



BOARD OF ADJUSTMENT MEETING

City Commission Chambers
City Hall

100 N Andrews Avenue Fort Lauderdale, FL 33301

Wednesday, July 12, 2017

6:30 P.M.

Purpose: The Board of Adjustment shall receive and hear appeals in cases involving the ULDR, to hear applications for temporary nonconforming use permits, special exceptions and variances to the terms of the ULDR, and grant relief where authorized under the ULDR. The Board of Adjustment shall also hear, determine and decide appeals from reviewable interpretations, applications or determinations made by an administrative official in the enforcement of the ULDR, as provided herein.

AGENDA RESULTS

I. CALL TO ORDER / PLEDGE OF ALLEGIANCE

II. APPROVAL OF MINUTES / DETERMINATION OF QUORUM

III. PUBLIC SIGN-IN / SWEARING-IN

IV. AGENDA ITEMS:

- 1. **CASE:** B17022
- OWNER:** JOHN A GATTUSO
- ADDRESS:** 1925 S OCEAN DRIVE
- LEGAL DESCRIPTION:** HARBOR BEACH EXTENSION 31-13 B TRACT B N 100 OF E 60.01
- ZONING:** RS-8
- COMMISSION DISTRICT:** 4

APPEALING: **Section 47-19.5. (Fences, wall and hedges)**
 Requesting a variance to allow a six (6) foot six (6) inch high fence, that is less than 75% opaque, to be located zero (0) feet from the east property line which abuts a right-of-way. Whereas, the ULDR requires any fence abutting a right-of-way that is less than 75% opaque to either be less than two (2) feet six (6) inches in height or set back three (3) feet from the property line.

APPROVED (6-1)

- 2. **CASE:** B17023
- OWNER:** LOUIS & SUSAN GAVIN
- ADDRESS:** 2636 SUGARLOAF LANE
- LEGAL DESCRIPTION:** LAUDERDALE ISLES NO 2-BLK 10 37-46 B LOT 23

ZONING: RS-6.85A

COMMISSION DISTRICT: 4

APPEALING: **Section 47-39.A.6.F.1 (Side Yard Dimensional Requirements for the RS-6.85A District)**

Requesting a variance to reduce the southwest side yard setback from seven (7) feet six (6) inches to 3 (three) feet to allow conversion of carport into a garage. This would result in a reduction of four (4) feet six (6) inches from the required side yard setback.

APPROVED (6-1)

3. CASE: **B17024**

OWNER: FLORIDA POWER & LIGHT CO
ATTN PROPERTY TAX - PSX/JB

AGENT: HOPE W CALHOUN, ESQ./ DUNAY, MISKEL & BACKMAN, LLP

ADDRESS: 1750 SW 31 AVENUE

LEGAL DESCRIPTION: ROHAN ACRES 22-43 B LOT 2 LESS W 40 FOR ST; LOT 3 LESS S 25 & LESS W 40 OF N 107, LOT 3 S 25 LESS W 35; LOT 4 LESS S 50 & LESS W 35 FOR RD BLK 4

ZONING: U

COMMISSION DISTRICT: 4

Section 47.18.11.G.2 (Communication Tower Separation from a Residential Property)

Requesting a variance to reduce the required separation buffer between a one hundred two (102) foot communication tower and surrounding residential properties. This would reduce the separation buffer from two hundred four (204) feet to sixty (60) feet for the closest residential property to the east of the tower and from two hundred four (204) feet to eighty-nine (89) feet for the closest residential property to the south of the tower.

APPEALING:

DEFERRED UNTIL THE NEXT MEETING, SEPTEMBER 12, 2017. (7-0)

4. CASE: **B17026**

OWNER: KAMALDAI & REWITIE MISIR

AGENT: CRUSH LAW, P.A. – JASON CRUSH

ADDRESS: 1434 N FEDERAL HIGHWAY

LEGAL DESCRIPTION: LAUDER GATE ISLES 28-17 B LOT 1 BLK A

ZONING: B-1

COMMISSION DISTRICT: 1

APPEALING: **Section 5-26(a) (Distance of Establishments from a Church or School)**

Requesting a variance to allow the sale of alcohol at a distance of two hundred forty-five (245) feet from a church, where the Code of Ordinances requires a minimum distance of five hundred (500) feet separating establishments that sell alcoholic or intoxicating beverages from a church or school.

APPROVED (7-0)

WITH THE FOLLOWING CONDITIONS:

1. THAT THE VARIANCE APPLY ONLY TO THE CURRENT COOKING SCHOOL USE;
2. THAT THE VARIANCE APPLY ONLY TO THE BUSINESS NAMED CHEF JEAN PIERRE COOKING SCHOOL;
3. THAT THE BUSINESS/SCHOOL NOT BE PERMITTED TO SELL ALCOHOL.

5. **CASE:** B17028
OWNER: 1235 LAS OLAS LLC
AGENT: CRUSH LAW, P.A. – JASON CRUSH
ADDRESS: 1235 E LAS OLAS BOULEVARD
LEGAL DESCRIPTION: COLEE HAMMOCK 1-17 B LOT 15 BLK 26
ZONING: B-1
COMMISSION DISTRICT: 4

APPEALING: Section 5-26(b) (Distance between Establishments)

Requesting a special exception to allow the sale of alcoholic at a distance of one hundred twenty-five (125) feet from another establishment selling alcoholic beverages, where the Code of Ordinances requires a minimum distance of three hundred (300) feet separating establishments that sell alcoholic or intoxicating beverages.

APPROVED (7-0)

WITH THE CONDITION THAT THE BUSINESS BE LIMITED TO A BAKERY/CAFÉ USE ONLY.

6. **CASE:** B17029
OWNER: 1408 WEST LAKE HOLDINGS LLC
AGENT: HOPE CALHOUN, ESQ. & AUTUMN SORROW
ADDRESS: 1408 W LAKE DRIVE
LEGAL DESCRIPTION: LUCILLE ISLAND 37-19 B N 90 OF LOT 32
ZONING: RS-4.4
COMMISSION DISTRICT: 4

APPEALING: Section 47-5.30 (Dimensional Requirements for the RS-4.4 District)

Requesting a variance to reduce the minimum lot width of a parcel abutting a waterway in the RS-4.4 district from one hundred (100) feet to ninety (90) feet. This would result in a reduction of ten (10) feet from the ULDR requirement.

DEFERRED UNTIL THE NEXT MEETING, SEPTEMBER 12, 2017. (7-0)

V. COMMUNICATION TO THE CITY COMMISSION

VI. FOR THE GOOD OF THE CITY OF FORT LAUDERDALE

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.