



CITY OF FORT LAUDERDALE

BOARD OF ADJUSTMENT MEETING  
CITY OF FORT LAUDERDALE  
FEBRUARY 13, 2019 – 6:30 P.M.  
CITY HALL CITY COMMISSION CHAMBERS  
100 NORTH ANDREWS AVENUE  
FORT LAUDERDALE, FLORIDA

| <b>Board Members</b>      | <b>Attendance</b> | <b>Cumulative Attendance<br/>6/2018 through 5/2019</b> |               |
|---------------------------|-------------------|--|---------------|
|                           |                   | <b>Present</b>   | <b>Absent</b> |
| Douglas Reynolds, Chair   | P                 | 7  | 0             |
| Howard Nelson, Vice Chair | P                 | 6  | 1             |
| Eugenia Ellis             | P                 | 6  | 1             |
| Blaise McGinley           | P                 | 6  | 1             |
| Patrick McTigue           | P                 | 6  | 1             |
| S. Carey Villeneuve       | P                 | 6  | 1             |
| <b>Alternates</b>         |                   |  |               |
| Chip Falkanger            | P                 | 5  | 1             |
| Chadwick Maxey            | A                 | 4  | 3             |

**Staff**

Lynn Solomon, Assistant City Attorney  
Mohammed Malik, Zoning Administrator  
Chakila Crawford-Williams, Administrative Assistant  
Brigitte Chiappetta, Prototype, Inc.

**Communication to the City Commission**

None

**Purpose: Section 47-33.1.**

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.

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|    | <b><u>Case</u></b>   |                                      | <b><u>District</u></b> | <b><u>Page</u></b> |
|----|----------------------|--------------------------------------|------------------------|--------------------|
|    | <b><u>Number</u></b> | <b><u>Owner/Agent</u></b>            |                        |                    |
| 1. | <b>B18-022</b>       | SOUTH MACK 1 LLC/ Andrew J. Schein   | <b>3</b>               | <b><u>2</u></b>    |
| 2. | <b>B18-021</b>       | MJDC AOA LLC/ Ana Rodriguez          | <b>3</b>               | <b><u>3</u></b>    |
| 3. | <b>B19-002</b>       | Daniel Ellis                         | <b>2</b>               | <b><u>4</u></b>    |
|    |                      | Communication to the City Commission |                        | <b><u>5</u></b>    |
|    |                      | For the Good of the City             |                        | <b><u>5</u></b>    |
|    |                      | Other Items and Board Discussion     |                        | <b><u>6</u></b>    |

Board members disclosed communications they had and site visits made regarding items on the agenda.

**All individuals wishing to speak on the matters listed on tonight’s agenda were sworn in.**

**Call to Order**

The meeting was called to order at 6:30 p.m. Roll was called and a quorum determined to be present.

**Approval of Minutes – January 2019**

**Motion** made by Mr. Nelson, seconded by Mr. McGinley to approve the Board’s January 2019 minutes. In a voice vote, motion passed unanimously.

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**CASE:** **B18022**

**OWNER:** SOUTH MACK 1 LLC

**AGENT:** Andrew J. Schein, Esq./Lochrie and Chakas, P.A.

**ADDRESS:** 820 NW 10 Terrace

**LEGAL DESCRIPTION:** PROGRESSO 2-18 D LOT 35 TO 38 BLK 270

**ZONING DISTRICT:** B-3

**COMMISSION DISTRICT:** 3

**APPEALING:** Appealing the Zoning Administrators Interpretation of; Section 47-18.4.C - Automotive repair shop. The Department has made the determination that the above code section is referring to a single shop, not multiple shops, on a single development site that is one hundred (100) feet in width per the code Section 47-18.4.C All other lots shall have a minimum lot size of one hundred (100) feet in width on the front property line, and one hundred (100) feet in depth.

Andrew Schein, attorney, requested the application be withdrawn. Ms. Solomon accepted the withdrawal.

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|-----------------------------|---|
| <b>CASE:</b>                | <b>B18021</b>   |
| <b>OWNER:</b>               | MJDC AOA LLC  |
| <b>AGENT:</b>               | Ana Rodriguez   |
| <b>ADDRESS:</b>             | 570 NW 7 <sup>th</sup> Avenue   |
| <b>LEGAL DESCRIPTION:</b>   | NORTHWEST FORT LAUDERDALE COMMERCIAL PLAT 148-25 B PARCEL B & D TOGETHER WITH POR OF RD VACATED PER ORD C-92-14 & ORD C-10-49 TOGETHER WITH POR OF NORTH LAUDERDALE 1-48 D DESC AS BEING LOTS 47-52 LESS RD R/W & LESS POR DESC IN OR 48619/1731  |
| <b>ZONING DISTRICT:</b>     | NWRAC-MUe   |
| <b>COMMISSION DISTRICT:</b> | 3   |
| <b>REQUESTING:</b>          | Sec. 47-20.17. - Vehicular reservoir spaces for drive-thru facilities.<br><br>Requesting a Variance to allow Two (2) Drive-thru bank, automated tellers that requires a total of six (6) inbound VRS' (Vehicular reservoir spaces) and a total of two (2) outbound VRS' to be reduced to three (3) inbound VRS' and one(1) outbound VRS, as shown on sheet C02.01 per the provided plans. |



Ana Rodriguez, Bank of America representative, introduced Richard Hernandez, engineer with Infinity Engineering Group. Mr. Hernandez said they wanted to add another ATM adjacent to the existing drive-through ATM. He reported there was sufficient stacking for six vehicles at the existing ATM. Mr. McTigue said the Bank of America on 17<sup>th</sup> Street had this arrangement and it worked well.

Chair Reynolds opened the public hearing. There being no members of the public wishing to address the Board on this item, Chair Reynolds closed the public hearing and brought the discussion back to the Board.

**Motion** made by Mr. Nelson, seconded by Mr. McTigue to approve. In a roll call vote, motion passed 7-0.

**3.**

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|-----------------------------|---|
| <b>CASE:</b>                | <b>B19002</b>   |
| <b>OWNER:</b>               | Daniel Ellis  |
| <b>AGENT:</b>               | N/A   |
| <b>ADDRESS:</b>             | 1700 NE 7 <sup>th</sup> Avenue  |
| <b>LEGAL DESCRIPTION:</b>   | MIDDLE RIVER TERRACE AMD PLAT 30-24 B LOT 19 BLK 3  |
| <b>ZONING DISTRICT:</b>     | RS-8  |
| <b>COMMISSION DISTRICT:</b> | 2   |
| <b>REQUESTING:</b>          | <ol style="list-style-type: none"><li>1. Sec. 47-5.31- Table of Dimensional Requirements for RS-8 Zoning District</li><li>2. Sec. 47-19.1.L Except as otherwise provided in this <u>Section 47-19</u>, the following provisions shall apply. No accessory structure shall be built in the front yard more than one (1) story, or thirteen (13) feet in height. The following accessory buildings will be permitted in residential zoning districts: Private garage, garden house, or structure of the same classification. Within a residential zoning district, no accessory use or structure shall be greater in height than the principal building and in no instance shall the height of an accessory use or structure be greater than twenty-four (24) feet in height except that on lots of greater area than one (1) acre, an accessory building shall not be more than thirty-five (35) feet in height; providing it is located not less than thirty (30) feet from every lot line.</li></ol> |

The total areas of accessory buildings shall not be greater than thirty-five percent (35%) of the rear yard area. No accessory buildings shall be built closer than ten (10) feet to any rear line which is a street or alley line, or, in the case of corner lots, closer than fifteen (15) feet to any side street line except as otherwise provided herein.

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1. Requesting a variance to allow the ATF detached garage/carport to be constructed within the required 25' front yard, measured from the front property line, to 18.15', a reduction of 6.85'. Also requesting a variance to allow the ATF, garage/carport to be constructed within the required 5' side yard to 1.45', measured from the side property line, a reduction of 3.55'.
2. Requesting a variance to allow the ATF, detached garage/carport to be constructed at a total height of 14.18' whereas the code limits the height to 13', an increase in total height of 1.18'.  
Also requesting a variance in the same section for the ATF, detached garage/carport to be constructed at a height greater than the principle structure, 14.8', whereas the principal structure is only 11.1' which is an increase in total height of 3.7'.

Chair Reynolds stated the owner had requested a continuance due to health reasons.

**Motion** made by Mr. Nelson, seconded by Ms. Ellis to continue the case to the Board's March hearing. In a voice vote, motion passed unanimously.

**Communication to the City Commission**

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None

**Report and for the Good of the City**

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Mr. Mohammed reported they were working on the code regarding changes to the liquor spacing. The changes would be presented to the City Commission. Mr. Mohammed agreed to email the changes to Board members.

**Other Items and Board Discussion**

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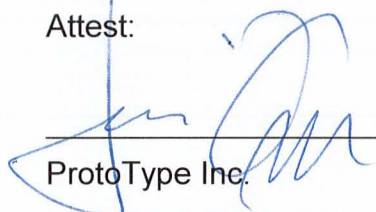
None

There being no further business to come before the Board, the meeting adjourned at 6:45 pm.

Chair:

  
\_\_\_\_\_  
Douglas Reynolds, Chair

Attest:

  
\_\_\_\_\_  
ProtoType Inc.

Any written public comments made 48 hours prior to the meeting regarding items discussed during the proceedings have been attached hereto.