

## AGENDA RESULTS

### BOARD OF ADJUSTMENT MEETING CITY OF FORT LAUDERDALE

WEDNESDAY, April 9, 2008 – 6:30 P.M.  
CITY HALL

CITY COMMISSION CHAMBERS – 1<sup>st</sup> Floor  
100 N. ANDREWS AVENUE  
FORT LAUDERDALE, FL

#### **Sec. 47-33.1. Purpose.**

The board of adjustment shall receive and hear appeals in cases involving the ULDR, to hear applications for temporary nonconforming use permits, special exceptions and variances to the terms of the ULDR, and grant relief where authorized under the ULDR. The board of adjustment shall also hear, determine and decide appeals from reviewable interpretations, applications or determinations made by an administrative official in the enforcement of the ULDR, as provided herein.

#### **1. APPEAL NO. 07-47** *(Deferred from March 12, 2008 meeting)*

**APPLICANT:** Fort Lauderdale Community Redevelopment Agency

**LEGAL:** “River Gardens”, P.B. 19, P. 23, Block 1, Lots 1, 2 and 3, Less N. 10 feet.

**ZONING:** RM-15 (Residential Multifamily Low Rise/Medium Density District)

**STREET:** 2130 & 2140 NW 6<sup>th</sup> Street

**ADDRESS:** Fort Lauderdale, FL

**APPEALING:** Section 47-5.34 (Table of dimensional requirements for the RM-15 district)

Requesting a variance to allow a 10 foot and 15 foot front yard, where Code requires a 25 foot front yard.

**DEFERRED FOR THIRTY (30) DAYS (5-0)**

#### **2. APPEAL NO. 07-48** *(Deferred from March 12, 2008 meeting)*

**APPLICANT:** Sweetling Associates, LLC. (DBA) New Visions CDC

**LEGAL:** “River Gardens”, Block 2, Lots 1,2,3,4,5 & 6, Said parcel being more particularly described in the application for a variance for Appeal No. 07-48, on file with the Clerk of the City of Fort Lauderdale Board of Adjustment

**ZONING:** RM-15 (Residential Multifamily Low Rise/Medium Density District)

**STREET:** 2144 & 2158 NW 6<sup>TH</sup> Street  
**ADDRESS:** Fort Lauderdale, FL

**APPEALING: Section 47-5.34 (Table of dimensional requirements for the RM-15 district)**  
Requesting a variance to allow low a 10 foot and 15 foot front yard, where Code requires a 25 foot front yard.

**DEFERRED FOR THIRTY (30) DAYS (5-0)**

**3. APPEAL NO. 08-07** *(Deferred from March 12, 2008 meeting)*

**APPLICANT:** TRG New River II, Ltd.  
**LEGAL:** "Town of Lauderdale," P.B. "B", P. 40, Block 41, Lots 18 & 19  
**ZONING:** RAC-CC (Regional Activity Center- City Center District)  
**STREET:** 2 South New River Drive  
**ADDRESS:** Fort Lauderdale, FL

**APPEALING: Section 5-26(a) (Distance between establishments)**  
Requesting a variance to allow the sale of alcohol at a distance of 277 feet from another establishment (The Downtowner) that sells alcohol, where Code requires a minimum of 300 feet separating establishments that sells alcoholic or intoxicating beverages.

**DEFERRED FOR THIRTY (30) DAYS (5-0)**

**4. APPEAL NO. 08-08** *(Deferred from March 12, 2008 meeting)*

**APPLICANT:** G.4.A Holdings Corp.  
**LEGAL:** "Croissant Park South River Section," P.B. 8, P. 20, Block 43, Lots 7 and 8  
**ZONING:** RM-15 (Residential Low Rise Multifamily/Medium Density)  
**STREET:** 1300 SW 4<sup>th</sup> Avenue  
**ADDRESS:** Fort Lauderdale, FL

**APPEALING: Section 47-19.2.H (Accessory Buildings and Structures, General – Driveways)**  
Requesting a variance to allow for 13 feet 2 inches driveway length, where the Code requires a minimum of eighteen (18) feet in length when used as a stacking or a parking space.

**DEFERRED FOR THIRTY (30) DAYS (5-0)**

**5. APPEAL NO. 08-12**

**APPLICANT:** LHP Intracostal II LLC

**LEGAL:** "Progresso", P.B. 2, P. 18, Block 171, Lot 1

**ZONING:** RMM-25 (Residential Mid-Rise Multifamily/Medium High Density)

**STREET:** 1514-1518 NE 11<sup>th</sup> Street

**ADDRESS:** Fort Lauderdale, FL

**APPEALING:** Section 47-5.36 – Note A (Table of dimensional requirements for the RMM-25 district)

Requesting a variance to permit a twelve & one half foot (12.5') corner yard setback where Code requires a twenty-five (25) foot corner yard setback.

**DENIED (0-5)**

**APPEALING:** Section 47-5.36 – Note B (Table of dimensional requirements for the RMM-25 district)

Requesting a variance to permit a ten (10) foot side yard setback where the Code requires the side yard to be equal to one-half (½) the height of the building or sixteen (16) feet.

**DENIED (0-5)**

**6. APPEAL NO. 08-13**

**APPLICANT:** London Associates Ltd.

**LEGAL:** "Progresso", P.B. 2, P. 18. All block 312, Lots 1-16. Blk 313 less State Rd & that portion vac NE 6<sup>th</sup> lying between Lot 33 to 48, Blk 312 & 313 & E ½ of vac NE 6 Terr lying W & adjacent to lots 26 to 32 Blk 312 per ord C-01-31 or 31934/1400

**ZONING:** CB (Community Business District)

**STREET:** 638 N. Federal Highway

**ADDRESS:** Fort Lauderdale, FL

**APPEALING:** Section 5-26(b) (Distance between establishments)

Requesting a special exception to allow a restaurant to sell alcohol that is incidental to the sale of food at a distance of 219 feet from an establishment (Winn Dixie Liquor store) that sells alcohol, where Code requires a minimum of 300 feet separating establishments that sell alcoholic or intoxicating beverages.

**DEFERRED FOR THIRTY (30) DAYS (5-0)**

**7. APPEAL NO. 08-14**

**APPLICANT:** Todd Charles Gilliam

**LEGAL:** "Boulevard Park Isles Section One", P.B. 50, P. 6, Lot 29

**ZONING:** RS-8 (Residential Single Family Low Medium Density District)

**STREET:** 1620 NE 63<sup>rd</sup> Court

**ADDRESS: Fort Lauderdale, FL**

**APPEALING: Section 47-19.2.P (Freestanding shade structures)**

Requesting a variance to allow a free-standing shade structure (tiki hut) that is 392 SF in the required rear yard, where Code stipulates that such structures shall not exceed 200 SF when located in the required yard.

**DEFERRED FOR THIRTY (30) DAYS (5-0)**

**8. APPEAL NO. 08-15**

**APPLICANT: Mount Hermon African Methodist Episcopal Church**

**LEGAL: "North Lauderdale", Parcels 4 and 6 (South ½). Said parcels being more Particularly described in the application for a variance for Appeal No. 08-15, on file with the Clerk of the City of Fort Lauderdale Board of Adjustment.**

**ZONING: RMM-25 (Residential Mid-Rise Multifamily/Medium High Density)**

**STREET: 401 NW 7<sup>th</sup> Terrace**

**ADDRESS: Fort Lauderdale, FL**

**APPEALING: Section 47-25.3.A.3.d.iv (Neighborhood compatibility requirements – *Wall requirements*)**

Requesting a variance to allow the omission of the required five (5) foot high wall, where the code requires a wall to be constructed at a minimum of five (5) feet in height when a non-residential use is contiguous to any residential property.

**DEFERRED FOR THIRTY (30) DAYS (5-0)**

**9. APPEAL NO. 08-16**

**APPLICANT: David & Kim Delgrosso**

**LEGAL: "Halls Addition of Fort Lauderdale," P.B. 1, P. 134, Block 2, Lot 22**

**ZONING: RS-8 (Residential Single Family Low Medium Density District)**

**STREET: 532 NE 12<sup>th</sup> Avenue**

**ADDRESS: Fort Lauderdale, FL**

**APPEALING: Section 47-5.31 (Table of dimensional requirements for the RS-8 district)**

Requesting a variance to allow a 14.7 foot rear yard setback, where Code requires a 15 foot rear yard setback.

**APPROVED (5-0)**

**10. APPEAL NO. 08-17**

**APPLICANT:** Philip and Irene Spiegelman

**LEGAL:** "Himmarshee Park," P.B. 1, P. 20, Lot 32 & N1/2 VAC SE 4St  
abutting said Lot Ord No. C-81-54

**ZONING:** RS-8 (Residential Single Family Low Medium Density District)

**STREET:** 1119 SE 4<sup>th</sup> Street

**ADDRESS:** Fort Lauderdale, FL

**APPEALING:** Section 47-5-31 (Table of dimensional requirements for the RS-8 district)

Requesting a variance for a poolside cabana that is setback 8.2 feet from the wet face of the seawall, where Code requires 25 feet when abutting a waterway.

**APPROVED (5-0) WITH CONDITIONS**

**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>

***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.***