM-23070023 e	Compl t d molition of singl family r sid nce	Marina Landings D mo SFR	R sid ntial D molition P rmit e	0		1460	SW	23	ST		Issu d
<input type="checkbox"/>	BLD-SITWORK-23060002	Sit work for paving, landscaping, piping, rosion...	Sit work only on land at 230...	Sit Work P rmit	0		1460	SW	23	ST		Awaiting C
<input type="checkbox"/>	LND-TREE-23060222	TREE REMOVAL FOR BLD-SITWORK-23060002-Total r pl... e	Tr R location and Tr R m... e	Landschap Tr R moval-R location P rmit	0 e		1460	SW	23	ST		Issu d
<input type="checkbox"/>	LND-INST-23060118 e	GENERAL LANDSCAPE FOR BLD-SITWORK-23060002 e	N w 34 singl family hom s l... e	Landschap Installation P rmit e	371 e		1460 e	SWe	23 e	STe		P nding Iv
<input type="checkbox"/>	ENG-SEW-22080011	SEWER FOR BLD-SITWORK-23060002	Marina Landings	ROW S w r P rmit	0		1460	SW	23	ST		P nding Iv
<input type="checkbox"/>	ENG-PAV-22060016	ROW PAVING FOR BLD-SITWORK-23060002	Construct 34 singl -family r...	ROW Paving P rmit e	0		1460	SW	23	ST		P nding Iv
<input type="checkbox"/>	ENG-WAT-22060006 e	WATER DISTRIBUTION FOR BLD-SITWORK-23060002 e	34 propos d singl -family r ... e	ROW Wat r P rmit	0 e		1460 e	SWe	23 e	ST e		In Proc ss



CITY OF FORT LAUDERDALE
PUBLIC NOTICE

BOARD OF ADJUSTMENT MEETING

DATE: MARCH 13, 2024

TIME: 6:00 PM

CASE: PLN-BOA-24020004

Sec. 47-22.3.G- Ground sign

• Requesting a variance to permit a ground sign at a height of 9'-6", whereas the code limits signs to 5' in height, a total variance request of 4.6 feet.

LOCATION: CITY COMMISSION CHAMBERS
CITY HALL, 100 N ANDREWS AVENUE

INFORMATION: CONTACT (954) 828-6506
<http://www.fortlauderdale.gov>

This Notice is the property of the City of Fort Lauderdale. In accordance with City Code Section 16-29, It shall be unlawful for any person to injure, cut, break or destroy in any manner any building or other thing belonging to or under the control of the City. Persons marring or removing the Notice may be subject to fine and/or imprisonment.

In accordance with City Code Section 47-27.2A. H The sign shall remain on the property until final disposition of the application. This shall include any deferral, rehearing, appeal, request for review or hearing by another body. The sign information shall be changed as provided in subsection A.3.a



Page 4: Sign Notification Requirements and Affidavit

SIGN NOTICE

Applicant must POST SIGNS (for Board of Adjustment) according to Sec. 47-27.2 Types of Public Notice and 47-27.9 Variance, Special Exception, Temporary Non-Conforming Use, Interpretation requires the following notice:

- Sign Notice shall be given by the applicant by posting a sign provided by the City stating the time, date, and place of the Public Hearing on such matter on the property which is the subject of an application for a development permit. If more than one (1) public hearing is held on a matter, the date, time, and place shall be stated on the sign or changed as applicable.
The sign shall be posted at least fifteen (15) days prior to the date of the public hearing.
The sign shall be visible from adjacent rights-of-way, including waterways, but excepting alleys.
If the subject property is on more than one (1) right-of-way, as described above, a sign shall be posted facing each right-of-way.
If the applicant is not the owner of the property that is subject of the application, the applicant shall post the sign on or as near to the subject property as possible subject to the permission of the owner of the property where the sign is located or, in a location in the right-of-way if approved by the City.
If the sign is destroyed or removed from the property, the applicant is responsible for obtaining another sign from the City and posting the sign on the property.
The sign shall remain on the property until final disposition of the application. This shall include any deferral, rehearing, appeal, request for review or hearings by another body. The sign information shall be changed as above to reflect any new dates.
The applicant shall, five (5) days prior to the public hearing, execute and submit to the department an affidavit of proof of posting of the public notice sign according to this section. If the applicant fails to submit the affidavit the public hearing will be postponed until the next hearing after the affidavit has been supplied.

AFFIDAVIT OF POSTING SIGNS

STATE OF FLORIDA

BROWARD COUNTY

BOA CASE NO. PLN-BOA-24020004

APPLICANT: Andrew J. Schein, Esq.

PROPERTY: 1460 SW 23rd Street

PUBLIC HEARING DATE: March 13, 2024

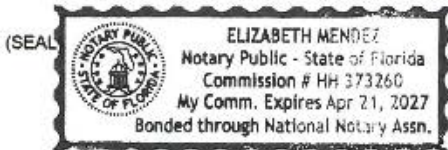
BEFORE ME, the undersigned authority, personally appeared Andrew J. Schein, who upon being duly sworn and cautioned, under oath deposes and says:

- Affiant is the Applicant in the above cited City of Fort Lauderdale Board or Commission Case.
The Affiant/Applicant has posted or has caused to be posted on the Property the signage provided by the City of Fort Lauderdale, which such signage notifies the public of the time, date and place of the Public Hearing on the application for relief before the Board or Commission.
That the sign(s) referenced in Paragraph two (2) above was posted on the Property in such manner as to be visible from adjacent streets and waterways and was posted at least fifteen (15) days prior to the date of the Public Hearing cited above and has remained continuously posted until the date of execution and filing of this Affidavit. Said sign(s) shall be visible from and within twenty (20) feet of streets and waterways, and shall be securely fastened to a stake, fence, or building.
Affiant acknowledges that the sign must remain posted on the property until the final disposition of the case before the Board or Commission. Should the application be continued, deferred, or re-heard, the sign shall be amended to reflect the new dates.
Affiant acknowledges that this Affidavit must be executed and filed with the Zoning & Landscaping Division five (5) calendar days prior to the date of Public Hearing and if the Affidavit is not submitted, the Public Hearing on this case shall be cancelled.
Affiant is familiar with the nature of an oath or affirmation and is familiar with the laws of perjury in the State of Florida and the penalties, therefore.

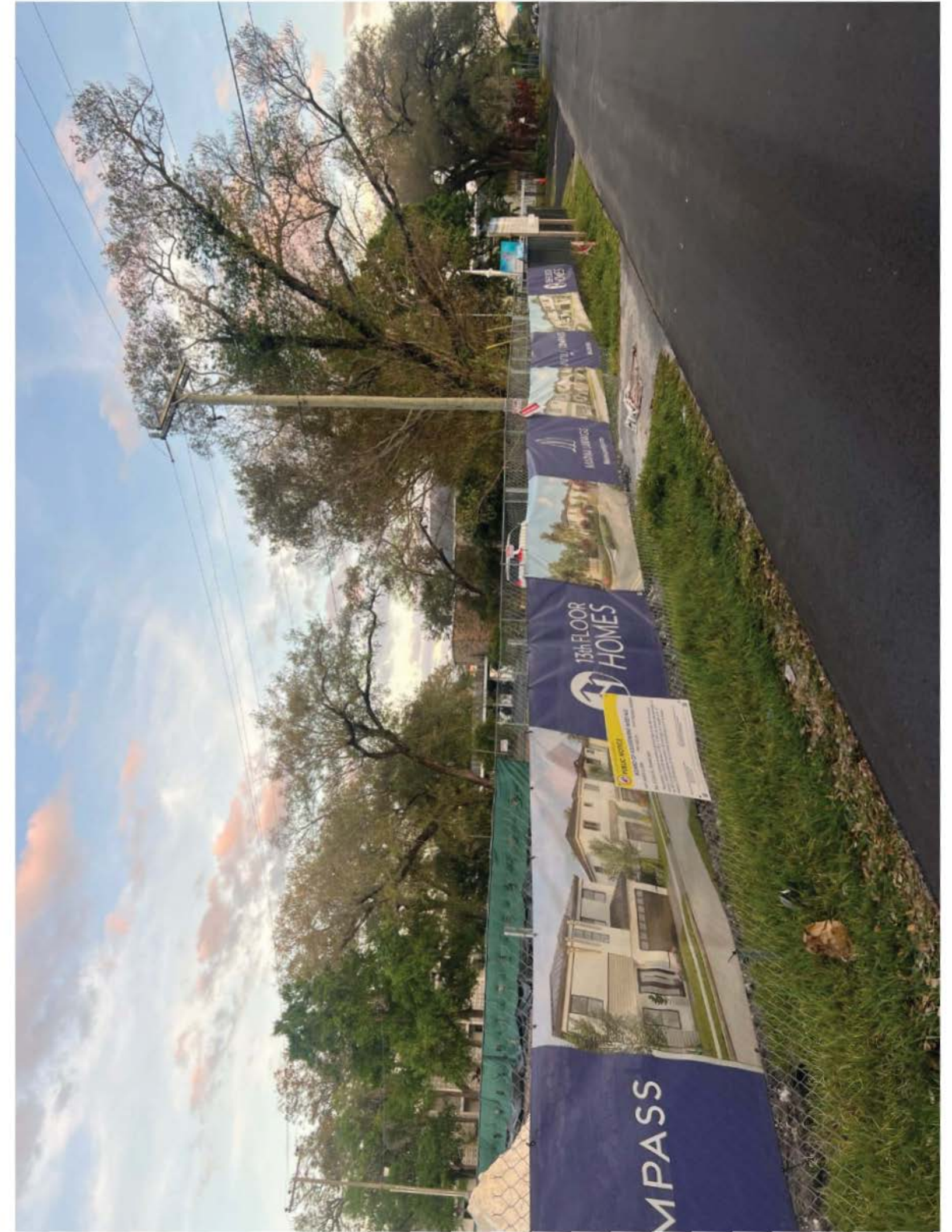
NOTE: I understand that if my sign is not returned within the prescribed time limit as noted in Sec. 47.27.2. of the City of Fort Lauderdale ULDR, I will forfeit my sign deposit. AS (initial here)

Affiant

SWORN TO AND SUBSCRIBED before me in the County and State above aforesaid this 20 day of Feb, 2024



Signature of Notary Public and text: NOTARY PUBLIC MY COMMISSION EXPIRES:



MPASS



13th FLOOR HOMES



LUXURY LIVING



NEW LIVES

PUBLIC NOTICE
13th FLOOR HOMES
13th Floor Homes is a new residential development located at 13th Street and Highway 1 in Miami, Florida. The project is currently under construction and is expected to be completed in late 2023. For more information, please contact us at 13thFloorHomes.com.





BOARD OF ADJUSTMENT (BOA) APPLICATION FORM

REV: 01/30/2024 APPLICATION FORM: BOA

GENERAL INFORMATION
BOARD OF ADJUSTMENT REVIEW PROCESS AND APPLICATION SUBMITTAL

BOARD OF ADJUSTMENT MEETING REQUEST: Prior to the submittal of the Board of Adjustment application, applicants are required to schedule a meeting request with Zoning and Landscaping Division staff to obtain feedback regarding the proposed variance, special exception, or other applications. The meeting includes general guidance on the submittal and process for the application type. To request a meeting with staff, [email request to the Board of Adjustment](#).

APPLICATION DEADLINE: Submittals must be received by 5:00 PM each business day. Pursuant to Section 47-24.12, the Department will review all applications to determine completeness within five (5) business days. Applicants will be notified via e-mail if application, survey, plans and other documentation do not meet the submittal requirements and if changes are required. The applicable [Meeting Dates and Deadlines](#) can be found on the City's website at the Board of Adjustment webpage. Staff will provide guidance once an application has been submitted to the City.

ONLINE SUBMITTAL PROCESS: Submittals must be conducted through the [City's online citizen access portal and payment of fees LauderBuild](#). LauderBuild requires the creation of an online account to submit a complete application. To access submittal requirements and standards please visit the [LauderBuild Plan Room](#). Staff will provide guidance once an application has been submitted to the City.

DETERMINATION OF COMPLETENESS: Submittals are reviewed for completeness to ensure the application submittal contains all the required information including plans, survey, proof of ownership, narratives, and other pertinent documentation. The City will notify the applicant within five (5) business days from submittal with a determination of completeness. The notification will be sent via email and will indicate application completeness or incompleteness with required changes. [BOA Flow Chart](#)

PAYMENT OF FEES: All applications for development permits are established by the City Commission, as set forth by resolution and amended from time to time. In addition to the application fee, any additional costs incurred by the City including review by a consultant on behalf of the City, or special advertising costs shall be paid by the applicant. Any additional costs, which are unknown at the time of application, but are later incurred by the City, shall be paid by the applicant prior to the issuance of a development permit. Applicants will receive invoices electronically indicating the applicable fee(s). Note, there are fees at various stages of review depending on application type. All Fees are paid online.

PUBLIC SIGN NOTICE: Board of Adjustment (BOA) application, and certain applications are subject to public sign notice. Affidavits must be completed and submitted to the city stated compliance that such has been completed. The affidavit form can be found in this package on page 4 and on the City's website.

EXAMPLE VARIANCE SUBMITTAL
Click to access the Board of Adjustment (BOA) page to view previous [Board of Adjustment \(BOA\) agendas, case backup, minutes and results](#).

QUESTIONS: Questions regarding the Board of Adjustment process or LauderBuild, contact us by phone or email at: boardofadjustment@fortlauderdale.gov
Phone: 954-828-6520, Option 5

INSTRUCTIONS: The following information is required pursuant to the City's Unified Land Development Regulations (ULDR). The Board of Adjustment application form must be filled out accurately and all applicable sections must be completed. Complete the sections indicated for application, type N/A for those section items not applicable. Select the application type below and complete entire application form.

Application Type	(Select the application type from the list below and complete pages 1-4 of the application form)	FEES
<input checked="" type="radio"/>	Requesting a Variance/Special Exception/Interpretation (Before)	\$2,332
<input type="radio"/>	Requesting a Variance/Special Exception/Interpretation (After)	\$2,968
<input type="radio"/>	Requesting Variance/Special Exception/Interpretation for Residential Accessory Structures & Existing Non-Conforming Structures (Homesteaded Only) (Before)	\$689
<input type="radio"/>	Requesting a Variance/Special Exception/Interpretation for Residential Accessory Structures & Existing Non-Conforming Structures (Homesteaded Only) (After)	\$901
<input type="radio"/>	Request for Continuance	\$954
<input type="radio"/>	Request for Rehearing	\$318
<input type="radio"/>	Rehearing Request before the board	\$1,219

Page 1: BOA - Applicant Information Sheet

INSTRUCTIONS: The following information is required pursuant to the City's Unified Land Development Regulations (ULDR). While the information requested in this application is the minimum required to proceed please be aware additional information may be required to fully address the variance(s) and/or special exception(s) requested. The application form must be filled out accurately and all applicable sections must be completed. Please print or type and answer all questions. Do Not leave any sections Blank. Indicate N/A if a question does not apply.

Case Number	
Date of complete submittal	

NOTE: For purpose of identification, the **PROPERTY OWNER** is the **APPLICANT**

Property Owner's Name	FL-5 Holdings LLC
Property Owner's Signature	<small>If a signed agent letter is provided, no signature is required on the application by the owner.</small>
Address, City, State, Zip	330 SW 2nd Street, Suite 110, Fort Lauderdale, FL 33312
E-mail Address	LMassel@13fi.com
Phone Number	954-656-6733
Proof of Ownership	<input checked="" type="checkbox"/> Warranty Deed_or <input type="checkbox"/> Tax Record

NOTE: If **AGENT** is to represent **OWNER**, notarized letter of consent is required

Applicant / Agent's Name	Andrew J. Schein, Esq. as agent for the Owner - Florida Bar No. 125742
Applicant / Agent's Signature	
Address, City, State, Zip	699 N. Federal Highway, Suite 400, Fort Lauderdale, FL 33304
E-mail Address	ASchein@lochriellaw.com
Phone Number	954-617-8919
Agent Authorization Form Submitted	<input type="checkbox"/> Not required pursuant to ULDR Section 47-24.12.A.2.b

include ANY Related code case/permit #	
Existing / New	Existing: <input type="checkbox"/> New: <input checked="" type="checkbox"/>
Project Address	Address: 1460 SW 23rd Street
Legal Description	Parcel "A", MARINA LANDINGS, according to the plat thereof as recorded in Plat Book 183, Page 601, of the public records of Broward County, Florida.
Tax ID Folio Numbers <small>(For all parcels in development)</small>	504216560010
Variance/Special Exception Request <small>(Provide a brief description of your request)</small>	To permit a ground sign in the RD-15 zoning district, where ULDR Section 47-22.3.G does not permit ground signs in the RD-15 zoning district To permit a ground sign at a height of 9' - 6", where ULDR Section 47-22.3.G limits ground signs to 5' in height.
Applicable ULDR Sections <small>(Include all code sections)</small>	47-22.3.G

Current Land Use Designation	Medium Residential
Current Zoning Designation	RD-15
Current Use of Property	Vacant
Site Adjacent to Waterway	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Setbacks (indicate direction N, S, E, W)		Required	Proposed
Front	W	5' from property line	6' from property line
Side	N	N/A	N/A
Side	S	N/A	N/A
Rear	E	N/A	N/A

Page 2: Board of Adjustment (BOA) Criteria for Variance Request

Answer All questions on this page and attach narrative. If additional space is needed, attach additional page(s).

SPECIFIC REQUEST: State the specific request according to the ULDR or other provisions of the Code.

To permit a ground sign in the RD-15 zoning district, where ULDR Section 47-22.3.G does not permit ground signs in the RD-15 zoning district
To permit a ground sign at a height of 9' - 6", where ULDR Section 47-22.3.G limits ground signs to 5' in height.

CRITERIA: Applicant must demonstrate a unique hardship attributable to the land by proving by a preponderance of the evidence for all of the following criteria. Please answer the following criteria completely. While some criteria may seem duplicative the response should be tailored specifically to each. Per section 47-24.12. A.4,

a. Special conditions and circumstances affect the property at issue which prevent the reasonable use of such property; and

See "Attachment to Page 2 of the Variance Application - Board of Adjustment Criteria and Narrative"

b. Circumstances which cause the special conditions are peculiar to the property at issue, or to such a small number of properties that they clearly constitute marked exceptions to other properties in the same zoning district; and:

See "Attachment to Page 2 of the Variance Application - Board of Adjustment Criteria and Narrative"

c. Literal application of the provisions of the ULDR would deprive the applicant of a substantial property right that is enjoyed by other property owners in the same zoning district. (It shall be of no importance to this criterion that a denial of the variance sought might deny to the owner a more profitable use of the property, provided the provisions of the ULDR still allow a reasonable use of the property; and

See "Attachment to Page 2 of the Variance Application - Board of Adjustment Criteria and Narrative"

d. The unique hardship is not self-created by the applicant or his predecessors, nor is it the result of mere disregard for, or ignorance of, the provisions of the ULDR or antecedent zoning regulations; and

See "Attachment to Page 2 of the Variance Application - Board of Adjustment Criteria and Narrative"

e. The variance is the minimum variance that will make possible a reasonable use of the property and that the variance will be in harmony with the general purposes and intent of the ULDR and the use as varied will not be incompatible with adjoining properties or the surrounding neighborhood or otherwise detrimental to the public welfare.

See "Attachment to Page 2 of the Variance Application - Board of Adjustment Criteria and Narrative"

AFFIDAVIT: I, Andrew J. Schein the Owner/Agent of said property ATTEST that I am aware of the following:

1. In order to be entitled to the relief requested in the application an affirmative vote of a majority plus one of the Board of Adjustment is required;
2. That in granting the relief requested, the Board of Adjustment is limited to the authority vested in the Board by the ULDR and that the Board may not grant the relief requested unless the applicant proves all the criteria specified in the ULDR have been met;
3. That the granting of relief by the Board does not exempt the applicant or owner of record from the responsibilities of obtaining all applicable permits or approvals as may be required by law for both new and existing structures;
4. That if the relief requested is granted by the Board, the applicant must secure a building permit to implement the relief requested within one hundred eighty (180) days of the entry of the final order or the Board, or within such lesser time as the Board may proscribe and that failure to procure the necessary permits within the time so proscribed shall render the variance or special exception null and void;
5. That if the Board denies the request for relief, then no additional application for the same or substantially the same relief may be entertained by the Board within two (2) years of the date of entry of the final order of denial.



(Signature)

SWORN TO AND SUBSCRIBED before me in the County and State above aforesaid this 7 day of February, 2021

(SEAL)





NOTARY PUBLIC
MY COMMISSION EXPIRES:

Page 3: Checklist for submittal and completeness:

The following information and checklist outlines the necessary items for submittal to ensure the application is deemed complete. Failure to provide the information/items below will result in your application being deemed incomplete. **Note: 14 Copy Sets of each item below will be DUE AFTER your application has been deemed complete. A meeting with staff is required prior to submitting your electronic BOA application submittal via Lauderbuild. If the property owner/agent has met with staff, you may proceed with your electronic application submittal. If the property owner/agent has not met with staff, a meeting with staff is needed. *Meeting Request information can be found on the cover page of the BOA application.**

■ **Met with Zoning staff** - A meeting with staff is required prior to submitting your BOA application electronically.

■ **Board of Adjustment Application Form**- The Board of Application form must be complete with the applicable information, signatures, and notarizations. *Submit the complete application form along with your submittal. **Page 4** of the BOA application is due **AFTER** sign(s) are posted.

■ **Proof of Ownership**- Warranty deed or tax record including corporation documents and Sunbiz verification name.

□ **Agent Authorization Form**- Authorization from **ALL** Property owner(s) is required. If the Property is owned by an Entity, Sunbiz verification must be included with the authorized agent form. Not required pursuant to ULDR Section 47-24.12.A.2.b

■ **Narrative**- Include the applicable ULDR code sections, Date, specific request, and criteria as described in the specifications for submittal by application. The narrative must be titled "Narrative" and indicate the author).

■ **Color Photographs**- Color photos of the entire property and all surrounding properties dated and labeled and identified as to orientation.

■ **Survey**- The survey of the property must be digitally signed and sealed, showing existing conditions; survey must be As Built with Right-of-Way and Easement Vacations Excluded. The survey should consist of the proposed project site alone. Do not include adjacent properties or portions of land(s) not included in the proposed project unless specifically requested by the City. *Must be the most recent survey and the date on the survey should not exceed one (1) year.

■ **Site Plan**- A full set of plans must be submitted a survey may be substituted if the requested variance is clearly indicated. Cover sheet on plan set to state project name and table of contents.

■ **Elevations**- If applicable (Elevations may be required by staff upon application submittal).

□ **Landscape Plans**- If applicable (Landscape Plans may be required by staff upon application submittal).
N/A

■ **Additional Plans**- If applicable (Additional Plans may be required by staff upon application submittal).

■ **Mail Notification Documents**- Mail Notice shall be given to owners of land within three hundred (300) feet of the subject site ten (10) days prior to the date set for the public hearing. Please submit the following:

- **TAX MAP:** Applicant shall provide a tax map from the Broward County Property Appraiser of all property within a three hundred (300) foot radius, with each property clearly shown and delineated. Each property within the notice area must be numbered (by Folio ID) on the map to cross-reference with property owners notice list.
- **PROPERTY OWNERS NOTICE LIST:** Applicant shall provide a property owner notice list with the names, property control numbers (Folio ID) and complete addresses for all property owners within the required three hundred (300) foot radius. The list shall also include all homeowners' associations, condominium associations, municipalities and counties noticed, as indicated on the tax roll.
- **ENVELOPES:** The applicant shall provide business size (#10) envelopes with first class postage attached (stamps only, metered mail will not be accepted). Envelopes must be addressed to all property owners within the required three hundred (300) foot radius, and mailing addresses must be typed or labeled; no handwritten addresses will be accepted. The return address shall be listed on all envelopes as follows: **City of Fort Lauderdale- Zoning Division (BOA, 700 N.W. 19TH Avenue, Fort Lauderdale, Florida 33311**

**City of Fort Lauderdale- Zoning Division (BOA)
700 N.W. 19th Avenue
Fort Lauderdale, Florida 33311**

How To order a Tax Map and Notice List- To order a tax map and notice list, please contact Heather Hanson at hhanson@bcpa.net or call 954-357-6855 OR Kenny Gibbs at kgibbs@bcpa.net or call 954-357-5503. **Distribution:** The City of Fort Lauderdale, Zoning & Landscaping Division will mail all notices prior to the public hearing meeting date, as outlined in Section 47-27.

How to Submit Your Application submittal- Submittals must be conducted through the City's Online Citizen Access portal- LauderBuild. No hard copy application submittals are accepted. View plan and document requirements at [LauderBuild Plan Room](#). View file naming and Convention standards at [File Naming Convention Standards](#)

THIS DOCUMENT PREPARED BY,
RECORD AND RETURN TO:

Scott A. Marcus, Esq.
Shutts & Bowen LLP
201 East Las Olas Blvd., Suite 2200
Fort Lauderdale, Florida 33301

Portion of Parcel I.D. No: 504216560010

[Reserved for Official Use]

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED, is made this 25th day of August, 2023, by and between **FORT LAUDERDALE FIRST CHURCH OF THE NAZARENE INC., a Florida not-for-profit corporation** (the "GRANTOR"), whose mailing address is 2300 SW 15th Avenue, Fort Lauderdale, Florida 33315, and **FL-5 Holdings, LLC, a Delaware limited liability company** (the "GRANTEE"), whose mailing address is 330 SW 2nd Street, Suite 110, Fort Lauderdale, FL 33312.

(Wherever used herein, the terms "GRANTOR" and "GRANTEE" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations.)

WITNESSETH:

THAT GRANTOR, for and in consideration of the sum of Ten and NO/100 dollars (\$10.00) and other good and valuable considerations in hand paid to GRANTOR by GRANTEE, the receipt whereof is hereby acknowledged, does hereby grant, bargain, sell, alien, remise, release, convey and confirm unto the GRANTEE, the real property hereinafter described, and rights and interest in said real property located in Broward County, Florida, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO

This conveyance is subject to the Permitted Exceptions set forth in Exhibit "B" as well as certain restrictions on the use of the Property, ("Prohibited Uses") set forth in Exhibit "C":

SEE EXHIBIT "B" ATTACHED HERETO

SEE EXHIBIT "C" ATTACHED HERETO

AND GRANTOR hereby covenants with Grantee that Grantor is lawfully seized of the Property in fee simple; that Grantor has good right and lawful authority to sell and convey the Property; and that Grantor does hereby fully warrant the title to the Property and will defend the same against the lawful claims of all persons claiming by, through or under Grantor, but against none other.

[Signatures on following page]

[Signature Page to Special Warranty Deed]

IN WITNESS WHEREOF, the GRANTOR has caused this Special Warranty Deed to be executed the day and year first above written.

Witnesses:




Print Name: Amanda Alvarez
Address: 931 W State Road 84
Fort Lauderdale FL 33315



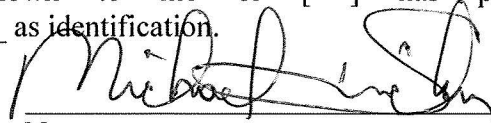
Print Name: Andres Gomez
Address: 931 W State Rd 84
Fort Lauderdale FL 33315

FORT LAUDERDALE FIRST CHURCH OF THE NAZARENE, INC., a Florida not-for-profit corporation

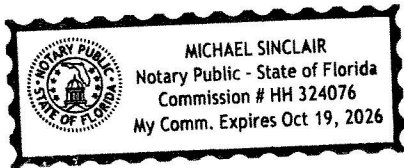
By: 
Name: David Rambarran, CEO

STATE OF FLORIDA)
 SS:
COUNTY OF BROWARD)

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 25th day of August, 2023, by DAVID RAMBARRAN, as CEO of FORT LAUDERDALE FIRST CHURCH OF THE NAZARENE INC., a Florida not for profit corporation. He is personally known to me or has produced FL, DL as identification.



Name: _____
Notary Public, State of Florida
My commission expires: _____



[NOTARY SEAL]

EXHIBIT "A"

LEGAL DESCRIPTION

Parcel A, Marina Landings, according to the plat thereof as recorded in Plat Book 183, Page 601, of the public records of Broward County, Florida.

Said lands situate, lying and being in the City of Fort Lauderdale, Broward County, Florida.

EXHIBIT "B"

Permitted Exceptions

The Real Property taxes for 2023 and all subsequent years.

Easement granted to the State of Florida recorded in Deed Book 396, Page 218.

Restrictions on Plat of Marina Landings, according to the plat thereof as recorded in Plat Book 183, Page 601, of the Public Records of Broward County, Florida.

EXHIBIT "C"

Deed Restrictions

The Property described in the attached and foregoing Special Warranty Deed shall be held, sold and conveyed subject to the following Deed Restrictions. Grantee, for itself, its successors and assigns, covenants and agrees that, the Property shall not be used for the uses set forth hereinbelow and defined as the Prohibited Uses, (the "Deed Restrictions"). The Deed Restrictions shall remain restrictive covenants on the Property, however said Deed Restrictions shall automatically expire at such time as the real property with a Parcel ID Number 504216050030, (the "Excluded Property"), or any material portion thereof, is (a) conveyed by Grantor to another party (with the exception of a conveyance to an entity within the Church of the Nazarene governance hierarchy which shall not trigger the release of the Deed Restrictions), (b) ground leased by Grantor to another party for a period of time exceeding 30 years (with the exception of a conveyance to other than an entity within the Church of the Nazarene governance hierarchy or ground leased to another party for use other than a church or place of worship which shall not trigger the release of the Deed Restrictions), or (c) a majority of Grantor's shares or membership interests are acquired by a third party (with the exception of an acquisition of shares by an entity within the Church of the Nazarene governance hierarchy which shall not trigger the release of the Deed Restrictions). Otherwise, the Deed Restrictions shall remain on the Property and may be enforced by the Grantor or owner of the Excluded Property, its successors and or assigns, by prosecuting an action at law or in equity, with the prevailing party being entitled to recover the expenses and costs of litigation including reasonable attorneys' fees.

Any adult book store or establishment selling or exhibiting pornographic materials.

"Adult" movie theatre.

"Head shop" or facility selling or displaying drug paraphernalia.

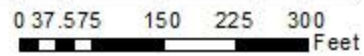
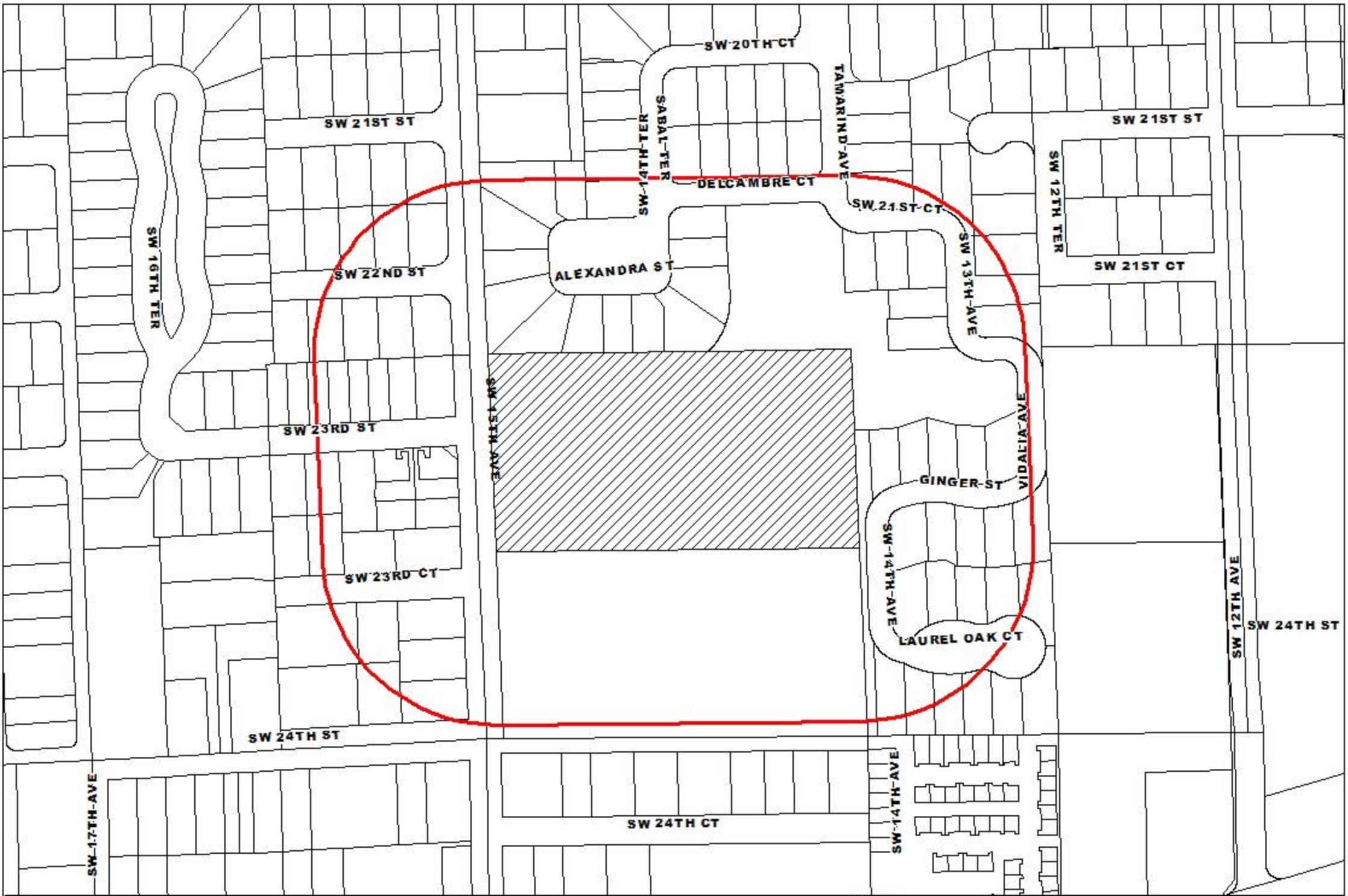
Any business establishment of the Property which promotes occultism.

Any establishment or facility that would provide services or assistance for abortion, embryonic stem cell research, gender changes, eugenics, human cloning, the withholding of reasonable medical care to the handicapped or elderly, or euthanasia or any assistance for the early termination of life.

Any establishment involved in illegal activities.

Non-traditional medical uses, including those described above, are prohibited; provided, however, professional offices and ancillary uses in conjunction with or related to traditional medical uses are permitted.

(collectively, the "Prohibited Uses")



MARTY KIAR
BROWARD COUNTY PROPERTY APPRAISER



1460 SW 23 ST
DATE OF PRINT: 01/30/2024

1505 SW 22ND LLC
1505 SW 22 ST #1-2
FORT LAUDERDALE, FL 33315

ABDULLA, ALIA
2131 SW 14 WAY
FORT LAUDERDALE, FL 33315

ANNANDRA LIV TR & MOONSIE-PERSAUD,
GLENROSE TRSTEE
5821 NW 119 TER
CORAL SPRINGS, FL 33076

BERNAL, MADISON K
1577 SW 23 CT
FORT LAUDERDALE, FL 33315

BROWN, KIRSTEN & MARZANO ,DANIEL &
BROWN MARZANO FAM REV TR
1451 SW 21 CT
FORT LAUDERDALE, FL 33315

BURNS, ROBERT G
1510 SW 21 ST
FORT LAUDERDALE, FL 33315

BUSSER, RYAN C & BUSSER, SUZANNE M
1330 SW 23 CT
FORT LAUDERDALE, FL 33315

CHIPPENDALE, JOHN
1508 SW 22 ST
FORT LAUDERDALE, FL 33315

CLANCY, KENT T & BRYNN M
1314 SW 23 ST
FORT LAUDERDALE, FL 33315

COLE, BENJAMIN M & HAYLEY L
1504 SW 23 ST
FORT LAUDERDALE, FL 33315

COLLADO, CLAUDIA L. & ELIAS
2141 SW 14 WAY
FORT LAUDERDALE, FL 33315

COLON, ERIC
1511 SW 23 ST
FORT LAUDERDALE, FL 33315

CONENNA, MICHELE & LUCY JAYNE
1311 SW 23 ST
FORT LAUDERDALE, FL 33315

COVE, ANDREW N & MALORIE M & COVE
FAM REV TR
1450 SW 22 ST
FORT LAUDERDALE, FL 33315

CRESPO, NELSON VICENTE H/E & RUBIO,
VENUS KATIUSKA
1419 SW 21 CT
FORT LAUDERDALE, FL 33315

DAVIS, KATHLEEN Z
2120 SW 14 AVE
FORT LAUDERDALE, FL 33315

DEHART LIV TR & DEHART, CARLTON
TRSTEE
1507 SE 12 CT
FORT LAUDERDALE, FL 33316

DUNFORD, AMY M & AMY M DUNFORD TR
1329 SW 23 ST
FORT LAUDERDALE, FL 33315

EDWARD BARR LLC
18744 OCEAN MIST DR
BOCA RATON, FL 33498

FL-5 HOLDINGS LLC
330 SW 2 ST SUITE 110
FORT LAUDERDALE, FL 33312

FORT LAUDERDALE FIRST CHURCH OF THE
NAZARENE INC
2300 SW 15 AVE
FORT LAUDERDALE, FL 33315

GALLAGHER, KEVIN & MORENO, RAYO
1471 SW 21 CT
FORT LAUDERDALE, FL 33315

GALLEN, JENNA ELYSA H/E &
DAMBRAUSKAS, PAULIUS
1512 SW 23 ST #1512
FORT LAUDERDALE, FL 33315

GALLO, VINCENT A & FLORENCE G
1409 SW 20 ST
FORT LAUDERDALE, FL 33315

GARCIA-CALDERON, FRANCISCO
1321 SW 21 CT
FORT LAUDERDALE, FL 33315

GOLDMAN, GARY
1530 SW 23 ST
FORT LAUDERDALE, FL 33315

HALLER, MARISA & MICKEY
1515 SW 23 ST
FORT LAUDERDALE, FL 33315

HANNA, MARTIN
1500 SW 22 ST
FORT LAUDERDALE, FL 33315

HICKEY, DAWN D & EDWARD M
1320 SW 23 ST
FORT LAUDERDALE, FL 33315

HUNT, BRIGITTE MARIE PIERRE & BRIGITTE
HUNT REV TR
1550 SW 23 ST
FORT LAUDERDALE, FL 33315

IDP7 LLC
393 EAGLE DR
JUPITER, FL 33477

KAH, NILS C
2251 SW 13 AVE
FORT LAUDERDALE, FL 33315

KEVIN & SHELLEY SENECA TR &
WHITEMAN, CHARLES TRSTEE
1440 SW 22 ST
FORT LAUDERDALE, FL 33315

KNAPP, THOMAS G JR & MICHELLE V
2151 SW 14 WAY
FORT LAUDERDALE, FL 33315

KROG-BAILIE, RENEE H/E & PERHAB,
REINHARD
1540 SW 23 CT
FORT LAUDERDALE, FL 33315

KULNICK, ANDREW & KULNICK,
MAGDALENA
2211 SW 13 AVE
FORT LAUDERDALE, FL 33315

LA PRESERVE HOMEOWNERS ASSN INC
1323 SW 23 ST
FORT LAUDERDALE, FL 33315

LAST HOPE LLC
1548-1550B SW 23 CT
FORT LAUDERDALE, FL 33315

LP1326 LLC
1744 SE 9 ST
FORT LAUDERDALE, FL 33316

MARINA MILE VILLAS LLC
450 SE 9 AVE
POMPANO BEACH, FL 33060

MASTERTON, THOMAS D & AMY
1340 SW 21 CT
FORT LAUDERDALE, FL 33315

MATERO, JAMIE
1501 SW 22 ST
FORT LAUDERDALE, FL 33315

MAZOR, LEE G
1516 SW 23 ST
FORT LAUDERDALE, FL 33315

MECCIA, WILLIAM J
1501 SW 23 ST
FORT LAUDERDALE, FL 33315

MENEHEM, AMALI CECILIA
8320 NW 164 ST
MIAMI LAKES, FL 33016

MEYER, ANNEKE & MEYER, BARNARD
1509 SW 24 ST
FORT LAUDERDALE, FL 33315

MEYER, LAYNE A & LAYNE A MEYER REV TR
1470 SW 22 STREET
FORT LAUDERDALE, FL 33315

MIKHAK, NICHOLAS R & MIKHAK, ASHLEY L
1922 FIRENZA DR
APEX, NC 27502

MINHAS, KHALID & MANSURA
9510 SWEETWATER LN
SYLVANIA, OH 43560

MOLLER, KEITH & THAIS & KEITH & THAIS D
S MOLLER REV TR
1328 SW 21 CT
FORT LAUDERDALE, FL 33315

MURILLO, JULIO E & ZUPKOW, ANGELA L
1301 LAUREL OAK CT
FORT LAUDERDALE, FL 33315

MUSHIEV, ISABELLA & MOSHE
1318 SW 23 CT
FORT LAUDERDALE, FL 33315

NUNEZ, MICHELLE
2210 SW 13 AVE
FORT LAUDERDALE, FL 33315

ORTEGA, EDWARD W & MELISSA
2150 SW 14 TER
FORT LAUDERDALE, FL 33315

PACE, LAUREN C
1525 SW 23 ST
FORT LAUDERDALE, FL 33315

PAJUSI, ALEXANDER S
1430 SW 22 ST
FORT LAUDERDALE, FL 33315

PATRICK, JEREMY M & BUSK, MARIA
1324 SW 23 CT
FORT LAUDERDALE, FL 33315

PAULINO, LUIS & PAULINO, CUSHLA TALBUT
212 N MACDILL AVE
TAMPA, FL 33609

PEARCE, PETER W & PEMBROOKE,
KATHARINE E
757 SE 17 ST APT 851
FORT LAUDERDALE, FL 33316

PRELJEVA, DAVID M & MARYANN M
1524 SW 23 ST
FORT LAUDERDALE, FL 33315

PUBLIC LAND % CITY OF FORT LAUDERDALE
100 N ANDREWS AVE
FORT LAUDERDALE, FL 33301

QUINN, ROBERT T & YOUNG
1334 SW 21 CT
FORT LAUDERDALE, FL 33315

RASH, MAX
1516 SW 22 ST
FORT LAUDERDALE, FL 33315

RASNER, ADAM B & DAWN M
2140 SW 14 TER
FORT LAUDERDALE, FL 33315

RINKUS, DANIEL K
815 SW 26 ST APT 1
FORT LAUDERDALE, FL 33315

RODRIGUES, CLAUDIO & RODRIGUES,
SIMONE DIAS SENHORINI
1327 SW 21 CT
FORT LAUDERDALE, FL 33315

ROMAN, HENRY H/E & CHUNG, MIYOUNG
1407 SW 21 CT
FORT LAUDERDALE, FL 33315

ROWAN, IAN & IAN ROWAN TR
2111 SW 12 TERRACE
FORT LAUDERDALE, FL 33315

SABOVIC, SANELA
1425 SW 21 CT
FORT LAUDERDALE, FL 33315

SAMPSON, MILES
1323 SW 23 ST
FORT LAUDERDALE, FL 33315

SANTANA, ROSARIO & RS71 LIVING TR
2111 SW 14 TER
FORT LAUDERDALE, FL 33315

SCHWAB, CLAUDE A
1325 SW 23 CT
FORT LAUDERDALE, FL 33315

SEETH, RANDALL A H/E & BAILEY, BETTY K
1551 SW 23 CT
FORT LAUDERDALE, FL 33315

SELVAN FAM TR & GREENBERG, STACIE &
JEFFREY ET AL
23 PALAZZO
NEWPORT BEACH, CA 92660

SEXTON, KEITH A TAYLOR, STACEY L
2117 SW 12 TER
FORT LAUDERDALE, FL 33315

SMALL, MARK
1505 SW 23 ST
FORT LAUDERDALE, FL 33315

STEINBERG, MICHAEL A
1413 SW 21 CT
FORT LAUDERDALE, FL 33315

STRAUSS, MICHAEL JONATHAN
1521 SW 22 ST #1-2
FORT LAUDERDALE, FL 33315

SUMMERS, RUDY
1319 SW 23 CT
FORT LAUDERDALE, FL 33315

THOMAS, DEREK CLAYTON
1520 SW 23 ST #2
FORT LAUDERDALE, FL 33315

TOTTEN, CLIFFORD & TOTTEN, GLEN
4630 SW 34 DR
FORT LAUDERDALE, FL 33312

TREMBLAY, LUC & BELANGER, MICHEL
398 RUE KEROAC ST BRUNO
*DE MONTARVILLE QC, CA J3V 5

VOGEL, THOMAS A & KELLY
2130 SW 14 TER
FORT LAUDERDALE, FL 33315

WRIGHT ,BENJAMIN BLUNDELL &
BORDELON, THERESA MARIE
1460 SW 22 ST
FORT LAUDERDALE, FL 33315

XIAO, JINLAIN & CHEN, CHAO
11800 NW 20 ST
PLANTATION, FL 33325

YOUNG, LAUREN M & SAMUEL W
1308 SW 23 ST
FORT LAUDERDALE, FL 33315

ELIZABETH MENDEZ, FRP-PLANNER
LOCHRIE & CHAKAS, P.A.
699 N. FEDERAL HIGHWAY, #400
FORT LAUDERDALE, FL 33304

View
No





To
No

Top
No



Applicant: Andrew J. Schein
Owner: FL-5 HOLDINGS LLC
Address: 1460 SW 23rd Street
Request: Variance from ULDR Section 47-22.3.G

Attachment to Page 2 of the Variance Application

Board of Adjustment Criteria and Narrative

1. Background

FL-5 HOLDINGS LLC (“Owner”) is the owner of the property located at 1460 SW 23rd Street in the City of Fort Lauderdale (“Property”). The Property is zoned RD-15. On May 18, 2022, the City’s Planning and Zoning Board approved a site plan on the Property for a 34-unit, zero-lot-line single family development (the “Project”). The Project is currently under construction.

New single-family subdivisions are rare in the City, and only a few have been developed since the adoption of the ULDR in 1997. This is due to a combination of (1) a lack of sufficient land to build new subdivisions and (2) the ULDR. Typical single-family subdivisions have private driveways/roads, entrance gates, private utilities, unique landscaping, large retention areas, etc., all of which are either not possible to do because of the lack of sufficient land, are discouraged/forbidden under the ULDR, or are not financially feasible under the ULDR.

Most new single-family construction is now piecemeal infill development, and the few new single-family subdivisions that have been created since the ULDR (namely La Preserve and Georgian Oaks, which are both adjacent to the Property) utilized the City’s Planned Unit Development (“PUD”) provisions to “circumvent” the ULDR; it’s significantly easier to develop a new single-family subdivision if the developer creates their own zoning code, which is what a PUD is in essence.

The reason for discussing other new single-family subdivisions is to differentiate them from the Project. The Project is a single-family subdivision that was designed without the need for any special approval – the Project was able to work within the existing RD-15 zoning district and did not require a rezoning to PUD, variances, or waivers. While designing a Project to meet code without any special approvals is usually a positive, the drawback is that signage options are extremely limited – particularly for a typical single-family subdivision.

Single-family subdivisions, in addition to multifamily private subdivisions like River Reach, typically have an entrance ground sign with the name of the subdivision. River Reach, The Edge on 20th, La Preserve, and Oak Hammock, to name a few, are newer single and multifamily

private subdivisions with ground signs at the entrance. These other similar developments are all located in RMH-25 or RC-15 zoning districts (which permit ground signs) or PUDs, which as mentioned above are “circumventions” of the zoning code.

Although the RD-15 zoning district is similar in almost every regard to the RD-15 zoning district, one unique quirk of the ULDR is that ground signs are not permitted in the RD-15 zoning district. Owner is therefore requesting approval of a variance to allow a ground sign in the RD-15 zoning district, which will be consistent with other similar developments.

2. Specific Variance Request

Variance from ULDR Section 47-22.3.G to allow a ground sign in the RD-15 zoning district, where ULDR Section 47-22.3.G does not permit ground signs in the RD-15 zoning district.

Variance from ULDR Section 47-22.3.G to allow a ground sign at 10’ in height, where ULDR Section 47-22.3.G limits ground signs to 5’ in height.

3. Variance Criteria

The Applicant must demonstrate a unique hardship attributable to the land by proving by a preponderance of the evidence all of the following criteria:

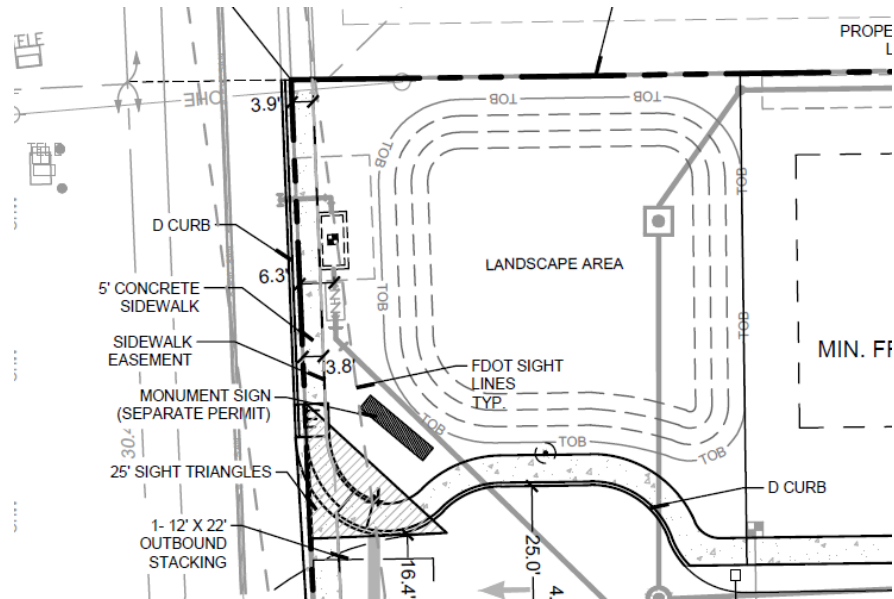
- a. Special conditions and circumstances affect the property at issue which prevent the reasonable use of such property; and

RESPONSE: The Property was approved as a 34-unit single-family subdivision and received full support from the River Oaks Civic Association; the letter of support from the original approval is included in this submission. The most reasonable use of the particular portion of the Property in question is for an entrance sign.

The plans that were presented to the neighborhood association and approved by the City’s Planning and Zoning Board show a sign in this area – see the excerpt from the approved plans on the following page. Applicant understands that signs are done under separate permit from the DRC process, however the plans that were reviewed by the DRC, the neighborhood, and the Planning and Zoning Board always contemplated a sign in this location.

As this particular area was designed for a sign, was always proposed for a sign in the presentations to the numerous boards and committees, and as a ground entrance sign is “standard” for single-family subdivisions, the reasonable (and expected use) of this portion of the Property is for a ground entrance sign.

Excerpt from Approved Plans Showing Sign Location



- b. Circumstances which cause the special conditions are peculiar to the property at issue, or to such a small number of properties that they clearly constitute marked exceptions to other properties in the same zoning district; and

RESPONSE: Not only is the Project the only new similarly-situated private subdivision that is not permitted to have a ground sign, but the Project is the only new private subdivision in the entirety of the RD-15 zoning district throughout the City. While similar subdivisions are permitted in the RD-15 zoning district, this is the first project where a property did not need to be rezoned from RD-15 to PUD in order to make the subdivision function properly.

While it's commendable that Owner was able to design a new private subdivision within the confines of the RD-15 zoning requirements and without rezoning to PUD, this left a relatively minor drawback of not being able to have a ground entrance sign. This special condition is peculiar to only the Property, as no other properties in the City are similarly situated.

- c. Literal application of the provisions of the ULDR would deprive the applicant of a substantial property right that is enjoyed by other property owners in the same zoning district. (It shall be of no importance to this criterion that a denial of the variance sought might deny to the owner a more profitable use of the property, provided the provisions of the ULDR still allow a reasonable use to the property; and

RESPONSE: This criterion is very unique when applied to the Property, as no other private subdivisions exist in the RD-15 zoning district. All previously-zoned RD-15 properties had to rezone to PUD in order to make the subdivision work, and the PUD zoning district allowed for unique signage without the need for a variance.

While the ULDR recognizes the right to advertise through signage (ULDR Section 47-22.1.B), no other property owner in the RD-15 zoning district, at least to Applicant's knowledge, has had a need or the ability to use this right for a ground sign, as the "stars have not aligned" in a way that allowed a private subdivision to be constructed in the RD-15 zoning district.

- d. The unique hardship is not self-created by the applicant or his predecessors, nor is it the result of mere disregard for, or ignorance of, the provisions of the ULDR or antecedent zoning regulations; and

RESPONSE: Not having the right to advertise the private subdivision with a ground sign is a unique hardship that was not self-created by the Owner or their predecessors. As detailed above, this is a very unique situation and Applicant was unable to find any other examples of private subdivisions where this could've become an issue. Other similarly-situated properties have had to circumvent the ULDR by rezoning to PUD, essentially creating their own zoning district and signage regulations.

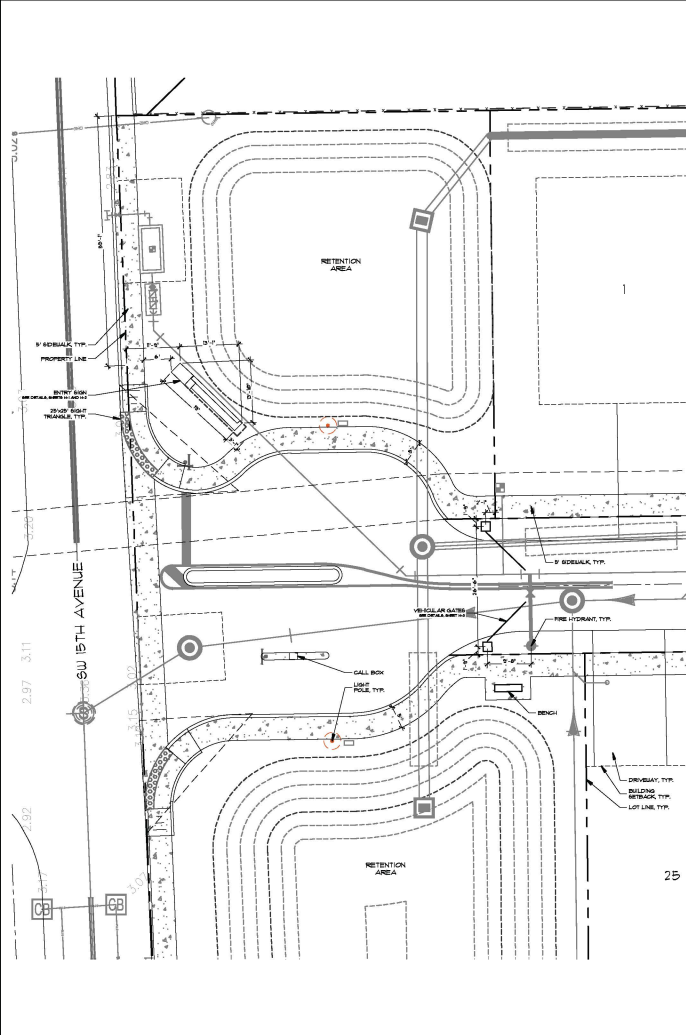
Owner was able to make the Project work without circumventing the entirety of the ULDR (which as Applicant understands was appreciated by the neighborhood association, City staff, and the Planning and Zoning Board), however that came at the cost of providing typical signage. Rather than asking for a PUD rezoning in order to get over the hardships associated with designing a new private subdivision, Owner is merely requesting a variance for signage.

- e. The variance is the minimum variance that will make possible a reasonable use of the property, and that the variance will be in harmony with the general purposes and intent of the ULDR and the use as varied will not be incompatible with adjoining properties or the surrounding neighborhood or otherwise detrimental to the public welfare.

RESPONSE: The variance will be in harmony with the general purposes and intent of the ULDR, the sign will not be incompatible with adjoining properties or the surrounding neighborhood, and the sign will not be detrimental to the public welfare. La Preserve, which abuts the Property to the north, has a ground

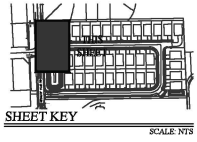
sign at their entrance. River Reach, which is located on SW 9th Avenue to the northeast of the Property, has a ground sign at their entrance. The Edge on 20th and Oak Hammock, which are new private subdivisions in the Riverside Park neighborhood, both have ground signs at their entrances. Ground signs at the entrance of a private subdivision are not just compatible, but are very typical of such a development.

The size and scale of the sign was purposefully designed to fit into the overall design of the corner entrance and will be flanked by large (18'+) royal palms, large live oaks, and crepe myrtles.



Existing Plant Symbol Key

- Existing tree/palm to remain
- Existing tree/palm to be removed
- Existing tree/palm to be relocated on site
- Existing vegetation to remain
- Existing vegetation to be removed



A ENTRY SIGN RENDERING
H-1 NOTE: Planting is representative only. Refer to planting plans for actual planting design. SCALE: 1/8"=1'-0"

PARKER-YANNETTE
design group, inc.

LANDSCAPE ARCHITECTURE
PLANNING • GRADING
4432 Midway Trail, Suite 202
Jupiter, Florida 33408

Telephone (561) 747-5069
Fax: (561) 747-3041
Email: pmh@pydgc.com
License #LA0001347

MARINA LANDINGS
FORT LAUDERDALE, FLORIDA
PREPARED FOR 13TH FLOOR HOMES

HARDSCAPE PLAN

DATE: 10/20/20
DRAWN BY: CCT/SPS
JOB NO.: 13-2718
SCALE: 1/8"=1'-0"
FILENAME: Marina Landings.dwg

REVISIONS:
2.02.24

448271
H-1

Design Criteria and Material Quality

CONCRETE: ALL CONCRETE SHALL BE NORMAL WEIGHT (MID TYPE CONCRETE) WITH A MINIMUM STRENGTH OF 3000 PSI # 28 DAYS.

REINFORCING STEEL: ALL REINFORCING BARS SHALL BE OF NEW BILLET STOCK, CONFORMING WITH ASTM A-618 GRADE #6.

CONCRETE PROTECTION FOR REINFORCING BARS: THE FOLLOWING MINIMUM CONCRETE COVERAGE SHALL BE PROVIDED IF NOT SHOWN ON CONSTRUCTION DRAWINGS:

- ROOFING SLABS: MIN. 3 INCHES
- ABOVE GRADE: MIN. 3/4 INCHES
- BELOW GRADE: MIN. 1 1/2 INCHES

MASONRY: ALL MASONRY SHALL BE CONCRETE BLOCK UNITS CONFORMING TO ASTM C-90, PLACED IN RUNNING BOND PATTERN WITH TYPE "M" MORTAR AND REINFORCED WITH DWR-Q-101 OR EQUAL EVERY OTHER COURSE.

WIND: TPB FPM EXPOSURE C, RISK CATEGORY II

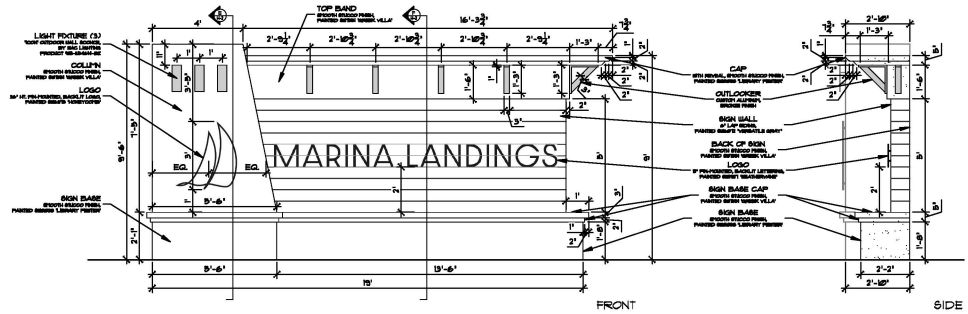
- V₅₀ = 120 FPM
- V₁₀₀ = 150 FPM

DESIGNED TO CONFORM TO THE FOLLOWING CODES:

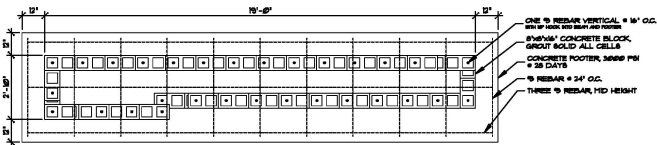
- 2008 FLORIDA BUILDING CODE, RESIDENTIAL, 10 EDITION
- BUILDING CODE REQUIREMENTS FOR REINFORCED CONCRETE (ACI 308)
- NATIONAL CONCRETE MASONRY ASSOCIATION MANUAL OF STANDARD PRACTICE FOR DETAILING REINFORCED CONCRETE (ACI 308)
- AMERICAN INSTITUTE OF STEEL CONSTRUCTION (AISC)
- NATIONAL DESIGN SPECIFICATIONS FOR WOOD CONSTRUCTION, LATEST EDITION AND SUPPLEMENT (DESIGN VALUES FOR WOOD CONSTRUCTION (NDS))
- NATIONAL ELECTRICAL CODE (NEC)
- AMERICAN SOCIETY OF CIVIL ENGINEERS (ASCE)

SOIL LOAD: DESIGNED NOT TO EXCEED 3600 P.S.F. VERIFY SOIL CAPACITY. CONTRACTOR TO PROVIDE VERIFICATION OF PROPER SOIL COMPACTION AS SPECIFIED IN CONSTRUCTION DETAILS.

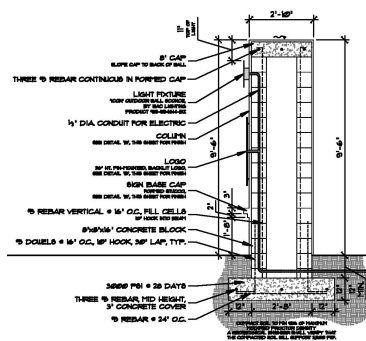
DESIGNED BY RATIONAL ANALYSIS



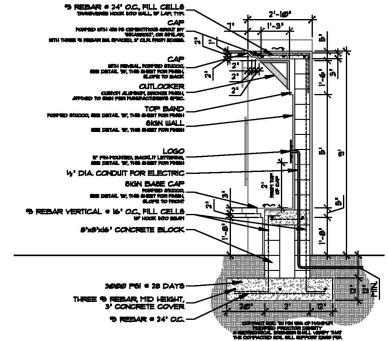
B ENTRY SIGN ELEVATIONS



C SIGN FOOTER PLAN



D SECTION Through Sign Column



E SECTION Through Sign Wall

CASE: PLN-BOA-24020004

SUPPORTING LETTERS



**RE: River Oaks Civic Association
General Meeting July 15, 2021
Presentation**

July 20, 2021

13th Floor Homes
330 Himmershee Drive
Unit 110
Fort Lauderdale, Florida 33312

Dear 13th Floor Homes Neighbors,

During times like these when 'meeting' each other is on a monitor and 'discussions' are digital – how absolutely refreshing it was to actually meet you guys. Landon & Mike, Nancy and I enjoyed the pre-presentation of your project the day before our official association meeting. And after Landon's "live and in person" showing to our members the next day – we heard nothing but well-deserved accolades from our civic association. We all appreciate the 'real time' and attention you afforded us. We enthusiastically welcome a single family community in River Oaks.

Naturally, we were impressed with the preliminary plans you presented and look forward to our continued communication as the project progresses. We're anxious to officially sanction your River Oaks project as it develops from renderings to reality.

RIVER OAKS CIVIC ASSOCIATION INC.

A handwritten signature in cursive script that reads "Frances Antonelli".

Frances Antonelli,
Secretary
PO Box 22045
Fort Lauderdale, FL 33335
Cell (954) 324-6691

River Oaks Civic Association
PO Box 22045
Fort Lauderdale, Fl. 33305

email: rocariveroakscommunity@outlook.com
Cell: 954-294-8488

Andrew Schein

From: Landon Massel <lmassel@13fi.com>
Sent: Monday, February 19, 2024 4:08 PM
To: Andrew Schein; Robert Lochrie
Cc: John Lonergan; Michael Nunziata; Stefanie Mogull; Julie Johnston
Subject: Fwd: Marina Landing

----- Forwarded message -----

From: **Ted Inserra** <chefted56@msn.com>
Date: Mon, Feb 19, 2024 at 4:03 PM
Subject: Marina Landing
To: lmassel@13fi.com <lmassel@13fi.com>

Greetings--

I am writing to let you know that your Presentation before the River Oaks Civic Assoc was very well received. We are a neighborhood, that does not usually adapt to change and any new development. Your presentation, renderings, organization, won us over. We are realistic to know a development at that location was coming. WE, as a neighborhood could not have been more appreciative of the design, the canopy provided, and the fountain. We really thought the Entrance Monument really fit in to our neighborhood. Now, interesting enough, I spoke AGAINST this development at the Planning & Zoning Meeting. Today, seeing your care for us, and our wants is impressive.

Thank you
Ted Inserra
President of the River Oaks Civic Association

Sent from [Outlook](#)