



BOARD OF ADJUSTMENT MEETING

City of Fort Lauderdale
Development Services Department (Lobby)
700 NW 19th Avenue, Fort Lauderdale, Florida 33311

To watch and listen to the Board of Adjustment Meeting Visit:

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Wednesday, June 12, 2024

6:00 PM

AGENDA

- I. **CALL TO ORDER / PLEDGE OF ALLEGIANCE**
- II. **APPROVAL OF MINUTES / DETERMINATION OF QUORUM**
- III. **PUBLIC SIGN-IN / SWEARING-IN**
- IV. **AGENDA ITEMS: AGENDA ITEMS MAY BE TAKEN OUT OF ORDER TO ACCOMMODATE PUBLIC COMMENT OR AS THE BOARD DEEMS NECESSARY. ALL APPLICANT(S), AGENT(S), AND ANYONE WHO WISHES TO SPEAK ON ANY ITEM ON THE AGENDA, MUST BE PRESENT AT THE BEGINNING OF THE MEETING DUE TO THE POSSIBILITY THAT AGENDA ITEMS MAY BE TAKEN OUT OF ORDER.**

1.	CASE:	PLN-BOA-24020001
	OWNER:	ESTATE MANORS INC; WALTERS, LAWRENCE
	AGENT:	GRAHAM PENN, ESQ
	ADDRESS:	1616 SW 17 AVE., FORT LAUDERDALE, FL 33312
	LEGAL DESCRIPTION:	LOT 15, OF BOSSERT ISLES, ACCORDING TO THE PLAT THEREOF, AS RECORDED PLAT BOOK 46, PAGE 42, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA. (SEE SURVEY).
	ZONING DISTRICT:	RS-8 - RESIDENTIAL SINGLE FAMILY/LOW MEDIUM DENSITY
	COMMISSION DISTRICT:	4

REQUESTING: Request for Rehearing of Denial of Case PLN-BOA-24020001 pursuant to ULDR Sec. 47-24.12. A.7 regarding the following variance requests:

Sec. 47-5.31- Table of dimensional requirements for the RS-8 district. (Note A).

- Requesting a variance from the minimum 25 feet corner yard setback abutting a waterway to be reduced to 15.73 feet, a total variance request of 9.27 feet.

Sec. 47-19.2. B. - Architectural features in residential districts.

- Requesting a variance to allow an eave/overhang to project into a setback of 4.6 feet, whereas the code allows a maximum of 3 feet from the approved setback, a total variance request of 1.6 feet.

2. **CASE:** PLN-BOA- 24040001
OWNER: TACHER, MARIO & YELENA
AGENT: N/A
ADDRESS: 2436 CAT CAY LANE, FORT LAUDERDALE, FL 33312
LEGAL DESCRIPTION: LOT 6, BLOCK 3 OF "LAUDERDALE ISLES NO.2", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 35, AT PAGE 2, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA. (SEE SURVEY)
ZONING DISTRICT: RS-6.85A - IRREGULAR RESIDENTIAL
COMMISSION DISTRICT: 4
REQUESTING: **Sec. 47-39. A.1.b.(3)(g) General provisions. - Yard encroachments.**

- Requesting a variance from the minimum 10-foot required distance separation between an accessory building and a principal building to be reduced to a distance of 8.9 feet, a total variance reduction request of 1.1 feet.

Sec. 47-39. A.1.b.(3)(d) General provisions. - Yard encroachments.

- Requesting a variance from the minimum 5 feet rear yard setback requirement for accessory buildings to be reduced to 4.5 feet a total variance request of 0.5 feet.
- Requesting a variance from the minimum 5 feet side yard setback requirement for accessory buildings to be reduced to 2.0 feet a total variance request of 3.0 feet.

Sec. 47-39. A.6.F. Dimensional requirements. - Side yards.

- Requesting a variance from the minimum 7.5 feet side yard setback to be reduced to 4.97 feet for an existing one-family dwelling on the north side yard a total reduction of 2.53 feet.

3. **CASE:** PLN-BOA- 24040002
OWNER: STEVENS, ANDREA CATHERINE
AGENT: N/A
ADDRESS: 1329 SW 9 STREET, FORT LAUDERDALE, FL 33312
LEGAL DESCRIPTION: THE EAST ONE-HALF OF LOTS 6 AND 7, BLOCK 11, OF AMENDED PLAT OF RIVERSIDE ADDTION OF FORT LAUDERDALE, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 1, PAGE 13 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA. (SEE SURVEY)
ZONING DISTRICT: RD-15 - RESIDENTIAL SINGLE FAMILY AND DUPLEX/MEDIUM DENSITY
COMMISSION DISTRICT: 4
REQUESTING: Sec. 25-62. (b)(3) - Requirements for new development and site alterations.

- Requesting a special exception, granting relief from the requirement to install sidewalk per Sec 25-62.

Please Note: As per Sec. 25-62. (b)(3) Sidewalks shall be constructed on all public streets abutting the property, except as provided herein: Property owners may request relief from the provisions of this section by making an application to the board of adjustment. The property owner shall have the burden of demonstrating that a unique circumstance particular to the property at issue exists that would otherwise preclude the installation of a sidewalk in the specified location.

4. **CASE:** PLN-BOA-24050001
OWNER: MACNEIL, DAVID F; DAVID F MACNEIL TR
AGENT: STEPHANIE J. TOOTHAKER, ESQ
ADDRESS: 84 ISLA BAHIA DRIVE, FORT LAUDERDALE, FL 33316
LEGAL DESCRIPTION: LOT 13, OF ISLA BAHIA, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 47, PAGE 27, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA. (SEE SURVEY)
ZONING DISTRICT: RS-4.4 - RESIDENTIAL OF SINGLE FAMILY/LOW DENSITY
COMMISSION DISTRICT: 4
REQUESTING: Sec 47-19.2. B- Architectural features in residential districts.

- A variance from the maximum 3-foot or one-third (1/3) of the required yard, whichever is less, for an unenclosed balcony encroachment into the required yard to allow an additional 0.8-foot encroachment for a total encroachment of 3.8 feet.

Sec 47-5.30- Table of dimensional requirements for the RS-4.4 district. (Note A).

- A variance from the 25-foot minimum rear yard requirements of Section 47-5.30 Table of Dimensional Requirements to allow a decrease of 3.8 feet for a proposed rear yard setback of 21.2 feet.

5. **CASE:** PLN-BOA-24050002

OWNER: CITY OF FORT LAUDERDALE
AGENT: FREDDY ANDRES ARGUDO, ESQ
ADDRESS: 5900 HAWKINS ROAD, FORT LAUDERDALE, FL 33309
LEGAL DESCRIPTION: A PORTION PF TRACTS "B" AND "C", "PALM AIRE VILLAGE 4TH SECTION", ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 96, PAGE 35, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA. (SEE SURVEY)
ZONING DISTRICT: CC - COMMERCE CENTER DISTRICT
COMMISSION DISTRICT: 1
REQUESTING: Sec 47-21.13. B.1.a.- Landscape requirements for all zoned districts.

- Requesting a variance to reduce the minimum tree requirement of one (1) tree per 1,000 square feet of net lot area to one (1) tree per 2000 square feet of net lot area, a total variance request of 46 trees.

Breakdown: Total required 93,000 sf /1000= 93 trees
Total provided 93,000 sf/ 2000= 47 trees
Total Reduction = 46 trees

6. **CASE:** PLN-BOA-24050003
OWNER: SCHIRMER, CHRISTOPHER V; MATTOCKS, JACI REGAN
AGENT: N/A
ADDRESS: 1123 SW 5 PLACE, FORT LAUDERDALE, FL 33312
LEGAL DESCRIPTION: LOT 10 AND THE WEST ½ OF LOT 11, BLOCK 1, AMENDED PLAT OF RIVERSIDE ADDITION TO FT. LAUDERDALE, FLA. ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 1, PAGE 13, PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA. (SEE SURVEY)
ZONING DISTRICT: RS-8 - RESIDENTIAL SINGLE FAMILY/LOW MEDIUM DENSITY
COMMISSION DISTRICT: 4
REQUESTING: Sec. 25-62. (b)(3) - Requirements for new development and site alterations.

- Requesting a special exception, granting relief from the requirement to install sidewalk per Sec 25-62.

Please Note: As per Sec. 25-62. (b)(3) Sidewalks shall be constructed on all public streets abutting the property, except as provided herein: Property owners may request relief from the provisions of this section by making an application to the board of adjustment. The property owner shall have the burden of demonstrating that a unique circumstance particular to the property at issue exists that would otherwise preclude the installation of a sidewalk in the specified location.

7. **CASE:** PLN-BOA- 24050005
OWNER: 3290 NORTHEAST 33RD ST LLC; % MARILYN LEEDS MANAGER
AGENT: LAWRENCE BLACKKE, ESQ
ADDRESS: 3298 NE 33 STREET, FORT LAUDERDALE, FL 33308

LEGAL DESCRIPTION: LOT 7, IN THE BLOCK 5 OF GLAT OCEAN MILE, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 34, PAGE 16 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA. (SEE SURVEY)

ZONING DISTRICT: CB - COMMUNITY BUSINESS

COMMISSION DISTRICT: 1

REQUESTING: Sec. 5-26. - Distances between establishments.

- Requesting a special exception from the required distance separation of three hundred (300) feet between establishments selling alcoholic beverages. The location of the proposed establishment is ninety-one (91) feet from one establishment licensed to sell alcoholic beverages, one-hundred seventy-three (173) feet from another establishment and two-hundred twenty-one (221) feet from another establishment licensed to sell alcoholic beverages. Requesting a total distance of separation reduction of two-hundred nine (209) feet, one-hundred twenty-seven (127) feet, and seventy-nine (79) feet, respectfully.

V. COMMUNICATION TO THE CITY COMMISSION

VI. FOR THE GOOD OF THE CITY OF FORT LAUDERDALE

Elect Chair and Vice Chair as per ULDR Section 47-36.6- Meeting and procedure B. The board shall elect from its members a chairperson and vice-chairperson at an annual election held in June of each year who shall for terms of the one (1) year and who shall be eligible for reelection.

PLEASE NOTE THAT TWO-WAY COMMUNICATION BETWEEN MEMBERS OF THE BOARD OF ADJUSTMENTS IS PROHIBITED BY SUNSHINE LAW. PLEASE DO NOT REPLY TO ANY BOARD MEMBER. ALL DISCUSSIONS ON ITEMS RELATIVE TO THE AGENDA SHOULD TAKE PLACE AT SCHEDULED BOARD MEETINGS.

Two or more City Commissioners and/or Advisory Board members may be present at this meeting. If a person decides to appeal any decision made with respect to any matter considered at this public meeting or hearing, he/she will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

If you desire auxiliary services to assist in viewing or hearing the meetings or reading agendas and minutes for the meetings, please contact the City Clerk's office at (954) 828-5002 and arrangements will be made to provide these services for you.

Unless otherwise stated, these items are quasi-judicial. Board members shall disclose any communication or site visits they have had pursuant to Section 47-1.13 of the ULDR. All persons speaking on a quasi-judicial matter will be sworn in and will be subject to cross-examination.