

Request for rehearing in regards of case: B19032, held on December 11, 2019

To the Board of Adjustment

We request our case to be reviewed and resubmitted for a new hearing on the following grounds:

Our agent, Yuliya Pashkevich had been gathering evidence and leading the case up until November 2019. At which point her father took severely ill and she had suddenly left the country without letting us know and broke all contact. Her father had passed away while she was with him, after which she had contacted us to update us on her situation. However, at the time of the hearing and also before and even after that we believed she will be attending the hearing as nothing to suggest otherwise had been mentioned by our agent or anyone at all.

Would we know that it would not be the case, we would certainly attend to present our case in person, be that by the owner, the manager or the building contractor.

We request for the rehearing so our evidence can be presented properly and in person to the board for the hearing and be reviewed in detail.

Thank you for your time,

Respectfully,

Andrey Shelestov, owner of 1147 Seabreeze Blvd

Margarita Askarova, Manager of Deco Boutique Hotel

From: [Rustle Investment](#)
To: [Chakila Crawford](#)
Cc: [Mohammed Malik](#)
Subject: [-EXTERNAL-] Re: Board of Adjustment Case B19032
Date: Monday, February 3, 2020 4:55:38 PM
Attachments: [Written Request.docx](#)

Hello Chakila, Mohammed.

I am attaching the written request for rehearing to this e-mail.
Please let me know if this needs to be signed in person, and submitted directly to the building department, or sent to every member of the Board of Adjustment via e-mail.

Thank you,
Margarita

On Mon, Jan 27, 2020 at 11:06 AM Chakila Crawford <ChCrawford@fortlauderdale.gov> wrote:

Good morning,

I hope all is well. I tried contacting you by phone Friday, January 24, 2020, but received no answer or call back. In addition, I sent an email (see below).

If you have any questions or concerns, please feel free to contact me at 954-828-6506.

Thanks,

Chakila Crawford-Williams

Administrative Assistant to the Zoning Administrator

Department of Sustainable Development

700 N.W. 19th Avenue, Fort Lauderdale, FL. 33311

Email: chcrawford@fortlauderdale.gov Ph: (954) 828-6506

From: Chakila Crawford
Sent: Friday, January 24, 2020 10:42 AM
To: Rustle Investment <rustle.investment@gmail.com>
Cc: Mohammed Malik <MMalik@fortlauderdale.gov>
Subject: Board of Adjustment Case B19032

Hello:

As per the section below, it is up to the board to determine if the application is or not for the same or substantially similar application as that which was initially denied. And the rehearing rules apply sec. 47-24.12.A.7

7. *Rehearing.* If an application for any temporary nonconforming use permit, **variance** or special exception has been **denied by the board of adjustment**, the board **may grant a rehearing** to an applicant in accordance with the following:

- a. **Applicant files a written request** for such rehearing with the department **within thirty (30) days after the board denies the application**. The written request shall include:
 - i. **A detailed statement of the nature of any alleged error on the part of the board; or**
 - ii. **The substance of any new evidence or information not considered by the board when the application was denied and why such new evidence or information must neither have been known to the applicant nor discoverable or obtainable through reasonable diligence on the part of the applicant prior to the hearing at which the application was denied.**
- b. **The board shall consider the request for a rehearing at a public hearing. At the hearing the board shall only consider reasons why a rehearing should be granted, which reasons shall be limited to the following:**
 - i. **That a rehearing is necessary in order to correct an error; or**
 - ii. **That a rehearing is necessary in order for the board to consider new evidence or information not considered by the board when the application for a variance or special exception was denied, such evidence or information having been neither known to the applicant nor discoverable or obtainable through reasonable diligence on the part of**

the applicant prior to the hearing at which the application was denied.

c. The request for rehearing shall be granted by motion if approved by the affirmative **vote of five (5) members of the board.**

d. If a request for rehearing is granted, the director shall place the application for a temporary nonconforming use permit, variance or special exception upon the **agenda of the board for rehearing and notice shall be given as provided in Section 47-27, Notice Procedures for Public Hearings.**

If you have any questions or concerns, please feel free to contact me.

Thanks,

Chakila Crawford-Williams

Administrative Assistant to the Zoning Administrator

Department of Sustainable Development

700 N.W. 19th Avenue, Fort Lauderdale, Fl. 33311

Email: chcrawford@fortlauderdale.gov Ph: (954) 828-6506

----- Original message -----

From: Rustle Investment <rustle.investment@gmail.com>

Date: 1/23/20 12:02 PM (GMT-05:00)

To: Mohammed Malik <MMalik@fortlauderdale.gov>

Subject: [-EXTERNAL-] Board of Adjustment Case B19032

Dear Mohammed.

I have just been notified of missing our Board of Adjustment meeting.

Sadly, our owner had relied on his Agent to prepare, carry out and work the case to its completion.

The agent in question had, however, submitted wrong documents, which I myself had to fix and adjust and finish ourselves. Chakila helped me out a lot with all that and I can't thank her enough for her dedication.

And as our agent had not shown up to the Board of Adjustment Meeting either, without letting me know, we had lost the case, not knowing that I had to attend.

I humbly ask you for another meeting on the case, which I myself can and will attend, this time not relying on anybody who won't do their job and cause so many problems for everyone.

I will be happy to gather all the required documentation anew if required and submit it all myself.

Respectfully yours,

Margarita Askarova,

Manager of Deco Boutique Hotel.