

AGENDA RESULTS

CITY OF FORT LAUDERDALE BOARD OF ADJUSTMENT MEETING

WEDNESDAY, December 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 November 14, 2012 Minutes
- Public Sign-In/Swearing-in

1. **REQUEST FOR EXTENSION OF FINAL ORDER / CASE NO. 11-27**

This matter was presented to the Board on April 11, 2012 concerning the appeal of

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)
STREET: 308 Royal Plaza Drive
ADDRESS: Fort Lauderdale, FL
DISTRICT: 2

Where the applicant sought and was approved a variance from the following:

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.

EXTENSION REQUEST:

Applicant is requesting an extension subject to Section 47-24.12.A.10, of the Unified Land Development Regulations, which states upon a motion for extension of time being filed by an applicant, for good cause shown, the board may grant an additional extension of time beyond the time initially proscribed in the final order, such additional extension of time not to exceed one hundred eighty (180) days, within which the building permit must be secured.

APPROVED FOR 60-DAY EXTENSION OF TIME (7-0)

2. APPEAL NO. 12-42

APPLICANT: Holman Automotive, Inc. dba Aston Martin Fort Lauderdale, Bentley Fort Lauderdale, Lauderdale Imports Ltd., Rolls-Royce Motor Cars Fort Lauderdale
AGENT: Hope Calhoun, Esq and Maria Neufeld, Esq of Greenspoon Marder
LEGAL: PROGRESSO 2-18 D LOTS 5 THRU 11,32 THRU 44,N 100 LESS N 15 FOR ST BLK 213 LESS OR 42416/1770
ZONING: B2
STREET: 200 E Sunrise Blvd.
ADDRESS: Fort Lauderdale, FL
DISTRICT: 2

APPEALING: Section 47-22.4 (Sign Requirements)

Requesting a variance to allow for three (3) additional signs on the property (two new wall signs and a freestanding sign) where the code states the total number of signs on any one (1) lot or plot abutting three (3) streets and no vehicular travel ways shall be limited to four (4) signs, not more than two (2) being freestanding signs and where the existing site currently has two (2) wall signs and two (2) freestanding signs.

APPROVED (7-0) WITH CONDITIONS:

- (1) That the variance be specific as to this Applicant only; and**
- (2) That in the event Sunrise Boulevard is expanded in the future, Holman will proportionally move the Relocated Freestanding Signs based upon the distance of expanded road once notified of the expansion.**

APPEALING: Section 47-22.3(E) (Sign Requirements)

Requesting a variance to allow three (3) freestanding signs (relocating two (2) existing freestanding signs and installing one (1) new additional freestanding sign) to be located at the property line, where the code states the leading edge of a detached freestanding sign located in any zoning district shall be located a minimum of five (5) feet from the property line of the lot or plot on which the sign is located.

APPROVED (7-0)

- (1) That the variance be specific as to this Applicant only; and**
- (2) That in the event Sunrise Boulevard is expanded in the future, Holman will proportionally move the Relocated Freestanding Signs based upon the distance of expanded road once notified of the expansion.**

3. APPEAL NO. 12-43

APPLICANT: Frank Riccio
LEGAL: LAUDERDALE 2-9 D LOT 13 TO 15 BLK 70
ZONING: RM-15
STREET: 1634 SW 4th Avenue

ADDRESS: Fort Lauderdale, FL
DISTRICT: 4

APPEALING: Section 47-19.5.B

After the fact request for a variance to allow a fence to be located on the property line abutting the right-of-way where the code states that a fence or wall exceeding two (2) feet six (6) inches in height must be setback a minimum of three (3) feet from the property line abutting the right-of-way.

60-DAY DEFERRAL APPROVED (7-0)

4. APPEAL NO. 12-44

APPLICANT: Rose M. Edwards Family, Ltd.
AGENT: Christopher P. Barry, AICP, Planner, Jon E. Schmidt & Assoc. Inc.
LEGAL: CORAL RIDGE COMMERCIAL BOULEVARD ADD NO 1 52-17 B LOT 9 BLK 1
ZONING: B-1
STREET: 5216 N Federal Highway
ADDRESS: Fort Lauderdale, FL
DISTRICT: 1

APPEALING: Section 47-25.3.A.3.d.i (Landscape Strip Requirements)

Requesting a variance to remove the requirement for a ten (10) foot landscape strip along the east property line contiguous residential property where the code states a ten (10) foot landscape strip shall be required to be located along all property lines which are adjacent to residential property.

APPEALING: Section 47-6.20 (Table of Dimensional Requirements, B-1 Zoning District) and Section 47-25.3.A.3.d.ii (Parking Restrictions)

Requesting a variance to allow two (2) parking spaces to be located a distance of two (2) feet from the east property line contiguous residential property where the code states the B-1 zoning district requires a rear yard of fifteen (15) feet when contiguous to residential property and no parking shall be located within twelve (12) feet of the property line, within the yard area required by the district in which the proposed nonresidential use is located, when such yard is contiguous to residential property.

APPEALING: Section 47-25.3.A.3.d.iii (Dumpster Regulations)

Requesting a variance to allow the dumpster to be located a distance of seven (7) feet from the east property line contiguous to residential property where the code states All solid waste refuse containers (dumpsters) shall be set back a minimum of twelve (12) feet from any property line which is contiguous to residential property.

APPEALING: Section 47-25.3.A.3.d.iv (Wall Requirements)

Requesting a variance to remove the requirement for a five (5) foot tall wall along the east property line contiguous to residential property where the code states A wall shall be required on the nonresidential property, a minimum of five (5) feet in height.

MAXIMUM 120 DAY DEFERRAL APPROVED (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.