



**BOARD OF ADJUSTMENT MEETING  
CITY OF FORT LAUDERDALE  
APRIL 14, 2021 – 6:30 P.M.**

CITY OF FORT LAUDERDALE

<b>Board Members</b>	<b>Attendance</b>	<b>Cumulative Attendance 6/2020 through 5/2021</b>	
		<b>Present</b>	<b>Absent</b>
Howard Nelson, Chair	P	7	1
Patrick McTigue, Vice Chair	P	8	0
Eugenia Ellis	P	7	1
Chadwick Maxey	P	8	0
Blaise McGinley	P	8	0
Douglas Reynolds	P	8	0
S. Carey Villeneuve	P	7	1
<b>Alternates</b>			
Chip Falkanger	P	6	2
Shelley Eichner	P	8	0
Michael Lambrechts	P	8	0

**Staff**

D' Wayne Spence, Assistant City Attorney  
 Chakila Crawford, Senior Administrative Assistant  
 Mohammed Malik, Zoning Administrator  
 Burt Ford, Zoning Chief  
 Brigitte Chiappetta, Recording Secretary, Prototype Inc.

**Communication to the City Commission**

None

**Purpose: Section 47-33.1.**

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.

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	<b><u>Case Number</u></b>	<b><u>Owner/Agent</u></b>	<b><u>District</u></b>	<b><u>Page</u></b>
1.	<b>PLN-BOA-21020002</b>	3134 NE 9TH LLC/Jason Crush	<b>2</b>	<b><u>2</u></b>
		Communication to the City Commission For the Good of the City		<b><u>4</u></b> <b><u>4</u></b>

Other Items and Board Discussion

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I. **Call to Order**

The meeting was called to order at 6:30 p.m. Roll was called and a quorum determined to be present.

II. **Approval of Minutes – March 10, 2021**

Mr. Spence said the Board's approved December 9, 2020 minutes contained a scrivener's error. The minutes had been corrected and he requested the Board approve the amended minutes.

**Motion** made by Ms. Ellis, seconded by Mr. McTigue, to approve the Board's December 9, 2020 minutes as amended. In a voice vote, motion passed unanimously.

**Motion** made by Mr. McTigue, seconded by Ms. Ellis to approve the Board's March 10, 2021 minutes. In a voice vote, motion passed unanimously.

III. **Public Sign-In / Swearing-In**

All individuals wishing to speak on the matters listed on tonight's agenda were sworn in.

During each item, Board members disclosed communications they had and site visits made.

IV. **Agenda Items**

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<b>CASE:</b>	<b>PLN-BOA-21020002</b>
<b>OWNER:</b>	3134 NE 9TH LLC
<b>AGENT:</b>	CRUSH LAW, P.A. - JASON S. CRUSH
<b>ADDRESS:</b>	3134-3146 NE 9 STREET, FORT LAUDERDALE FL 33304
<b>LEGAL DESCRIPTION:</b>	BARCELONA BEACH 29-11 B LOT 6 TO 10, 1/10 INT FOR EACH LOT IN PARKING & DRIVES AREAS
<b>ZONING DISTRICT:</b>	SLA
<b>COMMISSION DISTRICT:</b>	2
<b>REQUESTING:</b>	<b><u>Sec. 5-26. - Distance between establishments.</u></b> <b>(b) The board of adjustment is authorized to grant special</b>

**exceptions to the distance requirements as established by (a) above where the board finds that such special exception will:**

**(1) Not be contrary to the public interests; and  
(2) Not incompatible with adjoining properties or the surrounding neighborhood. The application for a special exception and the processing and hearing upon such application shall be in accordance with section 47-24.12(A).**

The applicant is requesting a special exception for the required distance separation of three hundred (300) feet between establishments selling alcoholic beverages. The property is 226 feet from the nearest establishment licensed to sell alcoholic beverages. Requesting the distance of separation be reduced from three hundred (300) feet to two-hundred twenty six (226) feet, a total reduction of two hundred sixteen (74) feet.

**This case was Deferred from the March 10, 2021 Agenda**

Jason Crush, agent, provided a power Point presentation, a copy of which is attached to these minutes for the public record.

Mr. Crush said the new owners had renovated the building and the ground level would be retail space. The square footage of this unit had been reduced, resulting in the unit being 226 feet instead of the required 300 feet from the next establishment selling alcoholic beverages.

Mr. Crush said the criteria for approving a Special Exception were that granting the exception would not be contrary to the public interest or be incompatible with adjoining properties. He noted this was a tourist area, so the establishment would not be incompatible with adjoining businesses or contrary to the public interest. Mr. Crush asked the Board to grant the Special Exception.

Chair Nelson opened the public hearing. There being no members of the public wishing to address the Board on this item, Chair Nelson closed the public hearing and brought the discussion back to the Board.

**Motion** made by Mr. McGinley, seconded by Mr. McTigue:  
To approve the Special Exception for BOA case #21020002.  
In a roll call vote, motion passed 7-0.

Mr. Crush asked for a round of applause for Mr. Villeneuve and thanked him for his service on the Board.

**Communication to the City Commission**

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None

**Report and for the Good of the City**

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Chair Nelson said Mr. Villeneuve had been a "stand up" member of the Board and thanked him for his service.

Mr. Malik thanked Mr. Villeneuve for his service.

**Other Items and Board Discussion**

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None

There being no further business to come before the Board, the meeting adjourned at 6:50 p.m.

Chair:



A handwritten signature in black ink, appearing to be "J. Nelson", is written above a horizontal line.

Attest:



A handwritten signature in blue ink, appearing to be "J. Taylor", is written above a horizontal line.

ProtoType Inc.

Any written public comments made 48 hours prior to the meeting regarding items discussed during the proceedings have been attached hereto.