



## **BOARD OF ADJUSTMENT MEETING NOTICE**

**JANUARY 20, 2022**

A Public Hearing will be held before the Board of Adjustment on:

**Wednesday, February 9, 2022 at 6:00 P.M**

This meeting will be held 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-21120006

**OWNER:** KITCHEN,DIANA H/E; KITCHEN,RUSSELL

**AGENT:** STEPHANIE J. TOOTHAKER, ESQ.

**ADDRESS:** 2657 NE 37 DRIVE, FORT LAUDERDALE, FL 33308

**LEGAL DESCRIPTION:** LOT 14, BLOCK G OF CORAL RIDGE COUNTRY CLUB SUBDIVISION, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 36, PAGE 30, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

**ZONING DISTRICT:** RS-4.4 - Residential Single Family/Low Density District.

**COMMISSION DISTRICT:** 1

**REQUESTING:** **Sec. 47-19.2.P. Free Standing Shade Structures**

1. Requesting a variance to allow an existing freestanding shade structure with outdoor kitchen to be partially enclosed on three sides with 36-inch high built-in cabinetry where the Code requires all sides to be open.
2. Requesting a variance to allow an existing freestanding shade structure with outdoor kitchen to have a maximum height of 13 feet where the Code allows a maximum height of 12 feet measured from the ground to the top of the structure.

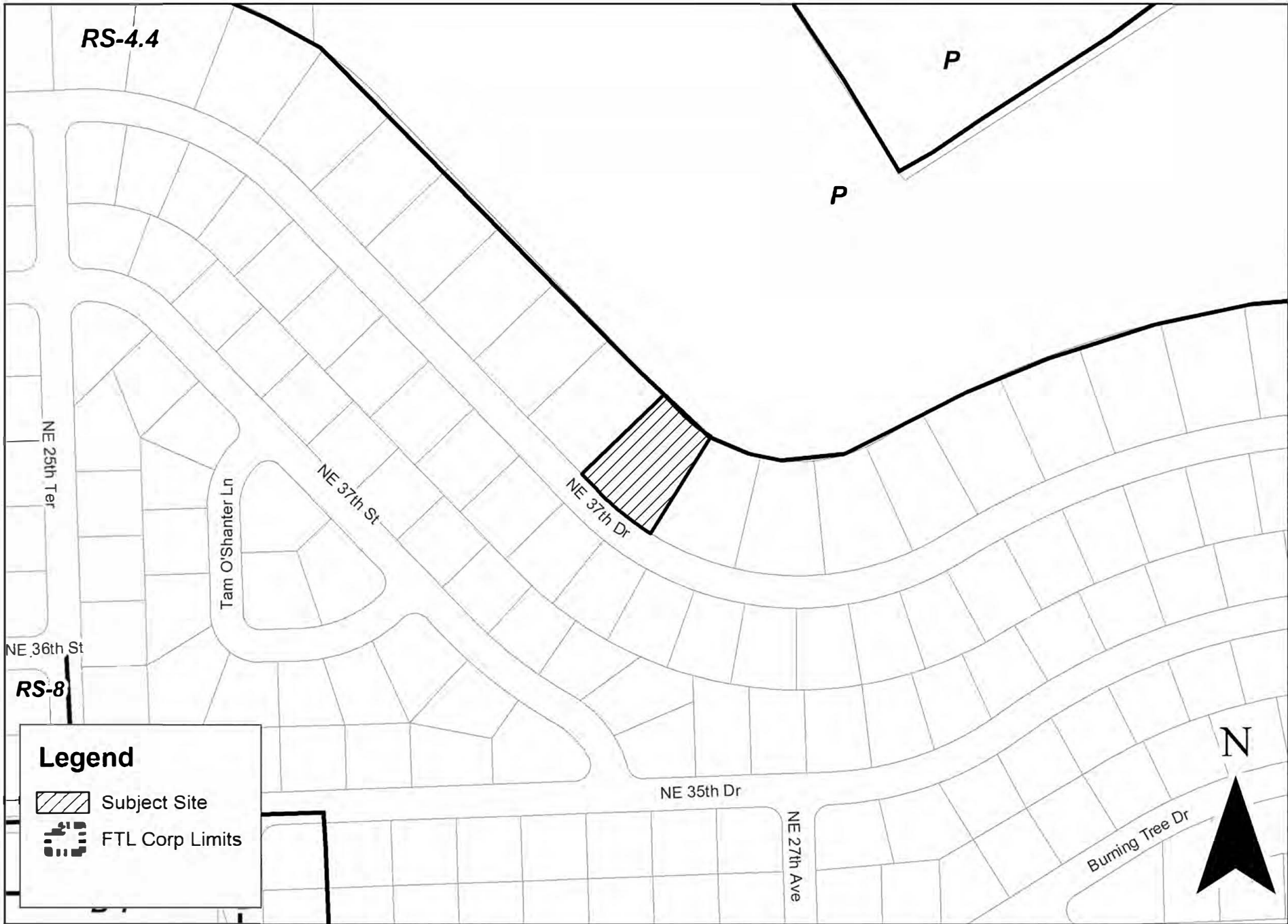
Note: To view more information about this item, please visit: [www.fortlauderdale.gov/government/BOA](http://www.fortlauderdale.gov/government/BOA)

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**

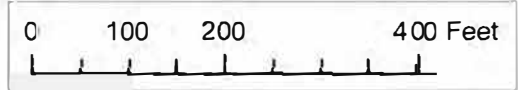
**NOTE: If any person decides to appeal any decision made with respect to any matter considered at this public meeting or hearing, he/she will need a record of the proceedings, and for such purpose, he/she may need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based.**



**Legend**

-  Subject Site
-  FTL Corp Limits

# PLN-BOA-21120006



Graphic Scale



CITY OF FORT LAUDERDALE  
**PUBLIC NOTICE**

# BOARD OF ADJUSTMENT MEETING

DATE: FEBRUARY 09, 2022

TIME: 6:00 PM

CASE: PLN-BOA-21120006

REQUESTING: Sec. 47-19.2.P. Free Standing Shade Structures

1. Requesting a variance to allow an existing freestanding shade structure with outdoor kitchen to be partially enclosed on three sides with 36-inch high built-in cabinetry where the Code requires all sides to be open.

2. Requesting a variance to allow an existing freestanding shade structure with outdoor kitchen to have a maximum height of 13 feet where the Code allows a maximum height of 12 feet measured from the ground to the top of the structure.

LOCATION: CITY COMMISSION CHAMBERS  
CITY HALL, 100 N ANDREWS AVENUE

INFORMATION: CONTACT (954) 828-6506  
<http://www.fortlauderdale.gov>

This Notice is the property of the City of Fort Lauderdale. In accordance with City Code Section 16-29, It shall be unlawful for any person to injure, cut, break or destroy in any manner any building or other thing belonging to or under the control of the City. Persons marring or removing the Notice may be subject to fine and/or imprisonment.

In accordance with City Code Section 47-27.2A. H The sign shall remain on the property until final disposition of the application. This shall include any deferral, rehearing, appeal, request for review or hearing by another body. The sign information shall be changed as provided in subsection A.3.a



# BOA

DATE: 02/09/2022

AGENDA ITEM: 5

CASE:

PLN-BOA-21120006



# SUSTAINABLE DEVELOPMENT – ZONING & LANDSCAPING

## BOARD OF ADJUSTMENT (BOA) APPLICATION

Rev: 4    Revision Date: 08/23/2021 | Print Date: 08/23/2021  
I.D. Number: Z&L-BOA

### BOARD OF ADJUSTMENT (BOA) APPLICATION

- Cover:**        Deadline, Notes, and Fees
- Page 1:**       Applicant Information Sheet
- Page 2:**       Variance Request Criteria
- Page 3:**       Required Documentation & Mail Notice Requirements
- Page 4:**       Sign Notice Requirements & Affidavit
- Page 5:**       Technical Specifications

**DEADLINE:** Submittals must be received by 4:00 PM each business day. Pursuant to Section 47-24.12, 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 the Board Liaison and 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. Submit Board of Adjustment (BOA) application, fees and required documents electronically through LauderBuild <https://aca-prod.accela.com/FTL>.

**FEES:** All applications for development permits 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.

- Variance/Special Exception/Interpretation (Before): \$2,200
- Variance/Special Exception/Interpretation (After): \$2,800
- Variance/Special Exception/Interpretation (Before): \$650  
Residential (Homesteaded Only) Accessory Structures & Existing Non-Conforming Structures.
- Variance/Special Exception/Interpretation (After): \$850  
Residential (Homesteaded Only) Accessory Structures & Existing Non-Conforming Structures.
- Request For Continuance: \$900
- Request for Rehearing: \$300
- Rehearing Request Before The Board: \$1,150

## 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 variance requested. The application must be filled out accurately and completely. Please print or type and answer all questions. Indicate N/A if does not apply.

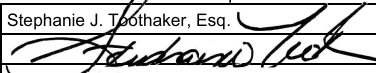
**NOTE:** To be filled out by Department

<b>Case Number</b>	
<b>Date of complete submittal</b>	

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

<b>Property Owner's Name</b>	Diana Kitchen and Russell Kitchen
<b>Property Owner's Signature</b>	If a signed agent letter is provided, no signature is required on the application by the owner.
<b>Address, City, State, Zip</b>	2657 NE 37 Drive, Fort Lauderdale, FL 33308
<b>E-mail Address</b>	N/A
<b>Phone Number</b>	N/A
<b>Proof of Ownership</b>	<input type="checkbox"/> <u>Warranty Deed</u> or <input checked="" type="checkbox"/> <u>Tax Record</u>

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

<b>Applicant / Agent's Name</b>	Stephanie J. Toothaker, Esq.
<b>Applicant / Agent's Signature</b>	
<b>Address, City, State, Zip</b>	391 SW 2nd Ave, Suite A, Fort Lauderdale, FL 33301
<b>E-mail Address</b>	stephanie@toothaker.org / cc: estefania@toothaker.org
<b>Phone Number</b>	954-648-9376
<b>Letter of Consent Submitted</b>	Yes

<b>Development / Project Name</b>	Outdoor Summer Kitchen				
<b>Existing / New</b>	<table border="1"> <tr> <td><u>Existing:</u></td> <td><input checked="" type="checkbox"/></td> <td><u>New:</u></td> <td><input type="checkbox"/></td> </tr> </table>	<u>Existing:</u>	<input checked="" type="checkbox"/>	<u>New:</u>	<input type="checkbox"/>
<u>Existing:</u>	<input checked="" type="checkbox"/>	<u>New:</u>	<input type="checkbox"/>		
<b>Project Address</b>	<u>Address:</u> 2657 NE 37 Drive, Fort Lauderdale, FL 33308				
<b>Legal Description</b>	CORAL RIDGE COUNTRY CLUB SUB 36-30 B LOT 14 BLK G				
<b>Tax ID Folio Numbers</b> (For all parcels in development)	494224071470				
<b>Variance Request (Describe)</b>	Refer to attached narrative				
<b>Applicable ULDR Sections</b>	Sec. 47-19.2.P				

<b>Current Land Use Designation</b>	Low Density Residential
<b>Current Zoning Designation</b>	RS-4.4 - Residential of Single Family/Low Density
<b>Current Use of Property</b>	Single-Family
<b>Site Adjacent to Waterway</b>	<input type="checkbox"/> <b>Yes</b> <input checked="" type="checkbox"/> <b>No</b>

<b>Setbacks</b> (indicate direction N, S, E, W)	<b>Required</b>	<b>Proposed</b>
<b>Front</b> <input type="text" value="SW"/>	25 ft. (RS-4 Zoning District)	N/A
<b>Side</b> <input type="text" value="E"/>	10 ft	Structure = 10 ft, Overhang = 7.8 ft
<b>Side</b> <input type="text" value="W"/>	10 ft	N/A
<b>Rear</b> <input type="text" value="NE"/>	5 ft. (Accessory Structure)	+/- 22 ft

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

Answer All questions on this page and attach narrative.

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

Please refer to attached narrative.

**CRITERIA:** Applicant must demonstrate a unique hardship attributable to the land by proving by a preponderance of the evidence for all of the following criteria. Please answer the following criteria completely. While some criteria may seem duplicative the response should be tailored specifically to each. Per section 47-24.12. A.4,

a. Special conditions and circumstances affect the property at issue which prevent the reasonable use of such property; and

Please refer to attached narrative.

b. Circumstances which cause the special conditions are peculiar to the property at issue, or to such a small number of properties that they clearly constitute marked exceptions to other properties in the same zoning district; and:

Please refer to attached narrative.

c. Literal application of the provisions of the ULDR would deprive the applicant of a substantial property right that is enjoyed by other property owners in the same zoning district. (It shall be of no importance to this criterion that a denial of the variance sought might deny to the owner a more profitable use of the property, provided the provisions of the ULDR still allow a reasonable use of the property; and

Please refer to attached narrative.

d. The unique hardship is not self-created by the applicant or his predecessors, nor is it the result of mere disregard for, or ignorance of, the provisions of the ULDR or antecedent zoning regulations; and

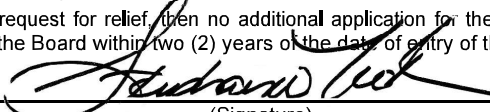
Please refer to attached narrative.

e. The variance is the minimum variance that will make possible a reasonable use of the property and that the variance will be in harmony with the general purposes and intent of the ULDR and the use as varied will not be incompatible with adjoining properties or the surrounding neighborhood or otherwise detrimental to the public welfare.

Please refer to attached narrative.

**AFFIDAVIT:** I, Stephanie J. Toothaker, Esq. the Owner/Agent of said property ATTEST that I am aware of the following:

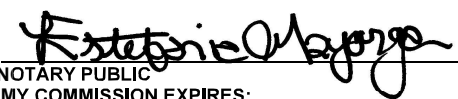
1. In order to be entitled to the relief requested in the application an affirmative vote of a majority plus one of the Board of Adjustment is required;
2. That in granting the relief requested, the Board of Adjustment is limited to the authority vested in the Board by the ULDR and that the Board may 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)

SWORN TO AND SUBSCRIBED before me in the County and State above aforesaid this 3 day of December, 2021

(SEAL)



  
NOTARY PUBLIC  
MY COMMISSION EXPIRES:

## Page 3: Required Documentation & Mail Notice Requirements

One (1) Completed (Digital) application submittal through "Lauderbuild" (<https://aca-prod.accela.com/>). The Plans and Survey must be digitally signed and sealed **AND**

**Fourteen (14) copy sets of each item listed below and Plans at half-size scale 11"X17"**

- Completed application** (all pages must be filled, completed, signed and notarized, where applicable).
- Mail notification documents** (mail notification instructions at bottom of page) .
- Proof of ownership** (Broward County Property Records, warranty deed, and/or Sunbiz), including corporation documents if applicable.
- Property owners original notarized signature** and/or notarized agent letter signed by the property owner (if applicable).
- Color photographs** of the entire property and all surrounding properties, dated and labeled and identified as to orientation.
- Narrative** describing specific request and outlining ULDR sections that are applicable. Narratives must be on letterhead, dated, and with author indicated.
- 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.
  
- Site Plan** (a survey may be substituted if the requested variance is clearly indicated)
- Landscape Plan (if applicable)**
- Elevations (if applicable)**
- Additional Plan details as needed**

**Note:** All copy sets must be clear and legible.

**Note:** Plans must be folded to 8 ½" x 11". All non-plan documents should be 8 ½" x 11".



**MAIL NOTIFICATION:** Pursuant to Section 47-27.2 Types of Public Notice and 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 owner 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 -BOA  
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.
- **To order a tax map and notice list, please email Heather Hanson at [hhanson@bcpa.net](mailto:hhanson@bcpa.net) or call 954-357-6855. You may also contact Kenny Gibbs, [kgibbs@bcpa.net](mailto:kgibbs@bcpa.net) or call 954-357-5503.**



## Page 4: Sign Notification Requirements and Affidavit

### SIGN NOTICE

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Applicant must **POST SIGNS** (for Board of Adjustment) according to Sec. 47-27.2 Types of Public Notice and 47-27.9 Variance, Special Exception, Temporary Non-Conforming Use, Interpretation requires the following notice:

- 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.
- 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

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STATE OF FLORIDA

BROWARD COUNTY

BOA CASE NO. \_\_\_\_\_

APPLICANT: \_\_\_\_\_

PROPERTY: \_\_\_\_\_

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.

NOTE: I understand that if my sign is not returned within the prescribed time limit as noted in Sec. 47.27.2.j of the City of Fort Lauderdale ULDR, I will forfeit my sign deposit. \_\_\_\_\_ (initial here)

\_\_\_\_\_  
Affiant

SWORN TO AND SUBSCRIBED before me in the County and State above aforesaid this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

(SEAL)

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

## Page 5: Technical Specifications

### 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 requested variance)

### B. BUILDING ELEVATIONS (as applicable)

1. All building facades with directional labels (i.e. 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 setbacks from property lines
4. Dimension grade at crown of road, at curb, sidewalk, building entrance, and finished floor
5. Include proposed signage

December 3, 2021

**VIA ELECTRONIC SUBMISSION**

BOARD OF ADJUSTMENT

C/O MOHAMMED MALIK, ZONING ADMINISTRATOR/LIAISON

CITY OF FORT LAUDERDALE

100 NORTH ANDREWS AVENUE

FORT LAUDERDALE, FL 33311

**RE: Variance Request for 2657 NE 37<sup>th</sup> Drive, Fort Lauderdale, FL 33308**

Dear Honorable Members of the Board of Adjustment:

I represent Diana and Russell Kitchen (the “Applicants”), owners of the real property located at 2657 NE 37<sup>th</sup> Drive, Fort Lauderdale, Folio No. 4942-24-07-1470 (the “Property”). Applicants respectfully request an after-the-fact variance from ULDR Section 47-19.2.P – Free Standing Shade Structures as described below.

**1. PROJECT DESCRIPTION**

The Property comprises 0.13 acres (5,870 square feet) and is located within the Coral Ridge Country Club Estate neighborhood. The Property is zoned Residential Single Family/Low Density (“RS-4.4”) and has an underlying land use designation of Low Residential. The Property has a one-story single-family residence. Freestanding shade structures with outdoor kitchens are permitted as an accessory structure to a principal building pursuant to the City’s interpretation of ULDR Section 47-19.2.P dated August 4, 2015 attached hereto as **Exhibit 1**.

The Applicants obtained a building permit for the construction of a freestanding shade structure with outdoor kitchen (Building Permit No. PM-18110650). In the process of submitting a revision to obtain an after-the-fact building permit for the built-in cabinetry with countertops and kitchen appliances on three sides of the accessory structure, it was noted that the City allows a one-side only partial enclosure with maximum 42-inch high cabinetry.

The accessory structure is 13 feet tall measured from the ground to the top roof ridge. Three sides are partially enclosed with 36-inch high built-in cabinetry with countertops and kitchen appliances. The accessory structure complies with all required setbacks as depicted in the survey included in this submittal.

**2. REQUESTED VARIANCE**

ULDR Section 47-19.2.P states that:

“...freestanding shade structures may be permitted when accessory to residential uses in the required rear yard but no closer than five (5) feet from the rear property line except where a parcel is abutting a waterway, where they shall be no closer than ten (10) feet from the waterway as measured in accordance with Section 47-2.2.R. **Freestanding shade structures shall be open on all sides and shall be no greater in height than twelve (12) feet measured from the ground to the top of the structure**, and shall be limited in size to a maximum of two hundred (200) gross square feet in area for that portion of the structure protruding into the required yard area. No more than one (1) freestanding shade structure per plot shall be permitted in the required rear yard.”

**Stephanie J. Toothaker, Esq.**

land use development political strategy procurement

However, pursuant to the City's interpretation, which reevaluated the aspects of the zoning code in relation to the Code's intent, an outdoor kitchen incorporated into a shade structure is permitted "[g]iven that South Florida has a favorable climate for outdoor activities and the clear intent behind the section indicated above." The zoning interpretation provides that:

**"An outdoor kitchen/BBQ may incorporate electrical and plumbing for an outdoor sink, refrigeration and gas lines (or similar uses commonly included in an outdoor kitchen) and shall be limited to a maximum height of forty-two (42) inches. The height limitation does not include the lid of the BBQ or grill. A typical grill or BBQ shall be permitted, however no accessories shall be permitted that exceed the height of a typical BBQ or grill lid. An outdoor kitchen/BBQ may be incorporated into a shade structure as long as no one side of the structure is enclosed, and all sides remain open to the outside."**

We have been advised by the City that the City allows a one-side only partial enclosure of an outdoor kitchen with maximum 42-inch high cabinetry.

As such, we are requesting a variance to allow a freestanding shade structure with outdoor kitchen to be partially enclosed on three sides with 36-inch high built-in cabinetry where the Code allows only a one-side partial enclosure with maximum 42-inch high cabinetry. Additionally, we are requesting a variance to allow a maximum height of 13 feet where the Code allows a height up to 12 feet measured from the ground to the top of the structure.

### **3. CRITERIA FOR APPROVAL OF BOA VARIANCE REQUEST (SEC. 47-24.12.A.4)**

- a. That special conditions and circumstances affect the property at issue which prevent the reasonable use of such property; and

**RESPONSE:** The freestanding shade structure with outdoor kitchen is permitted pursuant to the City's zoning interpretation of ULDR Section 47-19.2.P. The interpretation states that "[a]n outdoor kitchen/BBQ may be incorporated into a shade structure as long as no one side of the structure is enclosed, and all sides remain open to the outside." The structure is partially enclosed in those areas where built-in cabinetry is provided that allows for full use of the kitchen appliances and effectively provides and conceals all electrical, plumbing, and refrigeration equipment. The cabinetry also provides the proper surface area for storage and food preparation purposes. We believe that the partial openings still meet the intent of the Code while allowing for full usage of the outdoor kitchen. The grant of this variance is necessary to avoid practical difficulties or unnecessary hardship and enable the Applicants to maintain the freestanding shade structure with outdoor kitchen.

- b. That the circumstances which cause the special conditions are peculiar to the property at issue, or to such a small number of properties that they clearly constitute marked exceptions to other properties in the same zoning district; and

**RESPONSE:** The accessory freestanding shade structure with outdoor kitchen is located on private property and will only affect the subject property. Approval of the variance would not alter the character of the neighborhood or be detrimental to the public welfare.

- c. That the literal application of the provisions of the ULDR would deprive the applicant of a substantial property right that is enjoyed by other property owners in the same zoning district. It shall be of no importance to this criterion that a denial of the variance sought might deny to the owner a more profitable use of the property, provided the provisions of the ULDR still allow a reasonable use of the property; and

**RESPONSE:** The grant of this variance is necessary to avoid practical difficulties or unnecessary hardship and enable the Applicants to maintain the freestanding shade structure with outdoor kitchen. Given South Florida's favorable climate, freestanding shade structures with outdoor kitchens and seating are common and enjoyed by many other property owners in the Coral Ridge Country Club neighborhood and RS-4.4 zoning district. The adjacent properties have similar accessory structures which include outdoor kitchens, preparation surfaces, and seating.

- d. That the unique hardship is not self-created by the applicant or his predecessors, nor is it the result of mere disregard for, or ignorance of, the provisions of the ULDR or antecedent zoning regulations; and

**RESPONSE:** The City's zoning interpretation provides that "an outdoor kitchen/BBQ may be incorporated into a shade structure as long as no one side of the structure is enclosed, and all sides remain open to the outside". We believe the accessory structure meets the intent of this interpretation by providing three partially opened sides and one fully open side in order to "remain open to the outside" while the built-in cabinetry is intended to provide adequate concealment, storage, and installation of all electrical, plumbing, and refrigeration equipment associated with the outdoor kitchen appliances.

- e. That the variance is the minimum variance that will make possible a reasonable use of the property and that the variance will be in harmony with the general purposes and intent of the ULDR and the use as varied will not be incompatible with adjoining properties or the surrounding neighborhood or otherwise detrimental to the public welfare.

**RESPONSE:** The grant of this minimum variance is necessary to avoid practical difficulties or unnecessary hardship and to enable the Applicants to maintain the existing structure. Such an accessory structure may not be essential to the use of a residentially-zoned property, but the structure is meant to meet the intent of the City's code by providing three partially opened sides and one fully open side. The accessory structure is within the Property and complies with the required minimum setbacks. The accessory structure is designed to complement the principal building and is in continuity with the surrounding neighborhood character. Freestanding shade structures with outdoor kitchens are allowed in single-family zoning districts and are harmonious with the Coral Ridge Country Club Estate resident's lifestyle. Therefore, the impact on adjacent properties is *de minimus*.

We believe denial of this request would create an unnecessary hardship under the facts of this case. Thank you for your consideration and should you have any questions, please do not hesitate to let me know.

Respectfully,

*/s/ Stephanie J. Toothaker*

Stephanie J. Toothaker, Esq.

# Exhibit 1

## MEMORANDUM

Date: August 4, 2015

To: Urban Design & Planning Staff

From: Anthony G. Fajardo, Zoning Administrator

Subject: Section 47-19, Accessory Uses, Buildings and Structures

Topic: Outdoor Kitchens/BBQ

Note: This interpretation rescinds the previous interpretation dated December 18, 2002, Subject: Interpretation – **Sec. 47-19.2.P** – Free Standing Shade Structures

### **Zoning Interpretation:**

In recent years there have been several requests for BBQ grills/outdoor kitchens as well as fire pits. Often these are in conflict with the zoning regulations because the principal building is constructed to such an extent that side and rear yard setbacks are maxed out and space is not available. While the intent of the yard setbacks is to control the size of development and to mitigate such development on neighboring properties it is not intended to create a situation where the remainder of the yard becomes unusable. This is evidenced by Section 47-19, Accessory uses, buildings and structures, which permits certain accessory structures to be located within the yard setback subject to certain criteria.

Under specific language in Section 47-19.2, *Accessory buildings, structures and equipment, general*, certain accessory structures are permitted to encroach into the side and rear yards with limitations on area and height. However, as no zoning code can address every situation and permutation of each site and as uses evolve over time it is necessary to reevaluate the aspects of the zoning code in relation to the intent. Given that South Florida has a favorable climate for outdoor activities and the clear intent behind the section indicated above please accept this interpretation regarding the following:

#### **1. Outdoor Kitchens/BBQ:**

Whereas Section 47-19.2.P, *Freestanding shade structures* permits structures such as gazebos, tiki huts or trellises no closer than 5-feet from the rear property line or 10-feet when abutting a waterway; and,

Whereas Section 47-19.2.P, *Freestanding shade structures* permits these shade structures to encroach in the rear yard when open on all sides and no more than two hundred (200) gross square feet in area; and,

Whereas Section 47-19.5, *Fences, walls and hedges* permits an opaque fence or wall up to six (6) feet six (6) inches when located a minimum of ten (10) feet from the waterway; and,

Whereas an outdoor kitchen/BBQ have less of an impact than shade structures from a bulk and massing standpoint and tend to be lower than a fence or wall; and,

Whereas an outdoor kitchen/BBQ when incorporated into a shade structure would not enclose the shade structure an outdoor kitchen/BBQ shall be permitted subject to the following standards:

- An outdoor kitchen/BBQ shall be permitted to encroach into the rear yard five (5) feet from the rear property line or ten (10) feet into the rear property line when abutting a waterway. The maximum square footage permitted to encroach shall be no greater than two hundred (200) square feet. An outdoor kitchen/BBQ may incorporate electrical and plumbing for an outdoor sink, refrigeration and gas lines (or similar uses commonly included in an outdoor kitchen) and shall be limited to a maximum height of forty-two (42) inches. The height limitation does not include the lid of the BBQ or grill. A typical grill or BBQ shall be permitted, however no accessories shall be permitted that exceed the height of a typical BBQ or grill lid. An outdoor kitchen/BBQ may be incorporated into a shade structure as long as no one side of the structure is enclosed, and all sides remain open to the outside.

**SIGN NOTICE**

Applicant must **POST SIGNS** (for Board of Adjustment) according to Sec. 47-27.2 Types of Public Notice and 47-27.9 Variance, Special Exception, Temporary Non-Conforming Use, Interpretation requires the following notice:

- 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.
- 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. PLN-BOA-21110006

APPLICANT: Diana and Russel Kitchen

PROPERTY: 2657 NE 37 Drive

PUBLIC HEARING DATE: February 9, 2022

BEFORE ME, the undersigned authority, personally appeared Stephanie Toothaker, Esq., 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.

NOTE: I understand that if my sign is not returned within the prescribed time limit as noted in Sec. 47.27.2.j of the City of Fort Lauderdale ULDR, I will forfeit my sign deposit. \_\_\_\_\_ (initial here)

Affiant Stephanie Toothaker

SWORN TO AND SUBSCRIBED before me in the County and State above aforesaid this 25 day of January, 2022

(SEAL)

Estefania Mayorga  
NOTARY PUBLIC  
MY COMMISSION EXPIRES: 08-13-2023







CITY OF FORT LAUDERDALE  
**PUBLIC NOTICE**

**BOARD OF ADJUSTMENT MEETING**

**DATE: FEBRUARY 9, 2022**

**TIME: 6:00 PM**

**CASE: PLN-BOA-21120006**

**REQUESTING: Sec. 47-19.2.P. Free Standing Shade Structures**

- 1. Requesting a variance to allow an existing freestanding shade structure with outdoor kitchen to be partially enclosed on three sides with 36-inch high built-in cabinetry where the Code requires all sides to be open.**
- 2. Requesting a variance to allow an existing freestanding shade structure with outdoor kitchen to have a maximum height of 13 feet where the Code allows a maximum height of 12 feet measured from the ground to the top of the structure.**

**LOCATION: CITY COMMISSION CHAMBERS  
CITY HALL, 100 N ANDREWS AVENUE**

**INFORMATION: CONTACT (954) 828-6506  
<http://www.fortlauderdale.gov>**



This notice is the property of the City of Fort Lauderdale. In accordance with City Code Section 16-29, it shall be unlawful for any person to remove, cut, break or destroy in any manner any building or other thing belonging to or under the control of the City. Persons making or removing the Notice may be subject to fine or other punishment.  
In accordance with City Code Section 47-27.2A, if the sign shall remain on the property until final disposition of the application, the sign shall include any defense, objection, appeal, request for review, or hearing by another body. The sign information shall be subject to a hearing in subsection A.3.c



Record #	Description	Application Name	Record Type	Balance	Planner	Street #	Dir	Street Name	Type	Opened Date	Status
PLN-BOA-21120006		Outdoor Kitchen Variance	Z- Board of Adjustment (BOA)	50		2657	NE		37 DR	12/3/2021	Open
CE21070120	CONSTRUCTION TRUCKS ON THE STREET BEEN THERE SINCE JANUARY		Code Case	0	Malaika Murray	2657	NE		37 DR	7/6/2021	Closed
CE21060665	work trucks blocking roadway		Code Case	0	Caracas	2657	NE		37 DR	6/23/2021	Closed
PLB-IRR-21060018	1" IRRIGATION WATER METER WITH BACK FLOW	1" IRRIGATION WATER METER WITH BACK FLOW	Plumbing Irrigation Permit	0		2657	NE		37 DR	6/18/2021	Issued
BLD-FEN-20110040	INSTALL 4FT HIGH ALUMINUM FENCE 360 LF W/ (3) 4X4 SELF-CLOSING GATES	INSTALL 4FT HIGH ALUMINUM FENCE 360 LF W/ (3) 4X4 SELF-CLOSING GATES	Fence Permit	0		2657	NE		37 DR	11/10/2020	Complete
PLB-GAS-20040019	1000 GAL TANK BURIED TO 7 GAS OUTLETS	1000 GAL TANK BURIED TO 7 GAS OUTLETS	Plumbing Gas Permit	0		2657	NE		37 DR	4/14/2020	Complete
ELE-RES-20030008	NEW SWIMMING POOL AND SPA SAND SET PAVER DECKING	ELECTRICAL BP BLD-RPSF-20030003	Electrical Residential Permit	0		2657	NE		37 DR	3/3/2020	Complete
PLB-RES-20030016	NEW SWIMMING POOL AND SPA SAND SET PAVER DECKING	PLUMBING BP BLD-RPSF-20030003	Plumbing Residential Permit	0		2657	NE		37 DR	3/3/2020	Complete
BLD-RPSF-20030003	NEW SWIMMING POOL AND SPA SAND SET PAVER DECKING	NEW SWIMMING POOL AND SPA SAND SET PAVER DECKING	Residential Pool-Spa-Fountain Permit	0		2657	NE		37 DR	3/3/2020	Complete
PM-19100237	TEMP POLE FOR 18110604	TEMP POLE FOR 18110604	Electrical Residential Permit	0		2657	NE		37 DR	10/2/2019	Complete
PM-19061716	TREE REMOVAL BP 19061710 ~ ~TOTAL REPLACEMENT TO BE ~14 PALMS ANY SPECIES ~MIN. 8 FEET CLEAR TRUNK ~OR EQUIVALENT AS APPROVED ~ ~REMOVED ~#1-4,8-14,17,23-25 ~ ~PROTECT ~#5-7,18-22,26-28 ~ ~INVASIVE NO PERMIT ~#15 BISHOP WOOD ~#16 CARROT WOOD	TREE REMOVAL BP 19061710	Landscape Tree Removal-Relocation Permit	0		2657	NE		37 DR	6/14/2019	Complete
PM-19061710	DEMOLISH HOUSE, POOL AND DRIVEWAY BP 18110604 ~ ~NOC ~ ~09/06/19 RECHECK M P E	DEMOLISH HOUSE, POOL AND DRIVEWAY BP 18110604	Residential Demolition Permit Plumbing Sewer Cap Permit	0		2657	NE		37 DR	6/14/2019	Complete
PM-19061709	SEWER CAP 220 LF PRIVACY FENCE FOR BP 18110604	SEWER CAP 220 LF PRIVACY FENCE FOR BP 18110604	Cap Permit	0		2657	NE		37 DR	6/14/2019	Complete
PM-19051688	GLANDSCAPE BP 18110604	GLANDSCAPE BP 18110604	Fence Permit	0		2657	NE		37 DR	5/16/2019	Void
PM-19050878	GLANDSCAPE BP 18110604	GLANDSCAPE BP 18110604	ROW Landscaping Permit	0		2657	NE		37 DR	5/8/2019	Complete

PM-19050875	PAVER DRIVEWAY OFFSITE PAVERS BP 18110604	PAVER DRIVEWAY OFFSITE PAVERS BP 18110604	ROW Paving Permit	0	2657 NE	37 DR	5/8/2019	Complete
PM-18110652	PLUMBING FOR SUMMER KITCHEN BP 18110650	PLUMBING FOR SUMMER KITCHEN BP 18110650	Plumbing Residential Permit	0	2657 NE	37 DR	11/6/2018	Issued
PM-18110651	ELECTRICAL FOR SUMMER KITCHEN BP 18110650	ELECTRICAL FOR SUMMER KITCHEN BP 18110650	Electrical Residential Permit	26.25	2657 NE	37 DR	11/6/2018	Issued
PM-18110650	OUTDOOR KITCHEN/GAZEBO PAVING FOR NEW SFR BP 18110604	OUTDOOR KITCHEN/GAZEBO PAVING FOR NEW SFR BP 18110604	Accessory Structure Permit Residential Paving Permit	0	2657 NE	37 DR	11/6/2018	Issued
PM-18110649	LANDSCAPE FOR NEW SFR BP 18110604	LANDSCAPE FOR NEW SFR BP 18110604	Landscape Installation Permit	0	2657 NE	37 DR	11/6/2018	Complete
PM-18110647	STORM PIPING FOR BP 18110604	STORM PIPING FOR BP 18110604	Plumbing Residential Permit	0	2657 NE	37 DR	11/6/2018	Complete
PM-18110646	IRRIGATION FOR NEW SFR BP 18110604	IRRIGATION FOR NEW SFR BP 18110604	Plumbing Irrigation Permit	0	2657 NE	37 DR	11/6/2018	Complete
PM-18110645	MECHANICAL FOR NEW SFR BP 18110604	MECHANICAL FOR NEW SFR BP 18110604	Mechanical HVAC New Install Permit	0	2657 NE	37 DR	11/6/2018	Complete
PM-18110644	PLUMBING FOR NEW SFR BP 18110604	PLUMBING FOR NEW SFR BP 18110604	Plumbing Residential Permit	0	2657 NE	37 DR	11/6/2018	Complete
PM-18110643	LOW VOLTAGE BP 18110604	LOW VOLTAGE BP 18110604	Electrical Low Voltage Permit	0	2657 NE	37 DR	11/6/2018	Complete
PM-18110642	(EMAILED)THIRTY DAY TEMP POWER BP 18110604	(EMAILED)THIRTY DAY TEMP POWER BP 18110604	Electrical Temporary Pole	0	2657 NE	37 DR	11/6/2018	Complete
PM-18110641	ELECTRICAL BP 18110604	ELECTRICAL BP 18110604	Electrical Residential Permit	0	2657 NE	37 DR	11/6/2018	Complete
PM-18110640	METAL ROOF BP 18110604	METAL ROOF BP 18110604	Re-Roof Permit	0	2657 NE	37 DR	11/6/2018	Complete
	SINGLE FAMILY RESIDENCE: 4 BEDROOMS, 4 BATHROOMS AND A 3 CAR GARAGE							
	~							
	~2015 IRC PLAN REVIEW ATTACHED							
	~							
	~							
	~DR#0062648 ER#000417888 SRRA ID#000035071 ~03/06/2019 RECHECK..P..M..L..G.							
	~							
	~4/15/19 OUT FOR CORRECTIONS							
	~							
	~5/16/2019 RECHECK-M,L,G							
	~							
	~6/18/2019							
PM-18110604	RECHECK L M ~REV3 SUBMITTED	NEW SFR 4BED 4BATH 3CAR GARAGE	Residential New Construction Permit	0	2657 NE	37 DR	11/6/2018	Complete
PM-18110596	TREES FOR DEMO BP 18110594	TREES FOR DEMO BP 18110594	Landscape Tree Removal-Relocation Permit	0	2657 NE	37 DR	11/6/2018	Void
PM-18110594	DEMOLITION ~SRRA ID#0000035071 ER#000417837	DEMOLITION	Residential Demolition Permit	0	2657 NE	37 DR	11/6/2018	Void
PM-18110591	SEWER TAP FOR DEMO	SEWER TAP FOR DEMO	Plumbing Sewer Cap Permit	0	2657 NE	37 DR	11/6/2018	Void
VIO-CE17050682_1		NE 37TH DRIVE LLC	Violation-CODE Hearing	0	2657 NE	37 DR	5/9/2017	Closed
CE17050682	LS ASAP 0 OPEN CASES FOUND	NE 37TH DRIVE LLC	Code Case	0	2657 NE	37 DR	5/9/2017	Closed
PM-15032624	REPLACE CAST IRON PIPE WITH PVC	REPLACE CAST IRON PIPE WITH PVC	Plumbing Residential Permit	0	2657 NE	37 DR	3/27/2015	Complete

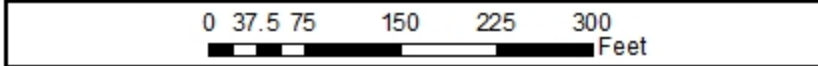
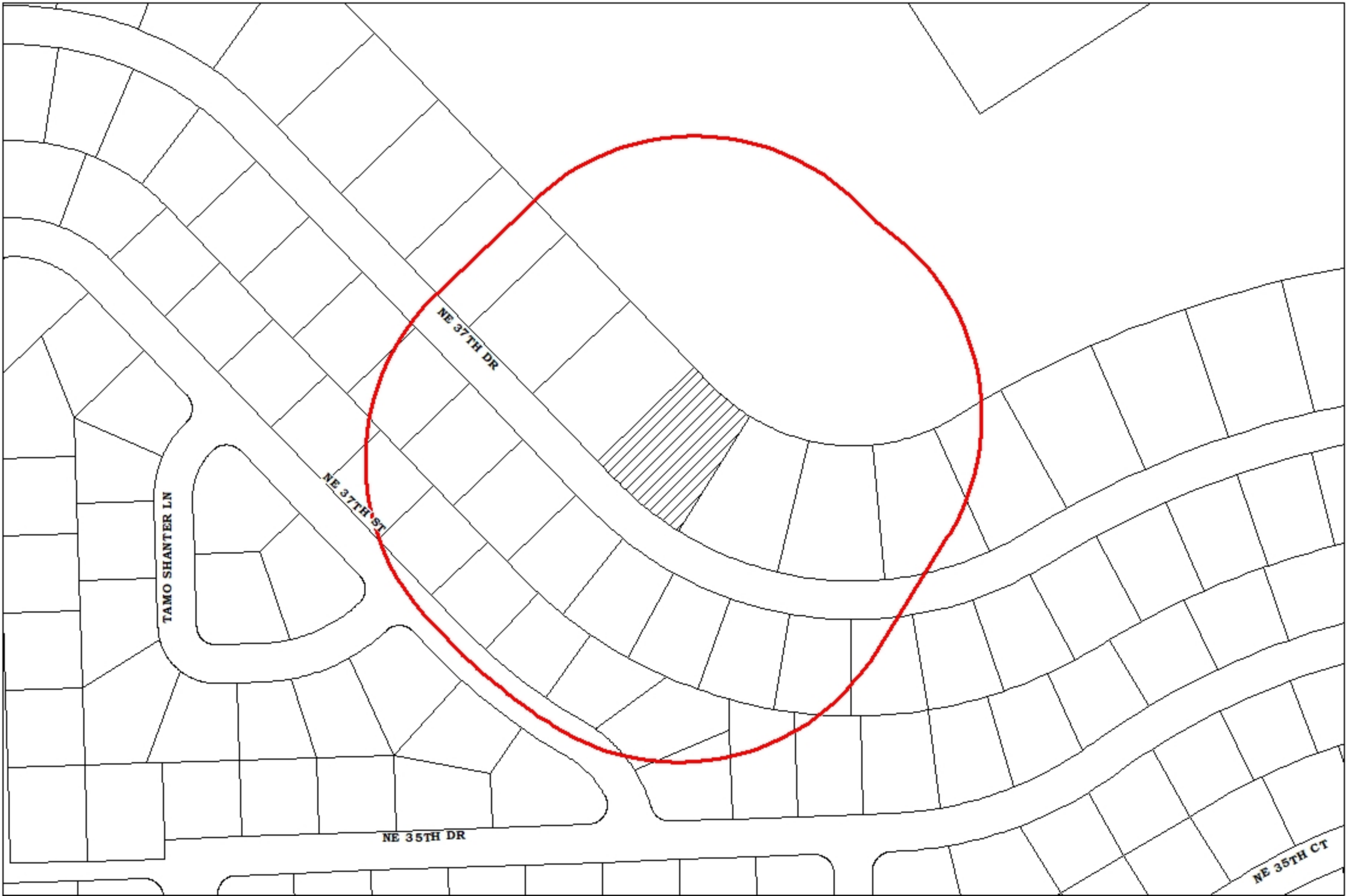
PM-04070811	INSTALL HURRICANE SHUTTERS ON 19 OPENINGS	INSTALL HURRICANE SHUTTERS ON 19 OPENINGS	Shutter Permit	0	2657 NE	37 DR	7/12/2004 Complete
AB-0055345		PORTER KAREN/KRISTOFF SANDRA	Resident/Business Alarm Registration	0	2657 NE	37 DR	4/29/2004 Active
PM-02061363	REPLACE GARAGE DOOR	REPLACE GARAGE DOOR	Window and Door Permit	0	2657 NE	37 DR	6/18/2002 Complete
PM-02041915	TWO CEMENT COLUMNS FOR GARAGE DOOR HOOK UP SFR ~CONVERT CARPORT TO GARAGE	TWO CEMENT COLUMNS FOR GARAGE DOOR HOOK UP SFR	Residential Alteration Permit	134.99	2657 NE	37 DR	4/25/2002 Void
PM-02011280	INSTALL PAVING STONES ON POOL DECK 1800 SF	INSTALL PAVING STONES ON POOL DECK 1800 SF	Residential Pool-Spa-Fountain Permit	0	2657 NE	37 DR	1/17/2002 Complete
PM-01061533	REPLACE (13) WINDOWS ~REVISE 9-10-1 REROOF 7 SQ FLAT ROOF	REPLACE (13) WINDOWS	Window and Door Permit	0	2657 NE	37 DR	6/21/2001 Complete
PM-01041275	REROOF 7 SQ FLAT ROOF	REROOF 7 SQ FLAT ROOF	Re-Roof Permit	0	2657 NE	37 DR	4/18/2001 Complete
PM-00121415	LOW VOLTAGE-ELECTRICAL (1 CONTROL PANEL/16 DEV)	LOW VOLTAGE-ELECTRICAL (1 CONTROL PANEL/16 DEV)	Electrical Burglar Alarm	0	2657 NE	37 DR	12/20/2000 Complete

**PLN-BOA-21120006**

**Sec. 47-19.2.P. Free Standing Shade Structures**

*(P.) Freestanding shade structures.* Freestanding shade structures (such as a gazebo, a tiki hut, or a trellis) may be permitted when accessory to residential uses, in the required rear yard but no closer than five (5) feet from the rear property line except where a parcel is abutting a waterway, where they shall be no closer than ten (10) feet from the waterway as measured in accordance with Section 47-2.2.R. Freestanding shade structures shall be open on all sides and shall be no greater in height than twelve (12) feet measured from the ground to the top of the structure, and shall be limited in size to a maximum of two hundred (200) gross square feet in area for that portion of the structure protruding into the required yard area. No more than one (1) freestanding shade structure per plot shall be permitted in the required rear yard.

FOLIO_NUMB	NAME_LINE_	NAME_LINE1	ADDRESS_LI	CITY	STATE	ZIP
494224071500	KURAMOTO,CURTIS & CATHERINE		2633 NE 37 DR	FORT LAUDERDALE	FL	33308
494224071490	ARGENZIANO,GUY	SILBON,BRIAN	2641 NE 37 DR	FORT LAUDERDALE	FL	33308
494224071880	KENNEDY,PETER M & PATRICIA ANN		2626 NE 37 DR	FORT LAUDERDALE	FL	33308
494224071480	PALOMBO,MAX & MEAGAN		2649 NE 37 DR	FORT LAUDERDALE	FL	33308
494224071870	DOBBINS,CYNTHIA T		2628 NE 37 DR	FORT LAUDERDALE	FL	33308
494224071470	KITCHEN,DIANA H/E	KITCHEN,RUSSELL	6061 NE 14 AVE	FORT LAUDERDALE	FL	33334
494224072000	WEST,LIBBY L & MICHAEL A		2617 NE 37 ST	FORT LAUDERDALE	FL	33308
494224071860	TIEDT,RODNEY J		2644 NE 37 DR	FORT LAUDERDALE	FL	33308
494224071440	HOOPER,ALAN C & KRISTEN M		2719 NE 37 DR	FORT LAUDERDALE	FL	33308
494224071471	TAUBER,ANDREW D H/E	TAUBER, FRANCESCA L	2665 NE 37 DR	FORT LAUDERDALE	FL	33308
494224071450	MOFFA,JOSEPH & CATHY		2701 NE 37 DR	FORT LAUDERDALE	FL	33308
494224072010	WILKERSON,ERIC C & JENNIFER L		2621 NE 37 ST	FORT LAUDERDALE	FL	33308
494224071850	PEICHER,ANABEL		2648 NE 37 DR	FORT LAUDERDALE	FL	33308
494224071460	DAVEY,LYNDA & TIMOTHY		2673 NE 37 DR	FORT LAUDERDALE	FL	33308
494224072020	SHIR,MENO & NILI	SHIR REV TR	2625 NE 37 ST	FORT LAUDERDALE	FL	33308
494224071840	REESER,MORGAN	COLE-REESER,LOUISE	2656 NE 37 DR	FORT LAUDERDALE	FL	33308
494224071830	HUMBLE,KAREN		2660 NE 37 DR	FORT LAUDERDALE	FL	33308
494224072030	SARMIENTO,GERMAN O	WILSON,WILLIAM A	2629 NE 37 ST	FORT LAUDERDALE	FL	33308
494224071820	HURST,ROBERT W & MARILYN		112 RINGWOOD RD	BRYN MAWR	PA	19010
494224072040	WILLIAM J COVIELLO REV TR		2633 NE 37 ST	FORT LAUDERDALE	FL	33308
494224071810	LUNDT,ERIC L H/E	WILLARD,JEREMY P	2668 NE 37 DR	FORT LAUDERDALE	FL	33308
494224071800	O'MAHONEY,PAIGE & BRIAN		2672 NE 37 DR	FORT LAUDERDALE	FL	33308
494224071790	FRIEDLAND,ALAN	FRIEDLAND,PHYLLIS A ETAL	2700 NE 37 DR	FORT LAUDERDALE	FL	33308
494224072050	GREGORY,TODD W & HOLLY N		2637 NE 37 ST	FORT LAUDERDALE	FL	33308
494224072060	THOMAS,R GEOFFREY	R GEOFFREY THOMAS REV TR	2641 NE 37 ST	FORT LAUDERDALE	FL	33308
494224072080	DAVIS,JAMES B &	FLUTIE-DAVIS,PIA	2653 NE 35 DR	FORT LAUDERDALE	FL	33308
494224072090	SCHIFF,JANIS BOYARSKY	SCHIFF,PHILIP DAVID	2659 NE 35 DR	FORT LAUDERDALE	FL	33308
494224072070	BUEROSSE,MARCUS & ANN		2645 NE 35 DR	FORT LAUDERDALE	FL	33308
494224000040	CORAL RIDGE GOLF COURSE INC	ATTN: CONTROLLER	3801 BAYVIEW DR	FORT LAUDERDALE	FL	33308



MARTY KIAR  
BROWARD COUNTY PROPERTY APPRAISER

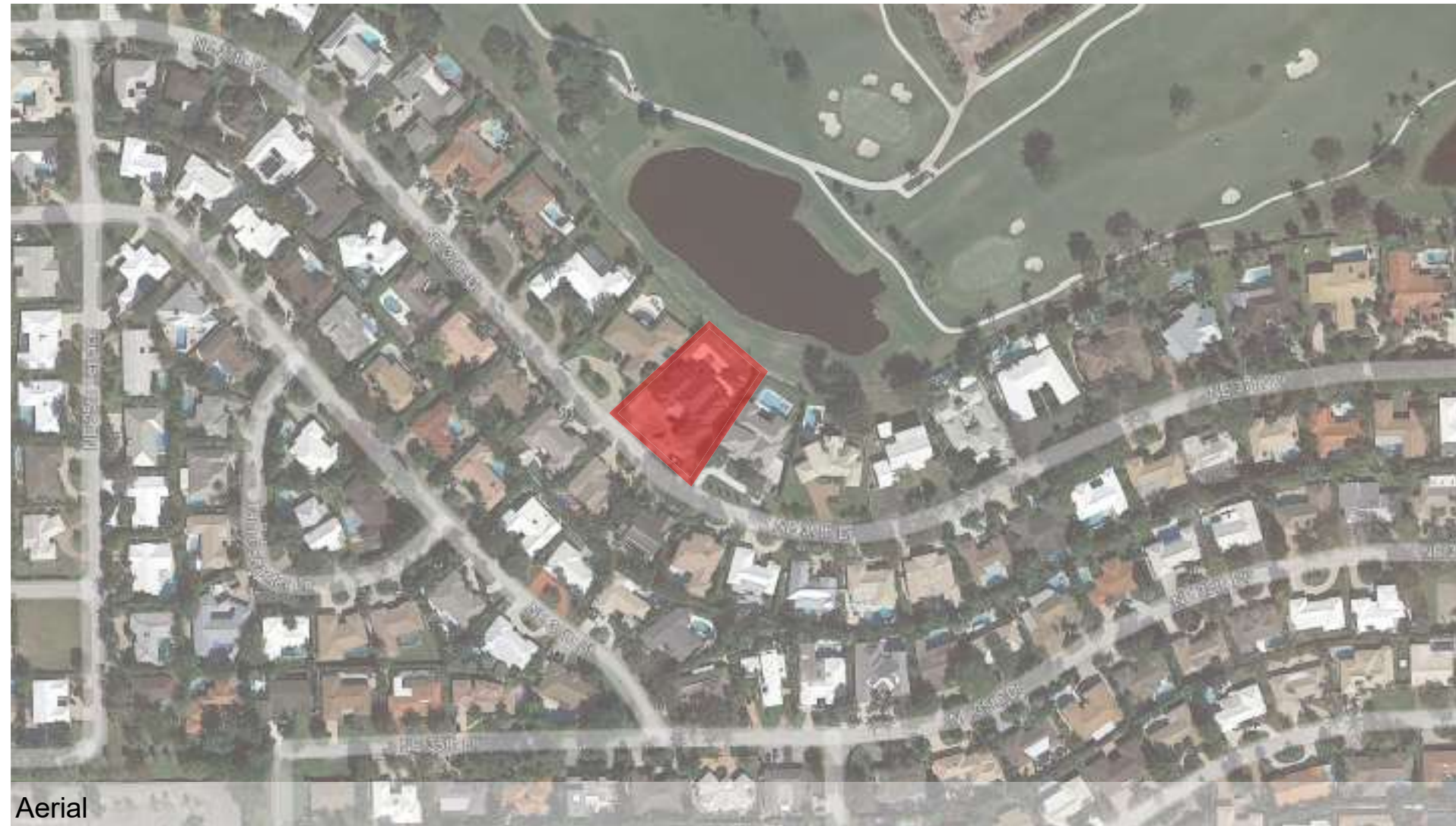


2657 NE 37 DR  
DATE OF PRINT: 11/05/2021

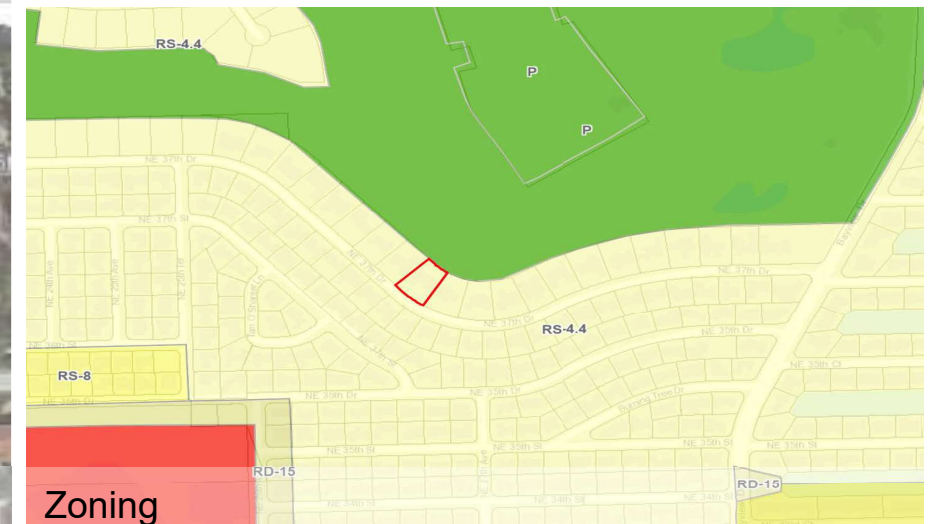
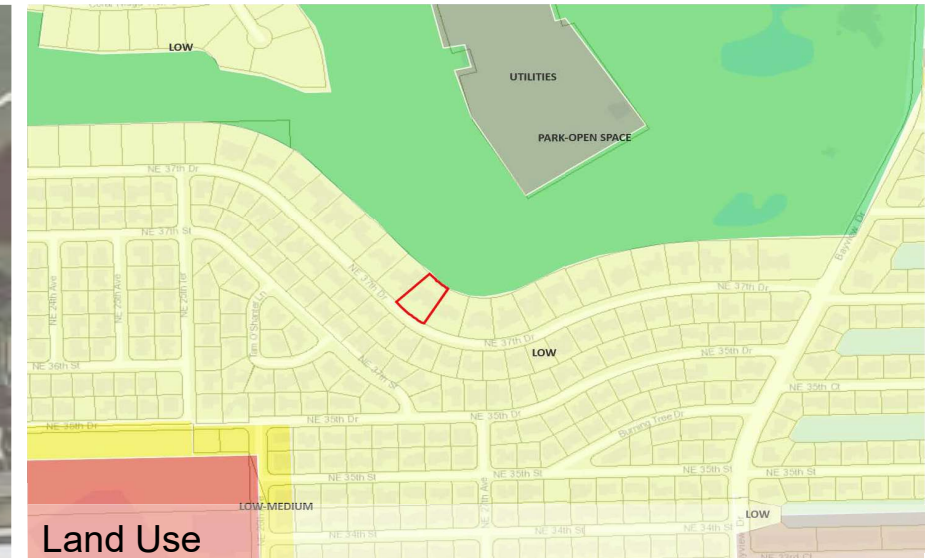
# 2657 NE 37 Drive FORT LAUDERDALE, FL 33308

BOA Variance Application

12-03-2021



Aerial



## Index

1. Survey
2. Current Photos
3. Site Plan
4. Elevations



**BOUNDARY & TOPOGRAPHIC SURVEY**

**SYMBOLS & LEGEND OF ABBREVIATIONS:**

R/W	=	RIGHT OF WAY	X 7.00'	=	ELEVATIONS BASED ON N.A.V.D.
N	=	NORTH	SQ. FT.	=	SQUARE FEET
S	=	SOUTH	P.B.C.R.	=	PALM BEACH COUNTY RECORDS
E	=	EAST	M.D.C.R.	=	MIAMI-DADE COUNTY RECORDS
W	=	WEST	P.O.C.	=	POINT OF COMMENCEMENT
D.B.	=	DEED BOOK	P.O.B.	=	POINT OF BEGINNING
ENCH.	=	ENCROACH	CHATT.	=	CHATTAHOOCHEE
F.F.	=	FINISHED FLOOR	F.P.L.	=	FLORIDA POWER & LIGHT
GAR.	=	GARAGE	B.C.R.	=	BROWARD COUNTY RECORDS
CL	=	CENTERLINE	O.R.B.	=	OFFICIAL RECORDS BOOK
MH	=	MANHOLE	F.D.O.T.	=	FLORIDA DEPARTMENT OF TRANSPORTATION
(M)	=	MEASURED	D.E.P.	=	DEPARTMENT OF ENVIRONMENTAL PROTECTION
P.B.	=	PLAT BOOK	D.N.R.	=	DEPARTMENT OF NATURAL RESOURCES
A/C	=	AIR CONDITIONER	P.R.M.	=	PERMANENT REFERENCE MONUMENT
P	=	PLAT	N.A.V.D.	=	NORTH AMERICAN VERTICAL DATUM

⊕	VALVE	□	UTILITY BOX	—	PARKING STRIPE
⊙	MANHOLE	⊗	HYDRANT	---	OVERHEAD UTILITY LINES
⊞	BASIN	⊕	UTILITY POLE	▬▬▬	6' CONCRETE WALL
⊗	WELL	⊞	VAULT	▨	COVERED AREA
⊞	WATER METER	☆	LIGHT	▧	CONCRETE
⊙	MONITORING WELL	•	BOLLARD	▩	BRICK PAVERS
⊙	PROPERTY CORNER	⊞	AIR CONDITIONER	▨	ASPHALT

**STREET ADDRESS:**

2657 NE 37TH DRIVE FORT LAUDERDALE, FL 33308

**LEGAL DESCRIPTION:**

LOT 14, BLOCK G OF CORAL RIDGE COUNTRY CLUB SUBDIVISION, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 36, PAGE 30, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

**NOTES:**

1. Unless otherwise noted field measurements are in agreement with record measurements.
2. Bearings shown hereon are based on a bearing of N/A.
3. The lands shown hereon were not abstracted for ownership, rights of way, easements, or other matters of records by Accurate Land Surveyors, Inc.
4. Ownership of fences and walls if any are not determined.
5. This survey is the property of Accurate Land Surveyors, Inc. and shall not be used or reproduced in whole or in part without written authorization.
6. The flood zone information shown hereon is for the dwellable structure only unless otherwise indicated.
10. The location of overhead utility lines are approximate in nature due to their proximity above ground. size, type and quantity must be verified prior to design or construction.
11. Accuracy statement: This survey meets or exceeds the horizontal accuracy for SUBURBAN LINEAR : 1 FOOT IN 7,500 FEET.

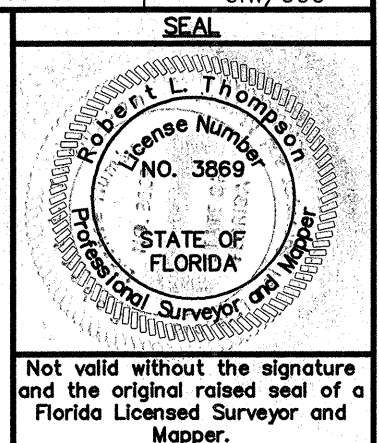
DATE OF FIELD SURVEY: 10-30-00	DRAWN BY: Q.D.I.	
FIELD BOOK: 699-32	CHECKED BY: S.V.	
REVISIONS & SURVEY UPDATES	DATE OF SURVEY & REVISIONS	BY
FINAL SURVEY 21-0731	06-21-2021	MLW
RELOCATE SUMMER KITCHEN COLUMNS (20-0168)	01-30-2020	MLW
SPOT SURVEY 19-2910	12-17-19	MLW
FORMBOARD LOCATIONS 19-2701	11-21-19	MLW
4 CORNER SQUAREOUT 19-2361	10-10-19	MLW
UPDATE/TOPO SURVEY SU-18-1800	07-02-18	AL/MLW
RE-SURVEY SU-17-1586	05-09-17	OIW/CCC

**CERTIFY TO:**

Russell and Diana Kitchen

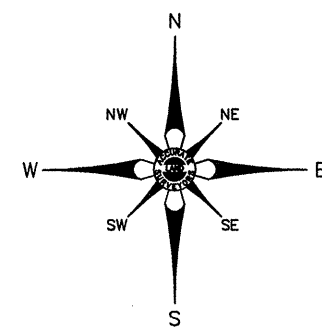
**CERTIFICATION:**

This is to certify that this above ground sketch of boundary survey was made under my responsible charge and is accurate and correct to the best of my knowledge and belief. I further certify that this sketch meets the current Standards of Practice, established by the Board of Professional Surveyors and Mappers, Chapter 5J-17, Florida Administrative Codes, pursuant to current Section 472.027, Florida Statutes.

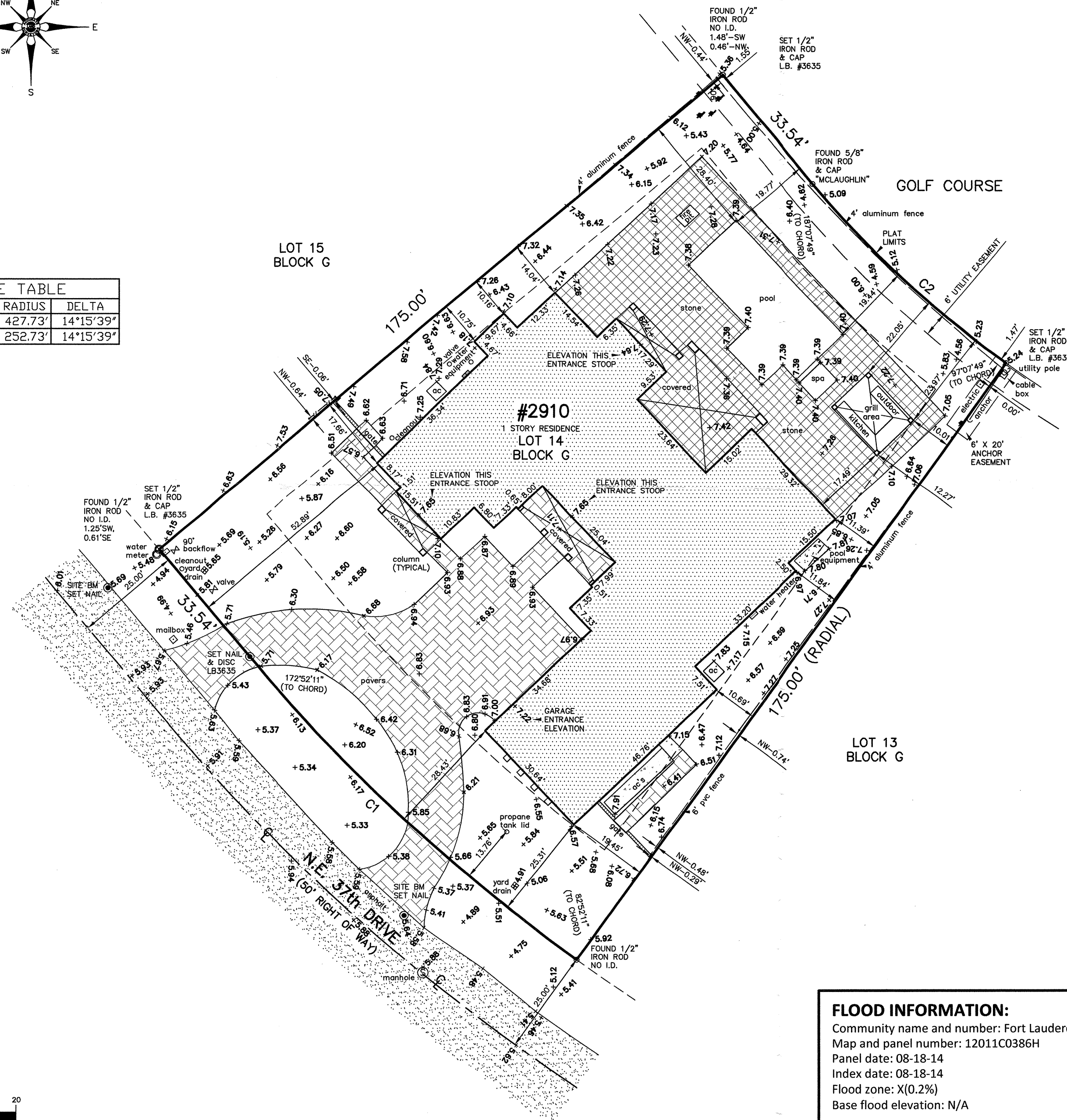


Not valid without the signature and the original raised seal of a Florida Licensed Surveyor and Mapper.

*Robert L. Thompson*  
ROBERT L. THOMPSON (PRESIDENT)  
PROFESSIONAL SURVEYOR AND MAPPER No.3869 - STATE OF FLORIDA

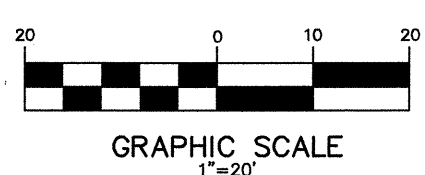


CURVE	LENGTH	RADIUS	DELTA
C1	106.46'	427.73'	14°15'39"
C2	62.90'	252.73'	14°15'39"



**FLOOD INFORMATION:**  
Community name and number: Fort Lauderdale 125105  
Map and panel number: 12011C0386H  
Panel date: 08-18-14  
Index date: 08-18-14  
Flood zone: X(0.2%)  
Base flood elevation: N/A

**BENCHMARK INFORMATION:**  
Broward County Benchmark #267  
Elevation = 3.85'NAVD1988

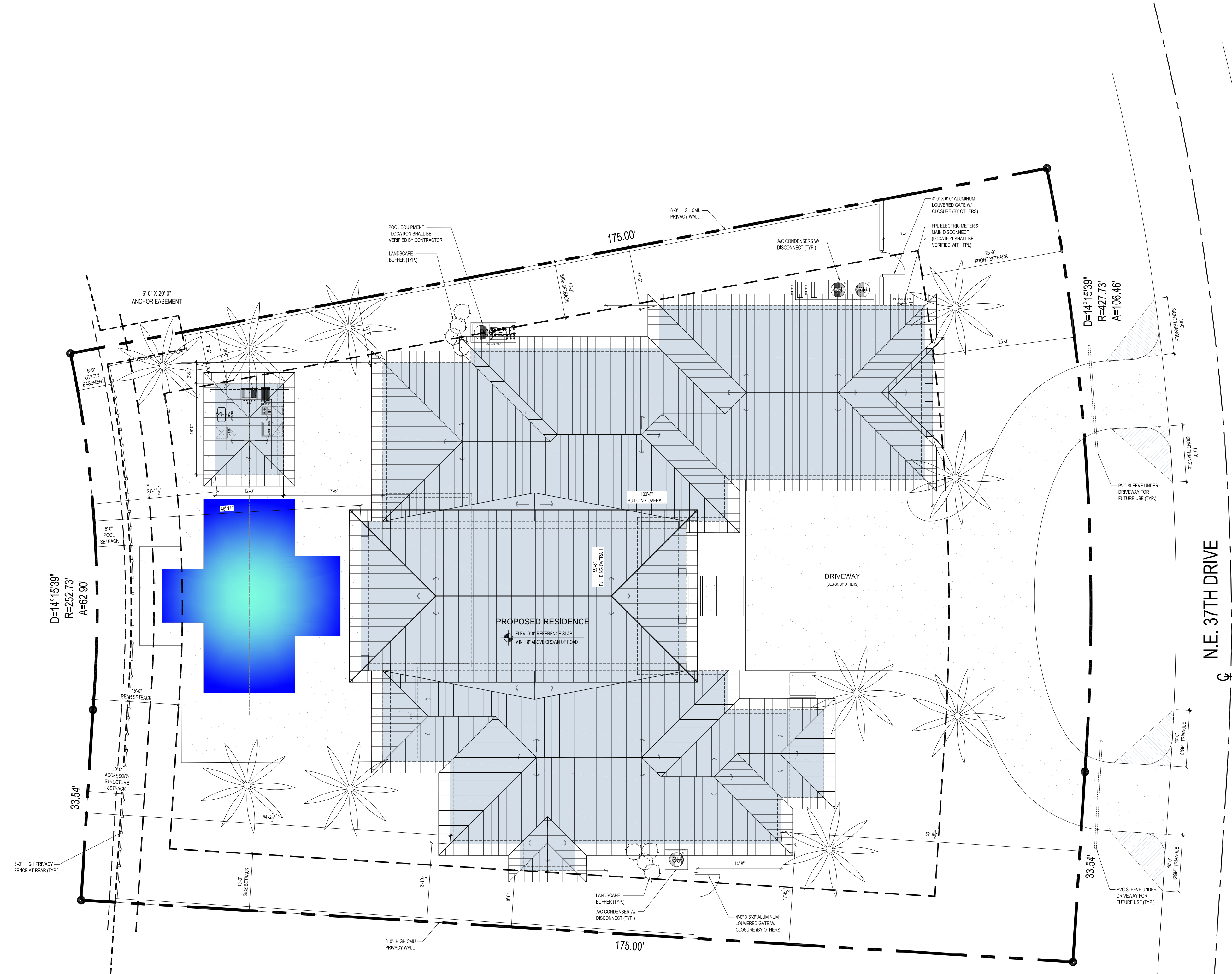




Side Views



Interior View



### SITE NOTES

- SEE ATTACHED SURVEY FOR LEGAL DESCRIPTION
- VERIFY PROPERTY LINE DIMENSIONS WITH SURVEY
- SEE CIVIL AND LANDSCAPE PLANS FOR ANY ADDITIONAL INFORMATION REGARDING HARDSCAPE, DRAINAGE, POOL CONSTRUCTION AND DESIGN AND ANY OTHER SITE SPECIFIC INFORMATION.
- SITE DRAINAGE BY CIVIL ENGINEER

### SITE DATA

LOT SIZE	20737.0 SQ. FT.
TYPE OF CONSTRUCTION	
TYPE V-B	
*MAXIMUM NUMBER OF STORIES ALLOWED	= 3 STORIES
*NUMBER OF STORIES PROVIDED	= 1 STORY
*MAXIMUM SQUARE FOOTAGE ALLOWED	= UNLIMITED
*SQUARE FOOTAGE PROVIDED	= 6,737 SQ. FT.
TYPE OF OCCUPANCY	
GROUP 'R3' (SINGLE FAMILY RESIDENTIAL)	
SITE SETBACK REQUIREMENTS	
ZONING - (RS-4.4) - RESIDENTIAL OF SINGLE FAMILY / LOW DENSITY DISTRICT	
SETBACKS	
*FRONT SETBACK REQUIRED	25'-0"
*FRONT SETBACK PROVIDED	25'-0"
*REAR SETBACK REQUIRED	15'-0"
*REAR SETBACK PROVIDED	21'-11 1/2"
*LEFT SIDE SETBACK REQUIRED	10'-0"
*LEFT SIDE SETBACK PROVIDED	10'-0"
*RIGHT SIDE SETBACK REQUIRED	10'-0"
*RIGHT SIDE SETBACK PROVIDED	11'-0"
BUILDING HEIGHT REQUIREMENT	
*MAXIMUM BUILDING HEIGHT ALLOWED	35'-0"
*ACTUAL BUILDING HEIGHT PROVIDED	21'-0"
NOTE: MAXIMUM BUILDING HEIGHT MEASUREMENTS BASED ON CITY OF FT. LAUDERDALE LAND DEVELOPMENT REGULATIONS SECTION 47.2.2 MEASUREMENTS (G) GRADE (1)E	
FLOOR AREA RATIO (F.A.R.) REQUIREMENT	
*MAXIMUM (F.A.R.) FLOOR AREA RATIO ALLOWED	60% = 12,442 SQ. FT.
*ACTUAL (F.A.R.) FLOOR AREA RATIO PROVIDED	32.5% = 6,737 SQ. FT.
LOT COVERAGE REQUIREMENT	
*MAXIMUM LOT COVERAGE ALLOWED	40% = 8,295 SQ. FT.
*ACTUAL LOT COVERAGE PROVIDED	36.5% = 7,572 SQ. FT.
-MAIN HOUSE COVERED AREA	
	6565.4 SQ. FT.
-SUMMER KITCHEN COVERED AREA	
	192.0 SQ. FT.
-POOL/SPA/SUN SHELF AREA	
	724.4 SQ. FT.
-EQUIPMENT PAD AREA	
	98.4 SQ. FT.
TOTAL IMPERVIOUS AREA	
	7572.2 SQ. FT.
-FRONT DRIVEWAY PERVIOUS PAVER AREA	
	2325.6 SQ. FT.
-REAR POOL DECK PERVIOUS PAVER AREA	
	1546.7 SQ. FT.

### WINDOW & DOOR SCHEDULE

EXTERIOR WINDOWS									
W-##	TYPE	EACH WINDOW SIZE		TRANSOM	COLLINE	GLASS	SHADING	SCREENS	NOTES
		WIDTH	HEIGHT						
W-01	FIXED	3'-0"	6'-0"	3'-0"X3'-0"	X				WI 6-PANEL MOUNTING W/ 8-PANEL MOUNTING AB.
W-02	SINGLE HUNG	3'-0"	5'-0"	1'-8"X3'-0"					WI 6 (0) MOUNTING W/ 3-PANEL MOUNTING AB.
W-03	SINGLE HUNG	3'-0"	5'-0"	1'-8"X3'-0"					WI 6 (0) MOUNTING W/ 3-PANEL MOUNTING AB.
W-04	SINGLE HUNG	3'-0"	5'-0"	1'-8"X3'-0"	X	X			WI 6 (0) MOUNTING W/ 3-PANEL MOUNTING AB.
W-05	SINGLE HUNG	3'-0"	5'-0"	1'-8"X3'-0"					
W-06	SINGLE HUNG	3'-0"	5'-0"	1'-8"X3'-0"					
W-07	SINGLE HUNG	3'-0"	5'-0"	1'-8"X3'-0"					
W-08	FIXED	3'-0"	5'-0"						
W-09	FIXED	2'-8"	5'-0"						
W-10	CASEMENT	3'-0"	5'-0"						
W-11	CASEMENT	3'-0"	5'-0"						
W-12	CASEMENT	2'-8"	5'-0"						
W-13	CASEMENT	2'-8"	5'-0"						WI DOUBLE HEIGHT SILL FRAME
W-14	3-PANEL FIXED	3'-0"	6'-0"						
W-15	FIXED	3'-0"	4'-0"			X			
W-16	FIXED	3'-0"	4'-0"			X			
W-17	2-PANEL FIXED	6'-0"	4'-0"			X			
W-18	FIXED	3'-0"	5'-0"						
W-19	DOUBLE CASEMENT	6'-0"	5'-0"						
W-20	FIXED	3'-0"	5'-0"						
W-21	FIXED	3'-0"	3'-0"						
W-22	FIXED	3'-0"	3'-0"						
W-23	SINGLE HUNG	3'-0"	5'-0"	1'-8"X3'-0"	X	X			WI 6 (0) MOUNTING W/ 3-PANEL MOUNTING AB.
W-24	SINGLE HUNG	3'-0"	5'-0"	1'-8"X3'-0"	X	X			WI 6 (0) MOUNTING W/ 3-PANEL MOUNTING AB.
W-25	SINGLE HUNG	3'-0"	5'-0"	1'-8"X3'-0"					WI 6 (0) MOUNTING W/ 3-PANEL MOUNTING AB.
W-26	SINGLE HUNG	3'-0"	5'-0"	1'-8"X3'-0"					WI 6 (0) MOUNTING W/ 3-PANEL MOUNTING AB.
W-27	FIXED	3'-0"	8'-0"	3'-0"X3'-0"	X				WI 6-PANEL MOUNTING W/ 8-PANEL MOUNTING AB.
W-28									
W-29									

NOTES:  
 #1 ALL ROUGH OPENINGS SHALL BE FIELD VERIFIED BY MANUFACTURER PRIOR TO WINDOW FABRICATION  
 #2 ALL WINDOW OPENING ASSEMBLIES SHALL BE IMPACT RATED UNLESS OTHERWISE NOTED

EXTERIOR DOORS									
D-##	TYPE	WIDTH	HEIGHT	TRANSOM	COLLINE	GLASS	SHADING	SCREENS	NOTES
D-01	ENTRY SWING DOOR	3'-6"	8'-0"	3'-0"X3'-0"				X	WI 1'-8" SIDELITES & 3-MOUNTING W/ 8-PANEL MOUNTING AB.
D-02	GARAGE DOOR	18'-0"	8'-0"						WI 12-PANEL LOUVERED INLAY
D-03	GARAGE DOOR	9'-0"	8'-0"						WI 8-PANEL LOUVERED INLAY
D-04	SWING DOOR	3'-0"	8'-0"						
D-05	HALF LITE SWING DOOR	2'-8"	8'-0"					X	
D-06	SWING DOOR	2'-8"	8'-0"						WI 2-PANEL LOUVERED INLAY
D-07	SLIDING GLASS DOOR	20'-0"	8'-0"	(6) 5'-0"X3'-0"					4-PANEL DOOR
D-08	SLIDING GLASS DOOR	12'-0"	8'-0"						3-PANEL DOOR
D-09	DOUBLE FULL LITE DOOR	6'-0"	8'-0"						WI 3'-0"X8'-0" SIDELITES W/ 8-MOUNTING

NOTES:  
 #1 ALL ROUGH OPENINGS SHALL BE FIELD VERIFIED BY MANUFACTURER PRIOR TO DOOR FABRICATION  
 #2 ALL DOOR OPENING ASSEMBLIES SHALL BE IMPACT RATED UNLESS OTHERWISE NOTED

**SITE PLAN**  
SCALE: 3/32" = 1'-0"

#17019

architecture + energy of intelligence

tel: 561.672.7124

www.intelae.com

1615 south federal highway + suite 206

boca raton + florida + 33432

**KITCHEN RESIDENCE**

2657 N.E. 37TH DRIVE

FT. LAUDERDALE, FL 33308

REVISIONS:

12-17-2018	CITY COMMENTS
5-15-2019	CITY COMMENTS
4-24-2020	CLIENT REVISION
4-27-2021	AS-BUILT REVISION

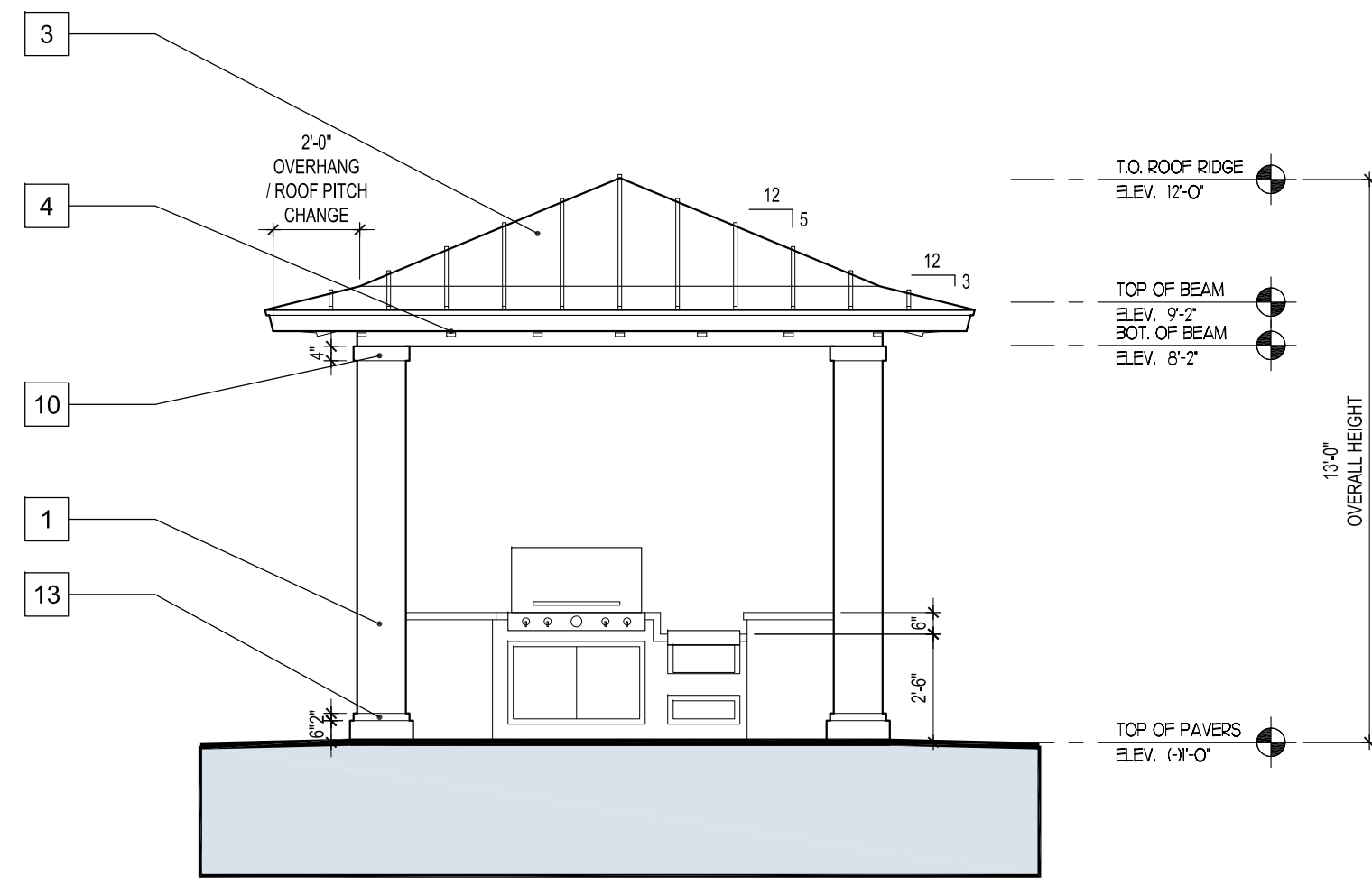
DATE: 12-22-2017

CHKD BY: RPLM/JLR

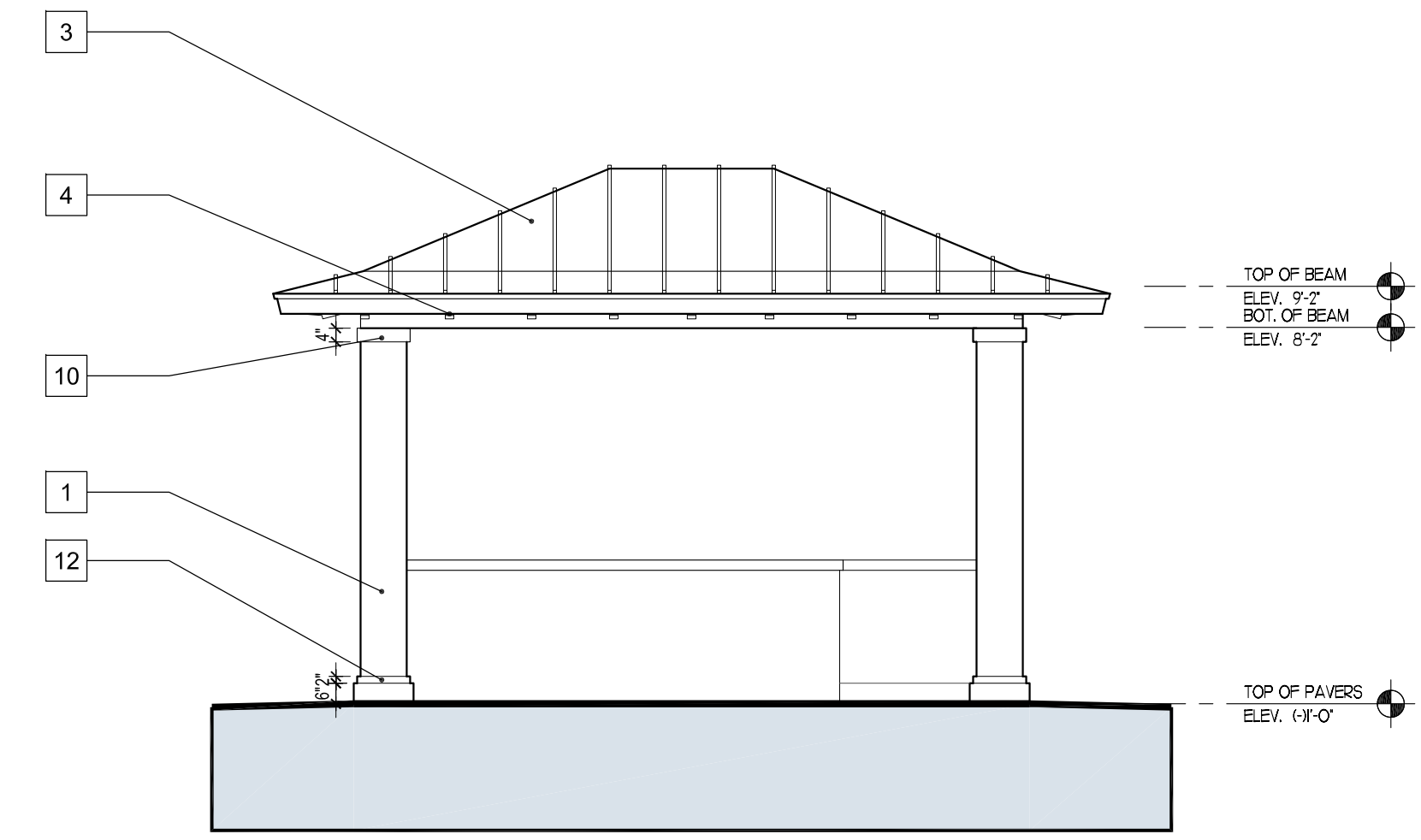
PERMIT: 7-11-2018

CONSTRUCTION: ©2017 - AA56102874

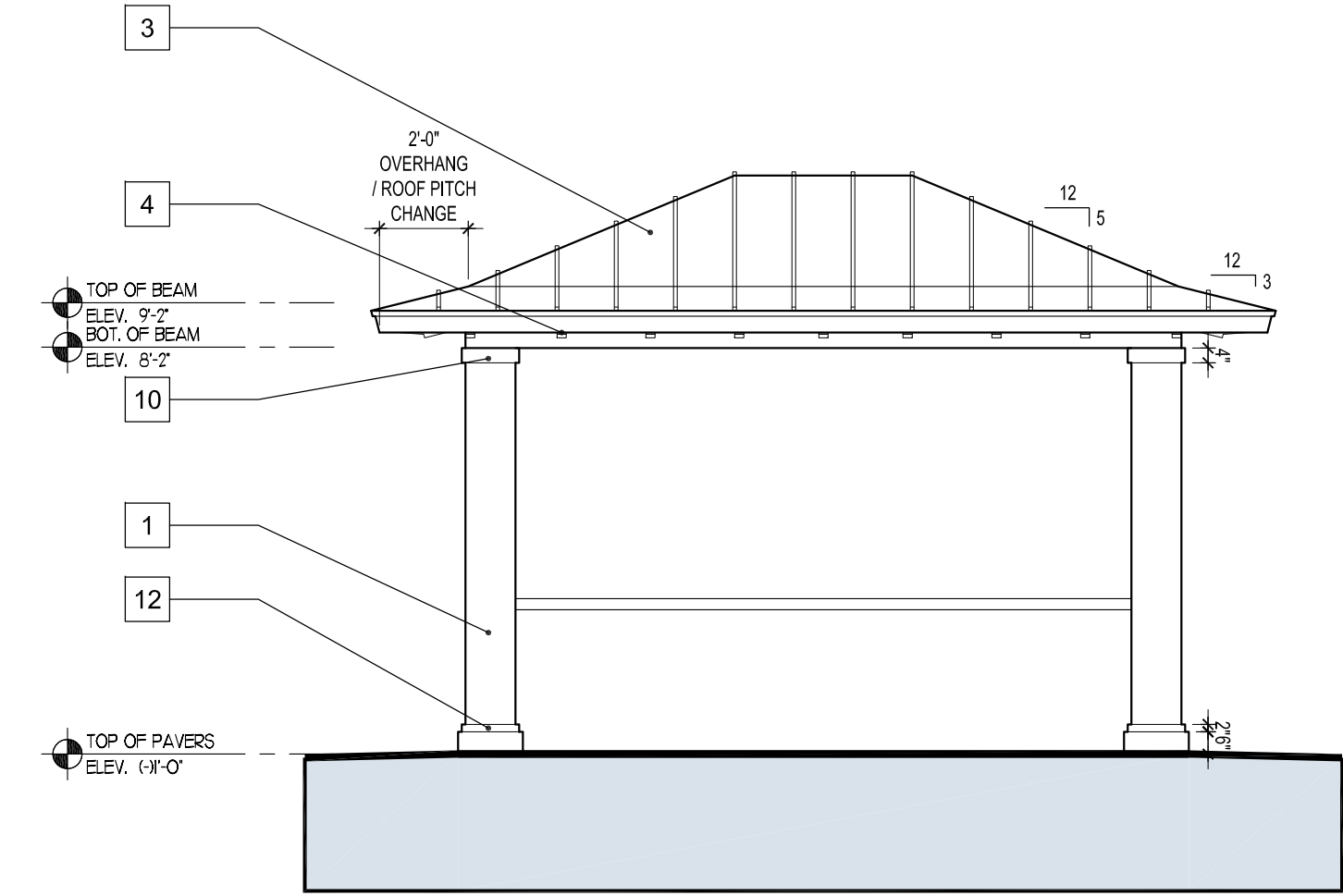
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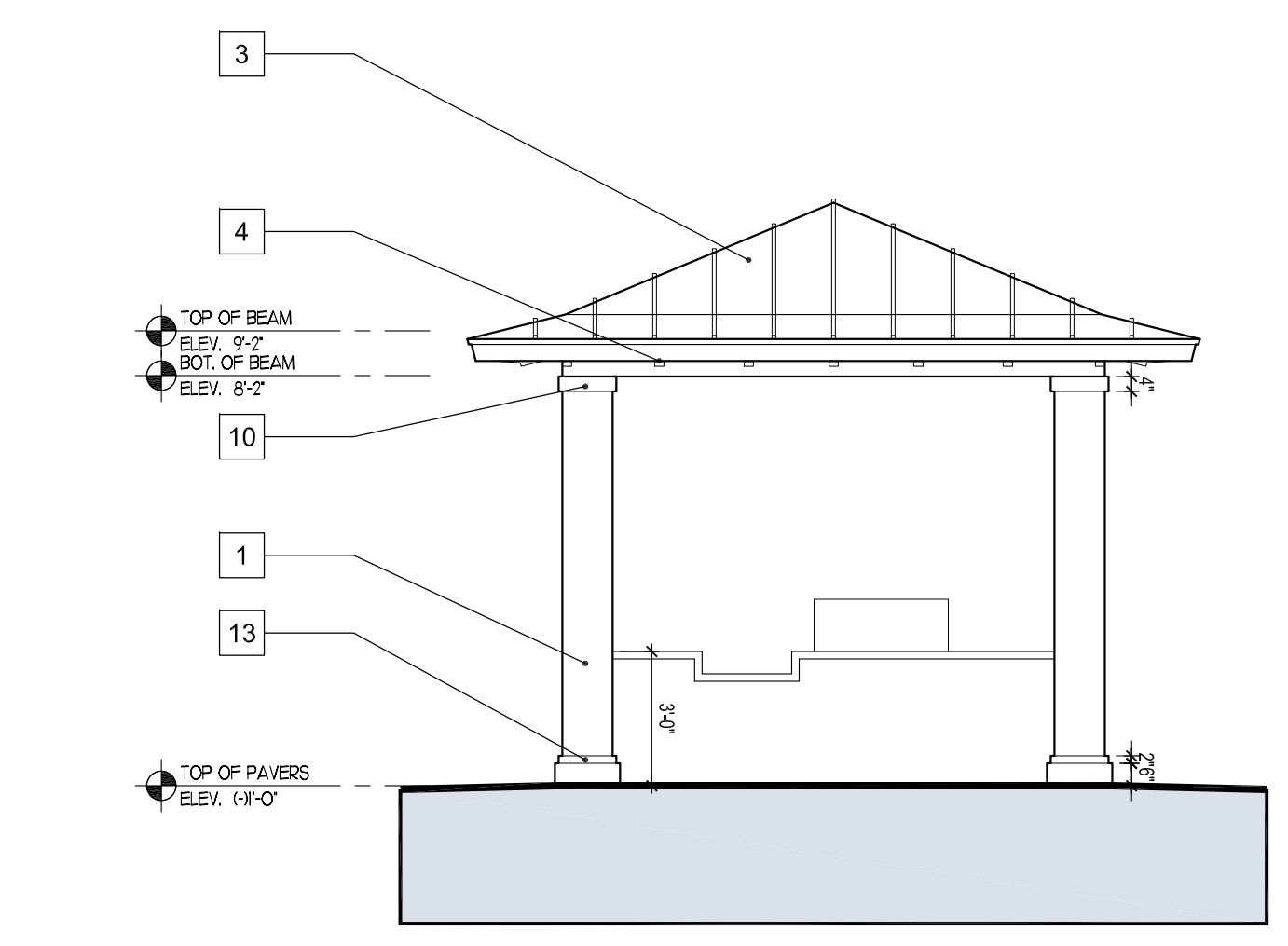
**SUMMER KITCHEN LEFT ELEVATION**  
SCALE: 1/4" = 1'-0"



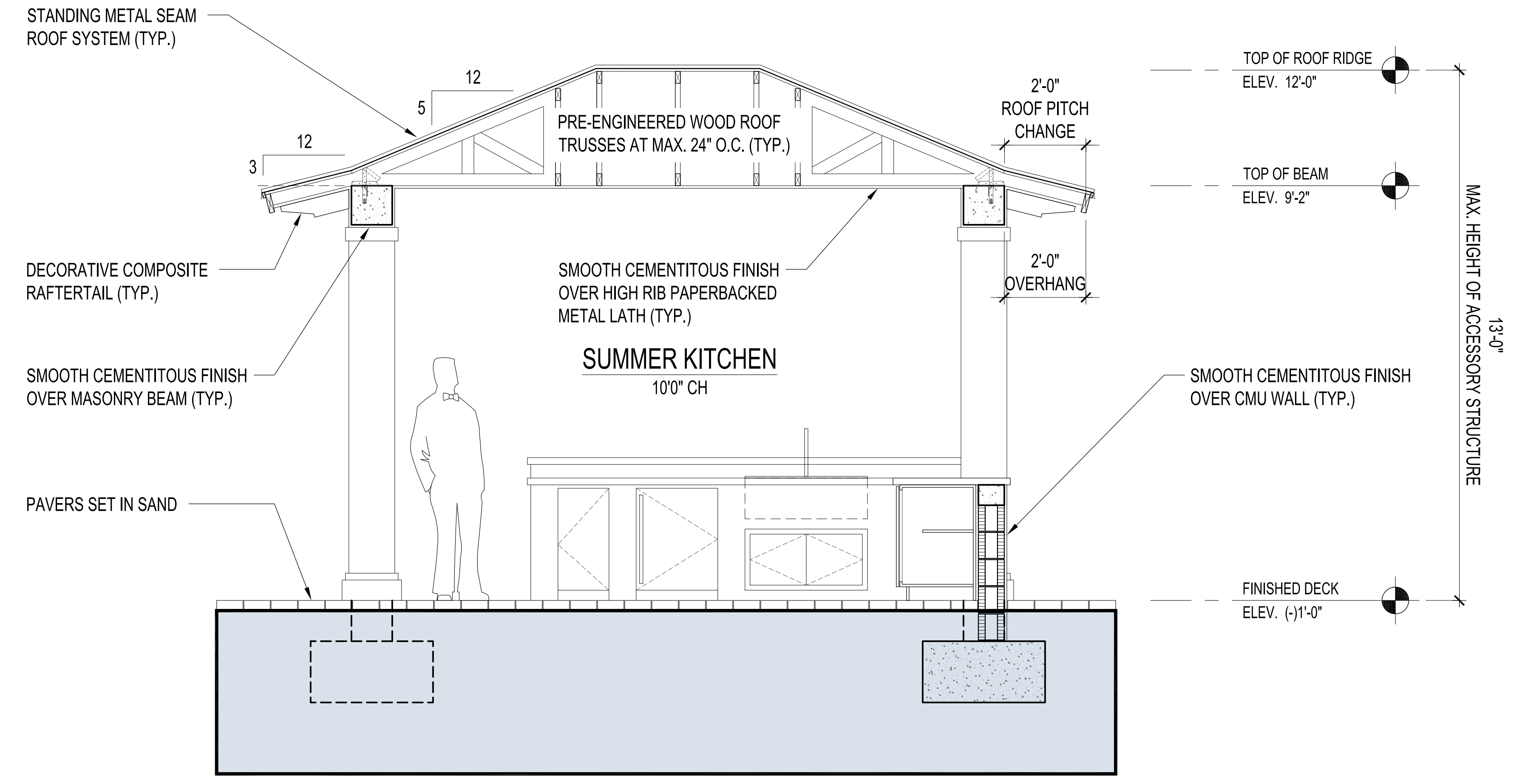
**SUMMER KITCHEN REAR ELEVATION**  
SCALE: 3/16" = 1'-0"



**SUMMER KITCHEN FRONT ELEVATION**  
SCALE: 1/4" = 1'-0"



**SUMMER KITCHEN RIGHT ELEVATION**  
SCALE: 1/4" = 1'-0"



**SUMMER KITCHEN BUILDING SECTION**  
SCALE: 1/2" = 1'-0"

ELEVATION LEDGEND	
1	SMOOTH CEMENTITIOUS FINISH OVER CMU WALL (TYP.)
2	SIMULATED LAPPED SIDING CEMENTITIOUS FINISH OVER CMU WALL
3	STANDING SEAM ALUMINUM ROOF SYSTEM (TYP.)
4	DECORATIVE COMPOSITE RAFTERTAILS
5	DECORATIVE COMPOSITE CORNER BRACKET EXTENSION
6	DECORATIVE ALUMINUM SHUTTERS AT DOOR/WINDOW SIDES
7	DECORATIVE ALUMINUM 'BAHAMA' SHUTTER ABOVE WINDOW
8	DECORATIVE ALUMINUM LOUVERS
9	DECORATIVE COMPOSITE FINIAL
10	3/4" RAISED SMOOTH CEMENTITIOUS TRIM BAND
11	DOUBLE TRIM BAND: 1/2" RAISED SMOOTH CEMENTITIOUS TOP TRIM BAND W/ 1/4" RAISED SMOOTH CEMENTITIOUS BOTTOM TRIM BAND
12	DOUBLE TRIM BAND: 1/2" RAISED SMOOTH CEMENTITIOUS TOP TRIM BAND W/ 1-1/2" RAISED SMOOTH CEMENTITIOUS BOTTOM TRIM BAND
13	DECORATIVE COMPOSITE LOUVER INLAY BELOW WINDOW

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**KITCHEN RESIDENCE**

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FT. LAUDERDALE, FL 33308

REVISIONS:

12-17-2018	△ CITY COMMENTS
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4-24-2020	△ CLIENT REVISION
4-27-2021	△ AS-BUILT REVISION

DATE: 12-22-2017  
CHKD BY: RPL/JLR  
PERMIT: 7-11-2018

CONSTRUCTION: AA5602874

©2017 - AA5602874

**A5.2**



<b>Site Address</b>	2657 NE 37 DRIVE, FORT LAUDERDALE FL 33308	<b>ID #</b>	4942 24 07 1470
<b>Property Owner</b>	KITCHEN, DIANA H/E KITCHEN, RUSSELL	<b>Millage</b>	0312
<b>Mailing Address</b>	6061 NE 14 AVE FORT LAUDERDALE FL 33334-5007	<b>Use</b>	01
<b>Abbr Legal Description</b>	CORAL RIDGE COUNTRY CLUB SUB 36-30 B LOT 14 BLK G		

**The just values displayed below were set in compliance with Sec. 193.011, Fla. Stat., and include a reduction for costs of sale and other adjustments required by Sec. 193.011(8).**

\* 2022 values are considered "working values" and are subject to change.

Property Assessment Values					
Year	Land	Building / Improvement	Just / Market Value	Assessed / SOH Value	Tax
2022	\$619,620	\$10	\$619,630	\$619,630	
2021	\$619,620	\$10	\$619,630	\$619,630	\$10,995.78
2020	\$619,620	\$10	\$619,630	\$619,630	\$10,941.08

2022 Exemptions and Taxable Values by Taxing Authority				
	County	School Board	Municipal	Independent
<b>Just Value</b>	\$619,630	\$619,630	\$619,630	\$619,630
<b>Portability</b>	0	0	0	0
<b>Assessed/SOH 18</b>	\$619,630	\$619,630	\$619,630	\$619,630
<b>Homestead 100%</b>	\$25,000	\$25,000	\$25,000	\$25,000
<b>Add. Homestead</b>	\$25,000	0	\$25,000	\$25,000
<b>Wid/Vet/Dis</b>	0	0	0	0
<b>Senior</b>	0	0	0	0
<b>Exempt Type</b>	0	0	0	0
<b>Taxable</b>	\$569,630	\$594,630	\$569,630	\$569,630

Sales History				Land Calculations		
Date	Type	Price	Book/Page or CIN	Price	Factor	Type
6/23/2017	DRR-T		114477685	\$30.00	20,654	SF
5/15/2017	WD-Q	\$1,070,000	114387403			
4/3/2012	QCD-T		48681 / 1293			
4/24/2007	QCD-T	\$100	43969 / 186			
9/29/2005	WD	\$1,600,000	40638 / 108			
				Adj. Bldg. S.F.		

Special Assessments								
Fire	Garb	Light	Drain	Impr	Safe	Storm	Clean	Misc
03						F3		
L								
1						20654		