

## **AGENDA RESULTS**

**BOARD OF ADJUSTMENT MEETING  
CITY OF FORT LAUDERDALE  
CITY HALL  
CITY COMMISSION CHAMBERS – 1<sup>st</sup> Floor  
100 N. ANDREWS AVENUE  
FORT LAUDERDALE, FL 33301  
WEDNESDAY, May 14, 2008 – 6:30 P.M.**

### **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 April 9, 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 15 foot and 20 foot front yard, where Code requires a 25 foot front yard.

**APPROVED (6-1) WITH CONDITIONS**

### **2. APPEAL NO. 07-48** *(Deferred from April 9, 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 a 15 foot and 20 foot front yard, where Code requires a 25 foot front yard.

**APPROVED (6-1) WITH CONDITIONS**

**3. APPEAL NO. 08-07** *(Deferred from April 9, 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**

**4. APPEAL NO. 08-08** *(Deferred from April 9, 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.

**APPROVED (7-0) WITH CONDITIONS**

**5. APPEAL NO. 08-13** *(Deferred from April 9, 2008 meeting)*

**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.

**APPROVED (7-0)**

**6. APPEAL NO. 08-14** *(Deferred from April 9, 2008 meeting)*

**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.

**APPROVED (6-1) WITH CONDITIONS**

**7. APPEAL NO. 08-15** *(Deferred from April 9, 2008 meeting)*

**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.

**This request for a variance was divided into two separate votes as relating to two separate areas of the property which require construction of wall.**

**Motion** to grant variance to allow omission of the required five (5) foot high wall on the east side of Lot 23 approved.

**APPROVED (6-1) WITH CONDITIONS**

**Motion** to grant variance to allow omission of the required five (5) foot high wall on the north side of the property denied.

**DENIED (0-7)**

**8. APPEAL NO. 08-18**

**APPLICANT: Boris Maroz, Charaf Investments of Florida**

**LEGAL: “First Addition To Lauderdale”, P.B. 2, P. 15, Block 15, Lots 3,4 & 5**

**ZONING: B-1 (Boulevard Business)**

**STREET: 817 SE 17<sup>th</sup> Street**

**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 235 feet from an establishment (Inlet Liquors) that sells alcohol, where Code requires a minimum of 300 feet separating establishments that sell alcoholic or intoxicating beverages.

**APPROVED (7-0)**

## **REHEARING**

### **9. APPEAL NO. 07-15**

**APPLICANT:** Ruach, Inc.

**LEGAL:** "Galt Ocean Mile Resubdivision", P.B. 38, P. 18, Block 16, Lot 9

**ZONING:** CB (Community Business)

**STREET:** 3558 N. Ocean Boulevard

**ADDRESS:** Fort Lauderdale, FL

**APPEALING:** Section 5-27(b) (Distances of establishments from Church or School)

Requesting a special exception to allow alcohol sales that is incidental to the sale of food in a restaurant that is within 232 feet from one place of worship (Chabad Lubavitch of Fort Lauderdale), and 242 feet from another place of worship (Sephardic Synagogue), where Code requires a separation of 500 feet.

**DENIED (4-3)**

## **REQUEST FOR EXTENSION**

### **10. APPEAL NO. 07-26**

**APPLICANT:** Las Olas & Andrews LLC

**LEGAL:** The East 75.00 feet of Lot 20 AND the East 75.00 feet of the North 20.00 feet of Lot 19, Block 26 TOWN OF FORT LAUDERDALE, according to the plat thereof as recorded in Plat Book B, Page 40, of the public records of Dade County, Florida, Subject to right-Of-way of record. TOGETHER WITH The East 99.50 feet of the South 10.00 feet of Lot 21 AND the North 2.00 feet of the West 24.50 feet of the East 99.50 feet of Lot 20, Block 26, LESS the East 14.40 FEET thereof, TOWN OF FORT LAUDERDALE, according to the plat thereof as recorded in Plat Book B, Page 40, of the public records of Dade County, Florida. Said lands situate, lying and being in the City of Fort Lauderdale, Broward County, Florida and containing 5,142 square feet or 0.1180 acres, more or less.

**ZONING:** RAC-CC (Regional Activity Center- City Center District)

**STREET:** 1 West Las Olas Blvd.

**ADDRESS:** Fort Lauderdale, FL

**APPEALING:** Sec. 47-13.20.H.1.a (Pedestrian priority streets)

Requesting a variance to allow a Zero (0) setback along 100% of the linear frontage of a parcel, where 75% of the linear frontage of a parcel along a pedestrian priority street shall

be occupied by a ground floor building wall located 10 feet from the front property line, and where the remaining portions of the building shall be located a minimum of 5 feet from the property line.

**Motion to approve 180-days extension of time as presented, approved (7-0)**

**APPEALING: Sec. 47-13.20.I.1 (Image streets)**

Requesting a variance to allow a Zero (0) setback along 75% of the linear frontage of a parcel, where 75% of the linear frontage of a parcel along an image priority street shall be occupied by a ground floor building wall located 10 feet from the front property line.

**Motion to approve 180-days extension of time as presented, approved (7-0)**

**APPEALING: Sec. 47-13.20.H. 7.a (Pedestrian Priority Streets – Street Trees)**

Requesting a variance to allow three (3) existing Sabal Palmettos along Andrews Avenue, where one and a half (1.5) shade trees are required.

**Motion to approve 180-days extension of time as presented, approved (7-0)**

**APPEALING: Sec. 47-13.20.H.7.a (Pedestrian Priority Streets – Street Trees)**

Requesting a variance to allow the planting of two (2) new Sabal Palmettos along Las Olas Boulevard, where one (1) shade tree is required.

**Motion to approve 180-days extension of time as presented, 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>

***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.***