



BOARD OF ADJUSTMENT MEETING

City of Fort Lauderdale
City Commission Chambers
City Hall
100 N Andrews Avenue, Fort Lauderdale, FL 33301
Wednesday, November 19, 2020
6:30 PM

To Attend Virtually:

Visit: www.fortlauderdale.gov/FLTV to watch and listen to the meeting

Visit: <https://www.fortlauderdale.gov/government/BOA> to sign up to speak

AGENDA

- 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:	PLN-BOA-20070002 – Appeal pursuant to Sec. 47-24.12(B)(2)
	OWNER:	SUNRISE 2025 LLC
	AGENT:	CRUSH LAW, P.A.-COURTNEY CALLAHAN CRUSH
	ADDRESS:	2025 E SUNRISE BLVD, FORT LAUDERDALE, FL., 33304
	LEGAL DESCRIPTION:	36-49-42 BEG 910.92 E & 50 N OF SW COR LOT 7 FOR POB, W 46.08, N 126.38, E 150 TO MIDDLE RIVER, S ALG MIDDLE RIVER 125.03, W 106.80 TO POB-SAME AS OR 961/11-
	ZONING DISTRICT:	B-1
	COMMISSION DISTRICT:	2
	APPEALING:	<u>Sec. 47-24.12. B -Variances, special exceptions and interpretation of APPEALING: Unified Land Development Regulations. Appeal of interpretation or application of Unified Land Development Regulations (board of adjustment).</u>

Appealing the Zoning Administrators Interpretation of; Section 47-23.9.A.- Interdistrict corridor requirements. - A twenty-foot yard shall be

required for any development on property which abuts one (1) of the following rights-of-way. No parking shall be permitted within the required yard unless specified herein. 2. East Sunrise Boulevard—between Federal Highway and one hundred (100) feet east of Bayview Drive. 4. The following shall be permitted within the twenty-foot yard: a. Landscaping; b. Outdoor dining; c. Enhanced pedestrian amenities such as, but not limited to plazas, benches, shade structures, pedestrian access, bus shelters, bicycle racks, multi-modal pathways. 5. The Planning and Zoning Board shall upon written application for site plan level III approval, as provided for in [Section 47-24.2](#), Development permits and procedures, consider a request to modify the required twenty-foot landscape yard provided, however, that the following additional criteria for such approval is met: a. By adjusting the location of the structure on the site, an architectural and/or engineering study can graphically demonstrate that a superior site development will result from such adjustment; or b. By adjusting the location of the structure there is continuity of architectural features with adjacent properties which encourages public pedestrian interaction between the proposed development and the public sidewalk; or c. By adjusting the location of the structure there is a demonstrable urban scale in terms of height, proximity to the street front and pedestrian sidewalks and relationship to building size to the lot size.

2. CASE: PLN-BOA-20090002

OWNER: BETHELL, LYDIA I

AGENT: N/A

ADDRESS: 240 SW 29 AVE, FORT LAUDERDALE, FL., 33312

LEGAL DESCRIPTION: MIDLAND 1ST ADD 40-13 B LOT 8 BLK 2

ZONING DISTRICT: RS-8

COMMISSION DISTRICT: 3

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

Requesting a variance to enclose an existing carport with an existing setback of 24.15 feet front yard setback whereas the code requires a minimum of 25 feet front yard setback, a total variance request of 0.85 feet.

3. CASE: PLN-BOA-20090005

OWNER: LENNAR HOMES, LLC

AGENT: GREENSPOON MARDER LLP/DEENA GRAY, ESQ.

ADDRESS: 1901 SW 5 PLACE; SW 5 ST; 460 SW 20 AVE; 506 SW 20 AVE; 502 SW 20 AVE, FORT LAUDERDALE, FL., 33312

LEGAL DESCRIPTION: RIVERSIDE NO 2 1-104 D LOT 4 LESS N 150,5 LESS N 150 BLK E; RIVERSIDE NO 2 1-104 D LOT 4 LESS N 150,5 LESS N 150 BLK E; RIVERSIDE NO 2 1-104 D N 150 OF LOTS 6,7,8 & N 150 OF THAT PT LOT 9 LYING E OF PAVED RD BLK E; RIVERSIDE NO 2 1-104 D LOT 6 TO 8,S 70 OF N 360,9 S 70 OF N 360 LYING E OF PAVED RD BLK E; RIVERSIDE PARK TOWNHOUSE AND VILLAS 141-43 B PARCEL 4

ZONING DISTRICT: RM-15

COMMISSION DISTRICT: 4

REQUESTING: **Sec. 47-19.5. B. - Dimensional Requirements. The setback for a fence, wall or hedge shall depend on the height and percentage of transparency as shown in Table 1.**

Requesting a variance to allow the combination of a permitted retaining wall of varying height elevation and proposed fencing along the North, East, West and South property lines. The fencing sits behind a retaining wall which ranges in elevation from 3' varying up to 3'-8" The applicant is proposing fencing along the perimeter of the property. On the north side, the applicant is proposing a 5' aluminum fence adjoining a 6' wood fence with a total of 387 lineal feet. On the east side, the applicant is proposing a 6' wood fence with a total of 629 lineal feet. On the west side, the applicant is proposing a 5' aluminum fence with a total of 300 lineal feet. On the south and the adjoining west side, the applicant is proposing a 6' wood fence with a total of 500 lineal feet, whereas the code allows a maximum height of 6 feet 6 inches from lowest adjacent grade. Due to the required retaining wall that varies in elevation from 3' to 3'-8", the height of the fencing at its highest point will be 9'-8", for a total variance increase in height of up to 3 feet 2 inches.

4. CASE: **PLN-BOA-20100001**

OWNER: RRPIV WF FTL LLLP

AGENT: ANDREW J. SCHEIN, ESQ. / ROBERT B. LOCHRIE III, ESQ. /LOCHRIE & CHAKAS, P.A.

ADDRESS: 410 SE 16 COURT, FORT LAUDERDALE, FL., 33316

LEGAL DESCRIPTION: CROISSANT PARK EAST AVENUE SEC 7-57 B ALL BLOCK 64-L, LESS PART DESC AS AS PARCEL 102 PER OF CA 90-29125,FJ 19112/170 & TOGETHER WITH 15' VAC'D ALLEY LYING IN BLK 64-L,BOUNDED ON NORTH BY S R/W/L OF SE 16TH CT,ON THE SOUTH BY N R/W/L OF SE 17 ST,ON EAST BY W/L OF LOTS 22 TO 31 OF SAID BLK & ON THE WEST BY 15' W & PARALLEL OF W/L OF SAID LOTS LESS POR OF LOTS 13 & 14 OF SAID BLK 64-L FOR RD

ZONING DISTRICT: B-1

COMMISSION DISTRICT: 4

REQUESTING: **Sec. 47-19.2.Z.1 - Roof mounted structures and Sec. 47-25.3.A.3.b.iii.- Screening of rooftop mechanical equipment.**

Requesting a variance to allow the existing permitted parapet, which ranges in height from +/- 36 inches to +/- 72 inches, to serve as adequate mechanical equipment screening in lieu of the requirements of Sections 47-19.2.Z.1 and 47-25.3.A.3.b.iii of the ULDR, which requires that the rooftop mechanical equipment screening be at least six (6) inches high above the top most surface of the roof mounted structure, for a total variance of a maximum of 4 feet 10 inches.

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: Request for Rehearing of Final Order/Case Number PLN-BOA-20030003.
Rehearing pursuant to ULDR Sec. 47-24.12.A.7 on a denial of a variance from the Unified Land Development Regulations ("ULDR").

Note: This case was heard on September 9, 2020.

V. COMMUNICATION TO THE CITY COMMISSION

VI. FOR THE GOOD OF THE CITY OF FORT LAUDERDALE

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.