

AGENDA RESULTS

CITY OF FORT LAUDERDALE BOARD OF ADJUSTMENT MEETING

WEDNESDAY, September 12, 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 August 8, 2012 Minutes
- Public Sign-In/Swearing-in

1. APPEAL NO. 12-29

APPLICANT: Las Olas Property Management
AGENT: Jose M Erazo
LEGAL: "Las Olas by the Sea" Re-Amen Plat 1-16 B Lot 14 Less S 20 M/L for St Blk 6
ZONING: PRD (Planned Resort Development District).
STREET: 235-237 Almond Ave
ADDRESS: Fort Lauderdale, FL
DISTRICT: 2

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

Requesting a Special Exception to allow the sale of alcohol at a distance of 175 feet from other establishments that sell alcohol, where Code requires a minimum of 300 feet separating establishments that sell alcoholic or intoxicating beverages.

This item was deferred for 30-days (7-0) from the August 8, 2012 BOA meeting, which included a previous request for a variance. The current request is for a special exception to allow alcohol sales incidental to food sales.

DEFERRED FOR THIRTY (30) DAYS (7-0)

2. APPEAL NO. 12-21

APPLICANT: Judy H Hudson
LEGAL: "CORAL RIDGE ADD" A 41-30 B LOT 23 BLK 3
ZONING: RD-15 (Residential Zoning Districts and Residential Office Zoning Districts)

STREET: 5125 NE 19 Avenue
ADDRESS: Fort Lauderdale, FL
DISTRICT: 1

APPEALING: Section 47-5.32 (Freestanding Shade Structure)

Requesting a variance, after the fact, to allow a one (1) foot four (4) inch side yard set back for a shade structure where the code states that 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.

DENIED (3-4)

3. APPEAL NO. 12-25

APPLICANT: 69th Street Properties, LP
AGENT: Scott Backman, Esq. – Siegel, Lipman, Dunay, Shepard * Miskel, LLP
LEGAL: CORAL RIDGE ISLES 45-47 B PARCEL B LESS PT DESC'D AS, COMM AT SW COR OF LOT 2 BLK 39, ELY 107.72 TO POB, SLY 115, ELY 91 TO W R/W/L OF NE 18 AVE, NLY 136.5 M/L TO SE COR OF LOT 1 BLK 39, WLY TO POB & LESS PT DESC'D IN OR 8508/723; TOGETHER WITH LOTS 5 THRU 10 BLK 39
ZONING: CB
STREET: 5021 NE 18th Avenue
ADDRESS: Fort Lauderdale, FL
DISTRICT: 1

APPEALING: Section 47-22.3.E.1 (Business zones)

Requesting a variance to allow reconstruction of two existing freestanding signs at a height of twenty (20) feet on Commercial Boulevard and at a height of sixteen and one-half (16.5) feet on NE 18th Avenue where the code states that a detached, freestanding sign shall not exceed a height of ten (10) feet above the grade of the street closest to the sign.

AS TO 20-FOOT SIGN, DENIED (2-5)
AS TO 16.5-FOOT SIGN, DENIED (0-7)

APPEALING: Section 47-22.3.P (Shopping center or strip store signs)

Requesting a variance to allow occupants to occupy more space on the sign than any other occupant where the code states that such signs may bear the name of the shopping center or a directory of occupants, or a combination of the shopping center name and a directory of occupants. No occupant may occupy more space on the sign than any other occupant.

APPROVED (6-1)

This item was tabled from the July 11, 2012 BOA meeting, which included the previous request as indicated below:

APPEALING: Section 47-22.3.E.1 (Business zones)

Requesting a variance to allow reconstruction of two existing freestanding signs at a height of twenty-six and one-half (26.5) feet on Commercial Boulevard and at a height of sixteen and one-half (16.5) feet on NE 18th Avenue where the code states that a detached, freestanding sign shall not exceed a height of ten (10) feet above the grade of the street closest to the sign.

APPEALING: Section 47-22.3.P (Shopping center or strip store signs)

Requesting a variance to allow occupants to occupy more space on the sign than any other occupant where the code states that such signs may bear the name of the shopping center or a directory of occupants, or a combination of the shopping center name and a directory of occupants. No occupant may occupy more space on the sign than any other occupant.

4. APPEAL NO. 12-31

APPLICANT: Jay and Laurie Cline
LEGAL: The N 35 feet of Lot 11 and all of lots 23 & 24 Block 3, Rivier, Plat Book 6, Page 17 "Las Olas by the Sea" Re-Amen Plat 1-16 B Lot 14 Less S 20 M/L for St Blk 6
ZONING: RS-8 (Residential Single Family).
STREET: 626 Solar Isle
ADDRESS: Fort Lauderdale, FL
DISTRICT: 2

APPEALING: Section 47.5-31 (Table of dimensional requirements for the RS-8 district)
Requesting a variance to allow the structure (attached awning) to be constructed with a rear yard setback of twelve (12) feet two (2) inches along the waterway where the code states the minimum rear yard setback shall be twenty-five (25) feet when abutting a waterway.

DEFERRED FOR THIRTY (30) DAYS (7-0)

5. APPEAL NO. 12-32

APPLICANT: PNC Bank, NA
AGENT: Scott E. Backman, Esq
LEGAL: "Hooper's Choice" Plat 121-18 B Parcel A
ZONING: B-1 (Business Boulevard District).
STREET: 1100 N Federal Highway
ADDRESS: Fort Lauderdale, FL
DISTRICT: 2

APPEALING: Section 47-22.3.A.1 (Single Business Buildings)
Requesting a variance to allow two (2) detached freestanding signs where the code states that the total number of signs on any one (1) lot or plot shall not exceed four (4). The signs shall be limited and oriented to be viewed from the street and vehicular travelways abutting the lot or plot as follows: Two streets and no vehicular travelways are limited to three (3) signs, no more than one (1) being a freestanding sign.

DEFERRED FOR THIRTY (30) DAYS (7-0)

6. APPEAL NO. 12-33

APPLICANT: Dave Coykendall
LEGAL: "Oak Grove 27-16 B Lots 5 Blk 1
ZONING: RS-8 (Residential Single Family).
STREET: 990 SW 32 St
ADDRESS: Fort Lauderdale, FL
DISTRICT: 4

APPEALING: Section 47-5.31 (Table of dimensional requirements for the RS-8 district)
Requesting a variance to allow the structure to be constructed with a front yard setback of twenty-three (23) feet six (6) inches where the code states the minimum front yard setback shall be twenty-five (25) feet.

APPROVED (6-1)

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.