

AGENDA RESULTS

BOARD OF ADJUSTMENT MEETING CITY OF FORT LAUDERDALE

WEDNESDAY, SEPTEMBER 22, 2004 – 6:30 P.M.

CITY HALL
CITY COMMISSION CHAMBERS – 1st Floor
100 N. ANDREWS AVENUE
FORT LAUDERDALE, FL

1. APPEAL NO. 04-47 – Deferred from August 11, 2004 Meeting

APPLICANT: Anthony Family Limited Partnership (George Arthur)
LEGAL: Progresso, P.B. 2, P. 18, (D) Block 178, North 10' of Lot 25 and all of Lots 26 thru 38
ZONING: B-1 (Boulevard Business District)
STREET: 801 East Sunrise Blvd.
ADDRESS: Fort Lauderdale, FL

APPEALING: **Sec.47-6.11** – Requesting a variance to permit the display and sale of used vehicles where such use is currently not listed as a permitted use in the B-1 Zoning District.

APPROVED (7-0) – with conditions

2. APPEAL NO. 04-50

APPLICANT: Anthony Family Limited Partnership (George Arthur)
LEGAL: Progresso, P.B. 2, P. 18, (D) Block 168, Lots 10, 11, 12, 13 and 14
ZONING: B-1 (Boulevard Business District)
STREET: 1701 East Sunrise Blvd.
ADDRESS: Fort Lauderdale, FL

APPEALING: **Sec.47-24.12 and Sec. 47-6.11** – Requesting a temporary nonconforming use permit to permit the display and sale of used vehicles where such use is currently not listed as a permitted use in the B-1 Zoning District.

APPROVED (7-0) – with conditions

3. APPEAL NO. 04-48 – Deferred from August 11, 2004 Meeting

APPLICANT: The John Needham House
LEGAL: Colee Hammock, P.B. 1, P.17, Block 11, Lots 1 and 2
ZONING: RMM-25 (Residential Mid Rise Multi-family/Medium High Density District)
STREET: 828 SE 4 Street
ADDRESS: Fort Lauderdale, FL

APPEALING: Sec. 47-5.19 & Sec. 47-19.1.C – Requesting a variance to allow a stand-alone hotel accessory use where accessory uses are not permitted without a principal use in the RMM-25 Zoning District.

APPEALING: Sec. 47-19.8 - Requesting a variance to waive the criteria required for interior access to a hotel accessory use to allow exterior access.

APPEALING: Sec. 47-5.36 – Requesting a variance to allow the existing 5.6-ft. West side yard and 20-ft. front yard setbacks to remain where the Code requires a 20-ft. side yard and a 25-ft. front yard setback.

APPEALING: Sec. 47-20.4.B.1 – Requesting a variance to allow the utilization of a portion of the adjacent city parcel for expanding the existing parking on the site, thereby allowing 10 parking spaces to fit on-site (while providing 3 spaces off-site) where parking facilities are required to be located on the same lot or parcel of land that such facilities are intended to serve.

APPEALING: Sec. 47-20.18 – Requesting a variance to permit 3 off-site parking spaces to be provided pursuant to a month-to-month lease agreement where the Code requires a 50-year lease.

Sec. 47-20.4.B.1 – DENIED (3-4)
Sec. 47-20.18 – APPROVED (5-2)
All other Sections – APPROVED (7-0) with conditions

4. APPEAL NO. 04-49 – Deferred from August 11, 2004 Meeting

APPLICANT: New River Development Partners, Ltd.
LEGAL: Sailboat Bend, P.B. 21, P.9, Lots 1, 2, 3, 4, 5, and portions of 6 and 7
ZONING: RAC-SMU (
STREET: 401 SW 4 Avenue
ADDRESS: Fort Lauderdale, FL

APPEALING: Sec.47-13.20K.1.a – Requesting a variance to allow three (3) pool heaters with a 1.33' property line setback along the street in the RAC where a minimum setback of 5' is required for structures on property abutting an RAC Street.

APPEALING: Sec.47-19.2.S – Requesting a variance to allow a 270 sq. ft. structure where 40 sq. ft. is the maximum permitted.

WITHDRAWN

5. APPEAL NO. 04-07 – Deferred from March 10, 2004 Meeting.

APPLICANT: Cassandra Colby Tansey/World Fitness Association
LEGAL: Hoys Business Center, P. B. 39, P. 11, Block 1, Lot 2
ZONING: B-1 (Boulevard Business)
STREET: 5800 N. Federal Highway
ADDRESS: Fort Lauderdale, FL

APPEALING: Sec. 47-20.11 – To permit parking stall depth of 17 ft. 10-9/16 in. where the Code requires a depth of 19 ft. 1-1/8 in. for 45 degree angled parking; to permit a drive aisle width of 11 ft. where the Code requires a drive aisle width of 13 ft; these two modifications resulting in an overall parking dimension of 46 ft. 9-1/8 in. where the Code requires a minimum overall dimension of 51 ft. 2-1/8 in.

APPEALING: Sec. 47-20.2.B – To exclude a 2nd floor area of 1,773 sq. ft, a 1st floor area of 1,540 sq. ft and 233 sq. ft. hallway area from the parking calculations where the Code requires that the parking calculations be based on the total gross floor area of the building.

APPEALING: Sec. 47-23.9.A.1 – To permit an 18.6 ft. inter-district corridor yard where the Code requires a minimum 20 ft. inter-district corridor yard.

Sec. 47-20.11 - DEFERRED to October 13, 2004 Meeting
Sec. 47-20.2.B – APPROVED (7-0)
Sec. 47-23.9.A.1 – APPROVED (6-1)

6. APPEAL NO. 04-44

APPLICANT: Joy Duval
LEGAL: Brysa Park, P.B. 8, P. 45, Block 8, Portion of Lots 19 and 26
ZONING: CB (Community Business District)
STREET: 3701 Davie Blvd
ADDRESS: Fort Lauderdale, FL

APPEALING: Sec. 47-6.10 – Requesting a variance to permit the display and sale of used vehicles where such use is not currently listed as a permitted use in the Community Business District.

APPEALING: Sec. 47-18.3 – Requesting a variance to permit the display and sale of used vehicles on a lot that has a front property line that is 73.21 ft. in width and a lot area of 6,702 sq. ft./ .154 acres where the Code requires a front property line with a minimum width of 100 ft. and a minimum lot area of 15,000 sq. ft.

DENIED (0-7)

7. APPEAL NO. 04-51

APPLICANT: Robert A. Ross & Annette Costello Ross
LEGAL: River-Lanes, P.B. 22, P. 24, Lot 3
ZONING: RS-3 (Broward County)
STREET: 2350 SW 27 Terrace
ADDRESS: Fort Lauderdale, FL

APPEALING: Broward County Code Sec. 39-275 (12) (a) – Requesting a variance to allow a dock to extend 6 ft. into the waterway where 5 ft. is the maximum permitted and to allow said dock to extend to the north and south property lines where a 10 ft. setback is required.

APPROVED (7-0)

8. APPEAL NO. 04-52

APPLICANT: Scott Schwab
LEGAL: Imperial Pointe 1st Section, P.B. 53, P. 44, Block 2, Lot 17
ZONING: RS-8 (Residential Single Family/Low Medium Density District)
STREET: 2132 NE 62 Street
ADDRESS: Fort Lauderdale, FL

APPEALING: Sec.47-5.31 – Requesting a variance to permit an existing carport to be converted to a garage that will setback 23 ft. 1 in. from the front property line where Code requires a 25 ft. front yard setback.

APPROVED (7-0)

9. APPEAL NO. 04-53

APPLICANT: George Gill, President (Yankee Clipper Marina Meeting Room/Banquet Facility)
LEGAL: Ocean Harbor , P.B. 26, P. 39, All of Lots 14-18, & 28 & a portion of 27
ZONING: RMH-60 (Residential High Rise Multifamily/High Density District)
STREET: 1140 Seabreeze Boulevard
ADDRESS: Fort Lauderdale, FL

APPEALING: Sec.47-3.2 B 1 (Continuation of a Non-conforming Structure) to permit the construction of a 5,461 sq. ft Meeting Room/Banquet Facility. (replacing the existing pool deck structure) to a legal non-conforming structure (hotel) where the Code prohibits the alteration or enlargement of a legal non-conforming structure.

APPEALING: Sec.47-5.38 (Table of Dimensional Requirements) – Requesting a variance to build a Meeting Room/Banquet Facility with a 6 ft. front yard setback (along Seabreeze Boulevard), where the Code requires a 25 ft. front yard setback, and to allow a 6 ft. corner yard setback (along north end of Harbor Drive), where the Code requires a 25 ft. corner yard setback.

DEFERRED to October 13, 2004 Meeting

10. APPEAL NO. 04-54

APPLICANT: Calvary Chapel of Fort Lauderdale, Inc.
LEGAL: Harris Corporation Tract A, a portion of Parcel "A", P.B. 100, P. 15
ZONING: CF (Community Facility District)
P (Parks, Recreation and Open Space District)
AIP (AIRPORT INDUSTRIAL PARK)
STREET: 2401 NW 62 Street
ADDRESS: Fort Lauderdale, FL

APPEALING: Sec.47-8.30 (Table of Dimensional Requirements) – Requesting a variance to permit lights for athletic fields at a height of 80 feet where the Code allows a maximum height of 60 ft.

APPEALING: Sec.47-8.30 (Table of Dimensional Requirements) – Requesting a variance to permit a proposed Christian Education Building at a height of 80 ft. where the Code allows a maximum height of 60 ft.

APPROVED (7-0)

11. APPEAL NO. 04-55

APPLICANT: Henry and Minerva Glaston
LEGAL: Brysa Park Extension, P.B. 28, P. 46, Block 2, Lots 12, 13, and 14.
ZONING: CB (Community Business District)
STREET: 3619-3635 W. Davie Blvd
ADDRESS: Fort Lauderdale, FL

APPEALING: Sec. 47-25.3 A.3.d.v – Requesting a variance to allow an existing wooden fence to remain on a nonresidential property, where Code requires that a 5 ft. wall be constructed.

DEFERRED to October 13, 2004 Meeting

12. APPEAL NO. 04-56

APPLICANT: TRG&S Las Olas Beach Club, LTD.
LEGAL: Lauder Del Mar, P.B. 7, P. 30, Block 1, Lots 1 – 7 together with
Las Olas by The Sea, P.B. 1, P. 16, Block 4, Lots 1 – 6.
ZONING: PRD (Planned Resort Development District)
STREET: 101 South Atlantic Boulevard
ADDRESS: Fort Lauderdale, FL

APPEALING: Sec. 47-12.5.A.1 – Requesting a variance to permit a reduction of the required yard setback along Cortez Street to 12 ft. where the Code requires 20 ft. unless otherwise approved as a development of significant impact (Site Plan Level IV).

APPEALING: Sec. 47-12.4.C – Requesting a variance for the preservation of additional wall area of the Lauderdale Beach Hotel, which wall area does not comply with the following People Street design requirements; does not have a cornice as required by subsections b. and c., does not have fenestration of 50% of the first floor of habitable space and as required by subsection e.; and does not have canopies or arcades over ground floor windows, doors or other transparent features as required by subsection g.

APPEALING: Sec. 47-21.10.B.14 – Requesting a variance to reduce the required pervious area to 20.3%, where the Code requires a minimum of 25%.

APPROVED (7-0)

REPORT and FOR THE GOOD OF THE CITY.

The City maintains a Website for the viewing of BOA Agendas and Results at the following e-mail address:

<http://www.fortlauderdale.gov/documents/boa/boaagenda.htm>

**DONALD MORRIS
ZONING ADMINISTRATOR**

NOTE: Two or more City Commissioners and/or Advisory Board members may be present at this meeting. 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 to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. If you desire auxiliary services to assist in viewing or hearing the meetings, or reading agendas and minutes, please contact the City Clerk's Office at 954-828-5002 and arrangements will be made to provide these services for you.

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