



BOARD OF ADJUSTMENT MEETING

VIRTUAL MEETING

Wednesday, September 9, 2020

6:30 PM

Visit: <https://www.fortlauderdale.gov/government/BOA>

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:** B19032

OWNER: HARBOR BEACH INVESTMENTS LLC

AGENT: LISA PEREZ

ADDRESS: 1147 SEABREEZE BLVD., FORT LAUDERDALE, FL 33316

LEGAL DESCRIPTION: OCEAN HARBOR 26-39 B LOT 19 & STRIP LYING S OF LOT 19

ZONING DISTRICT: RMH-25

COMMISSION DISTRICT: 4

REQUESTING: Sec. 47-19.5. B Table 1 - Fences, walls and hedges.
Walls greater

1. Requesting a variance to allow a wall constructed without a permit at zero feet (0'0") front yard setback whereas the code requires a minimum average of 3'0" to meet the Landscaping requirements as per section 47-19.5. C.1.
2. Requesting a variance to allow a wall constructed without a permit at a height of eight feet (8'0") whereas the code allows a maximum height of six feet six inches (6'6").

Sec.47-19.5. C.1 Landscaping Requirements.

3. Requesting a variance to allow the Landscaping requirements to be exempt.

***Rehearing for this case was approved on 2/12/20.**

DENIED (7-0)

2.

CASE: PLN-BOA-19110005
OWNER: PIERO L. DESIDERIO
AGENT: ANDREW J. SCHEIN, ESQ./ LOCHRIE & CHAKAS, P.A.
ADDRESS: 3025 NE 21 STREET, FORT LAUDERDALE, FL 33305
LEGAL DESCRIPTION: LAUDERDALE BEACH EXT 27-48 B LOT 3 BLK 11
ZONING DISTRICT: RS-8
COMMISSION DISTRICT: 2

REQUESTING: Sec. 47-19.2. B- Architectural features in residential Districts. Architectural features such as eaves, cornices, unenclosed balconies with open railings, window sills, awnings, chimneys, bay windows, and dormers accessory to a residential use are permitted to extend into a yard area a maximum distance of three (3) feet from the face of the building, or one-third (1/3) of the required yard, whichever is less.

The applicant is requesting a variance from the maximum distance of three (3) feet from the face of the building, or one-third (1/3) of the required yard, whichever is less, requirement of Section 47-19.2.B. to allow a permitted and constructed overhand to extend an additional three point two (3.2) feet into the required front yard for a total encroachment of six point two (6.2) feet.

APPROVED (7-0)

3.

CASE: PLN-BOA-20030001
OWNER: BEAUCHAMP, RICHARD A &; BEAUCHAMP, VICTORIA R
AGENT: RICHARD BEAUCHAMP
ADDRESS: 1152 N. RIO VISTA BLVD., FORT LAUDERDALE, FL 33301
LEGAL DESCRIPTION: RIO VISTA C J HECTORS RESUB 1-24 B LOT 16 BLK 4
ZONING DISTRICT: RS-8
COMMISSION DISTRICT: 4

REQUESTING: Sec. 47-5.31 Table of dimensional requirements for the RS-8 district.

Requesting a variance from the 5 feet minimum side yard requirement of Section 47-5.31 Table of Dimensional Requirements to allow an existing permitted covered screened porch into air-conditioned living space to remain at a side yard setback from 4.4 feet to 4.7 feet as per plans, a total maximum variance request of 0.60 feet.

APPROVED (7-0)

4.

CASE: PLN-BOA-20030002
OWNER: PRESTE CORP; OCEAN REEF INVESTMENTS LLC;
ROYAL QUALITY HOMES OF FL LLC
AGENT: HEIDI DAVIS KNAPIK

ADDRESS: 2985 N OCEAN BLVD.; NE 30 STREET;
 NE 30 STREET; NE 33 AVENUE; N OCEAN BLVD., FORT LAUDERDALE, FL 33308
 LAUDERDALE BEACH 4-2 B LOTS 91 & 92 LESS THAT POR OF SAID LOTS LYING
 W OF FOL DESC LINE, COMM AT NW COR OF LOT 92, ELY 85.38, SLY 100 TO A
 PT ON S/L OF LOT 91 AND THE PT OF TERMINATION OF THE HEREIN DESC
LEGAL DESCRIPTION: LINE BLK 1; LAUDERDALE BEACH 4-2 B THAT POR OF LOTS 91 & 92 LYING W
 OF FOL DESC LINE, COMM AT NW COR OF LOT 92, ELY 85.38, SLY 100 TO A PT
 ON S/L OF LOT 91 AND THE PT OF TERMINATION OF THE HEREIN DESC LINE
 BLK 1;
 LAUDERDALE BEACH EXT UNIT B 29-22 B LOT 1 BLK 23; LAUDERDALE BEACH
 EXT UNIT B 29-22 B LOT 2 BLK 23; LAUDERDALE BEACH 4-2 B LOT 90 BLK 1

ZONING DISTRICT: CB and RMH-60

COMMISSION DISTRICT: 2

REQUESTING: **Sec. 47-6.20. - Table of dimensional requirements for the CB district. (Note A)**

1. Requesting a variance from the 5 feet minimum front yard (NE 30th street) setback requirement of Section 47.6.20 Table of Dimensional Requirements to allow a structure at a proposed setback of 1 foot 6 inches, a total variance request of 3 feet 6 inches. **Note:** This request is for folio/parcel id: 494330010760, 494330010770 and 494330030800.
2. Requesting a variance from the 5 feet minimum corner yard (Ocean Boulevard) setback requirement of Section 47.6.20 Table of Dimensional Requirements to allow a structure Requirements to allow a proposed structure with a corner yard setback of 0 feet, a total variance request of 5 feet. **Note:** This request is for folio/parcel id: 494330010760.

Sec. 47-5.38. - Table of dimensional requirements for the RMH-60 district. (Note A)

3. Requesting a variance from the 15 feet minimum rear yard (NE 33 Ave) setback requirement of Section 47-5.38 Table of Dimensional Requirements to allow a proposed structure at a rear yard setback of 10 feet, a total variance request of 5 feet. **Note:** This request is for folio/parcel id: 494330030810.
4. Requesting a variance from the 5 feet minimum corner yard (N. Ocean Blvd) setback requirement of Section 47-5.38 Table of Dimensional Requirements to allow a proposed structure with a corner yard setback of 0 feet, a total variance request of 5 feet. **Note:** This request is for folio/parcel id: 494330010750 and 494330010760.

APPROVED (7-0)
**WITH THE CONDITION THAT ANY PROSPECTIVE ZONING CHANGES
 DO NOT TERMINATE VARIANCES.**

5. **CASE:** PLN-BOA-20030003

OWNER: D'OFFAY, DAPHNE C & GERARD M

AGENT: GERARD M. D'OFFAY

ADDRESS: 2730 SW 19 STREET, FORT LAUDERDALE, FL 33312

LEGAL DESCRIPTION: BEL-TER 42-48 B LOT 28

ZONING DISTRICT: RS-8

COMMISSION DISTRICT: 4

REQUESTING: **Sec. 47-5.31 -Table of dimensional requirements for the RS-8 district**

Requesting a variance from the 15 feet minimum rear yard requirement of Section 47-5.31 Table of Dimensional Requirements to allow a covered patio roof constructed without a permit to remain at a rear yard setback of 2 feet, a total maximum variance request of 13 feet.

DENIED (7-0)

6. **CASE:** **PLN-BOA-20030004**

OWNER: DIMATTINA, FRANK; DIMATTINA, MARIE-ELAINA

AGENT: VINCENT J. KAHER

ADDRESS: 3201 NE 38 STREET, FORT LAUDERDALE, FL 33308

LEGAL DESCRIPTION: BERMUDA-RIVIERA SUB OF GALT OCEAN MILE FIRST ADD 40-12 B LOT 13 BLK L

ZONING DISTRICT: RS-8

COMMISSION DISTRICT: 1

REQUESTING: **Sec. 47-5.31-Table of dimensional requirements for the RS-8 district**

Requesting a variance from the 25 feet minimum rear yard requirement of Section 47-5.31 Table of Dimensional Requirements to allow an existing structure to remain at a rear yard setback of 24.19 feet.

APPROVED (7-0)

7. **CASE:** **PLN-BOA-20050001**

OWNER: HARVARD, AL D

AGENT: N/A

ADDRESS: 1300 NW 5 AVENUE, FORT LAUDERDALE, FL 33311

LEGAL DESCRIPTION: PROGRESSO 2-18 D LOT 13 LESS S 15 FOR ST BLK 77

ZONING DISTRICT: RDs-15

COMMISSION DISTRICT: 2

REQUESTING: **Sec. 47-5.32. - Table of dimensional requirements for the RD-15 and RDs-15 districts. (Note A) Minimum corner yard(ft) for a single-family dwelling is twenty-five (25) percent of lot width but not less than ten (10) feet nor greater than twenty-five (25) feet.**

The applicant is requesting a variance from the 10-foot minimum corner yard requirement of Section 47-5.32 Table of Dimensional

Requirements for the RD-15 and RDs-15 Districts to allow the construction of a single-family dwelling with a corner yard of 2 feet.

APPROVED (7-0)

8. **CASE:** PLN-BOA-20050002
OWNER: TOWN DEVELOPMENT CO
AGENT: GINA PENNEY
ADDRESS: 333 E SUNRISE BLVD., FORT LAUDERDALE, FL 33304
LEGAL DESCRIPTION: PROGRESSO 2-18 D A POR OF LOTS 14 THRU 25 INCLUSIVE, ALL OF LOTS 26 THRU 34 INCLUSIVE, & A POR OF LOT 35, BLK 183 DESC AS: COMM AT SW COR OF SAID LOT 25, N ALG W/L 15 TO POB, CONT N 249 TO INTERS OF A LN LYING 11 S OF & PARA TO N/L OF LOTS 35 & 14, ELY ALG SAID PARA LN 260 TO INTERS WITH A LN LYING 10 W OF & PARA TO E/L OF SAID BLK 183, S 229.50 TO P/C, SLY & WLY ALG CUR 30.63, WLY 240.50 TO POB
ZONING DISTRICT: B-2 and CB
COMMISSION DISTRICT: 2
REQUESTING: **Sec. 47-22.4. - Maximum number of signs at one location and special requirements in zoning districts.**

1. Requesting a variance 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 Five (5) signs, a total increase of one (1) free standing sign.

Sec. 47-22.3. G - General regulations

2. Requesting a variance to allow a ground sign at a total height of 10 feet from natural grade whereas the code allows a maximum of 8 feet a total increase in height of 2 feet.
3. Requesting a variance to allow a total sign height of 7 feet 11 ¼ inches whereas the code allows a maximum height of 5 feet a total variance request of 2 feet 11 ¼ inches.

DENIED (4-3)

9. **CASE:** PLN-BOA-20050003
OWNER: CHRISTINE BRENNEN
AGENT: JEROME SHRIVER GELIN
ADDRESS: 1824 NW 24 TER., FORT LAUDERDALE, FL. 33311
LEGAL DESCRIPTION: LAUDERDALE MANOR HOMESITES 34-21 B LOT 3 BLK 4
ZONING DISTRICT: RS-8
COMMISSION DISTRICT: 3
REQUESTING: **Sec. 47-5.31 -Table of dimensional requirements for the RS-8 district**

Requesting a variance from the 15 feet minimum rear yard requirement of Section 47-5.31 Table of Dimensional Requirements to

allow a new structure to remain at a rear yard setback of 14 feet, a total maximum variance request of 1 feet.

APPROVED (7-0)

10.

CASE: PLN-BOA-20070001

OWNER: CAR PROPERTIES LLC

AGENT: MITCH MARKAY

ADDRESS: 444 E SUNRISE BLVD., FORT LAUDERDALE, FL 33304

LEGAL DESCRIPTION: PROGRESSO 2-18 D LOTS 2,3,4,5,6 & THAT PART OF BLK 215 WHICH LIES S OF LOT 6 & E OF ALLEY BLK 215

ZONING DISTRICT: NWRAC-MUne

COMMISSION DISTRICT: 2

REQUESTING: **Sec. 47-22.4. - Maximum number of signs at one location and special requirements in zoning districts.**

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 anyone (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 six (6) 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.

APPROVED (7-0)

WITH PROFFER BY APPLICANT TO REMOVE #3 SIGN FROM THE WEST ELEVATION

11.

CASE: PLN-BOA-20080001

OWNER: GUMBERG, STANLEY R TR/T-1163
% PROP TAX DEPT TPN-0950

AGENT: BARBARA A. HALL

ADDRESS: 3200 N FEDERAL HIGHWAY #700, FORT LAUDERDALE FL 33306

LEGAL DESCRIPTION: CORAL RIDGE GALT ADD NO 2 RESUB OF PORTION 36-15 B A POR OF TR A DESC AS:COMM NE COR SAID TR A;S 258.25 TO POB CONT S 686.75,SWLY AN ARC DIST 39.27,W 722.52,NWLY AN ARC DIST 25.24,NW 348.37,NE 379.36,SE 65.04,SELY AN ARC DIST 35.62, SE 21.20,SELY AN ARC DIST 78.64, NE 374.32,NW 53.62,NE 45.80,N 66.33,E 160.62 TO POB,LESS POR DESC IN OR 2234/971 AKA:TARGET TRACT

ZONING DISTRICT: B-1

COMMISSION DISTRICT: 1

REQUESTING: The applicant is requesting variances from Sections 47-19.2.II and 47-19.5.J.1 to allow the placement of five (5) portable storage units in parking spaces adjacent to the side and rear of the property during the fourth quarter (from October 1st through December 31st) of each year as the followings:

Sec. 47-19.2.II.2. a. Portable storage units. The PSU shall not exceed eight (8) feet in width, sixteen (16) feet in length and nine (9) feet in height.

1. The applicant is requesting a variance from the size limitation for portable storage units (PSU) of 8 feet in width, 16 feet in length and 9 feet in height to increase the length of the PSU to 40 feet.

Sec. 47-19.2.II.2. b. Portable storage units. There shall be no more than one (1) PSU allowed per site.

2. The applicant is requesting a variance from the limitation of one (1) PSU per site to allow five (5) PSU on the subject property, an increase of 4.

Sec. 47-19.2.II.4. b. Portable storage units. Non-residential use.

3. The applicant is requesting a variance from the maximum of thirty (30) calendar days per event and two events per commercial rental unit on a property per calendar year with a limit of sixty (60) days on a property per applicant per calendar year to allow (92) ninety-two consecutive calendar days within a calendar year.

Sec. 47-19.5. J.1-Temporary fences.

4. The applicant is requesting a variance from the restriction permitting temporary construction fences in conjunction with construction to allow the installation of a temporary fence as per plans on existing site in conjunction with the placement of the PSUs. Note: Removal of the fencing and the storage units within one week from December 31 of each year.

APPROVED (5-2)

WITH PROFFER FROM APPLICANT THAT THIS IS A ONE-TIME EVENT

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.