

# **AGENDA RESULTS**

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

**WEDNESDAY, APRIL 9, 2014**

**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 March 12, 2014 Minutes
- Public Sign-In/Swearing-in

1. **APPEAL NO. B14001**

**APPLICANT:** 1401 Andrews LLC  
**AGENT:** Jeffrey J. Wolfe/ Phillips, Cantor, Shalek, Rubin & Pfister, P.A.  
**LEGAL:** Croissant Park 4-28 B Lot 1 and 3 together with N 24 of S 49 of E 3.50 of Lot 2 BLK 25  
**ZONING:** SRAC-SAe (South Regional Activity Center-South Andrews east)  
**STREET:** 1401 S Andrews Avenue  
**ADDRESS:** Fort Lauderdale, FL  
**DISTRICT:** 4

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

Requesting a Special Exception to allow the sale of alcohol by a new restaurant at a distance of 128 feet from other establishments that sell alcohol where the code states that a restaurant bar is prohibited in any place of business located within three hundred (300) feet of another place of business in which there is already in existence a retail vendor's license to sell alcoholic or intoxicating beverages for consumption on or off premises.

**STAFF RECOMMENDATION:** Staff recommends approval of the request  
**Conditions of Approval:** N/A

**(DEFERRED FROM MARCH 12)**

**APPROVED 6-1**

**2. APPEAL NO B14003**

**APPLICANT:** Keith Lewis & Jeannie Lim

**LEGAL:** LAUDERDALE ISLES NO 2 35-33 B LOT 30 LESS PT DESC AS, COMM AT NW COR LOT 30, SW ALG WYL/L 53.08 TO POB, CONT SW ALG W/L 193.70 TO PT ON SEAWALL, NELY ALG SAME 37.40, NELY 126.15, NLY 39.97 TO POB BLK 5

**ZONING:** RS6.85A (Residential District)

**STREET:** 2678 Gulfstream Lane

**ADDRESS:** Fort Lauderdale, FL

**DISTRICT:** 4

**APPEALING: Section 47-39.A.6.F(1) (Dimensional Requirements – Side Yard)**

Requesting a variance to allow an enclosed front porch to be constructed with a side yard of five (5) feet six (6) inches where the code states that the minimum side yard for structures located in the RS-6.85A zoning district shall be a minimum of 7-feet 6-inches resulting in a decrease of two (2) foot.

**STAFF RECOMMENDATION:** Staff recommends approval of the request

**Conditions of Approval:** N/A

**(DEFERRED FROM MARCH 12/REQUESTING DEFERRAL TO MAY 14, 2014))**

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

**3. APPEAL NO B14004**

**APPLICANT:** SFMA LLC

**LEGAL:** PROGRESSO 2-18 D LOT 45 TO 48 BLK 321

**ZONING:** RMM-25 (Residential Mid-Rise Multifamily/Medium High Density)

**STREET:** 642 NW 3<sup>rd</sup> Avenue

**ADDRESS:** Fort Lauderdale, FL

**DISTRICT:** 2

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

Requesting a variance to allow a structure (additional classroom space) to be constructed with a corner yard of six (6) feet where the code states that the minimum corner yard for structures located in the RMM-25 zoning district shall be a minimum of twenty-five (25) feet resulting in a decrease of nineteen (19) feet.

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

Requesting a variance to allow a structure (additional classroom space) to be constructed with a side yard of three (3) feet where the code states that the minimum side yard for structures located in the RMM-25 zoning district shall be a minimum of twenty (20) feet resulting in a decrease of nineteen (17) feet.

**APPEALING: Section 47-20.15 (Backout parking)**

Requesting a variance to allow backout parking into a street right-of-way (NW 7<sup>th</sup> Street), where the code states that backout parking may only be permitted in connection with residential or commercial uses into an improved alley

**APPEALING: Section 47-2.2.Q (Sight triangle)**

Requesting a variance to allow a parking facility to encroach within the code required twenty-five (25) foot sight triangle resulting in an encroachment of approximately nine (9) feet along the NW 7<sup>th</sup> Street portion of the site triangle.

**APPEALING: Section 47-25.3 (Neighborhood Compatibility)**

Requesting a landscape buffer variance to allow a three (3) foot landscape strip buffer between a residential and non-residential use along the east property line, 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 resulting in a decrease of seven (7) feet.

Project Note: The current school use within the RMM-25 Zoning District is legal non-conforming. The proposed expansion will require conditional use approval by the Planning and Zoning Board.

**STAFF RECOMMENDATION:** Staff recommends denial of the request  
**Conditions of Approval:** N/A

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

**4. APPEAL NO B14005**

**APPLICANT:** Commercial Prospect LLC/Victory Petroleum

**AGENT:** Wonder Meryl

**LEGAL:** 17-49-42 PART OF SE1/4 OF NE1/4 DESC'D AS COMM AT SW COR OF SE1/4 OF NE1/4 N ALG W/L FOR 330.23,E 50.00 TO PT ON E R/W/L OF PROSPECT RD AND POB,CONT E 250.00,S 250.17,WLY 224.88,NW 35.44,N 225.10 TO POB

**ZONING:** B-3 (Heavy Commercial/Light Industrial Business)

**STREET:** 2395 W Commercial Blvd.

**ADDRESS:** Fort Lauderdale, FL

**DISTRICT:** 1

**APPEALING: Section 47-6.13. (List of permitted and conditional uses, Heavy Commercial/Light Industrial (B-3) District).**

Requesting an after-the-fact use variance to permit an outdoor hand car wash in the B-3 zoning district where the code does not indicate outdoor hand car wash as a permitted or conditional use in the B-3 zoning district.

**STAFF RECOMMENDATION:** Staff recommends denial of the request  
**Conditions of Approval:** N/A

**DEFERRED FOR 90 DAYS (7-0)**

5. **APPEAL NO B14006**

**APPLICANT:** Shopping Center Interests, LLC  
**AGENT:** Eleftheria Zachariades, Esq.  
**LEGAL:** RESUB BLKS 9-12 HOLMBERG & MC KEES 3-115 D LOT 8,9 BLK 12  
**ZONING:** RAC-EMU (Regional Activity Center- East Mixed Use)  
**STREET:** 290 N Federal Highway  
**ADDRESS:** Fort Lauderdale, FL  
**DISTRICT:** 2

**APPEALING: Section 5-27 (Distances of establishments from church or school)**

Requesting a special exception pursuant to Section 5-27(b) to allow alcohol sales in a restaurant incidental to the sale and service of food at a distance of one hundred ninety-six (196) feet from a school where the code states a restaurant licensed to sell alcoholic or intoxicating beverages is prohibited in any place of business located within five hundred (500) feet from any established school.

**STAFF RECOMMENDATION:** Staff recommends approval of the request  
**Conditions of Approval:** N/A

**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.