

AGENDA RESULTS
CITY OF FORT LAUDERDALE
BOARD OF ADJUSTMENT MEETING

Wednesday, September 11, 2013

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 14, 2013 Minutes
- Public Sign-In/Swearing-in

1. APPEAL NO. 13-16

APPLICANT: New Mount Olive Missionary Baptist Church, Inc.
AGENT: Hope Calhoun, Esq., Becker & Poliakoff
LEGAL: NORTH LAUDERDALE 1-48 D LOTS 17 THRU 36 BLK 17 & LOTS 25 THRU 34 WITH W1/2 OF VAC'D ALLEY LYING E & ADJ SAID LOTS BLK 18
ZONING: CF-H (Community Facility: House of Worship)
STREET: 400 NW 9th Avenue
ADDRESS: Fort Lauderdale, FL
DISTRICT: 3

APPEALING: Section 47-8.30 (Table of dimensional requirements for CF-HS)

Requesting a front yard setback variance for an entry feature to allow a fifteen (15) foot six (6) inch front setback along NW 4TH street, where the code states the minimum front yard setback shall be twenty five (25) feet as measured from property line in the CF-HS zoning district.

APPROVED (6-1)

APPEALING: Section 47-8.30 (Table of dimensional requirements for CF-HS)

Requesting a corner yard setback variance for a chapel to allow a twenty (20) foot corner yard setback along NW 9TH Avenue, where the code states the minimum corner yard setback shall be twenty five (25) feet as measured from property line in the CF-HS zoning district.

APPROVED (6-1)

APPEALING: Section 47-8.30 (Table of dimensional requirements for CF-HS)

Requesting a corner yard setback variance for a choir stand to allow a five (5) foot seven (7) inches corner yard setback along NW 8 AVE, where the code states the minimum corner yard setback shall be twenty five (25) feet as measured from property line in the CF-HS zoning district.

APPROVED (6-1)

APPEALING: Section 47-25.3.A.3.d.i (Neighborhood compatibility requirements)

Requesting a landscape buffer variance to allow a zero (0) foot landscape strip buffer between a residential and non-residential use, where the code states a minimum ten (10) foot landscape strip shall be required to be located along all property lines which are adjacent to residential property.

APPROVED (5-2)

WITH THE CONDITION THAT THE CONSTRUCTION OF THE WALL SHALL BE POST AND PANEL DESIGN AND OPAQUE AND NOT GREATER THAN 5 FEET IN HEIGHT.

2. APPEAL NO. 13-18

APPLICANT: Lee Feldman

AGENT: Jiro Yates, FSMY Architects

LEGAL: A PORTION OF RIGHT OF WAY AT THE INTERSECTION OF SUNRISE LAND AND NE 9TH AVE, LYING WEST AND SOUTH OF LOT 6, BLOCK 1, "ATLANTIC BEACH DEVELOPMENT", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 27, PAGE 1, FORT LAUDERDALE, BROWARD COUNTY, FLORIDA

ZONING: SLA (SUNRISE LANE AREA DISTRICT)

STREET: 901 Sunrise Lane

ADDRESS: Fort Lauderdale, FL 33304

DISTRICT: 2

APPEALING: Section 47-35.1 (Definitions: *Sight Triangle*) and Section 47-2.2.Q (*Sight Triangle*)

Requesting a variance to allow a sidewalk café within the required sight triangle, where the code states that a sight triangle is a triangular shaped portion of land established for unobstructed visibility of motorists entering or leaving a street or driveway intersection in which nothing, whether stationary or moveable (i.e., vehicles, vehicular maneuvering area, signs, landscaping or objects of any kind) is permitted to be located between a height of two and one-half (2½) and eight (8) feet above the elevation of the adjoining edge of pavement at the intersection of an alley or street and a driveway, or the intersection of an alley and a street, or the intersection of a street and a street and where a sight triangle is a triangular shaped area of land measured at ten (10) feet from the intersection point of the edge of a driveway and curb, or in the event that there is no curb, the edge of the alley or street pavement; or fifteen (15) feet from the intersection point of the extended property lines at an alley and a street; or twenty-five (25) feet from the intersection point of the extended property lines at a street and a street.

APPROVED (7-0)

3. APPEAL NO. 13-19

APPLICANT: Lee Feldman/Village Merchant's Association

AGENT: Jiro Yates, FSMY Architects

LEGAL: INTERSECTION OF STATE HIGHWAY A1A AND NORTH EAST 9TH STREET AND THE INTERSECTION OF SUNRISE BOULEVARD AND SUNRISE LANE

ZONING: SLA (SUNRISE LANE AREA DISTRICT)

STREET: N/A
ADDRESS: Fort Lauderdale, FL
DISTRICT: 2

APPEALING: Section 47-35.1 (Definitions: *Sight Triangle*) and Section 47-2.2.Q (*Sight Triangle*)

Requesting a variance to allow the installation of four (4) separate entryway structures located at two intersections within the required sight triangle, where the code states that a sight triangle is a triangular shaped portion of land established for unobstructed visibility of motorists entering or leaving a street or driveway intersection in which nothing, whether stationary or moveable (i.e., vehicles, vehicular maneuvering area, signs, landscaping or objects of any kind) is permitted to be located between a height of two and one-half (2½) and eight (8) feet above the elevation of the adjoining edge of pavement at the intersection of an alley or street and a driveway, or the intersection of an alley and a street, or the intersection of a street and a street and where a sight triangle is a triangular shaped area of land measured at ten (10) feet from the intersection point of the edge of a driveway and curb, or in the event that there is no curb, the edge of the alley or street pavement; or fifteen (15) feet from the intersection point of the extended property lines at an alley and a street; or twenty-five (25) feet from the intersection point of the extended property lines at a street and a street.

APPROVED (7-0)

APPROVAL WAS FOR ELEMENTS 1 & 4 ONLY AS INDICATED BY THE SUBMITTED PLANS. ELEMENTS 2 & 3 WERE WITHDRAWN FROM THE APPLICATION.

4. **APPEAL NO. 13-20**

APPLICANT: Charles E. Falk, Sr.
AGENT: Edwin J. Stacker, Esq., Mastriana & Christiansen, P.A.
LEGAL: PORTO VENEZIA CONDO UNIT PH1 (AKA PH W)
ZONING: RMM-25 (Residential Mid-Rise Multifamily/Medium High Density District)
STREET: 2765 NE 14 Street
ADDRESS: Fort Lauderdale, FL
DISTRICT: 1

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

Requesting a variance to allow a third mooring device (boat lift) on a site with two hundred (200) feet of lot width along the waterway, where the code states that only one (1) mooring device may be installed per the first one hundred (100) feet of lot width or portion thereof, and one mooring device for each additional one hundred (100) feet of lot width.

DENIED (4-3)

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.