

BOARD OF ADJUSTMENT MEETING

City of Fort Lauderdale
Development Services Department (Lobby)
700 NW 19th Avenue, Fort Lauderdale, Florida 33311

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Wednesday, January 10, 2024
6:00 PM

AGENDA

- I. CALL TO ORDER / PLEDGE OF ALLEGIANCE
- II. APPROVAL OF MINUTES / DETERMINATION OF QUORUM
- III. PUBLIC SIGN-IN / SWEARING-IN
- IV. **AGENDA ITEMS: AGENDA ITEMS MAY BE TAKEN OUT OF ORDER TO ACCOMMODATE PUBLIC COMMENT OR AS THE BOARD DEEMS NECESSARY. ALL APPLICANT(S), AGENT(S), AND ANYONE WHO WISHES TO SPEAK ON ANY ITEM ON THE AGENDA, MUST BE PRESENT AT THE BEGINNING OF THE MEETING DUE TO THE POSSIBILITY THAT AGENDA ITEMS MAY BE TAKEN OUT OF ORDER.**

1. CASE:	PLN-BOA-23080004
OWNER:	2500 RIVERLAND LLC
AGENT:	NICOLLE DELGADO
ADDRESS:	2500 RIVERLAND RD, FORT LAUDERDALE, FL 33312
LEGAL DESCRIPTION:	LOT 7, PALM GROVE ACRES, ACORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN PLAT BOOK 30, PAGE 38, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA (SEE SURVEY)
ZONING DISTRICT:	RS-3.52 - IRREGULAR RESIDENTIAL

COMMISSION DISTRICT: 4

REQUESTING: Sec. 47-39. A.6.D.- Height.

- Requesting a variance to allow a new single-family residence to have a maximum height of 29 feet, whereas the code allows a maximum height of 20 feet (2 Stories) as measured from the finish floor at the exterior elevation. A total variance request of 9 feet.

This case was deferred from the Oct 11, 2023, BOA agenda.

Motion to defer the case to the Board’s February 14 hearing passed 7-0.

2. **CASE:** PLN-BOA-23070003

OWNER: 1201 BAYVIEW CORP

AGENT: HEATHER GRIMES

ADDRESS: 1201 BAYVIEW DRIVE, FORT LAUDERDALE, FL 33304

LEGAL DESCRIPTION: LOT 11, IN BLOCK “G”, OF BEACHWAY HEIGHTS, UNIT “A”. ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 22, AT PAGE 17, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA. (SEE SURVEY)

ZONING DISTRICT: RS-4.4 – RESIDENTIAL OF SINGLE FAMILY/LOW DENSITY

COMMISSION DISTRICT: 1

REQUESTING: Sec. 47-5.30 - table of dimensional requirements for the RS-4.4 district

- Requesting a variance to reduce the corner yard setback to seven (7) feet, five (5) inches, whereas the code requires a minimum of 25% of the lot width at the front yard setback (98 feet x 25% = 24 feet 6 inches), a total variance reduction request of seventeen (17) feet, one (1) inch.

This case was Deferred from the December 13, 2023, BOA meeting Agenda.

Motion to deny the variance passed 7-0.

3. **CASE:** PLN-BOA-23070002

OWNER: OSTROVSKY, STEVE

AGENT: N/A

ADDRESS: 3000 RIVERLAND ROAD, FORT LAUDERDALE FL 33312

LEGAL DESCRIPTION: LOT 1, OF BLOCK 2, OF RIVERLAND MANORS, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 27, PAGE 49, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA. (SEE SURVEY)
ZONING DISTRICT: RS-3.52 – IRREGULAR RESIDENTIAL
COMMISSION DISTRICT: 4
REQUESTING: **Sec. 47-39. A.1.b.(3). (h). - General provisions.**

- Requesting a variance to allow the total aggregate floor area of all accessory buildings to 13.46 percent, whereas the code allows a maximum of 5 percent of the plot area, a total increase of 8.46 percent.

Sec. 47-39. A.1.b.(3) – General provisions.

- Requesting a variance to allow an accessory building to encroach into the required 25-foot front yard. The accessory building will be setback 5.2 feet from the front plot line.
- Requesting a variance to allow an accessory building to encroach into the required 15-foot Street side yard. The accessory building will be setback 5.5 feet from the street side plot line..

Sec. 47-2.2. Q.3.- Sight triangle.

- Requesting a variance to reduce the sight triangle requirements from Twenty-five (25) feet from the intersection point of the extended property lines at a street and a street to 15 feet.

Motion to deny the variance regarding 47-2.2. Q.3. passed 7-0.

Motion to deny the variances regarding Sec. 47-39. A.1.b.(3) and Sec. 47-39. A.1.b.(3).(h). passed 7-0.

4. CASE: **PLN-BOA-23100003**

OWNER: 1551 SISTRUNK LLC

AGENT: KEVIN RODRIGUEZ

ADDRESS: 1551 NW 6 ST, FORT LAUDERDALE, FL 33311

LEGAL DESCRIPTION: DORSEY PARK 19-5 B LOT 13 BLK 1, LESS POR OF LOT 3
DESC AS: BEG SE COR OF SAID LOT 3, W 55, N 10.95, E 55, S 11.07 TO POB, TOG WITH LOT 14 BLK 1, LESS POR OF SAID LOT 14
DESC AS: BEG SE COR LOT 14, W 55, N 10.83, E 55, S 10.95. (SEE SURVEY)

ZONING DISTRICT: NWRAC-MUw – NORTHWEST REGIONAL ACTIVITY CENTER-MIXED USE WEST

COMMISSION DISTRICT: 3

REQUESTING: **Sec. 5-27. - Distances of establishments from church or school.**

- Requesting a special exception to allow the sale of alcohol incidental to the sale and service of food from an establishment less than five hundred (500) feet from a church or school. The establishment is four-hundred twenty-seven (427) feet from the nearest church or school.

Motion to approve the special exception passed 6-1.

5. CASE: **PLN-BOA-23110001**

OWNER: 1700 N ANDREWS LLC

AGENT: JANNA P. LHOTA, ESQ.

ADDRESS: 1700 N ANDREWS AVE, FORT LAUDERDALE, FL 33305

LEGAL DESCRIPTION: THAT PART OF TRACT "A" OF MERRIT ISLE, A RESUBDIVISION IN LAUDERDALE ISLES, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 45, AT PAGE 38, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA. (SEE SURVEY).

ZONING DISTRICT: RM-15 - RESIDENTIAL MULTIFAMILY LOW RISE/MEDIUM DENSITY/CB COMMUNITY BUSINESS

COMMISSION DISTRICT: 2

REQUESTING: **Sec. 47-25.3. A.3.d(i) - Neighborhood compatibility requirements, Buffer yard requirements**

- Requesting a variance from a requirement for a 10 foot landscape strip located along all property lines which are adjacent to a residential property and which shall extend to the property lines for the total required_a distance of 306.5 feet adjacent to residential property_to be reduced to 80 feet, for_a total variance request of 226.5 feet as depicted on plans sheet X-9.

Sec.47-25.3. A.3.d(ii) - Neighborhood compatibility requirements, Parking restrictions

- Requesting a variance to allow parking within 2.9 feet of the property line of a contiguous residential property for a length of 165' feet of the 306.5 feet of property length adjacent to a residential property line, whereas the code requires a minimum setback of 12 feet, a total variance request of 9.1 feet for a length of 165' feet, as depicted on the plans (sheet X-9). Please Note: Of the 306.5', 141.5' will have no parking and complies.

Sec.47-25.3. A.3.d(iii) - Neighborhood compatibility requirements, Dumpster regulations

- Requesting a variance to allow a dumpster to be located 4 feet from a residential property line whereas 12 feet is

required for a total variance request of 8 feet.

Sec.47-25.3. A.3.d.iv(b) - Neighborhood compatibility requirements, Wall requirements.

- Requesting a variance to reduce the total lineal foot requirement of a wall abutting a residential property line from the required 306.5 feet to 138 feet, a total variance request of 168.5 feet. As depicted on plans sheet X-9.

Motion to defer the case to the Board's February 14 hearing passed 7-0.

6. CASE: PLN-BOA-23110002
OWNER: ENGEL, MARK D & HEIDI L; MARK D & HEIDI L ENGEL REV TR
AGENT: N/A
ADDRESS: 2418 SW 30 AVE, FORT LAUDERDALE, FL 333124722
LEGAL DESCRIPTION: LOT 2, BLOCK 1, RIVERLAND MANORS, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 27, PAGE 49, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FL. (SEE SURVEY)
ZONING DISTRICT: RS-3.52 - IRREGULAR RESIDENTIAL
COMMISSION DISTRICT: 4
REQUESTING: **Sec 47-39. A.1.b.(5)(b)**

- Requesting a variance to allow a pool at a setback of 3 feet, whereas the code requires at a minimum of 15 feet that may be reduced to 5 feet for side and rear yards not abutting a street, a total variance request of 2 feet from the 5 feet required by the reduction.

NOTE: Sec 47-39. A.1.b.(5)(b). The minimum setback from a plot line **shall be measured beginning** three (3) feet from the outermost edge of the waterline of the swimming pool or spa. **Sec. 47-39. A.1.b.(3)(d).** On a plot containing a one-family detached or two-family dwelling, side and rear yards not abutting a street may be reduced to five (5) feet for accessory uses and buildings.

Motion to approve the variance passed 7-0.

7. CASE: PLN-BOA-23110004
OWNER: BRADLEY M & SONJA H LIPKOWITZ
AGENT: DWAYNE SHAW
ADDRESS: 501 NE 10 AVE, FORT LAUDERDALE, FL 33301
LEGAL DESCRIPTION: THE SOUTH 10 FEET OF LOT 24 AND ALL OF LOT 25, BLOCK 1, HOLMBERG & MCKEE'S SUBDIVISION, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 1, PAGE 112 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, SAID LANDS SITUATE, LYING AND BEING IN BROWARD COUNTY, FLORIDA. (SEE SURVEY)

ZONING DISTRICT: RS-8 - RESIDENTIAL SINGLE FAMILY/LOW MEDIUM DENSITY DISTRICT.
COMMISSION DISTRICT: 2

REQUESTING: Sec. 47-23.15. - Location of buildings and structures in a sight triangle.

- Requesting a variance to allow a fence to be installed in a sight triangle , whereas the code states that no building or structure shall be permitted within a sight triangle.

Sec. 47-19.5. B. - Dimensional Requirements.

- Requesting a variance to allow a new fence to be installed at a 1-foot setback from a street property line whereas the code requires a minimum average setback of 3 feet from a property line. A total variance request of 2 feet from the property line.

Motion to approve the variance regarding Sec. 47-23.15. passed 6-1.

Motion to approve the variance regarding Sec. 47-19.5.B. passed 7-0.

8. CASE: PLN-BOA-23120001
OWNER: DEZER POWERLINE LLC
AGENT: CRUSH LAW, P.A.- JASON S. CRUSH, ESQ.
ADDRESS: 5300 POWERLINE RD #4, FORT LAUDERDALE, FL 33309

LEGAL DESCRIPTION: THAT PART OF THE NORTHWEST ¼ OF SECTION 15, TOWNSHIP 49 SOUTH, RANGE 42 EAST, LYING WEST OF SEABOARD COASTLINE RAILROAD COMPANY (FORMELY KNOWN AS SEABOARD AIR LINE RAILROAD COMPANY) RIGHT-OF-WAY; LESS THE WEST 35 FEET THEREOF; LESS THE OF WAY FOR NW 9TH AVENUE AS DESCRIBED IN OFFICIAL RECORDS BOOK 3988, PAGE 648, PUBLIC RECORDS OF BROWARD, COUNTY. (SEE SURVEY)
ZONING DISTRICT: CR – COMMERCIAL RECREATION

COMMISSION DISTRICT: 1

REQUESTING: Sec 47-22.3. O.-Shopping center or strip store signs.

- Requesting a variance to permit an additional sign to be erected on the main building.

Motion to approve the variance because it meets the criteria passed 7-0.

V. **COMMUNICATION TO THE CITY COMMISSION**

VI. **FOR THE GOOD OF THE CITY OF FORT LAUDERDALE**