

AGENDA RESULTS

CITY OF FORT LAUDERDALE BOARD OF ADJUSTMENT MEETING

WEDNESDAY, May 11, 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 April 13, 2011 Minutes

Public Sign-In/Swearing-in

1. 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)
This is a Motion to have the Board rescind or vacate the variance that granted a reduction in the required parking for a residential development from 255 Parking Spaces to 149 parking spaces.

APPROVED (7-0)

2. Appeal No. 11-08 (Deferred from April 13, 2011)

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 TO THE MEETING OF JULY 13, 2011

3. Appeal No. 11-06

APPLICANT: Joseph F. Quaratella
LEGAL: "Coral Ridge Isles," P.B. 45, Bock 6, P. 47, Lot 1 and the East 4 feet of Lot 2.
ZONING: RS- 8 (Residential Single Family/Low Medium Density District)
ADDRESS: 1650 NE 60th Street
DISTRICT: 1

APPEALING: Section 47-19.1.H (*Accessory buildings and structures-Freestanding shade structures*)

Requesting a variance to permit an accessory structure with a 9 foot 4 inches corner side yard setback, where the Code states that no accessory use or structure shall be located on a corner lot within fifteen (15) feet of any side street property line.

DENIED (3-4)

APPEALING: Section 47-19.2.P (*Accessory buildings and structures-Freestanding shade structures*)

Requesting a variance to permit a Free Standing Shade Structure with a zero (0) foot rear yard setback, where the Code requires a five (5) feet rear yard setback.

WITHDRAWN BY APPLICANT

APPEALING: Section 47-19.2.P (Accessory buildings and structures-Freestanding shade structures)

Requesting a variance to allow a Free Standing Shade Structure with gross floor area of 387 square feet, where the Code requires a maximum of 200 gross square feet in area for that portion of the structure protruding into the required yard area.

WITHDRAWN BY APPLICANT

4. Appeal No. 11-09

APPLICANT: Eglise Baptiste Bethanie

LEGAL: Parcel "A", "Eglise Baptiste Bethanie," P.B. 149, P. 23

ZONING: CF-H (Community Facility-House of Worship)

ADDRESS: 2200 NW 12th Avenue

DISTRICT: 3

APPEALING: Section 47-25.3.3.d.iv.b (Neighborhood compatibility requirements-Wall requirements)

Requesting a variance to waive the requirements of the CBS wall, where the Code requires that a wall shall be required on the nonresidential property, a minimum of five (5) feet in height and shall be located within and along the length of the property line which abuts the residential property.

APPROVED (7-0) WITH CONDITIONS

5. Appeal No. 11-10

APPLICANT: Cyril D. Cohen

LEGAL: "Riverside Add Amend Plat," P.B. 1, P. 13, Block 18, Lot 4 and E 6.75 of ABUT VAC ALLEY DESC IN OR 13946/78

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

ADDRESS: 621 SW 14th Terrace

DISTRICT: 4

APPEALING: Section 47-3.2.B.1 (Nonconforming Structure)

Requesting a variance to allow a previously conforming existing garage to be converted into a game room with a screened porch, where Code states that a nonconforming structure may not be enlarged or altered in a way that increases its nonconformity.

APPEALING: Section 47-5-31 (Table of Dimensional requirements for the RS-8 District)

Requesting a variance to allow an existing garage with a screened porch (converted to a Game Room with a screened porch) with a 2.8-foot side yard setback, where Code requires a minimum of five (5) foot side yard setback.

APPROVED (7-0) WITH CONDITIONS

6. Appeal No. 11-11

APPLICANT: Southport Retail

LEGAL: "Herzfelds Add to Lauderdale Harbors" P.B. 35, P. 22, W. 988 of S. 470 Less E. 175 of S. 150 and Less W. 150 of S 150. Blk. 6

ZONING: B-1 (Boulevard Business)

ADDRESS: 1489 SE 17th Street

DISTRICT: 4

APPEALING: **Section 47-22.3.P (General Regulations–Shopping Center or Strip Store Signs)**

Requesting a variance to permit an individual unit to have Ground sign in a shopping center, where Code does not permit individual free-standing ground signs in a shopping center.

APPEALING: **Section 47-22.3.E (General Regulations – Detached freestanding signs)**

Requesting a variance to permit an existing ground sign at 35 inches from the property line, where Code states that detached signs located within any zoning district abutting those trafficways subject to the Specific Location Requirements, Interdistrict Corridor Requirements as specified in Section 47-23-9 shall be located a minimum of twenty (20) feet from the property line of the lot or plot on which the sign is located, except for ground signs which shall have a five (5) foot setback, and shall not be located in the sight triangle.

APPROVED (7-0)

7. Appeal No. 11-12

APPLICANT: Lima Family Trust

LEGAL: "Riviera" P.B. 6, P. 17, Block 1, Lot. 15

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

ADDRESS: 708 Riviera Isle Drive

DISTRICT: 2

APPEALING: **Section 47-3.2.B.1 (Nonconforming Structure)**

Requesting a variance to allow an existing carport to be enclosed, where Code states that a nonconforming structure may not be enlarged or altered in a way that increases its nonconformity.

APPEALING: **Section 47-5-31 (Table of Dimensional requirements for the RS-8 District)**

Requesting a variance to allow an existing carport to be enclosed, with a 3 feet 4 inches side yard setback, where Code requires a minimum of five (5) foot side yard setback.

APPEALING: **Section 47-5-31 (Table of Dimensional requirements for the RS-8 District)**

Requesting a variance to allow an existing carport to be enclosed, with a 24 foot 10½ inches front yard setback, where Code requires a minimum of twenty-five (25) foot front yard setback.

APPROVED (7-0) WITH CONDITIONS

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.