

## AGENDA RESULTS

### CITY OF FORT LAUDERDALE BOARD OF ADJUSTMENT MEETING

WEDNESDAY, April 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 March 14, 2012 Minutes

#### Public Sign-In/Swearing-in

#### 1. APPEAL NO. 12-01

**APPLICANT:** Daniel Grant (*Deferred from January 11, 2012*)  
**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 19<sup>th</sup> 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 roof like 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 and as indicated in the attached staff report. The applicant argues that the car shade is not a Structure as defined by the ULDR.

DENIED (0-7)

**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.

DENIED (0-7)

**2. Appeal No. 11-27 (Deferred from February 8, 2012)**

**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.

APPROVED (7-0)

**3. APPEAL NO. 12-07**

**APPLICANT:** Alex Gheorghiu (Deferred from February 8, 2012)

**LEGAL:** "Coral Ridge Galt addition", P.B. 27, P. 46, Block 17, Lot 1

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

**STREET:** 2624 NE 23<sup>rd</sup> Street

**ADDRESS:** Fort Lauderdale, FL

**DISTRICT:** 1

**APPEALING: Section 47-19.5 (Fences, Walls and Hedges)**

Requesting a variance to an existing permitted wall to be located on the property line at a height of 6 feet, 6 inches, where the code requires a minimum 3-foot setback.

APPROVED (7-0)

AS PER THE PLANS SUBMITTED TO THE BOARD OF ADJUSTMENT,  
INCLUDING, BUT NOT LIMITED TO, THE LANDSCAPING ON SHEET 4

**4. APPEAL NO. 12-13**

**APPLICANT:** Philip L Grey  
**LEGAL:** "Bossert Isles 46-42B, TR A W 70 AKA Lot 45"  
**ZONING:** RS- 8 (Residential Single Family/Low Medium Density District)  
**STREET:** 1725 SW 17 th Street  
**ADDRESS:** Fort Lauderdale, FL  
**DISTRICT:** 4

**APPEALING: Section 47-19.2.P (Freestanding Shade Structure)**

Requesting a variance to permit a free standing shade structure 3 feet 6 inches from the waterway, where code states Freestanding shade structures (such as a gazebo, a tiki hut, or a trellis) may be permitted when accessory to residential uses, in the required rear yard but no closer than five (5) feet from the rear property line except where a parcel is abutting a waterway, where they shall be no closer than ten (10) feet from the waterway.

APPROVED FOR DEFERRAL OF 60 DAYS (6-1)

**5. APPEAL NO. 12-15**

**APPLICANT:** Reed Property Holdings  
**LEGAL:** "Lauderdale Harbors Shopping", Center 48- 19B, Tract C S 30 N 60  
**ZONING:** B-1 (Residential Single Family/Low Medium Density District)  
**STREET:** 1073 SE 17 Street  
**ADDRESS:** Fort Lauderdale, FL  
**DISTRICT:** 2

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

Requesting a special exception to allow a restaurant to sell alcohol that is incidental to the sale of food within 181 feet from another establishment that sells alcohol, where Code requires a minimum of 300 feet separating establishments that sell alcoholic or intoxicating beverages.

APPROVED (7-0)

6. **APPEAL NO. 12-16**

**APPLICANT:** Las Olas Harbor Club LLC  
**LEGAL:** "Lauder del Mar", P.B. 7- 30B, Block 11, Lot 11  
**ZONING:** IOA (Residential Single Family/Low Medium Density District)  
**STREET:** 1 N Birch Road  
**ADDRESS:** Fort Lauderdale, FL  
**DISTRICT:** 4

**APPEALING: Section 47-19.3 (Boat slips, docks, boat davits, hoist and similar mooring structures)**

Requesting a variance to allow use of five (5) existing permitted boat slips as an accessory use, without the existence of a principal building as the previous principal building has been removed where the code states that no boat slips, docks, boat davits, hoists, and similar mooring structures not including mooring or dolphin piles or a seawall, may be constructed by any owner of any lot unless a principal building exists on such lot and such lot abuts a waterway.

The applicant is also requesting that such variance be a limited term variance, which would permit use of the existing boat slips/docks without a principal structure until either a new principal structure is constructed, or until the applicant's building permit extension expires on October 14, 2014.

APPROVED FOR DEFERRAL OF 60 DAYS (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.***