



**BOARD OF ADJUSTMENT MEETING
CITY OF FORT LAUDERDALE
CITY HALL COMMISSION CHAMBERS
AUGUST 10, 2022 – 6:00 P.M.**

CITY OF FORT LAUDERDALE

Board Members	Attendance	Cumulative Attendance 6/2022 through 5/2023	
		Present	Absent
Howard Nelson, Chair	P	3	0
Blaise McGinley, Vice Chair	P	2	1
Howard Elfman	P	3	0
Chadwick Maxey	A	2	1
Douglas Meade	P	3	0
Robert Wolfe	P	3	0

Staff

D'Wayne Spence, Assistant City Attorney
Stephanie Hughey, Administrative Assistant
Chakila Crawford, Senior Administrative Assistant
Mohammed Malik, Zoning Administrator
James Hollingsworth, Zoning Plan Examiner
Jamie Oppertlee, Recording Secretary, Prototype Inc.

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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	<u>Case Number</u>	<u>Owner/Agent</u>	<u>District</u>	<u>Page</u>
1.	PLN-BOA-22060006	ALMINAQUE, GUSTAVO A; RICO, ANALAY	4	2
2.	PLN-BOA-22070001	LENNAR HOMES, LLC/DEENA GRAY, ESQ	4	5
3.	PLN-BOA-22070002	JOHNSTON, DAVID/SLAZYK, ERIC	4	3
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I. Call to Order

The meeting was called to order at 6:00 p.m. Roll was called and a quorum determined to be present.

II. Approval of Minutes – July 13, 2022

Mr. Spence noted a change to the minutes.

Motion made by Mr. Wolfe, seconded by Mr. McGinley to approve the Board’s July 13, 2022 minutes as amended. 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.

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

Items were heard out of order.

IV. Agenda Items

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CASE:	PLN-BOA-22060006
OWNER:	ALMINAQUE, GUSTAVO A; RICO, ANALAY
AGENT:	N/A
ADDRESS:	2667 KEY LARGO LANE, FORT LAUDERDALE, FL 33312
LEGAL DESCRIPTION:	LOT 36 OF BLOCK 6, LAUDERDALE ISLES NO. 2, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 36, PAGE 36, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.
ZONING DISTRICT:	RS-6.85A – IRREGULAR RESIDENTIAL
COMMISSION DISTRICT:	4
REQUESTING:	<u>Sec. 47-39.A.6.F. - Dimensional requirements.</u>

- Requesting a variance to reduce the southside side yard for the existing, enclosed, car port from the required 7.5 feet to 3.34 feet from the side yard property line, a total reduction of 4.16 feet.

Gustavo Alminaque, owner, explained his request to allow the carport enclosure. Mr. Alminaque confirmed for Chair Nelson that the area enclosed was within the original carport footprint. The variance was needed because the carport had originally been built within the setback.

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.

Chair Nelson said over the years they had allowed variances for carports that encroached into the setback. He said this was what was originally allowed by the County for this house.

Mr. Mead did not feel this was a hardship. Chair Nelson said the new setbacks came with annexation. If they did not approve the variance, this would be denying the owner the use of a portion of his house.

Motion made by Mr. McGinley, seconded by Mr. Wolfe to:
Approve the variance request for case **PLN-BOA-22060006** because it meets the criteria for a variance. In a roll call vote, motion **passed** 5-0

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CASE:	PLN-BOA-22070002
OWNER:	JOHNSTON, DAVID
AGENT:	SLAZYK, ERIC
ADDRESS:	1010 SW 14 th TERRACE, FORT LAUDERDALE, FL 33312
LEGAL DESCRIPTION:	A PORTION OF PARCEL "C" GRIMM-MILLER ADDITION, ACCORDING TO THE PLAT BOOK 51, PAGE 8, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA MORE PARTICULARLY DESCRIBED ON THE SURVEY
ZONING DISTRICT:	RS-8 - RESIDENTIAL SINGLE FAMILY/LOW MEDIUM DENSITY
COMMISSION DISTRICT:	4
REQUESTING:	<u>Sec. 47-5.31. - Table of dimensional requirements for the RS-8 district. (Note A)</u>

- Requesting a variance to reduce the required 25-foot front yard setback to 16 feet 2 inches, for a total reduction of 8 feet 10 inches. The total project area to be located within the required 25-foot front yard setback will consist of 155.2 square feet.

- Requesting a variance to allow an extension into the intersection of two required 5-foot side yard setbacks by 2-feet 1-inch. The request is necessary due to the angular geometry of the irregular lot which results at the intersection of the two 5-foot setbacks. The total project area to be located within this side setback will consist of 4.5 square feet.

Eric Slazyk, architect, provided a presentation, a copy of which is attached to these minutes for the public record.

Chair Nelson asked about the second variance and Mr. Slazyk pointed out where on the property the extension into the setback was needed. Chair Nelson asked if they would not be able to build the garage if they kept it out of the 25-foot front yard setback and Mr. Slazyk stated they would need to shorten the garage north to south to comply with that setback, but they could still build it.

Mr. McGinley questioned why they were considering the west side to be the front yard. Mr. Slazyk said they had determined during a meeting with the City that the west property line was the front.

Chair Nelson suggested trimming the western side of the garage, which would still allow for a nice sized multicar garage and would necessitate a less severe variance. Mr. McGinley said the current design met the requirements for a side yard and conceptually, this did look like a side yard.

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. Wolfe to:
Approve the two variance requests for case **PLN-BOA-22070002** because they meet the criteria for a variance.
In a roll call vote, motion passed 5-0.

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CASE:	PLN-BOA-22070001
OWNER:	LENNAR HOMES, LLC
AGENT:	GREENSPOON MARDER LLP/DEENA GRAY, ESQ
ADDRESS:	SW 20 TH AVENUE, FORT LAUDERDALE, FL 33312

LEGAL DESCRIPTION:

A PORTION OF LOTS 4, 5 & 6, ALL IN BLOCK E, RIVERSIDE NO. 2, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 1, PAGE 104, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT A SOUTHEAST CORNER OF PARCEL 4, "RIVERSIDE PARK TOWNHOUSE AND VILLAS", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 141, PAGE 43, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA; THENCE NORTH 21'20'13" WEST, A DISTANCE OF 90.61 FEET TO THE POINT OF BEGINNING; THENCE NORTH 00'48'58" WEST, A DISTANCE OF 54.74 FEET; THENCE NORTH 89'11'02" EAST, A DISTANCE OF 159.17 FEET; THENCE SOUTH 00'48'58" EAST, A DISTANCE OF 54.74 FEET; THENCE SOUTH 89'11'02" WEST, A DISTANCE OF 159.17 FEET TO THE POINT OF BEGINNING. SAID LANDS SITUATE AND BEING IN THE CITY OF OAKLAND PARK, BROWARD COUNTY, FLORIDA AND CONTAINING 8,712 SQUARE FEET OR 0.20 ACRES, MORE OR LESS. BUILDING 9

ZONING DISTRICT:

RM-15 – RESIDENTIAL MULTIFAMILY LOW RISE/MEDIUM DENSITY
4

COMMISSION DISTRICT:

REQUESTING:

Sec. 47-18.33.B.5.c.– Single family dwelling, attached: Townhouses.

- Requesting a variance to eliminate a 5' by 54.4' pedestrian easement along the east side lot line of Building 9 of the townhouse development not abutting a public street, whereas the code requires a 5' pedestrian easement when not abutting a public street.

Chair Nelson recused himself from this item and the Board did not have a quorum, so the item was deferred.

Communication to the City Commission

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None

Report and for the Good of the City

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Mr. Malik said regarding outdoor kitchens and barbeques, the Zoning Administrator had interpreted that they could be enclosed on all four sides, with a single 36-inch egress, to be maintained up to a height of 42 inches.

Other Items and Board Discussion

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Chair Nelson requested the City appoint alternates.

There being no further business to come before the Board, the meeting adjourned at 6:36 p.m.

Chair:



Attest:



ProtoType Inc.

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