

## AGENDA RESULTS

### BOARD OF ADJUSTMENT MEETING CITY OF FORT LAUDERDALE

WEDNESDAY, April 8, 2009 – 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. 08-35 (*Deferred from March 11, 2009*)**

**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 8<sup>th</sup> Street

**ADDRESS:** Fort Lauderdale, FL

#### **APPEALING: Section 47-18.8 (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 yard 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 yard 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.

**APPEALING: Section 47-5.36 (Table of dimensional requirements for the RMM-25 district)**  
Requesting a variance to permit a lot width of 75 feet, where code requires a minimum of 100-foot lot width.

**APPEALING: Section 47-5-36 (Table of dimensional requirements for the RMM-25 district)**  
Requesting a variance to permit a lot size of 7,500 square feet, where Code requires a minimum lot size of 10,000 square feet.

**APPEALING: Section 47-25.3(A)(d)(i) (Neighborhood compatibility requirements-Landscape strip requirements)**

Requesting a variance to waive the 10-foot landscape strip bufferyard requirement, where Code states a 10-foot landscape strip shall be required to be located along all property lines which are adjacent to residential property.

**DENIED by a vote of four (4) in favor and three (3) opposed, on the basis that the Applicant failed to prove by a preponderance of the evidence that the applicant met all the criteria of ULDR § 47-24.12.A.4.**

## **2. APPEAL NO. 09-08**

**APPLICANT: Parkview Townhomes Homeowners Association**

**LEGAL: "Coral Ridge," P.B. 21, P. 50, Block 11, Lot 11**

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

**STREET: 2800-2806 NE 15th Street**

**ADDRESS: Fort Lauderdale, FL**

**APPEALING: Section 47-19.3.A (Boat slips, docks, boat davits, hoists and similar mooring devices)**

Appealing the interpretation of **Section 47-19.3.A** to allow one (1) additional boatlift, where it has been interpreted that there is a requirement for 100 foot separation of the 2 boat lifts.

**DEFERRED FOR THIRTY (30) DAYS**

## **3. APPEAL NO. 09-03 (Rehearing Granted at March 11, 2009 meeting)**

**APPLICANT: Parkview Townhomes Homeowners Association**

**LEGAL: "Coral Ridge," P.B. 21, P. 50, Block 11, Lot 11**

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

**STREET: 2800-2806 NE 15th Street**

**ADDRESS: Fort Lauderdale, FL**

**APPEALING: Section 47-19.3.A (Boat slips, docks, boat davits, hoists and similar mooring devices)**

Requesting a variance to build two (2) boat lifts on a lot of 183.78 foot in width, where code states Boat davits, hoists and similar mooring devices may be erected on seawall or dock and shall be limited to one (1) mooring device per the first one hundred (100) feet of lot width or portion thereof, and one mooring device for each additional one hundred (100) feet of lot width.

**DEFERRED FOR THIRTY (30) DAYS**

**4. APPEAL NO. 09-06**

**APPLICANT:** Khalil Maurice Nasser

**LEGAL:** "Lauderdale Isles No. 2", P. B. 37, P. 44, Block 8, Lot 7

**ZONING:** Broward County Code RS-5 (One-Family detached dwelling district)

**STREET:** 2448 Nassau Lane

**ADDRESS:** Fort Lauderdale, FL

**APPEALING: Broward County Code Sec. 39-286 (Side Yards)**

Requesting a variance to allow a 3.2-foot side yard set back, where the code requires a minimum of 7.5 feet side yard setback.

**APPROVED (7-0)**

**5. APPEAL NO. 09-07**

**APPLICANT:** Nicholas Ritter

**LEGAL:** "Progresso," P. B. 2, P. 18, Block 120, Lot 12, less the E. 15 Feet thereof

**ZONING:** RD-15 (Residential Single /Duplex/Low Medium Density District)

**STREET:** 1223 N. Andrews Avenue

**ADDRESS:** Fort Lauderdale, FL

**APPEALING: Section 47-5.32 (Table of Dimensional Requirements for the RD-15 and RDs-15 Districts)**

Requesting a variance to allow a front yard setback of 17 foot 6 Inches, where Code requires a minimum of 25 feet front yard setback.

**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.***