



BOARD OF ADJUSTMENT MEETING

To Attend In-Person:
City of Fort Lauderdale
City Hall Commission Chambers
100 N. Andrews Avenue, Fort Lauderdale, FL 33301

To Attend Virtually:
Visit: www.fortlauderdale.gov/FLTV to watch and listen to the meeting
Visit: <https://www.fortlauderdale.gov/government/BOA> to sign up to speak

Wednesday, December 9, 2020
6:30 PM

AGENDA RESULTS

- I. CALL TO ORDER / PLEDGE OF ALLEGIANCE
- II. APPROVAL OF MINUTES / DETERMINATION OF QUORUM
- III. PUBLIC SIGN-IN / SWEARING-IN
- IV. AGENDA ITEMS:

1.	<p>CASE: PLN-BOA-20030003</p> <p>OWNER: D'OFFAY, DAPHNE C & GERARD M</p> <p>AGENT: STEPHANIE J. TOOTHAKER, ESQ.</p> <p>ADDRESS: 2730 SW 19 STREET, FORT LAUDERDALE, FL., 33312</p> <p>LEGAL DESCRIPTION: BEL-TER 42-48 B LOT 28</p> <p>ZONING DISTRICT: RS-8</p> <p>COMMISSION DISTRICT: 4</p> <p>REQUESTING: Request for Rehearing of Final Order/Case Number PLN-BOA-20030003. Rehearing pursuant to ULDR Sec. 47-24.12.A.7 on a denial of a variance from the Unified Land Development Regulations ("ULDR").</p>
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Note: This case was denied by the board at its September 9, 2020 meeting. This request for rehearing was deferred to the December 9, 2020 meeting at the November 19, 2020 meeting.

APPROVED (7-0)

2. **CASE:** PLN-BOA-20090005

OWNER: LENNAR HOMES, LLC

AGENT: GREENSPOON MARDER LLP/DEENA GRAY, ESQ.

ADDRESS: 1901 SW 5 PLACE; SW 5 ST; 460 SW 20 AVE; 506 SW 20 AVE; 502 SW 20 AVE, FORT LAUDERDALE, FL., 33312

LEGAL DESCRIPTION: RIVERSIDE NO 2 1-104 D LOT 4 LESS N 150,5 LESS N 150 BLK E; RIVERSIDE NO 2 1-104 D LOT 4 LESS N 150,5 LESS N 150 BLK E; RIVERSIDE NO 2 1-104 D N 150 OF LOTS 6,7,8 & N 150 OF THAT PT LOT 9 LYING E OF PAVED RD BLK E; RIVERSIDE NO 2 1-104 D LOT 6 TO 8,S 70 OF N 360,9 S 70 OF N 360 LYING E OF PAVED RD BLK E; RIVERSIDE PARK TOWNHOUSE AND VILLAS 141-43 B PARCEL 4

ZONING DISTRICT: RM-15

COMMISSION DISTRICT: 4

REQUESTING: **Sec. 47-19.5. B. - Dimensional Requirements. The setback for a fence, wall or hedge shall depend on the height and percentage of transparency as shown in Table 1.**

Requesting a variance to allow the combination of a permitted retaining wall of varying height elevation and proposed fencing along the North, East, West and South property lines. The fencing sits behind a retaining wall which ranges in elevation from 3' varying up to 3'-8". The applicant is proposing fencing along the perimeter of the property. On the north side, the applicant is proposing a 5' aluminum fence adjoining a 6' wood fence with a total of 387 lineal feet. On the east side, the applicant is proposing a 6' wood fence with a total of 629 lineal feet. On the west side, the applicant is proposing a 5' aluminum fence with a total of 300 lineal feet. On the south and the adjoining west side, the applicant is proposing a 6' wood fence with a total of 500 lineal feet, whereas the code allows a maximum height of 6 feet 6 inches from lowest adjacent grade. Due to the required retaining wall that varies in elevation from 3' to 3'-8", the height of the fencing at its highest point will be 9'-8", for a total variance increase in height of up to 3 feet 2 inches.

Note: This case was Deferred to the December 9, 2020 Meeting.

APPROVED (7-0) AS AMENDED ON THE RECORD

3. **CASE:** PLN-BOA-20110001

OWNER: BEACH, JOHN & NICOLE

AGENT: N/A

ADDRESS: 1140 NE 16 TER, FORT LAUDERDALE, FL 33304

LEGAL DESCRIPTION: PROGRESSO 2-18 D LOT 23 BLK 158

ZONING DISTRICT: RC-15

COMMISSION DISTRICT: 2

REQUESTING: **Sec. 47-5.33. - Table of dimensional requirements for the RC-15 and RCs-15 districts. (Note A)**

1. Requesting a variance to enclose an existing carport with a front yard setback of 24.86 whereas the code requires a minimum of 25.0 feet front yard setback, a total variance request of 0.14 feet.

2. Requesting a variance to enclose an existing carport with a side yard setback of 3.0 feet whereas the code requires a minimum of 5.0 feet side yard setback, a total variance request of 2.0 feet.

APPROVED (7-0)

4. **CASE:** PLN-BOA-20110003
OWNER: RUACH INC
AGENT: CRUSH LAW, JASON S. CRUSH
ADDRESS: 3558 N OCEAN BLVD, FORT LAUDERDALE, FL 33308
LEGAL DESCRIPTION: GALT OCEAN MILE-RESUB LOTS 3 TO 12 BLK 8 & BLK 16 38-18 B LOT 9 BLK 16
ZONING DISTRICT: CB
COMMISSION DISTRICT: 1
REQUESTING: Section 5-27(a)- Distances of establishments from church or school.

Requesting a special exception to allow the sale of alcohol from Chabad and school, from the following:

- The Pita Xpress Restaurant is located approximately 71 feet from one of the Chabad Lubavitch Of Greater Fort Lauderdale's properties; A total variance request of 429 +/- feet.
- The restaurant is 136 feet from another of the Chabad's properties; A total variance request of 364 feet.
- The restaurant is also 243 feet from the Shalom Pre-school operated by Chabad; A total variance request of 257 feet.

APPROVED (7-0)

V. COMMUNICATION TO THE CITY COMMISSION

VI. FOR THE GOOD OF THE CITY OF FORT LAUDERDALE

PLEASE NOTE THAT TWO-WAY COMMUNICATION BETWEEN MEMBERS OF THE BOARD OF ADJUSTMENTS IS PROHIBITED BY SUNSHINE LAW. PLEASE DO NOT REPLY TO ANY BOARD MEMBER. ALL DISCUSSIONS ON ITEMS RELATIVE TO THE AGENDA SHOULD TAKE PLACE AT SCHEDULED BOARD MEETINGS.

Two or more City Commissioners and/or Advisory Board members may be present at this meeting. If a 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 for the meetings, please contact the City Clerk's office at (954) 828-5002 and arrangements will be made to provide these services for you.

Unless otherwise stated, these items are quasi-judicial. Board members shall disclose any communication or site visits they have had pursuant to Section 47-1.13 of the ULDR. All persons speaking on a quasi-judicial matter will be sworn in and will be subject to cross-examination.