

**BOARD OF ADJUSTMENT MEETING
CITY OF FORT LAUDERDALE
WEDNESDAY, JANUARY 9, 2013 – 6:30 P.M.
CITY HALL CITY COMMISSION CHAMBERS – 1ST FLOOR
100 NORTH ANDREWS AVENUE
FORT LAUDERDALE, FLORIDA**

Board Members	Attendance	Cumulative Attendance 6/2012 through 5/2013	
		Present	Absent
Diana Waterous Centorino, Chair	P	6	1
Michael Madfis, Vice Chair	P	7	0
Caldwell Cooper	P	6	1
Karl Shallenberger	P	7	0
Henry Sniezek	A	5	2
Fred Stresau	P	5	2
Sharon A. Zamojski	P	5	2

Alternates

Roger Bond	P	7	0
Charlie Ladd	P	7	0
Birch Willey	P	7	0

Staff

Bob Dunckel, Assistant City Attorney
 Anthony Fajardo, Zoning Administrator
 Mohammed Malik, Director of Zoning
 Lynda Crase, Administrative Aide
 Brigitte Chiappetta, Recording Secretary, Prototype Inc.

Communication to the City Commission

None

Purpose: Section 47-33.1.

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.

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Call to Order

Chair Centorino called the meeting to order at 6:30 p.m. She introduced Board members and determined a quorum was present.

Approval of Minutes – December 2012

Motion made by Mr. Stresau, seconded by Mr. Cooper, to approve the minutes of the Board's December 2012 meeting. In a voice vote, motion passed unanimously.

Board members disclosed communications they had and site visits made regarding items on the agenda.

All individuals wishing to speak on the matters listed on tonight's agenda were sworn in.

1. APPEAL NO. 12-45

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APPLICANT: First Presbyterian Church of Fort Lauderdale
AGENT: Damon Ricks, Flynn Engineering Services, P.A.
LEGAL: COLEE HAMMOCK 1-17 B LOT 11,12 W 33 BLK 39
ZONING: RS-8 (Residential Single Family).
STREET: 1509 SE 4 Street
ADDRESS: Fort Lauderdale, FL
DISTRICT: 4

APPEALING: Section 47-5.11 (List of permitted and conditional uses, RS-8 and RS-8A Residential Single Family/Low Medium Density District)

Requesting a variance to permit an office/meeting space in the RS-8 zoning district where the code does not list office/meeting space as a permitted or conditional use within the RS-8 zoning district.

Robert Lochrie, attorney for the applicant, requested a deferral to the Board's February meeting.

Motion made by Mr. Madfis, seconded by Mr. Cooper to grant a deferral to the Board's February meeting. In a roll call vote, motion passed 7-0.

2. APPEAL NO. 13-01

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APPLICANT: Florida SE Inc.
AGENT: Ty Robbins, Site Enhancement Service
LEGAL: 12-49-42 S 205 OF N1/2 OF SW1/4 OF NE1/4 OF SE1/4 LYING E
OF ST RD LESS E 25
ZONING: B-1 (Boulevard Business)
STREET: 5950 N FEDERAL HWY
ADDRESS: Fort Lauderdale, FL
DISTRICT: 1

APPEALING: Section 47-22.3.E.1.c (Detached freestanding signs and pylon signs)

Requesting a variance to permit a detached freestanding sign located on Federal Highway at a height of nineteen (19) feet two (2) inches where the code states that a detached freestanding sign shall not exceed fourteen (14) feet in height when located on Federal Highway, north and south.

Mr. Stresau stated the posting for the meeting had been 70 feet from the right-of-way on a chair in front of the building and could not be seen from the street. He recommended deferring the case until proper notice was posted. Mr. Willey agreed the notice was not well presented.

Mr. Dunckel said the ordinance stated the sign shall be visible from adjacent rights-of-way.

Motion made by Mr. Stresau, seconded by Mr. Cooper to defer the case until the Board's February meeting. In a roll call vote, motion passed 7-0.

Shawn Smith, representative of the applicant, requested specifics for posting the sign. Mr. Stresau reiterated that the notice must be able to be read from the adjacent right-of-way.

Mr. Smith explained they were replacing the entire sign cabinet with another cabinet at a lower height, bringing it closer to code.

3. APPEAL NO. 13-02

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APPLICANT: Richard Beers
AGENT: Michael Robinson, Tropic Fence Inc.
LEGAL: The South 10.00 feet of Lot 8, Lot 9 less the South 5.00 feet of Block "B" Resubdivision in Blocks 3 and 4 of VENICE, according to the Plat thereof, as recorded in Plat Book 35, at Page 18 of the Public Records of Broward County, Florida
ZONING: RS-8 (Residential Single Family/Low Medium District)
STREET: 419 Isle of Capri
ADDRESS: Fort Lauderdale, FL
DISTRICT: 2

APPEALING: Section 47-19.5 Table 1 (Fences, walls and hedges)

Requesting a variance to permit 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.

Richard Beers, applicant, said the fence at the property line would align with other fences in the neighborhood. Setting the fence back three more feet would interfere with a row of 65-year old Royal Palms. Mr. Beers showed photos of neighboring properties' fences that were installed at the property line.

Mr. Beers stated they wanted the fence for security, and cited past criminal activity in the area.

Mr. Willey asked where they wanted to install the fence and Mr. Beers stated it would be to the east of the trees.

Mr. Madfis suggested a serpentine configuration could average a three-foot setback and work around the trees. Mr. Beers said they had considered this, but there was also a mound that would require setting the fence at difference heights as well. Mr. Madfis said another fence design might be more appropriate. He felt another solution would work and he did not see a hardship.

Mr. Stresau noted that the photos Mr. Beers had shown included landscaping in front of the fences and walls. Mr. Fajardo had indicated that landscaping was not required, and Mr. Stresau wanted to make this a condition of the variance. Mr. Beers said he had submitted a landscape plan.

Michael Robinson, Tropic Fence, said Mr. Beers had agreed to the landscaping and Mr. Beers confirmed this had been submitted. Mr. Beers presented a copy of the landscape drawing he had submitted.

Mr. Cooper asked if a one-foot variance would suffice. Mr. Beers stated he needed a three-foot variance to clear the trees.

Chair Centorino opened the public hearing. There being no members of the public wishing to address the Board on this item, Chair Centorino closed the public hearing and brought the discussion back to the Board.

Motion made by Mr. Stresau, seconded by Mr. Shallenberger to approve the application, with the addition of the landscaping as presented.

Mr. Madfis wondered what would happen if the City installed a sidewalk. Mr. Beers said a sidewalk installation would require excavation of many properties on the Isle of Capri.

In a roll call vote, motion passed 6-1 with Ms. Zamojski opposed.

Communication to the City Commission

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None.

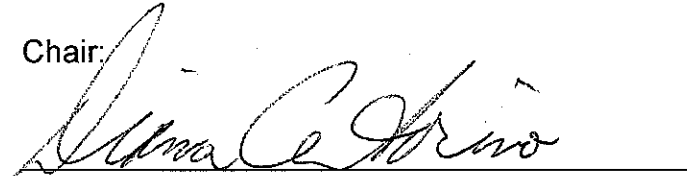
Report and for the Good of the City

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No discussion.

There being no further business to come before the Board, the meeting was adjourned at 7:10 pm.

Chair:



Diana Centorino

Attest:


ProtoType Inc.

Minutes prepared by: J. Opperlee, Prototype Inc.