



## **BOARD OF ADJUSTMENT MEETING NOTICE**

**Date:** March 29<sup>th</sup>, 2024

A Public Hearing will be held before the Board of Adjustment on: **WEDNESDAY, APRIL 10, 2024 AT 6:00 PM.**

This meeting will be held in-person at: Development Services Department (Lobby) 700 NW 19<sup>th</sup> 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](http://www.fortlauderdale.gov/government/BOA)

<b>CASE:</b>	<b>PLN-BOA-24030002</b>
<b>OWNER:</b>	FAIRFIELD CYPRESS LP
<b>AGENT:</b>	ANDREW SCHEIN
<b>ADDRESS:</b>	6500 N ANDREWS AVE, FORT LAUDERDALE, FL 33309
<b>LEGAL DESCRIPTION:</b>	A PORTION OF PARCELS "G" AND "H" AND A PORTION OF N.E. 1 <sup>ST</sup> WAY (NOW VACATED), AS SHOWN ON THE PLAT PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, (SEE SURVEY).
<b>ZONING DISTRICT:</b>	UUV-NE - UPTOWN URBAN VILLAGE NORTHEAST DISTRICT
<b>COMMISSION DISTRICT:</b>	1
<b>REQUESTING:</b>	<b><u>Sec. 47-19.2. Z.1- Roof mounted structures.</u></b>
	<ul style="list-style-type: none"> <li>• Requesting a variance to allow the existing permitted parapet to remain at a height ranging from 90'-8" to 93'-9" above ground level, (3" to 4'-7" below the top most surface of the roof mounted structure measuring at a height of 95'-4" above ground level), to serve as adequate mechanical equipment screening in lieu of the requirements of Section 47-19.2.Z.1 of the ULDR, which requires that the rooftop mechanical equipment be at least six (6) inches high above the top most surface of the roof mounted structure or in this instance 95'-10" above ground level, for a total variance of a maximum of 5' -2 ".</li> </ul>

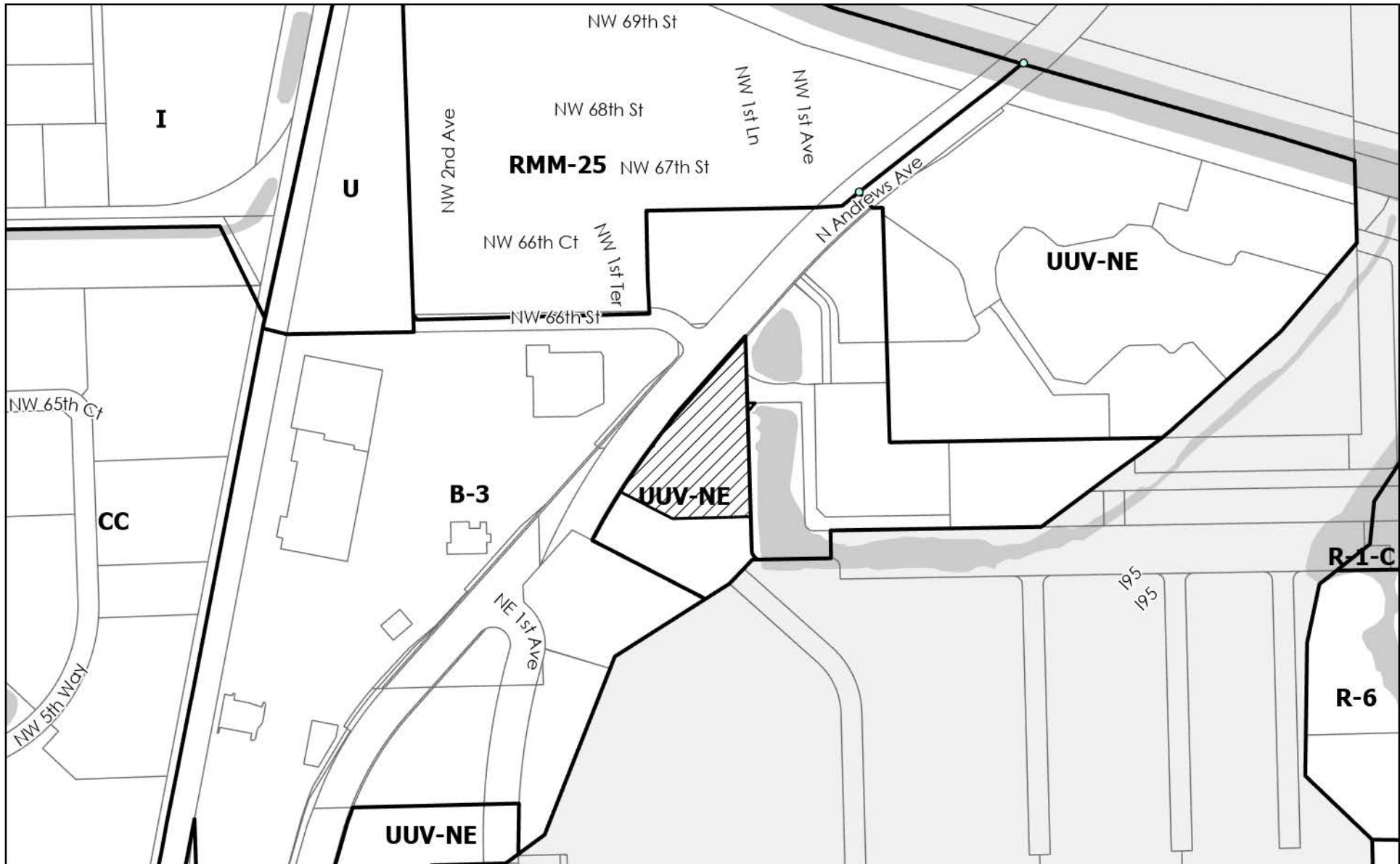
**To watch and listen to the meeting, please visit:** <https://www.fortlauderdale.gov/government/BOA>  
OR [www.youtube.com/cityoffortlauderdale](http://www.youtube.com/cityoffortlauderdale)

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-24020007

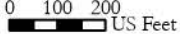
**LEGEND**

 Subject Site

**N**



0 100 200  
US Feet



# **CASE: PLN-BOA-24030002**

## **Sec. 47-19.2. Z.1- Roof mounted structures**

### Z. Roof mounted structures.

1. Roof mounted structures such as air conditioners and satellite dish antennae shall be required to be screened with material that matches the material used for the principal structure and shall be at least six (6) inches high above the top most surface of the roof mounted structure. Vent pipes, skylights, cupolas, solar collectors and chimneys shall not be subject to this provision.

# Record

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<input type="checkbox"/>	<a href="#">Record, Permit, or Account #</a>	<a href="#">Record Description</a>	<a href="#">Application Name</a>	<a href="#">Record Type</a>	<a href="#">Balance</a>	<a href="#">Planner Name</a>	<a href="#">Street #</a>	<a href="#">Dir</a>	<a href="#">Street Name</a>	<a href="#">Type</a>	<a href="#">Unit # (start)</a>	<a href="#">Statu</a>
<input type="checkbox"/>	<a href="#">PLN-BOA-24030002</a>		Fairfield Cypress Creek	Z- Board of Adjustment (BOA)	3230		6500	N	ANDREWS	AVE		Open
<input type="checkbox"/>	<a href="#">MEC-COM-21060009.R005</a>	Updated Mechanical Sheets following Inspections	MEC-COM-21060009	Plan Revision	0		6500	N	ANDREWS	AVE		Comf
<input type="checkbox"/>	<a href="#">MEC-COM-21060009.R004</a>	HVAC Apartment Equipment - Approved Submittal	6500 N ANDREWS AVE - Fairfie...	Plan Revision	0		6500	N	ANDREWS	AVE		Comf
<input type="checkbox"/>	<a href="#">MEC-COM-21060009.D001</a>	HVAC Apartment Equipment - Approved Submittal	Document Type: Manufacture...	Deferred Submittal (Electronic Document Submittal)	0		6500	N	ANDREWS	AVE		Void
<input type="checkbox"/>	<a href="#">PLB-GAS-21080028.R002</a>	Fairfield Cypress Creek - Revision to Gas drawing...	6500 N ANDREWS AVE - Fairfie...	Plan Revision	0		6500	N	ANDREWS	AVE		Comf
<input type="checkbox"/>	<a href="#">FIR-BDA-23100003</a>	BDA communication System	Fairfield at Cypress Creek	BDA Fire Radio System	0		6500	N	ANDREWS	AVE		Issue
<input type="checkbox"/>	<a href="#">BLD-CNC-21060002.R007</a>	Change of Contractor/Qualifier for Fairfield Cyp...	6500 N ANDREWS AVE - Fairfie...	Plan Revision	0		6500	N	ANDREWS	AVE		Comf
<input type="checkbox"/>	<a href="#">ELE-LV-23100015</a>	BDA Communication System	Fairfield at Cypress Creek	Electrical Low Voltage Permit	0		6500	N	ANDREWS	AVE		Void
<input type="checkbox"/>	<a href="#">ELE-LV-23090017</a>	BDA Communication System	Fairfield at Cypress Creek	Electrical Low Voltage Permit	0		6500	N	ANDREWS	AVE		Void
<input type="checkbox"/>	<a href="#">BLD-CNC-21060002.D014</a>	Approved Firestopping method uploading per inspec...	Document Type: Approved Su...	Deferred Submittal (Electronic Document Submittal)	0		6500	N	ANDREWS	AVE		Comf
<input type="checkbox"/>	<a href="#">BLD-CNC-21060002.D013</a>	Deferred Submittal - Garage Gates	Document Type: Approved Su...	Deferred Submittal (Electronic Document Submittal)	0		6500	N	ANDREWS	AVE		Comf
<input type="checkbox"/>	<a href="#">LND-INST-23080185</a>	LANDSCAPE INSTALLED	Fairfield Cypress Creek	Landscape Installation Permit	0		6500	N	ANDREWS	AVE		Void
<input type="checkbox"/>	<a href="#">BLD-CPAV-23080001</a>	DECK FOR BLD-CPSF-23070001	FAIRFIELD CYPRESS CREEK	Commercial Paving Permit	0		6500	N	ANDREWS	AVE		Issue
<input type="checkbox"/>	<a href="#">PLB-COM-23080003</a>	PLUMBING FOR BLD-CPSF-23070001	FAIRFIELD CYPRESS CREEK	Plumbing Commercial Permit	0		6500	N	ANDREWS	AVE		Issue
<input type="checkbox"/>	<a href="#">ELE-COM-23080007</a>	ELECTRICAL FOR BLD-CPSF-23070001	FAIRFIELD CYPRESS CREEK	Electrical Commercial Permit	0		6500	N	ANDREWS	AVE		Issue
<input type="checkbox"/>	<a href="#">ELE-COM-23080006</a>	Electrical for BLD-SIGN-22110022	Treo	Electrical Commercial Permit	0		6500	N	ANDREWS	AVE		Await
<input type="checkbox"/>	<a href="#">ELE-COM-21060017.R003</a>	E501 & E601 Corrections for accuracy	6500 N ANDREWS AVE - Fairfie...	Plan Revision	0		6500	N	ANDREWS	AVE		Comf
<input type="checkbox"/>	<a href="#">LND-INST-23070142</a>	Landscape & Irrigation	Fairfield Cypress Creek	Landscape Installation Permit	0		6500	N	ANDREWS	AVE		Open
<input type="checkbox"/>	<a href="#">BLD-CPSF-23070001</a>	INGROUND SWIMMING POOL	6500 N ANDREWS AVE - FAIRFIE...	Commercial Pool-Spa-Fountain Permit	0		6500	N	ANDREWS	AVE		Issue
<input type="checkbox"/>	<a href="#">BLD-CNC-21060002.D012</a>	Deferred Submittals - Louvers, Screens, and Pre-C...	Document Type: Approved Su...	Deferred Submittal (Electronic Document Submittal)	0		6500	N	ANDREWS	AVE		Comf
<input type="checkbox"/>	<a href="#">BLD-CNC-21060002.D011</a>	Under Construction Elevation Certificate	Document Type: Approved Su...	Deferred Submittal (Electronic Document Submittal)	0		6500	N	ANDREWS	AVE		Comf
<input type="checkbox"/>	<a href="#">PLB-COM-21060006.R003</a>	Plumbing revision of ground floor courtyard drain...	6500 N ANDREWS AVE - Fairfie...	Plan Revision	0		6500	N	ANDREWS	AVE		Comf
<input type="checkbox"/>	<a href="#">MEC-COM-21060009.R003</a>	Unit Ductwork ONLY Units E5 & B4 - Mechanical - P...	6500 N ANDREWS AVE - Fairfie...	Plan Revision	0		6500	N	ANDREWS	AVE		Comf
<input type="checkbox"/>	<a href="#">BLD-CNC-21060002.D010</a>	Firestopping Submittal reviewed by designer of re...	Document Type: Approved Su...	Deferred Submittal (Electronic Document Submittal)	0		6500	N	ANDREWS	AVE		Comf
<input type="checkbox"/>	<a href="#">MEC-COM-23050001</a>	GREASE DUCT RISER FOR BLD-CNC-21060002	GREASE DUCT RISER FOR BLD-CN...	Mechanical Commercial Permit	0		6500	N	ANDREWS	AVE		Comf
<input type="checkbox"/>	<a href="#">LND-TREE-23020084</a>	Specimen Tree Removal Permit - Parcel 2 - Trees #...	Specimen Tree Removal	Landscape Tree Removal-Relocation Permit	0		6500	N	ANDREWS	AVE		Comf
<input type="checkbox"/>	<a href="#">ELE-LV-23020019</a>	CCTV	WM Medley	Electrical Low Voltage Permit	0		6500	N	ANDREWS	AVE		Await
<input type="checkbox"/>	<a href="#">MEC-COM-21060009.R002</a>	Unit Ductwork ONLY - Mechanical - Plan Revision	6500 N ANDREWS AVE - Fairfie...	Plan Revision	0		6500	N	ANDREWS	AVE		Comf
<input type="checkbox"/>	<a href="#">BLD-CNC-21060002.D009</a>	Deferred Submittals for new residential building ...	Document Type: Approved Su...	Deferred Submittal (Electronic Document Submittal)	0		6500	N	ANDREWS	AVE		Comf
<input type="checkbox"/>	<a href="#">ELE-LV-23010028</a>	WIFI	FAIRFIELD AT CYPRESS CREEK	Electrical Low Voltage Permit	0		6500	N	ANDREWS	AVE		Void
<input type="checkbox"/>	<a href="#">ELE-LV-22110031.R001</a>	WIFI	FAIRFIELD AT CYPRESS CREEK	Plan Revision	0		6500	N	ANDREWS	AVE		Comf
<input type="checkbox"/>	<a href="#">ELE-LV-22110029.R001</a>	CELL BOOSTER PLANS BEING UPLOADED CORRECTLY REPLA...	FAIRFIELD AT CYPRESS CREEK	Plan Revision	0		6500	N	ANDREWS	AVE		Comf
<input type="checkbox"/>	<a href="#">ENG-RL-23010001</a>	AARLA for Tri-Party County Agreement ~ New reside...	Fairfield at Cypress	ROW Revocable License Permit	0		6500	N	ANDREWS	AVE		Await
<input type="checkbox"/>	<a href="#">ELE-LV-22110031.D001</a>	WIFI FAIRFIELD AT CYPRESS CREEK	Document Type: Shop Drawin...	Deferred Submittal (Electronic Document Submittal)	0		6500	N	ANDREWS	AVE		Await
<input type="checkbox"/>	<a href="#">ELE-LV-22110029.D001</a>	FAIRFIELD AT CYPRESS CREEK CELL BOOSTER FOR BLD-C...	Document Type: Permit Appl...	Deferred Submittal (Electronic Document Submittal)	0		6500	N	ANDREWS	AVE		Void
<input type="checkbox"/>	<a href="#">BLD-CNC-21060002.D008</a>	Deferred Submittals for new residential building ...	Document Type: Approved Su...	Deferred Submittal (Electronic Document Submittal)	0		6500	N	ANDREWS	AVE		Comf
<input type="checkbox"/>	<a href="#">LND-TREE-21050012.R003</a>	Remove 4,5,7-18, 20,35-52 Replace with 97 cal. i...	6500 N ANDREWS AVE - Fairfie...	Plan Revision	0		6500	N	ANDREWS	AVE		Comf
<input type="checkbox"/>	<a href="#">LND-TREE-21050012.R001.R001</a>	Revised tree disposition plan for Parcel 2 reflec...	6500 N ANDREWS AVE - Fairfie...	Plan Revision	0		6500	N	ANDREWS	AVE		Void
<input type="checkbox"/>	<a href="#">ELE-LV-22120018</a>	LOW VOLTAGE FOR DATA, AUDIO AND CCTV FOR BLD-CNC-...	FAIRFIELD AT CYPRESS CREEK	Electrical Low Voltage Permit	0		6500	N	ANDREWS	AVE		Issue
<input type="checkbox"/>	<a href="#">ELE-LV-22120017</a>	ACCESS CONTROL	FAIRFIELD AT CYPRESS CREEK	Electrical Low Voltage Permit	0		6500	N	ANDREWS	AVE		Issue



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<input type="checkbox"/>	<a href="#">Record, Permit, or Account #</a>	<a href="#">Record Description</a>	<a href="#">Application Name</a>	<a href="#">Record Type</a>	<a href="#">Balance</a>	<a href="#">Planner Name</a>	<a href="#">Street #</a>	<a href="#">Dir</a>	<a href="#">Street Name</a>	<a href="#">Type</a>	<a href="#">Unit # (start)</a>	<a href="#">Status</a>
<input type="checkbox"/>	<a href="#">PLB-GAS-21080028,R001</a>	Plumbing Gas Plan Revision for BLD-CNC-21060002	6500 N ANDREWS AVE - Fairfie...	Plan Revision	0		6500	N	ANDREWS	AVE		Void
<input type="checkbox"/>	<a href="#">ELE-LV-22110031</a>	WiFi FOR BLD-CNC-21060002	FAIRFIELD AT CYPRESS CREEK	Electrical Low Voltage Permit	0		6500	N	ANDREWS	AVE		Issued
<input type="checkbox"/>	<a href="#">ELE-LV-22110029</a>	CELL BOOSTER FOR BLD-CNC-21060002	FAIRFIELD AT CYPRESS CREEK	Electrical Low Voltage Permit	0		6500	N	ANDREWS	AVE		Issued
<input type="checkbox"/>	<a href="#">BLD-SIGN-22110022</a>	Sign Package	6500 N ANDREWS AVE - Fairfie...	Sign Permit	0		6500	N	ANDREWS	AVE		Issued
<input type="checkbox"/>	<a href="#">BLD-CNC-21060002,D007</a>	Deferred Submittals - Window/Sliding Door/Storefr...	Document Type: Approved Su...	Deferred Submittal (Electronic Document Submittal)	0		6500	N	ANDREWS	AVE		Comple
<input type="checkbox"/>	<a href="#">BLD-CNC-21060002,D006</a>	Deferred Submittals for new residential building ...	Document Type: Approved Su...	Deferred Submittal (Electronic Document Submittal)	0		6500	N	ANDREWS	AVE		Comple
<input type="checkbox"/>	<a href="#">BLD-CNC-21060002,D005</a>	Deferred Submittals for new residential building ...	Document Type: Approved Su...	Deferred Submittal (Electronic Document Submittal)	0		6500	N	ANDREWS	AVE		Comple
<input type="checkbox"/>	<a href="#">MEC-COM-21060009,R001</a>	Permit Resubmittal - 10/07/22 - Mechanical - Plan...	6500 N ANDREWS AVE - Fairfie...	Plan Revision	0		6500	N	ANDREWS	AVE		Comple
<input type="checkbox"/>	<a href="#">BLD-CNC-21060002,D004</a>	Deferred Submittals for new residential building ...	Document Type: Approved Su...	Deferred Submittal (Electronic Document Submittal)	0		6500	N	ANDREWS	AVE		Comple
<input type="checkbox"/>	<a href="#">ENG-MOT-22100009</a>	MOT FOR Force Main ~ (TAM-MOT-22120063) FULL ROAD...	MOT FOR Force Main	ROW Maintenance of Traffic Permit	120		6500	N	ANDREWS	AVE		Issued
<input type="checkbox"/>	<a href="#">ELE-COM-21060017,R002</a>	Permit Resubmittal - 10/07/22 - Electrical - Plan...	6500 N ANDREWS AVE - Fairfie...	Plan Revision	0		6500	N	ANDREWS	AVE		Comple
<input type="checkbox"/>	<a href="#">PLB-COM-21060006,R002</a>	Permit Resubmittal - 10/07/22 - Plumbing - Plan R...	6500 N ANDREWS AVE - Fairfie...	Plan Revision	0		6500	N	ANDREWS	AVE		Comple
<input type="checkbox"/>	<a href="#">BLD-CNC-21060002,R006</a>	Permit Resubmittal - 10/07/22 - Structural - Plan...	6500 N ANDREWS AVE - Fairfie...	Plan Revision	0		6500	N	ANDREWS	AVE		Void
<input type="checkbox"/>	<a href="#">BLD-CNC-21060002,R005</a>	Permit Resubmittal - 10/07/2022 - Architectural - ...	6500 N ANDREWS AVE - Fairfie...	Plan Revision	0		6500	N	ANDREWS	AVE		Comple
<input type="checkbox"/>	<a href="#">PLB-COM-21070037,R002</a>	Permit Resubmittal - 10/07/22 - Civil - Plan Revi...	Fairfield Cypress Creek - Ne...	Plan Revision	0		6500	N	ANDREWS	AVE		Comple
<input type="checkbox"/>	<a href="#">MEC-COM-22100010</a>	FURNISH & INSTALL 1 TRASH CHUTE AND 1 RECYCLING C...	6500 N. Andrews Ave- Fairfie...	Mechanical Commercial Permit	0		6500	N	ANDREWS	AVE		Comple
<input type="checkbox"/>	<a href="#">BLD-CNC-21060002,D003</a>	(Post-Tension Shop Drawings)	Document Type: Approved Su...	Deferred Submittal (Electronic Document Submittal)	0		6500	N	ANDREWS	AVE		Comple
<input type="checkbox"/>	<a href="#">BLD-CMIS-22090004</a>	INSTALLATION OF LIGHTWEIGHT CONCRETE BEFORE INSTA...	Fairfield Cypress Creek - Su...	Commercial Miscellaneous Permit	0		6500	N	ANDREWS	AVE		Comple
<input type="checkbox"/>	<a href="#">BLD-ROOF-22090140</a>	Roofing Sub-Permit to BLD-ROOF-21060035 for light...	Fairfield Cypress Creek - Ro...	Re-Roof Permit	0		6500	N	ANDREWS	AVE		Void
<input type="checkbox"/>	<a href="#">BLD-CNC-21060002,D002</a>	Deferred Submittals for new residential building ...	Document Type: Approved Su...	Deferred Submittal (Electronic Document Submittal)	0		6500	N	ANDREWS	AVE		Comple
<input type="checkbox"/>	<a href="#">PLB-COM-21070037,R001</a>	Permit Resubmittal - 03/07/22 - Civil	Fairfield Cypress Creek - Ne...	Plan Revision	0		6500	N	ANDREWS	AVE		Comple
<input type="checkbox"/>	<a href="#">BLD-CNC-21060002,D001</a>	Deferred Submittals for new residential building ...	Document Type: Approved Su...	Deferred Submittal (Electronic Document Submittal)	0		6500	N	ANDREWS	AVE		Comple
<input type="checkbox"/>	<a href="#">PLB-COM-21060006,R001</a>	Permit Resubmittal - 03/07/22 - Plumbing	6500 N ANDREWS AVE - Fairfie...	Plan Revision	0		6500	N	ANDREWS	AVE		Comple
<input type="checkbox"/>	<a href="#">ELE-COM-21060017,R001</a>	Permit Resubmittal - 03/07/22 - Electrical	6500 N ANDREWS AVE - Fairfie...	Plan Revision	0		6500	N	ANDREWS	AVE		Comple
<input type="checkbox"/>	<a href="#">BLD-CNC-21060002,R003</a>	Permit Resubmittal - 03/07/22 - Structural	6500 N ANDREWS AVE - Fairfie...	Plan Revision	0		6500	N	ANDREWS	AVE		Comple
<input type="checkbox"/>	<a href="#">BLD-CNC-21060002,R004</a>	Permit Resubmittal - 03/07/22 - Architectural	6500 N ANDREWS AVE - Fairfie...	Plan Revision	0		6500	N	ANDREWS	AVE		Comple
<input type="checkbox"/>	<a href="#">ELE-COM-22040048</a>	Fairfield Cypress Creek Electrical Footer/Foundat...	Fairfield Cypress Creek - El...	Electrical Commercial Permit	0		6500	N	ANDREWS	AVE		Void
<input type="checkbox"/>	<a href="#">ELE-TEMP-22040009</a>	Temporary Electrical for BLD-CNC 21060002	6500 N. Andrews Ave- Fairfie...	Electrical Temporary Pole	0		6500	N	ANDREWS	AVE		Comple
<input type="checkbox"/>	<a href="#">LND-TREE-21050012,R002</a>	Protect Trees# 2,3,4,6,7,9,23,46 to remain. Tot...	6500 N. Andrews Ave- Fairfie...	Plan Revision	0		6500	N	ANDREWS	AVE		Comple
<input type="checkbox"/>	<a href="#">MEC-HVNEW-22020037</a>	Trash Chute for BLD-CNC-21060002	6500 N. Andrews Ave- Fairfie...	Mechanical HVAC New Install Permit	0		6500	N	ANDREWS	AVE		Void
<input type="checkbox"/>	<a href="#">TMP-REVISION-22020094</a>	Tree removal permit modification to remove tree #...	6500 N. Andrews Ave- Fairfie...	Plan Revision	0		6500	N	ANDREWS	AVE		Void
<input type="checkbox"/>	<a href="#">MEC-HVNEW-22020033</a>	GREASE DUCT RISER FOR BLD-CNC-21060002		Mechanical HVAC New Install Permit	0		6500	N	ANDREWS	AVE		Void
<input type="checkbox"/>	<a href="#">MEC-COM-22020026</a>	Fairfield Cypress Creek- Grease Duct Risers for B...	6500 N. Andrews Ave- Fairfie...	Mechanical Commercial Permit	0		6500	N	ANDREWS	AVE		Void
<input type="checkbox"/>	<a href="#">FIR-BDA-22020001</a>	FIRE RADIO (BLD-CNC-21060002)		BDA Fire Radio System	0		6500	N	ANDREWS	AVE		Void
<input type="checkbox"/>	<a href="#">ELE-LV-22020003</a>	Low Voltage Acces Control Application for BLD-CNC...	6500 Fairfield Cypress Creek-LV	Electrical Low Voltage Permit	0		6500	N	ANDREWS	AVE		Void
<input type="checkbox"/>	<a href="#">ENG-SITE-21120005</a>	Site Prep and Erosion Control for BLD-CNC-2106000...	6500 N. Andrews Ave- Fairfie...	ROW Site Prep and Erosion Control Permit	180		6500	N	ANDREWS	AVE		Issued
<input type="checkbox"/>	<a href="#">PLB-COM-21110036</a>	PLUMBING FOR BLD-CMIS-21110002	6500 Fairfield Cypress Creek...	Plumbing Commercial Permit	0		6500	N	ANDREWS	AVE		Comple
<input type="checkbox"/>	<a href="#">ELE-COM-21110072</a>	ELECTRIC FOR BLD-CMIS-21110002	6500 Fairfield Cypress Creek...	Electrical Commercial Permit	0		6500	N	ANDREWS	AVE		Comple
<input type="checkbox"/>	<a href="#">ENG-DEW-21110002</a>	Dewatering by means of wellpoint system and suppl...	Fairfield Cypress Creek	ROW Dewatering Permit	30		6500	N	ANDREWS	AVE		Issued
<input type="checkbox"/>	<a href="#">BLD-CMIS-21110002</a>	Temporary Construction Trailer	Fairfield @ Cypress Creek Co...	Commercial Miscellaneous Permit	0		6500	N	ANDREWS	AVE		Comple

# Record

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<input type="checkbox"/>	<a href="#">Record_Permit_or_Account #</a>	<a href="#">Record Description</a>	<a href="#">Application Name</a>	<a href="#">Record Type</a>	<a href="#">Balance</a>	<a href="#">Planner Name</a>	<a href="#">Street #</a>	<a href="#">Dir</a>	<a href="#">Street Name</a>	<a href="#">Type</a>
<input type="checkbox"/>	<a href="#">LND-TREE-21080019</a>	Specimen Tree removal permit for BLD-CDEM-2103000...	Specimen Tree Removal	Landscape Tree Removal-Relocation Permit	0		6500	N	ANDREWS	AVE
<input type="checkbox"/>	<a href="#">LND-TREE-21050012.R001</a>	County Comments and resubmittal approval Remove ...	Fairfield Cypress Creek-Tree...	Plan Revision	0		6500	N	ANDREWS	AVE
<input type="checkbox"/>	<a href="#">ELE-COM-21080075</a>	FOOTER BOND FOR BLD-CNC-21060002	Fairfield Cypress Creek - El...	Electrical Commercial Permit	0		6500	N	ANDREWS	AVE
<input type="checkbox"/>	<a href="#">PLB-IRR-21080017</a>	New Plumbing Irrigation for BLD-CNC-21060002	Fairfield Cypress Creek - Ne...	Plumbing Irrigation Permit	0		6500	N	ANDREWS	AVE
<input type="checkbox"/>	<a href="#">PLB-GAS-21080028</a>	GAS FOR BLD-CNC-21060002	Fairfield Cypress Creek - Ne...	Plumbing Gas Permit	0		6500	N	ANDREWS	AVE
<input type="checkbox"/>	<a href="#">BLD-CPAV-21080002</a>	PAVING FOR BLD-CNC-21060002	Fairfield Cypress Creek - Ne...	Commercial Paving Permit	0		6500	N	ANDREWS	AVE
<input type="checkbox"/>	<a href="#">PLB-COM-21080041</a>	On-Site Water & Sanitary Sewer for BLD-CNC-21060002	Fairfield Cypress Creek - Ne...	Plumbing Commercial Permit	0		6500	N	ANDREWS	AVE
<input type="checkbox"/>	<a href="#">PLB-COM-21070037</a>	New Onsite Storm Drainage for BLD-CNC-21060002	Fairfield Cypress Creek - Ne...	Plumbing Commercial Permit	0		6500	N	ANDREWS	AVE
<input type="checkbox"/>	<a href="#">FIR-BDA-21070004</a>	BDA Fire Radio System FOR BLD-CNC21060002	Fairfield Cypress Creek - BD...	BDA Fire Radio System	0		6500	N	ANDREWS	AVE
<input type="checkbox"/>	<a href="#">FIR-ALARM-21070033</a>	Fire Alarm For BLD-CNC-21060002	Fairfield Cypress Creek - Fi...	Fire Alarm System Permit	0		6500	N	ANDREWS	AVE
<input type="checkbox"/>	<a href="#">LND-INST-21070015</a>	GENERAL LANDSCAPE FOR BLD-CNC-21060002	Fairfield Cypress Creek - La...	Landscape Installation Permit	0		6500	N	ANDREWS	AVE
<input type="checkbox"/>	<a href="#">FIR-SSA-21090013</a>	Fire Sprinkler above Ground for BLD-CNC-21060002	Fairfield Cypress Creek - Fi...	Sprinkler System Aboveground	0		6500	N	ANDREWS	AVE
<input type="checkbox"/>	<a href="#">FIR-SMU-21070003</a>	Fire Sprinkler Main Underground for BLD-CNC-21060002	Fairfield Cypress Creek - ir...	Sprinkler Main Underground	0		6500	N	ANDREWS	AVE
<input type="checkbox"/>	<a href="#">BLD-PHZ-21070004</a>	Phase Permit Foundations 295 UNITS	6500 N. Andrews Ave- Fairfie...	Phase Permit	0		6500	N	ANDREWS	AVE
<input type="checkbox"/>	<a href="#">CE21070307</a>	THERE IS GRAFFITI ON THE FENCE.		Code Case	0	Bernstein Saim...	6500	N	ANDREWS	AVE
<input type="checkbox"/>	<a href="#">BE21070052</a>	40-YEAR BUILDING SAFETY INSPECTION	40-YEAR BUILDING SAFETY INSP...	Building Code Case	0	Alexander Albores	6500	N	ANDREWS	AVE
<input type="checkbox"/>	<a href="#">BLD-ROOF-21060035</a>	Roofing for BLD-CNC-21060002	Fairfield Cypress Creek - Ne...	Re-Roof Permit	0		6500	N	ANDREWS	AVE
<input type="checkbox"/>	<a href="#">PLB-COM-21060006</a>	Plumbing for BLD-CNC-21060002	Fairfield Cypress Creek - Ne...	Plumbing Commercial Permit	0		6500	N	ANDREWS	AVE
<input type="checkbox"/>	<a href="#">MEC-COM-21060009</a>	Mechanical for BLD-CNC-21060002	Fairfield Cypress Creek - Ne...	Mechanical Commercial Permit	0		6500	N	ANDREWS	AVE
<input type="checkbox"/>	<a href="#">ELE-COM-21060017</a>	Electrical for BLD-CNC-21060002	Fairfield Cypress Creek - Ne...	Electrical Commercial Permit	0		6500	N	ANDREWS	AVE
<input type="checkbox"/>	<a href="#">BLD-CNC-21060002</a>	New residential building 8 Story apartment Buildi...	6500 N ANDREWS AVE - Fairfie...	Commercial New Construction Permit	0		6500	N	ANDREWS	AVE
<input type="checkbox"/>	<a href="#">LND-TREE-21050012</a>	Protect Trees# 2,3,4,6,7,9,23,46 to remain. Rel...	Tree Relocation and Tree Rem...	Landscape Tree Removal-Relocation Permit	0		6500	N	ANDREWS	AVE
<input type="checkbox"/>	<a href="#">ENG-SITE-21040012</a>	SITE PREP & EROSION CONTROL FOR BLD-CDEM-21030007	Fairfield Cypress Creek - Si...	ROW Site Prep and Erosion Control Permit	0		6500	N	ANDREWS	AVE
<input type="checkbox"/>	<a href="#">PLB-SEW-21040012</a>	SEWER CAP FOR BLD-CDEM-21030007	Fairfield Cypress Creek - Se...	Plumbing Sewer Cap Permit	0		6500	N	ANDREWS	AVE
<input type="checkbox"/>	<a href="#">BLD-CDEM-21030007</a>	TOTAL DEMO	Fairfield Cypress Creek	Commercial Demolition Permit	0		6500	N	ANDREWS	AVE
<input type="checkbox"/>	<a href="#">BLD-BARR-21030004</a>	TEMP CONSTRUCTION FENCE	Fairfield Cypress Creek	Temporary Construction Barrier Permit	0		6500	N	ANDREWS	AVE
<input type="checkbox"/>	<a href="#">BT-SLP-REN-20076059</a>		KALAYCI,TANZER H	Professional Business Tax Renewal (State,County,Federal,Registered, etc.)	0		6500	N	ANDREWS	AVE
<input type="checkbox"/>	<a href="#">BT-GEN-REN-20074310</a>		General Renewal	General Business Tax Renewal	0		6500	N	ANDREWS	AVE
<input type="checkbox"/>	<a href="#">BT-SLP-REN-20073948</a>		State Licensed Professional ...	Professional Business Tax Renewal (State,County,Federal,Registered, etc.)	0		6500	N	ANDREWS	AVE
<input type="checkbox"/>	<a href="#">BT-SLP-REN-20071579</a>		State Licensed Professional ...	Professional Business Tax Renewal (State,County,Federal,Registered, etc.)	0		6500	N	ANDREWS	AVE
<input type="checkbox"/>	<a href="#">PLN-REZ-20060001</a>	Rezoning From B-3 to UUV-NE	Fairfield Cypress Creek	M- Rezoning	0		6500	N	ANDREWS	AVE
<input type="checkbox"/>	<a href="#">PLN-SITE-20050005</a>	New residential building 8 Story apartment Buildi...	6500 N ANDREWS AVE - Fairfie...	DRC- Site Plan (Level II, III, IV)	0		6500	N	ANDREWS	AVE
<input type="checkbox"/>	<a href="#">PL-V19006</a>	P2 -	FAIRFIELD - 30 FOOT PARTIAL ...	DRC- Vacation of Right-of-Way	0		6500	N	ANDREWS	AVE
<input type="checkbox"/>	<a href="#">BL-1801338</a>		ALBRITTON,CLARK B	Professional Business Tax Receipt (State,County,Federal,Registered, etc.)	0		6500	N	ANDREWS	AVE
<input type="checkbox"/>	<a href="#">BL-1801339</a>		KCI TECHNOLOGIES INC	General Business Tax Receipt	0		6500	N	ANDREWS	AVE
<input type="checkbox"/>	<a href="#">PL-ZL19022</a>	ZVL -		Z- Zoning Verification Letter	0		6500	N	ANDREWS	AVE
<input type="checkbox"/>	<a href="#">CE19011862</a>	L/S - ONE STEP - 0 OPEN CASES	KEITH & SCHNARS PA	Code Case	0		6500	N	ANDREWS	AVE
<input type="checkbox"/>	<a href="#">VIO-CE19011862_1</a>		KEITH & SCHNARS PA	Violation-CODE Hearing	0		6500	N	ANDREWS	AVE
<input type="checkbox"/>	<a href="#">BL-1701831</a>		KLINE,STANLEY MARK	Professional Business Tax Receipt (State,County,Federal,Registered, etc.)	0		6500	N	ANDREWS	AVE
<input type="checkbox"/>	<a href="#">VIO-CE17062574_1</a>		KEITH & SCHNARS PA	Violation-CODE Hearing	0		6500	N	ANDREWS	AVE

# Record

Showing 121-158 of 158

<input type="checkbox"/>	<a href="#">Record, Permit, or Account #</a>	<a href="#">Record Description</a>	<a href="#">Application Name</a>	<a href="#">Record Type</a>	<a href="#">Balance</a>	<a href="#">Planner Name</a>	<a href="#">Street #</a>	<a href="#">Dir</a>	<a href="#">Street Name</a>	<a href="#">Type</a>	<a href="#">U</a>
<input type="checkbox"/>	<a href="#">CE17062574</a>	THEY BLOCKED ONE OF THE EXITS, IT IS BLOCKED WITH...	KEITH & SCHNARS PA	Code Case	0		6500	N	ANDREWS	AVE	
<input type="checkbox"/>	<a href="#">VIO-CE17051309_1</a>		KEITH & SCHNARS PA	Violation-CODE Hearing	0		6500	N	ANDREWS	AVE	
<input type="checkbox"/>	<a href="#">CE17051309</a>	L/S CLEAR CHOICE TAX & LIEN 0 OPEN CASES	KEITH & SCHNARS PA	Code Case	0		6500	N	ANDREWS	AVE	
<input type="checkbox"/>	<a href="#">PL-A16045</a>	ARSPI - CLOSE THE INTERIOR CONNECTION ON THE...	KEITH & SCHNARSINTERIOR CONN...	AR- Administrative Review	0		6500	N	ANDREWS	AVE	
<input type="checkbox"/>	<a href="#">PM-15120511</a>	BACKFLOW INSTALL	BACKFLOW INSTALL	Plumbing Backflow Installation Permit	0		6500	N	ANDREWS	AVE	
<input type="checkbox"/>	<a href="#">PM-14051852</a>	PACKAGE UNIT CHNAGEOUT	PACKAGE UNIT CHNAGEOUT	Mechanical HVAC Changeout Permit	0		6500	N	ANDREWS	AVE	
<input type="checkbox"/>	<a href="#">PM-12080152</a>	RECERTIFY BACKFLOW	RECERTIFY BACKFLOW	Plumbing Backflow Installation Permit	0		6500	N	ANDREWS	AVE	
<input type="checkbox"/>	<a href="#">BL-1101702</a>		PEACOCK,TAMARA	Professional Business Tax Receipt (State,County,Federal,Registered, etc.)	0		6500	N	ANDREWS	AVE	
<input type="checkbox"/>	<a href="#">PM-11110158</a>	RECERTIFY TWO 1.5 INCH DC BACKFLOWS	RECERTIFY TWO 1.5 INCH DC BA...	Plumbing Backflow Installation Permit	0		6500	N	ANDREWS	AVE	
<input type="checkbox"/>	<a href="#">BL-1100465</a>		FUXA,JOSE	Professional Business Tax Receipt (State,County,Federal,Registered, etc.)	0		6500	N	ANDREWS	AVE	
<input type="checkbox"/>	<a href="#">BL-1100464</a>		MOHANDES,KOUROCHE PE	Professional Business Tax Receipt (State,County,Federal,Registered, etc.)	0		6500	N	ANDREWS	AVE	
<input type="checkbox"/>	<a href="#">BL-1100463</a>		K M ENGINEERING CONSULTANTS INC	General Business Tax Receipt	0		6500	N	ANDREWS	AVE	
<input type="checkbox"/>	<a href="#">PM-10100229</a>	RECERTIFY BACKFLOWS 2(DC 1.5INCH)	RECERTIFY BACKFLOWS 2(DC 1.5...	Plumbing Backflow Installation Permit	0		6500	N	ANDREWS	AVE	
<input type="checkbox"/>	<a href="#">PM-08101198</a>	RECERTIFY TWO 1.5" DC BACKFLOWS	RECERTIFY TWO 1.5" DC BACKFLOWS	Plumbing Backflow Installation Permit	0		6500	N	ANDREWS	AVE	
<input type="checkbox"/>	<a href="#">PM-07102329</a>	HVAC Change out & new drain lines	HVAC Change out & new drain ...	Mechanical Commercial Permit	29.05		6500	N	ANDREWS	AVE	
<input type="checkbox"/>	<a href="#">PM-07102296</a>	Re-roof condensate drains	Re-roof condensate drains	Mechanical Commercial Permit	0		6500	N	ANDREWS	AVE	
<input type="checkbox"/>	<a href="#">PM-07100918</a>	COMMERCIAL REROOF: 30,000 SQ FT FLAT ~REV. 2 11/1...	COMMERCIAL REROOF: 30,000 SQ...	Re-Roof Permit	0		6500	N	ANDREWS	AVE	
<input type="checkbox"/>	<a href="#">PM-05100190</a>	1" ASPHALT OVERLAY TO PKG LOT	1" ASPHALT OVERLAY TO PKG LOT	Commercial Paving Permit	0		6500	N	ANDREWS	AVE	
<input type="checkbox"/>	<a href="#">PM-04120145</a>	REPLACE 4 POLES/8FIXTURES	REPLACE 4 POLES/8FIXTURES	Electrical Commercial Permit	0		6500	N	ANDREWS	AVE	
<input type="checkbox"/>	<a href="#">PM-04060369</a>	REMOVE 2 BLACKOLIVES 14",20"CAL.NO SPECIMAN ~5 LO...	REMOVE 2 BLACKOLIVES 14",20"...	Landscape Tree Removal-Relocation Permit	0		6500	N	ANDREWS	AVE	
<input type="checkbox"/>	<a href="#">PM-03080263</a>	INSTALL ONE 24S STEEL STORM SHUTTER-DOOR	INSTALL ONE 24S STEEL STORM ...	Shutter Permit	0		6500	N	ANDREWS	AVE	
<input type="checkbox"/>	<a href="#">PM-03061146</a>	ELECTRIC TO INT RENOV 03031853	ELECTRIC TO INT RENOV 03031853	Electrical Commercial Permit	0		6500	N	ANDREWS	AVE	
<input type="checkbox"/>	<a href="#">PM-03060965</a>	STE 132 INSTALL FIRE ALARM SYSTEM 03031853	STE 132 INSTALL FIRE ALARM S...	Fire Alarm System Permit	0		6500	N	ANDREWS	AVE	
<input type="checkbox"/>	<a href="#">PM-03032142</a>	RECERTIFY TWO 1.5" DC BACKFLOWS	RECERTIFY TWO 1.5" DC BACKFLOWS	Plumbing Backflow Installation Permit	0		6500	N	ANDREWS	AVE	
<input type="checkbox"/>	<a href="#">PM-03031853</a>	INTERIOR RENOVATION OFFICE ~B-RECHECK --B-F--4/23/3	INTERIOR RENOVATION OFFICE	Commercial Alteration Permit	0		6500	N	ANDREWS	AVE	
<input type="checkbox"/>	<a href="#">PM-03010707</a>	REROOF FLAT 1700SF NOC ATTACHED	REROOF FLAT 1700SF NOC ATTACHED	Re-Roof Permit	0		6500	N	ANDREWS	AVE	
<input type="checkbox"/>	<a href="#">PM-02011872</a>	2 STORY OFFICE BLDG FIRECODE IMPROVEMENTS	2 STORY OFFICE BLDG FIRECODE...	Commercial Alteration Permit	0		6500	N	ANDREWS	AVE	
<input type="checkbox"/>	<a href="#">PM-01120315</a>	RECERT 2 BACK FLOWS	RECERT 2 BACK FLOWS	Plumbing Backflow Installation Permit	0		6500	N	ANDREWS	AVE	
<input type="checkbox"/>	<a href="#">PM-01020472</a>	ERECT A 40' X 80' TEMP TENT (02/14/01)	ERECT A 40' X 80' TEMP TENT ...	Special Promotion Tent-Canopy Permit	0		6500	N	ANDREWS	AVE	
<input type="checkbox"/>	<a href="#">PM-01010973</a>	REPLACEMENT 25 TON PACKAGE ON NEW CURB ADAPTER	REPLACEMENT 25 TON PACKAGE O...	Mechanical HVAC Changeout Permit	0		6500	N	ANDREWS	AVE	
<input type="checkbox"/>	<a href="#">PM-00121226</a>	(2) BACKFLOW RECERT. AND (2) HAND SINKS	(2) BACKFLOW RECERT. AND (2...	Plumbing Backflow Installation Permit	0		6500	N	ANDREWS	AVE	
<input type="checkbox"/>	<a href="#">PM-00120051</a>	BACKFLOW RECERTIFICATION (2) 1.5" DC BACKFLOWS	BACKFLOW RECERTIFICATION (2...	Plumbing Backflow Installation Permit	0		6500	N	ANDREWS	AVE	
<input type="checkbox"/>	<a href="#">PM-00110294</a>	REPLACE EXISTING 7.5 TON ROOFTOP A/C UNIT	REPLACE EXISTING 7.5 TON ROO...	Mechanical HVAC Changeout Permit	0		6500	N	ANDREWS	AVE	
<input type="checkbox"/>	<a href="#">BL-991521</a>		AMERICAN ELM LEASING INC	General Business Tax Receipt	0		6500	N	ANDREWS	AVE	
<input type="checkbox"/>	<a href="#">BL-1100787</a>		TAMARA PEACOCK CO THE	Professional Business Tax Receipt (State,County,Federal,Registered, etc.)	0		6500	N	ANDREWS	AVE	
<input type="checkbox"/>	<a href="#">FS-23063126</a>		KEITH & SCHNARS PA	Fire Safety Account	0		6500	N	ANDREWS	AVE	
<input type="checkbox"/>	<a href="#">BL-548818</a>		KALAYCI,TANZER H	Professional Business Tax Receipt (State,County,Federal,Registered, etc.)	315		6500	N	ANDREWS	AVE	
<input type="checkbox"/>	<a href="#">AB-0016604</a>		KEITH & SCHNARS PA	Resident/Business Alarm Registration	300		6500	N	ANDREWS	AVE	





CITY OF FORT LAUDERDALE

# PUBLIC NOTICE

## BOARD OF ADJUSTMENT MEETING

DATE: APRIL 10, 2024

TIME: 6:00 P.M.

CASE: PLN-BOA-24030002

### Sec. 47-19.2. Z.1- Roof mounted structures.

- Requesting a variance to allow the existing permitted parapet to remain at a height ranging from 90'-8" to 93'-9" above ground level, (3" to 4'-7" below the top most surface of the roof mounted structure measuring at a height of 95'-4" above ground level), to serve as adequate mechanical equipment screening in lieu of the requirements of Section 47-19.2.Z.1 of the ULDR, which requires that the rooftop mechanical equipment be at least six (6) inches high above the top most surface of the roof mounted structure or in this instance 95'-10" above ground level, for a total variance of a maximum of 5' -2 ".

MEETING LOCATION: DEVELOPMENT SERVICES DEPARTMENT  
700 N.W. 19<sup>TH</sup> AVENUE (LOBBY)  
FORT LAUDERDALE, FL., 33311  
CONTACT: 954-828-6506

TO WATCH AND LISTEN TO THE BOARD OF ADJUSTMENT MEETING VISIT:  
<https://www.fortlauderdale.gov/government/BOA>  
[www.youtube.com/cityoffortlauderdale](http://www.youtube.com/cityoffortlauderdale)



*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-24030002

APPLICANT: Andrew J. Schein, Esq.

PROPERTY: 6500 N. Andrews Avenue

PUBLIC HEARING DATE: April 10, 2024

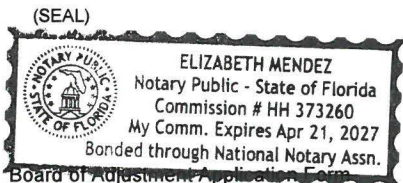
BEFORE ME, the undersigned authority, personally appeared Andrew J. Schein, Esq., who upon being duly sworn and cautioned, under oath deposes and says:

1. Affiant is the Applicant in the above cited City of Fort Lauderdale **Board or Commission** Case.
2. 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**.
3. 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.
4. 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.**
5. 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.
6. 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 27 day of March, 2024



NOTARY PUBLIC  
MY COMMISSION EXPIRES:









**PUBLIC NOTICE**  
BOARD OF SUPERVISORS MEETING  
The Board of Supervisors will meet on the 15th day of the month of [Month] at [Time] in the [Room] of the [Building] at [Address].  
The meeting will be held in accordance with the provisions of the Government Code, Sections 54950-54963, and the Public Access to Meetings Act, Sections 54950-54963.  
The meeting will be open to the public and will be held in accordance with the provisions of the Government Code, Sections 54950-54963, and the Public Access to Meetings Act, Sections 54950-54963.  
The meeting will be held in accordance with the provisions of the Government Code, Sections 54950-54963, and the Public Access to Meetings Act, Sections 54950-54963.  
The meeting will be held in accordance with the provisions of the Government Code, Sections 54950-54963, and the Public Access to Meetings Act, Sections 54950-54963.





SIDEWALK  
CLOSED

Construction Site  
Safety Sign



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, special advertising, re-advertising and any other costs associated with the application submittal 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@romlauderdale.gov](mailto:boardofadjustment@romlauderdale.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	FEES
<input type="radio"/> Requesting a Variance/Special Exception/Interpretation (Before)	\$2,332
<input checked="" 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 (Homestead Only) (Before)	\$689
<input type="radio"/> Requesting a Variance/Special Exception/Interpretation for Residential Accessory Structures & Existing Non-Conforming Structures (Homestead 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

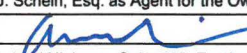
**INSTRUCTIONS:** The following information is required pursuant to the City's Unified Land Development Regulations (ULDR). While the information requested in this application is the minimum required to proceed please be aware additional information may be required to fully address the variance(s) and/or 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	Fairfield Cypress LP
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	5355 Mira Sorrento Place, Suite 100, San Diego, CA 92121
E-mail Address	
Phone Number	
Proof of Ownership	<input checked="" type="checkbox"/> Warranty Deed or <input type="checkbox"/> Tax Record

**NOTE:** If **AGENT** is to represent **PROPERTY OWNER**, an agent authorization form is required (must be notarized)

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@ochriellaw.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: 6500 N. Andrews Avenue
Legal Description	See survey
Tax ID Folio Numbers <small>(For all parcels in development)</small>	494210130081
Variance/Special Exception Request <small>(Provide a brief description of your request)</small>	A variance to allow the existing permitted parapet, which ranges in height from 90' - 9" to 93' - 9", to serve as adequate mechanical equipment screening in lieu of the requirements of Section 47-19.2.Z.1 of the ULDR, which requires that the rooftop mechanical equipment be at least six (6) inches high above the top most surface of the roof mounted structure, for a total variance of a maximum of 5' - 1".
Applicable ULDR Sections <small>(Include all code sections)</small>	47-19.2.Z.1

Current Land Use Designation	Employment Center
Current Zoning Designation	UUV-NE
Current Use of Property	Mixed use under construction
Site Adjacent to Waterway	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Setbacks (indicate direction N, S, E, W)		Required	Proposed
Front	W	10' min, 50' max.	10.52'
Side	S	None	7.2'
Side	N	None	62.1'
Rear	E	None	10.68'



## 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.

A variance to allow the existing permitted parapet, which ranges in height from 90' - 9" to 93' - 9", to serve as adequate mechanical equipment screening in lieu of the requirements of Section 47-19.2.Z.1 of the ULDR, which requires that the rooftop mechanical equipment be at least six (6) inches high above the top most surface of the roof mounted structure, for a total variance of a maximum of 5' - 1".

**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"

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"

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"

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"

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.

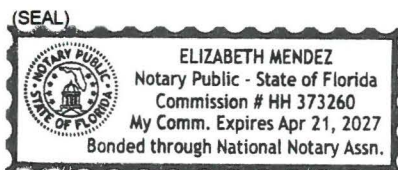
See "Attachment to Page 2 of the Variance Application"

**AFFIDAVIT:** I, Andrew J. Schein, Esq. 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 of 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 6 day of March, 2024



  
NOTARY PUBLIC  
MY COMMISSION EXPIRES:

**Applicant:** Andrew J. Schein / Lochrie & Chakas, P.A.  
**Owner:** Fairfield Cypress LP  
**Address:** 6500 N. Andrews Avenue (“Property”)  
**Request:** Variance from ULDR Section 47-19.2.Z.1

**Attachment to Page 2 of the Variance Application**

**Board of Adjustment Criteria and Narrative**

**1. General Information and Request**

Fairfield Cypress Creek LP (“Owner”) is the owner and developer of the property located at 6500 North Andrews Avenue (the “Property”). On January 16, 2021, the City approved a mixed-use, multifamily development on the Property pursuant to City Case No. PLN-SITE-20050005 (the “Project”). The Project consists of 295 multifamily residential units and 30,888 square feet of commercial uses in an 8-story building.

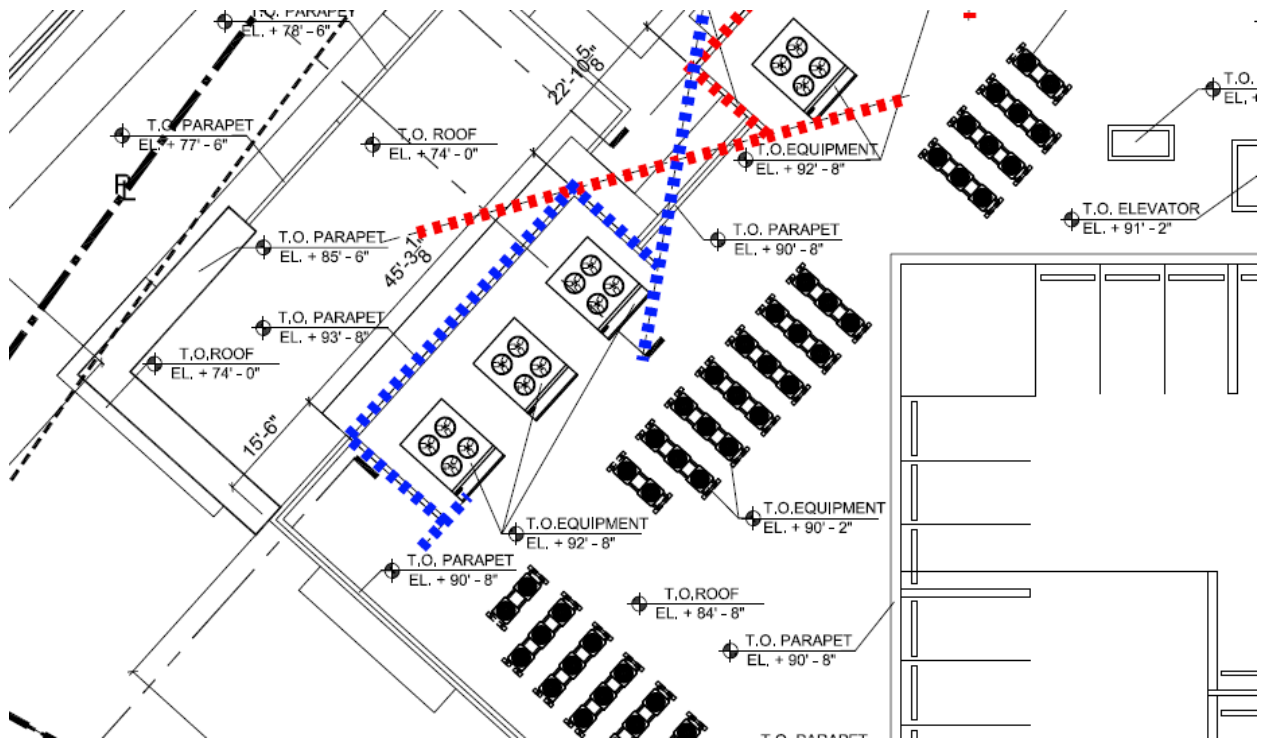
Owner is requesting approval of a variance for the screening of mechanical rooftop equipment pursuant to Section 47-19.2.Z.1 of the ULDR, which requires that rooftop equipment be screened at least 6” above the topmost surface of the equipment.

As background, the Project was required to be reviewed by the City’s Development Review Committee (“DRC”) and the Planning and Zoning Board. A project’s design through the site plan approval process is a “high level” design where the overall design and layout of the building is finalized. During the building permitting process, the more intricate details of the project are determined and presented to the permitting department for approval (exact mechanical equipment, detailed electrical drawings, etc.) – details that are neither appropriate nor required to be shown during the site plan approval process.

During the site plan approval process, the DRC requests that applicants show the proposed location, type, size, and height of mechanical equipment on the roof along with the provided screening. Since the exact layout, size, type, and height of the mechanical equipment is not approved by the DRC (technical details like those are done after DRC approval through the permitting department), these details are almost always a “best guess” at the DRC stage for developments of this nature.

Owner provided a roof plan during the DRC process; the approved roof plan is included with this application. The approved roof plan shows parapet screening (at least 6” above the equipment) in the immediate area surrounding the equipment, but not all around the building. In some areas under the approved roof plan, parapets on one side of the building are not 6” above mechanical equipment on the other side of the building. This was typical in years past. Recently, the City began to require screening around the entirety of the roof, regardless of how far away the mechanical equipment is from the screening. This has caused issues when buildings are ready to receive their final zoning inspection, as it is a significantly more strict interpretation of Section 47-19.2.Z.1 than was faced by many an applicant during the DRC process.

As an example, the plan excerpt below is from the Project's roof plan, which was approved by (1) the DRC, who determined that the Project met the code requirements prior to sending it to Planning and Zoning Board, and (2) the Planning and Zoning Board, who also found that the Project met the code requirements. As seen circled in red in the plan excerpt, the plan showed mechanical equipment at 92' – 8" and a parapet at 90' – 8". This was permitted at the time the Project was approved under previous zoning determinations and is no longer permitted. Under new interpretations, the 90' – 8" parapet would need to be increased to 93' – 2" to be above the mechanical equipment. This change is easy to make at the DRC stage (and is now being heavily enforced at DRC so that applicants don't run into these issues in the future), but is nearly impossible once the development is already constructed and is seeking final zoning inspections.



Due to this changed policy and enforcement of mechanical equipment screening, Owner is seeking a variance from Section 47-19.2.Z.1 of the ULDR, as additional screening cannot be added at this stage without jeopardizing the structural integrity of the building. Although not typical on the roof of the Project, the largest discrepancy between the equipment and parapet height is a rooftop unit at a 95' – 4" elevation and a parapet at a 90' – 9" elevation (the same parapet that's shown above at 90' – 8"). Therefore, this is a variance of 5' – 1" (as the equipment needs to be screened up to 95' – 10", 6" above).

## 2. Code Provision

*ULDR Section 47-19.2.Z.1: Roof mounted structures such as air conditioners and satellite dish antennae shall be required to be screened with material that matches the material used for the principal structure and shall be at least six (6) inches high above the top most surface of the roof mounted structure. Vent pipes, skylights, cupolas, solar collectors and chimneys shall not be subject to this provision.*

### 3. Variance Criteria

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

**RESPONSE:** The Project was approved by the DRC and Planning and Zoning Board with parapet heights lower than the mechanical equipment. The Project received building permit approval with parapet heights lower than the equipment. The Project was constructed with parapet heights lower than the equipment. The first time that Owner heard of the rooftop equipment screening issue was during the inspection process when the building was substantially complete, at which point the parapets could not be raised without jeopardizing the structural integrity of the building.

Included with this application is a letter from Victor Yue, Managing Principal of Dorsky + Yue International, outlining the inability to add additional screening at this stage in the construction process. The concerns are twofold:

1. Significant risk of puncturing the roof tendons when finding possible locations to anchor in the ~100 metal supports for the additional screening. This risk can be mitigated by X-raying the roof, however since the roof is finished, large portions of the roof would need to be ripped up to determine the tendon locations. Even if all tendons are located, it's not known (and can't be known until the roof is ripped up) if there's adequate space for the ~100 metal supports;
2. Even if the roof is ripped up and there's adequate space for the ~100 metal supports, the supports themselves may lead to severe structural damage on the roof and could void the roof warranty if the damage does cause leaks.

The reasonable use of the Property is for the mixed-use multifamily development that it was approved for. The building and operations of the building cannot reasonably be used without the mechanical equipment that was installed, and the installation of screening could structurally harm the building in a way that would not permit that reasonable use.

- 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;

**RESPONSE:** As detailed in the background above, the Project was approved with parapet heights lower than the mechanical equipment, and Owner did not know that this was an issue until it came time for final inspections. This Project is the first and only development in the UUV-NE zoning district, so there are no comparisons to other properties in the same zoning district. However, this similar circumstance has happened to a few other developments in other zoning districts while the City was transitioning to their more strict interpretation of Section 47-19.2.Z.1, all of which were granted variances due to this changed interpretation.

**Going forward, this Property will be a marked exception to future developments in the UUV-NE zoning district as the City is now enforcing their interpretation at the DRC stage (the proper time to enforce this provision).**

- 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;

**RESPONSE:** As mentioned above, this is the first and only development in the UUV-NE zoning district. Future developers in this zoning district will not have to face this same hardship, as the City's new interpretation is strictly enforced at the DRC stage when these types of changes can be made. However, literal application of this provision would deprive the Owner of a substantial property right that is enjoyed by owners in other zoning districts.

**On February 15, 2022, the City Commission adopted the Property Rights Element of the City's Comprehensive Plan. This element has two applicable principles:**

1. ***Predictability*** – “Predictability means a local government follows rules that are clear and unambiguous. Real estate investors should be able to read the rules and know whether local government will permit a development proposal.”
2. ***Reliability*** – “Reliability means a local government follows through on its commitments. Realistic plans should be made and followed. Generally, local governments should only change their plans after thorough consideration and consensus building. When government is reliable, people can make long-term investments in the community which is a key component of a successful local economy.”

**The rules for mechanical equipment screening were, unfortunately, not clear and unambiguous. If a piece of mechanical equipment was at 92' – 8" in elevation and a parapet on the other side of the building was at 90' – 8" in elevation, the City did not require screening in that instance. The stricter application of the screening requirement was instituted overnight and, apparently, applied to projects approved and under construction before the stricter application was instituted. This “predictability” property right is now enjoyed by all owners throughout the City as it pertains to mechanical equipment screening, but was not enjoyed by the Owner.**

**As to the reliability principle, the City's stricter interpretation of this code provision may have been made through consideration and consensus building, but the City did not follow through on its commitment to the Owner or the Project. The Project was approved by both the DRC and the Planning and Zoning Board with parapet heights lower than the equipment in some locations, and Owner can no longer rely on those approvals.**

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

**RESPONSE:** The Owner went through the proper procedures to receive site plan approval, which showed parapet heights lower than the equipment in some locations. Owner complied with every



request made by the DRC regarding changes to the plans. Owner complied with every request and condition made by the Planning and Zoning Board. Owner did not disregard the ULDR.

As mentioned above, language in the ULDR is not always clear and unambiguous. The Zoning Administrator is tasked with making interpretations to the ULDR, and most of these interpretations are not published. Developers find out about zoning's ULDR interpretations when they either submit their plans to the DRC and receive comments, or in this case, when the building is substantially complete and is getting ready for occupancy.

Finding out about unpublished interpretation changes when a building is substantially complete, rather than during the design phase, is a significant hardship. When buildings of this scale are substantially complete, Owners are undergoing various procedures to make it operational – hiring staff, marketing the development, signing on residential tenants, courting commercial tenants, closing out funding, etc. To find out about an interpretation change at this stage of construction, particularly one that would significantly delay the opening of the building, does not just cause a hardship for the owner or developer – all interested stakeholders, from future tenants to new staff suffer a hardship.

- 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:** This variance is the minimum necessary to make reasonable use of the property. The parapets were constructed at or slightly above (1”) the approved parapet height, and it’s reasonable to allow the building to remain as constructed.

The general purpose of the rooftop screening requirement is to limit noise pollution and to mitigate the visibility of the rooftop equipment. As this is an 8-story building, the rooftop mechanical equipment is not expected to generate any recognizable noise pollution (it likely wouldn’t be heard even if there were no parapets).

As for mitigating visibility, Applicant included a visibility study with this application, showing how far away from the building a pedestrian would need to be to see the equipment. From most angles, one would need to be between 1,042’ and 7,442’ away from the building to see the equipment. Without binoculars, it is highly unlikely that anyone will be able to see the equipment from those angles, let alone distinguish the equipment from other building features. One of the rooftop units may be visible from 332’ away at the south/southeast portion of the building from I-95/the I-95 overpass, though one would have to intentionally look for it while driving on the highway.

Since the rooftop equipment is not visible from the pedestrian level in all but one circumstance (mainly from the raised I-95 overpass), this variance will be compatible with adjoining properties and the surrounding neighborhood and is not detrimental to the public welfare.

## 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 and link can be found on the cover page of the BOA application.**

Email w/ B. Ford on 3/6/24

■ **Preliminary BOA Meeting** - The applicant and/or agent met with staff on the following date: \_\_\_\_\_

■ **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.

Not req'd □ **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.

■ **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. **Copy sets of Survey must be at half-size scale 11x17"**.

□ **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. **Copy sets of Plans must be at half-size scale 11x17"**.

■ **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).

□ **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. 19<sup>TH</sup> 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](mailto:hhanson@bcpa.net) or call 954-357-6855 OR Kenny Gibbs at [kgibbs@bcpa.net](mailto: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](#)

**Please Note:** All copy sets must be clear, accurate and legible. All non-plan documents should be 8 1/2" x 11". Plans must be **folded** to 8 1/2" x 11".

## 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. \_\_\_\_\_

APPLICANT: \_\_\_\_\_

PROPERTY: \_\_\_\_\_

PUBLIC HEARING DATE: \_\_\_\_\_

BEFORE ME, the undersigned authority, personally appeared \_\_\_\_\_, who upon being duly sworn and cautioned, under oath deposes and says:

1. Affiant is the Applicant in the above cited City of Fort Lauderdale **Board or Commission** Case.
2. 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**.
3. 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.
4. 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.**
5. 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.
6. 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. \_\_\_\_\_ (initial here)

\_\_\_\_\_  
Affiant

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

(SEAL)

\_\_\_\_\_  
NOTARY PUBLIC  
MY COMMISSION EXPIRES:



## Page 5: Technical Specifications

### A. SITE PLAN

1. Title Block including project name and design professional's address and phone number
2. Scale (1" = 30' min., must be engineer's scale)
3. North indicator
4. Location map showing relationship to major arterials
5. Drawing and revision dates, as applicable
6. Full legal description
7. Site Plan Data Table
  - Current use of property
  - Land Use designation
  - Zoning designation
  - Site area (sq. ft. and acres)
  - Setback table (required vs. provided)
  - Open space
8. Site Plan Features (graphically indicated)
  - Setbacks and building separations (dimensioned)
  - Project signage (if applicable)
  - Easements (as applicable)

(Please note additional site plan information may be necessary to fully address the requested variance)

### B. BUILDING ELEVATIONS (as applicable)

1. All building facades with directional labels (i.e. North, South) and building names if more than one building
2. Dimensions, including height and width of all structures
3. Dimensions of setbacks and required setbacks from property lines
4. Dimension grade at crown of road, at curb, sidewalk, building entrance, and finished floor
5. Include proposed signage

This instrument prepared by:  
A. Alan Manning, Esq.  
Clark Partington  
Post Office Box 13010  
Pensacola, FL 32591-3010  
(850) 434-9200

### QUITCLAIM DEED

This Quitclaim Deed is made and entered into as of February 22, 2021 by Fairfield Cypress LP, a Delaware limited partnership ("**Fairfield**"), whose mailing address is 5355 Mira Sorrento Place, Suite 100, San Diego, CA 92121, and Poliakoff, Becker & Streitfeld, LLP, a Florida limited liability partnership ("**Poliakoff**"), whose mailing address is 200 East Las Olas Boulevard, Suite 1000, Fort Lauderdale, Florida 33301, with reference to the following:

#### RECITALS:

- A. Fairfield is the owner of that certain real property more property, situated, lying and being in the County of Broward, State of Florida, described on Exhibit "A" attached hereto and incorporated herein (the "**Original Fairfield Parcel**").
- B. Poliakoff is the owner of that certain real property more property, situated, lying and being in the County of Broward, State of Florida, described on Exhibit "B" attached hereto and incorporated herein (the "**Original Poliakoff Parcel**").
- C. Fairfield and Poliakoff desire to re-configure the boundary lines of the Original Fairfield Property and the Original Poliakoff Property such that Fairfield will solely own that certain real property more property, situated, lying and being in the County of Broward, State of Florida, described on Exhibit "C" attached hereto and incorporated herein (the "**New North Parcel**") and Poliakoff will solely own that certain real property more property, situated, lying and being in the County of Broward, State of Florida, described on Exhibit "D" attached hereto and incorporated herein (the "**New South Parcel**").

NOW, THEREFORE, inconsideration of the foregoing and other good and valuable considerations, the receipt whereof is acknowledged, Fairfield and Poliakoff hereby agree as follows:

1. Poliakoff does hereby remise, release, quitclaim, and convey unto Fairfield, and Fairfield's successors and assigns, forever, any and all rights, title, and interest held by Poliakoff in the New North Parcel, together with all the estate and rights of Poliakoff in such New North Parcel.
2. Fairfield does hereby remise, release, quitclaim, and convey unto Poliakoff, and Poliakoff's successors and assigns, forever, any and all rights, title, and interest held by Fairfield in the New South Parcel, together with all the estate and rights of Fairfield in such New South Parcel.

When Recorded Return To: \_\_\_\_\_  
First American Title Insurance Company  
National Commercial Services  
18500 Von Karman Ave, Suite 600  
Irvine, CA 92612  
File No: NCS 941670-SA |



3. For information purposes only, attached hereto as Exhibit "E" are sketches depicting the New North Parcel and the New South Parcel.
4. Fairfield and Poliakoff acknowledge and agree that, from and after the date hereof, (i) Fairfield will be the sole owner of the New North Parcel, and Poliakoff shall have no tenant-in-common or other fee title ownership interest in the New North Parcel, and (ii) Poliakoff will be the sole owner of the New South Parcel, and Fairfield shall have no tenant-in-common or other fee title ownership interest in the New South Parcel.
5. This Quitclaim Deed may be executed in one or more counterparts, each of which shall be deemed an original, but all of which taken together shall constitute one and the same instrument.


*[Signature pages follow]*

IN WITNESS WHEREOF, Fairfield and Poliakoff have hereunto executed this Quitclaim Deed as of the date first above written.

Signed, sealed and delivered in the presence of:

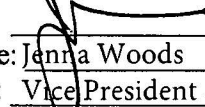
FAIRFIELD:

FAIRFIELD CYPRESS LP,  
a Delaware limited partnership

  
Print Name: GIULIA MONDORO

By: BF VAMF III GP LLC,  
a Delaware limited liability company,  
its general partner

  
Print Name: MARIA WHITEHEAD

By:   
Name: Jenna Woods  
Title: Vice President & Assistant Secretary

STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_

The foregoing instrument was acknowledged before me by means of  physical presence or online notarization, this \_\_\_\_\_ day of February, 2021, by \_\_\_\_\_, the \_\_\_\_\_ of BF VAMF III GP LLC, a Delaware limited liability company, the general partner of Fairfield Cypress LP, a Delaware limited partnership, on behalf of the partnership, who is personally known to me or has produced \_\_\_\_\_ as identification.

[NOTARY SEAL]

\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
Name typed, printed or stamped  
My Commission Expires: \_\_\_\_\_

*See attached Notary page*

[signature page continues]

**CALIFORNIA ACKNOWLEDGMENT**

**CIVIL CODE § 1189**

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of San Diego }

On February 5, 2021 before me, Sarah E. Loy, Notary Public  
*Date Here Insert Name and Title of the Officer*

personally appeared Jenna Woods  
*Name(s) of Signer(s)*

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Place Notary Seal and/or Stamp Above

Signature *Sarah E. Loy*  
*Signature of Notary Public*

**OPTIONAL**

Completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

**Description of Attached Document**

Title or Type of Document: \_\_\_\_\_

Document Date: \_\_\_\_\_ Number of Pages: \_\_\_\_\_

Signer(s) Other Than Named Above: \_\_\_\_\_

**Capacity(ies) Claimed by Signer(s)**

Signer's Name: \_\_\_\_\_

Corporate Officer – Title(s): \_\_\_\_\_

Partner –  Limited  General

Individual  Attorney in Fact

Trustee  Guardian or Conservator

Other: \_\_\_\_\_

Signer is Representing: \_\_\_\_\_

Signer's Name: \_\_\_\_\_

Corporate Officer – Title(s): \_\_\_\_\_

Partner –  Limited  General

Individual  Attorney in Fact

Trustee  Guardian or Conservator

Other: \_\_\_\_\_

Signer is Representing: \_\_\_\_\_

Signed, sealed and delivered  
in our presence (as to both signatories):

POLIAKOFF:

Poliakoff, Becker & Streitfeld, LLP,  
a Florida limited liability partnership

V. Redman  
Print Name: VENESSA REDMAN

By: [Signature]  
Name: Keith M. Poliakoff  
Title: manager

Debra M. Ruesga  
Print Name: Debra M. Ruesga

STATE OF FLORIDA  
COUNTY OF BROWARD

The foregoing instrument was acknowledged before me by means of  physical presence  
or online notarization, this 4<sup>th</sup> day of February, 2021, by Keith M. Poliakoff the  
manager of Poliakoff, Becker & Streitfeld, LLP, a Florida limited liability  
partnership, on behalf of said partnership, who is personally known to me or has produced  
\_\_\_\_\_ as identification.

Louise M. Myers  
Notary Public

[NOTARY SEAL]

louise m myers  
Name typed, printed or stamped  
My Commission Expires: \_\_\_\_\_

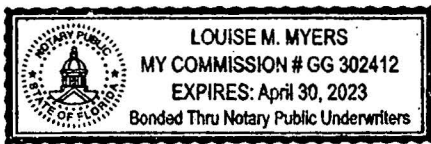


EXHIBIT "A"

Legal Description of Original Fairfield Parcel

The Land referred to herein below is situated in the County of Broward, State of Florida, and is described as follows:

PARCEL 1:

BUILDING SITES 1 & 2; ALL AS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PORTIONS OF PARCEL "G" AND "H", PINE CREST ISLES, AS RECORDED IN PLAT BOOK 63, PAGE 48, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, AND

THAT PORTION OF THAT CERTAIN 60 FOOT ROAD RIGHT-OF-WAY, N.E. 1ST WAY, NOW VACATED, LYING BETWEEN SAID PARCELS "G" AND "H", ALL MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE LIMITED ACCESS RIGHT-OF-WAY LINE OF I-95 AND THE SOUTH RIGHT-OF-WAY LINE OF SAID N.E. 1ST WAY, NOW VACATED; THENCE NORTH 44°49'32" EAST, ALONG SAID LIMITED ACCESS RIGHT-OF-WAY LINE, A DISTANCE OF 16.25 FEET; THENCE NORTH 45°10'28" WEST, A DISTANCE OF 56.39 FEET; THENCE NORTH 00°12'30" WEST, A DISTANCE OF 139.67 FEET TO THE POINT OF BEGINNING; THENCE NORTH 89°47'30" EAST, A DISTANCE OF 14.00 FEET; THENCE NORTH 00°12'30" WEST, A DISTANCE OF 210.00 FEET; THENCE SOUTH 89°47'30" WEST, A DISTANCE OF 110.00 FEET; THENCE SOUTH 00°12'30" EAST, A DISTANCE OF 121.29 FEET; THENCE SOUTH 31°05'15" WEST, A DISTANCE OF 60.31 FEET; THENCE SOUTH 89°47'30" WEST, A DISTANCE OF 82.00 FEET; THENCE SOUTH 00°12'30" EAST, A DISTANCE OF 107.00 FEET, THENCE NORTH 89°47'30" EAST, A DISTANCE OF 82.00 FEET; THENCE NORTH 00°12'30" WEST, A DISTANCE OF 18.29 FEET, THENCE NORTH 31°05'15" EAST, A DISTANCE OF 60.31 FEET THENCE NORTH 89°47'30" EAST; A DISTANCE OF 96.00 FEET TO THE POINT OF BEGINNING.

PARCEL 2:

AN UNDIVIDED 70 PERCENT INTEREST AS TENANT-IN-COMMON IN THE FOLLOWING COMMON AREAS:

THAT PORTION OF PARCEL "H", PINE CREST ISLES, AS RECORDED IN PLAT BOOK 63, PAGE 48, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, LYING WEST OF THE NORTHERLY EXTENSION OF THE WEST LINE OF THAT CERTAIN 155 FOOT CANAL, AND

[LEGAL DESCRIPTION CONTINUES ON NEXT PAGE]



THAT PORTION OF THAT CERTAIN 60 FOOT ROAD RIGHT-OF-WAY (N.E. 1ST WAY), NOW VACATED, LYING WEST OF THE LIMITED ACCESS RIGHT OF WAY LINE OF INTERSTATE 95, AND

THAT PORTION OF PARCEL "G", OF SAID PINE CREST ISLES, LYING NORTH OF THE FOLLOWING DESCRIBED LINE:

COMMENCING AT THE INTERSECTION OF THE SAID LIMITED ACCESS RIGHT-OF-WAY LINE AND THE SOUTH RIGHT-OF-WAY LINE OF NORTHEAST 1ST WAY, NOW VACATED; THENCE SOUTH 59°03'29" WEST, ALONG THE SAID LIMITED ACCESS RIGHT-OF-WAY LINE, A DISTANCE OF 81.63 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED LINE; THENCE NORTH 61°06'44" WEST, A DISTANCE OF 370.94 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF NORTH ANDREWS AVENUE AND THE POINT OF TERMINATION OF THE HEREIN DESCRIBED LINE;

LESS:

BUILDING SITES 1 & 2; ALL AS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PORTIONS OF PARCELS "G" AND "H", PINE CREST ISLES, AS RECORDED IN PLAT BOOK 63, PAGE 48, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, AND

THAT PORTION OF THAT CERTAIN 60 FOOT ROAD RIGHT-OF-WAY, N.E. 1ST WAY, NOW VACATED, LYING BETWEEN SAID PARCELS "G" AND "H", ALL MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE LIMITED ACCESS RIGHT-OF-WAY LINE OF I-95 AND THE SOUTH RIGHT-OF-WAY LINE OF SAID N.E. 1ST WAY, NOW VACATED, THENCE NORTH 44°49'32" EAST, ALONG SAID LIMITED ACCESS RIGHT-OF-WAY LINE, A DISTANCE OF 16.25 FEET; THENCE NORTH 45°10'28" WEST, A DISTANCE OF 56.39 FEET, THENCE NORTH 00°12'30" WEST, A DISTANCE OF 139.67 FEET TO THE POINT OF BEGINNING; THENCE NORTH 89°47'90" EAST, A DISTANCE OF 14.00 FEET; THENCE NORTH 00°12'30" WEST, A DISTANCE OF 210.00 FEET; THENCE SOUTH 89°47'30" WEST, A DISTANCE OF 110.00 FEET; THENCE SOUTH 00°12'30" EAST, A DISTANCE OF 121.29 FEET; THENCE SOUTH 31°05'15" WEST, A DISTANCE OF 60.31 FEET; THENCE SOUTH 89°47'30" WEST, A DISTANCE OF 82.00 FEET; THENCE SOUTH 00°12'30" EAST, A DISTANCE OF 107.00 FEET; THENCE NORTH 89°47'30" EAST, A DISTANCE OF 82.00 FEET; THENCE NORTH 00°12'30" WEST, A DISTANCE OF 18.29 FEET, THENCE NORTH 31°05'15" EAST, A DISTANCE OF 60.31 FEET; THENCE NORTH 89°47'30" EAST, A DISTANCE 96.00 FEET TO THE POINT OF BEGINNING.

[LEGAL DESCRIPTION CONTINUES ON NEXT PAGE]

AND LESS:

BUILDING SITE 3, ALL AS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PORTIONS OF PARCELS "G" AND "H", PINE CREST ISLES, AS RECORDED IN PLAT BOOK 63, PAGE 48, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, AND

THAT PORTION OF THAT CERTAIN 60 FOOT ROAD RIGHT-OF-WAY, NE., 1ST WAY, NOW VACATED, LYING BETWEEN SAID PARCELS "G" AND "H", ALL MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE LIMITED ACCESS RIGHT-OF-WAY LINE OF I-95 AND THE SOUTH RIGHT-OF-WAY LINE OF SAID N.E. 1ST WAY, NOW VACATED; THENCE NORTH 44°49'32" EAST, ALONG SAID LIMITED ACCESS RIGHT-OF-WAY LINE., A DISTANCE OF 16.25 FEET THENCE NORTH 45°10'28" WEST, A DISTANCE OF 56.39 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 89°47'30" WEST, A DISTANCE OF 82.00 FEET; THENCE NORTH 00°12'30" WEST, A DISTANCE OF 40.50 FEET; THENCE SOUTH 89°47'30" WEST, A DISTANCE OF 13.50 FEET; THENCE NORTH 00°12'30" WEST, A DISTANCE OF 26.00 FEET THENCE NORTH 89°47'30" EAST, A DISTANCE OF 13.50 FEET; THENCE NORTH 00°12'30" WEST, A DISTANCE OF 40.50 FEET, THENCE NORTH 89°47'30" EAST. A DISTANCE OF 82.00 FEET THENCE SOUTH 00°12'30" EAST, A DISTANCE OF 107.00 FEET TO THE POINT OF BEGINNING.

ALSO LESS AND EXCEPT THE FEE SIMPLE RIGHT OF WAY DESCRIBED IN THE AGREED ORDER OF TAKING RECORDED IN OFFICIAL RECORDS BOOK 20320, PAGE 502, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

PARCEL 3:

ALL THAT PORTION OF THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 10, TOWNSHIP 49 SOUTH, RANGE 42 EAST, LYING SOUTHEAST OF THE RIGHT-OF-WAY OF ORIGINAL ANDREWS AVENUE EXTENSION AS SHOWN ON THE STATE RIGHT-OF-WAY MAP #86070-2413 DATED FEBRUARY 27, 1973.

LESS THEREFROM THAT PORTION OF A FIVE FOOT WIDE STRIP OF LAND DEEDED TO BROWARD COUNTY FOR RIGHT-OF-WAY PURPOSES AS RECORDED IN OFFICIAL RECORDS BOOK 8019, PAGE 278, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

EXHIBIT "B"

Legal Description of Original Poliakoff Parcel

PARCEL 4:

BUILDING SITE 3, ALL AS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PORTIONS OF PARCELS "G" AND "H", PINE CREST ISLES, AS RECORDED IN PLAT BOOK 63, PAGE 48, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, AND THAT PORTION OF THAT CERTAIN 60 FOOT ROAD RIGHT-OF-WAY, N.E., 1ST WAY, NOW VACATED, LYING BETWEEN SAID PARCELS "G" AND "H", ALL MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE LIMITED ACCESS RIGHT-OF-WAY LINE OF I-95 AND THE SOUTH RIGHT-OF-WAY LINE OF SAID N.E. 1ST WAY, NOW VACATED; THENCE NORTH 44°49'32" EAST, ALONG SAID LIMITED ACCESS RIGHT-OF-WAY LINE., A DISTANCE OF 16.25 FEET THENCE NORTH 45°10'28" WEST, A DISTANCE OF 56.39 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 89°47'30" WEST, A DISTANCE OF 82.00 FEET; THENCE NORTH 00°12'30" WEST, A DISTANCE OF 40.50 FEET; THENCE SOUTH 89°47'30" WEST, A DISTANCE OF 13.50 FEET; THENCE NORTH 00°12'30" WEST, A DISTANCE OF 26.00 FEET THENCE NORTH 89°47'30" EAST, A DISTANCE OF 13.50 FEET; THENCE NORTH 00°12'30" WEST, A DISTANCE OF 40.50 FEET, THENCE NORTH 89°47'30" EAST. A DISTANCE OF 82.00 FEET THENCE SOUTH 00°12'30" EAST, A DISTANCE OF 107.00 FEET TO THE POINT OF BEGINNING.

PARCEL 5:

AN UNDIVIDED 30 PERCENT INTEREST AS TENANT-IN-COMMON IN THE FOLLOWING COMMON AREAS:

THAT PORTION OF PARCEL "H", PINE CREST ISLES, AS RECORDED IN PLAT BOOK 63, PAGE 48, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, LYING WEST OF THE NORTHERLY EXTENSION OF THE WEST LINE OF THAT CERTAIN 155 FOOT CANAL, AND THAT PORTION OF THAT CERTAIN 60 FOOT ROAD RIGHT-OF-WAY (N.E. 1ST WAY), NOW VACATED, LYING WEST OF THE LIMITED ACCESS RIGHT OF WAY LINE OF INTERSTATE 95, AND THAT PORTION OF PARCEL "G", OF SAID PINE CREST ISLES, LYING NORTH OF THE FOLLOWING DESCRIBED LINE: COMMENCING AT THE INTERSECTION OF THE SAID LIMITED ACCESS RIGHT-OF-WAY LINE AND THE SOUTH RIGHT-OF-WAY LINE OF NORTHEAST 1ST WAY, NOW VACATED; THENCE SOUTH 59°03'29" WEST, ALONG THE SAID LIMITED ACCESS RIGHT-OF-WAY LINE, A DISTANCE OF 81.63 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED



LINE; THENCE NORTH 61°06'44" WEST, A DISTANCE OF 370.94 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF NORTH ANDREWS AVENUE AND THE POINT OF TERMINATION OF THE HEREIN DESCRIBED LINE;

LESS:

BUILDING SITES 1 & 2; ALL AS MORE PARTICULARLY DESCRIBED AS FOLLOWS: PORTIONS OF PARCELS "G" AND "H", PINE CREST ISLES, AS RECORDED IN PLAT BOOK 63, PAGE 48, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, AND THAT PORTION OF THAT CERTAIN 60 FOOT ROAD RIGHT-OF-WAY, N.E. 1ST WAY, NOW VACATED, LYING BETWEEN SAID PARCELS "G" AND "H", ALL MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE LIMITED ACCESS RIGHT-OF-WAY LINE OF I-95 AND THE SOUTH RIGHTOF- WAY LINE OF SAID N.E. 1ST WAY, NOW VACATED, THENCE NORTH 44°49'32" EAST, ALONG SAID LIMITED ACCESS RIGHT-OF-WAY LINE, A DISTANCE OF 16.25 FEET; THENCE NORTH 45°10'28" WEST, A DISTANCE OF 56.39 FEET, THENCE NORTH 00°12'30" WEST, A DISTANCE OF 139.67 FEET TO THE POINT OF BEGINNING; THENCE NORTH 89°47'90" EAST, A DISTANCE OF 14.00 FEET; THENCE NORTH 00°12'30" WEST, A DISTANCE OF 210.00 FEET; THENCE SOUTH 89°47'30" WEST, A DISTANCE OF 110.00 FEET; THENCE SOUTH 00°12'30" EAST, A DISTANCE OF 121.29 FEET; THENCE SOUTH 31°05'15" WEST, A DISTANCE OF 60.31 FEET; THENCE SOUTH 89°47'30" WEST, A DISTANCE OF 82.00 FEET; THENCE SOUTH 00°12'30" EAST, A DISTANCE OF 107.00 FEET; THENCE NORTH 89°47'30" EAST, A DISTANCE OF 82.00 FEET; THENCE NORTH 00°12'30" WEST, A DISTANCE OF 18.29 FEET, THENCE NORTH 31°05'15" EAST, A DISTANCE OF 60.31 FEET; THENCE NORTH 89°47'30" EAST, A DISTANCE 96.00 FEET TO THE POINT OF BEGINNING.

AND LESS:

BUILDING SITE 3, ALL AS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PORTIONS OF PARCELS "G" AND "H", PINE CREST ISLES, AS RECORDED IN PLAT BOOK 63, PAGE 48, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, AND THAT PORTION OF THAT CERTAIN 60 FOOT ROAD RIGHT-OF-WAY, NE., 1ST WAY, NOW VACATED, LYING BETWEEN SAID PARCELS "G" AND "H", ALL MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE LIMITED ACCESS RIGHT-OF-WAY LINE OF I-95 AND THE SOUTH RIGHTOF-WAY LINE OF SAID N.E. 1ST WAY, NOW VACATED; THENCE NORTH 44°49'32" EAST, ALONG SAID LIMITED ACCESS RIGHT-OF-WAY LINE., A DISTANCE OF 16.25 FEET THENCE NORTH 45°10'28" WEST, A DISTANCE OF 56.39 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 89°47'30" WEST, A DISTANCE OF 82.00 FEET; THENCE NORTH 00°12'30" WEST, A DISTANCE OF 40.50 FEET; THENCE SOUTH 89°47'30" WEST, A DISTANCE OF 13.50 FEET; THENCE NORTH 00°12'30" WEST, A DISTANCE OF 26.00 FEET THENCE NORTH

89°47'30" EAST, A DISTANCE OF 13.50 FEET; THENCE NORTH 00°12'30" WEST, A DISTANCE OF 40.50 FEET, THENCE NORTH 89°47'30" EAST. A DISTANCE OF 82.00 FEET THENCE SOUTH 00°12'30" EAST, A DISTANCE OF 107.00 FEET TO THE POINT OF BEGINNING.

ALSO LESS AND EXCEPT THE FEE SIMPLE RIGHT OF WAY DESCRIBED IN THE AGREED ORDER OF TAKING RECORDED IN OFFICIAL RECORDS BOOK 20320, PAGE 502, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

EXHIBIT "C"

Legal Description of New North Parcel

A PORTION OF PARCELS "G" & "H", AND A PORTION OF THAT CERTAIN 60 FOOT ROAD RIGHT OF WAY (N.E. 1st WAY), NOW VACATED, AS SHOWN ON THE PLAT OF PINE CREST ISLES, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 63, PAGE 48 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF PARCEL "A", DON L. CLYMER, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 100, PAGE 24, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA; THENCE SOUTH  $61^{\circ}06'44"$  EAST, ALONG A RADIAL LINE 5.00 FEET TO A POINT ON THE EASTERLY RIGHT OF WAY LINE OF NORTH ANDREWS AVENUE, ALSO BEING A POINT ON A CURVE TO THE RIGHT; THENCE NORTHEASTERLY ALONG SAID CURVE, HAVING A RADIUS OF 1855.08 FEET; THROUGH A CENTRAL ANGLE OF  $04^{\circ}58'44"$ , AND ARC DISTANCE OF 161.20 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE NORTHEASTERLY ALONG SAID EASTERLY RIGHT OF WAY LINE AND SAID CURVE; HAVING A RADIUS OF 1855.08 FEET; THROUGH A CENTRAL ANGLE OF  $04^{\circ}52'54"$  AND AN ARC DISTANCE OF 158.06 FEET TO A POINT OF NON-TANGENCY; THENCE SOUTH  $89^{\circ}57'12"$  EAST, 5.80 FEET; THENCE NORTH  $00^{\circ}18'38"$  WEST, 7.15 FEET TO A POINT OF NON-TANGENCY ON A CURVE (A RADIAL BEARING FROM SAID POINT BEARS SOUTH  $50^{\circ}58'05"$  EAST); THENCE NORTHEASTERLY ALONG SAID EASTERLY RIGHT OF WAY LINE AND SAID CURVE, HAVING A RADIUS OF 1855.08 FEET; THROUGH A CENTRAL ANGLE OF  $04^{\circ}13'10"$  AND AN ARC DISTANCE OF 136.61 FEET TO A POINT OF TANGENCY; THENCE NORTH  $43^{\circ}15'05"$  EAST, 265.01 FEET; THENCE ALONG THE WESTERLY LINE OF PARCEL "A", PARK LAKE, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 106, PAGE 1, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, THE FOLLOWING (2) TWO COURSES; (1) SOUTH  $00^{\circ}12'30"$  EAST, 185.51 FEET; THENCE (2) SOUTH  $89^{\circ}29'38"$  EAST, 23.70 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF THAT CERTAIN CANAL OF SAID PINE CREST ISLES PLAT, THE FOLLOWING (2) TWO COURSES; (1) SOUTH  $43^{\circ}15'05"$  WEST, 34.45 FEET; THENCE (2) SOUTH  $00^{\circ}12'30"$  EAST, 301.17 FEET; THENCE NORTH  $90^{\circ}00'00"$  WEST, 224.71 FEET; THENCE NORTH  $61^{\circ}06'44"$  WEST, 168.94 FEET TO THE POINT OF BEGINNING.

SAID LANDS LYING IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA AND CONTAIN 109,302 SQUARE FEET (2.51 ACRES), MORE OR LESS.



EXHIBIT "D"

Legal Description of New South Parcel

A PORTION OF PARCELS "G" & "H", AND A PORTION OF THAT CERTAIN 60 FOOT ROAD RIGHT OF WAY (N.E. 1st WAY), NOW VACATED, AS SHOWN ON THE PLAT OF PINE CREST ISLES, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 63, PAGE 48 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

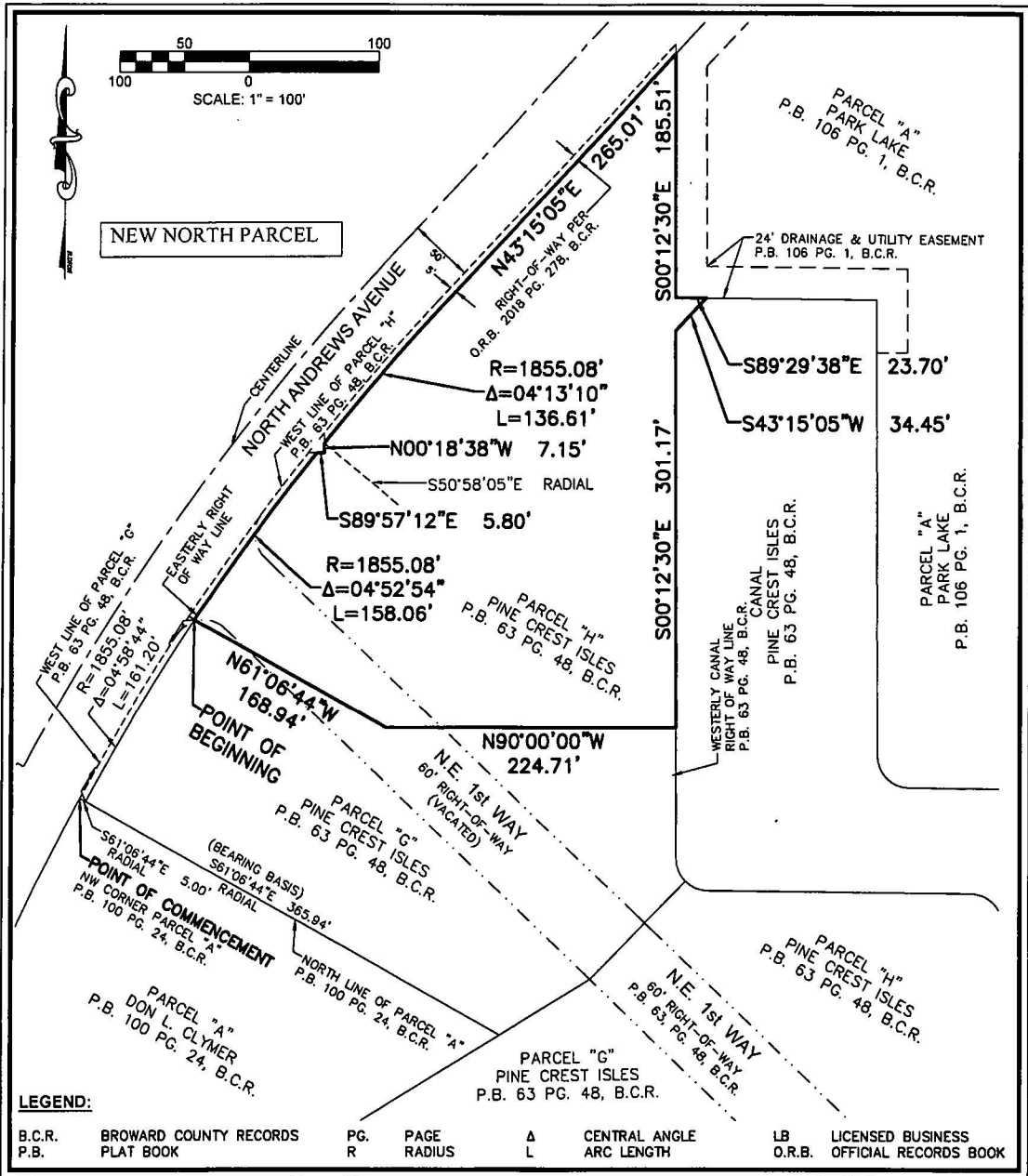
COMMENCING AT THE NORTHWEST CORNER OF PARCEL "A", DON L. CLYMER, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 100, PAGE 24, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA; THENCE SOUTH 61°06'44" EAST, ALONG A RADIAL LINE 5.00 FEET TO A POINT ON THE EASTERLY RIGHT OF WAY LINE OF NORTH ANDREWS AVENUE, ALSO BEING A POINT ON A CURVE TO THE RIGHT AND THE POINT OF BEGINNING; THENCE NORTHEASTERLY ALONG SAID CURVE AND RIGHT OF WAY LINE, HAVING A RADIUS OF 1855.08 FEET, THROUGH A CENTRAL ANGLE OF 04°58'44" AND AN ARC DISTANCE OF 161.20 FEET; THENCE SOUTH 61°06'44" EAST, 168.94 FEET; THENCE NORTH 90°00'00" EAST, 224.71 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF THE CANAL, AS SHOWN ON SAID PINE CREST ISLES; THENCE ALONG SAID WESTERLY LINE THE FOLLOWING TWO COURSES; (1) SOUTH 00°12'30" EAST, 98.83 FEET TO A POINT OF TANGENCY WITH A CURVE TO THE LEFT; (2) SOUTHEASTERLY ALONG SAID CURVE, HAVING A RADIUS OF 25.00 FEET, THROUGH A CENTRAL ANGLE 44°57'30" AND AN ARC DISTANCE OF 19.62 FEET; THENCE SOUTH 44°49'16" WEST, 104.75 FEET, THENCE SOUTH 59°03'29" WEST, 81.65 FEET TO THE NORTHEAST CORNER OF SAID PARCEL "A"; THENCE NORTH 61°06'44" WEST, ALONG THE NORTH LINE OF SAID PARCEL "A", 365.94 FEET TO THE POINT OF BEGINNING.

SAID LANDS LYING IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA AND CONTAIN 78,892 SQUARE FEET (1.81 ACRES), MORE OR LESS.

EXHIBIT "E"

Sketches Depicting New North and New South Parcels

[see attached]



**SKETCH & DESCRIPTION**

LYING OVER A PORTION OF  
 PARCEL "G", "H" & N.E. 1st WAY,  
 PINE CREST ISLES  
 P.B. 63, PG. 48, B.C.R.

CITY OF FT. LAUDERDALE, BROWARD COUNTY, FLORIDA

**KEITH**

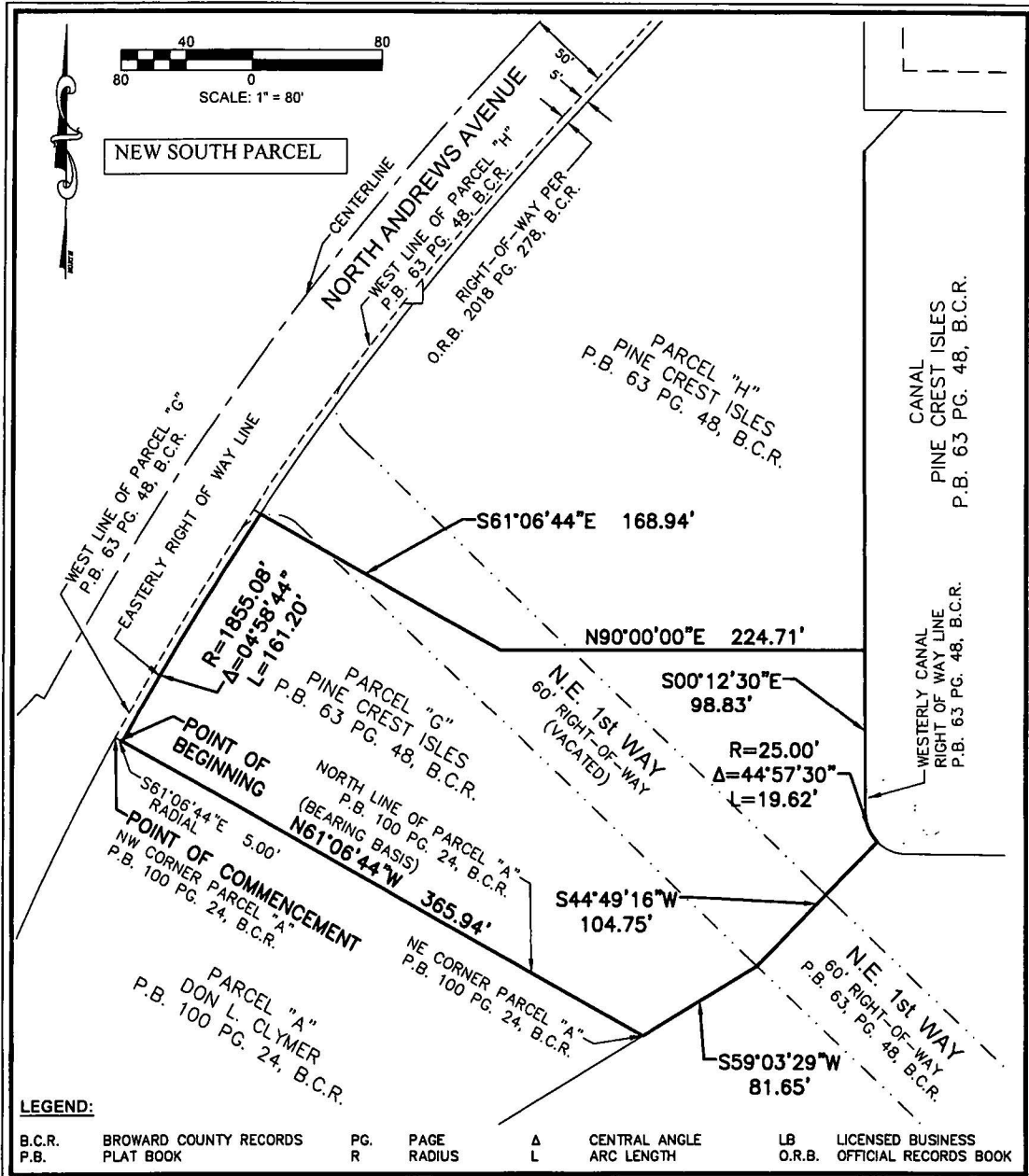
301 EAST ATLANTIC BOULEVARD  
 POMPANO BEACH, FLORIDA 33060-6643  
 (954) 788-3400 FAX (954) 788-3500  
 EMAIL: mail@KEITHteam.com LB NO. 6880

SHEET 2 OF 2

DRAWING NO. 10750.01-SKETCH & DESCRIPTION.dwg

DATE	12/07/20	DATE	REVISIONS
SCALE	1"=100'		
FIELD BK.	N/A		
DWNG. BY	ODD		
CHK. BY	THG		





**SKETCH & DESCRIPTION**

LYING OVER A PORTION OF  
 PARCEL "G", "H" & N.E. 1st WAY,  
 PINE CREST ISLES  
 P.B. 63, PG. 48, B.C.R.

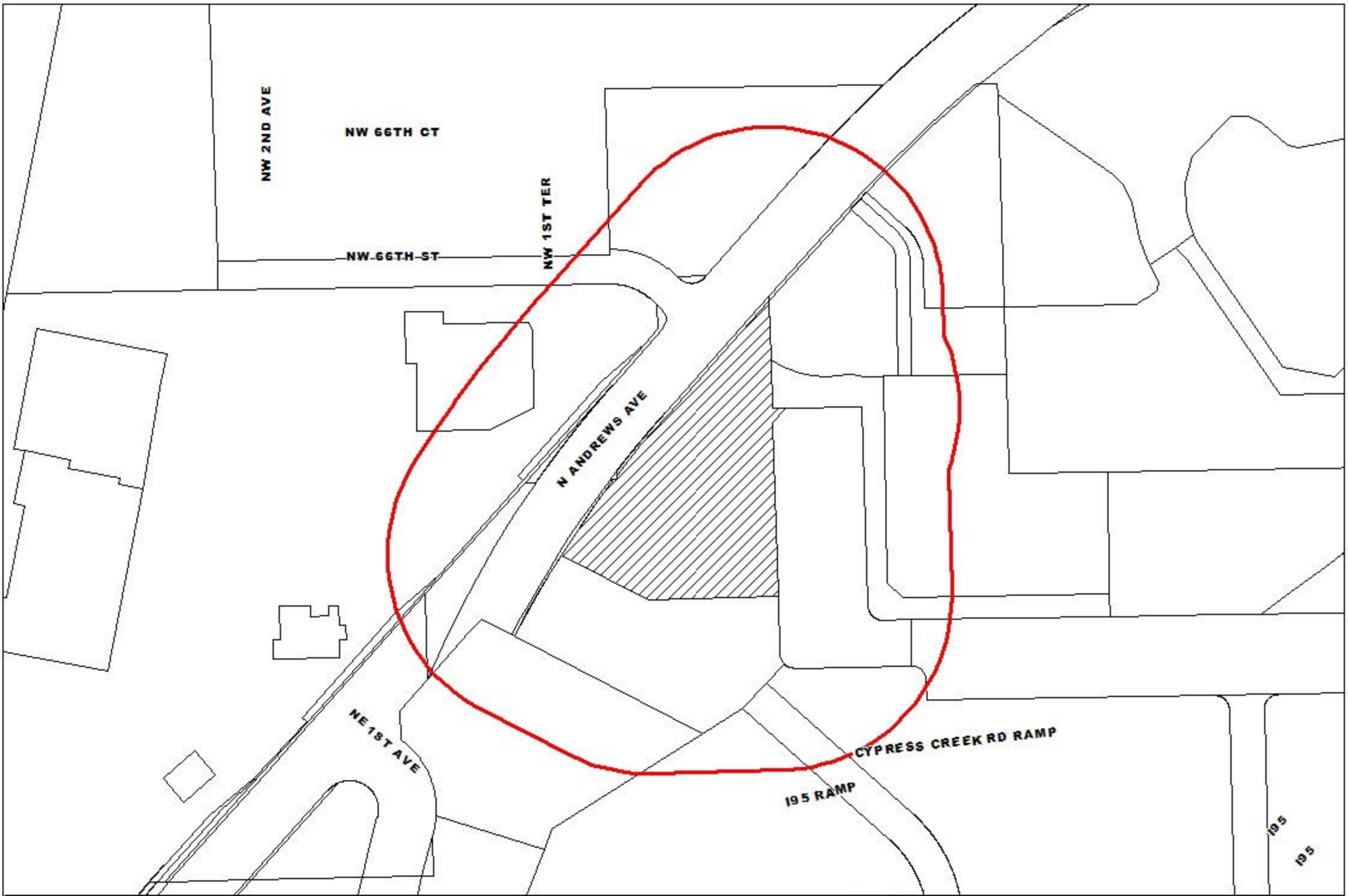
CITY OF FT. LAUDERDALE, BROWARD COUNTY, FLORIDA

**KEITH**

301 EAST ATLANTIC BOULEVARD  
 POMPANO BEACH, FLORIDA 33060-6643  
 (954) 788-3400 FAX (954) 788-3500  
 EMAIL: mail@KEITHteam.com LB NO. 6860

SHEET 2 OF 2  
 DRAWING NO. 10750.01-SKETCH & DESCRIPTION.dwg

DATE	12/07/20	DATE	REVISIONS
SCALE	1"=80'		
FIELD BK.	N/A		
DWNG. BY	ODD		
CHK. BY	THG		



0 37.575 150 225 300  
Feet

MARTY KIAR  
BROWARD COUNTY PROPERTY APPRAISER



FF REALTY  
DATE OF PRINT: 03/06/2024

6400 BUILDING LLC  
7900 GLADES RD STE 600  
BOCA RATON, FL 33434

6600 NORTH ANDREWS AVENUE LLC  
% CARDINIA REAL ESTATE LLC  
1055 WASHINGTON BLVD 7TH FL  
STAMFORD, CT 06901

6601 PROPERTIES LLC  
6601 N ANDREWS AVE  
FORT LAUDERDALE, FL 33309

BROWARD COUNTY BOARD OF COUNTY  
COMMISSIONERS  
115 S ANDREWS AVE RM 501-RP  
FORT LAUDERDALE, FL 33301

CYPRESS CREEK ASSOC LTD PRNTR  
% KIMCO REALTY CORPORATION  
500 N BROADWAY #201  
JERICHO, NY 11753

FAIRFIELD CYPRESS LP  
5355 MIRA SORRENTO PLACE STE 100  
SAN DIEGO, CA 92121

FLORIDA DEPT OF TRANSPORTATION  
OFFICE OF RIGHT OF WAY  
3400 W COMMERCIAL BLVD  
FORT LAUDERDALE, FL 33309

PAN AMERICAN CORP  
%STEPHEN JACOBS, LOCKE LORD LLP  
600 TRAVIS, 27TH FL  
HOUSTON, TX 77002

POLIAKOFF BECKER  
& STREITFELD LLP  
14601 MARVIN LN  
SOUTHWEST RANCHES, FL 33330

PRICE LEGACY CORPORATION  
% KIMCO REALTY CORPORATION  
500 N BROADWAY #201  
JERICHO, NY 11753

PUBLIC LAND % BROWARD COUNTY  
BOARD OF COUNTY COMMISSIONERS  
115 S ANDREWS AVE RM 501-RP  
FORT LAUDERDALE, FL 33301

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

TT OF POMPANO INC  
% STEPHEN TERRY  
505 S FLAGLER DR #1400  
WEST PALM BEACH, FL 33401

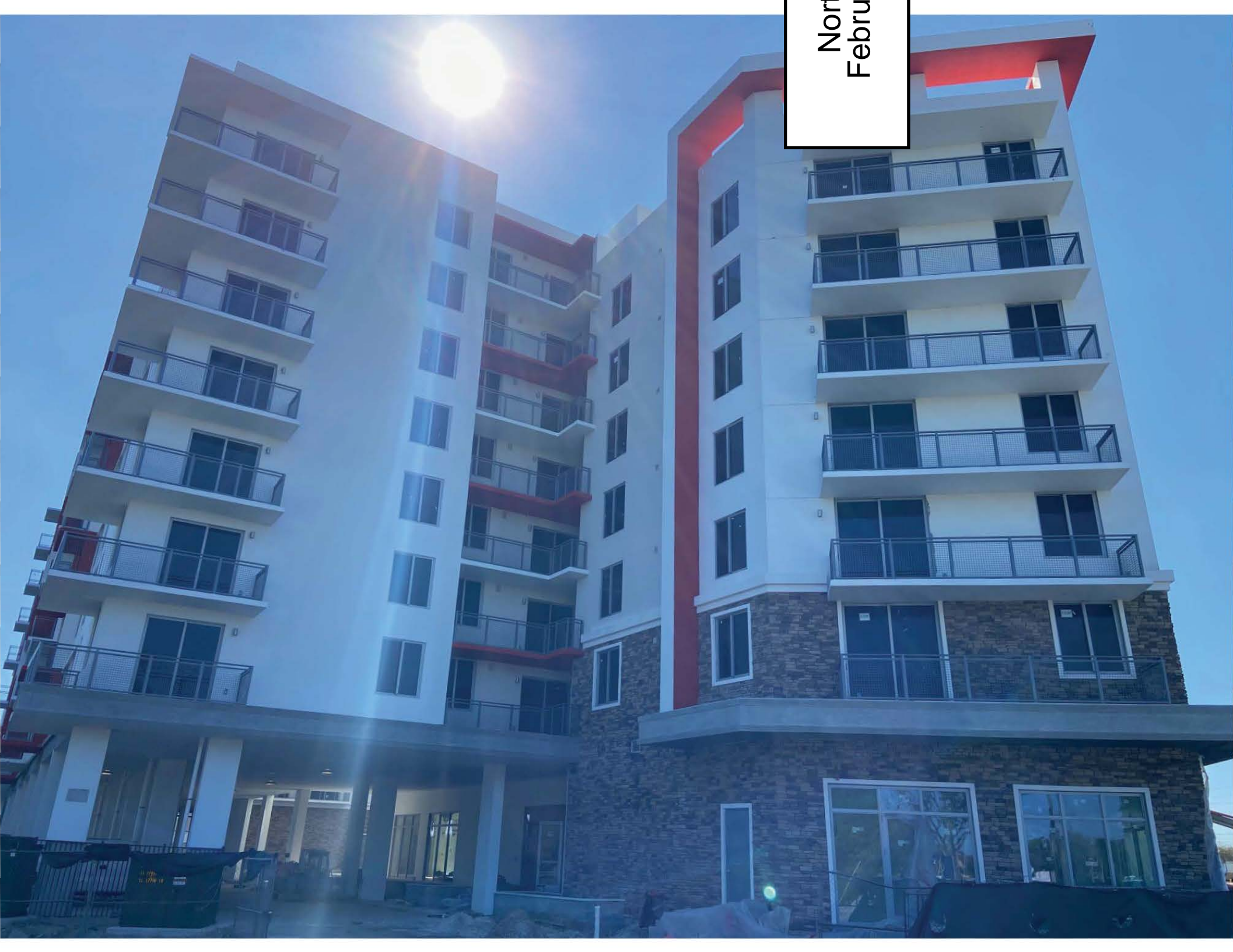


East  
February





North  
February





South Ele  
February 2





West Elm  
February 2024



**Applicant:** Andrew J. Schein / Lochrie & Chakas, P.A.  
**Owner:** Fairfield Cypress LP  
**Address:** 6500 N. Andrews Avenue (“Property”)  
**Request:** Variance from ULDR Section 47-19.2.Z.1

## Narrative

### **1. General Information and Request**

Fairfield Cypress Creek LP (“Owner”) is the owner and developer of the property located at 6500 North Andrews Avenue (the “Property”). On January 16, 2021, the City approved a mixed-use, multifamily development on the Property pursuant to City Case No. PLN-SITE-20050005 (the “Project”). The Project consists of 295 multifamily residential units and 30,888 square feet of commercial uses in an 8-story building.

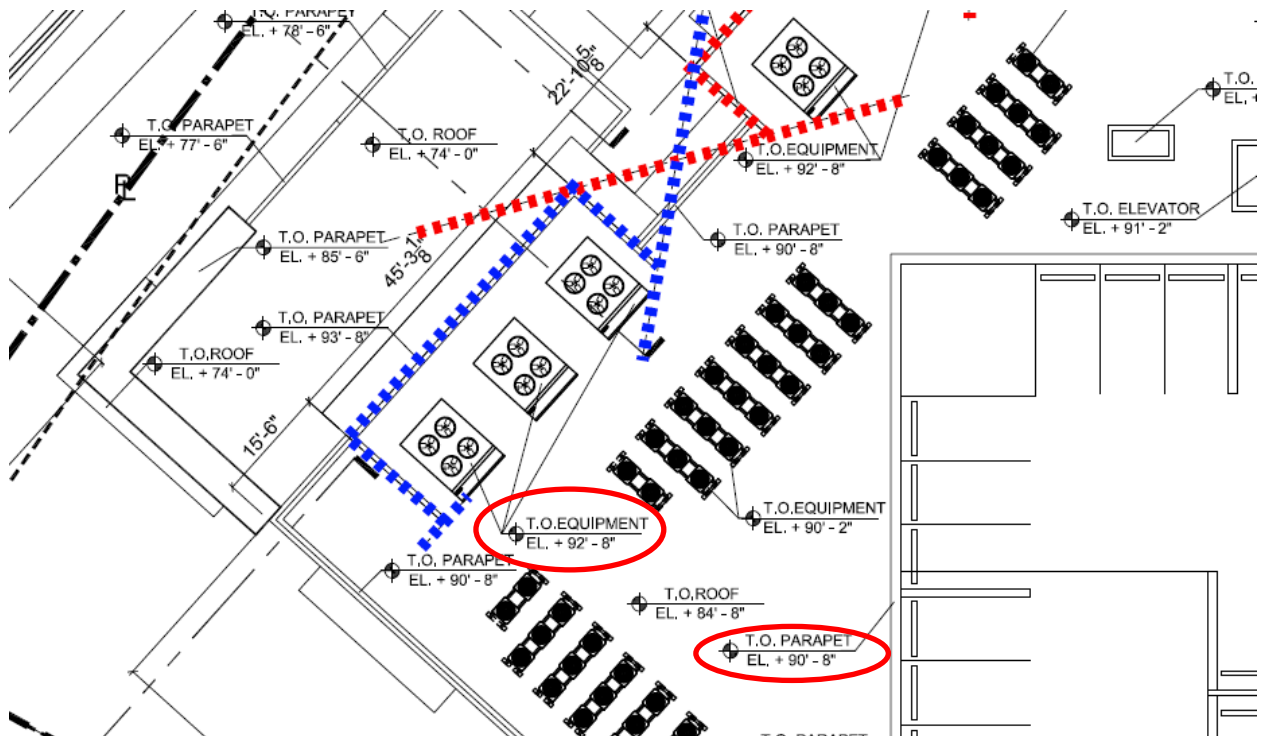
Owner is requesting approval of a variance for the screening of mechanical rooftop equipment pursuant to Section 47-19.2.Z.1 of the ULDR, which requires that rooftop equipment be screened at least 6” above the topmost surface of the equipment.

As background, the Project was required to be reviewed by the City’s Development Review Committee (“DRC”) and the Planning and Zoning Board. A project’s design through the site plan approval process is a “high level” design where the overall design and layout of the building is finalized. During the building permitting process, the more intricate details of the project are determined and presented to the permitting department for approval (exact mechanical equipment, detailed electrical drawings, etc.) – details that are neither appropriate nor required to be shown during the site plan approval process.

During the site plan approval process, the DRC requests that applicants show the proposed location, type, size, and height of mechanical equipment on the roof along with the provided screening. Since the exact layout, size, type, and height of the mechanical equipment is not approved by the DRC (technical details like those are done after DRC approval through the permitting department), these details are almost always a “best guess” at the DRC stage for developments of this nature.

Owner provided a roof plan during the DRC process; the approved roof plan is included with this application. The approved roof plan shows parapet screening (at least 6” above the equipment) in the immediate area surrounding the equipment, but not all around the building. In some areas under the approved roof plan, parapets on one side of the building are not 6” above mechanical equipment on the other side of the building. This was typical in years past. Recently, the City began to require screening around the entirety of the roof, regardless of how far away the mechanical equipment is from the screening. This has caused issues when buildings are ready to receive their final zoning inspection, as it is a significantly more strict interpretation of Section 47-19.2.Z.1 than was faced by many an applicant during the DRC process.

As an example, the plan excerpt below is from the Project's roof plan, which was approved by (1) the DRC, who determined that the Project met the code requirements prior to sending it to Planning and Zoning Board, and (2) the Planning and Zoning Board, who also found that the Project met the code requirements. As seen circled in red in the plan excerpt, the plan showed mechanical equipment at 92' – 8" and a parapet at 90' – 8". This was permitted at the time the Project was approved under previous zoning determinations and is no longer permitted. Under new interpretations, the 90' – 8" parapet would need to be increased to 93' – 2" to be above the mechanical equipment. This change is easy to make at the DRC stage (and is now being heavily enforced at DRC so that applicants don't run into these issues in the future), but is nearly impossible once the development is already constructed and is seeking final zoning inspections.



Due to this changed policy and enforcement of mechanical equipment screening, Owner is seeking a variance from Section 47-19.2.Z.1 of the ULDR, as additional screening cannot be added at this stage without jeopardizing the structural integrity of the building. Although not typical on the roof of the Project, the largest discrepancy between the equipment and parapet height is a rooftop unit at a 95' – 4" elevation and a parapet at a 90' – 9" elevation (the same parapet that's shown above at 90' – 8"). Therefore, this is a variance of 5' – 1" (as the equipment needs to be screened up to 95' – 10", 6" above).

## 2. Code Provision

*ULDR Section 47-19.2.Z.1: Roof mounted structures such as air conditioners and satellite dish antennae shall be required to be screened with material that matches the material used for the principal structure and shall be at least six (6) inches high above the top most surface of the roof mounted structure. Vent pipes, skylights, cupolas, solar collectors and chimneys shall not be subject to this provision.*

### **3. Variance Criteria**

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

**RESPONSE: The Project was approved by the DRC and Planning and Zoning Board with parapet heights lower than the mechanical equipment. The Project received building permit approval with parapet heights lower than the equipment. The Project was constructed with parapet heights lower than the equipment. The first time that Owner heard of the rooftop equipment screening issue was during the inspection process when the building was substantially complete, at which point the parapets could not be raised without jeopardizing the structural integrity of the building.**

**Included with this application is a letter from Victor Yue, Managing Principal of Dorsky + Yue International, outlining the inability to add additional screening at this stage in the construction process. The concerns are twofold:**

- 1. Significant risk of puncturing the roof tendons when finding possible locations to anchor in the ~100 metal supports for the additional screening. This risk can be mitigated by X-raying the roof, however since the roof is finished, large portions of the roof would need to be ripped up to determine the tendon locations. Even if all tendons are located, it's not known (and can't be known until the roof is ripped up) if there's adequate space for the ~100 metal supports;**
- 2. Even if the roof is ripped up and there's adequate space for the ~100 metal supports, the supports themselves may lead to severe structural damage on the roof and could void the roof warranty if the damage does cause leaks.**

**The reasonable use of the Property is for the mixed-use multifamily development that it was approved for. The building and operations of the building cannot reasonably be used without the mechanical equipment that was installed, and the installation of screening could structurally harm the building in a way that would not permit that reasonable use.**

- 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;

**RESPONSE: As detailed in the background above, the Project was approved with parapet heights lower than the mechanical equipment, and Owner did not know that this was an issue until it came time for final inspections. This Project is the first and only development in the UUV-NE zoning district, so there are no comparisons to other properties in the same zoning district. However, this similar circumstance has happened to a few other developments in other zoning districts while the City was transitioning to their more strict interpretation of Section 47-19.2.Z.1, all of which were granted variances due to this changed interpretation.**



**Going forward, this Property will be a marked exception to future developments in the UUV-NE zoning district as the City is now enforcing their interpretation at the DRC stage (the proper time to enforce this provision).**

- 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;

**RESPONSE:** As mentioned above, this is the first and only development in the UUV-NE zoning district. Future developers in this zoning district will not have to face this same hardship, as the City's new interpretation is strictly enforced at the DRC stage when these types of changes can be made. However, literal application of this provision would deprive the Owner of a substantial property right that is enjoyed by owners in other zoning districts.

**On February 15, 2022, the City Commission adopted the Property Rights Element of the City's Comprehensive Plan. This element has two applicable principles:**

1. ***Predictability*** – “Predictability means a local government follows rules that are clear and unambiguous. Real estate investors should be able to read the rules and know whether local government will permit a development proposal.”
2. ***Reliability*** – “Reliability means a local government follows through on its commitments. Realistic plans should be made and followed. Generally, local governments should only change their plans after thorough consideration and consensus building. When government is reliable, people can make long-term investments in the community which is a key component of a successful local economy.”

**The rules for mechanical equipment screening were, unfortunately, not clear and unambiguous. If a piece of mechanical equipment was at 92' – 8" in elevation and a parapet on the other side of the building was at 90' – 8" in elevation, the City did not require screening in that instance. The stricter application of the screening requirement was instituted overnight and, apparently, applied to projects approved and under construction before the stricter application was instituted. This “predictability” property right is now enjoyed by all owners throughout the City as it pertains to mechanical equipment screening, but was not enjoyed by the Owner.**

**As to the reliability principle, the City's stricter interpretation of this code provision may have been made through consideration and consensus building, but the City did not follow through on its commitment to the Owner or the Project. The Project was approved by both the DRC and the Planning and Zoning Board with parapet heights lower than the equipment in some locations, and Owner can no longer rely on those approvals.**

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

**RESPONSE:** The Owner went through the proper procedures to receive site plan approval, which showed parapet heights lower than the equipment in some locations. Owner complied with every

request made by the DRC regarding changes to the plans. Owner complied with every request and condition made by the Planning and Zoning Board. Owner did not disregard the ULDR.

As mentioned above, language in the ULDR is not always clear and unambiguous. The Zoning Administrator is tasked with making interpretations to the ULDR, and most of these interpretations are not published. Developers find out about zoning's ULDR interpretations when they either submit their plans to the DRC and receive comments, or in this case, when the building is substantially complete and is getting ready for occupancy.

Finding out about unpublished interpretation changes when a building is substantially complete, rather than during the design phase, is a significant hardship. When buildings of this scale are substantially complete, Owners are undergoing various procedures to make it operational – hiring staff, marketing the development, signing on residential tenants, courting commercial tenants, closing out funding, etc. To find out about an interpretation change at this stage of construction, particularly one that would significantly delay the opening of the building, does not just cause a hardship for the owner or developer – all interested stakeholders, from future tenants to new staff suffer a hardship.

- 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:** This variance is the minimum necessary to make reasonable use of the property. The parapets were constructed at or slightly above (1”) the approved parapet height, and it’s reasonable to allow the building to remain as constructed.

The general purpose of the rooftop screening requirement is to limit noise pollution and to mitigate the visibility of the rooftop equipment. As this is an 8-story building, the rooftop mechanical equipment is not expected to generate any recognizable noise pollution (it likely wouldn’t be heard even if there were no parapets).

As for mitigating visibility, Applicant included a visibility study with this application, showing how far away from the building a pedestrian would need to be to see the equipment. From most angles, one would need to be between 1,042’ and 7,442’ away from the building to see the equipment. Without binoculars, it is highly unlikely that anyone will be able to see the equipment from those angles, let alone distinguish the equipment from other building features. One of the rooftop units may be visible from 332’ away at the south/southeast portion of the building from I-95/the I-95 overpass, though one would have to intentionally look for it while driving on the highway.

Since the rooftop equipment is not visible from the pedestrian level in all but one circumstance (mainly from the raised I-95 overpass), this variance will be compatible with adjoining properties and the surrounding neighborhood and is not detrimental to the public welfare.

**SURVEY DESCRIPTION:**

PARCEL NO. 1:  
A PORTION OF PARCELS "Q" AND "P," AND A PORTION OF N.E. 1ST WAY (NOW VACATED), AS SHOWN ON THE PLAN OF PINE CREST ISLES, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK PAGE 62 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, AND ALSO A PORTION OF THE NORTHWEST ONE-QUARTER (NW 1/4) OF SECTION 16, TOWNSHIP 49 NORTH, RANGE 46 EAST, ALL MORE FULLY DESCRIBED AS FOLLOWS:

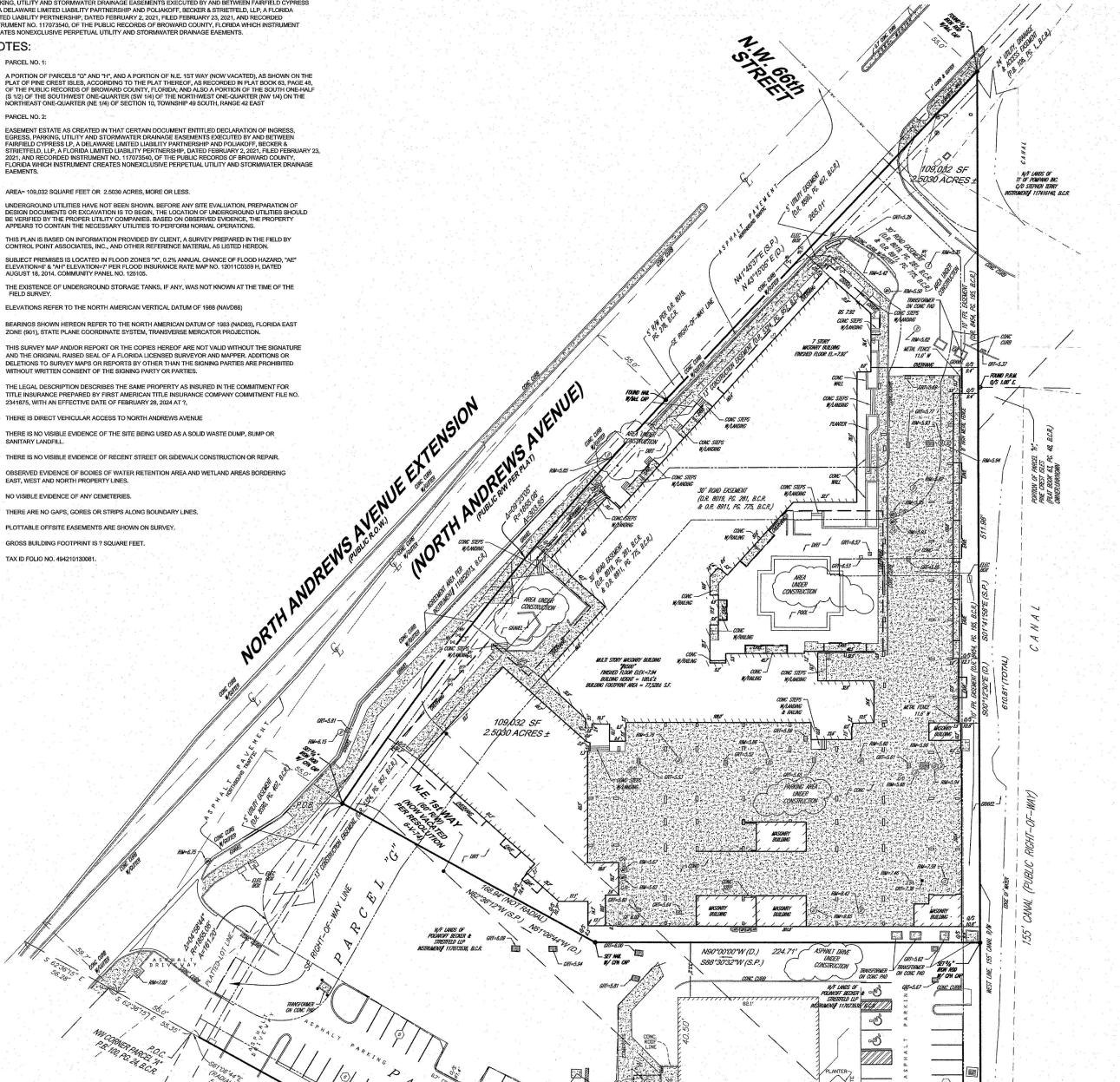
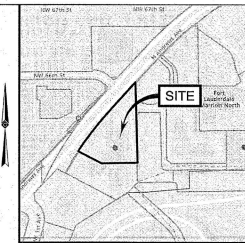
COMMENCING AT THE NORTHWEST CORNER OF DON L. CLYMER, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK PAGE 31 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA; THENCE NORTH 07°04' EAST, ON A RADIAL LINE TO THE FOLLOWING DESCRIBED CURVE, A DISTANCE OF 3.05 FEET TO A POINT ON A CURVE; THENCE ALONG SAID CURVE TO THE RIGHT WITH A RADIUS OF 180.28 FEET, A CENTRAL ANGLE OF 164°54' 41" 00" TO THE POINT OF BEGINNING; THENCE CONTINUED NORTHEASTERLY ON SAID SOUTHERLY FRONT-OF-WAY LINE AND ON SAID CURVE TO THE POINT, WITH A RADIUS OF 160.00 FEET, A CENTRAL ANGLE OF 161°00' 00" 00", AN ARC DISTANCE OF 30.00 FEET TO POINT OF TANGENCY; THENCE NORTH 47°19' 57" EAST, ON A SOUTHEAST FRONT-OF-WAY LINE, A DISTANCE OF 260.01 FEET; THENCE SOUTH 07°04' 00" WEST, ON THE WEST RIGHT-OF-WAY LINE OF THAT CERTAIN 181 FOOT CANAL, AS SHOWN ON SAID PINE CREST ISLES AND ON SAID WEST FRONT-OF-WAY LINE, A DISTANCE OF 811.18 FEET; THENCE NORTH 07°04' 00" WEST, A DISTANCE OF 52.61 FEET; THENCE NORTH 07°04' EAST, A DISTANCE OF 168.04 FEET TO THE POINT OF BEGINNING.

SAID LANDS SITuate, LYING AND BEING IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA AND CONTAINING 199,032 SQUARE FEET OR 2,500 ACRES, MORE OR LESS.

PARCEL NO. 2:  
EASEMENT ESTATE AS CREATED IN THAT CERTAIN DOCUMENT ENTITLED DECLARATION OF INGRESS, EGRESS, PARKING, UTILITY AND STORMWATER DRAINAGE EASEMENTS EXERCISED BY AND BETWEEN FAIRFIELD CYPRESS LP, A DELAWARE LIMITED LIABILITY PARTNERSHIP AND POLAROFF, BECKER & STRATFIELD, L.P., A DELAWARE LIMITED LIABILITY PARTNERSHIP AND POLAROFF, BECKER & STRATFIELD, L.P., A DELAWARE LIMITED LIABILITY PARTNERSHIP, DATED FEBRUARY 2, 2021, FILED FEBRUARY 23, 2021, AND RECORDED INSTRUMENT NO. 11707546 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA WHICH INSTRUMENT CREATED NONEXCLUSIVE PERPETUAL UTILITY AND STORMWATER DRAINAGE EASEMENTS.

**NOTES:**

- 1. PARCEL NO. 1:  
A PORTION OF PARCELS "Q" AND "P," AND A PORTION OF N.E. 1ST WAY (NOW VACATED), AS SHOWN ON THE PLAN OF PINE CREST ISLES, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK PAGE 62 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, AND ALSO A PORTION OF THE NORTHWEST ONE-QUARTER (NW 1/4) OF SECTION 16, TOWNSHIP 49 NORTH, RANGE 46 EAST, ALL MORE FULLY DESCRIBED AS FOLLOWS:  
PARCEL NO. 2:  
EASEMENT ESTATE AS CREATED IN THAT CERTAIN DOCUMENT ENTITLED DECLARATION OF INGRESS, EGRESS, PARKING, UTILITY AND STORMWATER DRAINAGE EASEMENTS EXERCISED BY AND BETWEEN FAIRFIELD CYPRESS LP, A DELAWARE LIMITED LIABILITY PARTNERSHIP AND POLAROFF, BECKER & STRATFIELD, L.P., A DELAWARE LIMITED LIABILITY PARTNERSHIP, DATED FEBRUARY 2, 2021, FILED FEBRUARY 23, 2021, AND RECORDED INSTRUMENT NO. 11707546 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA WHICH INSTRUMENT CREATED NONEXCLUSIVE PERPETUAL UTILITY AND STORMWATER DRAINAGE EASEMENTS.
- 2. AREA - 199,032 SQUARE FEET OR 2,500 ACRES, MORE OR LESS.
- 3. UNDERGROUND UTILITIES HAVE NOT BEEN SHOWN, BUT SITE EVALUATION, PREPARATION OF DESIGN DOCUMENTS OR EXCAVATION IS TO BEGIN, THE LOCATION OF UNDERGROUND UTILITIES SHOULD BE VERIFIED BY THE PROPER UTILITY COMPANIES BASED ON OBSERVED EVIDENCE, THE PROPERTY APPEARS TO CONTAIN THE NECESSARY UTILITIES TO PERFORM NORMAL OPERATIONS.
- 4. THIS PLAN IS BASED ON INFORMATION PROVIDED BY CLIENT, A SURVEY PREPARED BY THE FIELD BY CONTROL POINT ASSOCIATES, INC., AND OTHER REFERENCE MATERIAL AS LISTED HEREON.
- 5. SUBJECT PREMISES IS LOCATED IN FLOOD ZONES "X", "0.2% ANNUAL CHANCE OF FLOOD HAZARD," AND "ELEVATION" 7' AND 8' PER FLOOD INSURANCE RATE MAP NO. 100110359 H, DATED AUGUST 16, 2014, COMMUNITY PANEL NO. 129105.
- 6. THE EXISTENCE OF UNDERGROUND STORAGE TANKS, IF ANY, WAS NOT KNOWN AT THE TIME OF THE FIELD SURVEY.
- 7. ELEVATIONS REFER TO THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD83).
- 8. BEARINGS SHOWN HEREON REFER TO THE NORTH AMERICAN DATUM OF 1983 (NAD83), FLORIDA EAST ZONE (FET), STATE PLANE COORDINATE SYSTEM, TRANSVERSE MERCATOR PROJECTION.
- 9. THIS SURVEY MAP AND/OR REPORT OR THE COPIES HEREOF ARE NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER, ADDITIONS OR DELETIONS TO SURVEY MAPS OR REPORTS BY OTHER THAN THE SIGNING PARTIES ARE PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.
- 10. THE LEGAL DESCRIPTION DESCRIBES THE SAME PROPERTY AS INSURED IN THE COMMITMENT FOR TITLE INSURANCE PREPARED BY FIRST AMERICAN TITLE INSURANCE COMPANY COMMITMENT FILE NO. 2341678, WITH AN EFFECTIVE DATE OF FEBRUARY 26, 2024 AT 7.
- 11. THERE IS DIRECT VEHICULAR ACCESS TO NORTH ANDREWS AVENUE.
- 12. THERE IS NO VISIBLE EVIDENCE OF THE SITE BEING USED AS A SOLID WASTE DUMP, BUMP OR SANDWICH LANDFILL.
- 13. THERE IS NO VISIBLE EVIDENCE OF RESIST STRUCTURE ON SIDEWALK CONSTRUCTION OR REPAIR.
- 14. OBSERVED EVIDENCE OF BOARDS OF WATER RETENTION AREA AND WETLAND AREAS BORDERING EAST, WEST AND NORTH PROPERTY LINES.
- 15. NO VISIBLE EVIDENCE OF ANY GYMNASIUMS.
- 16. THERE ARE NO CAINS, CORERS OR STRIPS ALONG BOUNDARY LINES.
- 17. FLOTTABLE OFFSITE EASEMENTS ARE SHOWN ON SURVEY.
- 18. GROSS BUILDING FOOTPRINT IS 750 SQUARE FEET.
- 19. TAX ID FOLIO NO. 49421030001.



**TITLE NOTES:**  
THIS SURVEY WAS PREPARED WITH REFERENCE TO A COMMITMENT FOR TITLE INSURANCE PREPARED BY "FIRST AMERICAN TITLE INSURANCE COMPANY," COMMITMENT FILE NO. "2341678", WITH AN EFFECTIVE DATE OF "FEBRUARY 26, 2024 AT 8:00 AM AND REVISION NO. 4", WHERE THE FOLLOWING SURVEY RELATED EXCEPTIONS APPEAR IN SCHEDULE B, SECTION II: AS TO PARCEL 2:

- 10. 13' Construction Easement and incidental rights thereto, executed by Thomas B. Griffin and Robert J. Benton, to State of Florida Department of Transportation, dated June 14, 1973, filed April 14, 1973, recorded in Book 5324, Page 957 of the Public Records of Broward County, Florida, as approximately shown on Survey last revised October 27, 2021, prepared by Jerald A. McLaughlin, RLS No. 5269, of McLaughlin Engineering Company, Job No. V-4088, V-5816 affects this property and as shown.
- 11. Easement and stipulations contained in Development Agreement, executed by and between Broward County, a political subdivision of the State of Florida, and Aquia River Corporation, a Florida corporation, Robert Benton and Thomas B. Griffin, as trustee of the Andrew Trust, Seymour Simon as trustee of the Seymour Simon Trust, Steak and Ale of Florida, Inc. a Nevada corporation and Don L. Clymer, dated October 10, 1978, filed October 12, 1978, recorded in Book 7821, Page 347 of the Public Records of Broward County, Florida, as noted on Survey last revised October 27, 2021, prepared by Jerald A. McLaughlin, RLS No. 5269, of McLaughlin Engineering Company, Job No. V-4088, V-5816 affects this property (noting plottable).
- 12. 30' and 60' Road Easement and incidental rights thereto, executed by Terry W. Siles, to Broward County, a political subdivision of the State of Florida, dated January 29, 1979, filed February 1, 1979, recorded in Book 8038, Page 281 of the Public Records of Broward County, Florida, and as filed May 16, 1980, re-recorded in Book 8911, Page 775 of the Public Records of Broward County, Florida, as approximately shown on Survey last revised October 27, 2021, prepared by Jerald A. McLaughlin, RLS No. 5269, of McLaughlin Engineering Company, Job No. V-4088, V-5816 affects this property and as shown.
- 13. Terms, conditions and stipulations contained in Owner's Agreement, executed by and between Terry W. Siles, and Broward County, a political subdivision of the State of Florida, dated November 28, 1979, filed December 3, 1979, recorded in Book 8333, Page 330 of the Public Records of Broward County, Florida, as noted on Survey last revised October 27, 2021, prepared by Jerald A. McLaughlin, RLS No. 5269, of McLaughlin Engineering Company, Job No. V-4088, V-5816 affects this property (noting plottable).
- 14. 60' Electrical Easement and incidental rights thereto, executed by Terry W. Siles, to Florida Power & Light Company, dated August 8, 1979, filed September 20, 1979, recorded in Book 8454, Page 195 of the Public Records of Broward County, Florida, as approximately shown on Survey last revised October 27, 2021, prepared by Jerald A. McLaughlin, RLS No. 5269, of McLaughlin Engineering Company, Job No. V-4088, V-5816 affects this property and as shown.
- 15. Water and/or Sewerage Easement and incidental rights thereto, executed by Terry W. Siles, to Broward County, a political subdivision of the State of Florida, dated November 28, 1979, filed December 3, 1979, recorded in Book 8390, Page 407 of the Public Records of Broward County, Florida, as approximately shown on Survey last revised October 27, 2021, prepared by Jerald A. McLaughlin, RLS No. 5269, of McLaughlin Engineering Company, Job No. V-4088, V-5816 affects this property and as shown.
- 16. Agreement, dated January 15, 2020, filed January 27, 2020, recorded in Instrument No. 116181054 of the Public Records of Broward County, Florida, as noted on Survey last revised October 27, 2021, prepared by Jerald A. McLaughlin, Job No. V-4088, V-5816 affects this property (not a survey matter).
- 17. Terms, conditions and stipulations contained in Declaration of Ingress, Egress, Parking, Utility, and Stormwater Drainage Easements, executed by and between Fairfield Cypress LP, a Delaware limited partnership, and Polaroff, Becker & Stratfield, LLP, a Florida limited liability partnership, dated February 2, 2021, filed February 23, 2021, recorded in Instrument No. 11707546 of the Public Records of Broward County, Florida, affects this property (blank easement).
- 18. Terms, conditions and stipulations contained in Recorded Notice of Environmental Resource Permit, dated November 9, 2021, filed November 12, 2021, recorded in Instrument No. 117731632 of the Public Records of Broward County, Florida, affects this property (not a survey matter).
- 19. Terms, conditions and stipulations contained in Notice of Commencement, dated March 30, 2022, filed March 30, 2022, recorded in Instrument No. 118063202 of the Public Records of Broward County, Florida, affects this property (not a survey matter).
- 20. Overhead and Underground Electric Facilities Easement and incidental rights thereto, granted to Florida Power & Light Company, dated June 2, 2022, filed June 2, 2022, recorded in Instrument No. 118185717 of the Public Records of Broward County, Florida, does not affect this property.
- 21. Overhead and Underground Electric Facilities Easement and incidental rights thereto, granted to Florida Power & Light Company, dated June 2, 2022, filed June 2, 2022, recorded in Instrument No. 118185714 of the Public Records of Broward County, Florida, does not affect this property.
- 22. Broadband Communications System Easement and incidental rights thereto, granted to Comcast Cable Communications Management, LLC, a Delaware limited liability company, dated June 2, 2022, filed June 13, 2022, recorded in Instrument No. 118209312 of the Public Records of Broward County, Florida, affects this property (blank easement, nothing platable).
- 23. Broadband Communications System Easement and incidental rights thereto, granted to Comcast Cable Communications Management, LLC, a Delaware limited liability company, dated June 2, 2022, filed October 11, 2022, recorded in Instrument No. 118484712 of the Public Records of Broward County, Florida, and thereafter Amended and Restated Grant of Easement, executed by and between Fairfield Cypress LP, a Delaware limited partnership, and Comcast Cable Communications Management, LLC, a Delaware limited liability company, dated October 31, 2023, filed December 15, 2023, recorded in Instrument No. 119237295 of the Public Records of Broward County, Florida, affects this property (blank easement, nothing platable).
- 24. Agreement Amended to Reversible License Agreement, executed by and between FAIRFIELD CYPRESS LP, a Delaware limited liability company, and CITY OF FORT LAUDERDALE, a municipal corporation of the State of Florida, dated September 19, 2023, filed November 29, 2023, recorded in Instrument No. 119292073 of the Public Records of Broward County, Florida, affects this property and as shown.

**LEGEND:**

---	DEPRESSED CURB
~	HYDRANT
-	FIRE WATER CONNECTION (F.W.C.)
	WATER VALVE
⊕	ELECTRIC METER
⊙	DRAINAGE/STORM MANHOLE
⊙	UNKNOWN MANHOLE
⊙	SEWAGE/SEWER MANHOLE
⊙	CATCH BASIN
▭	CLEAN OUT
▭	DETECTABLE WARNING PAD
▭	METAL COVERS
⊙	BOLLARD
⊡	AIR CONDITIONING UNIT
▭	AUL BUILDING
---	DEPRESSED CURB
---	EDGE OF CONC.
---	HEIGHT
▭	MASONRY BLOCK WALL
▭	METAL COVER
---	TOPICK
▭	EVIDENCE FOUND
---	DESCRIPTION
---	STATE PLANE BEARINGS

**ALTANSPPS CERTIFICATION:**  
TO: 1. FIRST AMERICAN TITLE INSURANCE COMPANY  
2. FAIRFIELD CYPRESS LP, A DELAWARE LIMITED PARTNERSHIP  
3. HANCOCK WHITNEY BANK, NATIONAL, LLC  
THIS IS TO CERTIFY THAT THIS MAP OR PLAN AND THE SURVEY ON WHICH IT WAS BASED WERE MADE IN ACCORDANCE WITH THE 2021 MINIMUM STANDARD METAL REQUIREMENTS, SURVEYS AND MAPS IN CHAPTER 17-705, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 479.021, FLORIDA STATUTES.  
THE FIELD WORK WAS COMPLETED ON MARCH 30, 2024.

**Digitally signed by Jerald A. McLaughlin**  
Date: 2024.03.11 10:41:06 -04'00'  
03-03-2024

**ALTANSPPS LAND TITLE SURVEY FAIRFIELD CYPRESS LLC**

FILED DATE	03-03-2024	<b>CONTROL POINT ASSOCIATES, INC.</b> 1700 N. GATE STREET, SUITE 400 FORT LAUDERDALE, FL 33309 TEL: 954.351.8000 WWW.CONTROLPOINTINC.COM
FILED BOOK NO.	411	
FILED PAGE NO.	50	
FILED BOOK C.W.		
DRAWN	P.V.	
REVISED	JST	
APPROVED	JAM	
DATE	03-03-2024	
SCALE	1" = 30'	
FILE NO.	15-240106-00	
DWS NO.	1 OF 1	

CONTROL POINT ASSOCIATES, INC. - ALL RIGHTS RESERVED. THIS SURVEY MAP AND/OR REPORT OR THE COPIES HEREOF ARE NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER, ADDITIONS OR DELETIONS TO SURVEY MAPS OR REPORTS BY OTHER THAN THE SIGNING PARTIES ARE PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.



**SURVEY DESCRIPTION:**

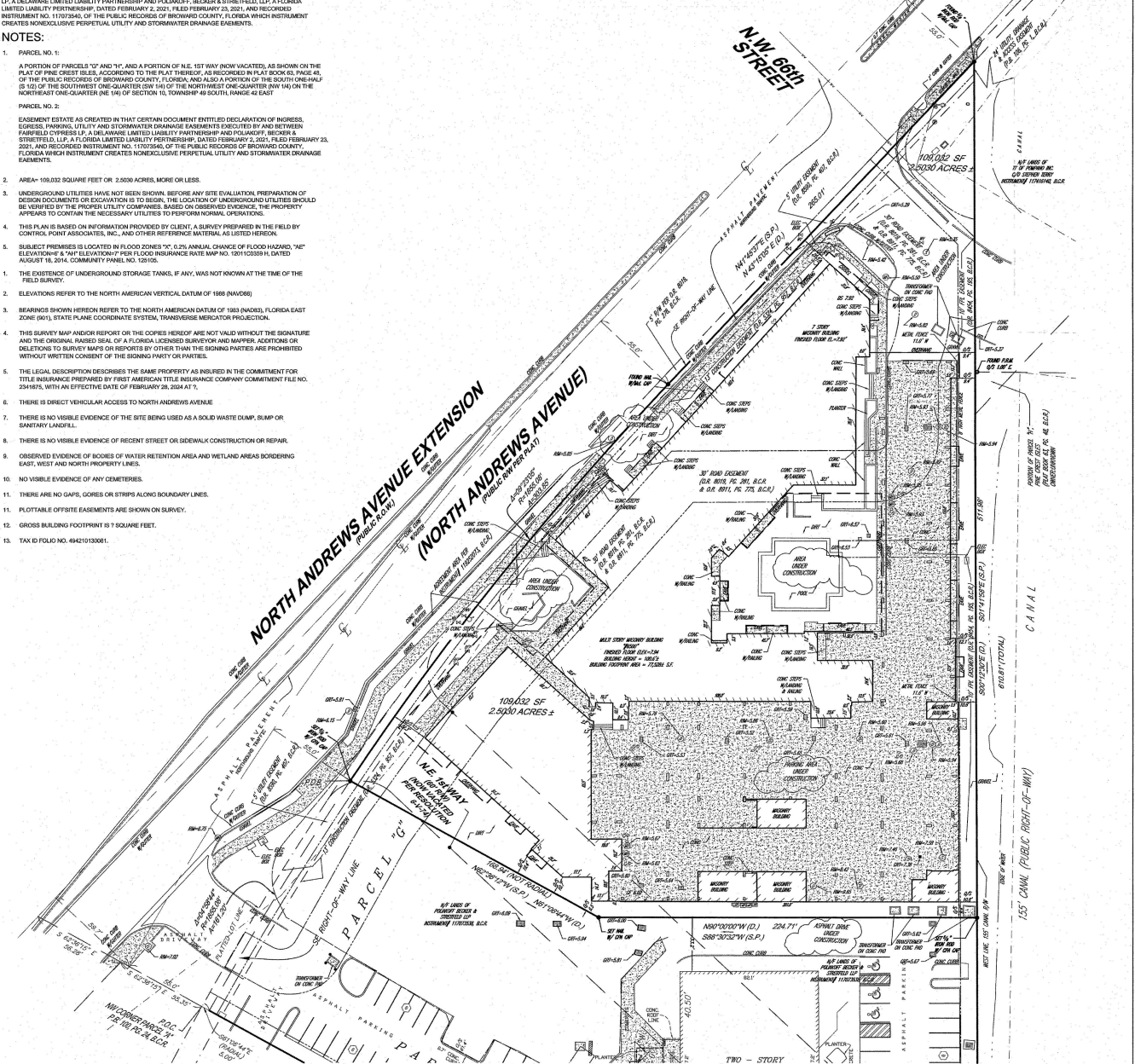
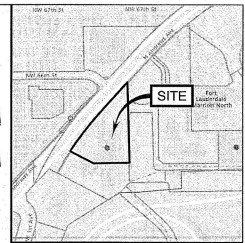
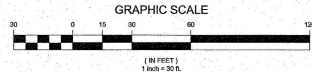
PARCEL NO. 1:  
A PORTION OF PARCELS "Q" AND "P", AND A PORTION OF N.E. 1ST WAY (NOW VACATED), AS SHOWN ON THE PLAN OF PINE CREST ISLES, ACCORDING TO THE PLAN THEREOF, AS RECORDED IN PLAT BOOK 63, PAGE 46, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, AND ALSO A PORTION OF THE SOUTHWEST ONE-QUARTER (SW 1/4) OF THE NORTHWEST ONE-QUARTER (NW 1/4) OF THE NORTHWEST ONE-QUARTER (NW 1/4) OF SECTION 16, TOWNSHIP 49 SOUTH, RANGE 48 EAST, ALL MORE FULLY DESCRIBED AS FOLLOWS:  
COMMENCING AT THE NORTHWEST CORNER OF DON L. CLYMER, ACCORDING TO THE PLAN THEREOF, AS RECORDED IN PLAT BOOK 100, PAGE 31, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA; THENCE SOUTH 07°04' EAST, ON A RADIAL LINE TO THE FOLLOWING DESCRIBED CURVE, A DISTANCE OF 3.05 FEET TO A POINT ON A CURVE; THENCE ALONG SAID CURVE TO THE RIGHT, WITH A RADIUS OF 180.28 FEET, A CENTRAL ANGLE OF 163°44' 18" 00", AN ARC DISTANCE OF 181.97 FEET TO THE POINT OF BEGINNING; THENCE CONTINUED NORTHEASTLY ON SAID SOUTHWESTERN FRONT-OF-WAY LINE AND ON SAID CURVE TO THE RIGHT, WITH A RADIUS OF 180.28 FEET, A CENTRAL ANGLE OF 163°44' 18" 00", AN ARC DISTANCE OF 181.97 FEET TO THE POINT OF BEGINNING; THENCE NORTH 47°10'55" EAST, ON A RADIAL LINE TO THE POINT OF BEGINNING, A DISTANCE OF 260.01 FEET; THENCE SOUTH 07°04' EAST, ON THE NORTHWEST FRONT-OF-WAY LINE, A DISTANCE OF 181.97 FEET; THENCE SOUTH 07°04' WEST, A DISTANCE OF 26.71 FEET; THENCE NORTH 10°30'44" EAST, A DISTANCE OF 168.94 FEET TO THE POINT OF BEGINNING.

PARCEL NO. 2:  
SAID LANDS SITuate LYING AND BEING IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA AND CONTAINING 108,032 SQUARE FEET OR 2,500 ACRES MORE OR LESS.

EASEMENT ESTATE AS CREATED IN THAT CERTAIN DOCUMENT ENTITLED DECLARATION OF INGRESS, EGRESS, PARKING, UTILITY AND STORMWATER DRAINAGE EASEMENTS EXECUTED BY AND BETWEEN FAIRFIELD CYPRESS LP, A DELAWARE LIMITED LIABILITY PARTNERSHIP AND POLAROFF, BECKER & STRATFIELD, L.P., A DELAWARE LIMITED LIABILITY PARTNERSHIP, DATED FEBRUARY 2, 2021, FILED FEBRUARY 23, 2021, AND RECORDED INSTRUMENT NO. 11707540 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA WHICH INSTRUMENT CREATED NONEXCLUSIVE PERPETUAL UTILITY AND STORMWATER DRAINAGE EASEMENTS.

**NOTES:**

- 1. PARCEL NO. 1:  
A PORTION OF PARCELS "Q" AND "P", AND A PORTION OF N.E. 1ST WAY (NOW VACATED), AS SHOWN ON THE PLAN OF PINE CREST ISLES, ACCORDING TO THE PLAN THEREOF, AS RECORDED IN PLAT BOOK 63, PAGE 46, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, AND ALSO A PORTION OF THE SOUTHWEST ONE-QUARTER (SW 1/4) OF THE NORTHWEST ONE-QUARTER (NW 1/4) OF THE NORTHWEST ONE-QUARTER (NW 1/4) OF SECTION 16, TOWNSHIP 49 SOUTH, RANGE 48 EAST.
- 2. PARCEL NO. 2:  
EASEMENT ESTATE AS CREATED IN THAT CERTAIN DOCUMENT ENTITLED DECLARATION OF INGRESS, EGRESS, PARKING, UTILITY AND STORMWATER DRAINAGE EASEMENTS EXECUTED BY AND BETWEEN FAIRFIELD CYPRESS LP, A DELAWARE LIMITED LIABILITY PARTNERSHIP AND POLAROFF, BECKER & STRATFIELD, L.P., A DELAWARE LIMITED LIABILITY PARTNERSHIP, DATED FEBRUARY 2, 2021, FILED FEBRUARY 23, 2021, AND RECORDED INSTRUMENT NO. 11707540 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA WHICH INSTRUMENT CREATED NONEXCLUSIVE PERPETUAL UTILITY AND STORMWATER DRAINAGE EASEMENTS.
- 3. AREA - 108,032 SQUARE FEET OR 2,500 ACRES, MORE OR LESS.
- 4. UNDERGROUND UTILITIES HAVE NOT BEEN SHOWN, BEFORE THIS SITE EVALUATION. PREPARATION OF DESIGN DOCUMENTS OR EXCAVATION IS TO BEGIN. THE LOCATION OF UNDERGROUND UTILITIES SHOULD BE VERIFIED BY THE PROPER UTILITY COMPANIES BASED ON OBSERVED EVIDENCE. THE PROPERTY APPEARS TO CONTAIN THE NECESSARY UTILITIES TO PERFORM NORMAL OPERATIONS.
- 5. THIS PLAN IS BASED ON INFORMATION PROVIDED BY CLIENT. A SURVEY PREPARED BY THE FIELD BY CONTROL POINT ASSOCIATES, INC. AND OTHER REFERENCE MATERIAL AS LISTED HEREON.
- 6. SUBJECT PREMISES IS LOCATED IN FLOOD ZONES "X", 0.2% ANNUAL CHANCE OF FLOOD HAZARD, "AE" ELEVATION "F" AND "AF" ELEVATION "P" PER FLOOD INSURANCE RATE MAP NO. 120110359 H, DATED AUGUST 18, 2014, COMMUNITY PANEL NO. 120105.
- 7. THE EXISTENCE OF UNDERGROUND STORAGE TANKS, IF ANY, WAS NOT KNOWN AT THE TIME OF THE FIELD SURVEY.
- 8. ELEVATIONS REFER TO THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD83).
- 9. BEARINGS SHOWN HEREON REFER TO THE NORTH AMERICAN DATUM OF 1983 (NAD83), FLORIDA EAST ZONE (FZ01), STATE PLANE COORDINATE SYSTEM TRANSVERSE MERIDION PROJECTION.
- 10. THIS SURVEY MAP AND/OR REPORT OR THE COPIES HEREOF ARE NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER, ADDITIONS OR DELETIONS TO SURVEY MAPS OR REPORTS BY OTHER THAN THE SIGNING PARTIES ARE PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.
- 11. THE LEGAL DESCRIPTION DESCRIBES THE SAME PROPERTY AS INSURED IN THE COMMITMENT FOR TITLE INSURANCE PREPARED BY FIRST AMERICAN TITLE INSURANCE COMPANY COMMITMENT FILE NO. 2341675, WITH AN EFFECTIVE DATE OF FEBRUARY 28, 2024 AT 7:00 AM.
- 12. THERE IS DIRECT VEHICULAR ACCESS TO NORTH ANDREWS AVENUE.
- 13. THERE IS NO VISIBLE EVIDENCE OF THE SITE BEING USED AS A SOLID WASTE DUMP, BUMP OR SANITARY LANDFILL.
- 14. THERE IS NO VISIBLE EVIDENCE OF RECENT STREET OR SIDEWALK CONSTRUCTION OR REPAIR.
- 15. OBSERVED EVIDENCE OF BODIES OF WATER RETENTION AREA AND WETLAND AREAS BORDERING EAST, WEST AND NORTH PROPERTY LINES.
- 16. NO VISIBLE EVIDENCE OF ANY CEMETERIES.
- 17. THERE ARE NO CAPS, COPIES OR STRIPS ALONG BOUNDARY LINES.
- 18. FLOTTABLE OFFSITE EASEMENTS ARE SHOWN ON SURVEY.
- 19. GROSS BUILDING FOOTPRINT IS 750 SQUARE FEET.
- 20. TAX ID FOLIO NO. 4942103001.



**TITLE NOTES:**

THIS SURVEY WAS PREPARED WITH REFERENCE TO A COMMITMENT FOR TITLE INSURANCE PREPARED BY "FIRST AMERICAN TITLE INSURANCE COMPANY", COMMITMENT FILE NO. "2341675", WITH AN EFFECTIVE DATE OF "FEBRUARY 28, 2024 AT 8:00 AM AND REVISION NO. 4", WHERE THE FOLLOWING SURVEY RELATED EXCEPTIONS APPEAR IN SCHEDULE B, SECTION II: AS TO PARCEL 2:

- 10. 13' Construction Easement and incidental rights thereto, executed by Thomas B. Griffin and Robert J. Benton, to State of Florida Department of Transportation, dated June 14, 1973, filed April 14, 1973, recorded in Book 5324, Page 957 of the Public Records of Broward County, Florida, as approximately shown on Survey last revised October 27, 2021, prepared by Jerald A. McLaughlin, RLS No. 5269, of McLaughlin Engineering Company, Job No. V-4088, V-5816 affects this property and as shown.
- 11. 15' Easement and incidental rights thereto, executed by Jerald A. McLaughlin, RLS No. 5269, of McLaughlin Engineering Company, Job No. V-4088, V-5816 affects this property (nothing platable).
- 12. 30' and 60' Road Easement and incidental rights thereto, executed by Terry W. Siles, to Broward County, a political subdivision of the State of Florida, dated January 29, 1979, filed February 1, 1979, recorded in Book 8035, Page 281 of the Public Records of Broward County, Florida, and as filed May 16, 2000, re-recorded in Book 8911, Page 775 of the Public Records of Broward County, Florida, as approximately shown on Survey last revised October 27, 2021, prepared by Jerald A. McLaughlin, RLS No. 5269, of McLaughlin Engineering Company, Job No. V-4088, V-5816 affects this property and as shown.
- 13. Terms, conditions and stipulations contained in Owner's Agreement, executed by and between Terry W. Siles, and Broward County, a political subdivision of the State of Florida, dated November 28, 1979, filed December 3, 1979, recorded in Book 8390, Page 407 of the Public Records of Broward County, Florida, as noted on Survey last revised October 27, 2021, prepared by Jerald A. McLaughlin, RLS No. 5269, of McLaughlin Engineering Company, Job No. V-4088, V-5816 affects this property (nothing platable).
- 14. 10' Electrical Easement and incidental rights thereto, executed by Terry W. Siles, to Florida Power & Light Company, dated August 8, 1979, filed September 20, 1979, recorded in Book 8454, Page 195 of the Public Records of Broward County, Florida, as approximately shown on Survey last revised October 27, 2021, prepared by Jerald A. McLaughlin, RLS No. 5269, of McLaughlin Engineering Company, Job No. V-4088, V-5816 affects this property and as shown.
- 15. Water and/or Sanitary Sewerage Easement and incidental rights thereto, executed by Terry W. Siles, to Broward County, a political subdivision of the State of Florida, dated November 28, 1979, filed December 3, 1979, recorded in Book 8390, Page 407 of the Public Records of Broward County, Florida, as approximately shown on Survey last revised October 27, 2021, prepared by Jerald A. McLaughlin, RLS No. 5269, of McLaughlin Engineering Company, Job No. V-4088, V-5816 affects this property and as shown.
- 16. Terms, conditions and stipulations contained in Declaration of Ingress, Egress, Parking, Utility, and Stormwater Drainage Easements, executed by and between Fairfield Cypress LP, a Delaware limited partnership, and Polaroff, Becker & Stratfield, L.P., a Florida limited liability company, as evidenced by Memorandum of Development Agreement, dated January 15, 2020, filed January 27, 2020, recorded in Instrument No. 118181054 of the Public Records of Broward County, Florida, as noted on Survey last revised October 27, 2021, prepared by Jerald A. McLaughlin, RLS No. 5269, of McLaughlin Engineering Company, Job No. V-4088, V-5816 affects this property (not a survey matter).
- 17. Terms, conditions and stipulations contained in Declaration of Ingress, Egress, Parking, Utility, and Stormwater Drainage Easements, executed by and between Fairfield Cypress LP, a Delaware limited partnership, and Polaroff, Becker & Stratfield, L.P., a Florida limited liability company, as evidenced by Memorandum of Development Agreement, dated January 15, 2020, filed January 27, 2020, recorded in Instrument No. 118181054 of the Public Records of Broward County, Florida, as noted on Survey last revised October 27, 2021, prepared by Jerald A. McLaughlin, RLS No. 5269, of McLaughlin Engineering Company, Job No. V-4088, V-5816 affects this property (not a survey matter).
- 18. Terms, conditions and stipulations contained in Declaration of Ingress, Egress, Parking, Utility, and Stormwater Drainage Easements, executed by and between Fairfield Cypress LP, a Delaware limited partnership, and Polaroff, Becker & Stratfield, L.P., a Florida limited liability company, as evidenced by Memorandum of Development Agreement, dated January 15, 2020, filed January 27, 2020, recorded in Instrument No. 118181054 of the Public Records of Broward County, Florida, as noted on Survey last revised October 27, 2021, prepared by Jerald A. McLaughlin, RLS No. 5269, of McLaughlin Engineering Company, Job No. V-4088, V-5816 affects this property (not a survey matter).
- 19. Overhead and Underground Electric Facilities Easement and incidental rights thereto, granted to Florida Power & Light Company, dated June 2, 2002, filed June 2, 2002, recorded in Instrument No. 11818574 of the Official Records of Broward County, Florida, does not affect this property.
- 20. Overhead and Underground Electric Facilities Easement and incidental rights thereto, granted to Florida Power & Light Company, dated June 2, 2002, filed June 2, 2002, recorded in Instrument No. 11818574 of the Official Records of Broward County, Florida, does not affect this property.
- 21. Broadband Communications System Easement and incidental rights thereto, granted to Comcast Cable Communications Management, LLC, a Delaware limited liability company, dated June 6, 2022, filed July 13, 2022, recorded in Instrument No. 11820912 of the Official Records of Broward County, Florida, does not affect this property (blanket easement, nothing platable).
- 22. Broadband Communications System Easement and incidental rights thereto, granted to Comcast Cable Communications Management, LLC, a Delaware limited liability company, dated June 6, 2022, filed July 13, 2022, recorded in Instrument No. 11820912 of the Official Records of Broward County, Florida, does not affect this property (blanket easement, nothing platable).
- 23. Broadband Communications System Easement and incidental rights thereto, granted to Comcast Cable Communications Management, LLC, a Delaware limited liability company, dated June 6, 2022, filed July 13, 2022, recorded in Instrument No. 11820912 of the Official Records of Broward County, Florida, does not affect this property (blanket easement, nothing platable).
- 24. Agreement Ancillary to Revocable License Agreement, executed by and between FAIRFIELD CYPRESS LP, a Delaware limited liability company, and CITY OF FORT LAUDERDALE, a municipal corporation of the State of Florida, dated September 19, 2023, filed November 29, 2023, recorded in Instrument No. 129252073 of the Official Records of Broward County, Florida, affects this property and as shown.

**LEGEND:**

- DEPRESSED CURB
- HYDRANT
- FIRE PUMP/GENERATOR CONNECTION (F.P.C.)
- WATER VALVE
- ELECTRIC METER
- DRAINAGE/STORM MANHOLE
- UNKNOWN MANHOLE
- SKAT/RYSE/STORM MANHOLE
- CATCH BASIN
- CLEAN OUT
- DETECTABLE WARNING PAD
- MAIL COVERS
- BOLLARD
- AIR CONDITIONING UNIT
- BUILDING
- DEPRESSED CURB
- EDGE OF CONC.
- HEIGHT
- MASONRY BLOCK WALL
- MAIL COVER
- TYPICAL
- EVIDENCE FOUND
- DESCRIPTION
- STATE PLANE BEARINGS

**ALTANSPPS CERTIFICATION:**

1. FIRST AMERICAN TITLE INSURANCE COMPANY  
2. FAIRFIELD CYPRESS LP, A DELAWARE LIMITED PARTNERSHIP  
3. HANCOCK WHITNEY BANK, TN NATIONAL, LLC  
THIS IS TO CERTIFY THAT THIS MAP OR PLAN AND THE SURVEY ON WHICH IT WAS BASED WERE MADE IN ACCORDANCE WITH THE 2001 MINIMUM STANDARD METAL REQUIREMENTS FOR SURVEYING AND MAPPING IN FLORIDA AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 1A-7.05, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 479.021, FLORIDA STATUTES.  
THE FIELD WORK WAS COMPLETED ON MARCH 30, 2024.

Digitally signed by Jerald A. McLaughlin  
Date: 2024.03.11 10:41:06 -0400  
JERALD A. MCLAUGHLIN  
FLORIDA CERTIFICATE OF AUTHORIZATION LB 8937

ALTANSPPS LAND TITLE SURVEY  
FAIRFIELD CYPRESS LLC  
5500 N. ANDREWS AVENUE  
PORTION OF PARCELS Q & H PINE CREST ISLES (6348 & B.C.R.)  
CITY OF FORT LAUDERDALE, BROWARD COUNTY  
STATE OF FLORIDA  
CONTROL POINT ASSOCIATES, INC.  
1700 N. GATE STREET, SUITE 400  
FORT LAUDERDALE, FL 33304  
15-240106-00  
1 OF 1

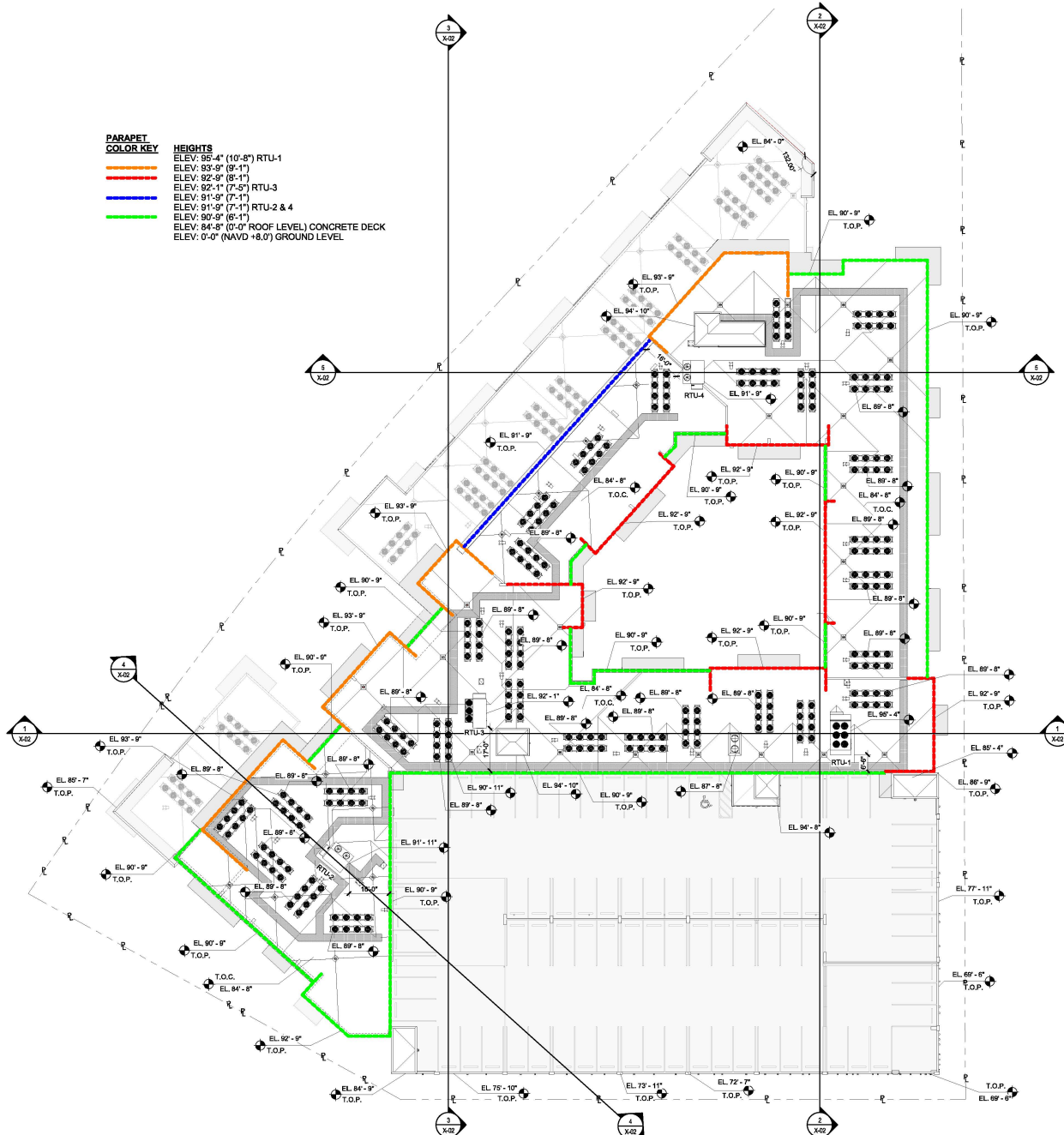
CONTROL POINT ASSOCIATES, INC. - ALL RIGHTS RESERVED. THIS SURVEY MAP AND/OR REPORT OR THE COPIES HEREOF ARE NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER, ADDITIONS OR DELETIONS TO SURVEY MAPS OR REPORTS BY OTHER THAN THE SIGNING PARTIES ARE PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.



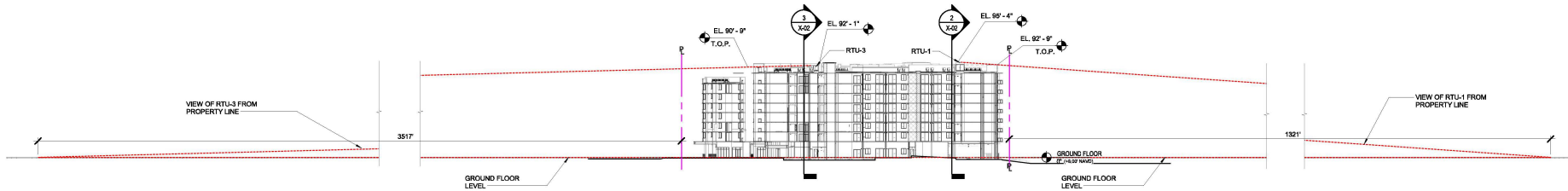




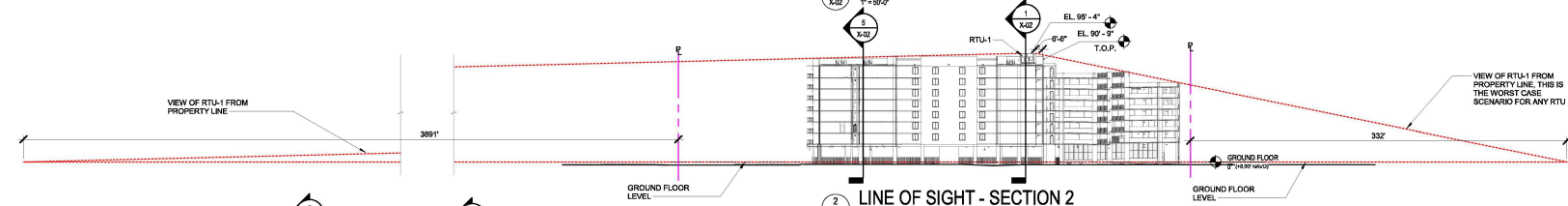
PARAPET COLOR KEY	HEIGHTS
Orange	ELEV. 95'-4" (10'-8") RTU-1
Yellow	ELEV. 93'-9" (9'-1")
Red	ELEV. 92'-9" (8'-1")
Blue	ELEV. 92'-1" (7'-5") RTU-3
Green	ELEV. 91'-9" (7'-1")
Light Green	ELEV. 91'-9" (7'-1") RTU-2 & 4
Dark Green	ELEV. 90'-9" (6'-1")
Grey	ELEV. 84'-8" (0'-0" ROOF LEVEL) CONCRETE DECK
Black	ELEV. 0'-0" (NAVD +8.0') GROUND LEVEL



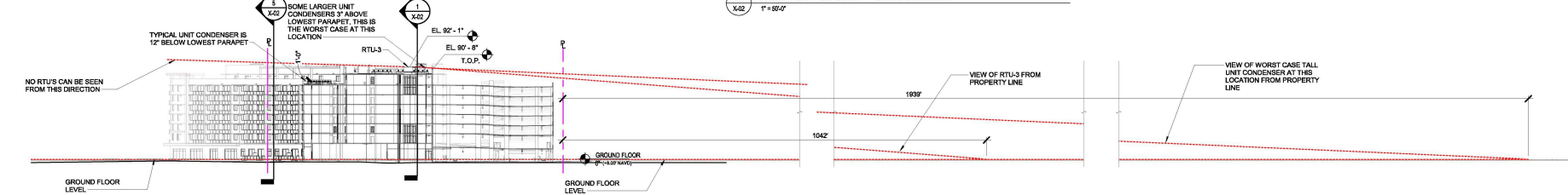
RTU SIGHTLINE STUDY ROOF PLAN  
 1" = 20'-0"



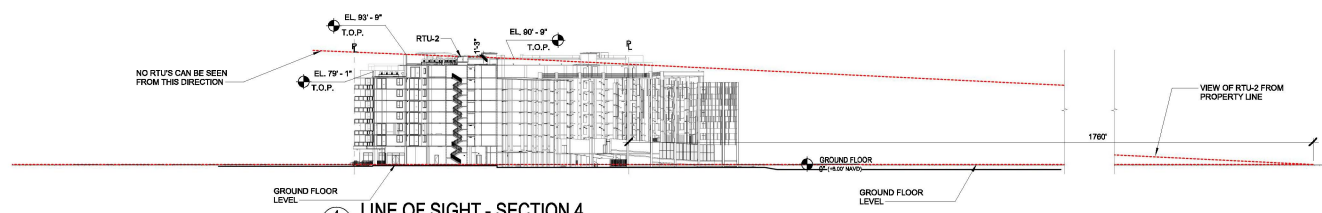
1 LINE OF SIGHT - SECTION 1  
1" = 50'-0"



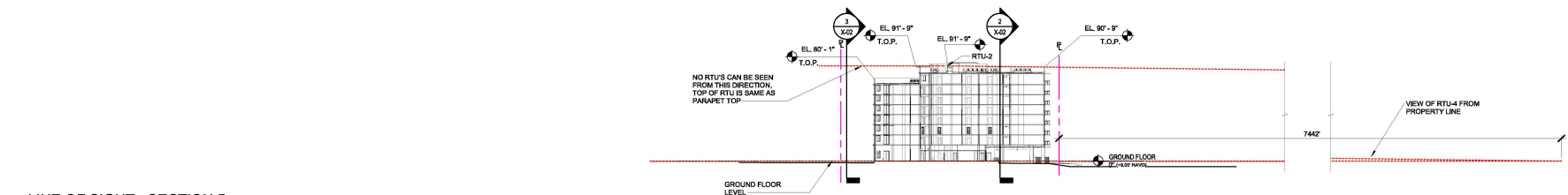
2 LINE OF SIGHT - SECTION 2  
1" = 50'-0"



3 LINE OF SIGHT - SECTION 3  
1" = 50'-0"



4 LINE OF SIGHT - SECTION 4  
1" = 50'-0"



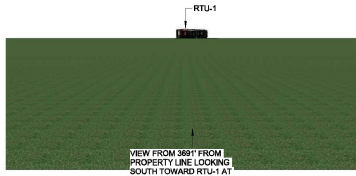
5 LINE OF SIGHT - SECTION 5  
1" = 50'-0"





VIEW FROM 332' FROM  
PROPERTY LINE LOOKING  
NORTH TOWARD RTU-1 AT  
ELEVATION 13'-0" NAVD (0'-0"  
ABOVE GROUND LEVEL)

2 3D VIEW OF RTU-1 SOUTH  
X/03



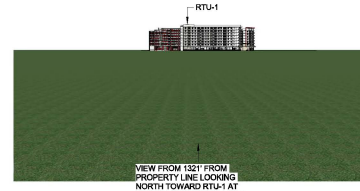
VIEW FROM 369' FROM  
PROPERTY LINE LOOKING  
SOUTH TOWARD RTU-1 AT  
ELEVATION 13'-0" NAVD (0'-0"  
ABOVE GROUND LEVEL)

3 3D VIEW OF RTU-1 NORTH  
X/03



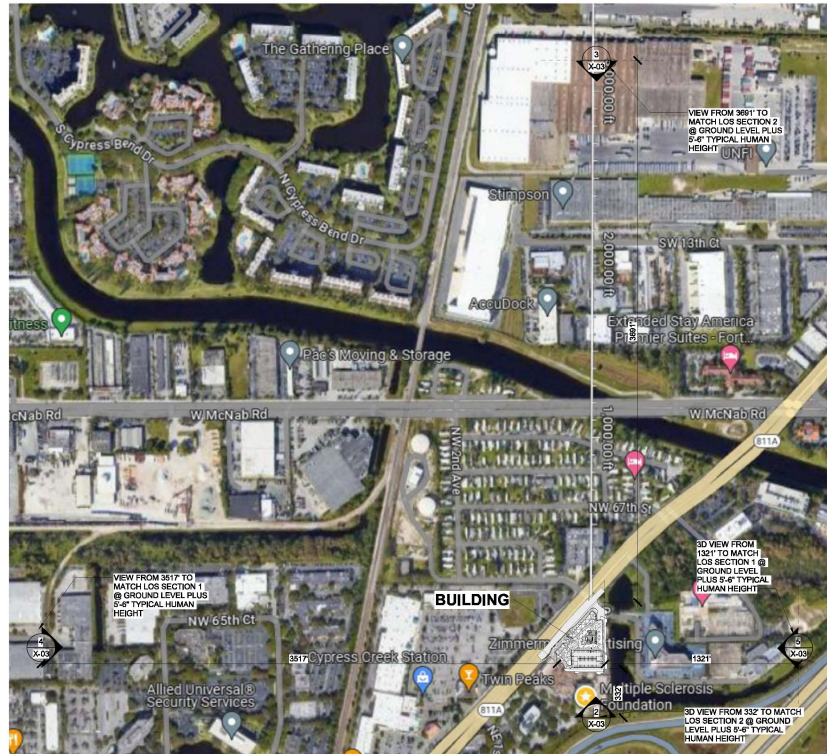
VIEW FROM 351' FROM  
PROPERTY LINE LOOKING EAST  
TOWARD RTU-3 AT ELEVATION  
13'-0" NAVD (0'-0" ABOVE  
GROUND LEVEL)

4 3D VIEW OF RTU-3 WEST  
X/03



VIEW FROM 1321' FROM  
PROPERTY LINE LOOKING  
NORTH TOWARD RTU-1 AT  
ELEVATION 13'-0" NAVD (0'-0"  
ABOVE GROUND LEVEL)

5 3D VIEW OF RTU-1 EAST  
X/03



1 KEY PLAN TO 3D VIEWS  
X/03 1" = 400'0"

FAIRFIELD AT CYPRESS CREEK  
FORT LAUDERDALE, FLORIDA

**FAIRFIELD**  
RESIDENTIAL

200 Gallatin Parkway, Suite 500  
Atlanta, Georgia 30339

ALL RIGHTS RESERVED

LINE OF SIGHT - 3D  
VIEWS OF RTUs

Drawn by: JF  
Checked by: SA  
Date: 02/28/24

Project Number: DY201810

X-03

2/28/2024 11:18:56 AM

March 6, 2024

Fairfield Cypress L.L.C.  
200 Galleria Parkway, Suite 500  
Atlanta, Georgia 30339

Ref.: Cypress Creek – RTU Enclosure Option Risks  
DY201937

Dear Ownership:

With regards to the option to enclose the RTUs with a metal screen we have the following two concerns.

The first concern is the risk involved in tap-conning into the PT tendons to build the screen enclosures for each RTU. Our current roof deck is an 8" concrete slab with post-tensioned tendons placed at regular intervals and banded in clusters along column lines. The metal subcontractor has designed a roof enclosure for each of the (4) RTUs in question. They have estimated that all together they would consist of 100 metal supports for the four enclosures necessary. The four enclosures vary in size from 101'x161' to 101' x 138'. They could get bigger if the area in question has a lot of banded tendons. The enclosure supports would be 3"x6" aluminum posts at +/- 4' to 5' o.c. Each would have an 8"x8" aluminum base plate with (4) ½" large diameter Tapcon screws. These screws would penetrate at a minimum of 4" into the 8" thick concrete slab. Some of the PT cables are only ¾" from the top of the slab in some locations. We can X-ray the slab to locate each cable in questions however since the roof has already been finished. The X-ray technician has stated they won't be able to accurately see the tendons because of the foam depth at some locations. To X-ray successfully they would have to rip up large portions of roof along the entire perimeter of each enclosure. Puncturing any one of these tendons could cause it to snap and potentially harm all those on the roof or nearby vicinity.

The second concern is the future performance of the roof. The roof is a TPO membrane on 2" minimum light weight concrete on stepped rigid foam insulation. Each of these 100 roof penetrations will require us to cut into the current TPO system, saw cut the light-weight concrete and rigid insulation large enough for the X-ray equipment to work. The contractor would then Tapcon screw each 8"x8" base plate into the concrete deck. Each location would need the foam replaced and light weight concrete repoured and new TPO roofing welded to existing TPO. A new TPO flashing boot would then be heat welded to this new TPO roofing. This repair could potentially cause issues with the roof warranty in the future if any leaks were to happen.

Sincerely,

DORSKY + YUE International LLC



Victor Yue