

AGENDA RESULTS

CITY OF FORT LAUDERDALE BOARD OF ADJUSTMENT MEETING

WEDNESDAY, June 9, 2010

PLACE OF MEETING: City Hall
City Commission Chambers
100 North Andrews Avenue
Fort Lauderdale, FL 33301

TIME OF MEETING: 6:30 P.M.

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.

Introduction and Roll Call

Approval of the May 12, 2010 Minutes

Public Sign-In/Swearing-in

1. Appeal No. 10-11 (Deferred from April 12, 2010 Meeting)

APPLICANT: Douglas R. Hoffman

LEGAL: "Victoria Highlands", P.B. 9, P. 47, Block 5, the S. 40' of Lot 6 & the N. 20' of Lot 7

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

STREET: 729 NE 19th Avenue

ADDRESS: Fort Lauderdale, FL

DISTRICT: 2

APPEALING: Section 47-5.11 (List of permitted and conditional uses, RS-8 Residential Single Family/Low and Medium Density District)

Appealing the interpretation of Section 47-5.11, to allow two (2) detached structures to be considered as "A" single Family Dwelling, Standard.

RENDERED MOOT

APPEALING: Section 47-5.11 (List of permitted and conditional uses, RS-8 Residential Single Family/Low and Medium Density District)

Requesting a variance to permit two (2) detached structures to be considered a Standard Single Family dwelling, where the code defines a single family dwelling standard as a building containing one dwelling unit that is not attached to any other dwelling by any means, and is surrounded by open space or yards.

APPROVED (7-0)

2. Appeal No. 10-16

APPLICANT: Daren Gene Hickman

LEGAL: "Coral Ridge Isles", P.B. 45, P 47, Block 22, Lot 21

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

ADDRESS: 5920 NE 14th Way

DISTRICT: 1

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

Requesting a variance to allow a 23 foot 10 inches front yard setback, where Code requires a minimum of 25 feet front yard setback.

APPROVED (7-0)

3. Appeal No. 10-17

APPLICANT: Ben and Marcia Baldanza

LEGAL: "Rio Vista Isle Unit 3", P.B. 7, P. 47, Block 7, Lot 1, and the North 40' of Lot 45

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

ADDRESS: 900 Ponce De Leone Drive

DISTRICT: 4

APPEALING: Section 47-5.11 (List of permitted and conditional uses, RS-8 Residential Single Family/Low and Medium Density District)

Appealing the interpretation of Section 47-5.11, to allow two (2) detached structures to be considered as "A" single Family Dwelling, Standard.

RENDERED MOOT

APPEALING: Section 47-5.11 (List of permitted and conditional uses, RS-8 Residential Single Family/Low and Medium Density District)

Requesting a variance to permit two (2) detached structures to be considered a Standard Single Family dwelling, where the Code defines a single family dwelling standard as a building containing one dwelling unit that is not attached to any other dwelling by any means, and is surrounded by open space or yards.

APPROVED (7-0)

4. Appeal No. 09-26 (Deferred from March 10, 2010 Meeting)

APPLICANT: SVP Las Olas Limited Partnership
LEGAL: "NEW RIVER CENTER" 151-15, B POR PAR A DESC AS BEG AT WLY MOST NW COR SAID PAR A NE 42.47 E 220.28 SE 42.43, S 110, W 280.05 N 109.94 TO POB
ZONING: RAC-CC (Regional Activity Center-City Center District)
ADDRESS: 100 E. Las Olas Boulevard
DISTRICT: 4

APPEALING: Section 47-20.22.C.3.e (Temporary parking lots-*Standards*.)

NOTE: Board did not vote on this Appeal on March 10, 2010, as it was determined the Board does not have jurisdiction, as it falls within the purview of Broward County.

Requesting a variance to allow overflow parking of valet vehicles on a vacant property without providing surface water/drainage plans, where code requires surface water/drainage plans shall be in accordance with the requirements of the Broward County Department of Natural Resource Protection permitting requirements.

APPEALING: Section 47-20.22.C.3.g (Temporary parking lots-*Standards*.)

Note: This Appeal was denied without prejudice on March 10, 2010

Requesting a variance to allow overflow parking of valet vehicles on a vacant property without providing light fixtures, where code requires any temporary parking lot which will be in operation at any time during the period of one-half (½) hour after dusk to one half (½) hour before dawn shall provide a minimum maintained foot candle illumination of two (2) foot candles throughout the lot during this period of time.

APPROVED (7-0) WITH CONDITIONS

5. Appeal No. 10-09

APPLICANT: The Housing Authority of City of Fort Lauderdale
LEGAL: "Dr. Kennedy Homes Plat", P.B. 15, P. 70, Block 1
ZONING: RMM-25 (Residential Mid-Rise Multifamily/Medium High Density)
ADDRESS: 1004 W. Broward Boulevard
DISTRICT: 4

APPEALING: Section 47-20.2.A (TABLE 1: Parking and loading zone requirements)

The BOA on April 14, 2010 approved a variance from ULDR §47-20.2 to allow 149 on site parking spaces, where Code requires 255 residential parking spaces. In its approval, the Board imposed certain conditions of approval. Applicant is requesting to amend condition #4 of the parking variance approved on April 14, 2010.

DEFERRED FOR THIRTY (30) DAYS

6. Appeal No. 10-18

APPLICANT: Robert N. Prager
ADDRESS: 4321 NE 28th Avenue
DISTRICT: 1

The Applicant is requesting an appeal from an interpretation, application or determination made by an administrative official in the enforcement of the ULDR of the following sections:

APPEALING: Section 47-19.1.B Accessory Uses, Buildings, and Structures. General requirements.

Appealing the interpretation of Section 47-19.1.B - No accessory structures to be located in required yard.

APPEALING: Section 47-19.2.R Accessory Uses, Buildings, and Structures. Accessory buildings and structures, general (*Light fixtures, freestanding.*)

Appealing the interpretation of Section 47-19.2.R - Light fixtures accessory to a nonresidential use shall be subject to yard requirements.

APPEALING: Section 47-25.3.A.2 Neighborhood compatibility requirements. (*Smoke, odor, emissions of particulate matter and noise*)

Appealing the interpretation of Section 47-25.3.A.2 - Requirement of documentation development will not exceed maximum level of noise.

APPEALING: Section 47-25.3.A.3.c Neighborhood compatibility requirements. (*Design and performance standards. Setback regulations*)

Appealing the interpretation of Section 47-25.3.A.3.c. - Additional setback requirements.

DEFERRED FOR THIRTY (30) DAYS

7. Appeal No. 10-19

APPLICANT: Louis James
LEGAL: Lots 1-4, less the Right-of-Way for Sistrunk Blvd. together with Lots 47-50, Block 4 of Lincoln Park corrected Plat, according to the Plat thereof, as recorded in Plat Book 5, Page 2.
ZONING: RC-15 (Residential Single Family/Cluster Dwellings/Low Medium Density District) & CB (Community Business District)
ADDRESS: 1447 NW 6th Street
DISTRICT: 3

APPEALING: Section 47-21.9.A.4.c (Landscape requirements for vehicular use areas – Peninsular and island landscape areas)

Requesting a peninsular landscape area of a minimum of 5 feet in width on the east side of the property, where Code requires an 8-foot width minimum.

APPEALING: Section 47-21.9.A.2.a (Landscape requirements for vehicular use areas – Perimeter landscape area)

Requesting a perimeter landscape area, which varies between 1 foot 3 inches and 4 foot approximate dimensions along the East and South perimeters, where the parcel abuts the streets, where Code requires a minimum of 5 foot; a maximum of 28 feet; and an average of 10 feet.

DEFERRED FOR THIRTY (30) DAYS

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.