



**BOARD OF ADJUSTMENT MEETING  
CITY OF FORT LAUDERDALE  
CITY HALL COMMISSION CHAMBERS  
JANUARY 11, 2023 – 6:00 P.M.**

CITY OF FORT LAUDERDALE

| <b>Board Members</b>      | <b>Attendance</b> | <b>Cumulative Attendance<br/>6/2022 through 5/2023</b> |               |
|---------------------------|-------------------|--|---------------|
|                           |                   | <b>Present</b>   | <b>Absent</b> |
| Blaise McGinley, Chair    | P                 | 6  | 1             |
| Howard Elfman, Vice Chair | A                 | 6  | 1             |
| Bill Kent                 | P                 | 2  | 1             |
| Chadwick Maxey            | P                 | 6  | 1             |
| Douglas Meade             | A                 | 5  | 2             |
| Howard Nelson             | P                 | 7  | 0             |
| Robert Wolfe              | P                 | 6  | 1             |

**Staff**

D'Wayne Spence, Acting City Attorney  
 Chakila Crawford, Senior Administrative Assistant  
 Jazmine Eveillard, Administrative Assistant  
 Mohammed Malik, Zoning Administrator  
 James Hollingsworth, Zoning Plan Examiner  
 Jamie Opperee, Recording Secretary, Prototype Inc.

**Communication to the City Commission**

**Motion** made by Mr. Maxey, seconded by Mr. Nelson, to request the City Commission fully appoint the Board's members and alternates. In a voice vote, motion passed unanimously.

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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-22070001</b>   | Lennar Homes, LLC/Deena Gray, Esq.                                   | <b>4</b>               | <b><u>2</u></b>    |
| 2. | <b>PLN-BOA-22120002</b>   | Woltkamp, Eric W and Coffey, Patrick, et al./ Andrew J. Schein, Esq. | <b>2</b>               | <b><u>4</u></b>    |
| 3. | <b>PLN-BOA-22120003</b>   | 13 <sup>th</sup> St Venture LLC/ Stephanie Toothaker, Esq.           | <b>1</b>               | <b><u>3</u></b>    |
|    |                           | Communication to the City Commission                                 |                        | <b><u>6</u></b>    |
|    |                           | For the Good of the City   |                        | <b><u>6</u></b>    |
|    |                           | Other Items and Board Discussion                                     |                        | <b><u>6</u></b>    |

**I. Call to Order**

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

**II. Approval of Minutes – December 14, 2022**

**Motion** made by Mr. Nelson, seconded by Mr. Wolfe to approve the Board's December 14, 2022 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.

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

**IV. Agenda Items**

1.

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

**COMMISSION DISTRICT:**

4

**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.

**This case was Deferred from the December 14, 2022 Agenda.**

Chair Nelson recused himself from this item and the Board lost its quorum.

Elizabeth Somerstein Adler, the applicant's attorney, acknowledged the lack of a quorum and requested a deferral to the next meeting.

**3.**

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|                           |  |
|---------------------------|--|
| <b>CASE:</b>              | <b>PLN-BOA-22120003</b>  |
| <b>OWNER:</b>             | 13TH ST VENTURE LLC  |
| <b>AGENT:</b>             | Stephanie Toothaker, Esq.  |
| <b>ADDRESS:</b>           | 1101 NE 13 STREET, FORT LAUDERDALE FL, 33304   |
| <b>LEGAL DESCRIPTION:</b> | THE WEST 20 FEET OF LOT 4, LESS THE SOUTH 10 FEET, AND LOT 5, LESS THE SOUTH 10 FEET, IN BLOCK 3, OF HOLIDAY HEIGHTS, ACCORDING TO THE PLOT THEREOF AS RECORDED IN PLOT BOOK 27 AT PAGE 11 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA. (See Survey). |

**ZONING DISTRICT:** B-3 - HEAVY COMMERCIAL/LIGHT INDUSTRIAL BUSINESS  
**COMMISSION DISTRICT:** 1  
**REQUESTING:** Sec. 5-26. - Distance between establishments.

- Requesting a special exception from the required distance separation of three hundred (300) feet between establishments selling alcoholic beverages. The location of the proposed establishment is one hundred (100) feet from one establishment licensed to sell alcoholic beverages and two-hundred fifteen (215) feet from another establishment licensed to sell alcoholic beverages. The special exception reduces the distance from three hundred (300) feet to one hundred (100) feet, a total reduction of two hundred (200) feet and from three hundred (300) feet to two hundred fifteen (215) feet, a total reduction of eighty-five (85) feet, respectively.

Estefania Mayorga, attorney, waived the statutory time limitations and requested a deferral.

**Motion** made by Mr. Wolfe, seconded by Mr. Nelson to defer the item. In a voice, motion passed 5-0.

2.

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**CASE:** PLN-BOA-22120002

**OWNER:** WOLTKAMP, ERIC W COFFEY, PATRICK ET AL.

**AGENT:** ANDREW J. SCHEIN, ESQ./LOCHRIE & CHAKAS P.A

**ADDRESS:** 725 NE 16 TERRACE, FORT LAUDERDALE FL, 33304

**LEGAL DESCRIPTION:** LOT 5, BLOCK 4, MACARTHUR PARK, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 19, PAGE 31, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA. (See Survey).

**ZONING DISTRICT:** RCS -15 - RESIDENTIAL SINGLE FAMILY/  
MEDIUM DENSITY  
**COMMISSION** 2  
**DISTRICT:**  
**REQUESTING:** **Sec. 47-5.33. - Table of dimensional requirements  
for the RC-15 and RCs-15 districts. (Note A)**

- Requesting a variance to reduce the minimum 5 feet north side yard setback to 0 feet, a reduction of 5 feet to allow an existing shade carport (See Survey) to be converted into an enclosed garage.
- A variance from the 25 feet minimum front yard requirements of Section 47-5.33 Table of Dimensional Requirements to allow an existing non-conforming structure to remain at a front yard setback of 20 feet if it loses its legal nonconformity, measured a total maximum variance request of 5 feet.

Andrew Schein, attorney, provided a Power Point presentation, a copy of which is attached to these minutes for the public record. He stated they had several letters of support from neighbors and had received no letters of objection.

Patrick Coffey, owner, confirmed they wished the enclosed space for typical garage storage uses.

Mr. Mohammed explained there was a Florida Building Code issue with the property line and the fire rating needed to be done. This would create additional requirements during the permitting/inspection process.

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

**Motion** made by Mr. Nelson, seconded by Mr. Wolfe to:  
Approve the variance requests because they meet the criteria for a variance. In a roll call vote, motion **passed** 5-0.

**Communication to the City Commission**

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Mr. Maxey noted that the Board was without alternates.

**Motion** made by Mr. Maxey, seconded by Mr. Nelson, to request the City Commission fully appoint the Board's members and alternates. In a voice vote, motion passed unanimously.

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

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None

**Other Items and Board Discussion**

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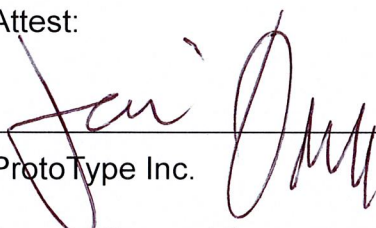
None

There being no further business to come before the Board, the meeting adjourned at 6:22 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.

# Board of Adjustment

January 11, 2023

Eric Woltkamp and Patrick Coffey

725 NE 16<sup>th</sup> Terrace

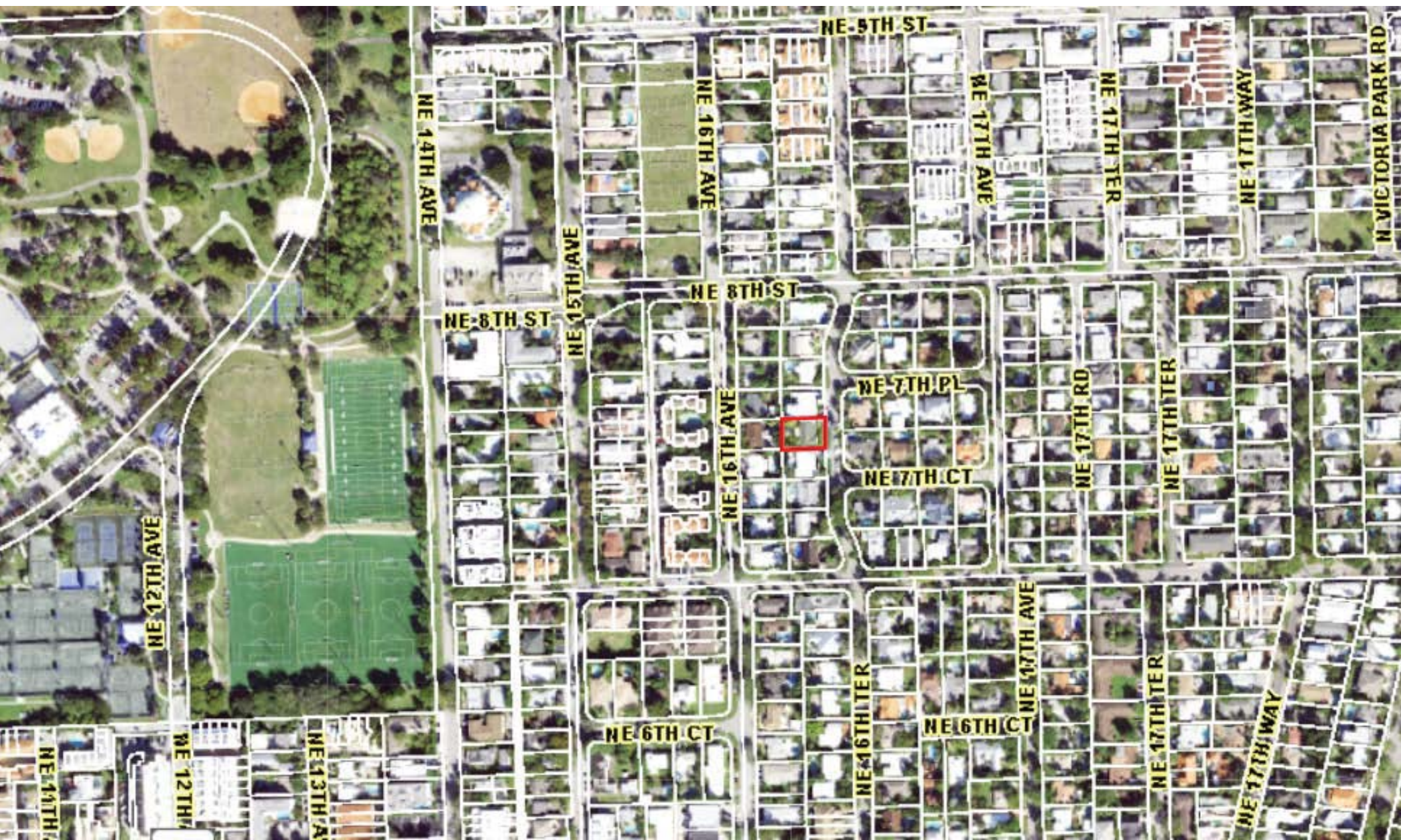
# Applicable Code

ULDR Section 47-5.33

Table of Dimensional Requirements for RCs-15

Side yard, minimum: 5 feet

Front Yard, minimum: 25 feet





NE 16TH AVE

NE 16TH TER

NE 7TH PL

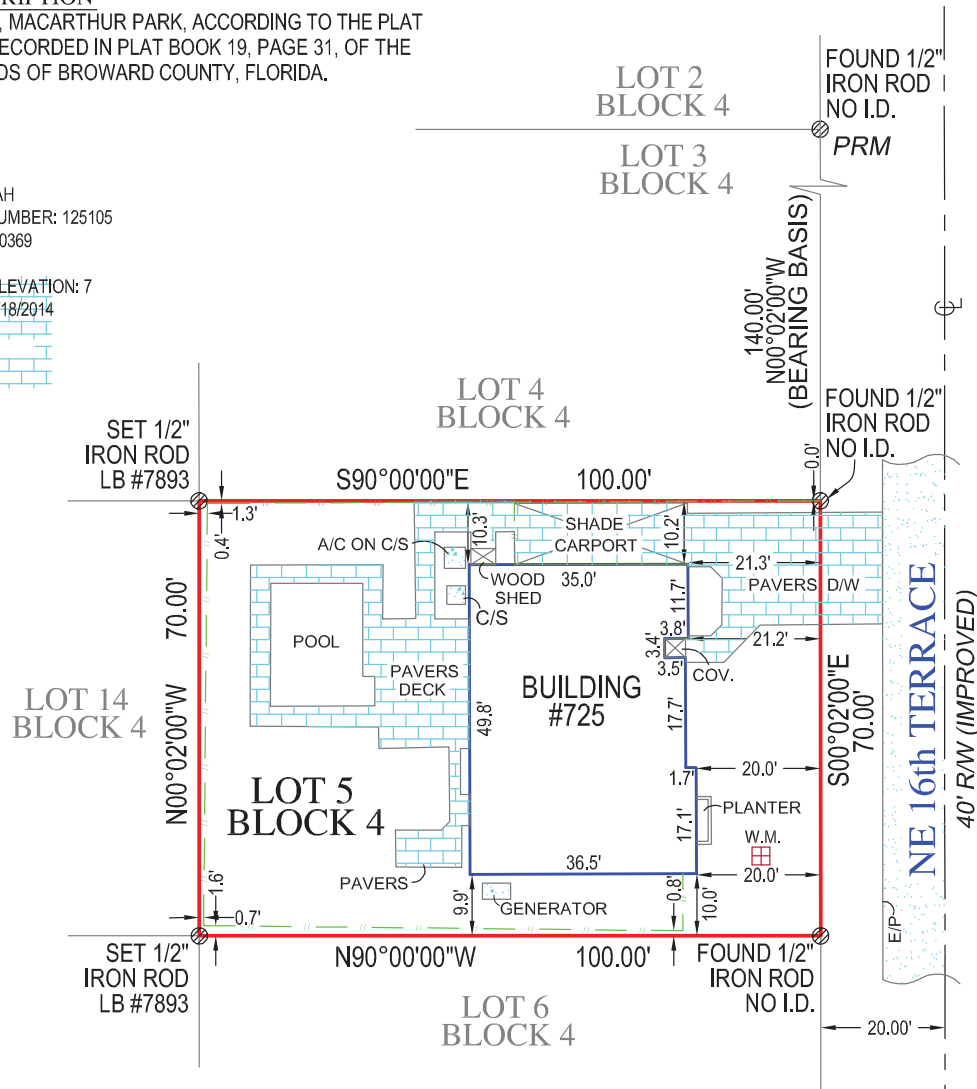
NE 7TH CT

# The Request

**LEGAL DESCRIPTION**

LOT 5, BLOCK 4, MACARTHUR PARK, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 19, PAGE 31, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

FLOOD ZONE: AH  
 COMMUNITY NUMBER: 125105  
 PANEL: 12011C0369  
 SUFFIX: H  
 BASE FLOOD ELEVATION: 7  
 FIRM DATE: 08/18/2014



**LEGEND**

- A/C AIR CONDITIONER
- B.F.P. BACKFLOW PREVENTER
- C.B.S. CONCRETE BLOCK STRUCTURE
- ELEV. ELEVATION
- FF. FINISHED FLOOR
- I.D. IDENTIFICATION
- L. LENGTH
- L.B. LICENSED BUSINESS
- M. MEASURED
- N.A.V.D. NORTH AMERICAN VERTICAL DATUM
- N.G.V.D. NATIONAL GEODETIC VERTICAL DATUM
- O.R.B. OFFICIAL RECORDS BOOK
- P. PLAT
- PSM. PROFESSIONAL SURVEYOR AND MAPPER
- P.R.M. PERMANENT REFERENCE MONUMENT
- P.G. PAGE
- P.B. PLAT BOOK
- PK. PARKER KYLON NAIL
- R. RADIUS
- C.L. CENTERLINE
- AND
- N. NUMBER
- Δ DELTA OR CENTRAL ANGLE
- CONCRETE
- x CHAIN LINK FENCE
- // WOOD FENCE
- MISCELLANEOUS FENCE



**NOTES:**

1. LEGAL DESCRIPTION PROVIDE BY CLIENT
2. NO SEARCH OF THE PUBLIC RECORD FOR THE PURPOSE OF ABSTRACTING TITLE WAS PERFORMED BY THIS OFFICE
3. NO SUBSURFACE IMPROVEMENTS WERE LOCATED AS PART OF THIS SURVEY
4. ALL ANGLES OR BEARINGS AND DISTANCES SHOWN HEREON ARE BOTH RECORD AND MEASURED UNLESS OTHERWISE NOTED
5. SOME FEATURES MAY NOT BE AT SCALE IN ORDER TO SHOW DETAIL.
6. THE BEARINGS SHOWN HEREON ARE BASED UPON THE EASTERLY PROPERTY LINE, HAVING A BEARING OF S00°02'00\".

DATE OF FIELD WORK: 10/24/2022  
 DATE OF MAP: 10/26/2022

SURVEYORS CERTIFICATE:  
 I HEREBY CERTIFY THAT THIS BOUNDARY SURVEY IS A TRUE AND CORRECT REPRESENTATION OF A SURVEY PREPARED UNDER MY DIRECTION. NOT VALID WITHOUT A RAISED EMBOSSED SEAL AND SIGNATURE.

**Kenneth Osborne**  
 Digitally signed by Kenneth Osborne  
 Date: 2022.12.16 10:14:31 -05'00'

(SIGNED)

KENNETH J. OSBORNE  
 PROFESSIONAL SURVEYOR AND MAPPER #6415

BOUNDARY SURVEY OF  
**725 NORTHEAST 16TH TERRACE**  
 FORT LAUDERDALE, FL 33304  
 PREPARED FOR  
**ERIC WOLTKAMP**

|         |            |        |        |
|---------|------------|--------|--------|
| Project | C-563799   | Sheet  |        |
| Date    | 10/24/2022 | Scale  | 1"=20' |
|         |            | 1 OF 1 |        |

6250 N. MILITARY TRAIL  
 SUITE 102  
 WEST PALM BEACH, FL 33407  
 www.compassurveying.net



LB. 7463 PHONE: 561.640.4800 FAX: 561.640.0576

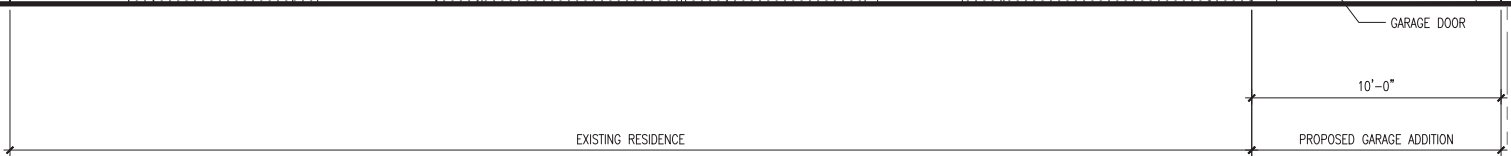


NOTE:  
ROOF DOES NOT  
EXTEND BEYOND  
PROPERTY LINE

NEW ROOF

GARAGE DOOR

PROPERTY LINE



EXISTING RESIDENCE

10'-0"

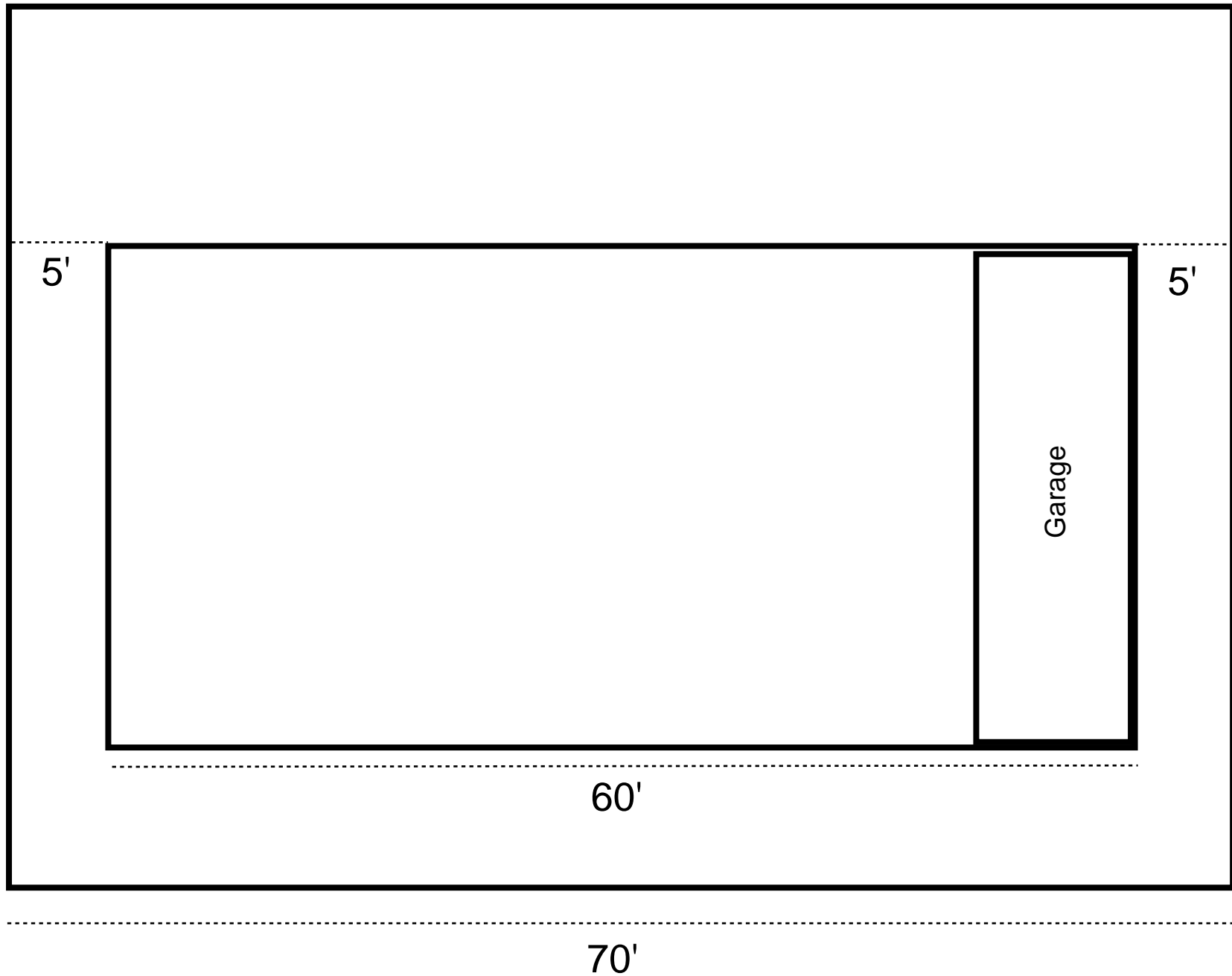
PROPOSED GARAGE ADDITION

NOTE:  
GARAGE ADDITION EXTERIOR WALLS AND  
ROOF CONSTRUCTION TO HAVE A MIN.  
FIRE RESISTANCE RATING OF 1-HOUR  
PER TABLE R302.1 OF THE FLORIDA  
RESIDENTIAL CODE.



# Historical Information

# Buildable Under Today's Code





**SECTION 47-10.8. "R-3-B/RM-15" DISTRICT****Sec. 47-10.8.1. Uses permitted.**

No building or structure, or part thereof, shall be erected, altered or used, or land or water used, in whole or in part, for other than any use hereinafter set out:

*Residential:*

- (a) One- and two-family dwellings.
- (b) Townhouses or row houses subject to the provisions of section 47-10.7.
- (c) Multiple-family dwellings and apartments.
- (d) Mobile home parks, subject to the provisions of section 47-11.8.

*Institutional:*

- (a) Public and parochial schools.
- (b) Public buildings and land uses and those of public utilities holding a franchise from the city, subject to the provisions of section 47-47.
- (c) Church buildings subject to the provisions of section 47-35.
- (d) Kindergartens.
- (e) Parking lots as permitted in R-3 district under the provisions of section 47-45.

*Recreational:*

- (a) Public parks, playgrounds, beaches and recreational buildings and facilities.
- (b) Private recreational facilities and community structures maintained by a private association of residents of the district.
- (c) Golf courses with accessory private country clubs, subject to site plan approval as in S-1 district.
- (d) Flower and vegetable gardens, greenhouses and groves, as permitted in R-3-A district.

(b) *Side yard*: Shall be a minimum of ten (10) feet in width for residential buildings and twenty (20) feet for other uses.

(c) *Rear yard*: Shall be a minimum of twenty (20) feet.

(d) Yard dimensions are the minimum requirements for buildings which do not exceed twenty-two (22) feet in height. Where a building exceeds twenty-two (22) feet in height, that portion of the building above twenty-two (22) feet in height shall be set back an additional one (1) foot per foot of additional height.

(e) The distance between buildings on the same plot shall be as follows:

| <i>Height</i>           | <i>Side to Side (feet)</i> | <i>Site to Front or Rear (feet)</i> | <i>Front to Front<br/>Front to Rear<br/>Rear to Rear (feet)</i> |
|-------------------------|----------------------------|-------------------------------------|---|
| From ground to 11 feet  | 15                         | 20                                  | 40  |
| Over 11 feet to 22 feet | 20                         | 25                                  | 40  |
| Over 22 feet to 35 feet | 25                         | 25                                  | 50  |

(f) All yards shall be measured at ground level and be unoccupied and unobstructed from the ground upward except for parking structures and other encroachments specifically authorized. (Code 1953, § 47-10.8.4; Ord. No. C-94-8, §§ 3, 4, 3-15-94)

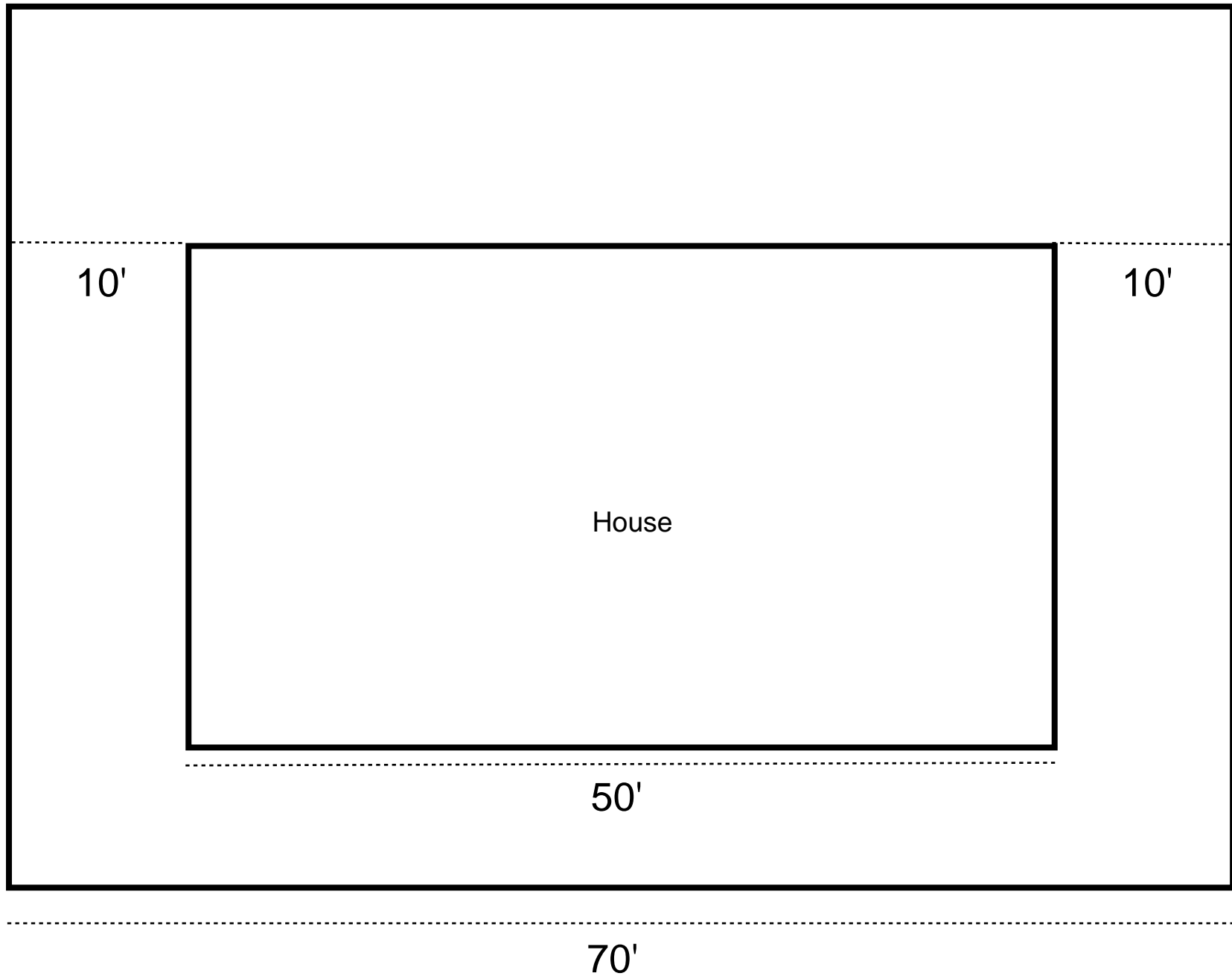
**Sec. 47-10.8.5. Minimum floor area.**

(a) Single-family dwellings shall have a minimum floor area of seven hundred fifty (750) square feet exclusive of porches, terraces, carports and garages.

(b) Two-family and multiple-family dwellings shall have a minimum floor area of four hundred (400) square feet per dwelling unit exclusive of porches, terraces, carports and garages.



# Buildable Under Previous Code



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|-------------------------|----------------------------|-------------------------------------|---|
| From ground to 11 feet  | 15                         | 20                                  | 40  |
| Over 11 feet to 22 feet | 20                         | 25                                  | 40  |
| Over 22 feet to 35 feet | 25                         | 25                                  | 50  |

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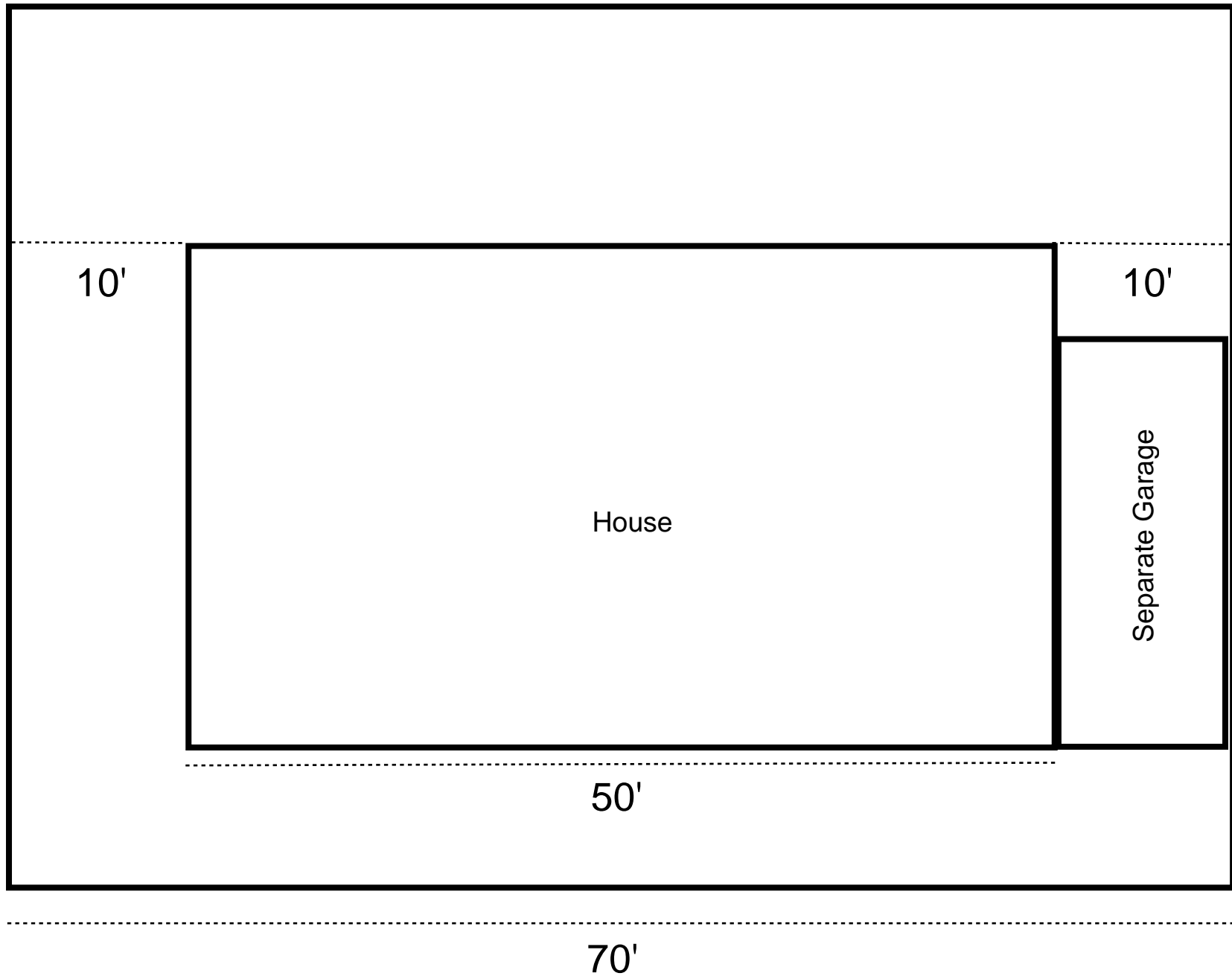


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# Buildable Under Previous Code



Need for the Variance



1617

733

Exist.  
Zone AH29  
EL 7

**12011C0369H**



721

715

724

Zone





# Support Letters



# Board of Adjustment

January 11, 2023

Eric Woltkamp and Patrick Coffey

725 NE 16<sup>th</sup> Terrace