

February 7, 2020

**VIA HAND DELIVERY**

City of Fort Lauderdale  
Urban Design & Development  
700 NW 19<sup>th</sup> Ave.,  
Fort Lauderdale, FL 33311

Re: Letter of Consent by The Las Olas Company Inc., Property Owner  
Tommy Bahama R&R Holdings, Inc. d/b/a Tommy Bahama Marlin Bar located at 740 E Las  
Olas Blvd., Fort Lauderdale, FL 33301, Tenant

To Whom It May Concern:

This Letter of Consent serves as notice that The Las Olas Company Inc., the property owner  
of 740 E Las Olas Blvd., Fort Lauderdale, FL 33301 (the "Owner"), authorizes Kristen Catusus,  
attorney at Gray-Robinson P.A., located at 333 S.E. 2<sup>nd</sup> Ave, Suite 3200, Miami, FL 33131  
("Agent") authority to act on its behalf as indicated in the City of Fort Lauderdale Board of  
Adjustment Application. She is also authorized to appear before the Board at the 2020 City of  
Fort Lauderdale Board of Adjustment meeting regarding Owner's request for a special exception  
from the distance requirements set forth in Fort Lauderdale Code Of Ordinances Sec. 5-26.

This authorization will remain in force unless revoked by written notice.

Owner's Signature: Mike Weymouth

Owner's Printed Name: MICHAEL WEYMOUTH

Mailing Address: 600 SAGAMORE ROAD City/State/Zip: FT. LAUDERDALE

Phone number: (954) 463-5630 Email: MIKE @ LASOLAS.CO

Date: 2/10/20

State of Florida County of Broward

Sworn to and subscribed before me by Michael Weymouth

this 10 day of February, 2020.



Notary Public  
My Commission Expires: 06/23, 2023.

## Board of Adjustment

**[Board of Adjustment \(BOA\) Agendas and Minutes](#)**

\*Please note the project attachments represent selected files to help relay a general understanding of the project. Any additional submitted materials may be provided upon request or viewed as hard copy plans at the Department of Sustainable Development at: 700 NW 19<sup>th</sup> Avenue. Fort Lauderdale FL 33311.

**2019 Board of Adjustment (BOA) Meeting Dates and Application Deadlines**

**November 13, 2019**  
*Deadline: October 4, 2019*

**December 11, 2019**  
*Deadline: November 8, 2019*

**[2020 Board of Adjustment \(BOA\) Meeting Dates and Application Deadlines](#)**

**January 8, 2020**  
*Deadline: December 6, 2019*

**May 13, 2020**  
*Deadline: April 3, 2020*

**September 9, 2020**  
*Deadline: August 7, 2020*

**February 12, 2020**  
*Deadline: January 3, 2020*

**June 10, 2020**  
*Deadline: May 8, 2020*

**October 14, 2020**  
*Deadline: September 4, 2020*

**March 11, 2020**  
*Deadline: February 7, 2020*

**July 8, 2020**  
*Deadline: June 5, 2020*

**November 19, 2020**  
*Deadline: October 9, 2020*

**April 8, 2020**  
*Deadline: March 6, 2020*

**August 12, 2020**  
*Deadline: July 6, 2020*

**December 9, 2020**  
*Deadline: November 6, 2020*

*NOTE: BOA meetings are usually held on the second Wednesday of each month. Applications are due the Friday after a meeting, approximately four weeks before the next meeting. Application deadlines are in parentheses below the meeting dates.*

**More Information**

The [Board of Adjustment Application](#) is available online. If you would like more information regarding the Board of Adjustment, please contact:

Mohammed Malik  
(954) 828-6342  
[Mmalik@fortlauderdale.gov](mailto:Mmalik@fortlauderdale.gov)

Or call Urban Design and Planning at 954-828-6506.



# BOARD OF ADJUSTMENT APPLICATION

Rev: 1 | Revision Date: 2/23/2017 | Print Date: 2/23/2017  
I.D. Number: BAA

## BOARD OF ADJUSTMENT (BOA) Application

<b>Cover:</b>	Deadline, Notes, and Fees
<b>Page 1:</b>	Applicant Information Sheet
<b>Page 2:</b>	Special Exception / Nonconforming Use Permit Request Criteria
<b>Page 3:</b>	Required Documentation & Mail Notice Requirements
<b>Page 4:</b>	Sign Notice Requirements & Affidavit
<b>Page 5:</b>	Technical Specifications

**DEADLINE:** Submittals must be received prior to 4:00 PM each business day. Pursuant to Section 47-24.1(1), the Department will review all applications to determine completeness within five (5) business days. Applicants will be notified via e-mail, if plans do not meet the submittal requirements and if changes are required.

**NOTES:** Prior to formal submittal of applications, applicants are encouraged to schedule an appointment with Urban Design & Planning Division staff to obtain feedback regarding proposals. The meetings provide an opportunity for applicants to obtain feedback and general direction, prior to expending significant effort on preparation of submittal documents.

**FEES:** All application fees are established by the City Commission, as set forth by resolution and amended from time to time. In addition to the application fee, any additional costs incurred by the City including review by a consultant on behalf of the City, or special advertising costs shall be paid by the applicant. Any additional costs, which are unknown at the time of application, but are later incurred by the City, shall be paid by the applicant prior to the issuance of a development permit.

<input checked="" type="radio"/> <b>Special Exception / Nonconforming Use Permit: Before</b>	\$ <b>480.00</b>
<input type="radio"/> <b>Special Exception / Nonconforming Use Permit: After</b>	\$ 600.00
<input type="radio"/> <b>Request for Continuance</b>	\$ 190.00



## Page 1: BOA - Applicant Information Sheet

**INSTRUCTIONS:** The following information is requested 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 request. The application must be filled out accurately and completely. Please print or type and answer all questions. Indicate N/A if does not apply.

NOTE: To be filled out by Department

Case Number	
Date of complete submittal	

NOTE: For purpose of identification, the **PROPERTY OWNER** is the **APPLICANT**

Property Owner's Name	THE LAS OLAS COMPANY INC
Property Owner's Signature	If a signed agent letter is provided, no signature is required on the application by the owner. <i>Mike Catasus</i>
Address, City, State, Zip	600 Sagamore Rd., Ft. Lauderdale, FL 33301
E-mail Address	leasing@mycoralridgemail.com <i>MIKE@LASOLAS.CO</i>
Phone Number	(954) 463-5630
Proof of Ownership	<input type="checkbox"/> Warranty Deed or <input checked="" type="checkbox"/> Tax Record

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

Applicant / Agent's Name	Kristen Catasus, Esq.
Applicant / Agent's Signature	
Address, City, State, Zip	333 S.E. 2nd Avenue Suite 3200, Miami, FL 33131
E-mail Address	kristen.catasus@gray.robinson.com
Phone Number	(305) 420-3941
Letter of Consent Submitted	Yes

Development / Project Name	Tommy Bahama Marlin Bar
Existing / New	Existing: Yes New:
Project Address	Address: 740 E Las Olas Blvd., Fort Lauderdale, FL 33301
Legal Description	COLEE HAMMOCK 1-17 B PORTION BLK 1 & EDGEWATER ADD RESUB 2-6 B, PORTION OF PLAT, DESC AS BEG NE COR OF LOT 1 BLK 1, W 250, S 105, E 100, S 180, SE 24.83, SE 4.43, E 124.85, N 300 TO POB
Tax ID Follo Numbers (For all parcels in development)	504211120020
Request / Description of Project	Request for Variance from City Code Sec. 5-26 Distance between establishments
Applicable ULDR Sections	City Code of Ordinances Sec. 5-26 Distance between establishments

Current Land Use Designation	18 - Commercial - Office buildings, non-professional services buildings, multi-story
Current Zoning Designation	RAC-EMU - Regional Activity Center - East Mixed Use District
Current Use of Property	Restaurant
Site Adjacent to Waterway	<input type="radio"/> Yes <input checked="" type="radio"/> No

## Page 2: Board of Adjustment (BOA) Criteria for Special Exception Request

This page must be filled in. An attached narrative may be included if additional space is required.

**SPECIFIC REQUEST:** State the specific request according to the ULDR or other provisions of the Code.

Requesting a variance to allow the sale of alcohol at a distance of less than 300 feet from another establishment that sells alcohol, where the Code of Ordinances requires a minimum distance of three hundred (300) feet separating establishments that sell alcoholic or intoxicating beverages.

**CRITERIA:** A special exception shall be granted upon demonstration by a preponderance of evidence of all the following criteria:

1. Whether the proposed development or use meets the requirements for a special exception as provided by the ULDR; and

The proposed use meets the requirements for requirements for special exception, insofar as it is not contrary to public interests. Applicant is an established national restaurant chain with multiple locations throughout the United States and strong community ties in those communities in which it operates. Applicant practices stringent adherence to the Federal, state, and local alcohol beverage requirements including employee training and the Florida Responsible Vendor Program.

2. Granting of the special exception shall not be incompatible with adjoining properties or the surrounding neighborhood or otherwise contrary to the public interest.

The property is zoned RAC-EMU, a traditional mixed use development district which is intended to balance commercial business uses along Federal Highway and Las Olas Boulevard with neighboring residential uses. The district accommodates a wide variety of commercial and mixed uses including food and beverage venues. This is evidenced by the multitude of hospitality-related venues lining Las Olas Blvd., supporting the vibrant food and beverage scene surrounding the Property.

## Board of Adjustment (BOA) Criteria for Temporary Nonconforming Use Permit

This page must be filled in. An attached narrative may be included if additional space is required.

**SPECIFIC REQUEST:** State the specific request according to the ULDR or other provisions of the Code.

N/A

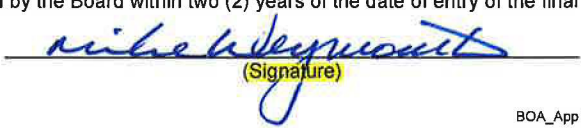
**CRITERIA:** A temporary nonconforming use permit may be granted upon demonstration by a preponderance of evidence of the following criteria:

1. Granting of the temporary nonconforming use permit shall not be incompatible with adjoining properties or the surrounding neighborhood or otherwise contrary to the public interest.

N/A

**AFFIDAVIT:** I, the Owner 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 of 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.

  
(Signature)



Page 3: Required Documentation & Mail Notice Requirements

One (1) copy of the following documents:

- Completed application (all pages must be filled out where applicable)
- Mail notification documents (mail notification instructions at bottom of the page)
- Proof of ownership (warranty deed or tax record), including corporation documents if applicable
- Property owners signature and/or agent letter signed by the property owner.
- Optional  Color photographs of the entire property and all surrounding properties, dated and labeled and identified as to orientation.

One (1) original set, signed and sealed, with plans at 24" x 36"  
 Fourteen (14) copy sets, with plans at half-size scale 11" x 17"  
 One (1) electronic version (CD or USB) of complete application and plans in PDF format

- Narrative describing specific request and outlining ULDR sections that are applicable. Narratives must be on letterhead, dated, and with author indicated.
- ~~Land Use and Zoning maps indicating all properties within 700 ft. of the subject property. These should be obtained from the Urban Design & Development office, 700 NW 19 Avenue, 954-828-3266. Site should be highlighted or marked clearly to easily locate the parcel.~~
- Cover sheet on plan set to state project name and table of contents.
- Current survey(s) of property, signed and sealed, showing existing conditions; survey must be As-Built with Right-of-Way and Easement Vacations Excluded. The survey should consist of the proposed project site alone. Do not include adjacent properties or portions of lands not included in the proposed project unless specifically requested by the City.
- ~~Aerial photo indicating all properties within 700 ft. of the subject property. Must be clear and current with site highlighted.~~
- Site Plan (a survey may be substituted if the request can be clearly indicated)
- ~~Landscape Plan (if applicable to a temporary nonconforming use permit request)~~
- ~~Elevations (if applicable to a temporary nonconforming use permit request)~~
- Additional plan details (as needed if applicable to a temporary nonconforming use permit request)

Note: All copy sets must be clear and legible.  
 Note: Plans must be bound, stapled and folded to 8 1/2" x 11". All non-plan documents should be 8 1/2" x 11" and stapled or bound.

<p><b>Applicant's Affidavit</b>                  I acknowledge that the Required Documentation and Technical Specifications of the application are met:</p> <p>Print Name <u>MICHAEL WEYMOUTH</u></p> <p>Signature <u><i>Michael Weymouth</i></u></p> <p>Date <u>2.10.20</u></p>	<p><b>Staff Intake Review</b>                  For Urban Design &amp; Planning Division use only:</p> <p>Date _____</p> <p>Received By _____</p> <p>Tech. Specs Reviewed By _____</p> <p>Case No. _____</p>
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**MAIL NOTIFICATION:** Pursuant to Section 47-27.9, Variance, Special Exception, Temporary Non-Conforming Use, Interpretation requires the following notice:

- **MAIL NOTICE:** Mail notice shall be given to owners of land within three hundred (300) feet of the subject site ten (10) days prior to the date set for the public hearing.
  - **TAX MAP:** Applicant shall provide a tax map from the Broward County Property Appraiser of all property within a three hundred (300) foot radius, with each property clearly shown and delineated. Each property within the notice area must be numbered (by Folio ID) on the map to cross-reference with property owners notice list.
  - **PROPERTY OWNERS NOTICE LIST:** Applicant shall provide a property owners notice list with the names, property control numbers (Folio ID) and complete addresses for all property owners within the required three hundred (300) foot radius. The list shall also include all homeowners associations, condominium associations, municipalities and counties noticed, as indicated on the tax roll.
  - **ENVELOPES:** The applicant shall provide business size (#10) envelopes with first class postage attached (stamps only, metered mail will not be accepted). Envelopes must be addressed to all property owners within the required three hundred (300) foot radius, and mailing addresses must be typed or labeled; no handwritten addresses will be accepted. The return address shall be listed on all envelopes as follows:
 

City of Fort Lauderdale  
 Urban Design & Development  
 700 NW 19<sup>th</sup> Avenue, Fort Lauderdale, FL 33311.
  - **DISTRIBUTION:** The City of Fort Lauderdale, Urban Design & Development will mail all notices prior to the public hearing meeting date, as outlined in Section 47-27.

# Page 4: Sign Notification Requirements and Affidavit

## SIGN NOTICE

Applicant must **POST SIGNS** (for Planning and Zoning Board and City Commission Hearings) according to Sec. 47-27.4.

- 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.
- Development applications for more than one (1) contiguous development site shall be required to have sign notice by posting one (1) sign in each geographic direction, (north, south, east and west) on the public right-of-way at the perimeter of the area under consideration.
- 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. \_\_\_\_\_

APPLICANT: Tommy Bahama R&R Holdings, Inc.

PROPERTY: 740 E Las Olas Blvd., Fort Lauderdale, FL 33301

PUBLIC HEARING DATE: \_\_\_\_\_

BEFORE ME, the undersigned authority, personally appeared \_\_\_\_\_, 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 City's Urban Design & Development **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.

\_\_\_\_\_  
**Affiant**

SWORN TO AND SUBSCRIBED before me in the County and State above aforesaid this \_\_\_\_ day of \_\_\_\_\_, 2009

(SEAL)

\_\_\_\_\_  
**NOTARY PUBLIC**  
**MY COMMISSION EXPIRES:**

NOTE: I understand that if my sign is not returned within the prescribed time limit as noted in Sec. 47.27.3.i of the City of Fort Lauderdale ULDR, I will forfeit my sign deposit. \_\_\_\_\_ (initial here)  
\_\_\_\_\_ Initials of applicant (or representative) receiving sign as per 47-27.2(3)(A-J)

## Page 5: Technical Specifications

The following information is generally for Temporary Nonconforming Use Permit requests only

### A. SITE PLAN

1. Title Block including project name and design professional's address and phone number
2. Scale (1" = 30' min., must be engineer's scale)
3. North indicator
4. Location map showing relationship to major arterials
5. Drawing and revision dates, as applicable
6. Full legal description
7. Site Plan Data Table
  - Current use of property
  - Land Use designation
  - Zoning designation
  - Site area (sq. ft. and acres)
  - Setback table (required vs. provided)
  - Open space
8. Site Plan Features (graphically indicated)
  - Setbacks and building separations (dimensioned)
  - Project signage (if applicable)
  - Easements (as applicable)

(Please note additional site plan information may be necessary to fully address the request)

### B. BUILDING ELEVATIONS (as applicable)

1. All building facades with directional labels (ie. North, South) and building names if more than one building
2. Dimensions, including height and width of all structures
3. Dimensions of setbacks and required stepbacks from property lines
4. Dimension grade at crown of road, at curb, sidewalk, building entrance, and finished floor
5. Include proposed signage



BROWARD COUNTY

2019 Paid Real Estate
Notice of Ad Valorem Tax and Non-Ad Valorem Assessments

Folio: 507496

Table with 6 columns: Property ID Number, Escrow Code, Assessed Value, Exemptions, Taxable Value, Millage Code. Values include 504211-12-0020, LOCLOC, See Below, See Below, See Below, 0312.

THE LAS OLAS COMPANY INC
600 SAGAMORE RD
FORT LAUDERDALE, FL 33301

PAYMENTS MUST BE MADE IN US FUNDS AND
DRAWN ON US BANK ACCOUNT.

788 E LAS OLAS BLVD
COLEE HAMMOCK 1-17 B
PORTION BLK 1 & EDGEWATER ADD
RESUB 2-6 B, PORTION OF PLAT, DESC
AS BEG NE COR OF LOT 1 BLK 1, W
250.S 105.E 100.S 180.SE 24.83.

Vertical text on the right side: \$95,510.82, EEX-19-00000129, Paid By THE LAS OLAS COMPANY

Table titled 'AD VALOREM TAXES' with columns: Taxing Authority, Millage, Assessed Val, Exemptions, Taxable Val, Taxes Levied. Lists various taxing authorities like BROWARD COUNTY GOVERNMENT, SCHOOL BOARD, etc.

Vertical text on the right side: Paid 11/25/2019 Receipt #

Table titled 'NON - AD VALOREM ASSESSMENTS' with columns: Levying Authority, Rate, Amount. Shows assessment for FT LAUDERDALE FIRE-RESCUE.

Summary table with rows: Non - Ad Valorem Assessments: \$1,663.00; Combined Taxes and Assessments: \$99,490.44; If Postmarked By Nov 30, 2019 Please Pay \$0.00.

BROWARD COUNTY

2019 Paid Real Estate
Notice of Ad Valorem Tax and Non-Ad Valorem Assessments

Folio: 507496

Paid 11/25/2019 Receipt # EEX-19-00000129 \$95,510.82
Paid By THE LAS OLAS COMPANY

Make checks payable to:

BROWARD COUNTY TAX COLLECTOR
GOVERNMENTAL CENTER ANNEX
115 S. ANDREWS AVENUE, ROOM # A100
FORT LAUDERDALE, FL 33301-1895

Property ID Number: 504211-12-0020

PAY YOUR TAXES ONLINE AT:
broward.county-taxes.com

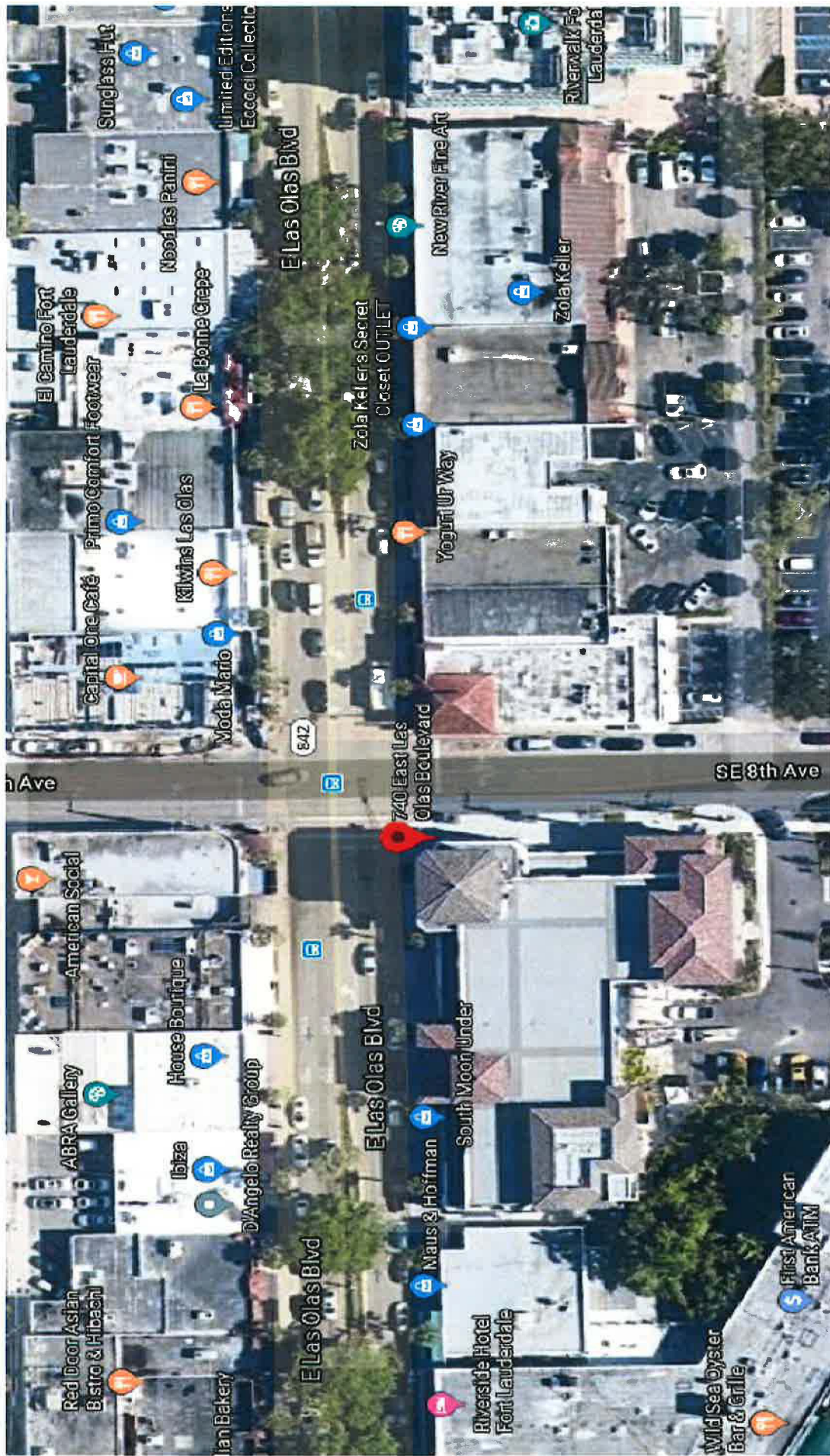
Table for online payment: If Postmarked By, Please Pay. Shows Nov 30, 2019 and \$0.00.

Vertical text on the right side: Return with Payment

PAYMENTS MUST BE MADE IN US FUNDS AND DRAWN ON US BANK ACCOUNT

THE LAS OLAS COMPANY INC
600 SAGAMORE RD
FORT LAUDERDALE, FL 33301

Please Pay Only One Amount



Site Plan







504211BA0010  
504211BA0020  
504211BA0030  
504211BA0040  
504211BA0050  
504211BA0060  
504211BA0070  
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504211BA0100  
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504211BA0240  
504211BA0250  
504211BA0260  
504211BA0270  
504211BA0280  
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504211BA0310  
504211BA0320  
504211BA0330  
504211BA0340  
504211BA0350  
504211BA0360

## Property Owner's Notice List

Folio ID #	Property Owner's Name	Mailing Address	City	State	Zip
504211BA0210	PETER KOROTKIY	800 SE 4 ST #403	FORT LAUDERDALE	FL	33301
504211BA0320	ANTON & ZDENKA VOLEK	49 SILVER SHADOW PATH TORONTO ON CA M9C 4Y2			
504211BA0130	ANTONIO CUPELLI ANTONIO CUPELLI LIV TR	800 SE 4 ST #301	FORT LAUDERDALE	FL	33301
504211BA0330	ANTONIO CUPELLI LIV TR CUPELLI, ANTONIO TRSTEE	800 SE 4 ST # 301	FORT LAUDERDALE	FL	33301
504211BA0180	BRENDA KHOURY MARC R KHOURY	800 SE 4 ST #306	FORT LAUDERDALE	FL	33301
504211BA0020	CANDICE D ERICKS	800 SE 4 ST UNIT 102	FORT LAUDERDALE	FL	33301
504211BA0170	CAROLE E ENISMAN RYAN	800 SE 4 ST #305	FORT LAUDERDALE	FL	33301
504211BA0300	CAROLE FREEDLAND & STEPHANIE MILOTZKY	31 WALNUT HILL RD	NEWTON CENTER	MA	2459
504211BA0140	CHATEAU MAR 302 LLC	1931 CORDOVA RD #606	FORT LAUDERDALE	FL	33316
504211BA0310	CHRISTOPHER AGOSTINO	800 SE 4 ST # 601	FORT LAUDERDALE	FL	33301
504211010190	CITY OF FORT LAUDERDALE	100 N ANDREWS AVE	FORT LAUDERDALE	FL	33301
504211130010	COOMBES PROPERTIES INC	PO BOX 177 BONDI JUNCTION NSW *1355 SYDNEY AU			
504211BA0150	DAVID L MIRKIN	800 SE 4 ST APT 303	FORT LAUDERDALE	FL	33301
504211BA0090	DAVID R CURLIN	800 SE 4 ST APT 203	FORT LAUDERDALE	FL	33301
504211BA0240	DINO & JOYCE FERRARI	301 E 79 ST #21-A	NEW YORK	NY	10075
504211BA0060	DOUGLAS MCDANIEL	800 SE 4 STREET 106	FORT LAUDERDALE	FL	33301
504211BA0160	GAIL M SULLIVAN	800 SE 4 ST APT 304	FORT LAUDERDALE	FL	33301
504211BA0280	GERALD D FRITZ JR GERALD D FRITZ JR 2019 REV TR	PO BOX 2508	FORT LAUDERDALE	FL	33303
504211BA0360	GERALDINE W SPURLIN REV TR SPURLIN, GERALDINE W TRSTEE	PO BOX 6	RICHMOND	KY	40476
504211010250	GRACELEE LLC	418 JACOBS MOUNTAIN RD	FRANKLIN	NC	28734
504211BA0350	JAMES W H LYON	800 SE 4 ST #605	FORT LAUDERDALE	FL	33301
504211BA0040	JAMES ZENONE	45 BOYDEN RD	WRENTHAM	MA	02093- 1886
504211BA0200	JOHN & LISA MERTURI	270 CATHERINE TER	FAIRFIELD	CT	6824

### Property Owner's Notice List

Folio ID #	Property Owner's Name	Mailing Address	City	State	Zip
504211BA0220	JOHN P & MARIANN P DUGAN	172 UTTER AVE	STATEN ISLAND	NY	10314
504211BA0120	LEANN J DEUSER, H/E & JOE BILL JONES	800 SE 4 ST # 206	FORT LAUDERDALE	FL	33301
504211BA0250	LEONITO & MARCIA CEPELOWICZ, MTC REV TR ETAL	800 SE 4 ST #501	FORT LAUDERDALE	FL	33301
504211BA0080	LILLIAN E HESSING	800 SE 4 ST APT 202	FORT LAUDERDALE	FL	33301
504211BA0190	MARK & ELIZABETH KING	800 NE 4 ST UNIT 401	FORT LAUDERDALE	FL	33301
504211BA0070	MARK L DEUSER	800 SE 4 ST APT 201	FORT LAUDERDALE	FL	33301
504211BA0110	MICHAEL G WHITAKER	800 SE 4 ST #205	FORT LAUDERDALE	FL	33301
504211BA0260	MILDRED T CAMPBELL, H/E, ANN B CAMPBELL	800 SE 4 ST UNIT 502	FORT LAUDERDALE	FL	33301
504211BA0270	PAUL A & ANN M SALTZMAN	PO BOX 30226	FORT LAUDERDALE	FL	33303
504211010050	PAWACQCO HOLDINGS 1 LLC	600 SAGAMORE RD	FORT LAUDERDALE	FL	33301
504211010060	PRESTON'S HOLDINGS INC	600 SAGAMORE RD	FORT LAUDERDALE	FL	33301
504211010360	PRESTON'S HOLDINGS INC	600 SAGAMORE RD	FORT LAUDERDALE	FL	33301
504211010370	PRESTON'S HOLDINGS INC	600 SAGAMORE RD	FORT LAUDERDALE	FL	33301
504211010260	PRESTON'S HOLDINGS INC	600 SAGAMORE RD	FORT LAUDERDALE	FL	33301
504211BA0230	RAYMOND M WELSH	75 S QUINISGAMOND AVE APT 4	SHRESBURY	MA	1545
504211010240	RENSOR REALTY CORP % CHARLES ROSNER ENTERPRISES	PO BOX 803	KATONAH	NY	10536
504211BA0100	RICHARD REINBOLT	800 SE 4 ST UNIT 204	FORT LAUDERDALE	FL	33301
504211010490	RIVERSIDE HOTEL LAND TR ULMER, JAMES I TRSTEE	600 SAGAMORE RD	FORT LAUDERDALE	FL	33301
504211120010	RIVERSIDE HOTEL LAND TR ULMER, JAMES I TRSTEE	600 SAGAMORE RD	FORT LAUDERDALE	FL	33301
504211120030	RIVERSIDE HOTEL LAND TR ULMER, JAMES I TRSTEE	600 SAGAMORE RD	FORT LAUDERDALE	FL	33301
504211BA0050	RYAN MIELKE	800 SE 4 ST #105	FORT LAUDERDALE	FL	33301
504211010470	SE FOURTH LLC	8903 GLADES RD #A-14	Boca Raton	FL	33434
504211BA0290	STANLEY OKIN & ARDEN KAHLO	PO BOX 1145	MANCHESTER	VT	5254



### Property Owner's Notice List

Folio ID #	Property Owner's Name	Mailing Address	City	State	Zip
504211BA0010	STEVEN T & HEATHER H ANDERECK	800 SE 4 ST UNIT 101	FORT LAUDERDALE	FL	33301
504211BA0030	SUSAN M GEORGE JOHN D LASALLE	166 JUNIPER TRL	CARBONDALE	CO	81623
504211010040	THE LAS OLAS COMPANY INC	600 SE 4 ST	FORT LAUDERDALE	FL	33301-2215
504211010070	THE LAS OLAS COMPANY INC	600 SE 4 ST	FORT LAUDERDALE	FL	33301-2215
504211010080	THE LAS OLAS COMPANY INC	600 SE 4 ST	FORT LAUDERDALE	FL	33301-2215
504211010270	THE LAS OLAS COMPANY INC	600 SE 4 ST	FORT LAUDERDALE	FL	33301-2215
504211010272	THE LAS OLAS COMPANY INC	600 SE 4 ST	FORT LAUDERDALE	FL	33301-2215
504211010280	THE LAS OLAS COMPANY INC	600 SE 4 ST	FORT LAUDERDALE	FL	33301-2215
504211010340	THE LAS OLAS COMPANY INC	600 SE 4 ST	FORT LAUDERDALE	FL	33301-2215
504211010361	THE LAS OLAS COMPANY INC	600 SE 4 ST	FORT LAUDERDALE	FL	33301-2215
504211010380	THE LAS OLAS COMPANY INC	600 SE 4 ST	FORT LAUDERDALE	FL	33301-2215
504211010390	THE LAS OLAS COMPANY INC	600 SE 4 ST	FORT LAUDERDALE	FL	33301-2215
504211010400	THE LAS OLAS COMPANY INC	600 SE 4 ST	FORT LAUDERDALE	FL	33301-2215
504211010410	THE LAS OLAS COMPANY INC	600 SE 4 ST	FORT LAUDERDALE	FL	33301-2215
504211010420	THE LAS OLAS COMPANY INC	600 SE 4 ST	FORT LAUDERDALE	FL	33301-2215
504211130020	THE LAS OLAS COMPANY INC	600 SE 4 ST	FORT LAUDERDALE	FL	33301-2215
504211130030	THE LAS OLAS COMPANY INC	600 SE 4 ST	FORT LAUDERDALE	FL	33301-2215
504211130080	THE LAS OLAS COMPANY INC	600 SE 4 ST	FORT LAUDERDALE	FL	33301-2215
504211130090	THE LAS OLAS COMPANY INC	600 SE 4 ST	FORT LAUDERDALE	FL	33301-2215
504211BA0340	WHA HAPPA ENTERPRISES INC	800 SE 4 ST APT 604	FORT LAUDERDALE	FL	33301

**GRAY | ROBINSON**  
ATTORNEYS AT LAW

333 S.E. 2ND AVENUE  
SUITE 3200  
MIAMI, FLORIDA 33131  
TEL 305-416-6880  
FAX 305-416-6887  
gray-robinson.com

BOCA RATON  
FORT LAUDERDALE  
FPRT MYERS  
GAINESVILLE  
JACKSONVILLE  
KEY WEST  
LAKELAND  
MELBOURNE  
MIAMI  
NAPLES  
ORLANDO  
TALLAHASSEE  
TAMPA

305-420-3941

KRISTEN.CATASUS@GRAY-ROBINSON.COM

February 20, 2020

**VIA EMAIL**

City of Fort Lauderdale  
Urban Design & Development  
700 NW 19<sup>th</sup> Ave.,  
Fort Lauderdale, FL 33311

Re: Narrative- Variance Application for Property Located at 740 E Las Olas Blvd., Fort Lauderdale, FL 33301 (Property Tax ID #5042-11-12-0020)

To Whom It May Concern:

Please allow this letter to serve as the Narrative for the Tommy Bahama Marlin Bar located at 740 E Las Olas Blvd., Fort Lauderdale, FL 33301 (the "Property")<sup>1</sup> in connection with a variance application for a proposed restaurant and 4COP quota liquor license for the Property.

The Las Olas Company Inc., (the "Applicant"), landlord for Tommy Bahama Marlin Bar ("Tommy Bahama") located at 740 E Las Olas Blvd., Fort Lauderdale, FL 33301 (the "Property"), seeks a variance from alcohol beverage distance separation requirements as set forth in Sec. 5-26 of the City of Fort Lauderdale Code of Ordinances ("City Code" for a proposed restaurant to be operated with a 4COP quota liquor license at the Property.

As part of its standard procedure, the City of Fort Lauderdale conducted distance measurements from the Property and determined that the sole impacting establishment is American Social, located at 721 E. Las Olas Blvd., Fort Lauderdale, FL 33301, which falls within the 300 foot separation radius from the Property. The City of Fort Lauderdale conducted a liquor measurement survey which found the distance between the Property and American Social to be 130 feet. Accordingly, by and through the attached Board of Adjustment Application, which the Applicant acknowledged and joined, we respectfully requests a variance to Section 5-26 of the City Code, which requires in pertinent part:

Under the power and right to zone areas in which the sale of alcoholic beverages is prohibited or permitted within the city limits, the sale of alcoholic beverages under authority of a state license issued under the provisions of F.S. §§ 563.02(1)(b), 564.02(1)(b) and 565.02(1)(a) and (b), other than special licenses for hotel and restaurant bars, is prohibited in any place of business located within three hundred (300) feet of another place of business in which there is already in existence a retail vendor's license to sell alcoholic or intoxicating beverages for consumption on or off the premises, under authority of a state

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<sup>1</sup> The Property's original physical address was 788 E. Las Olas Blvd., Fort Lauderdale, FL 33301. However, after construction of the premises, USPS designated the physical address of the Property to be 740 E. Las Olas Blvd., Fort Lauderdale, FL 33301.

February 20, 2020  
Page 2

license issued under the provisions of F.S. § 565.02(1)(a) and (b), such distance to be measured from main normal public entrances along public thoroughfares by the shortest route of ordinary pedestrian traffic . . . .

The City of Fort Lauderdale Code of Ordinances Sec. 5-26 provides that, “[t]he 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).”

Please accept this correspondence as the Applicant’s Criteria Letter, demonstrating conformance with City of Fort Lauderdale Code of Ordinances Sec. 5-26 special exception authorization as follows:

The granting of a variance for distance between establishments requirements is not contrary to the public interests insofar as the Property is surrounded by similar upscale and well-operated food and beverage establishments. Tommy Bahama is an established national restaurant chain with multiple locations throughout the United States and strong ties to the communities in which it operates. Tommy Bahama practices stringent adherence to the Federal, state, and local alcohol beverage requirements including employee training and the Florida Responsible Vendor Program. In this way, Tommy Bahama will ensure responsible vending of alcohol beverages to adults of legal drinking age in conjunction with upscale dining options, and will adhere to all applicable hours of sale requirements and noise ordinances.

The property is zoned RAC-EMU, a traditional mixed use development district which is intended to balance commercial business uses along Federal Highway and Las Olas Boulevard with neighboring residential uses. The district accommodates a wide variety of commercial and mixed uses including food and beverage venues. This is evidenced by the multitude of hospitality-related venues lining Las Olas Blvd., supporting the vibrant food and beverage scene surrounding the Property. The proposed use of the Property is highly compatible with similar adjacent uses, and will add to the upscale restaurant options on Las Olas Boulevard.

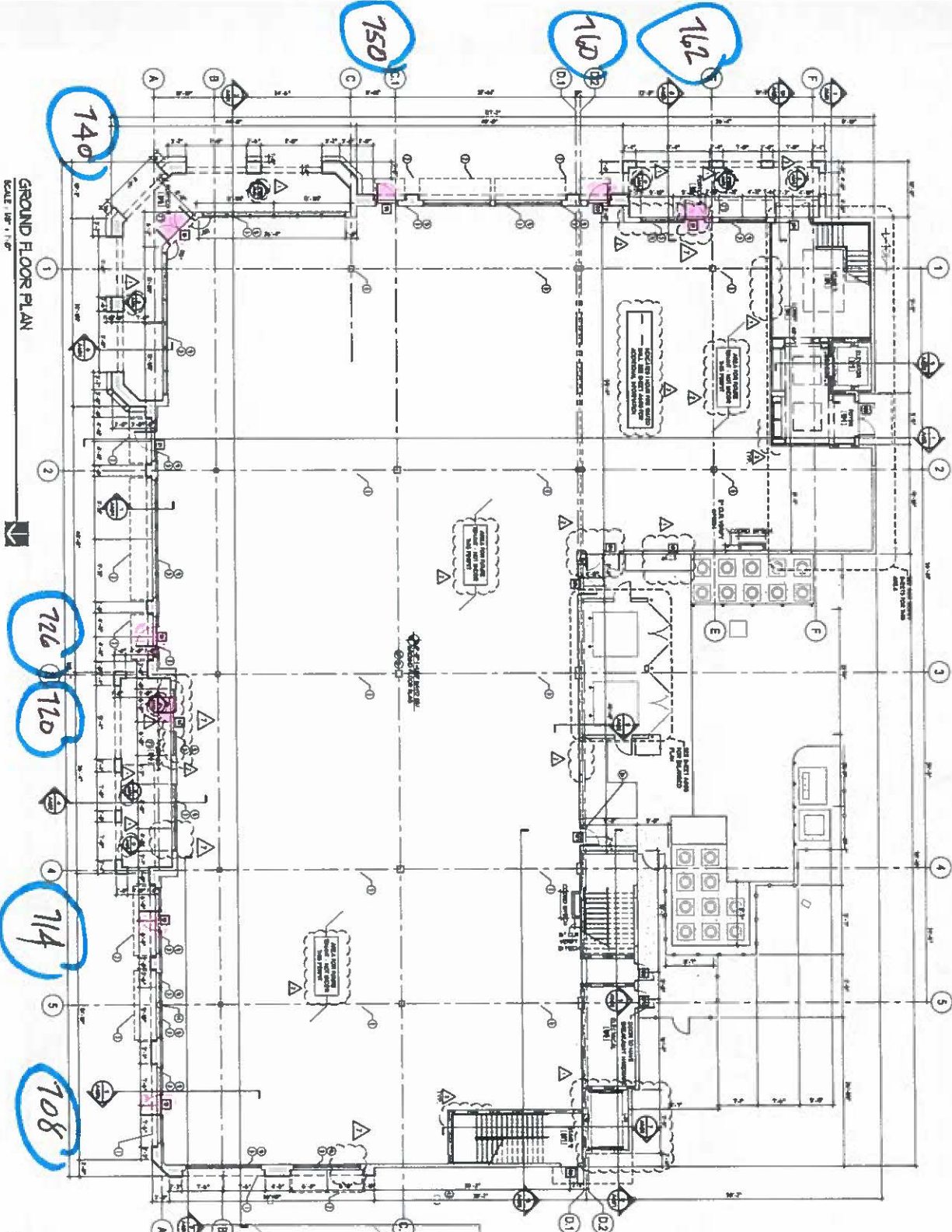
Based on the foregoing, the Applicant respectfully submits that the instant request complies with the criteria for approval of a variance from City Code Section 5-26 relating to alcohol beverage distance requirements.

Sincerely,

GrayRobinson, P.A.  
Kristen Catusus



GROUND FLOOR PLAN  
SCALE: 1/8" = 1'-0"



- KEY NOTES**
1. ALL DIMENSIONS ARE UNLESS OTHERWISE NOTED.
  2. ALL FINISHES ARE AS NOTED OR AS SHOWN ON THE FINISH SCHEDULE.
  3. ALL MATERIALS AND METHODS OF CONSTRUCTION SHALL BE AS SHOWN ON THE SPECIFICATIONS AND AS NOTED ON THE DRAWINGS.
  4. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE BUILDING CODES AND REGULATIONS.
  5. ALL WORK SHALL BE SUBJECT TO INSPECTION AND APPROVAL BY THE APPROPRIATE AGENCIES.
  6. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.
  7. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED BUDGET.
  8. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED QUALITY STANDARDS.
  9. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED SAFETY STANDARDS.
  10. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED ENVIRONMENTAL STANDARDS.
  11. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED ACCESSIBILITY STANDARDS.
  12. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED ENERGY EFFICIENCY STANDARDS.
  13. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED SUSTAINABILITY STANDARDS.
  14. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED WELL-BEING STANDARDS.
  15. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED COMMUNITY ENGAGEMENT STANDARDS.
  16. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED CULTURAL HERITAGE STANDARDS.
  17. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED HISTORIC PRESERVATION STANDARDS.
  18. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED ARCHITECTURAL QUALITY STANDARDS.
  19. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED ARTIST RESIDENCY STANDARDS.
  20. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED PUBLIC ART STANDARDS.
  21. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED LANDSCAPE ARCHITECTURE STANDARDS.
  22. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED LAND PLANNING STANDARDS.
  23. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED INTERIOR DESIGN STANDARDS.
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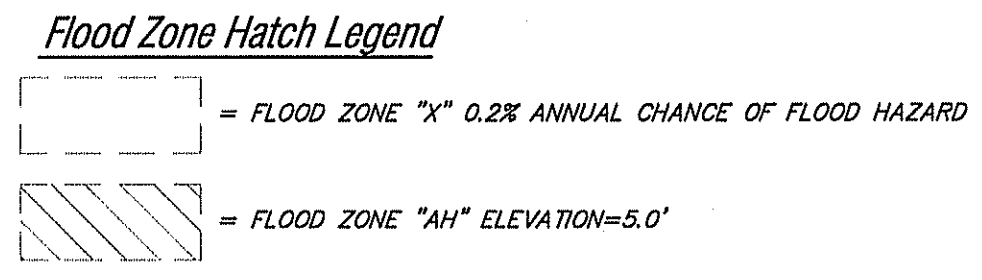
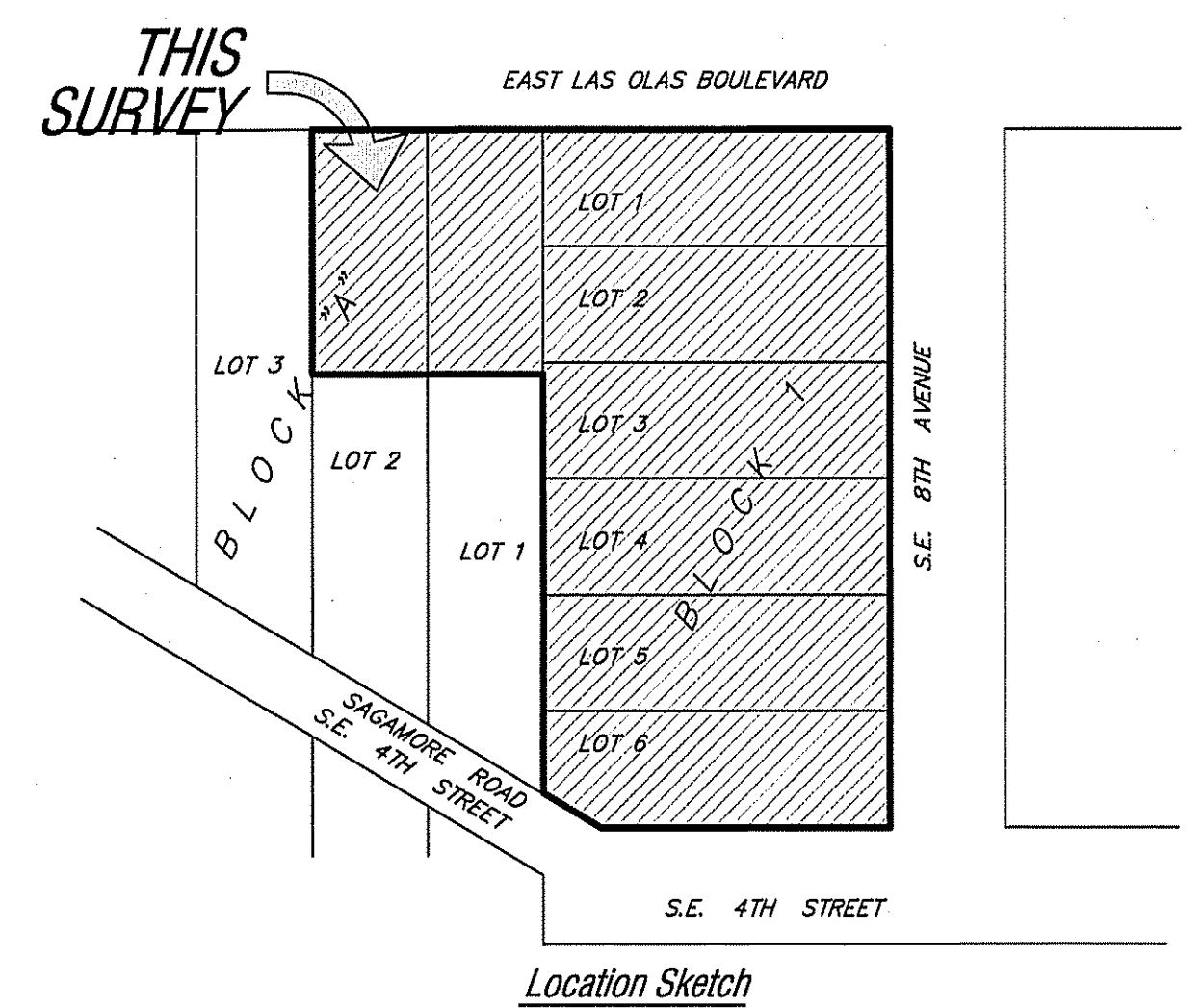
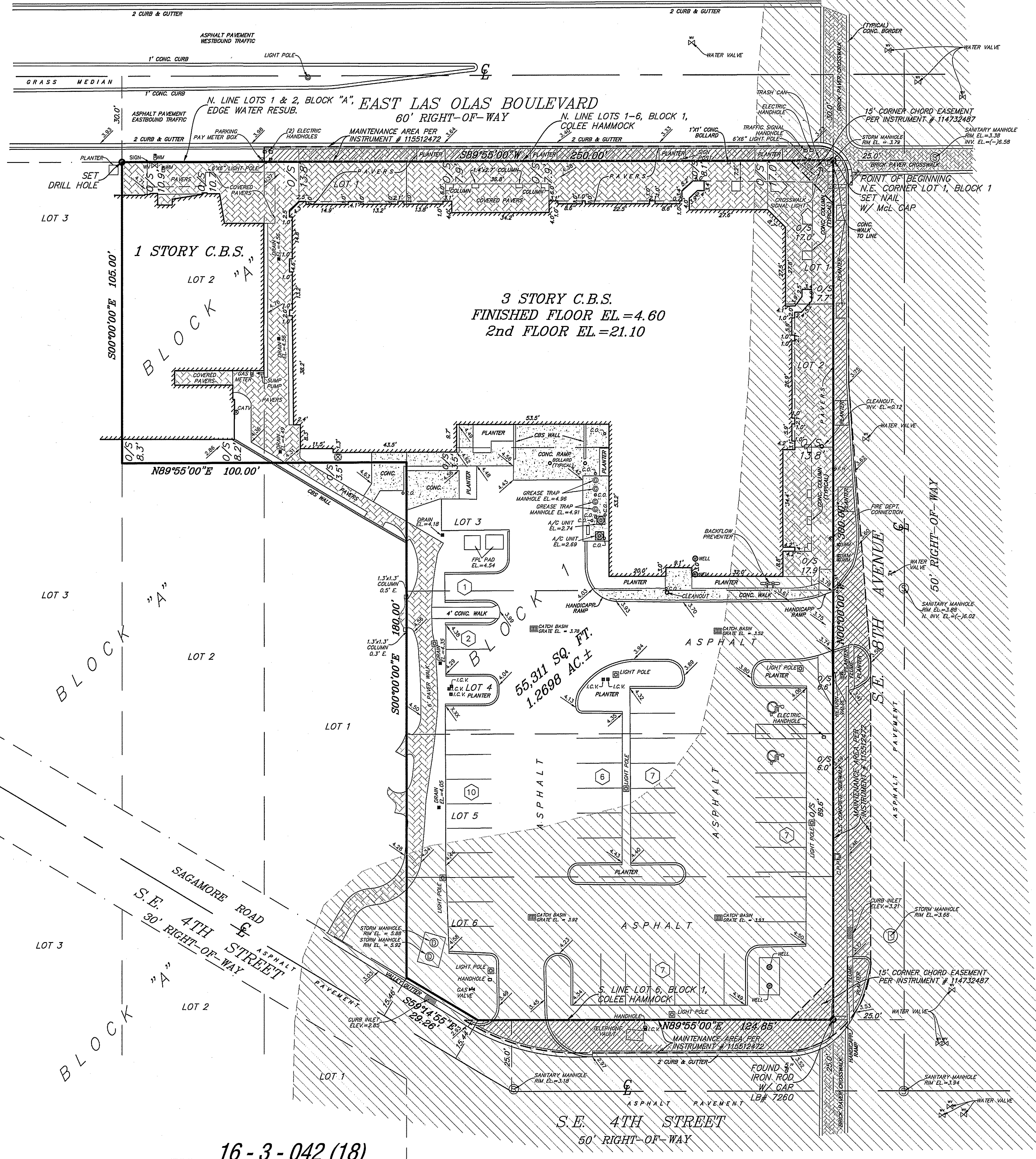
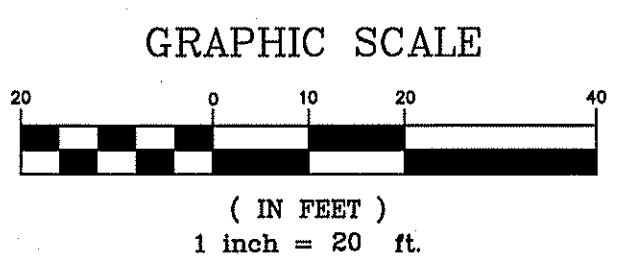
<p><b>A101</b></p>	<p>DATE: 1/20/2024</p>	<p>PROJECT: LAS OLAS PLACE</p>	<p>OWNER: LAS OLAS PLACE</p>	<p>788 EAST LAS OLAS BLVD. FORT LAUDERDALE, FLORIDA 33301</p>	<p><b>THE LAS OLAS COMPANY</b></p>	<p>PETE MEADOR/EMERILDE ARROYO</p>	<p>ARCHITECTURE LANDSCAPE ARCHITECTURE LAND PLANNING INTERIOR DESIGN GOVERNMENTAL PROCESSING LICENSING</p>	<p><b>ARCHITECTURAL ALLIANCE</b> 6132 W 4TH AVENUE, SUITE 100, FORT LAUDERDALE, FLORIDA 33315 TEL: 754.766.8942 FAX: 754.766.7111</p>





prepared by  
**McLAUGHLIN ENGINEERING COMPANY (LB#285)**  
 1700 N.W. 64th STREET, SUITE 400  
 FORT LAUDERDALE, FLORIDA, 33309  
 PHONE: (954) 763-7611 FAX: (954) 763-7615

# CONSTRUCTION ASBUILT SURVEY



- NOTES:**
- This survey reflects all easements and rights-of-way, as shown on above referenced record plat(s). The subject property was not abstracted for other easements road reservations or rights-of-way of record by McLaughlin Engineering Company.
  - Underground improvements if any not located.
  - This drawing is not valid unless sealed with an embossed surveyors seal.
  - Boundary survey information does not infer Title or Ownership.
  - All iron rods 5/8", unless otherwise noted.
  - Reference Bench Mark: City of Fort Lauderdale Benchmark # SE 127, Elevation= 4.767 (NGVD29) converted to 3.177 (NAVD83).
  - Elevations shown refer to North American Vertical Datum (1988), and are indicated thus: 9.87.
  - This property lies in Flood Zones "AH", Elev=5.0', "X", 0.2% Annual Chance of Flood Hazard Per Flood Insurance Rate Map No. 12011C0557 H, Dated: August 18, 2014, Community Panel No. 125105.
  - Underground Utility locations shown hereon, if any, are based upon paint marks on the ground provided by others. McLaughlin Engineering Company did not confirm the accuracy of this data. The exact location of all utilities should be confirmed prior to design or construction.
  - Bearings shown hereon refer to an assumed datum and assume the West R/W line of S.E. 8th Avenue as North 00°00'00" West.
  - Elevations per North American Vertical Datum (1988) derived from National Geodetic Vertical Datum (1929) data and converted using U.S. Army Corps of Engineers software (Carpson 6.0.1) obtained from <http://www.tech.army.mil/>

**OFFICE NOTES**

FIELD BOOK NO. EFB, LB# 352/14

JOB ORDER NO. V-1501

CHECKED BY: \_\_\_\_\_

DRAWN BY: RDR

**Legal Description**

Portions of Lot 1 and Lot 6 and all of Lots 2, 3, 4 and 5, Block 1 COLEE HAMMOCK, according to the plat thereof as recorded in Plat Book 1, Page 17 of the Public Records of Broward County, Florida and a portion of Lots 1 and 2, Block "A", RE-SUBDIVISION OF BLOCK "A", EDGEWATER, according to the plat thereof as recorded in Plat Book 2, Page 6 of the Public Records of Broward County, Florida more fully described as follows:

Beginning at the Northeast corner of said Lot 1, Block 1; thence S 89°55'00" W on the North of said North line and on the North line of said Lots 1 and 2, Block "A", a distance of 250.00 feet; thence S 00°00'00" E, a distance of 105.00 feet; thence N 89°55'00" E, a distance of 100.00 feet; thence S 00°00'00" E, a distance of 180.00 feet; thence S 59°14'55" E, a distance of 29.26 feet; thence N 89°55'00" E on the South line of said Lot 6, Block 1, a distance of 124.85 feet; thence N 00°00'00" W, a distance of 300.00 feet to the Point of Beginning.

Said lands situate lying and being in the City of Fort Lauderdale, Broward County, Florida and containing 55,311 square feet or 1.2698 acres, more or less.

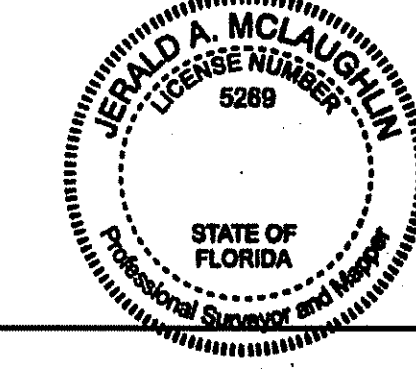
**LEGEND**

Δ = CENTRAL ANGLE (DELTA)	ELEV. = ELEVATION
R = RADIUS	O/S = OFFSET
A OR L = ARC LENGTH	A/C = AIR CONDITIONING
CH.BRG. = CHORD BEARING	C.L. = CENTERLINE OF RIGHT-OF-WAY
TAN.BRG. = TANGENT BEARING	F.P.L. = FLORIDA POWER AND LIGHT CO.
P.O.C. = POINT OF COMMENCEMENT	S.B.T. = SOUTHERN BELL TELEPHONE
P.O.B. = POINT OF BEGINNING	B.C.R. = BROWARD COUNTY RECORDS
W/MCL CAP. = WITH McLAUGHLIN ENGINEERING CO. CAP	D.C.R. = DADE COUNTY RECORDS
P.R.M. = PERMANENT REFERENCE MONUMENT	P.B.C. = PALM BEACH COUNTY RECORDS
CONC. = CONCRETE	O.R. = OFFICIAL RECORDS BOOK
C.B.S. = CONCRETE, BLOCK AND STUCCO	PAGE = PAGE
I.C.V. = IRRIGATION CONTROL VALVE	R/W = RIGHT-OF-WAY
W.M. = WATER METER	C.O. = CLEAN OUT
B.F.P. = BACK FLOW PREVENTOR	C.L.F. = CHAIN LINK FENCE
A.L.P. = ALUMINUM LIGHT POLE	P.C.D. = POLLUTION CONTROL DEVICE
C.L.P. = CONCRETE LIGHT POLE	H.H. = HAND HOLE
M.L.P. = METAL LIGHT POLE	L.P. = LIGHT POLE
W.L.P. = WOOD LIGHT POLE	M.P.P. = METAL POWER POLE
SQ. FT. = SQUARE FEET	W.V. = WATER VALVE
AC. = ACRES	

**CERTIFICATION**

We hereby certify that this survey meets the "Standards of Practice" as set forth by the Florida Board of Professional Surveyors and Mappers in Chapter 5J-17.05 Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.

Dated at Fort Lauderdale, Florida, this 27th day of June, 2016.  
 Invert elevations added this 7th day of September, 2016.  
 Stenwall Location added this 15th day of September, 2016.  
 Final asbuilt locations made this 26th day of January, 2018.  
 General Revision added this 7th day of May, 2018.  
 Revised to add Corner Chord Easement this 23rd day of May, 2018.  
 Revised to add Maintenance Agreement this 20th day of December, 2018.



**McLAUGHLIN ENGINEERING COMPANY**

JERALD A. McLAUGHLIN  
 Registered Land Surveyor No. 5269  
 State of Florida.

FILE NO.: **16-3-042 (18)**



BOARD OF ADJUSTMENT NOTICE

February 27, 2020

A Public Hearing will be held before the Board of Adjustment on: Wednesday, March 11, 2020 at 6:30 P.M.

In the City Commission Chambers, City Hall, 1<sup>st</sup> Floor, 100 North Andrews Avenue, to determine whether the following application should be granted:

CASE:	PLN-BOA-20020001
OWNER:	THE LAS OLAS COMPANY, INC.
AGENT:	KRISTEN CATASUS, ESQ.
ADDRESS:	740 E LAS OLAS BLVD., FORT LAUDERDALE, FLORIDA 33301
LEGAL DESCRIPTION:	COLEE HAMMOCK 1-17 B PORTION BLK 1 & EDGEWATER ADD RESUB 2-6 B, PORTION OF PLAT, DESC AS BEG NE COR OF LOT 1 BLK 1, W 250, S 105, E 100, S 180, SE 24.83, SE 4.43, E124.85, N 300 TO POB
ZONING:	RAC-EMU
COMMISSION DISTRICT:	4
REQUESTING:	Section -5-26 (a) (Distance between establishments).

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 one hundred thirty (130) feet, a total reduction of one hundred seventy (170) feet.

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.

