

AGENDA RESULTS

CITY OF FORT LAUDERDALE BOARD OF ADJUSTMENT MEETING

WEDNESDAY, January 11, 2012

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 December 14, 2011 Minutes

Public Sign-In/Swearing-in

1. Appeal No. 11-27 (Deferred from December 14, 2011)

APPLICANT: Thomas Tharrington
LEGAL: "Stilwell Isles", P.B. 15, P. 26, Block 2, Lot 2 Less N. 10.58 feet
ZONING: RS-4.4 (Residential Single Family/Low Density District)
ADDRESS: 308 Royal Plaza Drive
DISTRICT: 2

APPEALING: Section 47-5.30 (Residential Single Family/Low Density District)

Requesting a variance to allow the height of the structure along the (North) side yard to extend 27 feet 3 inches where code states where a building exceeds 22 ft in height that portion of the building shall be set back an additional 1 foot per foot of building height above 22 foot.

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

Requesting a variance to enlarge a non-conforming structure, where the Code states that a nonconforming structure may not be enlarged or altered in a way which increases its nonconformity, but a nonconforming structure may be altered to decrease its nonconformity.

DEFERRED FOR THIRTY (30) DAYS

2. **APPEAL NO. 11-23** (*Deferred from October 12, 2011*)

APPLICANT: Second Avenue Properties

LEGAL: Lauderdale 2-9D, Lot 1S65, 2S65 less W5 Blk 126, Lot 21 E ½,
Lots 22, 23, 24 all less RD R/W Blk 126

ZONING: B-1 (Boulevard Business) / RM-15 (Residential Multifamily Low Rise/Medium
Density District)

STREET: 311 SW 24th Street

ADDRESS: Fort Lauderdale, FL

DISTRICT: 4

APPEALING: Section 47-25.3.A.3.d.iv (**Neighborhood compatibility requirements – wall requirements**)

Requesting a variance to eliminate the requirements for a wall on the South edge of the alley, where the Code states that a wall shall be required on the nonresidential property, a minimum of five (5) feet in height.

APPROVED (7-0)

3. **APPEAL NO. 12-01**

APPLICANT: Daniel Grant

LEGAL: “North Ridge”, P.B. 30, P. 32, Block 6, Lot 29

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

STREET: 2012 NE 19th Avenue

ADDRESS: Fort Lauderdale, FL

DISTRICT: 2

APPEALING: Section 47-35 (**Definitions**)

Appealing an interpretation made by the Zoning Administrator of Section 47-35. **Definitions**, where the Code states:

Structure: Anything built or constructed or erected, the use of which requires more or less permanent location on the land, or attached to something having a permanent location on the land, or any composition, artificially built up or composed of parts joined together in some definite manner or any rooflike structure or storage apparatus whether movable or non-movable which may or may not be self-supporting or may or may not be affixed to a "structure," as defined herein, or to a building.

The Zoning Administrator has determined that the car shade is a Structure as defined by the ULDR. The applicant argues that the car shade is not a Structure as defined by the ULDR.

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

Requesting a variance to allow a car shade structure to be located a distance of 4 feet from the front property line where the Code requires a minimum of 25-foot front yard setback.

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

Requesting a variance to allow a car shade structure to be located a distance of 0.6 foot from the side property line where the Code requires a minimum of 5-foot side yard setback.

DEFERRED FOR NINETY (90) DAYS

4. APPEAL NO. 12-02

APPLICANT: RJS Property Investments, LLC (Robert Stiegele, Jr.)

LEGAL: "Progresso", P.B. 2, P. 18, Block 177, Lots 12 & 13

ZONING: RMM-25 (Residential Multifamily Mid Rise/Medium High Density District)

STREET: 1025 NE 10th Avenue

ADDRESS: Fort Lauderdale, FL

DISTRICT: 2

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

Requesting a variance to allow five (5) parking spaces for a three-unit building where the Code states that the off-street parking and loading required by this section shall be provided and maintained on the basis of the minimum requirements in Table 1 of Parking and Loading Zone Requirements, which states that multi-family dwelling units shall provide 1.75 parking spaces for each one (1) bedroom unit and 2 parking spaces for each two (2) bedroom unit, and where this calculation would require six (6) spaces for the proposed development.

APPROVED (5-2)

APPEALING: Section 47-21.9.A.4.b. (Landscape requirements for vehicular use areas)

Requesting a variance to eliminate the requirements for a landscape peninsular island between every 2 parking spaces, where the Code states that when a row of parking spaces is located in a manner where motor vehicles back out directly onto a public right-of-way or alley, as provided by Section 47-20, Parking and Loading Requirements, backout parking spaces for residential uses and motels shall have one (1) peninsular landscape area for every two (2) parking spaces, and where this calculation would require three (3) peninsular landscape islands for the proposed development.

APPROVED (5-2)

5. APPEAL NO. 12-03

APPLICANT: RJS Property Investments, LLC (Robert Stiegele, Jr.)

LEGAL: "Progresso", P.B. 2, P. 18, Block 177, Lots 10 & 11

ZONING: RMM-25 (Residential Multifamily Mid Rise/Medium High Density District)

STREET: 1027 NE 10th Avenue

ADDRESS: Fort Lauderdale, FL

DISTRICT: 2

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

Requesting a variance to allow five (5) parking spaces for a three-unit building where the Code states that the off-street parking and loading required by this section shall be provided and maintained on the basis of the minimum requirements in Table 1 of Parking and Loading Zone Requirements, which states that multi-family dwelling units shall provide 1.75 parking spaces for each one (1) bedroom unit and 2 parking spaces for each two (2) bedroom unit, and where this calculation would require six (6) spaces for the proposed development.

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APPROVED (5-2)

6. APPEAL NO. 12-04

APPLICANT: RJS Property Investments, LLC (Robert Stiegele, Jr.)

LEGAL: "Progresso", P.B. 2, P. 18, Block 177, Lots 8 & 9

ZONING: RMM-25 (Residential Multifamily Mid Rise/Medium High Density District)

STREET: 1031 NE 10th Avenue

ADDRESS: Fort Lauderdale, FL

DISTRICT: 2

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

Requesting a variance to allow five (5) parking spaces for a three-unit building where the Code states that the off-street parking and loading required by this section shall be provided and maintained on the basis of the minimum requirements in Table 1 of Parking and Loading Zone Requirements, which states that multi-family dwelling units shall provide 1.75 parking spaces for each one (1) bedroom unit and 2 parking spaces for each two (2) bedroom unit, and where this calculation would require six (6) spaces for the proposed development.

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one (1) peninsular landscape area for every two (2) parking spaces, and where this calculation would require three (3) peninsular landscape islands for the proposed development.

APPROVED (5-2)

7. APPEAL NO. 12-05

APPLICANT: RJS Property Investments, LLC (Robert Stiegele, Jr.)
LEGAL: "Progresso", P.B. 2, P. 18, Block 177, Lots 6 & 7
ZONING: RMM-25 (Residential Multifamily Mid Rise/Medium High Density District)
STREET: 1035 NE 10th Avenue
ADDRESS: Fort Lauderdale, FL
DISTRICT: 2

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

Requesting a variance to allow five (5) parking spaces for a three-unit building where the Code states that the off-street parking and loading required by this section shall be provided and maintained on the basis of the minimum requirements in Table 1 of Parking and Loading Zone Requirements, which states that multi-family dwelling units shall provide 1.75 parking spaces for each one (1) bedroom unit and 2 parking spaces for each two (2) bedroom unit, and where this calculation would require six (6) spaces for the proposed development.

APPROVED (5-2)

APPEALING: Section 47-21.9.A.4.b. (Landscape requirements for vehicular use areas)

Requesting a variance to eliminate the requirements for a landscape peninsular island between every 2 parking spaces, where the Code states that when a row of parking spaces is located in a manner where motor vehicles back out directly onto a public right-of-way or alley, as provided by Section 47-20, Parking and Loading Requirements, backout parking spaces for residential uses and motels shall have one (1) peninsular landscape area for every two (2) parking spaces, and where this calculation would require three (3) peninsular landscape islands for the proposed development.

APPROVED (5-2)

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.