

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, July 10, 2024
6:00 PM

AGENDA RESULTS

- I. CALL TO ORDER / PLEDGE OF ALLEGIANCE
- II. APPROVAL OF MINUTES / DETERMINATION OF QUORUM
- III. PUBLIC SIGN-IN / SWEARING-IN
- IV. AGENDA ITEMS

1. CASE:	PLN-BOA-24020001
OWNER:	ESTATE MANORS INC; WALTERS, LAWRENCE
AGENT:	GRAHAM PENN, ESQ
ADDRESS:	1616 SW 17 AVE., FORT LAUDERDALE, FL 33312
LEGAL DESCRIPTION:	LOT 15, OF BOSSERT ISLES, ACCORDING TO THE PLAT THEREOF, AS RECORDED PLAT BOOK 46, PAGE 42, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA. (SEE SURVEY).
ZONING DISTRICT:	RS-8 - RESIDENTIAL SINGLE FAMILY/LOW MEDIUM DENSITY
COMMISSION DISTRICT:	4

REQUESTING:

Request for Rehearing of Denial of Case PLN-BOA-24020001 pursuant to ULDR Sec. 47-24.12. A.7 regarding the following variance requests:

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

- Requesting a variance from the minimum 25 feet corner yard setback abutting a waterway to be reduced to 15.73 feet, a total variance request of 9.27 feet.

Sec. 47-19.2. B. - Architectural features in residential districts.

- Requesting a variance to allow an eave/overhang to project into a setback of 4.6 feet, whereas the code allows a maximum of 3 feet from the approved setback, a total variance request of 1.6 feet.

Motion to grant a re-hearing failed 1-6.

2. CASE:

PLN-BOA- 24040001

OWNER:

TACHER, MARIO & YELENA

AGENT:

N/A

ADDRESS:

2436 CAT CAY LANE, FORT LAUDERDALE, FL 33312

LEGAL DESCRIPTION:

LOT 6, BLOCK 3 OF "LAUDERDALE ISLES NO.2", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 35, AT PAGE 2, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA. (SEE SURVEY)

ZONING DISTRICT:

RS-6.85A - IRREGULAR RESIDENTIAL

COMMISSION

4

DISTRICT:

REQUESTING:

Sec. 47-39. A.1.b.(3)(g) General provisions. - Yard encroachments.

- Requesting a variance from the minimum 10-foot required distance separation between an accessory building and a principal building to be reduced to a distance of 8.9 feet, a total variance reduction request of 1.1 feet.

Sec. 47-39. A.1.b.(3)(d) General provisions. - Yard encroachments.

- Requesting a variance from the minimum 5 feet rear yard setback requirement for accessory buildings to be reduced to 4.5 feet a total variance request of 0.5 feet.
- Requesting a variance from the minimum 5 feet side yard setback requirement for accessory buildings to be reduced to 2.0 feet a total variance request of 3.0 feet.

Sec. 47-39. A.6.F. Dimensional requirements. - Side yards.

- Requesting a variance from the minimum 7.5 feet side yard setback to be reduced to 4.97 feet for an existing one-family dwelling on the north side yard a total reduction of 2.53 feet.

Motion to approve all 4 variance requests failed 4-3.

3. CASE: **PLN-BOA- 24040002**
OWNER: STEVENS, ANDREA CATHERINE
AGENT: N/A
ADDRESS: 1329 SW 9 STREET, FORT LAUDERDALE, FL 33312
LEGAL DESCRIPTION: THE EAST ONE-HALF OF LOTS 6 AND 7, BLOCK 11, OF AMENDED PLAT OF RIVERSIDE ADDTION OF FORT LAUDERDALE, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 1, PAGE 13 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA. (SEE SURVEY)
ZONING DISTRICT: RD-15 - RESIDENTIAL SINGLE FAMILY AND DUPLEX/MEDIUM DENSITY
COMMISSION DISTRICT: 4
REQUESTING: **Sec. 25-62. (b)(3) - Requirements for new development and site alterations.**

- Requesting a special exception, granting relief from the requirement to install sidewalk per Sec 25-62.

Please Note: As per Sec. 25-62. (b)(3) Sidewalks shall be constructed on all public streets abutting the property, except as provided herein: Property owners may request relief from the provisions of this section by making an application to the board of adjustment. The property owner shall have the burden of demonstrating that a unique circumstance particular to the property at issue exists that would otherwise preclude the installation of a sidewalk in the specified location.

Motion to approve the Special Exception passed 7-0.

4. CASE: **PLN-BOA-24050001**
OWNER: MACNEIL, DAVID F; DAVID F MACNEIL TR
AGENT: STEPHANIE J. TOOTHAKER, ESQ
ADDRESS: 84 ISLA BAHIA DRIVE, FORT LAUDERDALE, FL 33316
LEGAL DESCRIPTION: LOT 13, OF ISLA BAHIA, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 47, PAGE 27, OF THE PUBLIC RECORDS OF BROWARD COUNTY,

FLORIDA. (SEE SURVEY)

ZONING DISTRICT: RS-4.4 - RESIDENTIAL OF SINGLE FAMILY/LOW DENSITY
COMMISSION
DISTRICT: 4
REQUESTING: **Sec 47-19.2. B- Architectural features in residential districts.**

- A variance from the maximum 3-foot or one-third ($\frac{1}{3}$) of the required yard, whichever is less, for an unenclosed balcony encroachment into the required yard to allow an additional 0.8-foot encroachment for a total encroachment of 3.8 feet.

Sec 47-5.30- Table of dimensional requirements for the RS-4.4 district. (Note A).

- A variance from the 25-foot minimum rear yard requirements of Section 47-5.30 Table of Dimensional Requirements to allow a decrease of 3.8 feet for a proposed rear yard setback of 21.2 feet.

Motion to approve the request re: Sec 47-19.2. B passed 7-0.

Motion to deny the request re: Sec 47-5.30 failed 3-4.

Motion to approve the request re: Sec 47-5.30 failed 3-4.

5. CASE: **PLN-BOA-24050002**
OWNER: CITY OF FORT LAUDERDALE
AGENT: FREDDY ANDRES ARGUDO, ESQ
ADDRESS: 5900 HAWKINS ROAD, FORT LAUDERDALE, FL 33309
LEGAL DESCRIPTION: A PORTION PF TRACTS "B" AND "C", "PALM AIRE VILLAGE 4TH SECTION", ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 96, PAGE 35, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA. (SEE SURVEY)
ZONING DISTRICT: CC - COMMERCE CENTER DISTRICT
COMMISSION
DISTRICT: 1
REQUESTING: **Sec 47-21.13. B.1.a.- Landscape requirements for all zoned districts.**

- Requesting a variance to reduce the minimum tree requirement of one (1) tree per 1,000 square feet of net lot area to one (1) tree per 2000 square feet of net lot area, a total variance request of 46 trees.

Breakdown: Total required 93,000 sf /1000= 93 trees
Total provided 93,000 sf/ 2000= 47 trees
Total Reduction = 46 trees

Motion to defer to August passed 7-0.

6. CASE: **PLN-BOA-24050003**
OWNER: SCHIRMER, CHRISTOPHER V; MATTOCKS, JACI REGAN
AGENT: N/A
ADDRESS: 1123 SW 5 PLACET LAUDERDALE, FL 33312
LEGAL DESCRIPTION: LOT 10 AND THE WEST ½ OF LOT 11, BLOCK 1, AMENDED PLAT OF RIVERSIDE ADDITION TO FT. LAUDERDALE, FLA. ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 1, PAGE 13, PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA. (SEE SURVEY)
ZONING DISTRICT: RS-8 - RESIDENTIAL SINGLE FAMILY/LOW MEDIUM DENSITY
COMMISSION DISTRICT: 4
REQUESTING: **Sec. 25-62. (b)(3) - Requirements for new development and site alterations.**

- Requesting a special exception, granting relief from the requirement to install sidewalk per Sec 25-62.

Please Note: As per Sec. 25-62. (b)(3) Sidewalks shall be constructed on all public streets abutting the property, except as provided herein: Property owners may request relief from the provisions of this section by making an application to the board of adjustment. The property owner shall have the burden of demonstrating that a unique circumstance particular to the property at issue exists that would otherwise preclude the installation of a sidewalk in the specified location.

Motion to approve the Special Exception passed 5-2.

7. CASE: **PLN-BOA- 24050005**
OWNER: 3290 NORTHEAST 33RD ST LLC; % MARILYN LEEDS MANAGER
AGENT: LAWRENCE BLACKE, ESQ
ADDRESS: 3298 NE 33 STREET, FORT LAUDERDALE, FL 33308
LEGAL DESCRIPTION: LOT 7, IN THE BLOCK 5 OF GLAT OCEAN MILE, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 34, PAGE 16 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA. (SEE SURVEY)
ZONING DISTRICT: CB - COMMUNITY BUSINESS
COMMISSION DISTRICT: 1
REQUESTING: **Sec. 5-26. - Distances between establishments.**

- Requesting a special exception from the required distance separation of three hundred (300) feet between establishments selling alcoholic beverages. The location of the proposed

establishment is ninety-one (91) feet from one establishment licensed to sell alcoholic beverages, one-hundred seventy-three (173) feet from another establishment and two-hundred twenty-one (221) feet from another establishment licensed to sell alcoholic beverages. Requesting a total distance of separation reduction of two-hundred nine (209) feet, one-hundred twenty-seven (127) feet, and seventy-nine (79) feet, respectfully.

Motion to approve the Special Exception passed 7-0.

8. CASE: **PLN-BOA- 24050004**
OWNER: CORAL RIDGE YACHT CLUB INC
AGENT: STEPHEN K. TILBROOK, ESQ
ADDRESS: 2800 YACHT CLUB BLVD, FORT LAUDERDALE, FL 33304
LEGAL DESCRIPTION: PARCEL I: YACHT CLUB SITE OF RESUBDIVISION OF BLOCK 6 PORTIONS OF BLOCK 5 AND 4 OF CORAL RIDGE SOUTH ADDITION, ACCORDING TO THE PLAT THEREOF AS RECORDED. TOGETHER WITH: A PORTION OF YACHT CLUB BOULEVARD CUL-DE-SAC, ADJACENT TO YACHT CLUB SITE, RESUBDIVISION OF BLOCK 8 AND PORTIONS OF BLOCKS 5 AND 4 OF CORAL RIDGE SOUTH ADDITION. PARCEL "C": A PARCEL OF LAND BEING A PORTION OF "CORAL BAY" AS SHOWN ON THE PLAT OF "CORAL RIDGE SOUTH ADDITION". ACCORDING TO THE PLAT THEREOF RECORDED. PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA. (SEE SURVEY)
ZONING DISTRICT: P - PARKS RECREATION AND OPEN SPACE
COMMISSION DISTRICT: 1
REQUESTING: **Sec 47-8.30 Table of dimensional requirements. (Note A)**

- Requesting a variance from the minimum 25 feet rear yard setback requirement to be reduced to 5 feet to install a retractable awning extending 20 feet into the required 25-foot rear yard setback, a total variance reduction request of 20 feet.

Motion to approve passed 5-2.

9. CASE: **PLN-BOA- 24060001**
OWNER: CATRON, WILLIAM L & DOROTHY H
AGENT: N/A
ADDRESS: 1630 SOUTH EAST 10 STREET, FORT LAUDERDALE, FL 33316
LEGAL DESCRIPTION: THE EAST ONE-HALF OF LOT 15 AND LOT 16 IN BLOCK 14 OF RIO VISTA ISLES UNIT 5, ACCORDING TO THE PLAT THEREOF, AS REORDERED IN PLAT BOOK 8, PAGE 7, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA. (SEE SURVEY)
ZONING DISTRICT: RS-4.4 - RESIDENTIAL OF SINGLE FAMILY/LOW DENSITY
COMMISSION DISTRICT: 4

REQUESTING:

Sec 47-5.30- Table of dimensional requirements for the RS-4.4 district. (Note A)

- Requesting a variance to reduce the side yard setback to 9 foot 10 inches, whereas the code requires a minimum side yard setback of 10 foot 0 inches, a total variance reduction request of 2 inches.

Motion to approve passed 7-0.