

## BOARD OF ADJUSTMENT MEETING

City of Fort Lauderdale  
City Hall Commission Chambers  
100 N. Andrews Avenue, Fort Lauderdale, FL 33301

Wednesday, February 8, 2023  
6:00 PM

### AGENDA

- I. CALL TO ORDER / PLEDGE OF ALLEGIANCE
- II. APPROVAL OF MINUTES / DETERMINATION OF QUORUM
- III. PUBLIC SIGN-IN / SWEARING-IN
- IV. **AGENDA ITEMS: AGENDA ITEMS MAY BE TAKEN OUT OF ORDER TO ACCOMMODATE PUBLIC COMMENT OR AS THE BOARD DEEMS NECESSARY. ALL APPLICANT(S), AGENT(S), AND ANYONE WHO WISHES TO SPEAK ON ANY ITEM ON THE AGENDA, MUST BE PRESENT AT THE BEGINNING OF THE MEETING DUE TO THE POSSIBILITY THAT AGENDA ITEMS MAY BE TAKEN OUT OF ORDER.**

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 20TH 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 |

**ZONING DISTRICT:**

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. 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 January 11, 2023, BOA meeting Agenda.**

**Motion** to approve the variance passed 6-0 with one Board member abstaining.

2.

**CASE:**

**PLN-BOA-22120003**

**OWNER:**

13TH ST VENTURE LLC

**AGENT:**

STEPHANIE TOOTHAKER, ESQ.

**ADDRESS:**

1101 NE 13 STREET, FORT LAUDERDALE FL, 33304

**LEGAL DESCRIPTION:**

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.

**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.

This case was Deferred from the January 11, 2023, BOA meeting Agenda.

Motion to defer to April passed 7-0.

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**3. CASE:** **PLN-BOA-23010004**

**OWNER:** TT OF POMPANO INC; STEPHEN TERRY

**AGENT:** ASHLEY PEGRAM

**ADDRESS:** 6606 N ANDREWS AVENUE; N ANDREWS AVENUE, FORT LAUDERDALE FL, 33309

**LEGAL DESCRIPTION:** **PARCEL 1:** RUN THENCE SOUTH 89'29'38 EAST, ALONG THE SOUTH BOUNDARY OF THE NOTHEAST ¼ OF THE NORTHEAST ¼ OF SAID SECTION 10. TOGETHER WITH: A NON-EXCLUSIVE 20' UTILITY EASEMENT AS CREATED BY THAT CERTAIN EASEMENT RECORDED FEBRUARY 9, 1998, IN OFFICIAL RECORDS BOOK 27676, PAGE 968, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA. SAID LANDS SITUATE, LYING AND BEING IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA, AND CONTAINING 109,336 SQUARE FEET OR 2.5100 ACRES, MORE OR LESS. **PARCEL 3:** A DISTANCE OF 171.76 FEET; THENCE NORTH 89'29'38 WEST, A DISTANCE OF 210.73 FEET; THENCE SOUTH 00'30'22" WEST, A DISTANCE OF 1.67 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 00'30'22" WEST, A DISTANCE OF 356.43 FEET. TOGETHER WITH: ACCESS EASEMENT RIGHTS CONTAINED IN THAT EASEMENET IN FAVOR OF BROWARD COUNTY, RECORDED IN OFFICIAL RECORDS BOOK 8019, PAGE 281. OF THE PUBLIC RECORDS OF BROWARD COUNTY. SAID LANDS SITUATE, LYING AND BEING IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA, AND CONTAINING 39,711 SQUARE FEET OR 0.9116 ACRES, MORE OF LESS. **PARCEL 2:** TOGETHER WITH: EASEMENTS AS CREATED BY THAT CERTAIN GRANT OF EASEMENTS AGREEMENT FILED AUGUST 9, 1984 IN OFFICIAL RECORDS BOOK 11921, AT PAGE 829, AS AMENDED BY FIRST AMERICAN FILED FEBRUARY 9, 1998 IN OFFICIAL RECORDS BOOK 27676, AT PAGE 896, AND AS CREATED BY EASEMENT AGREEMENT FILED AUGUST 19, 1994 IN OFFICIAL RECORDS BOOK 22520, AT PAGE 558 AND AS CREAED BY EASEMENTS FILED

FEBRUARY 9, 1998 IN OFFICIAL RECORDS BOOK 27676, AT PAGE 944 AND IN OFFICIAL RECORDS BOOK 27676, AT PAGE 968 FOR THE PURPOSES AS STATED THEREIN, OVER AND ACROSS THE LANDS AS STATED THERIEN, SUBJECT TO THE TERMS AND CONDITIONS AND PROVISIONS THEREOF. SAID LANDS SITUATE, LYING AND BEING IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA, AND CONTAINING 134,827 SQUARE FEET OR 3.0952 ACRES, MORE OR LESS. (SEE SURVEY)

**ZONING DISTRICT:**

B-3 - HEAVY COMMERCIAL/LIGHT INDUSTRIAL BUSINESS

**COMMISSION DISTRICT:**

1

**REQUESTING:**

**Sec. 47-22.4. A.1. -Maximum number of signs at one location and special requirements in zoning districts.**

- Requesting a variance to allow five (5) additional freestanding and wall mounted signs (Signs 1(N01), 4(N14), 5 (N15), 6(N16) and 7(N10), whereas the code states that where there are two (2) streets and two (2) vehicle travel ways the maximum number of signs allowed can be four (4), but no more than one (1) being a freestanding sign. This variance would allow a total of five (5) additional signs.

**Sec. 47-22.3. G. -Ground sign**

- Requesting a variance for a double-sided ground sign (sign 1 (N01)) at a height of ten (10) feet with a six (6) foot four (4) inch sign and a three (3) foot eight (8) inch base, whereas the code states such signs may not exceed five (5) feet in height and may not be installed in such a manner that a total height of eight (8) feet above natural grade is exceeded, a total variance height request of two (2) feet of which one (1) foot four (4) inches for the sign and eight (8) inches for the base.

**Sec. 47-22.3. E. - On-site directional signs**

- Requesting a variance for an existing onsite directional sign (Sign 2 (N11) from 9 feet 6 inches in height where the code permits 4 feet, a difference of 5 feet 6 inches and the total area of 115.58 Square feet where the code permits an area of 8 square feet, a total variance request for 107.58 square feet.
- Requesting a variance for an existing onsite directional sign (Sign 3 (N12) from 9 feet in height where the code permits 4 feet, a difference of 5 feet and the total area of 81.00 Square feet where the

code permits an area of 8 square feet, a total variance request for 73.00 square feet.

**Motion** to approve the three variance requests passed 7-0.

V. **COMMUNICATION TO THE CITY COMMISSION**

VI. **FOR THE GOOD OF THE CITY OF FORT LAUDERDALE**

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