

AGENDA RESULTS

CITY OF FORT LAUDERDALE BOARD OF ADJUSTMENT MEETING

WEDNESDAY, April 13, 2011

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 March 9, 2011 Minutes

Public Sign-In/Swearing-in

REHEARING

1. Appeal No. 10-40

APPLICANT: City of Fort Lauderdale

LEGAL: STRANAHANS SUB LOTS 13 TO 18, BLK 14 FT LAUDERDALE 3-10 D
LOTS 6 THRU 17, LESS RD R/WS AS DESC IN OR 8156/401 BLK B

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

ADDRESS: 100 SE 1 Street

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 249 feet from a Church (First United Methodist), where Code requires a separation of 500 feet.

APPROVED (6-1) WITH CONDITIONS

2. Appeal No. 11-07

APPLICANT: Costa Dorada Associates Ltd.
LEGAL: "Birch Oceanfront Subdivision" P.B. 19, P. 26 and all of Block D
ZONING: ABA (A-1-A Beachfront Area)
ADDRESS: 505 N. Fort Lauderdale Beach Boulevard
DISTRICT: 2

APPEALING: Section 47-12.5.B.5 (List of Permitted Uses, A1A Beachfront Area (ABA) District)
Requesting a variance to permit the installation of fourteen (14) Wind Turbines, 8 at grade level and 6 on the roof, where Code does not list Wind Turbines as a permitted use.

APPEALING: Section 47-19.2.Z (Accessory buildings and structures, general roof mounted structures)
Requesting a variance to permit the installation of six (6) Wind Turbines on a roof without screening, where Code requires that roof mounted structures such as air conditioners and satellite dish antennas be screened at least 6 inches above the top most surface of the roof mounted structure.

APPEALING: Section 47-19.2.S (Mechanical and Plumbing Equipment)
Requesting a variance to permit the installation of four (4) wind turbines at grade 6 inches from the side yard and 35 feet in height, where the Code requires a 5-foot side yard setback and a limitation of 5 feet in height for mechanical equipment.

APPEALING: Section 47-19.2.S (Mechanical and Plumbing Equipment)
Requesting a variance to permit the installation of four (4) additional 35 foot high wind turbines at grade 6 inches from the front yard property line, where the Code does not allow mechanical equipment in a front yard.

DEFERRED TO THE MEETING OF JULY 13, 2011

3. Appeal No. 11-08

APPLICANT: Urbana Pelican Grand 1, LLC
LEGAL: All of Pelican Grand Beach Resort, a Hotel Condominium, according to the Declaration of Condominium recorded in official records Book 43208, Page 647 of the public records of Broward County, Florida, and more particularly described in the application for a variance with the Clerk of the City of Fort Lauderdale Board of Adjustment
ZONING: RMH-60 (Residential High Rise/High Density District)
ADDRESS: 2000 N. Atlantic Boulevard
DISTRICT: 2

Appeal pursuant to ULDR Section 47-24.12 of City Staff's subsequent withdrawal of Staff's prior approval in 2009 of Pelican Grand Beach Resort's ("Pelican"). Administrative Review Application for a shade structure at the southeast corner of the property as an approved "shade structure" with "outdoor food service area" to be "utilized for special events" including "weddings, parties, brunches, fund-raisers, and private events". Pelican requests an interpretation of the ULDR and Temporary Use Permit pursuant to ULDR Section 47-24.12 for the continued use of the existing

shade structure which is permitted use under ULDR Section 47-19.2.P “freestanding shade structures” and pursuant to ULDR Section 47-19.8 which permits hotels with more than 50 guest rooms to have “outdoor food service areas.” Pelican maintains that Section 47-19.2.X requiring Site Plan Level III review of the outdoor food service area is inapplicable because 57-19.2.X applies to “Multifamily dwellings.”

Appeal pursuant to ULDR Section 47-24.12 of City Staff’s determination that Pelican’s existing 11th Floor Decks can not continue to be used for “outdoor food service areas” pursuant to ULDR Section 47-19.8 Hotel Accessory Uses and request for the continued use of the existing 11th Floor Decks for outdoor food service areas.

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.