



## BOARD OF ADJUSTMENT MEETING

City Commission Chambers  
City Hall  
100 N Andrews Avenue Fort Lauderdale, FL 33301  
Wednesday, October 9, 2019  
6:30 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:

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1.	<b>CASE:</b>	<b>B19017</b>
	<b>OWNER:</b>	KEYSTONE-FLORIDA PROPERTY HOLD
	<b>AGENT:</b>	CRUSH LAW, P.A., JASON CRUSH
	<b>ADDRESS:</b>	2598 E. SUNRISE BLVD., FORT LAUDERDALE, FLORIDA 33304
	<b>LEGAL DESCRIPTION:</b>	SUNRISE 28-42 B SUNRISE CENTER TRACT PT TR B DESC AS, S 230 OF N 298 OF W 162 OF E 169 AKA: SAKS FIFTH AVENUE
	<b>ZONING DISTRICT:</b>	B-1
	<b>COMMISSION DISTRICT:</b>	1
	<b>REQUESTING:</b>	<b>Sec. 47-22 – Sign Requirements.</b>

Applicant proposes to allow up to five tenants to place flat signs on the north (Sign 1) and east (Sign 2) facades of their building and a flat sign for building identification on the northeast corner of the building (Sign 3). Each tenant will have two signs that are proposed to be displayed in consolidated LED sign faces, one located on each building facade. Pursuant to Section 47-22.3. On each store, office or place of business shall be permitted no more than 1 flat sign unless facing two street fronts or vehicle travel ways in which case one flat sign on each street is permitted with an aggregate area of 300 square feet. Additionally, only ground floor tenants of tenants with dedicated ground floor entrances are permitted to have a flat sign. The variances would:

- Vary from the limitation that only allows ground floor tenants of tenants with dedicated ground floor entrances to have to flat sign to allow other tenants to display on the consolidated flat sign as their flat sign. (Signs 1 and 2)
- Vary from the limitation on the number of permitted flat signs to allow all tenants, regardless location in the mall, to display on the consolidated flat sign on both facades. (Signs 1 and 2)
- Vary from the maximum aggregate area of the sign face from 300 square feet to 432 square feet. (Signs 1 and 2)
- Vary from the limitation on a sign being permitted at a height no greater than four (4) feet above the ground floor level where the structure exceeds one (1) level in a shopping center or strip store (Signs 1,2, and 3).

**Deferred from the September 11, 2019 Agenda**

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<b>2.</b>	<b>CASE:</b>	<b>B19022</b>
	<b>OWNER:</b>	NBIM OUTPARCEL LP
	<b>AGENT:</b>	MITCH MARKAY
	<b>ADDRESS:</b>	2640 W. BROWARD BLVD., FORT LAUDERDALE FLORIDA 33312
	<b>LEGAL DESCRIPTION:</b>	RIVERBEND MARKETPLACE 181-111 B POR OF TRACT A DESC AS: COMM SE COR TRACT A, W 660.40, N 92.27, W 500.09, N 166.67, W 107, N 164.88, E 10, N 255.29, E 3, N 169.47 TO POB, N 136.42, NE 8.50, E 154.53, S 121.50, W 45.50, S 20.92, W 115.59 TO POB AKA: OUTPARCEL B
	<b>ZONING DISTRICT:</b>	B-1
	<b>COMMISSION DISTRICT:</b>	3
	<b>REQUESTING:</b>	<b>Sec. 47-22.4. - Maximum number of signs at one location and special requirements in zoning districts.</b>

**A. Business, General Aviation, and RMH-60 zoning districts. The following regulations shall apply in all business, general aviation, and RMH-60 zoning districts:**

**1. Single business buildings. The total number of signs on any one (1) lot or plot shall not exceed four (4). The signs shall be limited and oriented to be viewed from the streets and vehicle travel ways abutting the lot or plot as follows (streets and vehicle trafficways that are located parallel to one (1) another is considered separate):**  
**Two (2) streets and two (2) or more travel ways = Four (4) signs, no more than one (1) being a freestanding sign**

The applicant is requesting to increase the total number of signs per lot from the maximum of four (4) signs with no more than one being a freestanding sign, to a total of ten (10) signs, a total increase of seven (7) signs. The four (4) signs permitted by right would be signs 1,2,3&4, comprised of three (3) wall signs and one (1) free standing sign per the submittal. The six (6) extra signs requested are all considered wall signs and are numbered 5,6,7,8,9, & 10 per the submittal.

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3. **CASE:** B19026  
**OWNER:** GUZZARDO, PAUL LICHTENSTEIN, MURRAY H  
**AGENT:** N/A  
**ADDRESS:** 2192 IMPERIAL POINT DRIVE, FORT LAUDERDALE, FLORIDA 33308  
**LEGAL DESCRIPTION:** IMPERIAL POINT 1 SEC 53-44 B LOT 1 BLK 8  
**ZONING DISTRICT:** RS-8  
**COMMISSION DISTRICT:** 1  
**REQUESTING:** **Sec 47-19.5. B. TABLE 1**

The applicant is requesting a variance from the required average three (3) foot setback from a property line, abutting street, to the proposed fence. They are replacing an existing fence that is a barrier to an existing pool. The variance request would reduce the setback from three (3) feet to zero (0) feet, a total reduction of three (3) feet.

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4. **CASE:** B19027  
**OWNER:** 1622 BRICKELL DRIVE INC  
**AGENT:** ROBERT MOEHRING, DOMO STUDIO LLC  
**ADDRESS:** 1614 BRICKELL DRIVE, FORT LAUDERDALE, FLORIDA 33301  
**LEGAL DESCRIPTION:** COLEE HAMMOCK 1-17 B LOTS 5,6,7,8 BLK 36  
**ZONING DISTRICT:** RS-8  
**COMMISSION DISTRICT:** 4  
**REQUESTING:** **Sec. 47-19.2. - Accessory buildings, structures and equipment, general.**

**BB. Swimming pools, hot tubs and spas.**

**1. An outdoor swimming pool, hot tub, spa or similar structure and their related architectural features such as waterfalls, when accessory to a standard single-family dwelling, zero lot line dwelling, duplex or two-family dwelling, townhouse, or cluster dwelling may be permitted in the required front, rear and side yard no closer than five (5) feet from any property line. Such outdoor swimming pool or similar structure when located within the required setback shall not exceed the finished floor elevation of the ground floor of the principal building or buildings. The height of a hot tub, spa or similar structure constructed as part of an outdoor swimming pool and within the required setback shall not exceed two and one-half (2½) feet in height above the finished floor elevation of the ground floor of the principal building or buildings.**

The applicant is requesting a variance from the code stating a swimming pool can be no higher than the finished floor grade. The proposed finish floor is 6.24 feet NAVD. The applicant is proposing the pool be at an elevation 15.33 feet NAVD, an increase in total height of 9.09 feet.

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5. **CASE:** B19028  
**OWNER:** LELAND PILLSBURY  
**AGENT:** DEENA GRAY, ESQ. /GREENSPOON MARDER LLP  
**ADDRESS:** 2650 CASTILLA ISLE, FORT LAUDERDALE, FLORIDA 33301  
**LEGAL DESCRIPTION:** ASPETUCK POINT 24-12 B POR OF LOT 1 DESC AS: COMM SW COR LOT 1, E 95 TO POB, E 161.31 TO SE COR LOT 1, NE 207.92, W 188.93, SW 80.90 TO P/C, SLY & SWLY ARC DIST 33.29, SE 51.26, S 88.16 TO POB AKA: PARCELS C & D (OR 2833/743)  
**ZONING DISTRICT:** RS-4.4  
**COMMISSION DISTRICT:** 2  
**REQUESTING:** **Sec. 47-19.3. - Boat slips, docks, boat davits, hoists and similar mooring structures.**

**(h) No watercraft shall be docked or anchored adjacent to residential property in such a position that causes it to extend beyond the side setback lines required for principal buildings on such property, as extended into the waterway, or is of such length that when docked or anchored adjacent to such property, the watercraft extends beyond such side setback lines as extended into the waterway.**

The applicant is requesting the watercraft to be allowed to be docked or anchored within the required side setback. The property is located within a RS-4.4 Zoning District with ten (10) foot required side yards. Applicant proposes to dock or anchor their watercraft zero (0) feet from the property line, as extended into the waterway.

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6. **CASE:** B19029  
**OWNER:** R W L 4 INC  
**AGENT:** CRUSH LAW, P.A.- JASON S. CRUSH  
**ADDRESS:** 810 NE 4 AVENUE, FORT LAUDERDALE, FLORIDA 33304  
**LEGAL DESCRIPTION:** PROGRESSO RESUB OF BLK 254 72-2 B LOT 28 TO 30 BLK 254  
**ZONING DISTRICT:** RAC-UV  
**COMMISSION DISTRICT:** 2  
**REQUESTING:** **Sec. 5-26. - Distance between establishments.**

**(b) The board of adjustment is authorized to grant special exceptions to the distance requirements as established by (a) above where the board finds that such special exception will:**

**(1) Not be contrary to the public interests; and  
(2) Not incompatible with adjoining properties or the surrounding neighborhood. The application for a special exception and the processing and hearing upon such application shall be in accordance with section 47-24.12(A).**

The applicant is requesting a special exception for the required distance separation of three hundred (300) feet between establishments selling

alcoholic beverages. They are requesting the distance separation be reduced from three hundred (300) feet to two hundred sixty-six (266) feet, a total reduction of thirty-four (34) feet.

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7.     **CASE:**                         **B19031**

**OWNER:**                        LAS OLAS 825 LLC

**AGENT:**                        CRUSH LAW, P.A.- JASON S. CRUSH

**ADDRESS:**                    825 E LAS OLAS BLVD, FORT LAUDERDALE, FLORIDA 33301

**LEGAL DESCRIPTION:**       COLEE HAMMOCK 1-17 B LOT 15,16 LESS E 46.4 BLK 9

**ZONING DISTRICT:**            B-1

**COMMISSION DISTRICT:**    4

**REQUESTING:**                **Sec. 5-26. - Distance between establishments.**

**(b) The board of adjustment is authorized to grant special exceptions to the distance requirements as established by (a) above where the board finds that such special exception will:**

**(1) Not be contrary to the public interests; and**

**(2) Not incompatible with adjoining properties or the surrounding neighborhood. The application for a special exception and the processing and hearing upon such application shall be in accordance with section 47-24.12(A).**

The applicant is requesting a special exception for the required distance separation of three hundred (300) feet between establishments selling alcoholic beverages. They are requesting the distance separation be reduced from three hundred (300) feet to fifty (50) feet, a total reduction of two hundred fifty (250) feet.

**V.     COMMUNICATION TO THE CITY COMMISSION**

**VI.    FOR THE GOOD OF THE CITY OF FORT LAUDERDALE**

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**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.**