

AGENDA RESULTS

CITY OF FORT LAUDERDALE BOARD OF ADJUSTMENT MEETING

WEDNESDAY, July 14, 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 June 9, 2010 Minutes

Public Sign-In/Swearing-in

1. Appeal No. 10-18 (*Deferred from April 12, 2010 Meeting*)

APPLICANT: Robert N. Prager

LEGAL: "Coral Ridge Country Club Add. No. 3" 52-14B, PT Lot 15 in
SEC 13-49-42 Blk T

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

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.

WITHDRAWN BY APPLICANT

2. Appeal No. 10-19 (*Deferred from June 9, 2010 Meeting*)

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.

DENIED (2-5)

3. Appeal No. 10-20

APPLICANT: Raymond Vanderheyden

LEGAL: "Coral Ridge Galt Add. No. 1", P.B 31, P. 37, Block 41, Lot 1

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

ADDRESS: 2808 Bayview Drive

DISTRICT: 1

APPEALING: Section 47-19.5.B (Fences, walls and hedges)

Requesting a variance to permit a fence to be installed with a zero (0) foot front yard setback, where Code requires a minimum of 3 feet setback when abutting a street.

APPROVED (6-1)

4. Appeal No. 10-21

APPLICANT: Michael G. Rahael

LEGAL: Lots 1 and 3 in that certain unnumbered block lying S. of Block "C" and the E. of Block "F", commonly known as Block "D" of "Geo M. Phippen's Subdivision", of Lots 3-6 in Block 1, and Lots 3-10 in Block 14, as more particularly described in the application for a variance for Appeal, on file with the Clerk of the City of Fort Lauderdale Board of Adjustment

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

ADDRESS: 15 N. Federal Highway

DISTRICT: 4

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 287 feet from a place of worship (First Baptist Church), where Code requires a separation of 500 feet.

APPROVED (7-0)

5. Appeal No. 10-22

APPLICANT: Bay Colony Exxon, Inc.

LEGAL: 12-49-42 W $\frac{3}{4}$ OF SW $\frac{1}{4}$ OF SE $\frac{1}{4}$ LYING E OF FED HWY AS DESC IN OR 3525/146; AND 13-49-42 W $\frac{3}{4}$ OF W $\frac{1}{2}$ OF NE $\frac{1}{4}$ LYING E ST RD & N OF NE 55 CT

ZONING: B-1 (Boulevard Business District)

ADDRESS: 5556 N. Federal Highway

DISTRICT: 1

APPEALING: Section 47-23.9.A.1 (Interdistrict corridor requirements)

Requesting a variance to permit a 10 foot front yard setback, where Code requires a twenty (20) foot yard setback when abutting N. Federal Highway between Sunrise Blvd. and the Northern city limits.

APPROVED (5-2)

6. Appeal No. 10-24

APPLICANT: Alan Hooper

LEGAL: New River Trading Post Condo, Common Area 26 Units AKA The Barefoot Mailman 152-32 B Parcel A

ZONING: RAC-AS (Regional Activity Center- Arts and Science District)

ADDRESS: 330 SW 2nd Street, #101

DISTRICT: 4

APPEALING: Section 5-26(b) (Distance between establishments)

Requesting a special exception to allow the sale of beer and wine incidental to the sale of food at a distance of 125 feet from (Original Fat Cat's), 140 feet from (Ultimate Sports Bar), 245 feet from (Briny Riverdance), and 250 feet another establishment (Coyote Ugly), that sells alcohol,

where Code requires a minimum of 300 feet separating establishments that sells alcoholic or intoxicating beverages.

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.