



BOARD OF ADJUSTMENT VIRTUAL MEETING NOTICE: BOARD OF ADJUSTMENT

August 28, 2020

A Public Hearing will be held before the Board of Adjustment on: Wednesday, September 9, 2020 at 6:30 P.M.

This meeting will be held virtually, to determine whether the following application should be granted. To view more information about this item, please visit: [www.fortlauderdale.gov/government/BOA](http://www.fortlauderdale.gov/government/BOA).

**CASE:** PLN-BOA-19110005  
**OWNER:** PIERO L. DESIDERIO  
**AGENT:** ANDREW J. SCHEIN, ESQ./ LOCHRIE & CHAKAS, P.A.  
**ADDRESS:** 3025 NE 21 STREET, FORT LAUDERDALE, FL 33305  
**LEGAL DESCRIPTION:** LAUDERDALE BEACH EXT 27-48 B LOT 3 BLK 11  
**ZONING:** RS-8  
**COMMISSION DISTRICT:** 2  
**REQUESTING:** **Sec. 47-19.2. B- Architectural features in residential Districts. Architectural features such as eaves, cornices, unenclosed balconies with open railings, window sills, awnings, chimneys, bay windows, and dormers accessory to a residential use are permitted to extend into a yard area a maximum distance of three (3) feet from the face of the building, or one-third (1/3) of the required yard, whichever is less.**

The applicant is requesting a variance from the maximum distance of three (3)feet from the face of the building, or one-third (1/3) of the required yard, whichever is less, requirement of Section 47-19.2.B. to allow a permitted and constructed overhand to extend an additional three point two (3.2) feet into the required front yard for a total encroachment of six point two (6.2) feet.

The virtual meeting will be accessible through the City's local government access channel FLTV at: [www.fortlauderdale.gov/FLTV](http://www.fortlauderdale.gov/FLTV).

Should you desire to speak on this item, please fill out the speaker form available at this link on the City's website: [www.fortlauderdale.gov/government/BOA](http://www.fortlauderdale.gov/government/BOA).

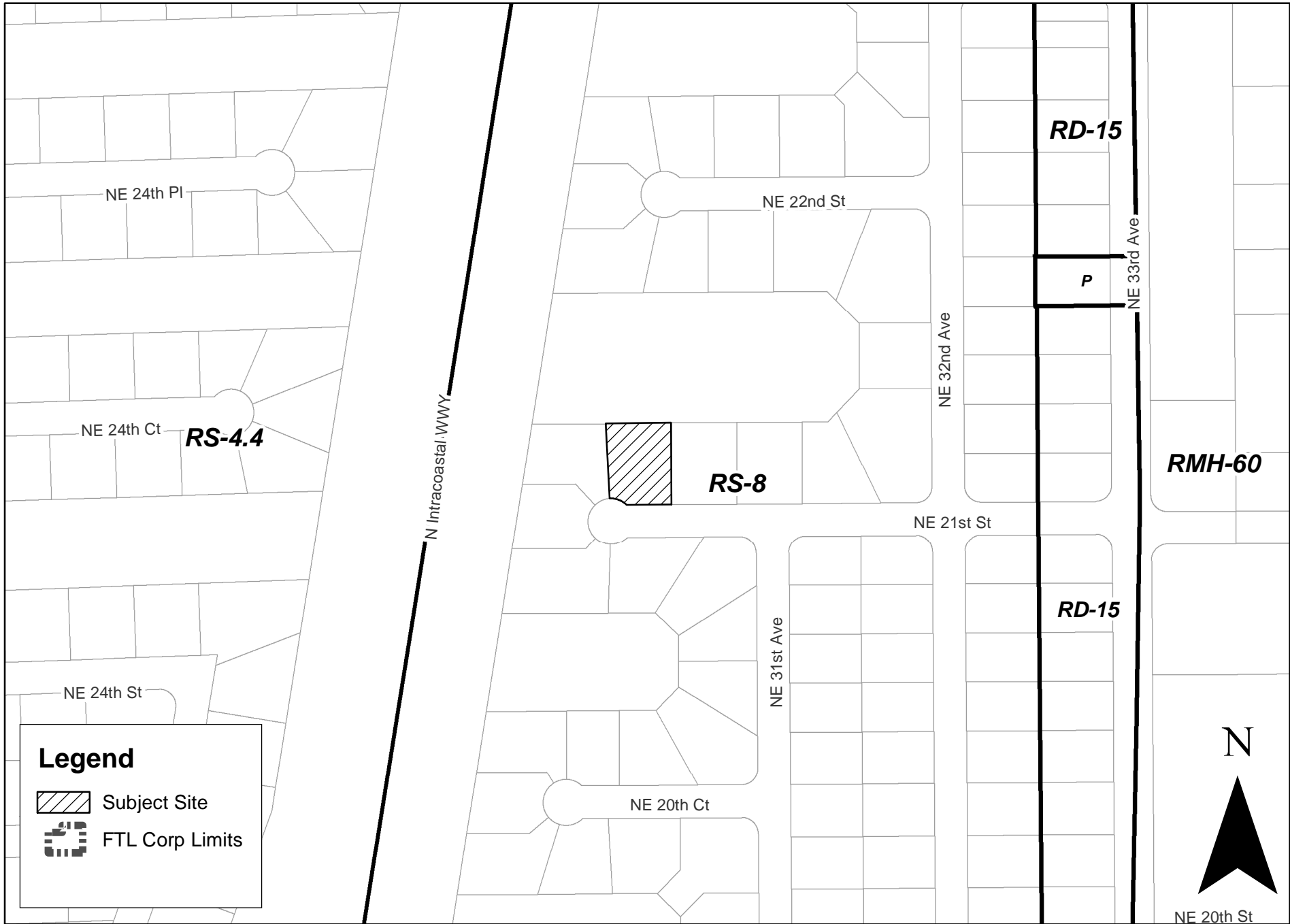
You may also email comments to: Chakila Crawford-Williams regarding Case: **PLN-BOA-19110005**  
**Send email to: [chcrawfordl@fortlauderdale.gov](mailto:chcrawfordl@fortlauderdale.gov).**

**MOHAMMED MALIK**  
**ZONING ADMINISTRATOR**

Florida Statutes, Sec. 286.0105

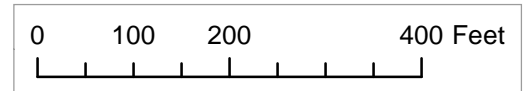
NOTE: If any person decides to appeal any decision made with respect to any matter considered at this public meeting or hearing, he/she will need a record of the proceedings, and for such purpose, he/she may need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based.





# PLN-BOA-19110005

Path: J:\DSD\DRCLocationMaps\_16\_RM\ArcMap\BOA20200909\PLN-BOA-19110005Map.mxd



Graphic Scale



CITY OF FORT LAUDERDALE  
PUBLIC NOTICE

# BOARD OF ADJUSTMENT VIRTUAL MEETING

DATE: SEPTEMBER 9, 2020

TIME: 6:30 P.M.

CASE: PLN-BOA-19110005

Sec. 47-19.2. B- Architectural features in residential Districts.

Architectural features such as eaves, cornices, unenclosed balconies with open railings, window sills, awnings, chimneys, bay windows, and dormers accessory to a residential use are permitted to extend into a yard area a maximum distance of three (3) feet from the face of the building, or one-third ( $\frac{1}{3}$ ) of the required yard, whichever is less.

The applicant is requesting a variance from the maximum distance of three (3) feet from the face of the building, or one-third ( $\frac{1}{3}$ ) of the required yard, whichever is less, requirement of Section 47-19.2.B. to allow a permitted and constructed overhand to extend an additional three point two (3.2) feet into the required front yard for a total encroachment of six point two (6.2) feet.

LOCATION: VIRTUAL MEETING INSTRUCTIONS

Visit [www.fortlauderdale.gov/fltv](http://www.fortlauderdale.gov/fltv) to watch and listen to the meeting.

Visit <https://www.fortlauderdale.gov/government/BOA> to sign up to speak.



This Notice is the property of the City of Fort Lauderdale. In accordance with City Code Section 16-29, It shall be unlawful for any person to injure, cut, break or destroy in any manner any building or other thing belonging to or under the control of the City. Persons marring or removing the Notice may be subject to fine and/or imprisonment. In accordance with City Code Section 47-27.2A. H The sign shall remain on the property until final disposition of the application. This shall include any deferral, rehearing, appeal, request for review or hearing by another body. The sign information shall be changed as provided in subsection A.3.a





## SUSTAINABLE DEVELOPMENT – URBAN DESIGN & PLANNING

### BOARD OF ADJUSTMENT (BOA) APPLICATION

Rev: 1 | Revision Date: 7/25/2019 | Print Date: 7/25/2019  
I.D. Number: Z&L-BOA

#### BOARD OF ADJUSTMENT (BOA) Application

- Cover:** Deadline, Notes, and Fees  
**Page 1:** Applicant Information Sheet  
**Page 2:** Variance Request Criteria  
**Page 3:** Required Documentation & Mail Notice Requirements  
**Page 4:** Sign Notice Requirements & Affidavit  
**Page 5:** Technical Specifications

**DEADLINE:** Submittals must be received prior to 4:00 PM each business day. Pursuant to Section 47-24.12, the Department will review all applications to determine completeness within five (5) business days. Applicants will be notified via e-mail, if plans do not meet the submittal requirements and if changes are required.

**NOTES:** Prior to formal submittal of applications, applicants are encouraged to schedule an appointment with Urban Design & Planning Division staff to obtain feedback regarding proposals. The meetings provide an opportunity for applicants to obtain feedback and general direction, prior to expending significant effort on preparation of submittal documents.

**FEES:** All applications for development permits are established by the City Commission, as set forth by resolution and amended from time to time. In addition to the application fee, any additional costs incurred by the City including review by a consultant on behalf of the City, or special advertising costs shall be paid by the applicant. Any additional costs, which are unknown at the time of application, but are later incurred by the City, shall be paid by the applicant prior to the issuance of a development permit.

<input type="checkbox"/>	<b>Variance / Interpretation: Before</b>	<b>\$ 480.00</b>
<input checked="" type="checkbox"/>	<b>Variance / Interpretation: After</b>	<b>\$ 600.00</b>
<input type="checkbox"/>	<b>Parking Variance (per space)</b>	<b>\$ 530.00</b>
<input type="checkbox"/>	<b>Request for Continuance</b>	<b>\$ 190.00</b>
<input type="checkbox"/>	<b>Rehearing before the Board</b>	<b>\$ 70.00</b>
<input type="checkbox"/>	<b>Request for Rehearing</b>	<b>\$ 240.00</b>

## Page 1: BOA - Applicant Information Sheet

**INSTRUCTIONS:** The following information is requested pursuant to the City's Unified Land Development Regulations (ULDR). While the information requested in this application is the minimum required to proceed please be aware additional information may be required to fully address the variance requested. The application must be filled out accurately and completely. Please print or type and answer all questions. Indicate N/A if does not apply.

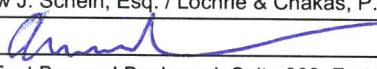
**NOTE:** To be filled out by Department

<b>Case Number</b>	
<b>Date of complete submittal</b>	

**NOTE:** For purpose of identification, the **PROPERTY OWNER** is the **APPLICANT**

<b>Property Owner's Name</b>	Piero and Debra Desiderio
<b>Property Owner's Signature</b>	If a signed agent letter is provided, no signature is required on the application by the owner.
<b>Address, City, State, Zip</b>	3025 NE 21st Street, Fort Lauderdale, FL 33305
<b>E-mail Address</b>	PDesiderio@steearnsweaver.com
<b>Phone Number</b>	954-462-9540
<b>Proof of Ownership</b>	<input type="checkbox"/> Warranty Deed <u>or</u> <input checked="" type="checkbox"/> Tax Record

**NOTE:** If **AGENT** is to represent **OWNER**, notarized letter of consent is required

<b>Applicant / Agent's Name</b>	Andrew J. Schein, Esq. / Lochrie & Chakas, P.A.
<b>Applicant / Agent's Signature</b>	
<b>Address, City, State, Zip</b>	1401 East Broward Boulevard, Suite 303, Fort Lauderdale, FL 33301
<b>E-mail Address</b>	ASchein@Lochrielaw.com
<b>Phone Number</b>	954-617-8919
<b>Letter of Consent Submitted</b>	Yes

<b>Development / Project Name</b>	3025 NE 21st Street		
<b>Existing / New</b>	Existing: <input checked="" type="checkbox"/>	New: <input type="checkbox"/>	
<b>Project Address</b>	Address: 3025 NE 21st Street		
<b>Legal Description</b>	Lot 3, Block 11 of Lauderdale Beach Extension, PB 27 Page 48 BCR		
<b>Tax ID Folio Numbers</b> (For all parcels in development)	494330021200		
<b>Request / Description of Project</b>	Variance from Section 47-5.31 of the ULDR (see attached narrative)		
<b>Applicable ULDR Sections</b>	47-5.31		

<b>Current Land Use Designation</b>	Low-Medium 8
<b>Current Zoning Designation</b>	RS-8
<b>Current Use of Property</b>	Single Family Home
<b>Site Adjacent to Waterway</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Setbacks (indicate direction N,S,E,W)	Required	Proposed
Front [ S ]	22'	18.8'
Side [ E ]	5'	5.04'
Side [ W ]	5'	5.72'
Rear [ N ]	25'	25.18'

\* The front yard requirement in the RS-8 zoning district is 25' with a permitted 3' awning encroachment pursuant to ULDR Section 47-19.B

## Page 2: Board of Adjustment (BOA) Criteria for Variance Request

This page must be filled in. An attached narrative may be included if additional space is required.

**SPECIFIC REQUEST:** State the specific request according to the ULDR or other provisions of the Code.

See attached narrative

**CRITERIA:** Applicant must demonstrate a unique hardship attributable to the land by proving by a preponderance of the evidence for all of the following criteria. Please answer the following criteria completely. While some criteria may seem duplicative the response should be tailored specifically to each. Per section 47-24.12.A.4,

a. Special conditions and circumstances affect the property at issue which prevent the reasonable use of such property; and

See attached narrative

b. Circumstances which cause the special conditions are peculiar to the property at issue, or to such a small number of properties that they clearly constitute marked exceptions to other properties in the same zoning district; and:

See attached narrative

c. Literal application of the provisions of the ULDR would deprive the applicant of a substantial property right that is enjoyed by other property owners in the same zoning district. (It shall be of no importance to this criterion that a denial of the variance sought might deny to the owner a more profitable use of the property, provided the provisions of the ULDR still allow a reasonable use of the property; and

See attached narrative

d. The unique hardship is not self-created by the applicant or his predecessors, nor is it the result of mere disregard for, or ignorance of, the provisions of the ULDR or antecedent zoning regulations; and

See attached narrative

e. The variance is the minimum variance that will make possible a reasonable use of the property and that the variance will be in harmony with the general purposes and intent of the ULDR and the use as varied will not be incompatible with adjoining properties or the surrounding neighborhood or otherwise detrimental to the public welfare.

See attached narrative

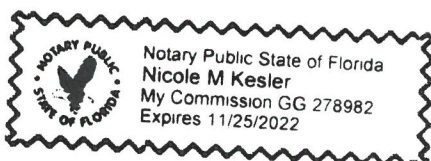
**AFFIDAVIT:** I, Andrew Schein the Owner/Agent of said property ATTEST that I am aware of the following:

1. In order to be entitled to the relief requested in the application an affirmative vote of a majority plus one of the Board of Adjustment is required;
2. That in granting the relief requested, the Board of Adjustment is limited to the authority vested in the Board by the ULDR and that the Board may not grant the relief requested unless the applicant proves all the criteria specified in the ULDR have been met;
3. That the granting of relief by the Board does not exempt the applicant or owner of record from the responsibilities of obtaining all applicable permits or approvals as may be required by law for both new and existing structures;
4. That if the relief requested is granted by the Board, the applicant must secure a building permit to implement the relief requested within one hundred eighty (180) days of the entry of the final order or the Board, or within such lesser time as the Board may proscribe and that failure to procure the necessary permits within the time so proscribed shall render the variance or special exception null and void;
5. That if the Board denies the request for relief, then no additional application for the same or substantially the same relief may be entertained by the Board within two (2) years of the date of entry of the final order of denial.

Andrew Schein  
(Signature)

SWORN TO AND SUBSCRIBED before me in the County and State above aforesaid this 12 day of May, 2020

(SEAL)



Nicole M Kesler  
NOTARY PUBLIC  
MY COMMISSION EXPIRES:

## Page 3: Required Documentation & Mail Notice Requirements

One (1) original set, signed and sealed, with plans at 24" x 36"

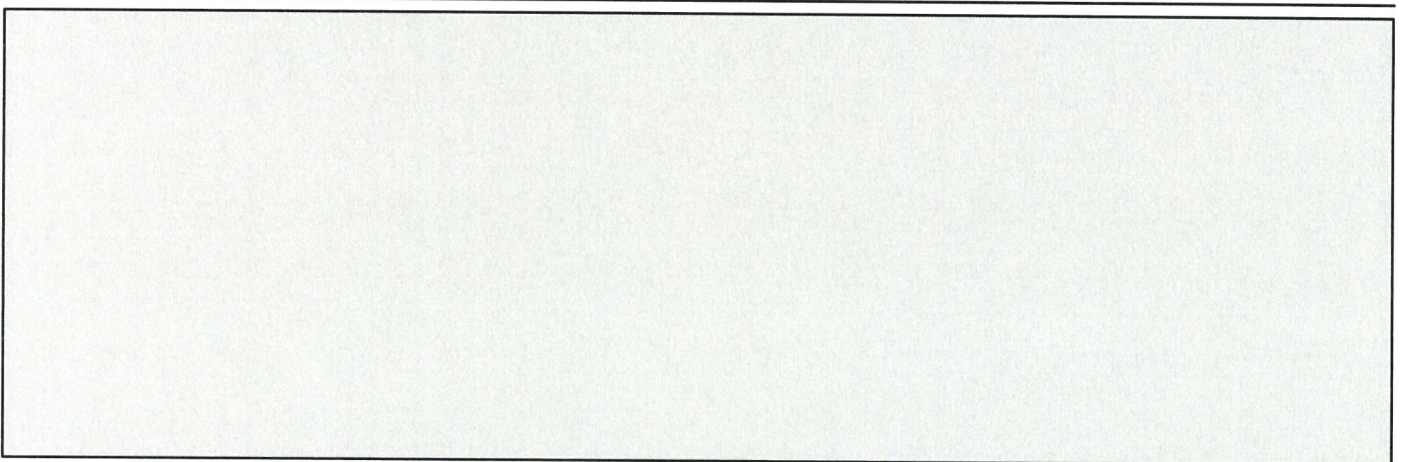
One (1) electronic version (CD or USB) of complete application and plans in PDF format

Fourteen (14) copy sets of each item below and plans at half-size scale 11" x 17"

- Completed application** (all pages must be filled out where applicable)
- Mail notification documents** (mail notification instructions at bottom of page)
- Proof of ownership** (warranty deed or tax record), including corporation documents if applicable
- Property owners notarized signature** and/or notarized agent letter signed by the property owner (if applicable).
- Color photographs** of the entire property and all surrounding properties, dated and labeled and identified as to orientation.
- Narrative** describing specific request and outlining ULDR sections that are applicable. Narratives must be on letterhead, dated, and with author indicated.
- Cover sheet** on plan set to state project name and table of contents.
- Current survey(s)** of property, signed and sealed, showing existing conditions; survey must be As-Built with Right-of-Way and Easement Vacations Excluded. The survey should consist of the proposed project site alone. Do not include adjacent properties or portions of lands not included in the proposed project unless specifically requested by the City. If the survey is not signed and sealed, a zoning affidavit is required and shall only be used for the structures listed in the affidavit.
- Aerial photo** indicating all properties within 700 ft. of the subject property. Must be clear and current with site highlighted.
- Site Plan (a survey may be substituted if the requested variance is clearly indicated)**
  - Landscape Plan (if applicable)**
  - Elevations (if applicable)**
  - Additional plan details as needed**

**Note:** All copy sets must be clear and legible.

**Note:** Plans must be folded to 8 ½" x 11". All non-plan documents should be 8 ½" x 11".



**MAIL NOTIFICATION:** Pursuant to Section 47-27.2 Types of Public Notice and 47-27.9 Variance, Special Exception, Temporary Non-Conforming Use, Interpretation requires the following notice:

- **MAIL NOTICE:** Mail notice shall be given to owners of land within three hundred (300) feet of the subject site ten (10) days prior to the date set for the public hearing.
  - **TAX MAP:** Applicant shall provide a tax map from the Broward County Property Appraiser of all property within a three hundred (300) foot radius, with each property clearly shown and delineated. Each property within the notice area must be numbered (by Folio ID) on the map to cross-reference with property owners notice list.
  - **PROPERTY OWNERS NOTICE LIST:** Applicant shall provide a property owners notice list with the names, property control numbers (Folio ID) and complete addresses for all property owners within the required three hundred (300) foot radius. The list shall also include all homeowners associations, condominium associations, municipalities and counties noticed, as indicated on the tax roll.
  - **ENVELOPES:** The applicant shall provide business size (#10) envelopes with first class postage attached (stamps only, metered mail will not be accepted). Envelopes must be addressed to all property owners within the required three hundred (300) foot radius, and mailing addresses must be typed or labeled; no handwritten addresses will be accepted. The return address shall be listed on all envelopes as follows:

City of Fort Lauderdale  
Urban Design & Development  
700 NW 19<sup>th</sup> Avenue, Fort Lauderdale, FL 33311.

- **DISTRIBUTION:** The City of Fort Lauderdale, Urban Design & Development will mail all notices prior to the public hearing meeting date, as outlined in Section 47-27.

## Page 4: Sign Notification Requirements and Affidavit

### SIGN NOTICE

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Applicant must **POST SIGNS** (for Board of Adjustment) according to Sec. 47-27.2 Types of Public Notice and 47-27.9 Variance, Special Exception, Temporary Non-Conforming Use, Interpretation requires the following notice:

- Sign Notice shall be given by the applicant by posting a sign provided by the City stating the time, date and place of the Public Hearing on such matter on the property which is the subject of an application for a development permit. If more than one (1) public hearing is held on a matter, the date, time and place shall be stated on the sign or changed as applicable.
- The sign shall be posted at least fifteen (15) days prior to the date of the public hearing.
- The sign shall be visible from adjacent rights-of-way, including waterways, but excepting alleys.
- If the subject property is on more than one (1) right-of-way, as described above, a sign shall be posted facing each right-of-way.
- If the applicant is not the owner of the property that is subject of the application, the applicant shall post the sign on or as near to the subject property as possible subject to the permission of the owner of the property where the sign is located or, in a location in the right-of-way if approved by the City.
- If the sign is destroyed or removed from the property, the applicant is responsible for obtaining another sign from the City and posting the sign on the property.
- The sign shall remain on the property until final disposition of the application. This shall include any deferral, rehearing, appeal, request for review or hearings by another body. The sign information shall be changed as above to reflect any new dates.
- The applicant shall, five (5) days prior to the public hearing, execute and submit to the department an affidavit of proof of posting of the public notice sign according to this section. If the applicant fails to submit the affidavit the public hearing will be postponed until the next hearing after the affidavit has been supplied.

### AFFIDAVIT OF POSTING SIGNS

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STATE OF FLORIDA

BROWARD COUNTY

BOA CASE NO. \_\_\_\_\_

APPLICANT: \_\_\_\_\_

PROPERTY: \_\_\_\_\_

PUBLIC HEARING DATE: \_\_\_\_\_

BEFORE ME, the undersigned authority, personally appeared \_\_\_\_\_, who upon being duly sworn and cautioned, under oath deposes and says:

1. Affiant is the Applicant in the above cited City of Fort Lauderdale **Board or Commission** Case.
2. The Affiant/Applicant has posted or has caused to be posted on the Property the signage provided by the City of Fort Lauderdale, which such signage notifies the public of the time, date and place of the Public Hearing on the application for relief before the **Board or Commission**.
3. That the sign(s) referenced in Paragraph two (2) above was posted on the Property in such manner as to be visible from adjacent streets and waterways and was posted at least **fifteen (15)** days prior to the date of the Public Hearing cited above and has remained continuously posted until the date of execution and filing of this Affidavit. Said sign(s) shall be visible from and within twenty (20) feet of streets and waterways, and shall be securely fastened to a stake, fence, or building.
4. Affiant acknowledges that the sign must remain posted on the property until the final disposition of the case before the **Board or Commission**. **Should the application be continued, deferred or re-heard, the sign shall be amended to reflect the new dates.**
5. Affiant acknowledges that this Affidavit must be executed and filed with the City's Urban Design & Development **five (5)** calendar days prior to the date of Public Hearing and if the Affidavit is not submitted, the Public Hearing on this case shall be cancelled.
6. Affiant is familiar with the nature of an oath or affirmation and is familiar with the laws of perjury in the State of Florida and the penalties therefore.

NOTE: I understand that if my sign is not returned within the prescribed time limit as noted in Sec. 47.27.2.j of the City of Fort Lauderdale ULDR, I will forfeit my sign deposit. \_\_\_\_\_(initial here)

\_\_\_\_\_  
Affiant

SWORN TO AND SUBSCRIBED before me in the County and State above aforesaid this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

(SEAL)

\_\_\_\_\_  
NOTARY PUBLIC  
MY COMMISSION EXPIRES:

## Page 5: Technical Specifications

### A. SITE PLAN

1. Title Block including project name and design professional's address and phone number
2. Scale (1" = 30' min., must be engineer's scale)
3. North indicator
4. Location map showing relationship to major arterials
5. Drawing and revision dates, as applicable
6. Full legal description
7. Site Plan Data Table
  - Current use of property
  - Land Use designation
  - Zoning designation
  - Site area (sq. ft. and acres)
  - Setback table (required vs. provided)
  - Open space
8. Site Plan Features (graphically indicated)
  - Setbacks and building separations (dimensioned)
  - Project signage (if applicable)
  - Easements (as applicable)

(Please note additional site plan information may be necessary to fully address the requested variance)

### B. BUILDING ELEVATIONS (as applicable)

1. All building facades with directional labels (ie. North, South) and building names if more than one building
2. Dimensions, including height and width of all structures
3. Dimensions of setbacks and required setbacks from property lines
4. Dimension grade at crown of road, at curb, sidewalk, building entrance, and finished floor
5. Include proposed signage



<b>Site Address</b>	3025 NE 21 STREET, FORT LAUDERDALE FL 33305	<b>ID #</b>	4943 30 02 1200
<b>Property Owner</b>	DESIDERIO, PIERO L & YAP, DEBRA F	<b>Millage</b>	0312
<b>Mailing Address</b>	3025 NE 21 ST FORT LAUDERDALE FL 33305	<b>Use</b>	01
<b>Abbr Legal Description</b>	LAUDERDALE BEACH EXT 27-48 B LOT 3 BLK 11		

The just values displayed below were set in compliance with **Sec. 193.011, Fla. Stat.**, and include a reduction for costs of sale and other adjustments required by **Sec. 193.011(8)**.

\* 2020 values are considered "working values" and are subject to change.

Property Assessment Values					
Year	Land	Building / Improvement	Just / Market Value	Assessed / SOH Value	Tax
2020*	\$647,410	\$1,255,990	\$1,903,400	\$1,220,560	
2019	\$647,410	\$1,199,490	\$1,846,900	\$1,178,340	\$21,449.35
2018	\$647,410	\$1,137,630	\$1,785,040	\$1,156,370	\$20,501.66

2020* Exemptions and Taxable Values by Taxing Authority				
	County	School Board	Municipal	Independent
<b>Just Value</b>	\$1,903,400	\$1,903,400	\$1,903,400	\$1,903,400
<b>Portability</b>	0	0	0	0
<b>Assessed/SOH</b> 08	\$1,220,560	\$1,220,560	\$1,220,560	\$1,220,560
<b>Homestead</b> 100%	\$25,000	\$25,000	\$25,000	\$25,000
<b>Add. Homestead</b>	\$25,000	0	\$25,000	\$25,000
<b>Wid/Vet/Dis</b>	0	0	0	0
<b>Senior</b>	0	0	0	0
<b>Exempt Type</b>	0	0	0	0
<b>Taxable</b>	\$1,170,560	\$1,195,560	\$1,170,560	\$1,170,560

Sales History			
Date	Type	Price	Book/Page or CIN
1/31/2005	WD	\$1,256,700	38982 / 654
5/24/2004	WD	\$1,250,000	37725 / 473
5/5/2003	WD	\$1,025,000	35138 / 266
4/18/1997	WD	\$550,000	26376 / 563
9/1/1989	WD	\$395,000	16747 / 173

Land Calculations		
Price	Factor	Type
\$54.00	11,989	SF
<b>Adj. Bldg. S.F. (Card, Sketch)</b>		3728
<b>Units</b>		1
<b>Eff./Act. Year Built: 2000/1953</b>		

Special Assessments								
Fire	Garb	Light	Drain	Impr	Safe	Storm	Clean	Misc
03						F1		
R								
1						1		

## Page 4: Sign Notification Requirements and Affidavit

### SIGN NOTICE

Applicant must **POST SIGNS** (for Board of Adjustment) according to Sec. 47-27.2 Types of Public Notice and 47-27.9 Variance, Special Exception, Temporary Non-Conforming Use, Interpretation requires the following notice:

- Sign Notice shall be given by the applicant by posting a sign provided by the City stating the time, date and place of the Public Hearing on such matter on the property which is the subject of an application for a development permit. If more than one (1) public hearing is held on a matter, the date, time and place shall be stated on the sign or changed as applicable.
- The sign shall be posted at least fifteen (15) days prior to the date of the public hearing.
- The sign shall be visible from adjacent rights-of-way, including waterways, but excepting alleys.
- If the subject property is on more than one (1) right-of-way, as described above, a sign shall be posted facing each right-of-way.
- If the applicant is not the owner of the property that is subject of the application, the applicant shall post the sign on or as near to the subject property as possible subject to the permission of the owner of the property where the sign is located or, in a location in the right-of-way if approved by the City.
- If the sign is destroyed or removed from the property, the applicant is responsible for obtaining another sign from the City and posting the sign on the property.
- The sign shall remain on the property until final disposition of the application. This shall include any deferral, rehearing, appeal, request for review or hearings by another body. The sign information shall be changed as above to reflect any new dates.
- The applicant shall, five (5) days prior to the public hearing, execute and submit to the department an affidavit of proof of posting of the public notice sign according to this section. If the applicant fails to submit the affidavit the public hearing will be postponed until the next hearing after the affidavit has been supplied.

### AFFIDAVIT OF POSTING SIGNS

STATE OF FLORIDA

BROWARD COUNTY

BOA CASE NO. PLN-BOA-19110005

APPLICANT: Andrew J. Schein, Esq. / Lochrie & Chakas, P.A.

PROPERTY: 3025 NE 21st Street

PUBLIC HEARING DATE: September 9, 2020

BEFORE ME, the undersigned authority, personally appeared Andrew J. Schein, who upon being duly sworn and cautioned, under oath deposes and says:

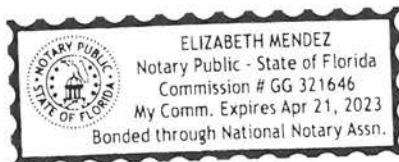
1. Affiant is the Applicant in the above cited City of Fort Lauderdale **Board or Commission Case**.
2. The Affiant/Applicant has posted or has caused to be posted on the Property the signage provided by the City of Fort Lauderdale, which such signage notifies the public of the time, date and place of the Public Hearing on the application for relief before the **Board or Commission**.
3. That the sign(s) referenced in Paragraph two (2) above was posted on the Property in such manner as to be visible from adjacent streets and waterways and was posted at least **fifteen (15)** days prior to the date of the Public Hearing cited above and has remained continuously posted until the date of execution and filing of this Affidavit. Said sign(s) shall be visible from and within twenty (20) feet of streets and waterways, and shall be securely fastened to a stake, fence, or building.
4. Affiant acknowledges that the sign must remain posted on the property until the final disposition of the case before the **Board or Commission**. **Should the application be continued, deferred or re-heard, the sign shall be amended to reflect the new dates.**
5. Affiant acknowledges that this Affidavit must be executed and filed with the City's Urban Design & Development **five (5)** calendar days prior to the date of Public Hearing and if the Affidavit is not submitted, the Public Hearing on this case shall be cancelled.
6. Affiant is familiar with the nature of an oath or affirmation and is familiar with the laws of perjury in the State of Florida and the penalties therefore.

NOTE: I understand that if my sign is not returned within the prescribed time limit as noted in Sec. 47.27.2.j of the City of Fort Lauderdale ULDR, I will forfeit my sign deposit. AS (Initial here)

[Signature]  
Affiant

SWORN TO AND SUBSCRIBED before me in the County and State above aforesaid this 25 day of August, 2020

(SEAL)



[Signature]  
NOTARY PUBLIC  
MY COMMISSION EXPIRES:



Aug 25, 2020, 1:16 PM

February 7, 2020

Jeffrey Modarelli, City Clerk  
City of Fort Lauderdale  
100 North Andrews Avenue  
7<sup>th</sup> Floor  
Fort Lauderdale, FL 33301

RE: Permitting for 3025 NE 21 St., Fort Lauderdale, Florida

Dear City Clerk:

We hereby authorize Lochrie & Chakas, P.A. to act as agents in connection with all land use and zoning matters related to property located at 3025 NE 21 St., Fort Lauderdale, Florida.

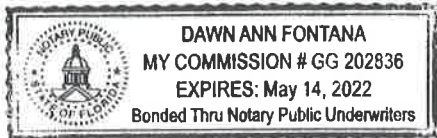
Sincerely,


  
\_\_\_\_\_  
PIERO L. DESIDERIO

  
\_\_\_\_\_  
DEBRA F. DESIDERIO F/K/A DEBRA F. YAP

STATE OF FLORIDA  
COUNTY OF BROWARD

The foregoing instrument was acknowledged before me, by means of (check one):  physical presence or \_\_\_\_\_ online notarization, this \_\_\_\_ day of February, 2020, by Piero L. Desiderio and Debra F. Desiderio who is personally known to me or who has produced \_\_\_\_\_ as identification.



  
\_\_\_\_\_  
Notary Public

Dawn Ann Fontana  
\_\_\_\_\_  
Typed, printed or stamped name of Notary Public

My Commission Expires:

Record #	Description	Application Name	Record Type	Balance	Planner	Street #	Dir	Street Name	Type	Opened Date	Status
PLN-BOA-19110005	Installation of Aluminum Structure INSTALL 22KW GENERATOR AND 2 TRANSFER SWITCHES ~	Absolute Aluminium	Z- Board of Adjustment (BOA)	0		3025	NE	21 ST		11/8/2019	In Process
PM-19031333	~NOC	INSTALL 22KW GENERATOR AND 2 TRANSFER SWITCHES	Generator Permit	0		3025	NE	21 ST		3/12/2019	Complete
PM-19031334	NATURAL GAS PIPING FOR BP 19031333 INSTALL BRICK PAVERS ON DRIVEWAYS ON FRONT ~ENTRANCES ~1690 SF ~	NATURAL GAS PIPING FOR BP 19031333	Plumbing Gas Permit	0		3025	NE	21 ST		3/12/2019	Complete
PM-19020393	~NOC ~03/20/2019 REV-2..B...	INSTALL BRICK PAVERS ON DRIVEWAYS ON FRONT	Residential Paving Permit	0		3025	NE	21 ST		2/5/2019	Complete
CE18110380	CONSTRUCTION - ENCROACHMENT INTO THE ATF REMOVAL OF 2 ROYAL PALM TREES ~FROM STREET VIEW PENCILING ~AND DISTORTED TRUNKS ~25-30 FEET HEIGHT CLEAR TRUNK EACH ~ ~TOTAL REPLACEMENT TO BE ~20 FEET IN SPECIES OF ~ROYAL PALM, COCONUT PALM ~AND OR THE LARGE SPECIES ~OF PHEONIX PALM	DESIDERIO,PIERO L & YAP,DEBRA F	Code Case	0		3025	NE	21 ST		11/7/2018	Closed
PM-18101082	~OR EQUIVALENT AS APPROVED INSTALL ALUMINUM PERGOLA ~ ~11/6/18-RECHECK-L ~ ~11/28/2018 RECHECK L ~02/25/2019 REV-2..B... ~ ~3/29/2019 REV3 RECHECK E \$1000+ ~	ATF REMOVAL OF 2 ROYAL PALM TREES	Landscape Tree Removal-Reloca	0		3025	NE	21 ST		10/10/2018	Complete
PM-18010415	~4/29/2019 REV4 RECHECK B \$0 SINGLE FAMILY RESIDENCE : ADDITION OF MASTER ~BATHROOM AND CLOSET. (REMODEL) ~ ~ ~ ~ADDITION OF MASTER BATHROOM AND CLOSET,REMODEL ~ ~2015 IRC REVIEW RECORD ATTACHED ~ ~OUT FOR CORR 8/25/17 ~7/23/18 RECHECK M ~	INSTALL ALUMINUM PERGOLA	Accessory Structure Permit	105		3025	NE	21 ST		1/8/2018	Issued
PM-17061401	~10/10/18 REV2 B	SINGLE FAMILY RESIDENCE : ADDITION OF MASTER	Residential Addition Permit	0		3025	NE	21 ST		6/15/2017	Complete
PM-17061406	ELEC FOR BP #17061401	ELEC FOR BP #17061401	Electrical Residential Permit	0		3025	NE	21 ST		6/15/2017	Complete

	MECH FOR BP #17061401							
	~							
PM-17061407	~12/7/2018 RECHECK Z	MECH FOR BP #17061401	Mechanical HVAC New Install Pe	0	3025 NE	21 ST	6/15/2017 Complete	
PM-17061408	PLUMB FOR BP #17061401	PLUMB FOR BP #17061401	Plumbing Residential Permit	0	3025 NE	21 ST	6/15/2017 Complete	
	FLAT ROOF FOR ADDITION BP 17061401							
	~							
PM-17061409	~12/4/18 RECHECK B	FLAT ROOF FOR ADDITION BP 17061401	Re-Roof Permit	0	3025 NE	21 ST	6/15/2017 Complete	
AB-0088792		DESIDERIO,PIERO L & YAP,DEBRA F	Resident/Business Alarm Registr	0	3025 NE	21 ST	3/28/2017 Active	
PM-14120649	ELECTRIC FOR LIGHTS,FANS AND MOTOR BP:	ELECTRIC FOR LIGHTS,FANS AND MOTOR BP14101407	Electrical Residential Permit	0	3025 NE	21 ST	12/8/2014 Issued	
PM-14111623	INSTALL FIRE PIT AND NATURAL GAS PIPING	INSTALL FIRE PIT AND NATURAL GAS PIPING	Plumbing Gas Permit	0	3025 NE	21 ST	11/21/2014 Complete	
	BUILD LOUVERED RIGID CANOPIES ON NEW CONCRETE							
	~FOOTINGS 401 SF							
	~							
PM-14101407	~10/20/14 REC NOC SUBMITTED	BUILD LOUVERED RIGID CANOPIES ON NEW CONCRETE	Awning-Canopy Permit	0	3025 NE	21 ST	10/20/2014 Complete	
PM-13052420	REMODEL POOL,ADDING SUN SHELF AND FA	REMODEL POOL,ADDING SUN SHELF AND FAST LANE SWII	Residential Pool-Spa-Fountain Pe	0	3025 NE	21 ST	5/31/2013 Complete	
PM-13052421	ELECTRIC PER PLANS BP13052420	ELECTRIC PER PLANS BP13052420	Electrical Residential Permit	0	3025 NE	21 ST	5/31/2013 Complete	
	SFR FAMILY ROOM ADDITION 630 SF							
	~SIGNED CO PU 6/1/2010							
	~							
	~							
	~							
	~							
	~: REV-B SHOP DRAWINGS/RAILINGS							
	10/15/09							
	~							
	~							
	~							
	~BREV4B ISSUED 9/28/09							
	~							
	~"SPOT SURVEY AND ELEV CERTI OK							
PM-09060177	9/14/09"	SFR FAMILY ROOM ADDITION 630 SF	Residential Addition Permit	0	3025 NE	21 ST	6/2/2009 Complete	
PM-09060178	ELECT FOR FAMILY ROOM ADDITION BP 09060177	ELECT FOR FAMILY ROOM ADDITION BP 09060177	Electrical Residential Permit	0	3025 NE	21 ST	6/2/2009 Complete	
	INSTALL 2 RPPF DECK DRAINS ON NEW ADDITION BP							
PM-09060179	~09060177	INSTALL 2 RPPF DECK DRAINS ON NEW ADDITION BP	Plumbing Residential Permit	0	3025 NE	21 ST	6/2/2009 Complete	
	INSTALL NEW 2.5 TON AC SYSTEM 7 HW HEAT WITH DUCT							
PM-09060180	~FOR ADDITION 09060177	INSTALL NEW 2.5 TON AC SYSTEM 7 HW HEAT WITH DUC	Mechanical HVAC New Install Pe	0	3025 NE	21 ST	6/2/2009 Complete	
	INSTALL NEW 1000 SF FLAT ROOF FOR ADDITION BP							
PM-09060181	~09060177	INSTALL NEW 1000 SF FLAT ROOF FOR ADDITION BP	Re-Roof Permit	0	3025 NE	21 ST	6/2/2009 Complete	
	electrical for dock bp09051913							
	~							
	~							
	~							
	~							
PM-09060182	~expedited permit sub	electrical for dock bp09051913	Electrical Residential Permit	0	3025 NE	21 ST	6/2/2009 Complete	
PM-09051913	seawall repair & concrete dock	seawall repair & concrete dock	Boatlift-Dock-Seawall-Pile Permi	0	3025 NE	21 ST	5/26/2009 Complete	
	Install Burglar alarm							
PM-06120206	~voided per letter	Install Burglar alarm	Electrical Burglar Alarm	0	3025 NE	21 ST	12/4/2006 Void	

SFR ADDITION: OFFICE, BATHROOM & FOYER

~

~SIGNED CO P/U BY OWNER 8/28/07 GR

~

~

PM-06061149	~EXPEDITED PERMIT elect for addition 06061149	SFR ADDITION: OFFICE, BATHROOM & FOYER	Residential Addition Permit	0	3025 NE	21 ST	6/9/2006 Complete
PM-06061182	~WITH EXPEDITED MASTER PLUMB FOR ADDITION 06061149	elect for addition 06061149	Electrical Residential Permit	0	3025 NE	21 ST	6/9/2006 Complete
PM-06061184	~WITH EXPEDITED MASTER AC FOR ADDITION 06061149	PLUMB FOR ADDITION 06061149	Plumbing Residential Permit	0	3025 NE	21 ST	6/9/2006 Complete
PM-06061187	~WITH EXPEDITED MASTER	AC FOR ADDITION 06061149	Mechanical HVAC New Install Pe	0	3025 NE	21 ST	6/9/2006 Complete
	TILE ROOF/ADDITION 950 SQ FT/06061149 ~WITH EXPEDITED MASTER ~						
	~SEE PERMIT 06061190 COMPLETE REROOF FOR INSP						
PM-06061189	~HISTORY	TILE ROOF/ADDITION 950 SQ FT/06061149	Re-Roof Permit	0	3025 NE	21 ST	6/9/2006 Complete
PM-06061190	REROOF 4200SF TILE	REROOF 4200SF TILE	Re-Roof Permit	0	3025 NE	21 ST	6/9/2006 Complete
PM-06011200	ELECT SERV CHG FOR EXISTING POOL	ELECT SERV CHG FOR EXISTING POOL	Electrical Residential Permit	0	3025 NE	21 ST	1/12/2006 Complete
PM-05121561	REPLACE GARAGE DOOR REPLACEMENT OF 9 WINDOWS AND 7 FRENCH DOOR ALL IMP	REPLACE GARAGE DOOR	Window and Door Permit	0	3025 NE	21 ST	12/14/2005 Complete
PM-05100637	~B-REV. 12/23/05 ALTER WINDOW OPENING.	REPLACEMENT OF 9 WINDOWS AND 7 FRENCH DOOR ALL	Window and Door Permit	0	3025 NE	21 ST	10/7/2005 Complete
PM-02040464	REROOF TILE 4200SF	REROOF TILE 4200SF	Re-Roof Permit	0	3025 NE	21 ST	4/5/2002 Complete

**Sec. 47-19.2. - Accessory buildings, structures and equipment, general.**

*B. Architectural features in residential districts.* Architectural features such as eaves, cornices, unenclosed balconies with open railings, window sills, awnings, chimneys, bay windows, and dormers accessory to a residential use are permitted to extend into a yard area a maximum distance of three (3) feet from the face of the building, or one-third ( $\frac{1}{3}$ ) of the required yard, whichever is less. Unenclosed balconies with open railings may extend into the front yard a maximum distance of five (5) feet from the face of the building and may extend the entire linear length of the front facade. Accessory uses which encroach into any yard area, excluding unenclosed balconies encroaching into the front yard, are permitted to have a total combined linear facade length not greater than twenty (20) percent of the total linear length of the facade to which they are attached. Items such as windowsills or belt courses which extend six (6) inches or less into the yard area shall not be considered for the length limitation. Eaves shall not be subject to the length limitation. The dimensional limitations of this subsection shall not apply and the provisions of subsection C. shall apply to awnings accessory to a residential use in a nonresidential zoning district.

**Applicant:** Andrew J. Schein / Lochrie & Chakas, P.A.  
**Owner:** Piero and Debra Desiderio  
**Address:** 3025 NE 21<sup>st</sup> Street (“Property”)  
**Request:** Variance from ULDR Section 47-19.2.B

## Application for Variance

### 1. General Information and Request

Mr. Desiderio owns the Property located at 3025 NE 21<sup>st</sup> Street in Fort Lauderdale. The Property is zoned RS-8. On December 4, 2018, Mr. Desiderio was issued a permit by the City to install a carport on the Property pursuant to City Permit No. 18010415 (“Permit”). The original Permit plans showed an 18’ long carport with a 4’ awning. These plans were approved on December 4, 2018. The contractor noticed that the permit plans were incorrect and revised the plans to show an 18’ long carport with a 7’ awning. This revision to the permit plans was approved by the City on June 3, 2019.

When the carport was installed with the ~7’ awning and the contractor called the City for inspections, the City’s zoning inspector discovered that a portion of the carport’s awning extended into the front yard area. The Permit plans showed the correct overall length of the carport and the correct length of the awning, but the setback line was not labeled on the Permit plans. The City did not request for the setback line to be added to the plans prior to the issuance of the Permit.

According to the as-built survey of the Property, attached hereto as **Exhibit “A”**, the carport’s awning is set back 18.80’ from the front property line. The minimum front yard in the RS-8 zoning district is 25’, therefore the awning extends 6.2’ into the front yard. However, Section 47-19.2.B of the ULDR permits awnings in residential zoning districts to extend into the front yard for three (3) feet or one-third (1/3) of the required yard, whichever is less. The Owner is therefore asking for a 3.2’ variance from Section 47-19.2.B to permit a 6.2’ encroachment into the front yard rather than the permits 3’ encroachment.

### 2. Code Provision

*ULDR Section 47-19.2.B – Architectural Features in Residential Districts:*

“Architectural features such as eaves, cornices, unenclosed balconies with open railings, window sills, awnings, chimneys, bay windows, and dormers accessory to a residential use are permitted to extend into a yard area a maximum distance of three (3) feet from the face of the building, or one-third (1/3) of the required yard, whichever is less.”

### 3. Variance Criteria

- a. Special conditions and circumstances affect the property at issue which prevent the reasonable use of such property;

**RESPONSE:** There are two (2) special conditions that affect the Property – 1), the owner relied on the Permit that was issued by the City, and 2) the Property is fairly unique in that a large portion of the Property’s front yard is not within the Property lines.

First, the contractor relied on the Permit issued by the City. Although the Permit was seemingly issued in error, the contractor and Owner relied on the issuance of the Permit to construct the carport, which cost approximately \$40,000. The Owner understands that the setback lines were not shown on the Permit plans that were approved by the City, but the City still issued the Permit without confirming whether or not there were any encroachments into the front yard area. The contractor’s reliance on the issued Permit is a special condition and circumstance which, if the Owner does not receive a variance to correct this oversight, would prevent the Owner’s reasonable use of the carport.

Second, although the carport awning is 18.80’ from the front Property line, the awning is 33.80’ from the travel lane on NE 21<sup>st</sup> Street as there is 15’ between the Property line and the travel lane. This 15’ mainly consists of the driveway leading up to the Owner’s house, extensive landscaping, and ~7’ hedges to give the Owner privacy in front of their house. While it isn’t uncommon to have portions of a driveway and/or swale area within the City’s right-of-way, it is not common to have such a large portion of the ingress/egress to a single-family home be within the right-of-way and not within the property lines.

- b. Circumstances which cause the special conditions are peculiar to the property at issue, or to such a small number of properties that they clearly constitute marked exceptions to other properties in the same zoning district;

**RESPONSE:** Although permits are sometimes issued in error, it is not a common occurrence. The Owner recognizes that the contractor could have been clearer on the permit plans and could have showed the setback lines, but the City did not request this additional information prior to issuing the Permit. The Owner also recognizes that the City should not have issued the Permit if there was any indication that the awning encroached into the required front yard. The issuance of a permit in error, and the Owner’s reliance on said permit, clearly

**constitutes a marked exception to the general rule that the City does not issue permits in error.**

- c. Literal application of the provisions of the ULDR would deprive the applicant of a substantial property right that is enjoyed by other property owners in the same zoning district;

**RESPONSE: Literal application of the ULDR would restrict the Owner's ability to rely on a permit issued by the City. Single-family homeowners throughout the City rely on City-issued permits every single day without fear that the permit could have been issued in error and that the expensive work could possibly fail a zoning inspection due to oversights. The Owner is not a contractor or permit plan reviewer. The Owner had no reasonable way to know that either (1) the contractor could have added the setback lines to the plans, which would have showed an encroachment or (2) that the City could issue a permit when not enough information was included on the plans for the City to make a reasonable determination to issue the permit.**

- d. The unique hardship is not self-created by the applicant or his predecessors, nor is it the result or mere disregard for, or ignorance of, the provisions of the ULDR or antecedent zoning regulations; and

**RESPONSE: The Owner did not draft the plans for the carport and did not issue the Permit for the carport. The Owner relied on their contractor and the City-issued Permit. If the plans that the contractor submitted were originally denied by the City due to this setback issue, the Owner could have worked out a solution at that time by cutting back the length of the awning. Instead, the Owner relied on the City-issued Permit and incurred significant expenses to construct the improvements pursuant to the Permit. The City's issuance of this Permit that created the hardship was not self-created by the Owner and was not self-created by the contractor. The hardship was created by a mere misunderstanding between the contractor and the City in relation to the location of the carport awning, which could have been determined had the City asked for additional information on the Permit plans.**

- e. The variance is the minimum variance that will make possible a reasonable use of the property, and that the variance will be in harmony with the general purposes and intent of the ULDR and the use as varied will not be incompatible with adjoining properties or the surrounding neighborhood or otherwise detrimental to the public welfare.

**RESPONSE: This variance request was previously on the February 12, 2020 Board of Adjustment agenda for a variance request for a 7.12' encroachment**

into the front yard. Through further research, the Owner discovered that the true minimum variance necessary is a 3.2' variance, less than half of the variance previously requested. Therefore, this is the minimum variance necessary to make a reasonable use of the improvements.

The general purpose and intent of the ULDR is to promote the health, safety, morals, comfort, prosperity, and general welfare of the community.<sup>1</sup> Although not expressly stated in the ULDR, the general purpose of the front setback/front yard requirements for single family homes is to provide adequate distance between structures and the public realm and to prevent landowners from crowding the property of others.

The carport awning's encroachment of 6.2' (where 3' is already permitted) does not negatively affect the health, safety, comfort, prosperity, or general welfare of the community. The awning is not encroaching into the side yard of the Property and is therefore not crowding the neighboring property. Since the awning is actually 33.80' from the travel lane (significantly more than the 25' front yard requirement), the awning is not interfering with the public realm and is not "crowding" the City right-of-way.

The Owner has spoken with and received letters of support from the property owner immediately to the east of the carport, two (2) property owners to the west of the Property, and the property owner across the street from the Property. The letters of support are included with this submission.

If granted, this variance will be in harmony with the general purpose of the ULDR.

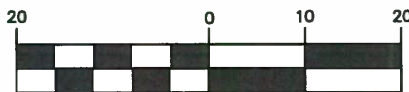
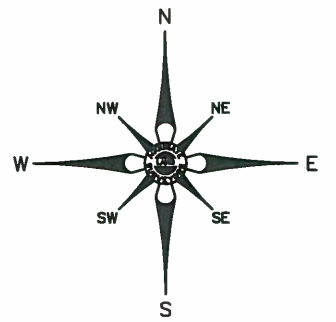
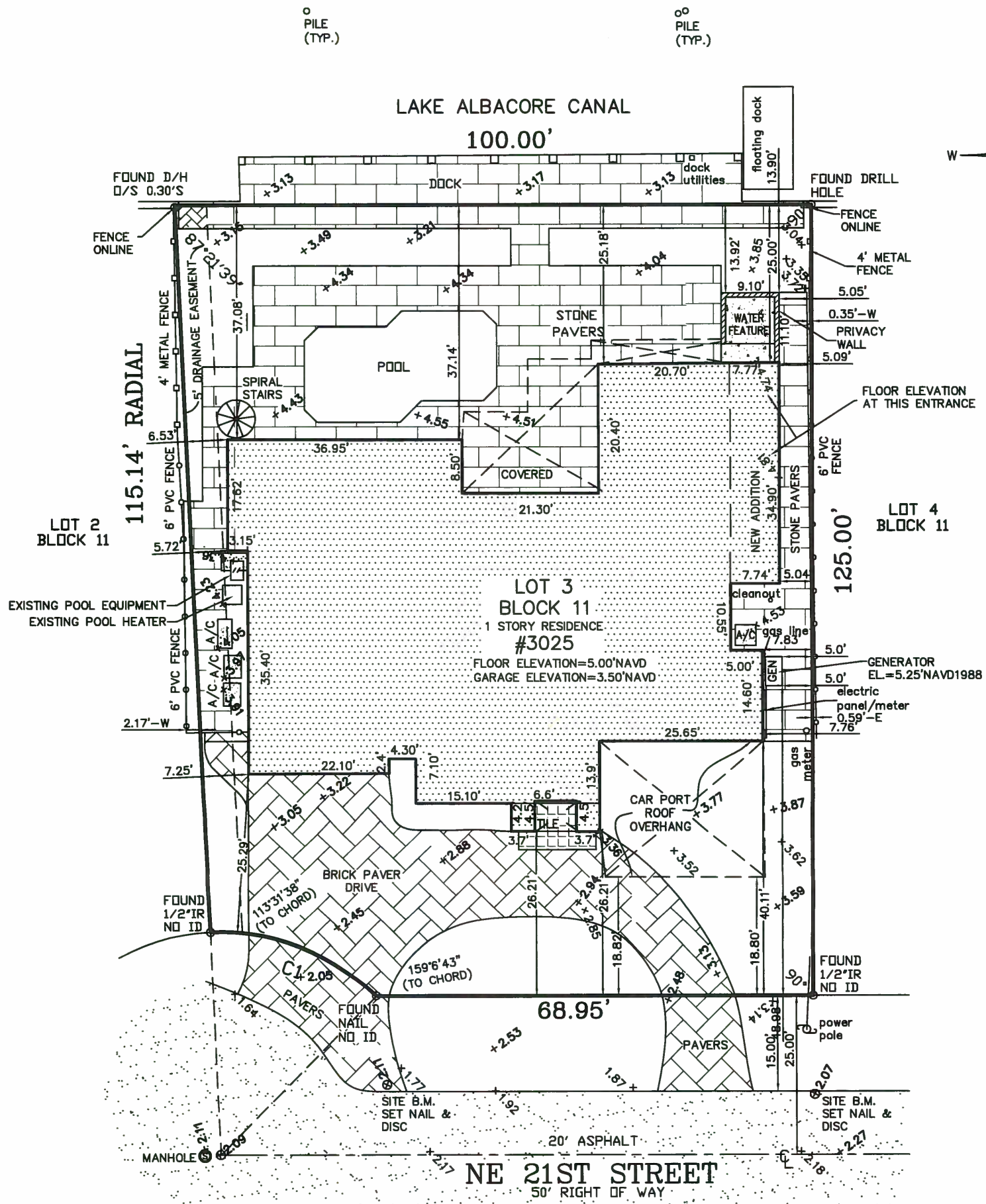
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<sup>1</sup> Fort Lauderdale ULDR Section 47-1.1

**Exhibit "A"**

**As-Built Survey**

**See attached survey**



GRAPHIC SCALE  
1"=20'

x 5.18 DENOTES ELEVATIONS BASED ON N.A.V.D.

CURVE TABLE			
CURVE	LENGTH	RADIUS	DELTA
C1(P)	28.66	35.00	46°55'01"
(C)	28.74	35.00	47°03'16"

REVISIONS	DATE	BY
UPDATE SURVEY SU-19-1015	04-25-19	AL/RLT
UPDATE SURVEY SU-19-0665	03-28-19	AL/RLT
SPOT SURVEY 18-3355	10-25-18	MLW
FORMBOARD LOCATIONS 18-3097	09-28-18	MLW
S/O ADDITION 18-2901	09-10-18	MLW
DELETE FRONT ADDITION SU-16-4270	12/15/16	JMS
UPDATE/TOPO/SHOW PROPOSED NEW ADDITION SU-16-3933	11/21/16	AL/JMS
REVISE SKETCH	01-28-10	MLW
FINAL SURVEY SU-10-0007	01-05-10	AL/MLW
SPOT SURVEY SU-09-2036	09-08-09	AL/MLW
FORMBOARD SURVEY 09-1917	09-02-09	MLW
PERVIOUS CALCS. 09-1063	05-19-09	MLW
ADD ADDITIONAL INFORMATION SU-07-3434	8-17-07	RNB/JMS
FINAL SURVEY SU-07-2976	6-29-07	RNB/JMS
DATE OF SURVEY 04-28-03	DRAWN BY O.I.W.	CHECKED BY MS

NOTES:

- UNLESS OTHERWISE NOTED FIELD MEASUREMENTS ARE IN AGREEMENT WITH RECORD MEASUREMENTS.
- BEARINGS SHOWN HEREON ARE BASED ON A BEARING OF N/A.
- THE LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR OWNERSHIP, RIGHTS-OF-WAY, EASEMENTS, OR OTHER MATTERS OF RECORDS BY ACCURATE LAND SURVEYORS, INC.
- OWNERSHIP OF FENCES AND WALLS IF ANY NOT DETERMINED.
- THIS DRAWING IS THE PROPERTY OF ACCURATE LAND SURVEYORS, INC. AND SHALL NOT BE USED OR REPRODUCED IN WHOLE OR IN PART WITHOUT WRITTEN AUTHORIZATION.
- THIS SURVEY CONSISTS OF A MAP AND TEXT REPORT. ONE IS NOT VALID WITHOUT THE OTHER.
- THIS SURVEY IS MADE FOR THE EXCLUSIVE USE OF THE CERTIFIED HEREON, TO BE VALID ONE YEAR FROM THE DATE OF SURVEY AS SHOWN.
- THE FLOOD ZONE INFORMATION SHOWN HEREON IS FOR THE DWELLABLE STRUCTURE ONLY UNLESS OTHERWISE INDICATED.
- THE LOCATION OF OVERHEAD UTILITY LINES ARE APPROXIMATE IN NATURE DUE TO THEIR PROXIMITY ABOVE GROUND. SIZE, TYPE & QUANTITY MUST BE VERIFIED PRIOR TO DESIGN OR CONSTRUCTION.

CERTIFICATION:

THIS IS TO CERTIFY THAT THIS ABOVE GROUND SKETCH OF BOUNDARY SURVEY WAS MADE UNDER MY RESPONSIBLE CHARGE AND IS ACCURATE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. I FURTHER CERTIFY THAT THIS SKETCH MEETS THE CURRENT STANDARDS OF PRACTICE, ESTABLISHED BY THE BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS, CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODES, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

*Robert L. Thompson* 2-17-20

ROBERT L. THOMPSON (PRESIDENT)

PROFESSIONAL SURVEYOR AND MAPPER No.3869 - STATE OF FLORIDA



SCALE 1"=20'

SKETCH NUMBER SU-03-2605

# BOARD OF ADJUSTMENT

April 8, 2020

3025 NE 21<sup>st</sup> Street

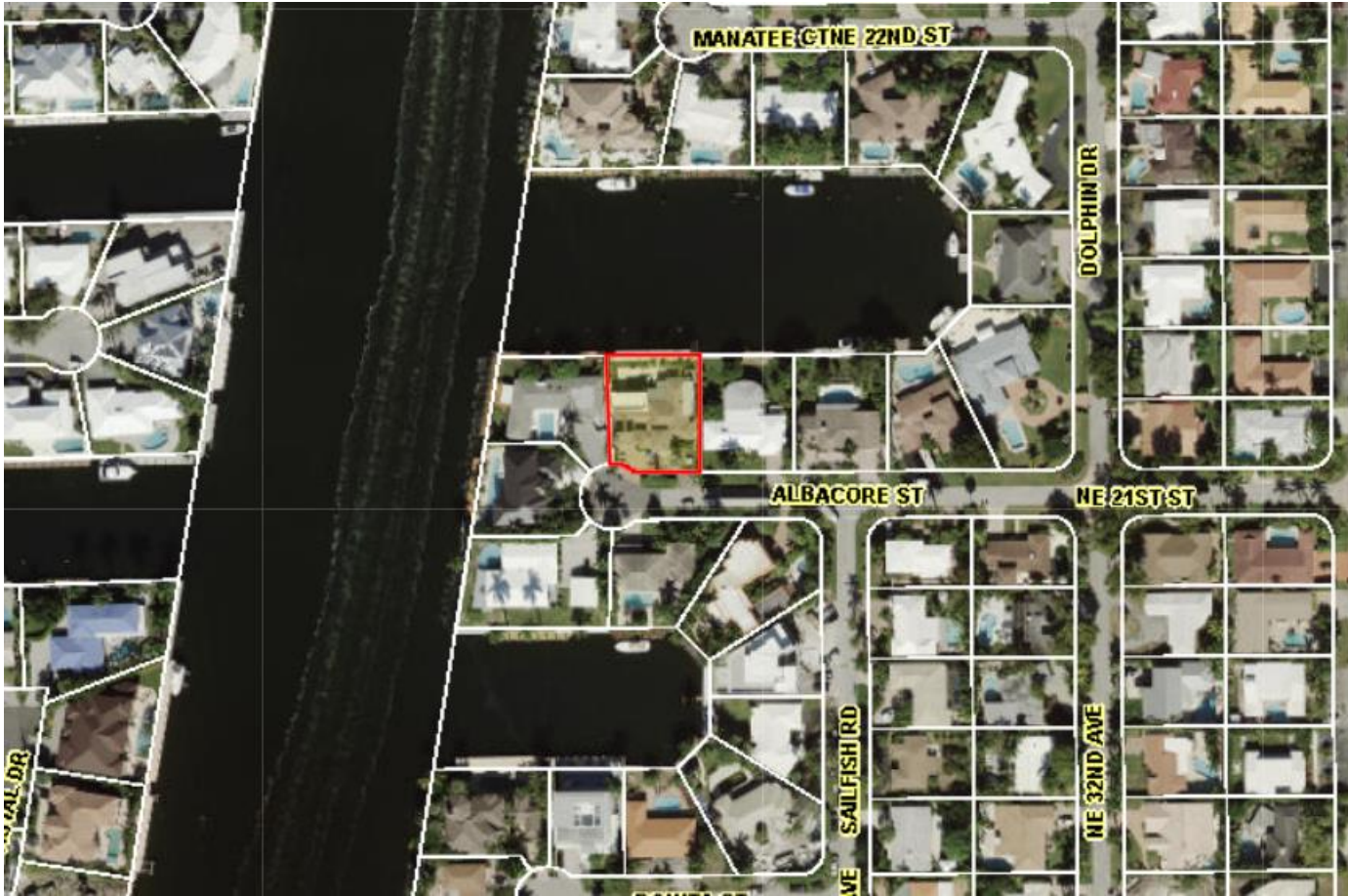
Variance from ULDR Section 47-19.2.B

Sheet Index

1 – Cover Sheet

2 – Aerial

3 – As-built Survey



1150 E. ATLANTIC BLVD.  
POMPANO BEACH  
FLORIDA 33060

**ACCURATE LAND SURVEYORS, INC.**

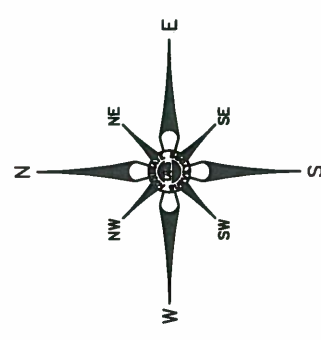
L.B. #3635

SHEET 2 OF 2

TEL. (954) 782-1441  
FAX. (954) 782-1442

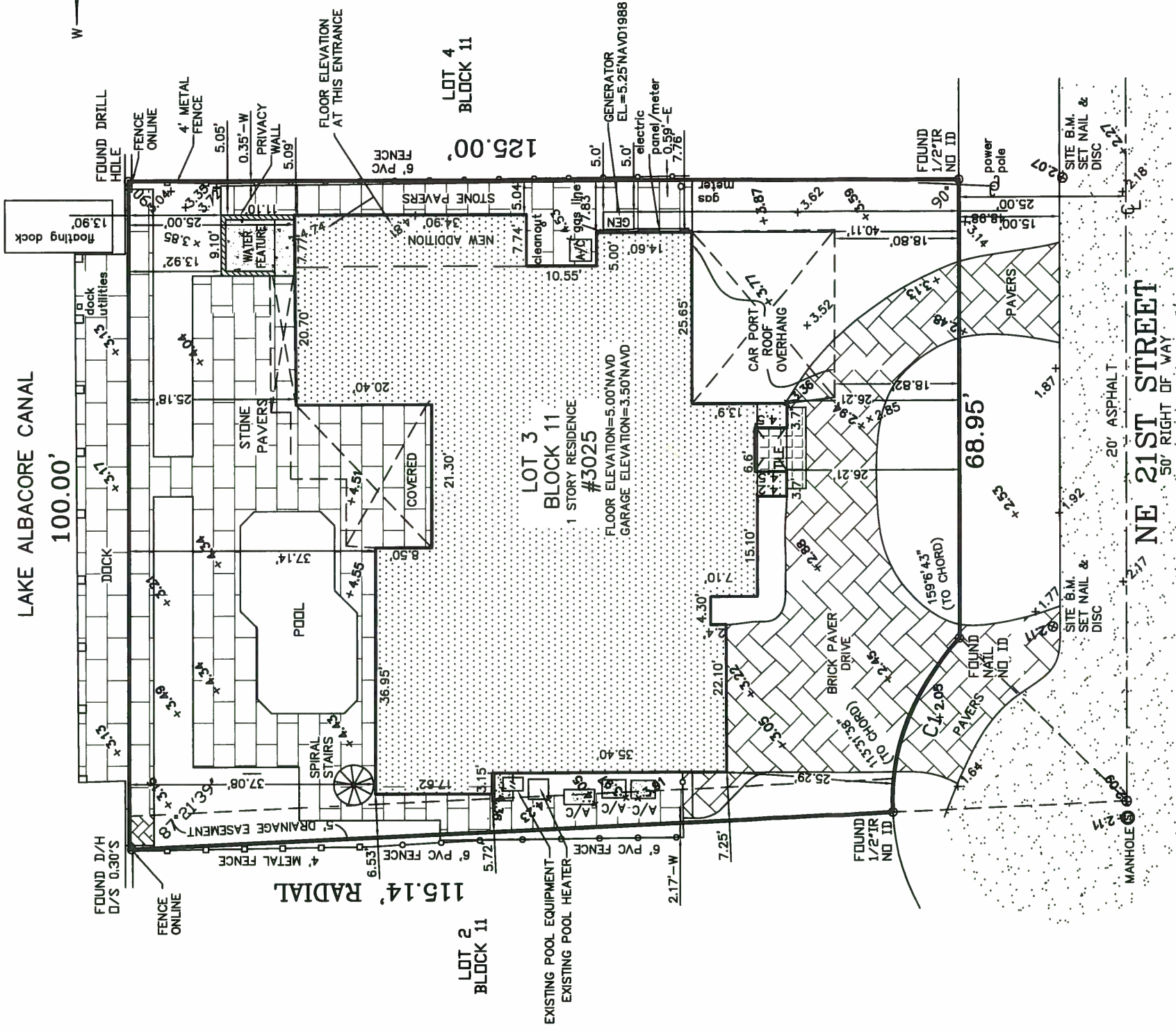
o PILE  
(TYP.)

o PILE  
(TYP.)



LAKE ALBACORE CANAL

100.00'



GRAPHIC SCALE  
1"=20'

\* S.18 DENOTES ELEVATIONS BASED ON N.A.V.D.

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FORMBOARD SURVEY 09-1917	09-02-09	MLW
PERVIOUS CALCS. 09-1063	05-19-09	MLW
ADD ADDITIONAL INFORMATION SU-07-3434	8-17-07	RNB/JMS
FINAL SURVEY SU-07-2976	6-29-07	RNB/JMS
DATE OF SURVEY 04-28-03		FIELD BOOK
DRAWN BY O.I.W.		ALS-SU-03-2605

**NOTES:**  
 1. UNLESS OTHERWISE NOTED FIELD MEASUREMENTS ARE IN AGREEMENT WITH RECORD MEASUREMENTS.  
 2. BEARINGS SHOWN HEREON ARE BASED ON A BEARING OF N/A.  
 3. THE LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR OWNERSHIP, RIGHTS-OF-WAY, EASEMENTS, OR OTHER MATTERS OF RECORDS BY ACCURATE LAND SURVEYORS, INC.  
 4. OWNERSHIP OF FENCES AND WALLS IF ANY NOT DETERMINED.  
 5. THIS DRAWING IS THE PROPERTY OF ACCURATE LAND SURVEYORS, INC. AND SHALL NOT BE USED OR REPRODUCED IN WHOLE OR IN PART WITHOUT WRITTEN AUTHORIZATION.  
 6. THIS SURVEY CONSISTS OF A MAP AND TEXT REPORT. ONE IS NOT VALID WITHOUT THE OTHER.  
 7. THIS SURVEY IS MADE FOR THE EXCLUSIVE USE OF THE CERTIFIED HEREON, TO BE VALID ONE YEAR FROM THE DATE OF SURVEY AS SHOWN.  
 8. THE FLOOD ZONE INFORMATION SHOWN HEREON IS FOR THE DWELLABLE STRUCTURE ONLY UNLESS OTHERWISE INDICATED.  
 9. THE LOCATION OF OVERHEAD UTILITY LINES ARE APPROXIMATE IN NATURE DUE TO THEIR PROXIMITY ABOVE GROUND. SIZE, TYPE & QUANTITY MUST BE VERIFIED PRIOR TO DESIGN OR CONSTRUCTION.

**CERTIFICATION:**

THIS IS TO CERTIFY THAT THIS ABOVE GROUND SKETCH OF BOUNDARY SURVEY WAS MADE UNDER MY RESPONSIBLE CHARGE AND IS ACCURATE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. I FURTHER CERTIFY THAT THIS SKETCH MEETS THE CURRENT STANDARDS OF PRACTICE, ESTABLISHED BY THE BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS, CHAPTER SJ-17, FLORIDA ADMINISTRATIVE CODES, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.



*Robert L. Thompson*  
2-17-20

ROBERT L. THOMPSON (PRESIDENT)  
PROFESSIONAL SURVEYOR AND MAPPER No.3969 - STATE OF FLORIDA

SKETCH NUMBER SU-03-2605

SCALE 1"=20'







**Residence:** 3025 NE 21 STREET, FORT LAUDERDALE, FL 33305

In connection with the existing carport currently located on the east side the Desiderio residence at 3025 N.E. 21 Street, Fort Lauderdale, Florida (the "Carport") we support and have no objection to the City's granting a variance to allow the existing roof of the Carport to overhang within the 25 foot minimum set back.

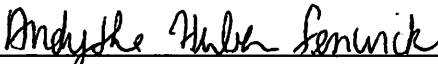



A SWARTZ

Address: 3012 NE 21st Street, Fort Lauderdale, FL

**Residence:** 3025 NE 21 STREET, FORT LAUDERDALE, FL 33305

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\_\_\_\_\_  
Ardythe Huber-Fenwick

  
\_\_\_\_\_  
Stephen Fenwick

Address: 3024 NE 21 Street, Fort Lauderdale, Florida 33305

**Residence:** 3025 NE 21 STREET, FORT LAUDERDALE, FL 33305

In connection with the existing carport currently located on the east side the Desiderio residence at 3025 N.E. 21 Street, Fort Lauderdale, Florida (the "Carport") we support and have no objection to the City's granting a variance to allow the existing roof of the Carport to overhang within the 25 foot minimum set back.

W. John Dickerson II

W. John Dickerson II, JD, MD

Address: 3019 NE 21st

**Residence:** 3025 NE 21 STREET, FORT LAUDERDALE, FL 33305

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Mary Moschos  
MARY MOSCHOS

Address: 1515 NE Ft Lauderdale Beach Blvd