



**BOARD OF ADJUSTMENT MEETING  
CITY OF FORT LAUDERDALE  
MARCH 11, 2020 – 6:30 P.M.  
CITY HALL CITY COMMISSION CHAMBERS  
100 NORTH ANDREWS AVENUE  
FORT LAUDERDALE, FLORIDA**

CITY OF FORT LAUDERDALE

| <b>Board Members</b>      | <b>Attendance</b> | <b>Cumulative Attendance<br/>6/2019 through 5/2020</b> |               |
|---------------------------|-------------------|--|---------------|
|                           |                   | <b>Present</b>   | <b>Absent</b> |
| Douglas Reynolds, Chair   | P                 | 8  | 1             |
| Howard Nelson, Vice Chair | P                 | 8  | 1             |
| Eugenia Ellis             | P                 | 8  | 1             |
| Blaise McGinley           | P                 | 9  | 0             |
| Patrick McTigue           | P                 | 8  | 1             |
| S. Carey Villeneuve       | P                 | 6  | 3             |
| Chadwick Maxey            | P                 | 7  | 2             |
| <b>Alternates</b>         |                   |  |               |
| Chip Falkanger            | P                 | 7  | 2             |
| Shelley Eichner           | P                 | 6  | 3             |
| Tim Bascombe              | A                 | 5  | 4             |

**Staff**

D' Wayne Spence, Assistant City Attorney  
 Mohammed Malik, Zoning Administrator  
 Burt Ford, Zoning Chief  
 Chakila Crawford-Williams, Administrative Assistant  
 Brigitte Chiappetta, Recording Secretary, 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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|    | <u>Case Number</u> | <u>Owner/Agent</u>  | <u>District</u> | <u>Page</u>          |
|----|--------------------|---|-----------------|----------------------|
| 1. | PLN-BOA-19110005   | Piero I. Desiderio/ Andrew Schein                             | 2               | <u>2</u>             |
| 2. | B19030             | 2909 Land Corp/Jason Crush                                    | 1               | <u>3</u>             |
| 3. | PLN-BOA-20020001   | The Las Olas Company, Inc./Kristen Catusus                    | 4               | <u>4</u>             |
|    |                    | Communication to the City Commission For the Good of the City |                 | <u>5</u>             |
|    |                    | Other Items and Board Discussion                              |                 | <u>5</u><br><u>6</u> |

**I. Call to Order**

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

**II. Approval of Minutes – February 2020**

**Motion** made by Mr. Nelson, seconded by Mr. McTigue to approve the Board’s February 2020 minutes. In a voice vote, motion passed unanimously.

**III. Public Sign-In / Swearing-In**

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

During each item, Board members disclosed communications they had and site visits made.

**IV. Agenda Items**

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**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. 47-5.31. - Table of dimensional requirements for the RS-8 district. (Note A)**

**Note:** Continuance for this item was granted on February 12, 2020 during the Board of Adjustment meeting held on February 12, 2020. This item will be continued to the next Board of Adjustment Meeting being held on April 8, 2020.

Andrew Schein, attorney, said they had submitted a new variance application under a different section of the ordinance and sent out new mail notices. Mr. Spence stated this would be considered a resubmittal.

Mr. Schein withdrew the original application.

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**CASE:** **B19030**  
**OWNER:** 2909 LAND CORP  
**AGENT:** CRUSH LAW, P.A.- JASON S. CRUSH  
**ADDRESS:** 2909 E COMMERCIAL BLVD, FORT LAUDERDALE, FL 33308  
**LEGAL DESCRIPTION:** CORAL RIDGE COMMERCIAL BLVD ADD 43-13 B LOT 7 W1/2 BLK 3  
**ZONING DISTRICT:** CB  
**COMMISSION DISTRICT:** 1  
**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 eighty-four (84) feet, a total reduction of two hundred sixteen (216) feet.

Courtney Crush, attorney, said they were requesting a Special Exception for Edelweiss European Bakery to serve beer and wine. The business was located within 84 feet of Murphy's Pub, where the City's code required 300 feet. They had contact the president of Coral Ridge Estates, but he had not responded. They had also contacted members of The Landings homeowners association and received no objections.

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 Ms. Ellis:

To find that based on the information contained in Ms. Crush's presentation as well as my site visit that the application is not contrary to the public interest and is compatible with the adjoining property and to approve the special exception request.

In a roll call vote, motion passed 7-0.

3.

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

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

Mr. McTigue recused himself from this case, citing a conflict, and Mr. Falkanger took his place on the dais.

Kristen Catusus, attorney, stated they were requesting a Special Exception for Tommy Bahama Marlin Bar, which was within 130 feet of the nearest establishment serving alcohol. Ms. Catusus was not aware of any outreach to nearby neighborhoods. She said this was a standalone restaurant, and there was an adjoining retail location separated by an alley.

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. Falkanger:

To find that based on the information contained in Ms. Catusus's presentation and site visits that the application is not contrary to the public interest and is compatible with the adjoining property and to approve the special exception request.

In a roll call vote, motion passed 7-0.

**Communication to the City Commission**

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None

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

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None

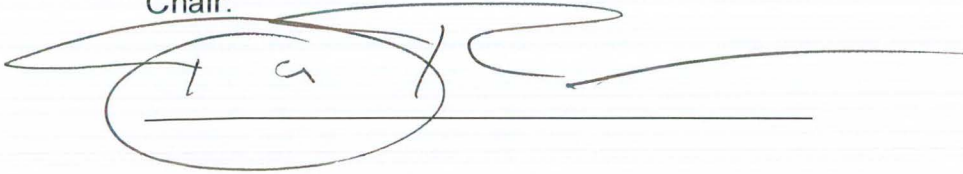
Other Items and Board Discussion

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None

There being no further business to come before the Board, the meeting adjourned at 6:46 p.m.

Chair:

A handwritten signature in black ink, appearing to be "T. A. [unclear]", written over a horizontal line. The signature is enclosed in a hand-drawn oval.

Attest:

A handwritten signature in blue ink, appearing to be "A. [unclear]", written over a horizontal line.

ProtoType Inc.

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