



BOARD OF ADJUSTMENT MEETING NOTICE

Date: APRIL 26, 2024

A Public Hearing will be held before the Board of Adjustment on: **WEDNESDAY, MAY 8TH, 2024 AT 6:00 PM.**

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

CASE:	PLN-BOA-24030007
OWNER:	RITOS DEVELOPMENT LP
AGENT:	ROD A. FEINER, ESQ.
ADDRESS:	695 SW 9 AVE, FORT LAUDERDALE, FL 33315
LEGAL DESCRIPTION:	THE SOUTH 67.55 FEET OF LOTS 9 AND 10. "NEW UTOPIA", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 8, PAGE 21, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

ZONING DISTRICT: RS-8 - RESIDENTIAL SINGLE FAMILY/LOW MEDIUM DENSITY

COMMISSION DISTRICT: 4

REQUESTING: **Sec. 47-5.31. - Table of dimensional requirements for the RS-8 district.**

- Requesting a variance from the minimum 15-foot rear yard setback to be reduced to 5 feet, a total variance request of 10 feet.

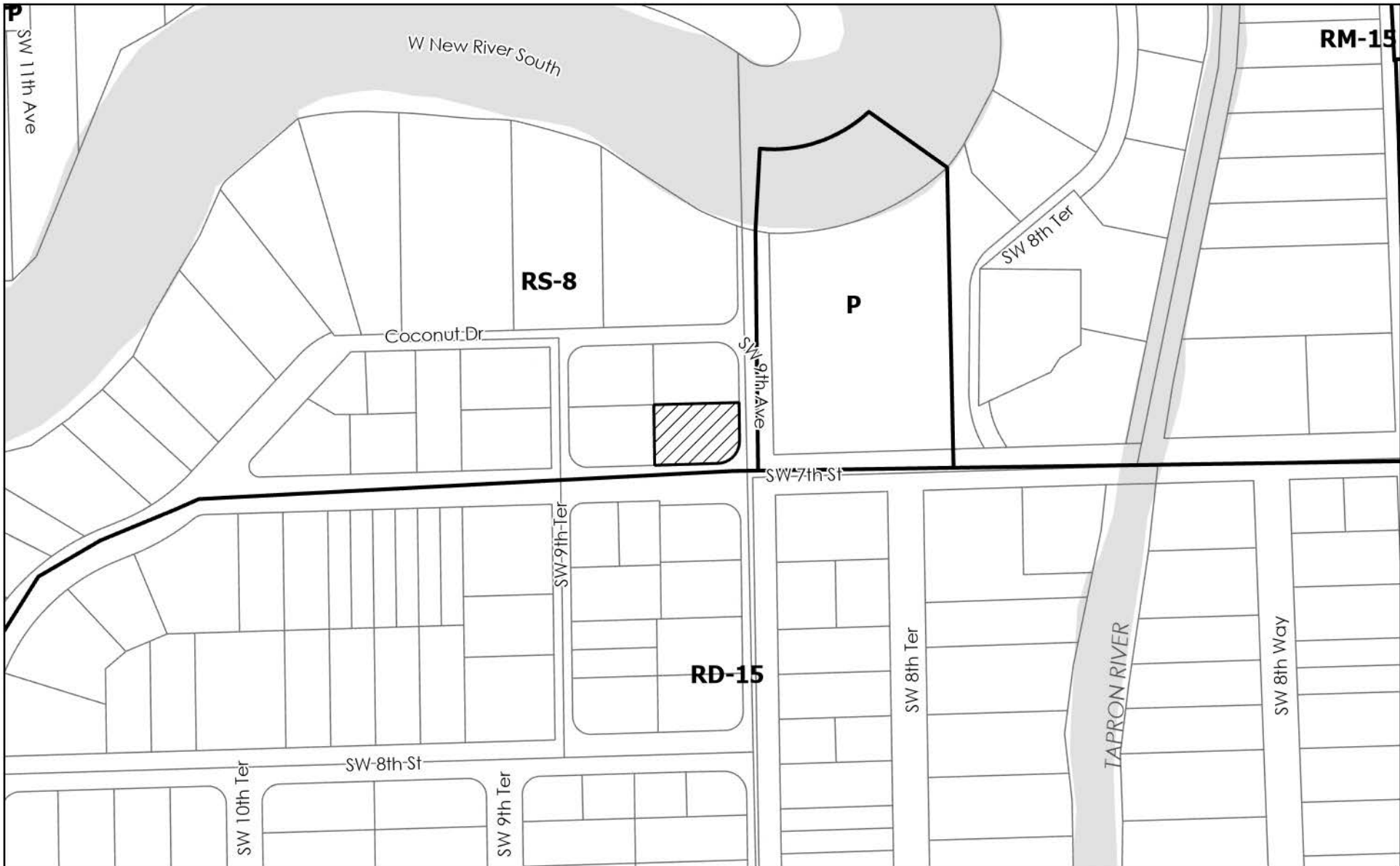
To watch and listen to the meeting, please visit:
<https://www.fortlauderdale.gov/government/BOA> OR
www.youtube.com/cityoffortlauderdale

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

MOHAMMED MALIK
ZONING ADMINISTRATOR


Florida Statutes, Sec. 286.0105

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




PLN-BOA-24030007


LEGEND

 Subject Site

N



0 100 200 US Feet



PLN-BOA-24030007

Sec. 47-5.31. - Table of dimensional requirements for the RS-8 district.

EXPAND

Requirements	RS-8	RS-8A
Maximum density	8.0 du/net ac.	8.0 du/net ac.
Minimum lot size	6,000 sq. ft.	6,000 sq. ft.
Maximum structure height	35 ft.	28 ft.
Maximum structure length	None	None
Minimum lot width	50 ft. *75 ft. when abutting a waterway on any side	50 ft. *75 ft. when abutting a waterway on any side
Minimum floor area	1,000 sq. ft.	1,000 sq. ft.
Minimum front yard	25 ft. <i>Special minimum front yard setbacks: Coral Isles—15 ft. Nurmi Isles—20 ft. Pelican Isles—20 ft.</i>	25 ft. <i>Special minimum front yard setbacks: Coral Isles—15 ft. Nurmi Isles—20 ft. Pelican Isles—20 ft.</i>
Minimum corner yard	25% of lot width but not greater than 25 ft. 25 ft. when abutting a waterway	25% of lot width but not greater than 25 ft. 25 ft. when abutting a waterway
Minimum side yard	5 ft. - up to 22 ft. in height Where a building exceeds 22 ft. in height that portion of the building above 22 ft. shall be set back an additional 1 foot per foot of additional	For a building with a height no greater than 12 ft.- 5 ft. For a building with a height greater than 12 ft. - 7.5 ft.

	<p><i>height.</i></p> <p><i>25 ft. when abutting a waterway</i></p> <p><i>Special side yard setbacks 7.5 ft.:</i> <i>Coral Ridge Country Club Addition 4, P.B. 53 P. 29; Block G, Lots 1 thru 22; Block H, Lots 1 thru 10 and 16 thru 26; Block I; Block J. Gramercy Park, P.B. 57, P. 45, Block 1; and Block 2, Lots 1 thru 16.</i> <i>Coral Ridge Country Club Addition 3, P.B. 52 P. 14, Block A, Lots 1 thru 4; Block B, Lots 1 thru 4 and 7 thru 10; Block C, Lots 1 thru 4 and 7 thru 10; Block D, Lots 1 thru 8 and 11 thru 18; Block X, Lots 18 thru 20; Block J; Block K; Block L; Block M; Block N; Block O; Block P; Block Q; Block R; Block S; Block T.</i> <i>Golf Estates, P.B. 43, P. 26; Block 6; Block 7; Block 8; Block 9; Block 10; Block 11; Coral Ridge Country Club Subdivision P.B. 36 P. 30 Block F, Lots 1 thru 14; Block R, Lots 1 thru 8, 11 thru 18; Replat of Lots 11, 12, 13, 14 & 15 of Block H Coral Ridge Country Club Addition 4, P.B. 63 P. 31 Parcels A, B, C; Gramercy Park, PB 57 P. 45 Block 2, Lots 17 and 18; Coral Ridge Country Club Addition No. 2 P.B. 44 PG 21 Block F, Lots 2 thru 19; Block E, Lots 1 thru 6 and 10 thru 16; Block C, Lots 2 thru 11; Block D, Lots 2 thru 4; Block B, Lot 2 and Lots 15 thru 25, and Bermuda-Riviera Subdivision of Galt Ocean Mile, P.B. 38 P. 46; Blocks A, C, D, E, F, G & H; Bermuda-Riviera Subdivision of Galt Ocean, First Addition, P.B. 40 P.12: Blocks J, K, L & M.</i></p>	<p><i>That portion of a building exceeding 12 ft. in height shall be set back an additional 2 feet per 1 foot of additional height</i></p> <p><i>25 ft. when abutting a waterway</i></p> <p><i>Special side yard setbacks as provided in RS-8</i></p>
<p><i>Minimum rear yard</i></p>	<p><i>15 ft.</i></p> <p><i>25 ft. when abutting a waterway</i></p> <p><i>Special rear yard setbacks: 15 ft. abutting waterway in the following subdivisions:</i> <i>Coral Ridge Isles</i> <i>Flamingo Pk.—Section "C" & "D"</i> <i>Lakes Estates</i> <i>Golf Estates</i> <i>Imperial Pt.—4th Sec.</i></p>	<p><i>25 ft.</i></p> <p><i>25 ft. when abutting a waterway</i></p> <p><i>Special rear yard setbacks as provided in RS-8</i></p>

	<i>The Landings Rio Nuevo Isle—Block 1</i>				
<i>Minimum distance between buildings</i>	<i>None</i>				
	<i>Lot Size</i>	<i>**Maximum Lot Coverage</i>	<i>**Maximum Floor Area Ratio</i>	<i>**Maximum Lot Coverage</i>	<i>**Maximum Floor Area Ratio</i>
	<i>≤7,500 sf</i>	<i>50%</i>	<i>0.75</i>	<i>40%</i>	<i>0.55</i>
<i>Lot coverage and FAR</i>	<i>7,501—12,000 sf</i>	<i>45%</i>	<i>0.75</i>	<i>35%</i>	<i>0.55</i>
	<i>>12,000 sf</i>	<i>40%</i>	<i>0.60</i>	<i>30%</i>	<i>0.50</i>

Note A: Dimensional requirements may be subject to additional regulations, see [Section 47-23](#), Specific Location Requirements, and [Section 47-25](#), Development Review Criteria.

Record

Showing 1-20 of 20

<input type="checkbox"/>	<u>Record, Permit, or Account #</u>	<u>Record Description</u>	<u>Application Name</u>	<u>Record Type</u>	<u>Balance</u>	<u>Planner Name</u>	<u>Street #</u>	<u>Dir</u>	<u>Street Name</u>	<u>Type</u>	<u>Unit # (start)</u>	<u>Status</u>
<input type="checkbox"/>	PLN-BOA-24030007		Ritos R ar S tback Varianc e	- Board of Adjustm nt (BOA)	0		695	SW	9	AVE		Op n
<input type="checkbox"/>	BLD-GEN-24030527	Driv way P rmit	695 SW 9th Av	tructural P rmit	0		695	SW	9	AVE		Op n
<input type="checkbox"/>	ROW-PAV-24030021 e	ROW paving p rmit	695 SW 9th Av	OW Paving P rmit	0 e		695 e	SWe	9 e	AVE		Op n
<input type="checkbox"/>	ROW-LAND-24030011 e	ROW Landscap p rmit e	695 SW 9th Av	OW Landscaping P rmit e	0		695	SW	9	AVE		Op n
<input type="checkbox"/>	ROW-SEW-24030005	S w r P rmit e	695 SW 9th Av	OW S w r P rmit e	0		695	SW	9	AVE		Op n
<input type="checkbox"/>	LND-TREE-24030100	Sp cim n Tr P rmit e	Sp cim n Tr R moval e	Landscap Tr R moval-R location P rmit e	0		695	SW	9	AVE		Awaiting C
<input type="checkbox"/>	CE24030202 e	NEIGHBOR REPORTS ACTIVELY CUTTING DOWN OAK TREE W... e		Cod Cas e		Edward Eason e	695	SW	9	AVE		Clos d
<input type="checkbox"/>	ROW-SW-24020012e	Driv way P rmit e	695 SW 9th Av	OW Sid walk and Curb P rmit	0		695	SW	9	AVE		Op n
<input type="checkbox"/>	BLD-GEN-24020280	Roofing P rmit e	695 SW 9th Av	tructural P rmit	0		695	SW	9	AVE		Op n
<input type="checkbox"/>	PLB-GEN-24020142 e	Plumbing P rmit e	695 SW 9th Av	lumbing P rmit e	0 e		695 e	SWe	9 e	AVE		Op n
<input type="checkbox"/>	MEC-GEN-24020079 e	HVAC P rmit e	695 SW 9th Av	chanical P rmit	0		695	SW	9	AVE		Op n
<input type="checkbox"/>	ELE-GEN-24020147	El ctrical P rmit	695 SW 9th Av	l ctrical P rmit e	0		695	SW	9	AVE		Op n
<input type="checkbox"/>	PLB-GEN-24020128	Wat r M t r P rmit	695 SW 9th Av	lumbing P rmit	0		695	SW	9	AVE		Op n
<input type="checkbox"/>	PLB-GEN-24020129 e	On Sit Storm Drainag e	95 SW 9th Av	lumbing P rmit	0		695	SW	9	AVE		Op n
<input type="checkbox"/>	PLB-GEN-24020131	Gas P rmit Application e	695 SW 9th Av	lumbing P rmit	0		695	SW	9	AVE		Op n
<input type="checkbox"/>	PLB-GEN-24020132 e	Irrigation Syst m	695 SW 9th Av	lumbing P rmit e	0		695	SW	9	AVE		Op n e
<input type="checkbox"/>	LND-TREE-24010030	Tr r moval & r location- Total r plac m nt to b... e	Tr R location and Tr R m... e	Landscap Tr R moval-R location P rmit e	0		695	SW	9	AVE		Issu d
<input type="checkbox"/>	BLD-RDEM-23120022 e	Compl t d molition of garag structur	95 D mo	R sid ntial D molition P rmit	0		695	SW	9	AVE		Issu d
<input type="checkbox"/>	BLD-RNC-23120063 e	NEW 2 STORY SINGLE FAMILY RESIDENCE- 5 BEDROOMS, ... e	695 SW 9th Av	sid ntial N w Construction P rmit e	5871.1 e		695	SW	9	AVE		Awaiting C
<input type="checkbox"/>	CE23100673	DEAD TREE ON PROPERTY		Cod Cas		Edward Eason e	695 e	SWe	9 e	AVE e		Clos d



CITY OF FORT LAUDERDALE

PUBLIC NOTICE

BOARD OF ADJUSTMENT MEETING

DATE: MAY 8TH, 2024

TIME: 6:00 P.M.

CASE: PLN-BOA-24030007

Sec. 47-5.31. - Table of dimensional requirements for the RS-8 district.

- Requesting a variance from the minimum 15-foot rear yard setback to be reduced to 5 feet, a total variance request of 10 feet.

MEETING LOCATION: DEVELOPMENT SERVICES DEPARTMENT
700 N.W. 19TH 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



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



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-24030007

APPLICANT: Ritos Development, LP

PROPERTY: 695 SW 9 Avenue

PUBLIC HEARING DATE: May 8, 2024

BEFORE ME, the undersigned authority, personally appeared Christina Mathews, 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 ULDL, I will forfeit my sign deposit. _____ (initial here)

Christina Mathews
Affiant

SWORN TO AND SUBSCRIBED before me in the County and State above aforesaid this 23 day of April, 2024

(SEAL)



NOTARY PUBLIC
MY COMMISSION EXPIRES: 2-17-25

 CITY OF FORT LAUDERDALE
PUBLIC NOTICE

BOARD OF ADJUSTMENT MEETING

DATE: MAY 8TH, 2024 TIME: 6:00 P.M. CASE: PLN-BOA-24030007

Sec. 47-5.31. - Table of dimensional requirements for the RS-8 district.

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700 N.W. 19TH AVENUE (LOBBY)
FORT LAUDERDALE, FL 33311
CONTACT: 954-828-4506

TO WATCH AND LISTEN TO THE BOARD OF ADJUSTMENT MEETING VISIT:
<https://www.fortlauderdale.gov/government/BOA>
www.youhdtv.com/cityoffortlauderdale

The notice is for projects of the City of Fort Lauderdale. In accordance with City Code Section 18-22, it shall be unlawful for any person to require, draft, break or display in any manner any building or other thing belonging to or under the control of the City of Fort Lauderdale, or to remove, alter, or damage any such thing, or to obstruct or interfere with the operation of any such thing, or to obstruct or interfere with the operation of any such thing, or to obstruct or interfere with the operation of any such thing.



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In accordance with City Code Section 47-27.24, B, this sign shall remain on the property until final disposition of the application. This shall include any appeals, rehearing, or appeal, unless by written agreement by the applicant, the sign removal shall be allowed as provided in subsection 47-27.24, B.

Page 1: BOA - Applicant Information Sheet

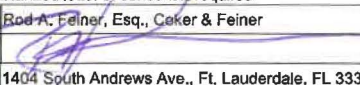
INSTRUCTIONS: The following information is required pursuant to the City's Unified Land Development Regulations (ULDR). While the information requested in this application is the minimum required to proceed please be aware additional information may be required to fully address the variance(s) and/or 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	Ritos Development, LP, a Florida limited partnership
Property Owner's Signature	If a signed agent letter is provided, no signature is required on the application by the owner.
Address, City, State, Zip	4491 S State Road 7, Ft. Lauderdale, FL 33314
E-mail Address	tim@ritvoconsulting.com
Phone Number	954-815-9000
Proof of Ownership	<input checked="" type="checkbox"/> Warranty Deed or <input type="checkbox"/> Tax Record

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

Applicant / Agent's Name	Rod A. Feiner, Esq., Coker & Feiner
Applicant / Agent's Signature	
Address, City, State, Zip	1404 South Andrews Ave., Ft. Lauderdale, FL 33316
E-mail Address	rafeiner@coker-feiner.com
Phone Number	954-761-3636
Agent Authorization Form Submitted	<input checked="" type="checkbox"/>

Include ANY Related code case/permit #	None
Existing / New	Existing: <input type="checkbox"/> New: <input checked="" type="checkbox"/>
Project Address	Address: 695 SW 9th Ave., Ft. Lauderdale, FL 33315
Legal Description	The South 67.55 feet of Lots 9 and 10, NEW UTOPIA, according to the map or plat thereof, recorded in Plat Book 8, Page 231 of the Public Records of Broward County, Florida
Tax ID Folio Numbers <i>(For all parcels in development)</i>	5042 0916 0063
Variance/Special Exception Request <i>(Provide a brief description of your request)</i>	Rear setback variance to allow a 5 foot rear setback when Code requires 15 feet
Applicable ULDR Sections <i>(Include all code sections)</i>	47-5.31

Current Land Use Designation	Residential
Current Zoning Designation	RS-8
Current Use of Property	Vacant (prior single-family home)
Site Adjacent to Waterway	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Setbacks (indicate direction N, S, E, W)		Required	Proposed
Front			
Side			
Side			
Rear		15	5

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.

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 attached

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 attached

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 attached

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 attached

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 attached

AFFIDAVIT: I, Timonthy Ritvo the Owner/Agent of said property ATTEST that I am aware of the following:

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

[Handwritten Signature]
(Signature)

SWORN TO AND SUBSCRIBED before me in the County and State above aforesaid this 07 day of March 2024

(SEAL)



[Handwritten Signature]
NOTARY PUBLIC
MY COMMISSION EXPIRES:

Law Offices
COKER & FEINER
1404 South Andrews Avenue
Fort Lauderdale, FL 33316-1840

Telephone: (954) 761-3636
Facsimile: (954) 761-1818

Richard G. Coker, Jr., P.A.
Rod A. Feiner
Kathryn R. Coker

rgcoker@coker-feiner.com
rafeiner@coker-feiner.com
krcoker@coker-feiner.com

MEMORANDUM

To: Burt Ford, Zoning Chief Plans Examiner
From: Rod A. Feiner, Esq.
Date: March 27, 2024
Subject: Narrative for Rear Setback Variance
696 SW 9th Ave.

Waivers Requested

The Applicant is requesting a variance from Section 47-5.31 of the Unified Land Development Code ("Code") in order to provide five foot (5') rear setback when Code requires a fifteen foot (15') rear setback.

Justification Statement

1. That special conditions and circumstances affect the property at issue which prevent the reasonable use of such property.

Special conditions and circumstances affect the property which prevent the reasonable use of the property. In this particular case there is an existing oak tree that is located on the property. This oak tree can be classified as a specimen tree which means all attempts to save the tree should be made. The owner is attempting to utilize the property for a single-family home. However, the location of the tree impacts where a home can be constructed. The variance will allow the Owner to locate the single-family home on the property without having to remove the tree. In addition, the Owner looked into the possibility of relocating the specimen oak tree. Because of new flood regulations the Owner has to bring significant fill onto the property. The additional fill means that

relocating the oak tree to another location on the property is not a viable option. The relocation of the tree will result in the suffocation, and eventual death, of the oak tree. A large oak tree being located on the property is a unique and special condition which prevents the reasonable use of the property.

2. *That the 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*

The special and unique circumstances are peculiar to the property at issue or to such a small number of properties that this is a marked exception to other properties in the same zoning district. An existing mature oak tree that is in good or specimen condition is not typical of other properties in the zoning district. Typically an oak tree could either be removed with a tree removal permit or mitigated by attempting to relocate the tree. In this case neither of those options are viable as both the removal and relocation of the tree would cause the tree to die which means the tree would not be preserved. All of this makes the existing oak tree and its location on the property a marked exception to other properties in the same zoning district.

3. *That the 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*

The literal applications of the ULDR would deprive the Owner of a substantial property right that is enjoyed by other owners. Most property owners in this zoning district have the ability to develop a single-family home on the property without impinging upon the rear setback. However, in this particular case the location of the oak tree on the property impacts where the home can be located and it means that the Owner cannot take advantage of portions of its property which would not be impacted by the setbacks. The oak tree acts as a substantial hinderance of the Owner's ability to utilize the full area, outside of setbacks, of its property to install a single-family home.

4. *That 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*

The unique hardship of the existing oak tree is not self-created by the Owner. The oak tree grew in this area as an act of nature and has continued to grow over time such that it now impacts how development on the property can occur. The Owner did not plant the oak tree nor has the Owner otherwise been responsible for the oak tree and therefore the hardship is not self-created. In addition, while the Owner could request removal of the tree and pay the impact fees associated with such removal it is better for the neighborhood to preserve the specimen oak tree.

5. *That 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.

The variance is the minimum variance to make possible the reasonable use of the property and it is also in harmony with the general purpose and intent of the Code. The general purpose and intent of the Code is to preserve existing shade trees. This oak tree is a shade tree that should be preserved if possible. The variance accomplishes the intent of the Code by preserving the shade tree. Preserving this shade tree is also compatible with the public welfare. Preserving a mature oak tree is compatible with neighboring properties and the public welfare. In addition, the variance being requested is the minimum variance necessary. The Owner is still providing a five foot (5') rear setback. Providing this setback also ensures that there is space between the building and any other building that may be built on an adjacent property.



MARTY KIAR
BROWARD
 COUNTY
 PROPERTY APPRAISER

Site Address	695 SW 9 AVENUE, FORT LAUDERDALE FL 33315	ID #	5042 09 16 0063
Property Owner	RITOS DEVELOPMENT LP	Millage	0312
Mailing Address	4491 S STATE RD 7 PH-2 FORT LAUDERDALE FL 33314	Use	00-04
Abbr Legal Description	NEW UTOPIA 8-21 B S 67.55 OF LOTS 9 & 10		

The just values displayed below were set in compliance with Sec. 193.011, Fla. Stat., and include a reduction for costs of sale and other adjustments required by Sec. 193.011(8).

* 2024 values are considered "working values" and are subject to change.

Property Assessment Values					
Year	Land	Building / Improvement	Just / Market Value	Assessed / SOH Value	Tax
2024*	\$250,600	\$24,290	\$274,890	\$274,890	
2023	\$250,600	\$24,290	\$274,890	\$274,890	\$5,262.36
2022	\$34,460	\$24,290	\$58,750	\$53,850	\$1,109.19

2024* Exemptions and Taxable Values by Taxing Authority				
	County	School Board	Municipal	Independent
Just Value	\$274,890	\$274,890	\$274,890	\$274,890
Portability	0	0	0	0
Assessed/SOH	\$274,890	\$274,890	\$274,890	\$274,890
Homestead	0	0	0	0
Add. Homestead	0	0	0	0
Wid/Vet/Dis	0	0	0	0
Senior	0	0	0	0
Exempt Type	0	0	0	0
Taxable	\$274,890	\$274,890	\$274,890	\$274,890

Sales History			
Date	Type	Price	Book/Page or CIN
5/30/2023	DRR-Q	\$562,500	118893182
6/1/2023	WD-T	\$100	118892832
3/7/2022	WD*-E	\$998,000	118001117

Land Calculations		
Price	Factor	Type
\$40.00	6,265	SF
Adj. Bldg. S.F. (Card, Sketch)		

* Denotes Multi-Parcel Sale (See Deed)

Special Assessments								
Fire	Garb	Light	Drain	Impr	Safe	Storm	Clean	Misc
03						F3		
L								
1						6265		

Prepared by:
Olesya Trayber, Esq.
Trayber Raikhelson Law Group, PLLC
2750 NE 185 St. Suite 206
Aventura, FL 33180
954-980-8052
File Number: 23-0043 Coconut

Return to:
Pino & Ritvo LLP
300 SE 2nd Street Suite 600
Ft. Lauderdale, FL 33301

[Space Above This Line For Recording Data]

Warranty Deed

This Warranty Deed made this 1 day of June, 2023 between **104 Coconut, LLC a Delaware Limited Liability Company** whose post office address is 2999 NE 19 1st St, S TE907, Aventura FL 33180, grantor, and **Ritos Development LP, a Florida partnership**, whose post office address is 4491 S .S T A T E RD 7, PH-2, FORT L A UD E D A L, FL 33314., grantee:

(Whenever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, trusts and trustees)

Witnesseth, that said grantor, for and in consideration of the sum of **TEN AND NO/100 D O L L A R S (\$10.00)** and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in **Broward County, Florida** to-wit:

The South 67.55 Feet, of Lots 9 and 10, "New Utopia", according to the plat thereof as recorded in Plat Book 8, Page 21, of the Public Records of Broward County, Florida.

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

To Have and to Hold, the same in fee simple forever.

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to **December 31, 2022**.

Re-recorded to include documentary stamps
Instrument No. 118892832

In Witness Whereof, grantor has hereunto set grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

[Signature]
Witness Name: Olesya Trayber
[Signature]
Witness Name: Yulia Kasprava

104 Coconut, L IC, a Delaware limited liability company

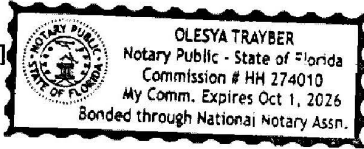
By: *[Signature]*
Nikolay Polyushkin, Chief Executive Member

State of Florida

County of Miami-Dade

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 30 day of May, 2023 by Nikolay Polyushkin, a Chief Executive Member of 104 Coconut, L IC, a Delaware limited liability company, on behalf of the company, who is personally known to me or has produced a driver's license as identification.

[Notary Seal]



[Signature]
Notary Public

Printed Name: Olesya Trayber

My Commission Expires: Oct 1, 2026



[Department of State](#) / [Division of Corporations](#) / [Search Records](#) / [Search by Entity Name](#) /

Detail by Entity Name

Florida Limited Partnership
RITOS DEVELOPMENT LP

Filing Information

Document Number A21000000107
FEI/EIN Number N/A
Date Filed 03/10/2021
State FL
Status ACTIVE

Principal Address

4491 S. STATE RD 7, PH-2
FORT LAUDERDALE, FL 33314

Mailing Address

4491 S. STATE RD 7, PH-2
FORT LAUDERDALE, FL 33314

Registered Agent Name & Address

SG REGISTERED AGENT LLC
200 E. PALMETTO PARK RD, STE. 103
BOCA RATON, FL 33432

General Partner Detail

Name & Address

Document Number P21000021848

RITOS DEVELOPMENT GP INC.
4491 S. STATE RD 7, PH-2
FORT LAUDERDALE, FL 33314

Annual Reports

Report Year	Filed Date
2022	04/16/2022
2023	04/07/2023
2024	03/17/2024

Document Images

[03/17/2024 -- ANNUAL REPORT](#) [View image in PDF format](#)

[04/07/2023 -- ANNUAL REPORT](#)

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[04/16/2022 -- ANNUAL REPORT](#)

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[03/10/2021 -- Domestic LP](#)

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[Department of State](#) / [Division of Corporations](#) / [Search Records](#) / [Search by Entity Name](#) /

Detail by Entity Name

Florida Profit Corporation

RITOS DEVELOPMENT GP INC.

Filing Information

Document Number P21000021848

FEI/EIN Number N/A

Date Filed 03/09/2021

State FL

Status ACTIVE

Principal Address

4491 S. STATE ROAD 7, PH-S
FORT LAUDERDALE, FL 33314

Mailing Address

4491 S. STATE ROAD 7, PH-S
FORT LAUDERDALE, FL 33314

Registered Agent Name & Address

SG REGISTERED AGENT LLC
200 E. PALMETTO PARK ROAD, SUITE 103
BOCA RATON, FL 33432

Officer/Director Detail

Name & Address

Title DPT

RITVO, TIM
4491 S. STATE ROAD 7, PH-S
FORT LAUDERDALE, FL 33314

Title DVPS

OSSIP, ALON
4491 S. STATE ROAD 7, PH-S
FORT LAUDERDALE, FL 33314

Annual Reports

Report Year	Filed Date
2022	04/16/2022

2023	04/07/2023
2024	03/17/2024

Document Images

[03/17/2024 -- ANNUAL REPORT](#) [View image in PDF format](#)

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[03/09/2021 -- Domestic Profit](#) [View image in PDF format](#)



DEVELOPMENT SERVICES DEPARTMENT – ZONING & LANDSCAPING DIVISION

BOARD OF ADJUSTMENT -AGENT AUTHORIZATION FORM

Rev: 0 | Revision Date: 01/30/2024 | Print Date: 0/00/0000
I.D. Number: BOAAAF

AGENT AUTHORIZATION FORM

I, Rifos Development LP ("Owner") as the current title owner of the real
(Print First and Last Name of the title Owner OR Name of Corporation)
property located at 695 SW 9th Ave., Ft. Lauderdale, FL ("Property"), do hereby authorize
(Print Property Address)

Rod A. Feiner, Esq. ("Authorized Agent") to act as my agent regarding the submittal
(Print First and Last Name of Agent)
of a variance/special exception application to the City of Fort Lauderdale and appear at any and all
scheduled hearings before the Board of Adjustment for the City of Fort Lauderdale, on the date, time and
location specified on the Hearing Notice.

I authorize my agent to communicate with the City of Fort Lauderdale regarding my pending variance/special
exception application and, by signing this authorization form, I hereby authorize the City of Fort Lauderdale to
accept and rely on any and all communications from my Authorized Agent, whether written or oral, regarding
all issues related to my pending variance/special exception application. I understand and agree that, as the
Property Owner, I remain responsible for all terms and conditions outlined in the variance/special exception
application, all required hearing appearances related to my variance/special exception application, and any
request by the City of Fort Lauderdale and/or the Board of Adjustment to submit additional document(s) and
or record(s) in support of my pending variance/special exception application.

Notwithstanding the City's receipt of my completed and executed Agent Authorization Form, I understand and
agree, the City will mail or deliver all notices relating to my pending variance/special exception application to
my property address, as listed on my variance/special exception application. I further understand and agree,
the City of Fort Lauderdale and the Board of Adjustment assume no liability for my failure or my Authorized
Agent's failure to comply with any terms or conditions outlined in my variance/special exception application,
and/or my failure or my Authorized Agent's failure to appear on my behalf at any duly noticed hearings before
the Board of Adjustment.

I further agree to INDEMNIFY AND HOLD HARMLESS and hereby RELEASE, WAIVE, DISCHARGE, HOLD HARMLESS
AND FOREVER COVENANT NOT TO SUE the City of Fort Lauderdale, its elected officials, employees, servants,
representatives, associates, officers, agents, guests, invitees, volunteers, partners, successors and assigns from
any and all liability, claims, demands, action, judgments, costs, expenses, court costs, attorney fees and causes
of action whatsoever arising out of or related to any loss or damage to property, and/or injury to any person,
including death, WHETHER CAUSED BY, ALLEGEDLY CAUSED BY, OR CONTRIBUTED IN WHOLE OR IN PART by the
action, failure to act, negligence, breach of contract or other misconduct by my me, my Authorized Agent, my
employees, servants, representatives, associates, officers, agents, volunteers, partners, successors and assigns.



DEVELOPMENT SERVICES DEPARTMENT – ZONING & LANDSCAPING DIVISION

BOARD OF ADJUSTMENT -AGENT AUTHORIZATION FORM

Rev: 0 | Revision Date: 01/30/2024 | Print Date: 0/00/0000
I.D. Number: 8OAAAF

relating in any way to the City of Fort Lauderdale's reliance of the authority granted to my Authorized Agent pursuant to this Form.

BY SIGNING THIS RELEASE AND HOLD HARMLESS AGREEMENT, I ATTEST, AFFIRM, AND REPRESENT THAT I AM THE TITLE OWNER/AUTHORIZED PERSON FOR THE PROPERTY AND THAT ALL OF THE FOLLOWING STATEMENTS ARE TRUE AND CORRECT: I am at least eighteen (18) years of age and of sound and competent state of mind at the time executed this Agent Authorization Form; I executed this Agent Authorization Form as an expression of my own free act and deed; There are no oral representations or statements, apart from this Agent Authorization Form and intend to be bound by its terms; and I was not induced by the City, its employees and/or agents, or anyone, to execute this

Agent Authorization Form. *Please provide proof of ownership. If the property is owned by an Corporation, please submit Sunbiz Verification with this form.

WITNESS:

Witness Signature

Print Name

Date

[Handwritten Signature]
Ed A Fe...
3/27/24

[Handwritten Signature]
Signature - Owner/Authorized Individual

Tim Ritvo, Authorized Member

Print Name - Owner/ Authorized Individual

OWNER

Print Title - Authorized Individual

STATE OF Florida

COUNTY OF Broward

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 27 day of March, 2024 by Tim Ritvo, an individual who is personally known to me or has produced _____ as identification _____

[NOTARY SEAL]



[Handwritten Signature]
[Signature of Notary Public, State of Florida]

My Commission Expires:

Print, Type, or Stamp Commissioned Name of Notary Public)



695 SW 9 Ave

MARTY HJAR
BROWARD COUNTY PROPERTY APPRAISER

VANITY HJAR
BROWARD COUNTY PROPERTY APPRAISER

150 75 0 150 Feet

A	B	C	D	E	F	G	H
FOLIO_NUMB	NAME	ADDRESS_LI	CITY	STATE	ZIP	ZIP4	LEGAL
504209000080	SOUTH FLORIDA WATER MANAGEMENTDISTRICT	PO BOX 24680	WEST PALM BEACH	FL	33416	4680	9-50-42POR OF SOUTH FORK OF NEW RIVERLYING WITHIN SEC 9 & 10-50-42 &N OF DAVIE BLVD R/W UTOPIA 3-29 BTHAT PT LOTS 13 & 14 AS DESC INOR 5305/302
504209100080	BAI,SIMON	6410 NW 44 AVE	COCONUT CREEK	FL	33073		UTOPIA 3-29 BPT OF LOT 13 DESC AS BEG ON N/L56 W OF NE COR,E 56,S 69.50,WLY 54,NLY 70 M/L TO POB
504209100090	TITO C M SOBRINHO LIV TRSOBRINHO,TITO C M TRSTEE	46 CONIFER CIR	AUGUSTA	GA	30909		UTOPIA 3-29 BLOT 15
504209100100	HP-EVR LLC	2900 TELESTAR CT	FALLS CHURCH	VA	22042		UTOPIA 3-29 BLOT 16 S 70,17 S 70
504209100110	LAUDERDALE INVESTMENTS LLC	2100 SALZEDO ST	CORAL GABLES	FL	33134		
504209100120	O'BRIEN,ROBIN	916 COCONUT DR	FORT LAUDERDALE	FL	33315	1146	UTOPIA 3-29 BLOT 16 LESS S 70 &LOT 17 LESS S 70
504209100130	LOCHRIE,KATHERINE	920 SW 7 ST	FORT LAUDERDALE	FL	33315	1106	UTOPIA 3-29 BLOT 18 N 100,19 N 100
504209100140	STIEN,ANDREW & VERONICA	2785 OLDE CYPRESS DR	NAPLES	FL	34119		UTOPIA 3-29 BS 31.7 OF LOTS 18 & 19 &N 36 OF LOTS 39 & 40
504209100150	LOUDIS,MICHAEL	930 SW 7 ST	FORT LAUDERDALE	FL	33315		UTOPIA 3-29 BLOT 20 E1/2
504209100151	CUNNINGHAM,JAMES ETOROK,MARGARET R	932 SW 7 ST	FORT LAUDERDALE	FL	33315		UTOPIA 3-29 BLOT 20 W1/2
504209100153	ADAMS,DANIEL EQUIU,YAN	940 SW 7 ST	FORT LAUDERDALE	FL	33315		UTOPIA 3-29 BLOT 21 E1/2
504209100154	CARLISLE,STEPHENMOLES-CARLISLE,MARILYN	942 SW 7 ST	FORT LAUDERDALE	FL	33315	1106	UTOPIA 3-29 BLOT 21 W1/2
504209100280	KUAHUIA,JOE	927 SW 8 ST	FORT LAUDERDALE	FL	33315	1109	UTOPIA 3-29 BLOT 38
504209100290	VEILLETTE,ROBERT &VEILLETTE,LYNDA	719 SW 9 TER	FORT LAUDERDALE	FL	33315	1123	UTOPIA 3-29 BLOT 39 S 95,40 S 95
504209100300	PUBLIC LAND% CITY OF FORT LAUDERDALE	100 N ANDREWS AVE	FORT LAUDERDALE	FL	33301		UTOPIA 3-29 BSTREETS AND AVENUES DEDICATEDPER PLAT
504209110010	BALDWIN,COLLEEN MBALDWIN,JOSEPH G	808 HOMESTEAD LN	CROWNSVILLE	MD	21032	1178	MOORES SUB 3-56 DTHAT PT OF LOT 1 LYING EOF THE FOL LINE,COMM ATSW COR OF LOT 2,ELY ALG S/LOF LOTS 1 & 2 DIST 30,NLYTO NE COR OF SAID LOT 2 & THETERMINATION OF SAID LINETOGETHER WITH:NEW UTOPIA 8-21 BLOT 1 W 1/2
504209160010	GULBRANSON,JOSH CLAY	919 COCONUT DR	FORT LAUDERDALE	FL	33315		NEW UTOPIA 8-21 BLOT 1 E1/2,LOT 2,LOT 3
504209160030	PROSPER RESOURCESMANAGEMENT CORP	913 COCONUT DR	FORT LAUDERDALE	FL	33315		NEW UTOPIA 8-21 BLOT 4,5
504209160050	GLUNT,DENNIS F & CAROL A	101 COCONUT DR	FORT LAUDERDALE	FL	33315		NEW UTOPIA 8-21 BLOTS 6,7,8
504209160060	ZOTESI LLC	16332 GULF BLVD #1A	NORTH REDINGTON BEAC	FL	33708		NEW UTOPIA 8-21 BN 67.55 OF LOTS 9 & 10
504209160061	JENNIFER SCHILLER REV TRMARC STUART	440 BONTONA AVE	FORT LAUDERDALE	FL	33301		NEW UTOPIA 8-21 BLOTS 11 S1/2,12 S1/2
504209160062	SCHILLER REV TR	1323 SE 17 ST #409	FORT LAUDERDALE	FL	33316		NEW UTOPIA 8-21 BLOT 11 N1/2,12 N1/2
504209160063	908 COCONUT DR LLC	4491 S STATE RD 7 PH-2	FORT LAUDERDALE	FL	33314		NEW UTOPIA 8-21 BS 67.55 OF LOTS 9 & 10
504209160071	RITOS DEVELOPMENT LP						NEW UTOPIA 8-21 BLOTS 13,14 & W 5 OF LOT 15,LESSN 71.50
504209160071	RIO VISTA HOLDINGS LLC	1126 S FEDERAL HWY #386	FORT LAUDERDALE	FL	33316		
504209160080	DUNMIRE,JAMES W & CYNTHIA M	707 SW 9 AVE	FORT LAUDERDALE	FL	33315		NEW UTOPIA 8-21 BLOT 15 S1/2 LESS W 5,16 S1/2
504209160090	BIFFONI,EDESIO	701 SW 9 AVE	FORT LAUDERDALE	FL	33315		NEW UTOPIA 8-21 BLOT 15 N1/2 LESS W 5,16 N1/2
504209160100	TARPON 711 LLC	10465 CANTERBURY CT	DAVIE	FL	33328		NEW UTOPIA 8-21 BLOT 17 N1/2,18 N1/2
504209160110	BROWN,DOUGLAS E & KATHERINE E	717 SW 9 AVE	FORT LAUDERDALE	FL	33315		NEW UTOPIA 8-21 BLOT 17 S1/2,18 S1/2
504209160120	IB TOWNHOMES LLC% SERFATY LAW P A	4770 BISCAYNE BLVD STE 1430	MIAMI	FL	33137		NEW UTOPIA 8-21 BLOT 19 S1/2,20 S1/2
504209160130	APOTHEKER,STEFAN M & VANESSA L	712 SW 9 TER	FORT LAUDERDALE	FL	33315		NEW UTOPIA 8-21 BS1/2 OF N1/2 OF LOTS 19 & 20
504209160131	ROTHBARD,MARTIN ALAN	710 SW 9 TER	FORT LAUDERDALE	FL	33315		NEW UTOPIA 8-21 BN1/2 OF N1/2 OF LOTS 19 & 20
504209160140	PUBLIC LAND% CITY OF FORT LAUDERDALE	100 N ANDREWS AVE	FORT LAUDERDALE	FL	33301		NEW UTOPIA 8-21 BSTREETS, AVENUES AND PORTIONSTHEREOF DEDICATED PER PLAT

A	B	C	D	E	F	G	H
504209550010	DAYTON,DEREK J	912 SW 7 ST	FORT LAUDERDALE	FL	33315		NEW UTOPIA 8-21 BPOR OF LOTS 13 & 14 DESC AS:COMM AT SE COR OF LOT 13 OF SAIDPLAT, NLY 60.16 TO POB, CONT NLY56.62 TO P/C, NELY 23.45, ELY38.77, SLY 71.50, WLY 54.28 TOPOB
504209550020	VALENCIA,ERICA GRISEL H/ROBERTSHAW, MICHAEL JOHN	908 SW 7 ST	FORT LAUDERDALE	FL	33315		NEW UTOPIA 8-21 BPOR OF LOTS 14 & 15 DESC AS:COMM AT SE COR OF LOT 13 OF SAIDPLAT, NLY 60.16, ELY 54.28 TOPOB, NLY 71.50, ELY 46.35, SLY71.50, WLY 45.73 TO POB
504210013520	CITY OF FORT LAUDERDALE	528 NW 2 ST	FORT LAUDERDALE	FL	33311	9108	FT LAUDERDALE B-40 DLOT 6 W 200 BLK 35
504210410291	BOLING,COLING W	720 SW 9 AVE	FORT LAUDERDALE	FL	33315		SEAWANNA SUB BLK 63FT LAUDERDALE 3-25 BPOR LOT 7 DESC AS:BEG NW COR LOT7,E 62.22,S 50,W 62.86,N 50 TOPOB
504210410300	KELLEY,MARISSA DMARISSA D KELLEY REV TR	713 SW 8 TER	FORT LAUDERDALE	FL	33315	3851	SEAWANNA SUB BLK 63FT LAUDERDALE 3-25 BLOT 8
504210410310	CHOKSHI,SAURIN & AUTUMN	709 SW 8 TER	FORT LAUDERDALE	FL	33315		SEAWANNA SUB BLK 63FT LAUDERDALE 3-25 BLOT 9
504210410320	TARPON RIVER MANORS LLC	2750 NW 3 AVE #14	MIAMI	FL	33127		SEAWANNA SUB BLK 63FT LAUDERDALE 3-25 BE 59.50 OF S 1/2 OF LOT 11 & E59.50 OF LOT 10 BLK 63
504210410321	TARPON RIVER MANORS LLC	2750 NW 3 AVE #14	MIAMI	FL	33127		SEAWANNA SUB BLK 63FT LAUDERDALE 3-25 BW 65.50 OF S 1/2 OF LOT 11 & W65.50 OF LOT 10, BLK 63
504210410330	STONE,TRACEY L & MICHAEL F	701 SW 8 TER	FORT LAUDERDALE	FL	33315		SEAWANNA SUB BLK 63 FT LAUD3-25 BLOT 11 N1/2,12 LESS ST
504210410340	700 TARPON LLC	1170 N FEDERAL HWY #203	FORT LAUDERDALE	FL	33304		SEAWANNA SUB BLK 63FT LAUDERDALE 3-25 BW 110 OF LOT 13,W 110 OF N 47 OFLOT 14,S 3 OF LOT 14,N1/2 OF LOT15 BLK 63
504210410350	DANAHY,JUSTINGRAHAM,NICOLE	712 SW 8 TER	FORT LAUDERDALE	FL	33315		SEAWANNA SUB BLK 63FT LAUDERDALE 3-25 BLOT 15 LESS N 25,16 N1/2
504210420020	DICK,J H & GRACE D	660 SW 8 TER	FORT LAUDERDALE	FL	33315	1050	FT LAUDERDALE B-40 DPT OF LOT 6 BLK 35 DESC AS BEGSW COR OF LOT 6,ELY 226.26,NLY 55.36 TO POB,CONTNLY 152.70,ELY 112.58,SLY 98.53,SWLY 125.80 TO POB,DESC INOR 4830/135
504210420030	TROPICAL POINT IMPROVEMENTASSN INC	616 SW 8 TER	FORT LAUDERDALE	FL	33315		FT LAUDERDALE B-40 DTHAT PT OF BLK 35 AS DESC INOR 1901/391-AKA 22 RDWY & PARKHOOD ESTS UNREC
504210420140	ROBERTS,AL C JR & JOCELYNE	664 SW 8 TER	FORT LAUDERDALE	FL	33315	1050	FT LAUDERDALE B-40 DTHAT PT OF BLK 35 AS DESCIN OR 2427/738 & PT DESC INOR 3011/146 & PT DESC INOR 2995 PG 437
504210420190	BANACH,RICHARD ALAN	2151 SW 23 TER	FORT LAUDERDALE	FL	33312		FT LAUDERDALE B-40 DPT OF LOT 6 & OF UNNUMBERED LOTLYING N OF LOT 6 BLK 35 DESC'DAS,COMM AT SW COR OF LOT 6,ELY200 TO POB,CONT E 37.18,NW 11.14NLY 64.22,NLY 113.46,NELY 52.79,NE 45.33,NW 77.14,NW 33.66,SW18.48,NW 1.44,SW 6.29,SE 0.92,SW15.50,SE 316.29 TO POB

ARBORIST TREE ASSESSMENT REPORT

CLIENT:
695 SW 9 AVE
FORT LAUDERDALE FL 33315

PREPARED BY:
BENJAMIN KOUBEK
VERDEONE LLC

Certified Arborist, International Society of Arboriculture (ISA)
Certified Horticulture Professional, Florida Nursery Growers & Landscape Association (FNGLA)

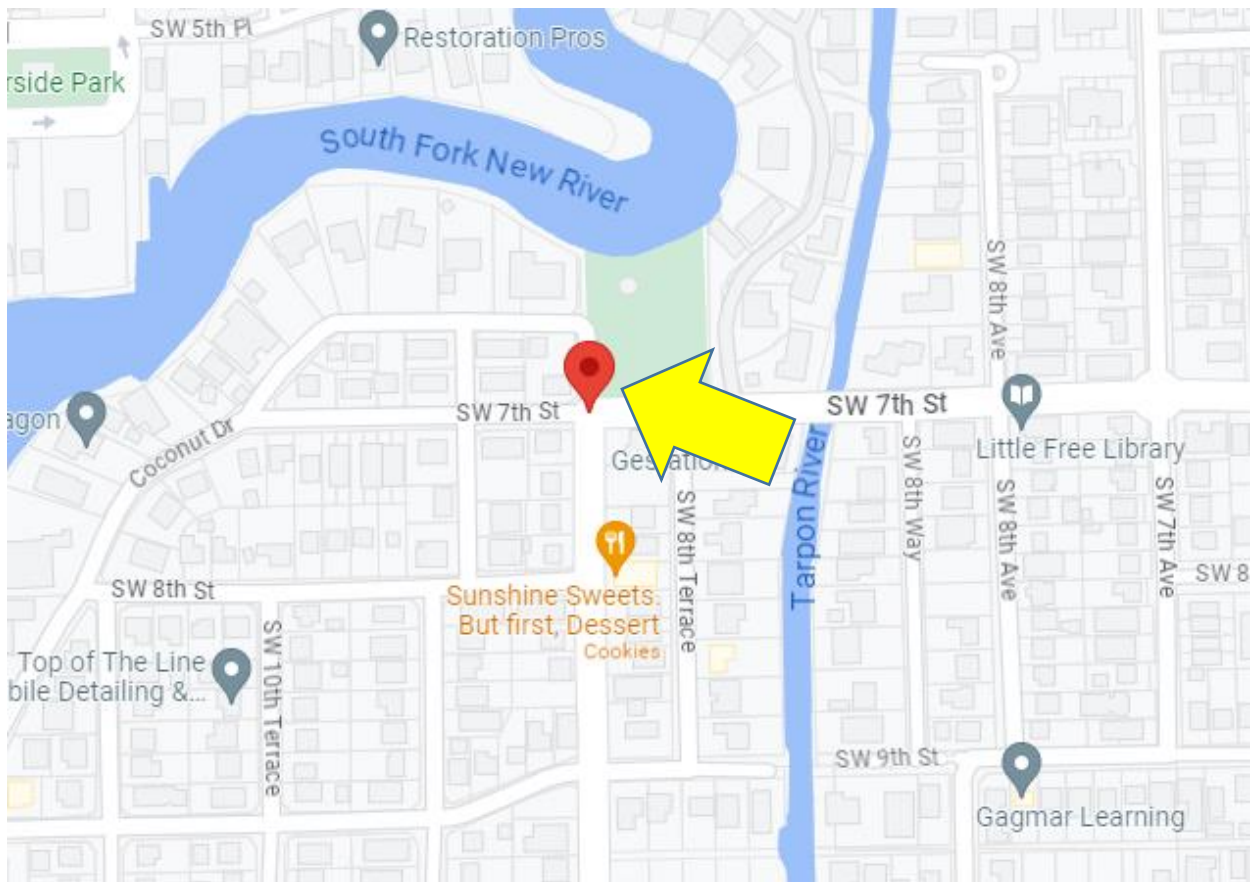
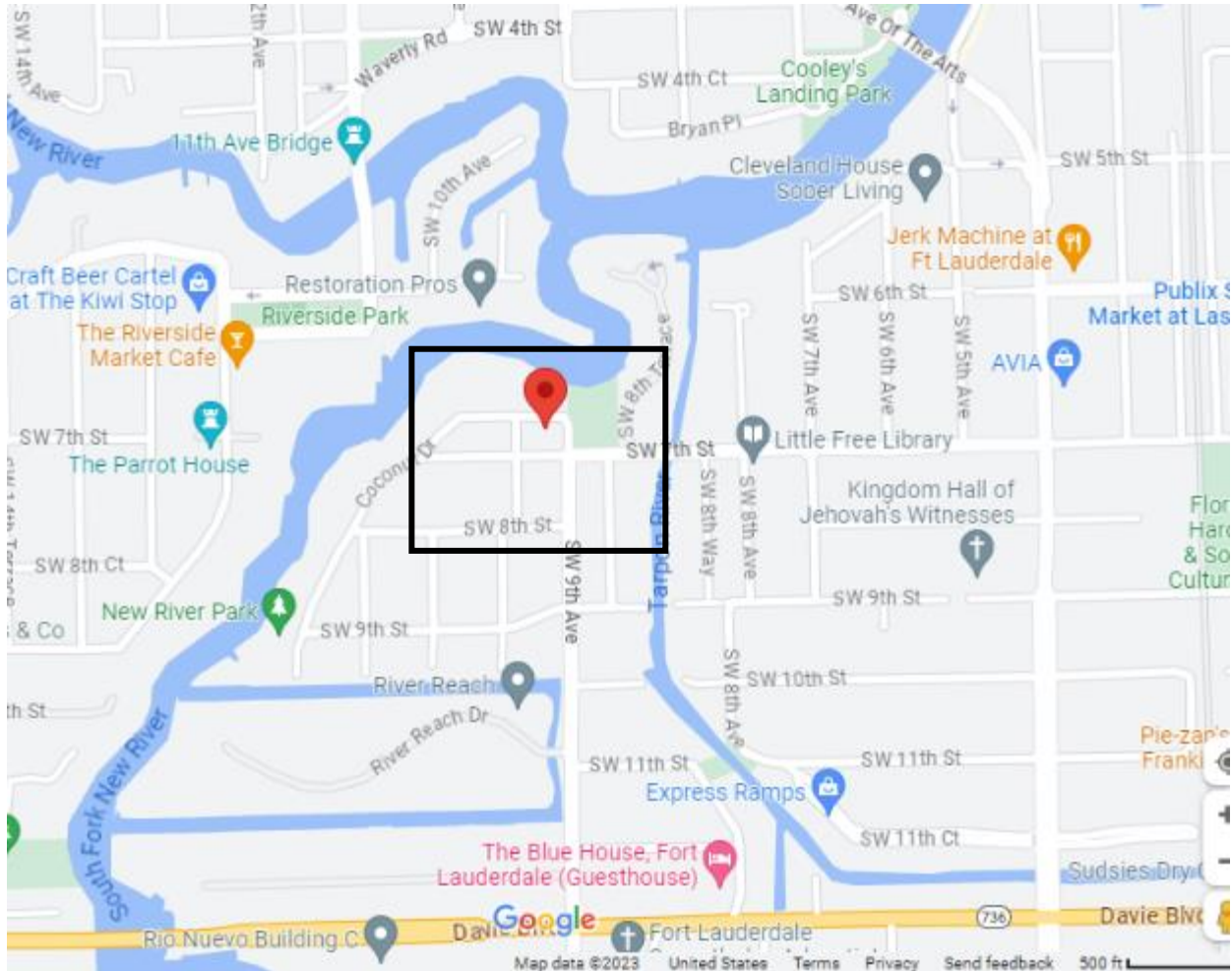
12864 BISCAYNE BLVD #231
NORTH MIAMI FL 33181
Mobile: 321.439.5932
BENJAMINKOUBEK@GMAIL.COM

FEB 1 2024

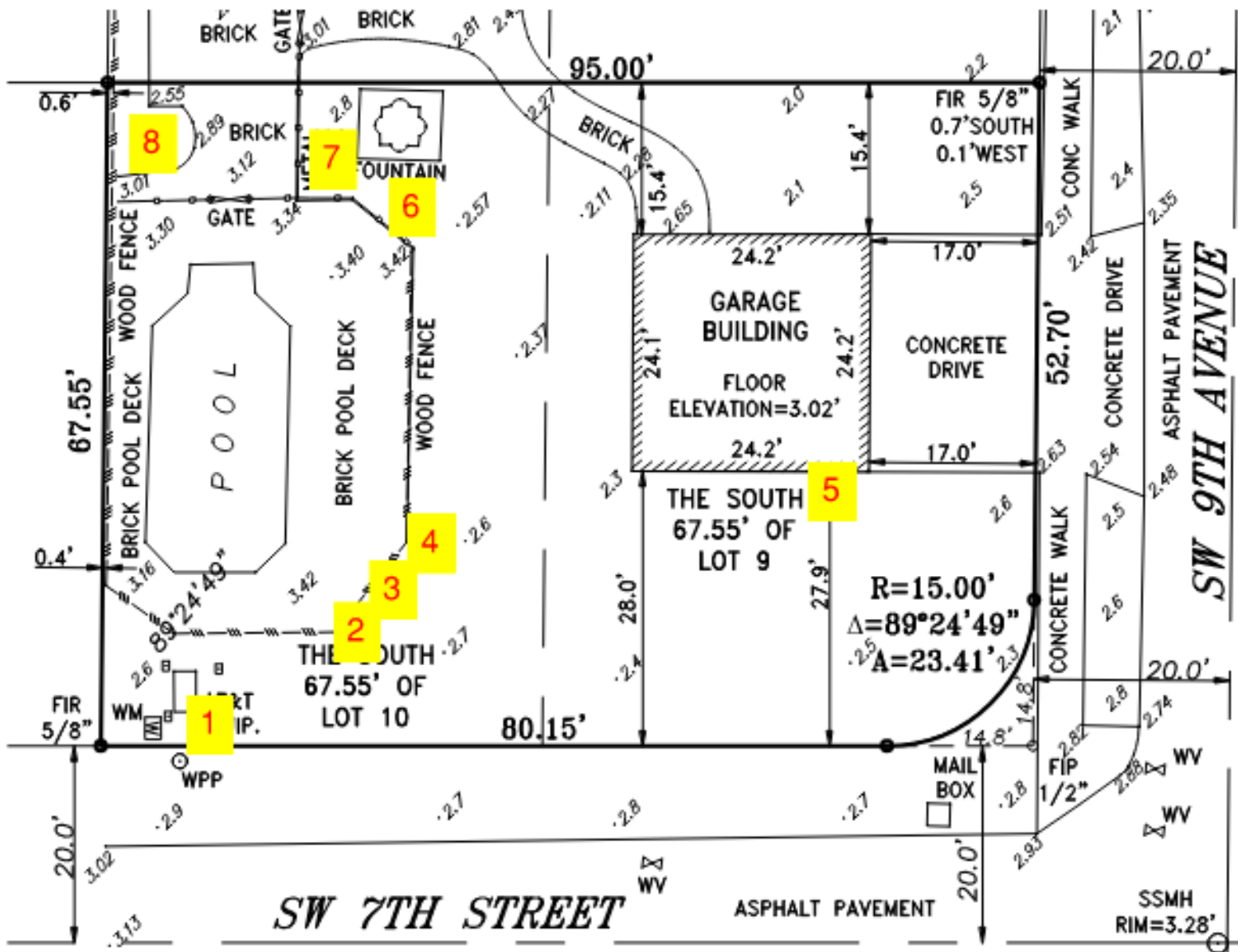


695 SW 9 AVE, FORT LAUDERDALE FL
(street view)

PROJECT LOCATION



TREE DISPOSITION PLAN



TREE #	COMMON NAME	SCIENTIFIC NAME	DBH	HEIGHT	CONDITION	VALUE (\$)
1	LAUREL OAK	QUERCUS LAURIFOLIA	15	30	POOR	234
2	COCONUT	COCOS NUCIFERA	11	38	GOOD	720
3	COCONUT	COCOS NUCIFERA	10	18	DEAD	0
4	COCONUT	COCOS NUCIFERA	11	34	GOOD	660
5	LIVE OAK	QUERCUS VIRGINIANA	31	38	GOOD	18869.25
6	COCONUT	COCOS NUCIFERA	12	34	GOOD	660
7	COCONUT	COCOS NUCIFERA	11	32	GOOD	600
8	MANGO	MAGNIFERA INDICA	29	31	POOR	622.05



TREE AND PALM CALCULATIONS

Equivalent Replacement Calculation, Tree (planting or dollar):

Please see attached Species Classification List for use in determining Classification of species.

Formula: species classification rating percentage x trunk diameter (dbh inches) x condition percentage = # of total caliper inches required to be planted .

- Class A species = 100%
- Class B species = 80%
- Class C species = 60%
- Class D species = 40%
- Class E species = 20%
- Class F species (exotic invasive)=0%

Example: 12" Jacaranda Tree with 56% condition rating. .80 x 12 x .56 = 6" caliper replacement required

✓ Dollar replacement for non-specimen trees is an option once the site meets minimum landscape requirements.

This is calculated using the same formula above, except the # of total caliper inches is multiplied by \$65 per inch.

Using the same example above: 12" Jacaranda Tree with 56% condition rating. .80 x 12 x .56 = 6" then 6" x \$65 = \$390 to be deposited into the Tree Canopy Trust Fund.

Tree Relocation:

Tree relocation will, most times, require a surety bond to guarantee survival. This will require an ISA Arborist report and equivalent replacement calculations.

Equivalent Replacement Calculation, Palm (planting or dollar):

Equivalent replacements for palms are considered 1:1 with 8 feet clear trunk replacement, with the exception of Cocos, Roystonea spp. and Phoenix spp. (not roebellini) with 8 feet or more of clear trunk.

Example: 3 Alexander Palms with 15 feet of clear trunk each = 3 palms, any species, with minimum 8' clear trunk required replacement.

✓ Dollar replacement for palms other than Cocos, Roystonea, and Phoenix is calculated using the same formula above, except the total number of palms is multiplied but \$180 per palm.

Using the same example: 3 Alexander Palms with 15 feet of clear trunk each = 3 palms, then 3 x \$180 = \$540 to be deposited into the Tree Canopy Trust Fund.

Dollar Formula for Cocos, Royal Palm spp. and Phoenix Palm spp: feet of clear trunk x \$30.00.

Example: Royal Palm with 18' ct. 18 x \$30 = \$540 to be deposited into Tree Canopy Trust Fund.

Specimen Tree Removal Calculation (dollars):

Specimen trees are trees 18" diameter and greater and 70% condition or greater.

Tree removal of a specimen tree requires a separate application for tree removal, an ISA Arborist report, and a separate payment into the Tree Canopy Trust Fund.

There are no other options for tree replacement with specimen tree removal.

The Specimen Tree Removal permit will not be issued until the mitigation payment has been made into the Tree Canopy Trust Fund.

The Tree Canopy Trust Fund payment is collected in person by landscape staff. Payment is by check only made out to City of Fort Lauderdale Tree Fund.

Please see attached calibration worksheet in determining the cross-sectional diameter of the tree (in^2)

Formula: cross-sectional diameter of the tree (in^2) x Species Classification dollar value:

- Class A value = \$25
- Class B value = \$20
- Class C value = \$15
- Class D value = \$10
- Class E value = \$5
- Class F value (invasive) = \$0.

Example: 26" Black Olive with 82% condition rating. Black Olive is a Class C tree, condition rating is not used in this calculation. So: $26 \times \pi r^2 = 530.93in^2$ And Class C value is \$15. So $530.93 \times 15 = \$7,963.95$ to be deposited into Tree Canopy Trust Fund.



TREE TRUNK DIAMETER CHART

Rev: 1 | Revision Date: 07/16/2019 | Print Date: 07/16/2019

Diameter Inches	Area Square Inches
1	.78
2	3.14
3	7.07
3.5	9.62
4	12.57
4.5	15.90
5	19.63
5.5	23.76
6	28.27
6.5	33.18
7	38.48
7.5	44.18
8	50.26
8.5	56.74
9	63.62
9.5	70.88
10	78.54
10.5	86.59
11	95.03
11.5	103.87
12	113.10
12.5	122.72
13	132.73
13.5	143.14
14	153.94
14.5	165.13
15	176.71
15.5	188.69
16	201.06
16.5	213.82
17	226.98
17.5	240.53
18	254.47
18.5	268.80
19	283.53
19.5	298.65
20	314.16
20.5	330.06
21	346.36
22	380.13

Diameter Inches	Area Square Inches
23	415.47
24	452.39
25	490.87
26	530.93
27	572.55
28	615.75
29	660.52
30	706.86
31	754.77
32	804.25
33	855.30
34	907.92
35	962.11
36	1017.88
37	1075.21
38	1134.11
39	1194.59
40	1256.64
41	1320.25
42	1385.44
43	1452.20
44	1520.53
45	1590.43
46	1661.90
47	1734.94
48	1809.56
49	1885.74
50	1963.49
51	2042.82
52	2123.72
53	2206.18
54	2290.22
55	2375.83
56	2463.01
57	2551.76
58	2642.08
59	2733.97
60	2827.43
61	2922.47
62	3019.07

Diameter Inches	Area Square Inches
63	3117.24
64	3216.99
65	3313.93
66	3421.19
67	3525.65
68	3631.68
69	3739.28
70	3848.45
71	3959.19
72	4071.50
73	4185.39
74	4300.84
75	4417.86
76	4536.46
77	4656.62
78	4778.36
79	4901.67
80	5026.55
81	5153.00
82	5281.02
83	5410.61
84	5541.77
85	5675.50
86	5808.80
87	5944.68
88	6082.12
89	6221.14
90	6361.72
91	6503.88
92	6647.61
93	6792.91
94	6939.78
95	7088.22
96	7238.23
97	7389.81
98	7542.96
99	7697.69
100	7853.98

1



NON-SPECIMEN TREE VALUE CALCULATION

Tree #1 (continued):

QUERCUS LAURIFOLIA

DBH: 15 in

Height: 30 ft

Spread: 25 ft

Condition: 40% (POOR)

Class Value: C (%60)

Mature laurel oak prominently displayed in rear corner of lot. Canopy has significant necrosis and poor growth. Numerous diseased / decaying branches are clearly visible. Trunk decay is advanced with several oozing wounds. Recommendation for removal.

$$.60 \times 15 \times .40 = 3.6$$

$$3.6 \times 65 = 234$$

Amount to be deposited into Tree Canopy Trust Fund = \$234

2



Tree #2:

COCOS NUCIFERA

DBH: 11 in

Height: 38 ft

Clear Trunk: 24 ft

Condition: 90% (GOOD)

Class Value: \$30 per ft of clear trunk

Mature coconut palm in rear corner of lot. Canopy is full and shows good color and vigor. The site conditions and orientation of the proposed structure do not allow for relocation. Recommendation to remove.

$(24 \text{ ft clear trunk}) \times 30 = \720

Tree Bond or Removal Value = \$720

3



Tree #3:

COCOS NUCIFERA

DBH: 11 in

Height: 20 ft

Clear Trunk: 20 ft

Condition: 0% (DEAD)

VALUE = \$0

Recommendation to remove.

4

Tree #4:

COCOS NUCIFERA

DBH: 11 in

Height: 34 ft

Clear Trunk: 22 ft

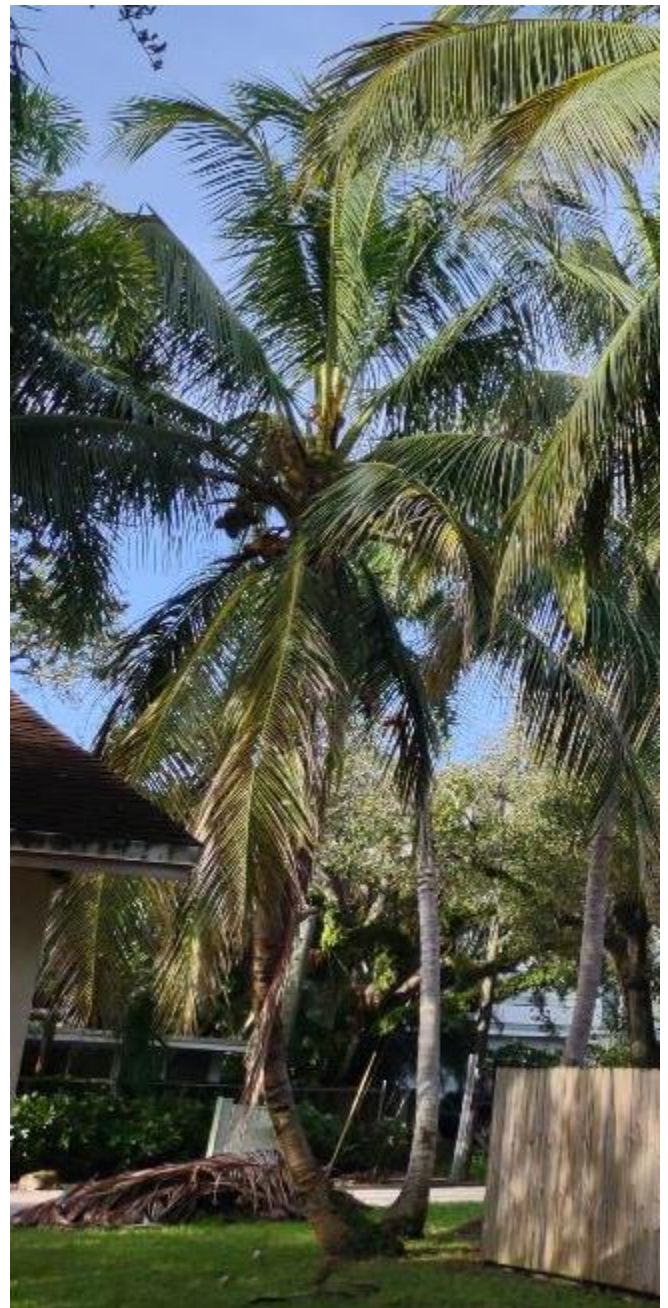
Condition: 90% (GOOD)

Class Value: \$30 per ft of clear trunk

Mature coconut palm prominently displayed in front corner of lot. Canopy is full and shows good color and vigor.

$(22 \text{ ft clear trunk}) \times 30 = \660

Tree Bond or Removal Value = \$660





SPECIMEN TREE VALUE CALCULATION

Tree #5 (continued):

Quercus virginiana

DBH: 31 in

Height: 38 ft

Spread: 45 ft

Condition: 89% (Good)

Class Value: A (\$25)

Mature live oak in front lot immediately adjacent to structure. Canopy is full and shows signs moderate growth. Tree has vigor and no obvious signs of decay or major defects. This tree may interfere with proposed sight plan modifications and may be considered for removal.

$(754.77 \text{ area sq in}) \times 25 = 18869.25$

Tree Bond or Removal Calculation = \$18,869.25

6



Tree #6:

COCOS NUCIFERA

DBH: 12 in

Height: 34 ft

Clear Trunk: 22 ft

Condition: 90% (GOOD)

Class Value: \$30 per ft of clear trunk

Mature coconut palm in rear corner of lot. Canopy is full and shows good color and vigor. The existing site conditions and orientation of the proposed structure do not allow for relocation.

Recommendation to remove.

$(22 \text{ ft clear trunk}) \times 30 = \660

Tree Bond or Removal Value = \$660

7



Tree #7:

COCOS NUCIFERA

DBH: 11 in

Height: 32 ft

Clear Trunk: 20 ft

Condition: 90% (GOOD)

Class Value: \$30 per ft of clear trunk

Mature coconut palm in rear corner of lot. Canopy is full and shows good color and vigor. The existing site conditions and orientation of the proposed structure do not allow for relocation.

Recommendation to remove.

$(20 \text{ ft clear trunk}) \times 30 = \600

Tree Bond or Removal Value = \$600



NON-SPECIMEN TREE VALUE CALCULATION

Tree #8 (continued):

MAGNIFERA INDICA

DBH: 29 in

Height: 31 ft

Spread: 30 ft

Condition: 55% (POOR)

Class Value: C (%60)

Mature mango tree located in rear corner of lot. Canopy has moderate necrosis and poor growth. Prominent co-dominance in lower 1/3 of trunk constitutes a significant defect. Advanced decay is clearly visible in scaffold branches, possibly from past improper pruning..

Recommendation for removal.

$$.60 \times 29 \times .55 = 9.57$$

$$9.57 \times 65 = 622.05$$

Amount to be deposited into Tree Canopy Trust Fund = \$622.05

TERMS & CONDITIONS:

The following terms and conditions apply to all oral and written reports and correspondence pertaining to consultations, inspections and activities :

1. All property lines and ownership of property, trees, and landscape plants and fixtures are assumed to be accurate and reliable as presented and described to the consultant, either verbally or in writing. The arborist consultant assumes no responsibility for verification of ownership or locations of property lines, or for results of any actions or recommendations based on inaccurate information.
2. It is assumed that any property referred to in any report or in conjunction with any services performed, is not in violation of any applicable codes, ordinances, statutes, or other governmental regulations, and that any titles and ownership to any property are assumed to be good and marketable. Any existing liens and encumbrances have been disregarded.
3. All reports and other correspondence are confidential, and are the property of the arborist consultant and named clients and their assignees or agents. Possession of this report or a copy thereof does not imply any right of publication or use for any purpose, without the express permission of the consultant and the client to whom the report was issued. Loss, removal or alteration of any part of a report invalidates the entire appraisal/evaluation.
4. The scope of any report or other correspondence is limited to the trees and conditions specifically mentioned in those reports and correspondence. The arborist consultant assumes no liability for the failure of trees or parts of trees, either inspected or otherwise. The consultant assumes no responsibility to report on the condition of any tree or landscape feature not specifically requested by the named client.
5. All inspections are limited to visual examination of accessible parts, without dissection, excavation, probing, boring or other invasive procedures, unless otherwise noted in the report. No warrantee or guarantee is made, expressed or implied, that problems or deficiencies of the plants or the property will not occur in the future, from any cause. The arborist consultant shall not be responsible for damages caused by any tree defects, and assumes no responsibility for the correction of defects or tree related problems.
6. The arborist consultant shall not be required to provide further documentation, give testimony, be deposed, or attend court by reason of this appraisal/report unless subsequent contractual arrangements are made, including payment of additional fees for such services as described by the consultant or in the fee schedules or contract.
7. Arborist consultant has no warrantee, either expressed or implied, as to the suitability of the information contained in the reports for any purpose. It remains the responsibility of the client to determine applicability to his/her particular case.
8. Any report and the values, observations, and recommendations expressed therein represent the professional opinion of the arborist consultant, and the fee for services is in no manner contingent upon the reporting of a specified value nor upon any particular finding to be reported.
9. Any photographs, diagrams, graphs, sketches, or other graphic material included in any report, being intended solely as visual aids, are not necessarily to scale and should not be construed as engineering reports or surveys, unless otherwise noted in the report. Any reproductions of graphs material or the work product of any other persons is intended solely for the purpose of clarification and ease of reference. Inclusion of said information does not constitute a representation by the arborist consultant as to the sufficiency or accuracy of that information.

CERTIFICATION OF PERFORMANCE:

I, Benjamin Koubek certify:

- That I have personally inspected the tree(s) and/or the property referred to in this report, and have stated my findings accurately. The extent of the evaluation and appraisal is stated in the attached report and the Terms and Conditions;
- That I have no current or prospective interest in the vegetation or the property that is the subject of this report, and I have no personal interest or bias with respect to the parties involved;
- That the analysis, opinions and conclusions stated herein are my own, and are based on current scientific procedures and facts;
- That my compensation is not contingent upon the reporting of a predetermined conclusion that favors the cause of the client or any other party, nor upon the results of the assessment, the attainment of stipulated results, or the occurrence of any subsequent events;
- That my analysis, opinions, and conclusions were developed and this report has been prepared according to commonly accepted Arboricultural practices;
- That no one provided significant professional assistance to the consultant, except as indicated within the report.

I further certify that I am a member of the International Society of Arboriculture and a Certified Arborist (FL-5926AUM). I have been involved in the practice of arboriculture and the study of trees since 2006.

Signed
Benjamin Koubek
FEB 1, 2024



Law Offices
COKER & FEINER
1404 South Andrews Avenue
Fort Lauderdale, FL 33316-1840

Telephone: (954) 761-3636
Facsimile: (954) 761-1818

Richard G. Coker, Jr., P.A.
Rod A. Feiner
Kathryn R. Coker

rgcoker@coker-feiner.com
rafeiner@coker-feiner.com
krcoker@coker-feiner.com

MEMORANDUM

To: Burt Ford, Zoning Chief Plans Examiner
From: Rod A. Feiner, Esq.
Date: March 27, 2024
Subject: Narrative for Rear Setback Variance
696 SW 9th Ave.

Waivers Requested

The Applicant is requesting a variance from Section 47-5.31 of the Unified Land Development Code (“Code”) in order to provide five foot (5’) rear setback when Code requires a fifteen foot (15’) rear setback.

Justification Statement

1. That special conditions and circumstances affect the property at issue which prevent the reasonable use of such property.

Special conditions and circumstances affect the property which prevent the reasonable use of the property. In this particular case there is an existing oak tree that is located on the property. This oak tree can be classified as a specimen tree which means all attempts to save the tree should be made. The owner is attempting to utilize the property for a single-family home. However, the location of the tree impacts where a home can be constructed. The variance will allow the Owner to locate the single-family home on the property without having to remove the tree. In addition, the Owner looked into the possibility of relocating the specimen oak tree. Because of new flood regulations the Owner has to bring significant fill onto the property. The additional fill means that

relocating the oak tree to another location on the property is not a viable option. The relocation of the tree will result in the suffocation, and eventual death, of the oak tree. A large oak tree being located on the property is a unique and special condition which prevents the reasonable use of the property.

2. *That the 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*

The special and unique circumstances are peculiar to the property at issue or to such a small number of properties that this is a marked exception to other properties in the same zoning district. An existing mature oak tree that is in good or specimen condition is not typical of other properties in the zoning district. Typically an oak tree could either be removed with a tree removal permit or mitigated by attempting to relocate the tree. In this case neither of those options are viable as both the removal and relocation of the tree would cause the tree to die which means the tree would not be preserved. All of this makes the existing oak tree and its location on the property a marked exception to other properties in the same zoning district.

3. *That the 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*

The literal applications of the ULDR would deprive the Owner of a substantial property right that is enjoyed by other owners. Most property owners in this zoning district have the ability to develop a single-family home on the property without impinging upon the rear setback. However, in this particular case the location of the oak tree on the property impacts where the home can be located and it means that the Owner cannot take advantage of portions of its property which would not be impacted by the setbacks. The oak tree acts as a substantial hinderance of the Owner's ability to utilize the full area, outside of setbacks, of its property to install a single-family home.

4. *That 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*

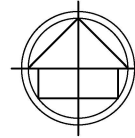
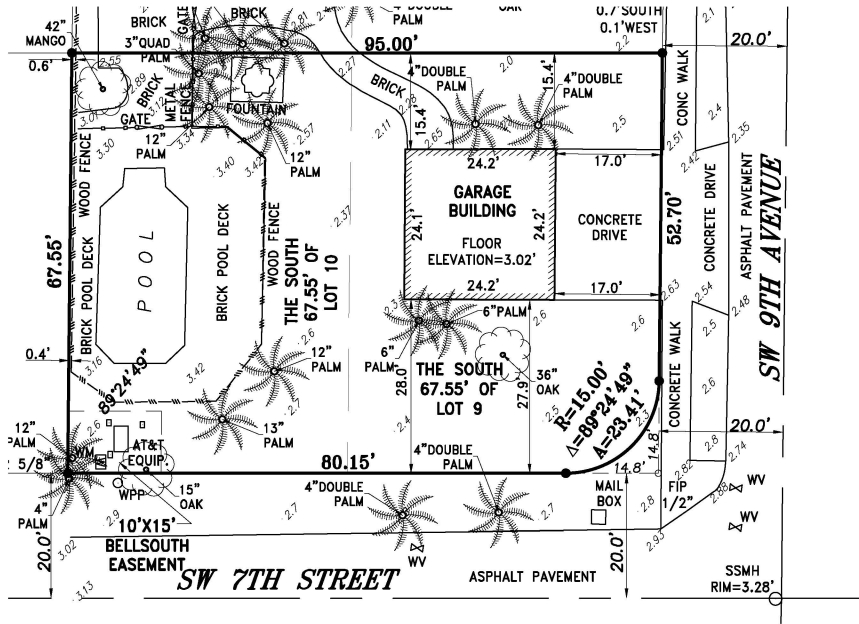
The unique hardship of the existing oak tree is not self-created by the Owner. The oak tree grew in this area as an act of nature and has continued to grow over time such that it now impacts how development on the property can occur. The Owner did not plant the oak tree nor has the Owner otherwise been responsible for the oak tree and therefore the hardship is not self-created. In addition, while the Owner could request removal of the tree and pay the impact fees associated with such removal it is better for the neighborhood to preserve the specimen oak tree.

5. *That 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.

The variance is the minimum variance to make possible the reasonable use of the property and it is also in harmony with the general purpose and intent of the Code. The general purpose and intent of the Code is to preserve existing shade trees. This oak tree is a shade tree that should be preserved if possible. The variance accomplishes the intent of the Code by preserving the shade tree. Preserving this shade tree is also compatible with the public welfare. Preserving a mature oak tree is compatible with neighboring properties and the public welfare. In addition, the variance being requested is the minimum variance necessary. The Owner is still providing a five foot (5') rear setback. Providing this setback also ensures that there is space between the building and any other building that may be built on an adjacent property.

SKETCH OF SURVEY



LOCATION MAP (NTS)

LEGEND:

- | | |
|--------|-------------------------------|
| CKD | CHECKED BY |
| CONC | CONCRETE |
| DWN | DRAWN BY |
| FB/PG | FIELD BOOK AND PAGE |
| SIR | SET 5/8" IRON ROD & CAP #6448 |
| SNC | SET NAIL & CAP #6448 |
| FIR | FOUND IRON ROD |
| FIP | FOUND IRON PIPE |
| FNC | FOUND NAIL & CAP |
| FND | FOUND NAIL & DISK |
| PRM | PERMANENT REFERENCE MARKER |
| P.B. | PLAT BOOK |
| B.C.R. | BROWARD COUNTY RECORDS |
| -E- | OVERHEAD UTILITY LINES |
| WM | WATER METER |
| WV | WATER VALVE |
| BFP | BACK FLOW PREVENTER |
| EB | ELECTRIC BOX |
| WPP | WOOD POWER POLE |
| MLP | METAL LIGHT POLE |
| CLP | CONCRETE LIGHT POLE |
| SDMH | STORM DRAIN MANHOLE |
| SSMH | SANITARY SEWER MANHOLE |
| 0.00 | ELEVATIONS |
| GV | GAS VALVE |
| R | RADIUS |
| Δ | DELTA ANGLE |
| A | ARC DISTANCE |
| NTS | NOT TO SCALE |

LAND DESCRIPTION:

THE SOUTH 67.55 FEET OF LOTS 9 AND 10, "NEW UTOPIA", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 8, PAGE 21, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

NOTES:

- NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OR DIGITAL SIGNATURE OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
- LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR RIGHTS-OF-WAY, EASEMENTS, OWNERSHIP, OR OTHER INSTRUMENTS OF RECORD.
- THIS SURVEY WAS DONE SOLELY FOR BOUNDARY PURPOSES AND DOES NOT DEPICT THE JURISDICTION OF ANY MUNICIPAL, STATE, FEDERAL OR OTHER ENTITIES.
- THE LAND DESCRIPTION SHOWN HEREON WAS PROVIDED BY THE CLIENT.
- UNDERGROUND IMPROVEMENTS NOT SHOWN.
- ELEVATIONS SHOWN HEREON ARE BASED ON THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88).
- BENCHMARK DESCRIPTION: BROWARD COUNTY BENCHMARK #2889 ELEVATION = 3.58' (NAVD88)

I HEREBY CERTIFY THAT THE "SKETCH OF SURVEY" OF THE HEREON DESCRIBED PROPERTY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AS SURVEYED IN THE FIELD UNDER MY DIRECTION IN SEPTEMBER, 2023. I FURTHER CERTIFY THAT THIS SURVEY MEETS THE STANDARD OF PRACTICE FOR SURVEYING IN THE STATE OF FLORIDA ACCORDING TO CHAPTER 5J-17 OF THE FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES. THERE ARE NO ABOVE GROUND ENCROACHMENTS OTHER THAN THOSE SHOWN HEREON, SUBJECT TO THE QUALIFICATIONS NOTED HEREON.



Digitally signed by
Richard E Cousins
Date: 2023.11.28 11:52:25
-05'00'
FOR THE FIRM, BY: _____
RICHARD E. COUSINS
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA REGISTRATION NO. 4188

SURVEY DATE: 09/09/23

COUSINS SURVEYORS & ASSOCIATES, INC.



3921 SW 47TH AVENUE, SUITE 1011
DAVIE, FLORIDA 33314
CERTIFICATE OF AUTHORIZATION : LB # 6448
PHONE (954)689-7766
EMAIL: OFFICE@CSASURVEY.NET

PROJECT NUMBER: 10008-23

CLIENT :
RITOS PROPERTIES

REVISIONS	DATE	FB/PG	DWN	CKD
BOUNDARY & IMPROVEMENTS SURVEY	05/08/23	SKETCH	JD	REC
ADDED TREES	09/09/23	SKETCH	JD	REC

FLOOD ZONE INFORMATION	
COMMUNITY NUMBER	125105
PANEL NUMBER	0557H
ZONE	AH
BASE FLOOD ELEVATION	5
EFFECTIVE DATE	08/18/14

PROPERTY ADDRESS:
695 SW 9TH AVENUE

SCALE: 1" = 20'

SHEET 1 OF 1



XBArchitecture, PLLC
 2700 E Oakland Park, Suite C
 Fort Lauderdale, FL 33306
 office@xb-architecture.com
 office 754-243-7594

ISSUE FOR:
 01.30.2024 CITY COMMENTS

CLIENT:

**RITOS
 DEVELOPMENT**
 4491 S STATE RD. 7 PH-2
 FORT LAUDERDALE, FL 33314

PROJECT:

NEW RESIDENCE
 695 SW 9TH AVENUE
 FORT LAUDERDALE, FL 33315

PROJECT NO.: 2018
 DRAWN BY: XSV/DM
 CHECKED BY: XSV
 DATE: 08.03.2023

SHEET NAME:

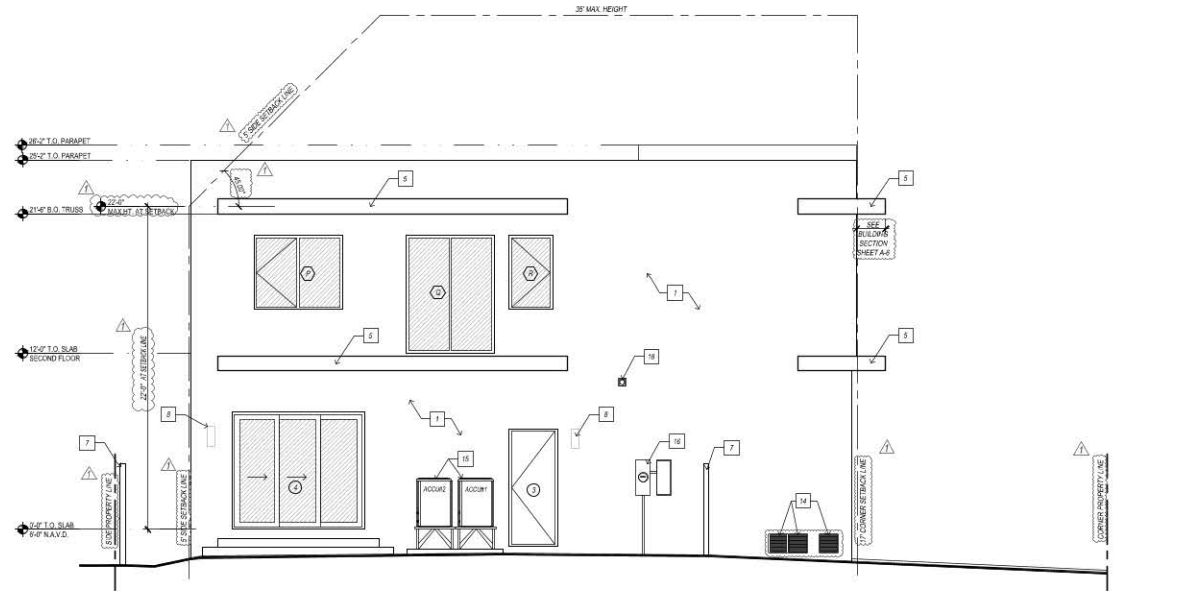
ELEVATIONS

SHEET NUMBER:

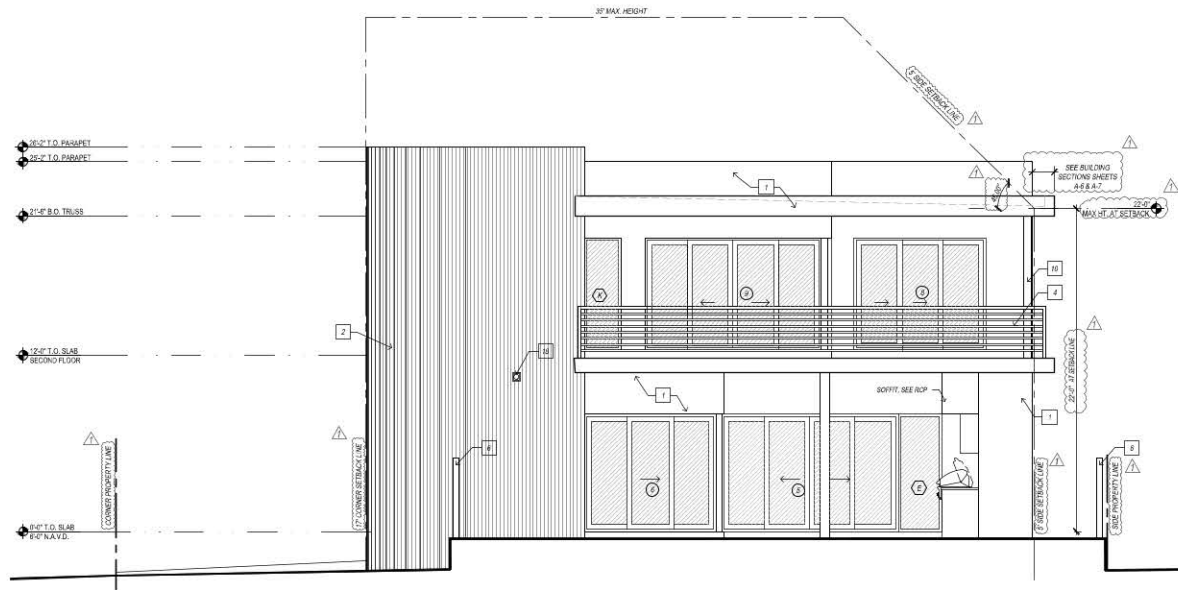
A-5

Digitally signed by
 Maria X San Vicente
 Date: 2024.02.02
 18:57:48
 -05'00'

AR10207



WEST ELEVATION
 SCALE: 1/4" = 1'-0"



EAST ELEVATION
 SCALE: 1/4" = 1'-0"

ELEVATION KEYNOTES	
MARK	DESCRIPTION
1	3/8" BLOWN SAND FINISH STUCCO (SUBMIT SAMPLES FOR APPROVAL)
2	WALL CLADDING: NEW TECH WOOD EUROPEAN SIDING SYSTEM OR APPROVED EQUAL. INSTALL PER NCA
3	PORCELAIN LOOK STONE WALL TILE CLADDING SELECTED BY OWNER
4	ALUMINUM BAKING BAKED ENAMEL PAINTED. SUBMIT COLOR FOR APPROVAL
5	CONCRETE EVERBROW
6	ALUMINUM FENCE POOL BARRIER PER FBC 24501.17. SEE SP-1
7	ALUMINUM/COMPOSITE FENCE. 6" MAX. HT. SEPARATE PERMIT REQUIRED
8	WALL SCIENCE. SELECTED BY OWNER. VERIFY HEIGHT IN FIELD.
9	HOUSE NUMBERS SELECTED BY OWNER AND ARCHITECT
10	STEEL PIPE COLUMN. SEE STRUCTURAL
11	PRIMARY SCUPPER WITH COLLECTOR HEAD AND DOWNSPOUT.
12	EMERGENCY OVERFLOW SCUPPER. SEE ROOF PLAN
13	PROPOSED LOCATION OF GAS METER. COORDINATE WITH TECO.
14	FLOOD VENT. LOUVERED AND SCREENED OR EQUAL. SEE A-1
15	A/C MECHANICAL UNITS PER SPECS. AT OR ABOVE D/E. PROVIDE STAND OR WALL BRACKET.
16	UNDERGROUND ELECTRIC SERVICE ENTRY LOCATION AND EQUIPMENT
17	POOL EQUIPMENT PER SPECS
18	WALL CAP. SEE MEP



XBArchitecture, PLLC
 2700 E Oakland Park, Suite C
 Fort Lauderdale, FL 33306
 office@xb-architecture.com
 office 754-243-7594

ISSUE FOR:
 01.30.2024 CITY COMMENTS

CLIENT:
RITOS DEVELOPMENT
 4491 S STATE RD. 7 PH-2
 FORT LAUDERDALE, FL 33314

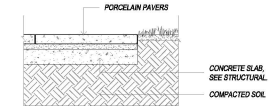
PROJECT:
NEW RESIDENCE
 695 SW 9TH AVENUE
 FORT LAUDERDALE, FL 33315

PROJECT NO.: 2319
 DRAWN BY: XSV/DM
 CHECKED BY: XSV
 DATE: 08.30.2023

SHEET NAME:
SITE PLAN-SETBACK VARIANCE

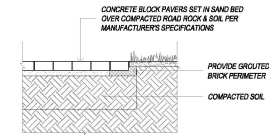
SHEET NUMBER:
SP-1.1

Digitally signed by
 Maria X San Vicente
 Date: 2024.04.09
 11:46:59
 -04'00"



NOTES:
 1. SLOPE SURFACES AS NECESSARY TO SHED WATER TOWARDS PERIMETER
 SEE CIVIL SHEETS FOR ADDITIONAL INFORMATION.

PAVERS ON CONCRETE



NOTES:
 1. PROVIDE SLOPE AS NECESSARY TO SHED WATER FROM PATIOS AND WALKWAYS. SEE CIVIL PLAN FOR SLOPE DIRECTION AND RETENTION AREAS.

PAVERS ON SAND

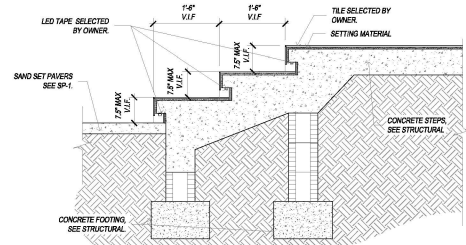
1
 SP-1
EXTERIOR FLOORING
 3/4"=1'-0"

FLOOD INFORMATION TABLE	
1	FIRM PANEL 1201C0557H
2	FLOOD ZONE AH
3	BASE FLOOD ELEVATION 5.0 NAVD
4	DATELINE OF ELEVATIONS NAVD
5	DESIGN FLOOD ELEVATION 6.0 NAVD
6	FINISH FLOOR ELEVATION 6.17 NAVD
7	EQUIPMENT ELEVATION 6.0 NAVD

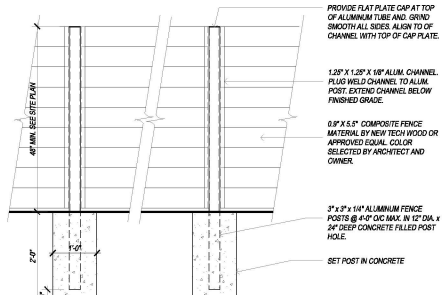
LEGAL DESCRIPTION	
DESK 3 AVENUE, FORT LAUDERDALE, FL 33305	
THE SOUTH 89.95 FEET OF LOTS 9 AND 10, "NEW UTOPIA", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 8, PAGE 21, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.	

ZONING CODE	
CURRENT ZONING DESIGNATION	RS-8
TOTAL LOT AREA	6,285 SF
MIN LOT WIDTH	ANY SIDE
ACTUAL LOT WIDTH	52.75 FT
MIN LOT SIZE	5,000 SF
ACTUAL LOT SIZE	6,285 SF
MAX LOT COVERAGE	80% 5,120 SF
PROPOSED LOT COVERAGE	42% 2,610 SF
MAX FLOOR AREA RATIO (GROSS AREA/LOT AREA)	0.75 4,698.75 SF
PROPOSED F.A.R.	0.58 3,664 SF
MAX BUILDING HEIGHT	35'-0"
BUILDING HEIGHT PROPOSED	28'-2"
REQUIRED YARDS	
MIN. FRONT YARD REQUIRED	20'-0"
FRONT YARD PROVIDED	20'-5"
MIN. SIDE YARD REQUIRED	5' UP TO 22' THEN 1:1 TO 35'
SIDE YARD PROVIDED	11'-10"
MIN. REAR YARD	15'-0"
REAR YARD PROVIDED	15'-1"
MIN. CORNER YARD	25% OF LOT WIDTH BUT NOT GREATER THAN 25'-1'
CORNER YARD PROVIDED	17'-5"
MIN. NO. OF PARKING STALLS	2
PARKING STALLS PROPOSED	2

PROJECT AREAS	
CONDITIONED 1ST FLOOR	1,361 SF
CONDITIONED 2ND FLOOR	2,163 SF
TOTAL CONDITIONED	3,564 SF
OUTDOOR	476 SF
TOTAL ENCLOSED - GARAGES/STORAGE	476 SF
INDOOR AREA - COVERED	263 SF
ENTRY PORCH - COVERED	77 SF
2ND FLOOR BACKYARD - OPEN	360 SF
TOTAL OUTDOOR	640 SF

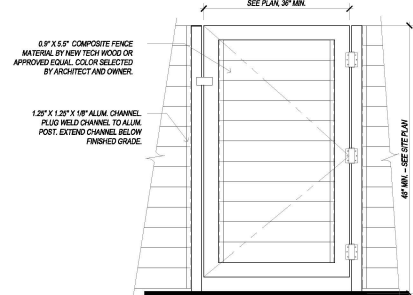


2
 SP-1
ENTRY STEPS DETAIL
 3/4"=1'-0"

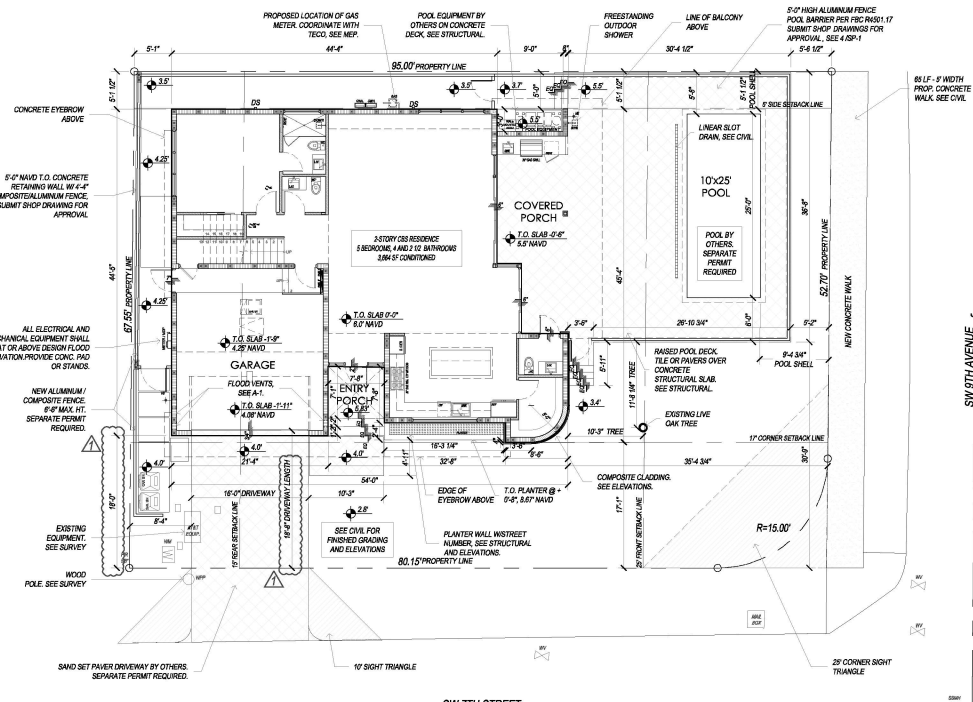


5
 SP-1
PRIVACY GATE & FENCE
 3/4"=1'-0"

NOTES:
 1. SEE SITE PLAN FOR LOCATIONS AND HEIGHTS.
 2. VERIFY FIELD WITH FINAL GRABE, OWNER, AND ARCHITECT.
 3. SUBMIT SHOP DRAWINGS FOR ALUMINUM FENCES AND GATES.
 4. COORDINATE WITH STRUCTURAL AND CIVIL DRAWINGS.
 5. USE ECCENTRIC FOOTING AT WALLS WHICH ABUT PROPERTY LINE.



3
 SP-1
SITE WALL AND FENCE
 3/4"=1'-0"



ALL ELECTRICAL AND MECHANICAL EQUIPMENT SHALL BE AT OR ABOVE DESIGN FLOOD ELEVATION. PROVIDE CONC. PAD OR STANDS.

NEW ALUMINUM/COMPOSITE FENCE: 90" MAX HT. SEPARATE PERMIT REQUIRED.

EXISTING EQUIPMENT: SEE SURVEY.

WOOD POLE: SEE SURVEY.

SAND SET PAVES DRIVEWAY BY OTHERS. SEPARATE PERMIT REQUIRED.

SEE CIVIL FOR FINISHED GRABING AND ELEVATIONS.

VerdeOne LLC
12864 Biscayne Blvd #231
North Miami FL 33181

March 14, 2024

Re: Specimen Tree Conflict
695 SW 9 Ave
Fort Lauderdale FL

Dear Property Owner:

This letter is in response to your inquiry regarding the conflict between the proposed structure at 695 SW 9 Ave and the specimen oak tree (*Quercus virginiana*) intended for preservation. Specifically, the mature oak is listed as tree #5 in my report dated Feb 1, 2024.

Tree #5 is in direct conflict with the proposed site plan modifications and intended land use. Industry standards require a significantly larger tree protection area for a tree of this size. In addition to root disturbance, a substantial portion of the canopy would need to be removed to accommodate the adjacent structure.

Relocating tree #5 is not a viable solution. The time and cost needed to relocate a mature tree of this proportion is far beyond the added value to the property. There is also the issue of survivability.

It would constitute an unreasonable modification to the site plan and require an undue hardship on the property owner to preserve this tree. I recommend tree #5 be permitted for removal according to local ordinances.

Sincerely,

Benjamin Koubek
ISA Certified Arborist
FNGLA Horticulture Professional
LIAF Certified Landscape Inspector