



BOARD OF ADJUSTMENT MEETING NOTICE

MAY 19, 2022

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

Wednesday, June 08, 2022 at 6:00 P.M

This meeting will be held in the City Commission Chambers, City Hall, 1st Floor, 100 North Andrews Avenue, Fort Lauderdale, Florida 33301 to determine whether the following application should be granted:

CASE: PLN-BOA-22040003

OWNER: BEVERLY HEIGHTS TH, LLC

AGENT: ANDREW J. SCHEIN, ESQ., LOCHRIE & CHAKAS, P.A.

ADDRESS: 5-11 SE 11th AVENUE, 13-15 SE 11th AVENUE, 17-19 SE 11th AVENUE, and 10-14 SE 10th AVENUE, FORT LAUDERDALE, FL., 33301

LEGAL DESCRIPTION: LOTS 3, 4 AND 5, BLOCK 17 BEVERLY HEIGHTS, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 1, PAGE 30 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA. AND LOT 18 AND THE NORTH ONE-HALF (N1/2) OF LOT 17, BLOCK 17, RESUBDIVISION OF THE EAST ONE-HALF (E1/2) OF BLOCK 16 AND THE WEST ONE-HALF (W1/2) OF BLOCK 17 IN BEVERLY HEIGHTS, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 3, PAGE 36, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA. SAID LANDS SITUATE, LYING AND BEING IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA AND CONTAINING 32,970 SQUARE FEET OR 0.7569 ACRES, MORE OR LESS

ZONING DISTRICT: RC-15 -RESIDENTIAL SINGLE FAMILY & CLUSTER/MEDIUM DENSITY

COMMISSION DISTRICT: 4

REQUESTING: **Sec. 47-18.33.B.5. - Yard requirements.**

Requesting a variance to reduce the usable width of the five (5) foot pedestrian access easement required under Section 47-18.33.B.5. from five (5) feet to a minimum of 3' – 3 " to permit tree plantings within the required five (5) foot pedestrian easement area.

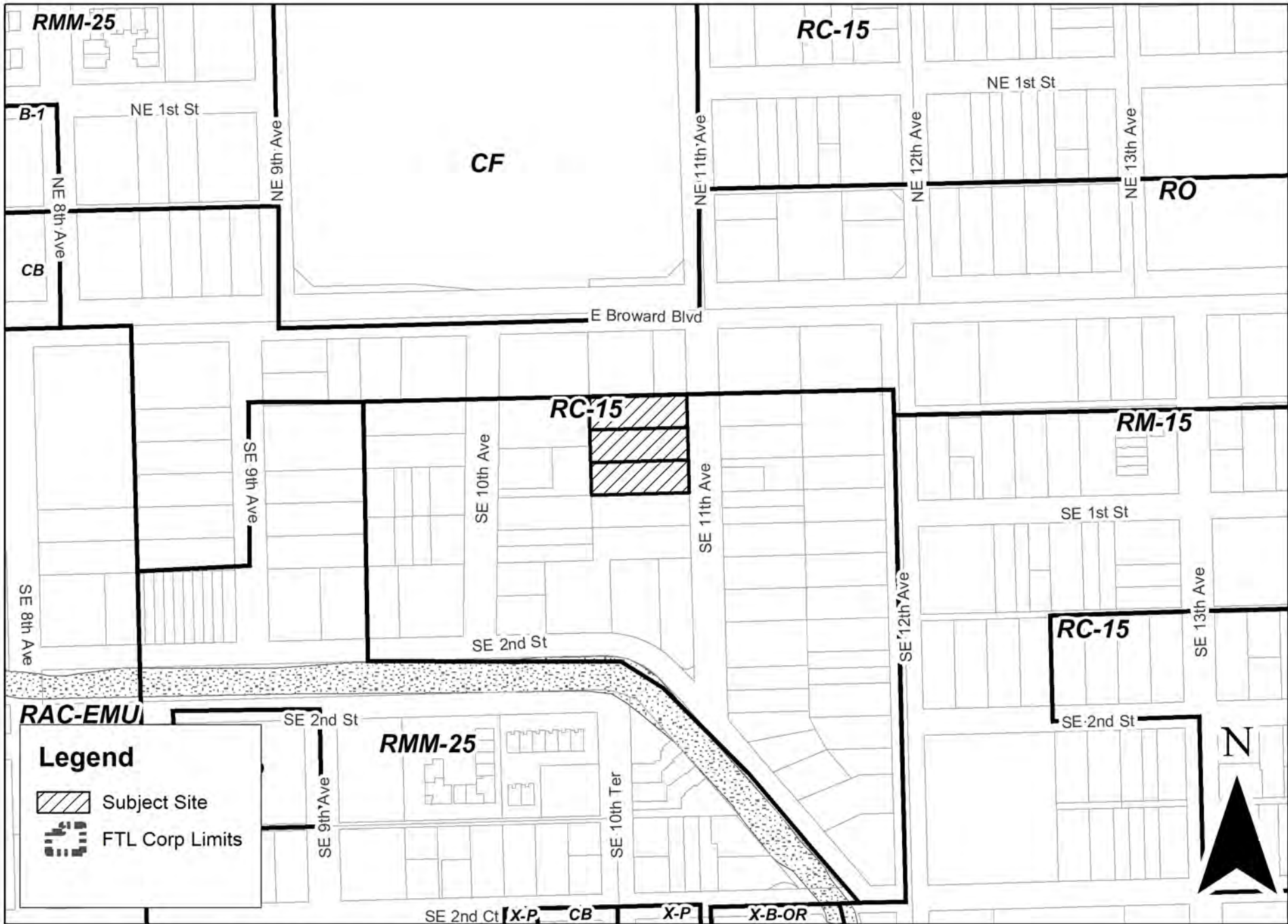
Note: To view more information about this item, please visit: www.fortlauderdale.gov/government/BOA

If you have any questions, please feel free to contact me directly at 954-828-6342.

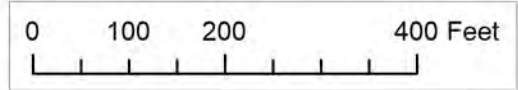
MOHAMMED MALIK
ZONING ADMINISTRATOR

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.



PLN-BOA-22040003



Graphic Scale



CITY OF FORT LAUDERDALE
PUBLIC NOTICE

BOARD OF ADJUSTMENT MEETING

DATE: June 8, 2022

TIME: 6:00 PM

CASE: PLN-BOA-22040003

REQUESTING: Sec. 47-18.33.B.5 - Yard requirements.

Requesting a variance to reduce the usable width of the five (5) foot pedestrian access easement required under Section 47-18.33.B.5 from five (5) feet to a minimum of 3' – 3 " to permit tree plantings within the required five (5) foot pedestrian easement area.

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: 06/08/2022

AGENDA ITEM: 1

CASE:

PLN-BOA-22040003



SUSTAINABLE DEVELOPMENT – ZONING & LANDSCAPING

BOARD OF ADJUSTMENT (BOA) APPLICATION

Rev: 3 Revision Date: 05/17/2021 | Print Date: 05/17/2021
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 prior to 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.

APPLICATION SUBMITTAL: Submit your Board of Adjustment (BOA) application, required documents and fees online by visiting: <https://aca-prod.accela.com/FTL>. After application and document submission, you should receive a case number and will be invoiced for the fee amount due. 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. To request a meeting to discuss your variance request, please contact Chakila Crawford at chcrawford@fortlauderdale.gov and/or Stephanie Hughey at shughey@fortlauderdale.gov.

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**
- Parking Variance (per space): **\$2,600**
- Variance/Special Exception/Interpretation (Before)- Residential Homesteaded Only- Accessory Structures & Existing Non-Conforming Structures: **\$650**
- Variance/Special Exception/Interpretation (After)- Residential Homesteaded Only- Accessory Structures & Existing Non-Conforming Structures: **\$850**
- Request for Continuance: **\$900**
- Request for Rehearing: **\$300**
- Rehearing 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.

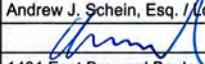
NOTE: To be filled out by Department

Case Number	
Date of complete submittal	

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

Property Owner's Name	Beverly Heights TH LLC
Property Owner's Signature	<i>If a signed agent letter is provided, no signature is required on the application by the owner</i>
Address, City, State, Zip	
E-mail Address	
Phone Number	
Proof of Ownership	<input type="checkbox"/> Warrantv Deed_or <input checked="" type="checkbox"/> Tax Record

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

Applicant / Agent's Name	Andrew J. Schein, Esq. / Lochrie & Chakas, P.A.
Applicant / Agent's Signature	
Address, City, State, Zip	1401 East Broward Boulevard, Suite 303, Fort Lauderdale, FL 33301
E-mail Address	ASchein@Lochrirelaw.com
Phone Number	954-617-8919
Letter of Consent Submitted	Yes

Development / Project Name	Beverly Townhomes
Existing / New	Existing: <input checked="" type="checkbox"/> New: <input type="checkbox"/>
Project Address	Address: 5/7/9/11/13/15/17/19 SE 11th Avenue & 10/12/14 SE 10th Avenue
Legal Description	See survey
Tax ID Folio Numbers (For all parcels in development)	504211080140, 504211070580, 504211070590, 504211070600
Request / Description of Project	Variance to allow trees in easement area
Applicable ULDR Sections	ULDR Section 47-18.33.B.5

Current Land Use Designation	Medium Residential
Current Zoning Designation	RC-15
Current Use of Property	Townhomes under construction
Site Adjacent to Waterway	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Setbacks (indicate direction N, S, E, W)	Required	Proposed
Front E	15'	15' - 2"
Side N	10'	12' - 9.25"
Side S	10'	13' - 1.75"
Front Rear W	15'	15' - 1.75"

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

Complete this page and an attached narrative.

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

To reduce the usable width of the 5-foot pedestrian access easement required under ULDR Section 47-18.33.B.5 from 5 feet to a minimum of 3' - 3" to permit tree plantings within the required 5-foot pedestrian easement area

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

See 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:

See 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

See 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

See 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.

See narrative

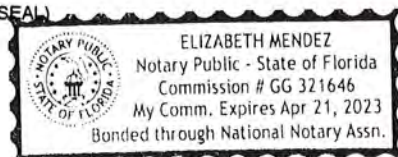
AFFIDAVIT: I, Andrew Schein, the Owner/Agent of said property ATTEST that I am aware of the following:

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.

Andrew Schein
(Signature)

SWORN TO AND SUBSCRIBED before me in the County and State above aforesaid this 12 day of May, 2022

(SEAL)



Elizabeth Menendez
NOTARY PUBLIC
MY COMMISSION EXPIRES:

Page 3: Required Documentation & Mail Notice Requirements

One (1) original set, signed and sealed, with plans at 24" x 36"

One (1) electronic version (CD or USB) of complete application and plans in PDF format

Fourteen (14) copy sets of each item below and plans at half-size scale 11" x 17"

- Completed application** (all pages must be filled out where applicable)
- Mail notification documents** (mail notification instructions at bottom of page)
- Proof of ownership** (warranty deed, Sunbiz and/or tax record), 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. If the survey is not signed and sealed, a zoning affidavit is required and shall only be used for the structures listed in the affidavit.
- 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 19th 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.
- **HOW TO ORDER A TAX MAP AND MAIL NOTICE LIST:** To order a tax map and notice list, please email Heather Hanson at hhanson@bcpa.net or call 954-357-6855. You may also contact Kenny Gibbs, kqibbs@bcpa.net or call 954-357-5503.

Page 4: Sign Notification Requirements and Affidavit

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. _____

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

Owner: Beverly Heights TH LLC
Address: 5/7/9/11/13/15/17/19 SE 11th Avenue & 10/12/14 SE 10th Avenue (the
"Property")
Project: Beverly Townhomes
Request: Variance from ULDR Section 47-18.33.B.5

Application for Variance

1. General Information and Variance Request

Beverly Heights TH LLC ("Owner") is the owner of the Property. The Property is the location of an 11-unit townhouse development, approved under City DRC Case No. PL-R18003 (the "Project"). The townhouse units in the Project are in three (3) separate buildings, as shown on the site plan submitted with this application.

Owner installed trees around the perimeter of the site in order to beautify the site and to provide additional privacy for the future residents. Of import to this application are the trees located behind the individual townhouse units and the trees between Building 1 and Building 2.

Section 47-18.33.B.5 of the ULDR requires a 5' access easement around the individual townhouse buildings in order to provide access to the rear of the units for the middle buildings (otherwise residents may need to trespass on their neighbor's property for maintenance purposes, e.g. bringing a lawnmower to the backyard, pool maintenance, etc.).

The Project was designed and approved with a landscape strip at the rear of the units abutting the fence, as well as trees between Building 1 and Building 2. The landscape strip and trees do not allow for a full 5' clear access easement due to the site constraints. Without removing the trees, a 5' access easement can be provided but the access easement cannot be fully "clear". Owner is therefore requesting a variance to allow trees within the approved landscaping strip, which is within the 5' access easement. With the trees, the clear width of the access easement will range between 3' – 3" clear width to 4' – 4" clear width as shown in the chart on the site plan.

2. Code Provisions

ULDR Section 47-18.33.B.5.a through ULDR Section 47-18.33.B.5.d (applicable language is underlined):

- a. *Front yard. The minimum front yard shall be the same as that required for the zoning district where the townhouse development is located. A five (5) foot easement along the front property line of the townhouse development shall be required if the fee simple lot of each unit does not directly abut the public right-of-way. Provisions satisfactory to the city attorney shall be made for a recordable easement along the front property line of the development for use by the owners of the units.*
- b. *Corner yards. A townhouse building abutting two (2) or more public rights-of-way shall provide a minimum corner yard of twenty (20) feet. A five (5) foot easement along the corner property line of the group shall be required if the fee simple lot of each unit does not directly abut the public right-of-way. Provisions satisfactory to the city attorney shall be made for a recordable easement along the corner property line of the townhouse development for use by the owners of the units.*
- c. *Side yard. The side yard shall be a minimum of ten (10) feet from the side property line of the townhouse development. A five (5) foot easement which extends from front to rear lot lines along a side lot line of the townhouse development not abutting a public street shall be required for use by owners within the development. Provisions satisfactory to the city attorney shall be made for a recordable easement along the side property line of the townhouse development for use by the owners of the units.*
- d. *Rear yard. The rear yard shall be a minimum of twenty (20) feet from the rear property line. A five (5) foot easement along the rear property line of the townhouse group shall be required if the fee simple lots of each unit does not directly abut the public right-of-way. Provisions satisfactory to the city attorney shall be made for a recordable easement along the rear property line of the development for use by the owners of the units within the development.*

3. Specific Variance Request

To reduce the usable width of the 5-foot pedestrian access easement required under ULDR Section 47-18.33.B.5 from 5 feet to a minimum of 3' – 3" to permit tree plantings within the required 5-foot pedestrian easement area.

4. Variance Criteria

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

RESPONSE: The Property abuts commercial uses to the north, facing Broward Boulevard. Due to the proximity to commercial uses and the heavily trafficked Broward Boulevard corridor, Owner wanted to provide additional trees on the Property to provide enhanced screening and privacy for the future residents. Restricting the ability to provide the trees, particularly when access will still be maintained, is unreasonable.

Owner was aware of the code-required 5' access easement, but was not aware that the access easement had to have a 5' clear width – Owner was under the assumption that as long as proper access is maintained within the easement area, the code was met. It was not until applying for a Certificate of Occupancy that this issue arose, and City staff determined that the easement could not have trees within the easement area.

- 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;

RESPONSE: This is a unique circumstance – Owner is not aware of any other townhouse development that has had their Certificate of Occupancy issuance held up for plantings within an easement area, particularly when those plantings are to provide privacy for residents whose townhouses are in close proximity to a major transportation corridor and abut nonresidential uses.

- 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 to the property;

RESPONSE: Privacy is a substantial property right. Without the trees behind the townhouses, the future residents' privacy will be substantially impacted. Denial of this variance does not deny the Owner a more profitable use of the Property; on the contrary, Owner spent significant funds to provide these additional trees (above and beyond what the code requires). The trees for two (2) of the buildings are not yet installed; if this variance is denied, Owner will save money to the detriment of the future residents and will not be able to provide the additional trees.

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

RESPONSE: Owner installed the trees, but the situation that led to this variance request was not self-created by the Owner. The Owner intended to provide a 5' access easement in accordance with the ULDR; however, the ULDR does not specify that there cannot be any plantings in the easement area. It was not until Owner submitted the access easement to the City Attorney's Office that this issue arose and the Owner received the City's interpretation stating that no trees are permitted in the easement area. At this time, Owner also received information regarding the method of granting the access easement, which is

also not specified in the ULDR. While Owner was aware of the provisions in the ULDR and intended on following them, Owner was not aware of the additional, unpublished interpretations and procedures that were made by City staff.

The Project passed numerous landscape inspections (the most recent being for Permit No. PM-19020485 on February 11, 2022), and the landscape inspectors did not mention anything about the trees in the easement area.

- 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.

RESPONSE: The variance to allow the trees within the easement area, while still providing adequate access for the future residents, is the minimum variance necessary to ensure that the residents' privacy is maintained and to enhance the tree canopy in this area. Although Owner was not aware of staff's interpretation regarding trees in the easement area, Owner was aware of the purpose and intent of providing access behind and around the townhouse building, which are still maintained with this variance.

The granting of this variance will make the Property more compatible with adjoining properties by providing a more landscaped buffer between the commercial properties to the north and the residential use of the Project. Additional landscape buffers and an increased tree canopy is not detrimental to the public welfare; it benefits the public welfare.

The granting of this variance will also make the Project more harmonized with the intent of the ULDR, which requires 10' landscaped bufferyards on nonresidential properties when they are adjacent to residential properties. If the commercial properties to the north came in as a new development today, they would be required to provide a 10' landscape buffer (with trees) on the southern boundaries of their property under the City's Neighborhood Compatibility requirements.¹ Since there is no 10' landscaped bufferyard on the commercial properties (as their construction pre-dates the ULDR), allowing this additional planting strip at the rear of the townhouse units will provide that bufferyard that would otherwise be required under today's ULDR.

¹ See ULDR Section 47-25.3.A.3.d.i

Sec. 47-18.33.B.5. - Yard requirements.

Corner yards. A townhouse building abutting two (2) or more public rights-of-way shall provide a minimum corner yard of twenty (20) feet. A five (5) foot easement along the corner property line of the group shall be required if the fee simple lot of each unit does not directly abut the public right-of-way. Provisions satisfactory to the city attorney shall be made for a recordable easement along the corner property line of the townhouse development for use by the owners of the units.

Record, Permit, or Account #	Record Description	Application Name	Record Type	Balance	Street #	Dir	Street Name	Type	Opened Date	Status
PLN-BOA-22040003		Beverly Townhouses	Z- Board of Adjustment (BOA)	0	5 SE		11 AVE		4/8/2022	Open
BLD-CMIS-22030014	INST OF LGHT WGH CONCRETE FOR BLD- ROOF-20120205	INST OF LGHT WGH CONCRETE FOR BLD- ROOF-20120205	Commercial Miscellaneous Permit	0	5 SE		11 AVE		3/22/2022	Issued
BLD-FEN-21120056	FENCE FOR BLD-RNC- 20120027	FENCE FOR BLD-RNC- 20120027	Fence Permit	817.61	5 SE		11 AVE		12/22/2021	Awaiting Client Reply
PLB-RES-21110073	plumbing sub exterior	5 SE 11th	Plumbing Residential Permit	0	5 SE		11 AVE		11/10/2021	Void
PLB-RES-21110074	plumbing sub interior	5 SE 11th	Plumbing Residential Permit	0	5 SE		11 AVE		11/10/2021	Void
PLB-GAS-21110027	sub gas permit # 5-11 12 LF OF 5' HIGH TONGUE AND GROOVE PVC FENCE AND 1 5X4 GATE FOR BLD-RNC-20120029	# 5-11 12 LF OF 5' HIGH TONGUE AND GROOVE PVC FENCE AND 1 5X4 GATE	Plumbing Gas Permit	0	5 SE		11 AVE		11/10/2021	Void
BLD-FEN-21100069	NEW TOWNHOUSE- BUILDING 2, UNIT 1- 3 BEDROOM, 3.5 BATHROOMS, 2 CAR GARAGE 3668 SQUARE FEET	NEW TOWNHOUSE- BUILDING 2, UNIT 1- 3 BEDROOM, 3.5 BATHROOMS, 2 CAR GARAGE 3668 SQUARE FEET	Fence Permit	187.5	5 SE		11 AVE		10/20/2021	Awaiting Client Reply
BLD-RNC-20120027	5 SE 11 AVE	BEVERLY HEIGHTS BLDG 2	Residential New Construction Permit	52.5	5 SE		11 AVE		12/23/2020	Issued
PLB-RES-20120163	PLUMB INTERIOR PIPING & FIXTURES FOR BLD-RNC-20120027 BLDG 2 UNIT 1 3BED/2BATH/1CAR GARAGE TH 3200 SQF	BEVERLY HEIGHTS BLDG 2	Plumbing Residential Permit	-55.88	5 SE		11 AVE		12/23/2020	Issued
PLB-RES-20120164	5 SE 11 AVE PLUMB EXTERIOR ONSITE PIPING WATER SEWER & DRANAIAGE BLD-RNC- 20120027BLDG 2 UNIT 1 3BED/2BATH/1CAR GARAGE TH 3200 SQF	BEVERLY HEIGHTS BLDG 2	Plumbing Residential Permit	0	5 SE		11 AVE		12/23/2020	Issued
PLB-GAS-20120044	GAS FOR BLD-RNC- 20120027 BLDG 2 UNIT 1 3BED/2BATH/1CAR GARAGE TH 3200 SQF	BEVERLY HEIGHTS BLDG 2	Plumbing Gas Permit	0	5 SE		11 AVE		12/23/2020	Issued
BLD-ROOF-20120205	5 SE 11 AVE ROOF FOR BLD-RNC- 20120027	BEVERLY HEIGHTS BLDG 2	Re-Roof Permit	0	5 SE		11 AVE		12/23/2020	Issued
ELE-RES-20120153	ELECTRIC FOR BLD-RNC- 20120027 BLDG 2 UNIT 1 3BED/2BATH/1CAR GARAGE TH 3200 SQF	BEVERLY HEIGHTS BLDG 2	Electrical Residential Permit	0	5 SE		11 AVE		12/23/2020	Issued
MEC-RES-20120067	MEC FOR BLD-RNC- 20120027 BLDG 2 UNIT 1 3BED/2BATH/1CAR GARAGE TH 3200 SQF	BEVERLY HEIGHTS BLDG 2	Mechanical Residential Permit	255	5 SE		11 AVE		12/23/2020	Awaiting Client Reply
BLD-RPAV-20120061	PAVING FOR BLD-RNC- 20120027 BLDG 2 UNIT 1 3BED/2BATH/1CAR GARAGE TH 3200 SQF	BEVERLY HEIGHTS BLDG 2	Residential Paving Permit	261	5 SE		11 AVE		12/23/2020	Awaiting Client Reply
BLD-RPSF-20120021	POOL FOR BLD-RNC- 20120027 BLDG 2 UNIT 1 3BED/2BATH/1CAR GARAGE TH 3200 SQF	BEVERLY HEIGHTS BLDG 2	Residential Pool- Spa-Fountain Permit	261	5 SE		11 AVE		12/23/2020	In Process
PLB-RES-20120166	5 SE 11 AVE POOL PIPING FOR BLD- RPSF-20120021 BLDG 2 UNIT 1 3BED/2BATH/1CAR GARAGE TH 3200 SQF	BEVERLY HEIGHTS BLDG 2	Plumbing Residential Permit	105	5 SE		11 AVE		12/23/2020	Awaiting Client Reply
ELE-RES-20120155	ELECTRIC FOR POOL BLD-RPSF-20120021 BLDG 2 UNIT 1 3BED/2BATH/1CAR GARAGE TH 3200 SQF	BEVERLY HEIGHTS BLDG 2	Electrical Residential Permit	105	5 SE		11 AVE		12/23/2020	Awaiting Client Reply
PLB-MET-20050003	INSTALL DOMESTIC METER 1 INCH EXPIRED PERMIT FOR PM-18111396 - TOTAL DEMO 1315 SF	Beverly Heights Water Install	Plumbing Meter Install Permit	0	5 SE		11 AVE		5/1/2020	Issued
BE20040017	PM-18111396 - TOTAL DEMO 1315 SF	PM-18111396 - TOTAL DEMO 1315 SF	Building Code Case	0	5 SE		11 AVE		4/3/2020	Closed
LS20020260	L/S RAPID LIENS INC - CASE FOUND		Lien Search	0	5 SE		11 AVE		2/11/2020	Closed

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-22040003

APPLICANT: Andrew J. Schein, Esq. / Lochrie & Chakas, P.A.

PROPERTY: 5/7/9/11/13/15/17 SE 11th Avenue and 10/12/14 SE 10th Avenue

PUBLIC HEARING DATE: June 8, 2022

BEFORE ME, the undersigned authority, personally appeared Andrew J. Schein, 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.

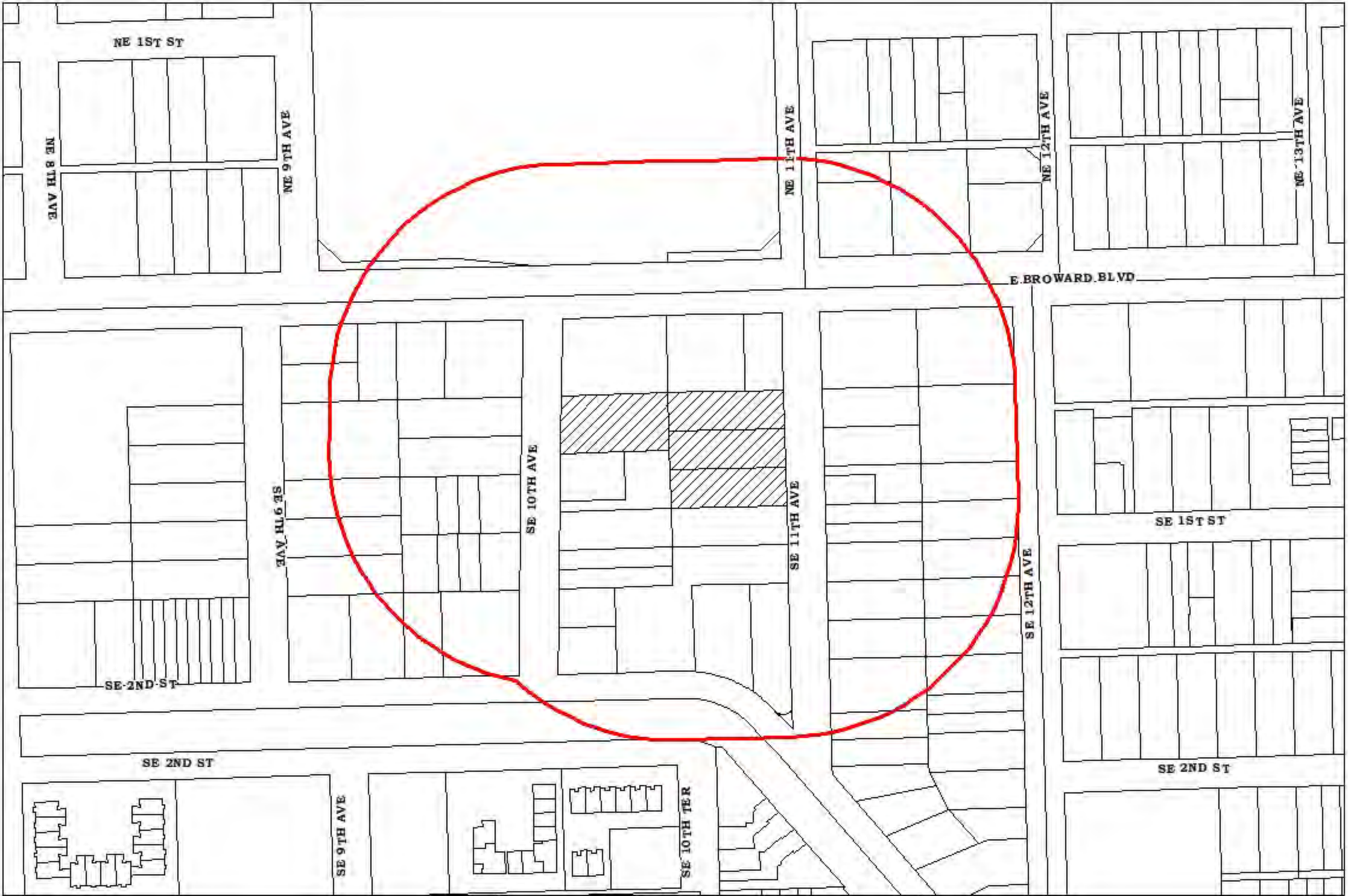
NOTE: I understand that if my sign is not returned within the prescribed time limit as noted in Sec. 47.27.2.j of the City of Fort Lauderdale ULDR, I will forfeit my sign deposit. A.S. (initial here)

Affiant [Signature]

SWORN TO AND SUBSCRIBED before me in the County and State above aforesaid this 24 day of May 2022



[Signature]
NOTARY PUBLIC
MY COMMISSION EXPIRES:



NE 1ST ST

NE 8TH AVE

NE 9TH AVE

NE 11TH AVE

NE 12TH AVE

NE 13TH AVE

E BROWARD BLVD

SE 7TH AVE

SE 10TH AVE

SE 11TH AVE

SE 12TH AVE

SE 2ND ST

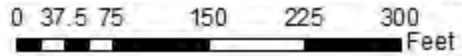
SE 1ST ST

SE 2ND ST

SE 2ND ST

SE 9TH AVE

SE 10TH TER



MARTY KIAR
BROWARD COUNTY PROPERTY APPRAISER



BEVERLY HEIGHTS TH LLC
DATE OF PRINT: 04/08/2022

Beverly Heights TH LLC
Board of Adjustment
300' Mailing (folio listing)

	FOLIO	NAME_LINE_	ADDRESS_LI	CITY	ST	ZIP	LEGAL_TOTAL
39	504202070010	MCDONALD,KIRK	10 NE 11 AVE	FORT LAUDERDALE	FL	33301	WORKS RESUB BLK B STRANAHANS SUB2-63 D 2-50-42LOT 1 N 39.3,2 N 39.3 BLK B
46	504202070011	MORAITIS,STUART G	1101 E BROWARD BLVD	FORT LAUDERDALE	FL	33301	WORKS RESUB BLK B STRANAHANS SUB2-63 D 2-50-42LOT 1 S 96.7,2 S 96.7 BLK B
8	504202070020	BROWARD LOFTS LLC	4850 NE 10 AVE	OAKLAND PARK	FL	33334	WORKS RESUB BLK B STRANAHANS SUB2-63 D 2-50-42LOT 3,4 BLK B
28	504202070030	JAY MARK 500 SE 6TH ST LLC & SCHERER REALTY LLLP	PO BOX 1182	FORT LAUDERDALE	FL	33302	WORKS RESUB BLK B STRANAHANS SUB2-63 D 2-50-42LOT 5 LESS N 46,LOT 6 LESS N 46BLK B LESS POR DESC AS:BEG SECOR LOT 6,W ALG S/L LOT 6,NE31.06,S ALG E/L LOT 6 22.00 TOPOB AS DESC IN OR 43453/1581FOR COR R/W
54	504202390010	SCHOOL BOARD OF BROWARD COUNTY ATTN:FACILITY MANAGEMENT	600 SE 3 AVE	FORT LAUDERDALE	FL	33301	SCHOOL SITE 3321 152-27 BPARCEL A TOG WITH PARCEL B ANDPARCEL CAKA: VIRGINIA SHUMAN YOUNG ELEM.
29	504211070450	JHONAU, BHUCHAYE	915 SE 2 ST	FORT LAUDERDALE	FL	33301	BEVERLY HEIGHTS 1-30 BLOT 11,12 E 20 BLK 16
19	504211070470	FERTIG,DALE & COX,BRANDON	1009 SE 2 ST	FORT LAUDERDALE	FL	33301	BEVERLY HEIGHTS 1-30 BLOT 14 BLK 16
20	504211070480	FERTIG,DALE M & COX,BRANDON	1009 SE 2 ST	FORT LAUDERDALE	FL	33301	BEVERLY HEIGHTS 1-30 BLOT 15 BLK 16
53	504211070490	SCAVONE,PIETRO & WALTRAUD & SCAVONE,PIERRE	1658 JACKSON ST	HOLLYWOOD	FL	33020	BEVERLY HEIGHTS 1-30 BLOT 16 BLK 16
11	504211070500	COLEE COURT INC	17396 BOCA CLUB BLVD APT 101	BOCA RATON	FL	33487	BEVERLY HEIGHTS 1-30 BLOT 17,18 BLK 16
40	504211070510	MEKOR CHAYIM INC	900 E BROWARD BLVD	FORT LAUDERDALE	FL	33301	BEVERLY HEIGHTS 1-30 BLOT 19 E 50,20 E 50 BLK 16
41	504211070520	MEKOR CHAYIM INC	900 E BROWARD BLVD	FORT LAUDERDALE	FL	33301	BEVERLY HEIGHTS 1-30 BLOT 19 W 100 BLK 16
42	504211070530	MEKOR CHAYIM INC	900 E BROWARD BLVD	FORT LAUDERDALE	FL	33301	BEVERLY HEIGHTS 1-30 BLOT 20 W 100 BLK 16
17	504211070540	DOR LEDOR INC	1012 E BROWARD BLVD	FORT LAUDERDALE	FL	33301	BEVERLY HEIGHTS 1-30 BLOT 1 W 100,LOT 2 W 100 BLK 17
13	504211070550	COX,BRANDON	1020 E BROWARD BLVD	FORT LAUDERDALE	FL	33301	BEVERLY HEIGHTS 1-30 BLOT 1 E 50,2 E 50 BLK 17
4	504211070580	BEVERLY HEIGHTS TH LLC	4001 N OCEAN BLVD #801	BOCA RATON	FL	33431	BEVERLY HEIGHTS 1-30 BLOT 3 BLK 17
5	504211070590	BEVERLY HEIGHTS TH LLC	4001 N OCEAN BLVD #801	BOCA RATON	FL	33431	BEVERLY HEIGHTS 1-30 BLOT 4 BLK 17
6	504211070600	BEVERLY HEIGHTS TH LLC	4001 N OCEAN BLVD #801	BOCA RATON	FL	33431	BEVERLY HEIGHTS 1-30 BLOT 5 BLK 17
27	504211070610	JAF1 LLC	215 SE 12 AVE	FORT LAUDERDALE	FL	33301	BEVERLY HEIGHTS 1-30 BLOT 6 BLK 17
65	504211070620	WEBER,GERALD & LUCY HODGES	10062 SE OSPREY POINTE DR	HOBE SOUND	FL	33455	BEVERLY HEIGHTS 1-30 BLOT 8 LESS RD AS IN OR 6829/153BLK 17
15	504211070630	DILLON,LINDA F	125 SE 16 AVE	FORT LAUDERDALE	FL	33301	BEVERLY HEIGHTS 1-30 BLOT 9,10 E1/2 BLK 17

Beverly Heights TH LLC
Board of Adjustment
300' Mailing (folio listing)

9	504211070661	BZ HOLDINGS LLC	412 NE 12 AVE	FORT LAUDERDALE	FL	33301	BEVERLY HEIGHTS 1-30 BLOT 1 & 2 BLK 18
2	504211070670	11 SOUTHEAST 12TH AVE LLC LAND TR	11 SE 12 AVE	FORT LAUDERDALE	FL	33301	BEVERLY HEIGHTS 1-30 BLOT 3,4 BLK 18
18	504211070680	EDELMAN PROPERTIES LLC	1850 S OCEAN DR #3904	HALLANDALE BEACH	FL	33309	BEVERLY HEIGHTS 1-30 BLOT 5 BLK 18
3	504211070690	23 SE 12TH AVENUE LLC	1642 SE 7 ST	DEERFIELD BEACH	FL	33441	BEVERLY HEIGHTS 1-30 BLOT 6 BLK 18
66	504211070700	ZEILMANN,KONRAD S & GRACE V	103 SE 12 AVE	FORT LAUDERDALE	FL	33301	BEVERLY HEIGHTS 1-30 BLOT 7 BLK 18
21	504211070710	GRACE V ZEILMANN FAM REV TR & ZEILMANN,GRACE V TRSTEE	103 SE 12 AVE	FORT LAUDERDALE	FL	33301	BEVERLY HEIGHTS 1-30 BLOT 8 BLK 18
59	504211070720	SOLOMON,BARRY & ASHLEY	109 SE 12 AVE	FORT LAUDERDALE	FL	33301	BEVERLY HEIGHTS 1-30 BLOT 9 BLK 18
12	504211070730	CONAWAY,JILLENA	111 SE 12 AVE	FORT LAUDERDALE	FL	33301	BEVERLY HEIGHTS 1-30 BLOT 10 BLK 18
58	504211070831	SHULMAN,STEPHEN & KIM ANN	116 SE 11 AVE	FORT LAUDERDALE	FL	33301	BEVERLY HEIGHTS 1-30 BN 40 OF LOT 19 & S 30 OF LOT 20BLK 18,LESS S1/2 THEREOFAKA: N 5 OF LOT 19 AND S 30 OFLOT 20 BLK 18
16	504211070840	DMYTRIIIEV,OLEKSANDR S	300 SUNNY ISLES BLVD #1204	SUNNY ISLES BEACH	FL	33160	BEVERLY HEIGHTS 1-30 BLOT 21,20 N 20 BLK 18
47	504211070850	PIKUTA,MARIA H/E & BIALY,A & PIKUTA,T & PIKUTA,J	104 SE 11 AVE	FORT LAUDERDALE	FL	33301	BEVERLY HEIGHTS 1-30 BLOT 22 BLK 18
49	504211070860	POWELL,ALAN LEE	100 SE 11 AVE	FORT LAUDERDALE	FL	33301	BEVERLY HEIGHTS 1-30 BLOT 23 BLK 18
64	504211070870	VAUGHN,REGIS	103 SE 12 AVE	FORT LAUDERDALE	FL	33301	BEVERLY HEIGHTS 1-30 BLOT 24 BLK 18
61	504211070880	THACKREY,DEREK B	22 SE 11 AVE	FORT LAUDERDALE	FL	33301	BEVERLY HEIGHTS 1-30 BLOT 25 BLK 18 S1/2
25	504211070881	HOYOS,SERGIO & ROBERT HOYOS,MADELINE	20 SE 11 AVE	FORT LAUDERDALE	FL	33301	BEVERLY HEIGHTS 1-30 BLOT 25 BLK 18 N1/2
52	504211070890	RUBIN,RICHARD J	18 SE 11 AVE #1	FORT LAUDERDALE	FL	33301	BEVERLY HEIGHTS 1-30 BPOR LOT 26 BLK 18 DESC AS BEG ATSW COR OF LOT 26,N 37.07, E65.17,S 36.96,W 65.17 TO POB
33	504211070891	KLINGSICK,ALLEN J & LUTTICH,JARON B	16 SE 11 AVE	FORT LAUDERDALE	FL	33301	BEVERLY HEIGHTS 1-30 BPOR LOT 26 BLK 18 DESC AS COMMSW COR LOT 26, N 37.07 TO POB,CONT N 12.93, E 125, S 50, W59.83, N 36.96, W 65.17 TO POB
22	504211070900	HOLY CROSS HOSPITAL INC ATT:LEGAL AFFAIRS	4725 N FEDERAL HWY	FORT LAUDERDALE	FL	33308	BEVERLY HEIGHTS 1-30 BLOT 27 BLK 18
23	504211070910	HOLY CROSS HOSPITAL INC ATT:LEGAL AFFAIRS	4725 N FEDERAL HWY	FORT LAUDERDALE	FL	33308	BEVERLY HEIGHTS 1-30 BLOT 28 BLK 18
24	504211070920	HOLY CROSS HOSPITAL INC ATT:LEGAL AFFAIRS	4725 N FEDERAL HWY	FORT LAUDERDALE	FL	33308	BEVERLY HEIGHTS 1-30 BLOT 29,30 BLK 18
50	504211070981	PUBLIC LAND % CITY OF FORT LAUDERDALE	100 N ANDREWS AVE	FORT LAUDERDALE	FL	33301	BEVERLY HEIGHTS 1-30 BPOR OF R/W DEDICATED PER SAIDPLAT
43	504211080010	MEKOR CHAYIM INC	900 E BROWARD BLVD	FORT LAUDERDALE	FL	33301	RESUB E1/2 BLK 16 & W1/2 BLK 17BEVERLY HEIGHTS 3- 36 BLOT 1 E 100,2 E 100 BLK 16

Beverly Heights TH LLC
Board of Adjustment
300' Mailing (folio listing)

44	504211080011	MEKOR CHAYIM INC	900 E BROWARD BLVD	FORT LAUDERDALE	FL	33301	RESUB E1/2 BLK 16 & W1/2 BLK 17 BEVERLY HEIGHTS 3-36 BLOT 1 LESS E 100, 2 LESS E 100 BLK 16
45	504211080020	MEKOR CHAYIM INC	900 E BROWARD BLVD	FORT LAUDERDALE	FL	33301	RESUB E1/2 BLK 16 & W1/2 BLK 17 BEVERLY HEIGHTS 3-36 BLOT 3 BLK 16
32	504211080030	KACIUBAN, STACEY L	15 SE 10 AVE	FORT LAUDERDALE	FL	33301	RESUB E1/2 BLK 16 & W1/2 BLK 17 BEVERLY HEIGHTS 3-36 BLOT 4 BLK 16
31	504211080041	JONES, LESLEY MITCHELL & LESLEY MITCHELL JONES REV TR	17 SE 10 AVE	FORT LAUDERDALE	FL	33301	RESUB E1/2 BLK 16 & W1/2 BLK 17 BEVERLY HEIGHTS 3-36 BPORTION OF LOTS 5 & 6 BLK 16 DESC AS: BEG NE COR OF LOT 5, W54.90 ALG N/L, S 75.00, E 51.98, N 75.06 TO POBAKA: UNIT 17 HIMMARSHEE HAMMOCKS
57	504211080042	SHOREIBAH, AHMED & ASUNCION, ANNA MARIA	19 SE 10 AVE	FORT LAUDERDALE	FL	33301	RESUB E1/2 BLK 16 & W1/2 BLK 17 BEVERLY HEIGHTS 3-36 BPORTION OF LOTS 5 & 6 BLK 16 DESC AS: COMM AT NE COR OF LOT 5W 54.90 ALG N/L TO POB, CONT W27.45, S 75, E 27.45, N 75 TO POBAKA: UNIT 19 HIMMARSHEE HAMMOCKS
36	504211080043	LEVIN, CYNTHIA B & LEVIN, RICHARD W	21 SE 10 AVE	FORT LAUDERDALE	FL	33301	RESUB E1/2 BLK 16 & W1/2 BLK 17 BEVERLY HEIGHTS 3-36 BPORTION OF LOTS 5 & 6 BLK 16 DESC AS: COMM AT NE COR OF LOT 5W 82.35 ALG N/L TO POB, CONT W27.48, S 75, E 27.48, N 75 TO POBAKA: UNIT 21 HIMMARSHEE HAMMOCKS
35	504211080044	LARA, PATRICIA	23 SE 10 AVE	FORT LAUDERDALE	FL	33301	RESUB E1/2 BLK 16 & W1/2 BLK 17 BEVERLY HEIGHTS 3-36 BPORTION OF LOTS 5 & 6 BLK 16 DESC AS: COMM AT NE COR OF LOT 5W 109.83 ALG N/L TO POB, CONT W47.26, S 75, E 47.39, N 75 TO POBAKA: UNIT 23 HIMMARSHEE HAMMOCKS
51	504211080045	RAMMRATH, HERBERT G & PAMELA C	25 SE 10 AVE	FORT LAUDERDALE	FL	33301	RESUB E1/2 BLK 16 & W1/2 BLK 17 BEVERLY HEIGHTS 3-36 BPORTION OF LOTS 6 & 7 BLK 16 DESC AS: COMM NE COR LOT 5, SW ALGE/L FOR 75.06, W 107.99 TO POB, CONT W 46.30, S 75, E 46.43, N 75 TO POBAKA: UNIT 25 HIMMARSHEE HAMMOCKS
48	504211080046	PLATT, ANNE F & PLATT, GEORGE I III	27 SE 10 AVE	FORT LAUDERDALE	FL	33301	RESUB E1/2 BLK 16 & W1/2 BLK 17 BEVERLY HEIGHTS 3-36 BPORTION OF LOTS 6 & 7 BLK 16 DESC AS: COMM NE COR LOT 5, SW ALGE/L FOR 75.06, W 80.44 TO POB, CONT W 27.55, S 75, E 27.55, N 75 TO POBAKA: UNIT 27 HIMMARSHEE HAMMOCKS
10	504211080047	CABOT, RICHARD & MYERS, FRANK	58 DAVID WHITES LN UNIT C2	SOUTHAMPTON	NY	11968	RESUB E1/2 BLK 16 & W1/2 BLK 17 BEVERLY HEIGHTS 3-36 BPORTION OF LOTS 6 & 7 BLK 16 DESC AS: COMM NE COR LOT 5, SW ALGE/L FOR 75.06, W 52.92 TO POB, CONT W 27.52, S 75, E 27.52, N 75 TO POBAKA: UNIT 29 HIMMARSHEE HAMMOCKS

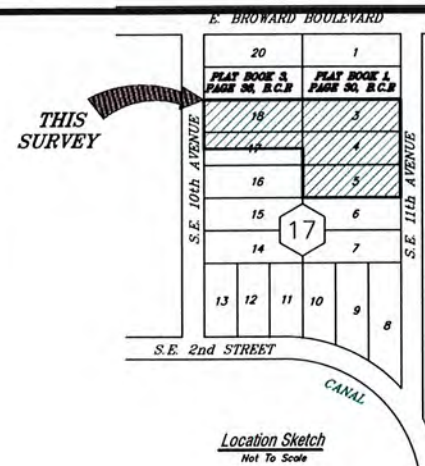
Beverly Heights TH LLC
Board of Adjustment
300' Mailing (folio listing)

38	504211080048	MAZZA,TRAVIS M & MAIUOLO,STEFANO	31 SE 10 AVE	FORT LAUDERDALE	FL	33301	RESUB E1/2 BLK 16 & W1/2 BLK 17 BEVERLY HEIGHTS 3-36 BPORTION OF LOTS 6 & 7 BLK 16 DESC AS: COMM NE COR LOT 5, SW ALGE/L FOR 75.06 TO POB, W 52.92, S75, E 50, NE 75.06 TO POBAKA: UNIT 31 HIMMARSHEE HAMMOCKS
62	504211080070	TUCKER, RAY	921 SE 2 ST	FORT LAUDERDALE	FL	33301	RESUB E1/2 BLK 16 & W1/2 BLK 17 BEVERLY HEIGHTS 3-36 BLOT 8,9 BLK 16
30	504211080080	JHONAU, BHUCHAYE	915 SE 2 ST	FORT LAUDERDALE	FL	33301	RESUB E1/2 BLK 16 & W1/2 BLK 17 BEVERLY HEIGHTS 3-36 BLOT 10 BLK 16
14	504211080090	COX, BRANDON	1009 SE 2 ST	FORT LAUDERDALE	FL	33301	RESUB E1/2 BLK 16 & W1/2 BLK 17 BEVERLY HEIGHTS 3-36 BLOT 11 & E1/2 OF 12, BLK 17 TOG WITH ALL OF LOT 7 & W1/2 OF LOT 10, BLK 17 OF BEVERLY HEIGHTS 1-30 B
34	504211080100	LAFLEUR, ROBERT A & KRISTIN A	110 SE 10 AVE	FORT LAUDERDALE	FL	33301	RESUB E1/2 BLK 16 & W1/2 BLK 17 BEVERLY HEIGHTS 3-36 BA POR OF W1/2 OF LOT 12 & A POR OF LOT 13 DESC AS COMM SW COR LOT 13 N 60.02 TO POB CONT N51.03, E 73.13 TO PT ON E LINE OF W1/2 LOT 12, S 51.10, W 75.05 TO POBAKA: IMOT 110 MANGROVE PLACE
60	504211080101	TETREAU, STEWART	120 SE 10 AVE	FORT LAUDERDALE	FL	33301	RESUB E1/2 BLK 16 & W1/2 BLK 17 BEVERLY HEIGHTS 3-36 BA POR OF W1/2 OF LOT 12 & A POR OF LOT 13 DESC AS COMM SW COR LOT 13, N 60.02, E 75.05 TO PT ONE LINE OF W1/2 OF LOT 12, S 59.93 W 77.30 TO POBAKA: UNIT 120 MANGROVE PLACE
55	504211080110	SENNE, DERIC	28 SE 10 AVE	FORT LAUDERDALE	FL	33301	RESUB E1/2 BLK 16 & W1/2 BLK 17 BEVERLY HEIGHTS 3-36 BLOT 14 S1/2 BLK 17
37	504211080111	MASSEY, ALLYSON W	1180 N FEDERAL HWY #1008	FORT LAUDERDALE	FL	33304	RESUB E1/2 BLK 16 & W1/2 BLK 17 BEVERLY HEIGHTS 3-36 BLOT 14 N1/2 BLK 17
56	504211080120	SHARPE, WILLIAM M & SUZANNE K	22 SE 10 AVE	FORT LAUDERDALE	FL	33301	RESUB E1/2 BLK 16 & W1/2 BLK 17 BEVERLY HEIGHTS 3-36 BLOT 15 BLK 17
26	504211080130	JACKINTELLE, JACK R	20 SE 10 AVE	FORT LAUDERDALE	FL	33301	RESUB E1/2 BLK 16 & W1/2 BLK 17 BEVERLY HEIGHTS 3-36 BLOT 16 & S1/2 OF LOT 17 BLK 17 LESS DESC AS: BEG AT NW COR S1/2 OF LOT 17, E 81.65, S 61.95, W 84.08 TO W/L LOT 16, N 62 ALG W/LOF LOTS 16 & 17 TO POB
63	504211080131	UNDERWOOD, TREVOR GEORGE	18 SE 10 AVE	FORT LAUDERDALE	FL	33301	RESUB E1/2 BLK 16 & W1/2 BLK 17 BEVERLY HEIGHTS 3-36 BPOR OF LOT 16 & S1/2 OF LOT 17, BLK 17 DESC AS: BEG AT NW COR S1/2 OF LOT 17, E 81.65, S 61.95, W 84.08 TO W/L LOT 16, N 62 ALG W/L OF LOTS 16 & 17 TO POB
7	504211080140	BEVERLY HEIGHTS TH LLC	4001 N OCEAN BLVD #801	BOCA RATON	FL	33431	RESUB E1/2 BLK 16 & W1/2 BLK 17 BEVERLY HEIGHTS 3-36 BLOT 17 N1/2, 18 BLK 17
1	504211080160	1000 EAST BROWARD LLC	1000 E BROWARD BLVD	FORT LAUDERDALE	FL	33301	RESUB E1/2 BLK 16 & W1/2 BLK 17 BEVERLY HEIGHTS 3-36 BLOT 19, 20 BLK 17

Legal Description
 Lots 3, 4 and 5, Block 17 BEVERLY HEIGHTS, according to the Plat thereof, as recorded in Plat Book 1, Page 30 of the Public Records of Broward County, Florida.

AND
 Lot 18 and the North one-half (N1/2) of Lot 17, Block 17, RESUBDIVISION of the East one-half (E1/2) of Block 16 and the West one-half (W1/2) of Block 17 in BEVERLY HEIGHTS, according to the plat thereof, as recorded in Plat Book 3, Page 36, of the Public Records of Broward County, Florida.

Said lands situate, lying and being in the City of Fort Lauderdale, Broward County, Florida and containing 32,970 square feet or 0.7569 acres, more or less.



Location Sketch
 Not To Scale



LEGEND BUILDING I

TREE	DISTANT FROM FACE OF TREE TO POOL WATER EDGE.
1 SABAL PALM	3'-6"
2 SILVER BUTTWOOD	4'-1"
3 SABAL PALM	3'-6"
4 SILVER BUTTWOOD	4'-1"
5 SABAL PALM	3'-0"
6 SABAL PALM	3'-11"
7 SILVER BUTTWOOD	4'-6"
8 SABAL PALM	3'-7"
9 SILVER BUTTWOOD	4'-3"
10 SABAL PALM	4'-2"
11 SILVER BUTTWOOD	4'-2"
12 SABAL PALM	3'-4"
13 SILVER BUTTWOOD	4'-4"
14 SABAL PALM	3'-3"
15 SABAL PALM	3'-6"
16 SILVER BUTTWOOD	3'-6"

LEGEND BUILDING II & III

TREE	DISTANT FROM FACE OF TREE TO POOL WATER EDGE.
1 SABAL PALM	3'-6"
2 SILVER BUTTWOOD	3'-6"
3 SABAL PALM	3'-6"
4 SILVER BUTTWOOD	3'-6"
5 SABAL PALM	3'-6"
6 SABAL PALM	3'-6"
7 SILVER BUTTWOOD	3'-6"
8 SABAL PALM	3'-6"
9 SILVER BUTTWOOD	3'-6"
10 SABAL PALM	3'-6"
11 SILVER BUTTWOOD	3'-6"
12 SABAL PALM	3'-6"
13 SILVER BUTTWOOD	3'-6"
14 SABAL PALM	3'-6"
15 SILVER BUTTWOOD	3'-6"
16 SABAL PALM	3'-6"
17 SILVER BUTTWOOD	3'-6"
18 SABAL PALM	3'-6"
19 SILVER BUTTWOOD	3'-6"
20 SABAL PALM	3'-6"

1 REAR YARD BUILDING 'I' / TREES LOCATION
 SCALE: 3/32" = 1'-0"
 NORTH

REVISION	BY:

GUSTAVO J. CARBONELL, P.A.
 Architect and Planner
 1457 N.E. 4th AVE.
 Ft. Lauderdale, Florida 33304
 (954) 462-6565
 Member American Institute of Architects
 FLORIDA REGISTRATION NO. 2600131

PROPOSED 11 FEE SIMPLE TOWNHOUSES:
"Beverly Heights"
 BUILDING No. 1
 Fort Lauderdale

DRAWN	D.J.A.
CHECKED	G.J.C.
DATE	JAN. 2017
SCALE	AS NOTED
JOB NO.	17-014

SP-1
 OF 1 SHEETS



View Looking Southeast on SE 10th Avenue



View Looking East on SE 10th Avenue



View Looking East on SE 10th Avenue



BLDG #3

ALL VISITORS AND DELIVERIES MUST CHECK-IN AT SITE OFFICE

SAFETY FIRST FIRST AID STATION IN OFFICE COVID-19 PROCEDURES COVID-19 PROCEDIMIENTOS THE SPEAR GROUP

PLEASE DO NOT BLOCK CONSTRUCTION ACCESS GATES

THE BEST IS IN THE BACKYARD

View Looking Northwest SE 11th Avenue



View Looking West SE 11th Avenue



View Looking Southwest SE 11th Avenue



View Looking West on SE 11th Avenue



MARTY KIARD
BR  **WARD**
 COUNTY
 PROPERTY APPRAISER

Site Address	17-19 SE 11 AVENUE, FORT LAUDERDALE FL 33301	ID #	5042 11 07 0600
Property Owner	BEVERLY HEIGHTS TH LLC	Millage	0312
Mailing Address	4001 N OCEAN BLVD #801 BOCA RATON FL 33431	Use	00
Abbr Legal Description	BEVERLY HEIGHTS 1-30 B LOT 5 BLK 17		

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*	\$337,500		\$337,500	\$337,500	
2021	\$337,500		\$337,500	\$337,500	\$6,357.51
2020	\$337,500		\$337,500	\$337,500	\$6,324.48

2022* Exemptions and Taxable Values by Taxing Authority

	County	School Board	Municipal	Independent
Just Value	\$337,500	\$337,500	\$337,500	\$337,500
Portability	0	0	0	0
Assessed/SOH	\$337,500	\$337,500	\$337,500	\$337,500
Homestead	0	0	0	0
Add. Homestead	0	0	0	0
Wid/Vet/Dis	0	0	0	0
Senior	0	0	0	0
Exempt Type	0	0	0	0
Taxable	\$337,500	\$337,500	\$337,500	\$337,500

Sales History

Date	Type	Price	Book/Page or CIN
6/21/2017	WD-Q	\$705,000	114475306
9/12/2015	QCD-T	\$100	113250190
4/11/2008	SWD-O	\$295,000	45301 / 938
9/25/2007	CET-T	\$100	44681 / 1257
5/13/2004	WD	\$492,000	37507 / 1489

Land Calculations

Price	Factor	Type
\$45.00	7,500	SF
Adj. Bldg. S.F.		

Special Assessments

Fire	Garb	Light	Drain	Impr	Safe	Storm	Clean	Misc
03						F3		
L								
1						7500		



MARTY KIARD
BR  **WARD**
 COUNTY
 PROPERTY APPRAISER

Site Address	13-15 SE 11 AVENUE, FORT LAUDERDALE FL 33301	ID #	5042 11 07 0590
Property Owner	BEVERLY HEIGHTS TH LLC	Millage	0312
Mailing Address	4001 N OCEAN BLVD #801 BOCA RATON FL 33431	Use	00
Abbr Legal Description	BEVERLY HEIGHTS 1-30 B LOT 4 BLK 17		

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*	\$337,500		\$337,500	\$337,500	
2021	\$337,500		\$337,500	\$337,500	\$6,357.51
2020	\$337,500		\$337,500	\$337,500	\$6,324.48

2022* Exemptions and Taxable Values by Taxing Authority

	County	School Board	Municipal	Independent
Just Value	\$337,500	\$337,500	\$337,500	\$337,500
Portability	0	0	0	0
Assessed/SOH	\$337,500	\$337,500	\$337,500	\$337,500
Homestead	0	0	0	0
Add. Homestead	0	0	0	0
Wid/Vet/Dis	0	0	0	0
Senior	0	0	0	0
Exempt Type	0	0	0	0
Taxable	\$337,500	\$337,500	\$337,500	\$337,500

Sales History

Date	Type	Price	Book/Page or CIN
6/21/2017	WD-Q	\$705,000	114475307
1/3/2011	SWD-Q-DS	\$292,000	48027 / 1440
9/1/2009	CET-T	\$100	46527 / 931
11/19/1998	WD	\$232,000	29093 / 88
9/1/1991	WD	\$104,600	18792 / 954

Land Calculations

Price	Factor	Type
\$45.00	7,500	SF
Adj. Bldg. S.F.		

Special Assessments

Fire	Garb	Light	Drain	Impr	Safe	Storm	Clean	Misc
03						F3		
L								
1						7500		



MARTY KIARD
BRWARD
 COUNTY
 PROPERTY APPRAISER

Site Address	5-11 SE 11 AVENUE, FORT LAUDERDALE FL 33301	ID #	5042 11 07 0580
Property Owner	BEVERLY HEIGHTS TH LLC	Millage	0312
Mailing Address	4001 N OCEAN BLVD #801 BOCA RATON FL 33431	Use	00
Abbr Legal Description	BEVERLY HEIGHTS 1-30 B LOT 3 BLK 17		

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*	\$337,500		\$337,500	\$337,500	
2021	\$337,500		\$337,500	\$337,500	\$6,357.51
2020	\$337,500		\$337,500	\$337,500	\$6,324.48

2022* Exemptions and Taxable Values by Taxing Authority

	County	School Board	Municipal	Independent
Just Value	\$337,500	\$337,500	\$337,500	\$337,500
Portability	0	0	0	0
Assessed/SOH	\$337,500	\$337,500	\$337,500	\$337,500
Homestead	0	0	0	0
Add. Homestead	0	0	0	0
Wid/Vet/Dis	0	0	0	0
Senior	0	0	0	0
Exempt Type	0	0	0	0
Taxable	\$337,500	\$337,500	\$337,500	\$337,500

Sales History

Date	Type	Price	Book/Page or CIN
2/16/2017	WD-T	\$100	114213169
1/26/2017	WD-Q	\$605,400	114209327
6/11/2012	QCD-D	\$150,000	48836 / 164
3/29/2012	QC*-T	\$100	48641 / 1457
12/31/2001	WD*	\$400,000	32808 / 1890

Land Calculations

Price	Factor	Type
\$45.00	7,500	SF
Adj. Bldg. S.F.		

* Denotes Multi-Parcel Sale (See Deed)

Special Assessments

Fire	Garb	Light	Drain	Impr	Safe	Storm	Clean	Misc
03						F3		
L								
1						7500		



[Department of State](#) / [Division of Corporations](#) / [Search Records](#) / [Search by Entity Name](#) /

Detail by Entity Name

Florida Limited Liability Company
BEVERLY HEIGHTS TH, LLC

Filing Information

Document Number L17000030415
FEI/EIN Number 81-5315505
Date Filed 02/09/2017
State FL
Status ACTIVE

Principal Address

4001 N. Ocean Blvd
APT. 801
BOCA RATON, FL 33431

Changed: 08/02/2021

Mailing Address

4001 N. Ocean Blvd Apt. 801
Boca Raton, FL 33431

Changed: 08/02/2021

Registered Agent Name & Address

Straus, Arnold M, Jr
10081 Pines Blvd
SUITE C
Pembroke Pines, FL 33024

Name Changed: 10/18/2018

Address Changed: 10/18/2018

Authorized Person(s) Detail

Name & Address

Title MGR

VERGARA, FELIPE
4001 N. Ocean Blvd Apt. 801
Boca Raton, FL 33431

Title VP

Spear, Daniel
 3921 SW 47 Avenue
 Suite 1013
 Ft. Lauderdale, FL 33314

Title VP

Spear, David
 3921 SW 47 Avenue
 Suite 1013
 Ft. Lauderdale, FL 33314

Title Manager

Spear, Jeffrey
 3921 SW 47 Avenue
 Suite 1013
 Ft. Lauderdale, FL 33314

Annual Reports

Report Year	Filed Date
2020	05/14/2020
2021	04/20/2021
2021	08/02/2021

Document Images

08/02/2021 -- AMENDED ANNUAL REPORT	View image in PDF format
04/20/2021 -- ANNUAL REPORT	View image in PDF format
05/14/2020 -- ANNUAL REPORT	View image in PDF format
04/30/2019 -- ANNUAL REPORT	View image in PDF format
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01/15/2018 -- ANNUAL REPORT	View image in PDF format
02/09/2017 -- Florida Limited Liability	View image in PDF format