

AGENDA RESULTS

BOARD OF ADJUSTMENT MEETING CITY OF FORT LAUDERDALE

WEDNESDAY, December 10, 2008 – 6:30 P.M.
CITY HALL

CITY COMMISSION CHAMBERS – 1st 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. 08-35 *(Deferred from November 12, 2008)*

APPLICANT: Christopher and Jenessa Stearns

LEGAL: “Progresso”, P.B. 2, P. 18, Block 235, Lots 12 and 13

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

STREET: 1801 NE 8th Street

ADDRESS: Fort Lauderdale, FL

APPEALING: Section 47-18.8.8 (J) (Child day care facilities – *Dispersal requirements*)

Requesting a variance to permit a childcare facility to exist 508 feet where Code requires that no childcare facility exist within 1,500 feet of an SSFR (Social Service Residential Facility) above a Level 1 facility.

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

Requesting a variance to permit a side setback of 6 feet 10 inches, where Code requires 20 feet.

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

Requesting a variance to permit a rear setback of 19 feet 10 inches, where code requires 20 feet.

APPEALING: Section 47-5-36 (Table of dimensional requirements for the RMM-25 district)
Requesting a variance to permit front setback of 15 feet, where Code requires 25 feet.

DENIED (4-3)

REQUEST FOR EXTENSION OF FINAL ORDER

2. APPEAL NO. 07-47

This matter was presented to this Board on May 14, 2008 concerning the appeal of Fort Lauderdale Community Redevelopment Agency, "River Gardens", P.B. 19, P. 23, Block 1, Lots 1, 2 and 3, Less N. 10 feet, 2130 & 2140 NW 6th Street, Fort Lauderdale, FL

Where the Appellant sought a variance from the Board under:

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.

And the Board having heard and reviewed the evidence in this matter, it is ORDERED BY THE BOARD OF ADJUSTMENT OF THE CITY OF FORT LAUDERDALE THAT THE SAID APPEAL BE

**GRANTED by a vote of six (6) in favor and one (1) opposed,
Condition on the following: that oak trees be planted consistent with the illustrations presented to the Board, satisfactory to the City's landscape requirements.**

Dated, this 9th day of July, 2008.

APPROVED (7-0)

3. APPEAL NO. 07-48

This matter was presented to this Board on May 14, 2008 concerning the appeal of Sweetling Associates, LLC. (DBA) New Visions CDC, "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, 2144 & 2158 NW 6TH Street, Fort Lauderdale, FL

Where the Appellant sought a variance from the Board under:

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.

And the Board having heard and reviewed the evidence in this matter, it is ORDERED BY THE BOARD OF ADJUSTMENT OF THE CITY OF FORT LAUDERDALE THAT THE SAID APPEAL BE

**GRANTED by a vote of six (6) in favor and one (1) opposed
Condition on the following: that oak trees be planted consistent with the illustrations presented to the Board, satisfactory to the City's landscape requirements.**

Dated, this 9th day of July, 2008.

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.