

## **AGENDA RESULTS**

### **CITY OF FORT LAUDERDALE BOARD OF ADJUSTMENT MEETING**

**WEDNESDAY, October 10, 2012**

**PLACE OF MEETING:** City Hall  
City Commission Chambers  
100 North Andrews Avenue  
Fort Lauderdale, FL 33301

**TIME OF MEETING:** 6:30 P.M.

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**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 September 12, 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.

DEFERRED FOR THIRTY (30) DAYS from September 12, 2012 meeting

APPROVED WITH CONDITION (7-0)

#### **2. 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 from September 12, 2012.

APPROVED WITH CONDITIONS (5-1)

**3. APPEAL NO. 12-34**

**APPLICANT:** Mary Christi  
**AGENT:** Christopher Vincent  
**LEGAL:** CORAL RIDGE SOUTH ADD 24-41 B LOT 3 BLK 1  
**ZONING:** RMM-25 (Residential High Rise Multifamily/Medium High Density)  
**STREET:** 2512 NE 11 Court  
**ADDRESS:** Fort Lauderdale, FL  
**DISTRICT:** 1

**APPEALING: Section 47-5.36 (Table of dimensional requirements for the RMM-25 district)**

Requesting an after the fact variance to allow a rear set back of thirteen point twenty-seven (13.27) feet for an addition to an existing structure, where the code states a minimum rear setback of fifteen (15) feet is required.

APPROVED (5-2)

**4. APPEAL NO. 12-35**

**APPLICANT:** Nipro Diagnostics  
**AGENT:** Stephanie Toothaker  
**LEGAL:** CYPRESS CREEK ROAD NO 2 PLAT 170-8 B PARCEL B AND PARCEL C LESS POR LYING EAST OF FOLLOWING DESC LINE:COMM SW COR PAR C,NE 145.72 ALG S/L PAR C TO POB NLY 221.06; WLY 65.00;NLY 372.30 TO PT OF TERMINATION OF DESC LINE AS IN OR 32835/476  
**ZONING:** GAA (General Aviation Airport)  
**STREET:** 2200 W Cypress Creek Road  
**ADDRESS:** Fort Lauderdale, FL  
**DISTRICT:** 1

**APPEALING: Section 47-14.21.C.1.b (Dimensional requirements for GAA and AIP districts)**

Requesting a variance to allow a fence to be installed at a distance of thirteen (13) feet from the north property line of the subject site along NW 62<sup>nd</sup> Street where the code states the required yard along NW 62<sup>nd</sup> Street (south side) shall be a minimum of one hundred (100) feet.

APPROVED WITH CONDITION (7-0)

5. APPEAL NO. 12-37

**APPLICANT:** Gregory V. Pajak & David W. Pendley  
**AGENT:** James Hollingsworth  
**LEGAL:** POINSETTIA HEIGHTS RIVER ADD 26-27 B LOT 5 BLK 3  
**ZONING:** RS-8 (Residential Single Family).  
**STREET:** 1642 NE 20 Street  
**ADDRESS:** Fort Lauderdale, FL  
**DISTRICT:** 2

**APPEALING: ~~Section 47-19.2.B (Architectural Features in Residential Districts)~~**

~~Requesting a variance to allow a new roof overhang to be constructed on the front façade of an existing structure to extend into the front yard a distance of eighteen point zero five (18.05) feet where the code states architectural features are permitted to extend into a yard area a distance of three (3) feet from the face of the building, or one third (1/3) of the required yard, whichever is less.~~

~~The current structure footprint was permitted with a front yard of twenty one point zero nine (21.09) feet where the current code requires a front yard of twenty five (25) feet.~~

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

Requesting a variance to allow a new roof overhang of twenty-four (24) inches to be constructed on the front façade of an existing nonconforming structure that presently encroaches into the front yard in diminishing amounts starting with a maximum encroachment of three point ninety-one (3.91) feet, yielding a maximum encroachment of five point ninety-one (5.91) feet into the front yard with the addition of the new roof overhang, where the Code states that a nonconforming structure may not be enlarged or altered in any way that increases its nonconformity.

NO VOTE WAS TAKEN

**APPEALING: Section 47-5.31 (Minimum Front Yard for RS-8 District)**

Requesting a variance to allow a new roof overhang of twenty-four (24) inches to be constructed on the front façade of an existing nonconforming structure that presently encroaches into the front yard in diminishing amounts starting with a maximum encroachment of three point ninety-one (3.91) feet as to the existing nonconforming structure, yielding a maximum encroachment of eave and structure of five point ninety-one (5.91) feet into the front yard, where the Code requires a front yard of twenty-five (25) feet in the RS-8 zoning district.

NO VOTE WAS TAKEN

**APPEALING: Section 47-19.B. (Architectural Features in Residential Districts).**

Requesting a variance to allow a new roof overhang of twenty-four (24) inches to be constructed on the front façade of an existing nonconforming structure that presently encroaches into the front yard in diminishing amounts starting with a maximum encroachment of the pre-existing nonconforming structure of three point ninety-one (3.91) feet, yielding a maximum encroachment of eave and structure into the front yard of five point ninety-one (5.91) feet, where the Code states that architectural features are permitted to extend into a yard area a distance of three (3) feet from the face of the building or one-third (1/3) of the required yard, whichever is less.

APPROVED (7-0)

**6. APPEAL NO. 12-38**

**APPLICANT:** George Gounaris & Sofia Fasolakis  
**LEGAL:** GILL ISLES 44-13 B LOT 90  
**ZONING:** RS-8 (Residential Single Family).  
**STREET:** 510 SW 18 Ave  
**ADDRESS:** Fort Lauderdale, FL  
**DISTRICT:** 4

**APPEALING: Section 47.19.B (Architectural Features in Residential Districts)**

Requesting a variance to allow the roof overhang to extend into the side yard at a distance of four (4) feet where the code states architectural features are permitted to extend into a yard area a distance of three (3) feet from the face of the building, or one-third (1/3) of the required yard, whichever is less.

DENIED (0-7)

**7. APPEAL NO. 12-39**

**APPLICANT:** Eparchy of Saint Maron of Brooklyn  
**AGENT:** John Sassine  
**LEGAL:** VICTORIA PARK RE-AMENDED PLAT 15-52 B LOT 3 LESS E 10,4 TO 8 BLK 22  
**ZONING:** RS-8 (Residential Single Family).  
**STREET:** 1800 NE 6 Court  
**ADDRESS:** Fort Lauderdale, FL  
**DISTRICT:** 2

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

Requesting an after the fact variance to allow a shade structure at a rear set back of ten (10) feet, where the code states a minimum rear setback of fifteen (15) feet is required.

DEFERRED FOR 30 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.*