

## AGENDA RESULTS

### BOARD OF ADJUSTMENT MEETING CITY OF FORT LAUDERDALE

WEDNESDAY, JUNE 10, 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. 09-12 - COMMISSION DISTRICT 4**

**APPLICANT:** Lauderdale Beach Association, LLC

**LEGAL:** "Poinsettia Plat," P.B. 114, P. 43 and "Holiday Beach Plat," P.B. 27, P. 39

**ZONING:** RS-4.4 (Residential Single Family Low Medium Density District).

**STREET:** 3030 Holiday Drive

**ADDRESS:** Fort Lauderdale, FL

**APPEALING:** Section 47-5.10 (RS-4.4 Residential Single Family/Low Density District)

Requesting a temporary non-conforming use permit to allow a temporary restaurant in the RS 4.4 zoning category, where Section 47-5.10 does not permit a restaurant use.

**APPROVED (7-0)**

#### **2. APPEAL NO. 09-13 - COMMISSION DISTRICT 4**

**APPLICANT:** Stanley Britt Sikes & Tiffini N. Sikes

**LEGAL:** "C.J. Hector's Re-Subdivision of Rio Vista" P.B. 1, P. 24, Block 8, Lot 23  
& E ½ of Lot 22

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

**STREET:** 1009 SE 6<sup>th</sup> Street

**ADDRESS:** Fort Lauderdale, FL

**APPEALING: Section 47-19.2.B (Accessory buildings and structures, general- *Architectural features in residential districts*)**

Requesting a variance to allow a 24 inches overhang into a (5) five-foot setback, where Code allows 1/3 of the overhang extending into the side yard setback not to exceed 20 inches.

**APPROVED (7-0)**

**3. APPEAL NO. 09-14 - COMMISSION DISTRICT 4**

**APPLICANT:** Kevin Merrigan

**LEGAL:** "Placidena First Unit", P.B. 2, P. 44, Block 1, Lot 6

**ZONING:** ROA (Limited Residential Office District)

**STREET:** 112 Rose Drive

**ADDRESS:** Fort Lauderdale, FL

**APPEALING: Section 47-5.60.D.6.a (Residential office zoning districts - *Yards*)**

Requesting a variance to permit a front yard setback of 23 foot 10 inches, where Code requires front yard shall be a minimum of twenty-five (25) feet.

**APPEALING: Section 47-5.60.D.6.b (Residential office zoning districts - *Yards*)**

Requesting a variance to permit a side yard setback of 4 foot 11 inches, where Code requires side yard setback to be a minimum of 10 foot setback or half the height of the tallest building, whichever is greater.

**APPEALING: Section 47-5.60.D.6.b (Residential office zoning districts - *Yards*)**

Requesting a variance to permit a side yard setback of 5 foot 2 inches, where Code requires side yard setback to be a minimum of 10 foot setback or half the height of the tallest building, whichever is greater.

**APPROVED (5-2) WITH CONDITIONS**

**4. APPEAL NO. 09-15 - COMMISSION DISTRICT 4**

**APPLICANT:** Las Olas Boulevard Ltd.

**LEGAL:** "Leaird & Pellets Resub. Colee Hammock", P.B. 7, P. 36, Block 13, Lots 6-10

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

**STREET:** 1010 East Las Olas Boulevard

**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 40 feet from the (Mark's Las Olas) and 240 feet from another establishment (Mancini's) that sells alcohol, where Code requires a minimum of 300 feet separating establishments that sell alcoholic or intoxicating beverages.

**APPROVED (7-0)**

**5. APPEAL NO. 09-16 - COMMISSION DISTRICT 4**

**APPLICANT:** Richard Martell

**LEGAL:** "River Vista" P.B. 22, P. 38, Parcel G, Block 2, Lot 12 as described in  
OR 3030/106

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

**STREET:** 1700 W. Las Olas Boulevard

**ADDRESS:** Fort Lauderdale, FL

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

Requesting a variance to allow a side yard setback of 15 feet, where Code requires side yard shall be a minimum of twenty-five (25) feet when abutting a waterway.

**DEFERRED FOR THIRTY (30) DAYS**

**REPORT and FOR THE GOOD OF THE CITY.**

**Motion to Elect Chair, Diana Waterous Centorino, and Vice Chair, Don Larson, approved by voice vote 7-0 (unanimous)**

*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.***