



BOARD OF ADJUSTMENT MEETING NOTICE

May 25, 2023

A Public Hearing will be held before the Board of Adjustment on: **Wednesday, June 14, 2023, at 6:00 P.M.**

This meeting will be held in-person at: Development Services Department (Lobby) 700 NW 19th Avenue, Fort Lauderdale, Florida 33311 to determine whether the following application should be granted. To view more information about this item, please visit: www.fortlauderdale.gov/government/BOA

CASE:	PLN-BOA-23050003
OWNER:	23 ISLA BAHIA DRIVE LLC
AGENT:	STEPHANIE TOOTHAKER, ESQ.
ADDRESS:	23 ISLA BAHIA DR, FORT LAUDERDALE, 33316
LEGAL DESCRIPTION:	LOT 37 IN ISLA BAHIA, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 47, AT PAGE 27, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA. (SEE SURVEY)
ZONING DISTRICT:	RS-4.4 - RESIDENTIAL OF SINGLE FAMILY/LOW DENSITY
COMMISSION DISTRICT:	4
REQUESTING:	<u>Sec. 47-5.30. - Table of dimensional requirements for the RS-4.4 district.</u> <ul style="list-style-type: none"> • Requesting a variance from ULDR Section 47-5.30 to allow a corner yard setback of 16 feet where the ULDR requires a corner yard setback of 25 feet for a total variance of 9 feet.

To watch and listen to the meeting, please visit: <https://www.fortlauderdale.gov/governement/BOA>
www.youtube.com/cityoffortlauderdale

If you have any questions, please feel free to contact me directly at 954-828-6342.

MOHAMMED MALIK
ZONING ADMINISTRATOR

Florida Statutes, Sec. 286.0105

NOTE: If any person decides to appeal any decision made with respect to any matter considered at this public meeting or hearing, he/she will need a record of the proceedings, and for such purpose, he/she may need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based.




PLN-BOA-23050003


LEGEND

-  Municipal Boundary
-  Subject Site

N



0 100 200 US Feet





CITY OF FORT LAUDERDALE
PUBLIC NOTICE

BOARD OF ADJUSTMENT MEETING

DATE: JUNE 14, 2023

TIME: 6:00 P.M.

CASE: PLN-BOA-23050003

Requesting: Sec. 47-5.30. - Table of dimensional requirements for the RS-4.4 district.

• Requesting a variance from ULDR Section 47-5.30 to allow a corner yard setback of 16 feet where the ULDR requires a corner yard setback of 25 feet for a total variance of 9 feet.

**MEETING LOCATION: DEVELOPMENT SERVICES DEPARTMENT
700 N.W. 19TH AVENUE (LOBBY)
FORT LAUDERDALE, FL., 33311
CONTACT: 954-828-6506**

**TO WATCH AND LISTEN TO THE BOARD OF ADJUSTMENT MEETING VISIT:
<https://www.fortlauderdale.gov/government/BOA>
www.youtube.com/cityoffortlauderdale**



This Notice is the property of the City of Fort Lauderdale. In accordance with City Code Section 16-29, It shall be unlawful for any person to injure, cut, break or destroy in any manner any building or other thing belonging to or under the control of the City. Persons marring or removing the Notice may be subject to fine and/or imprisonment.

In accordance with City Code Section 47-27.2A. H The sign shall remain on the property until final disposition of the application. This shall include any deferral, rehearing, appeal, request for review or hearing by another body. The sign information shall be changed as provided in subsection A.3.a





Isla Bahia Drive



Harborage Drive



Intersection of Isla Bahia Drive and Harborage Drive

Sec. 47-5.30. Table of dimensional requirements for the RS-4.4 district.

Requirements	RS-4.4		
Maximum density	4.4 du/net ac.		
Minimum lot size	10,000 sq. ft.		
Maximum structure height	35 ft.		
Maximum structure length	None		
Minimum lot width	75 ft. *100 ft. when abutting a waterway on any side		
Minimum floor area	1,250 sq. ft.		
Minimum front yard	25 ft. Special minimum front yard setbacks: Coral Isles—15 ft. Nurmi Isles—20 ft. Pelican Isle—20 ft.		
Minimum corner yard	25% of lot width, but not greater than 25 ft. 25 ft. when abutting a waterway		
Minimum side yard	10 ft. - up to 22 ft. in height Where a building exceeds 22 ft. in height that portion of the building shall be set back an additional 1 foot per foot of building height above 22 ft. 25 ft. when abutting a waterway		
Minimum rear yard	15 ft. 25 ft. when abutting a waterway		
Minimum distance between buildings	None		
	<i>Lot Size</i>	<i>**Maximum Lot Coverage</i>	<i>**Maximum Floor Area Ratio</i>
	≤10,000 sf	50%	0.75
Lot coverage and FAR	10,001—15,000 sf	45%	0.75
	>15,000 sf	40%	0.60

Note A: Dimensional requirements may be subject to additional regulations, see Section 47-23, Specific Location Requirements, and Section 47-25, Development Review Criteria.

*Allowances for modifications of lot widths may be permitted in accordance with the requirements of Section 47-23.10, Specific Location Requirements.

**An increase in the maximum FAR or lot coverage may be permitted subject to the requirements of a site plan level III, see Section 47-24.2.

(Ord. No. C-97-19, § 1(47-5.4), 6-18-97)

Record

Menu **Refine Search** **New** **GIS** **Create a Set** **View Log** **Reports** **Help** My Filters Module

Showing 1-23 of 23

<input type="checkbox"/>	Record, Permit, or Account #	Record Description	Application Name	Record Type	Balance	Planner Name	Street #	Dir	Street Name	Type	Opened Date	Status
<input type="checkbox"/>	PLB-SEW-23050017	SEWER CAP FOR DEMO	SEWER CAP FOR DEMO	Plumbing Sewer Cap Permit	11		23		ISLA BAHIA	DR	05/26/2023	Awaiting Permit Issuance
<input type="checkbox"/>	PLN-BOA-23050003	Sec. 47-5.30. - Table of dimensional requirements...	23 Isla Bahia Drive	Z- Board of Adjustment (BOA)	0		23		ISLA BAHIA	DR	05/05/2023	Open
<input type="checkbox"/>	CE22040400	BOAT TIED TO THE CITY BRIDGE ON HARBORAGE ISLE DR		Code Case	0	Rafael Santos	23		ISLA BAHIA	DR	04/11/2022	Closed
<input type="checkbox"/>	BT-GEN-REN-20070374		General Renewal	General Business Tax Renewal	0		23		ISLA BAHIA	DR	07/01/2020	Closed
<input type="checkbox"/>	CE18090886	L/S - ASAP - 0 CASE FOUND	LAMBERT,ROBERT F	Code Case	0		23		ISLA BAHIA	DR	09/13/2018	Closed
<input type="checkbox"/>	VIO-CE18090886_1		LAMBERT,ROBERT F	Violation-CODE Hearing	0		23		ISLA BAHIA	DR	09/13/2018	Closed
<input type="checkbox"/>	PM-17091309	REBUILD EXISTING BALCONY/ATRIUM & STUCCO WORK...	REBUILD EXISTING BALCONY/ATR...	Residential Alteration Permit	0		23		ISLA BAHIA	DR	09/26/2017	Void
<input type="checkbox"/>	PM-17080254	ATF INSTALL WOOD FENCE ~ ~NOC	ATF INSTALL WOOD FENCE	Fence Permit	0		23		ISLA BAHIA	DR	08/02/2017	Complete
<input type="checkbox"/>	PM-17041381	INSTALL PAVERS ON DRIVEWAY ~NOC RECVD	INSTALL PAVERS ON DRIVEWAY	Residential Paving Permit	0		23		ISLA BAHIA	DR	04/17/2017	Complete
<input type="checkbox"/>	CE17031844	THIS CASE WAS REFERED TO CHIEF OLIVA BY BUILDING,...	LAMBERT,ROBERT F	Building Code Case	0		23		ISLA BAHIA	DR	03/22/2017	Closed
<input type="checkbox"/>	VIO-CE17031844_1	THIS CASE WAS REFERED TO CHIEF OLIVA BY BUILDING	LAMBERT,ROBERT F	Violation-BLD Hearing	0		23		ISLA BAHIA	DR	03/22/2017	Closed
<input type="checkbox"/>	VIO-CE17031844_2	THIS CASE WAS REFERED TO CHIEF OLIVA BY BUILDING	LAMBERT,ROBERT F	Violation-BLD Hearing	0		23		ISLA BAHIA	DR	03/22/2017	Closed
<input type="checkbox"/>	CE15080052	HARBOR BEACH- BULK TRASH PILE WAS FOUND OUT ON TH...	LAMBERT,ROBERT F	Bulk Trash Case	0		23		ISLA BAHIA	DR	08/03/2015	Closed
<input type="checkbox"/>	VIO-CE15080052_1	HARBOR BEACH- BULK TRASH PILE WAS FOUND OUT ON THE	LAMBERT,ROBERT F	Bulk Trash Case	0		23		ISLA BAHIA	DR	08/03/2015	Closed
<input type="checkbox"/>	CE14031429	FOLIO# 0213160380, THE SECOND FLOOR OF THE BUILDI...	LAMBERT,ROBERT F	Building Code Case	0		23		ISLA BAHIA	DR	03/20/2014	Closed
<input type="checkbox"/>	VIO-CE14031429_1	THE SECOND FLOOR OF THE BUILDING HAS BEEN	LAMBERT,ROBERT F	Violation-BLD Hearing	0		23		ISLA BAHIA	DR	03/20/2014	Closed
<input type="checkbox"/>	PM-14021468	R AND R GARAGE DOOR 18 X 7: RENEWED 8/20/14 ~ ~08...	R AND R GARAGE DOOR 18 X 7: ...	Window and Door Permit	0		23		ISLA BAHIA	DR	02/20/2014	Complete
<input type="checkbox"/>	PM-14011826	REMOVE & REPLACE 24 WINDOWS & 9 DOORS W/L...	REMOVE & REPLACE 24 WINDOWS ...	Window and Door Permit	0		23		ISLA BAHIA	DR	01/29/2014	Complete
<input type="checkbox"/>	PM-06102170	REROOF: 5800 SQ FT SHINGLE	REROOF: 5800 SQ FT SHINGLE	Re-Roof Permit	0		23		ISLA BAHIA	DR	10/20/2006	Complete
<input type="checkbox"/>	PM-06060826	ELECT FOR DOCK BP 06041238	ELECT FOR DOCK BP 06041238	Electrical Residential Permit	0		23		ISLA BAHIA	DR	06/07/2006	Complete
<input type="checkbox"/>	PM-06041238	wood dock replacement 7' x 90'	wood dock replacement 7' x 90'	Boatlift-Dock-Seawall-Pile Permit	0		23		ISLA BAHIA	DR	04/13/2006	Complete
<input type="checkbox"/>	BL-9033603		CRUISE AMERICA ASSOCIATES	General Business Tax Receipt	0		23		ISLA BAHIA	DR	07/22/2003	Closed
<input type="checkbox"/>	PM-00070728	INSTALL 1 1/2"IRRIG METER WITH BFP	INSTALL 1 1/2"IRRIG METER WI...	Plumbing Meter Install Permit	0		23		ISLA BAHIA	DR	07/12/2000	Complete



DEVELOPMENT SERVICES DEPARTMENT – ZONING & LANDSCAPING
BOARD OF ADJUSTMENT (BOA)

Rev: 5 Revision Date: 07/25/2022 | Print Date: 07/25/2022
I.D. Number: Z&L-BOA

BOARD OF ADJUSTMENT (BOA) INFORMATION AND APPLICATION

- Cover : Deadlines, Notes, Fees, and General Information
- Page 1 : Applicant Information Sheet
- Page 2 : Variance Request Criteria
- Page 3 : Required Documentation & Mail Notice Requirements
- Page 4 : Sign Notice Requirements & Affidavit
- Page 5 : Technical Specifications

BOARD OF ADJUSTMENT MEETING REQUEST: Prior to the submittal of the Board of Adjustment application, applicants are required to schedule a meeting request with Zoning and Landscaping Division staff to obtain feedback regarding the proposed variance, special exception, or other applications. The meeting includes general guidance on the submittal and process for the application type. A meeting can be requested by submitting an email request to the [Board of Adjustment](#).

APPLICATION DEADLINE: Submittals must be received by 5 :00 PM each business day. Pursuant to Section 47-24.12, the Department will review all applications to determine completeness within five (5) business days. Applicants will be notified via e-mail, if application, survey, plans and other documentation do not meet the submittal requirements and if changes are required. The applicable deadline dates can be found on the City’s website at the [Board of Adjustment](#) webpage.

ONLINE SUBMITTAL PROCESS: Submittals must be conducted through the City’s online citizen access portal and payment of fees [LauderBuild](#). LauderBuild requires the creation of an online account to submit a complete application. To access submittal requirements and standards please visit the [LauderBuild Plan Room](#). Staff will provide guidance once an application has been submitted to the City.

DETERMINATION OF COMPLETENESS: Submittals are reviewed for completeness to ensure the application submittal contains all the required information including plans, survey, proof of ownership, narratives, and other pertinent documentation. The City will notify the applicant within five (5) business days from submittal with a determination of completeness. The notification will be sent via email and will indicate application completeness or incompleteness with required changes.

PAYMENT OF FEES: All applications for development permits are established by the City Commission, as set forth by resolution and amended from time to time. In addition to the application fee, any additional costs incurred by the City including review by a consultant on behalf of the City, or special advertising costs shall be paid by the applicant. Any additional costs, which are unknown at the time of application, but are later incurred by the City, shall be paid by the applicant prior to the issuance of a development permit. Applicants will receive invoices electronically indicating the applicable fee(s). Note, there are fees at various stages of review depending on application type. Fees are paid online.

PUBLIC SIGN NOTICE: Board of Adjustment (BOA) application, and certain applications are subject to public sign notice. Affidavits must be completed and submitted to the City stated compliance that such has been completed. The affidavit form can be found in this package on page 4 and on the City’s website.

- Variance/Special Exception/Interpretation (Before): \$2,200
- Variance/Special Exception/Interpretation (After): \$2,800
- Variance/Special Exception/Interpretation (Before): \$650
- Residential (Homesteaded Only) Accessory Structures & Existing Non-Conforming Structures.
- Variance/Special Exception/Interpretation (After): \$850
- Residential (Homesteaded Only) Accessory Structures & Existing Non-Conforming Structures.
- Request For Continuance: \$900
- Request for Rehearing: \$300
- Rehearing Request before the board: \$1,150

Page 1: BOA - Applicant Information Sheet

INSTRUCTIONS: The following information is requested pursuant to the City's Unified Land Development Regulations (ULDR). While the information requested in this application is the minimum required to proceed please be aware additional information may be required to fully address the variance requested. The application must be filled out accurately and completely. Please print or type and answer all questions. Indicate N/A if does not apply.

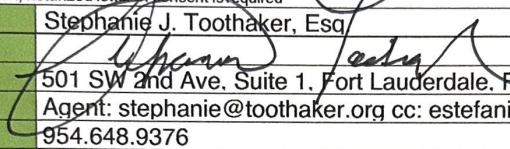
NOTE: To be filled out by Department

Case Number	
Date of complete submittal	

NOTE: For purpose of identification, the **PROPERTY OWNER** is the **APPLICANT**

Property Owner's Name	23 Isla Bahia Drive, LLC
Property Owner's Signature	If a signed agent letter is provided, no signature is required on the application by the owner
Address, City, State, Zip	2620 SE 21st Street, Fort Lauderdale, FL 33316
E-mail Address	Agent: stephanie@toothaker.org
Phone Number	954.648.9376
Proof of Ownership	<input checked="" type="checkbox"/> Warranty Deed or <input type="checkbox"/> Tax Record

NOTE: If AGENT is to represent OWNER, notarized letter of consent is required

Applicant / Agent's Name	Stephanie J. Toothaker, Esq
Applicant / Agent's Signature	
Address, City, State, Zip	501 SW 2nd Ave. Suite 1, Fort Lauderdale, FL 33301
E-mail Address	Agent: stephanie@toothaker.org cc: estefania@toothaker.org
Phone Number	954.648.9376
Letter of Consent Submitted	<input checked="" type="checkbox"/>

Development / Project Name	23 Isla Bahia Drive
Existing / New	Existing: <input type="checkbox"/> New: <input checked="" type="checkbox"/>
Project Address	Address: 23 Isla Bahia Drive, Fort Lauderdale, FL 33316
Legal Description	Lot 37 in ISLA BAHIA, according to the plat thereof as recorded in Plat Book 47, at Page 27 of the Public Records of Broward County, Florida.
Tax ID Folio Numbers (For all parcels in development)	504213-16-0380
Variance Request (Describe)	Variance from ULDR Section 47-5.30 to allow a corner yard setback of 16 feet where the ULDR requires a corner yard setback of 25 feet for a total variance of 9 feet
Applicable ULDR Sections	ULDR Section 47-5.30

Current Land Use Designation	Low
Current Zoning Designation	RS-4.4
Current Use of Property	Single Family
Site Adjacent to Waterway	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Setbacks (indicate direction N, S, E, W)			Required	Proposed
Front	S	Isla Bahia Drive	25 feet	25 feet
Side	W	Interior / Adj Property	10 feet	10 feet
Side	E	Harborage Isle Drive	25 feet	16 feet
Rear	N	Waterway	25 feet	25 feet

Page 2: Board of Adjustment (BOA) Criteria for Variance Request

Answer All questions on this page and attach narrative.

SPECIFIC REQUEST: State the specific request according to the ULDR or other provisions of the Code.

CRITERIA: Applicant must demonstrate a unique hardship attributable to the land by proving by a preponderance of the evidence for all of the following criteria. Please answer the following criteria completely. While some criteria may seem duplicative the response should be tailored specifically to each. Per section 47-24.12. A.4,

a. Special conditions and circumstances affect the property at issue which prevent the reasonable use of such property; and

Refer to narrative

b. Circumstances which cause the special conditions are peculiar to the property at issue, or to such a small number of properties that they clearly constitute marked exceptions to other properties in the same zoning district; and:

Refer to narrative

c. Literal application of the provisions of the ULDR would deprive the applicant of a substantial property right that is enjoyed by other property owners in the same zoning district. (It shall be of no importance to this criterion that a denial of the variance sought might deny to the owner a more profitable use of the property, provided the provisions of the ULDR still allow a reasonable use of the property; and

Refer to narrative

d. The unique hardship is not self-created by the applicant or his predecessors, nor is it the result of mere disregard for, or ignorance of, the provisions of the ULDR or antecedent zoning regulations; and

Refer to narrative

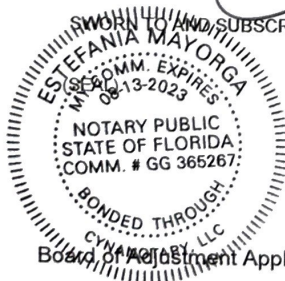
e. The variance is the minimum variance that will make possible a reasonable use of the property and that the variance will be in harmony with the general purposes and intent of the ULDR and the use as varied will not be incompatible with adjoining properties or the surrounding neighborhood or otherwise detrimental to the public welfare.

Refer to narrative

AFFIDAVIT: I, Stephanie J. Toothaker, Esq. the Owner/Agent of said property ATTEST that I am aware of the following:

1. In order to be entitled to the relief requested in the application an affirmative vote of a majority plus one of the Board of Adjustment is required;
2. That in granting the relief requested, the Board of Adjustment is limited to the authority vested in the Board by the ULDR and that the Board may not grant the relief requested unless the applicant proves all the criteria specified in the ULDR have been met;
3. That the granting of relief by the Board does not exempt the applicant or owner of record from the responsibilities of obtaining all applicable permits or approvals as may be required by law for both new and existing structures;
4. That if the relief requested is granted by the Board, the applicant must secure a building permit to implement the relief requested within one hundred eighty (180) days of the entry of the final order or the Board, or within such lesser time as the Board may proscribe and that failure to procure the necessary permits within the time so proscribed shall render the variance or special exception null and void;
5. That if the Board denies the request for relief, then no additional application for the same or substantially the same relief may be entertained by the Board within two (2) years of the date of entry of the final order of denial.

(Signature)



Board of Adjustment Application and Information

SUBSCRIBED before me in the County and State above aforesaid this 5 day of May, 2021.

Estefania Mayorga
NOTARY PUBLIC
MY COMMISSION EXPIRES:

Page 3: Required Documentation & Mail Notice Requirements

-Submit One (1) Completed (Digital) application submittal through "Lauderbuild" (<https://aca-prod.accela.com/>). Note: The plans and survey must be digitally signed and sealed when submitting through LauderBuild OR One (1) Original set signed and sealed with plans/survey at 24" x 36."

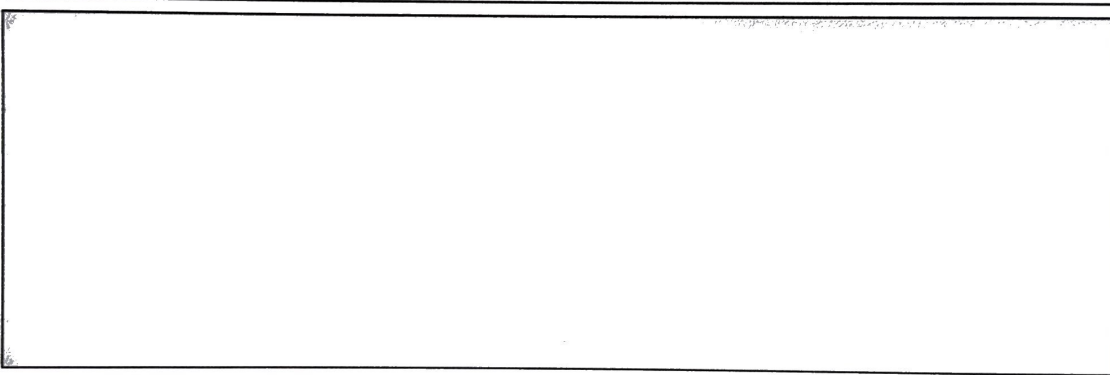
-Submit Fourteen (14) copy sets (stapled) of each item listed below, Survey/Plans at half-size scale 11X17" & One (1) original application submittal AFTER application is deemed complete.

- Completed application** (all pages must be filled, completed, signed and notarized, where applicable).
- Mail notification documents** (mail notification instructions at bottom of page) .
- Proof of ownership** (Broward County Property Records, warranty deed, and/or Sunbiz), including corporation documents if applicable.
- Property owners original notarized signature** and/or notarized agent letter signed by the property owner (if applicable).
- Color photographs** of the entire property and all surrounding properties, dated and labeled and identified as to orientation.
- Narrative** describing specific request and outlining ULDR sections that are applicable. Narratives must be on letterhead, dated, and with author indicated.
- Cover sheet** on plan set to state project name and table of contents.
- Current survey(s)** of property, signed and sealed, showing existing conditions; survey must be As-Built with Right-of-Way and Easement Vacations Excluded. The survey should consist of the proposed project site alone. Do not include adjacent properties or portions of lands not included in the proposed project unless specifically requested by the City.

- Site Plan** (a survey may be substituted if the requested variance is clearly indicated)
- Landscape Plan (if applicable)**
- Elevations (if applicable)**
- Additional Plan details as needed**

Note: All 14 copy sets must be clear and legible. Copy sets are due AFTER All deficiencies have been MET.

Note: Plans must be folded to 8 ½" x 11". All non-plan documents should be 8 ½" x 11".



MAIL NOTIFICATION: Pursuant to Section 47-27.2 Types of Public Notice and 47-27.9 Variance, Special Exception, Temporary Non-Conforming Use, Interpretation requires the following notice:

- **MAIL NOTICE:** Mail notice shall be given to owners of land within three hundred (300) feet of the subject site ten (10) days prior to the date set for the public hearing.
 - **TAX MAP:** Applicant shall provide a tax map from the Broward County Property Appraiser of all property within a three hundred (300) foot radius, with each property clearly shown and delineated. Each property within the notice area must be numbered (by Folio ID) on the map to cross-reference with property owners notice list.
 - **PROPERTY OWNERS NOTICE LIST:** Applicant shall provide a property owner notice list with the names, property control numbers (Folio ID) and complete addresses for all property owners within the required three hundred (300) foot radius. The list shall also include all homeowners' associations, condominium associations, municipalities and counties noticed, as indicated on the tax roll.
 - **ENVELOPES:** The applicant shall provide business size (#10) envelopes with first class postage attached (stamps only, metered mail will not be accepted). Envelopes must be addressed to all property owners within the required three hundred (300) foot radius, and mailing addresses must be typed or labeled; no handwritten addresses will be accepted. The return address shall be listed on all envelopes as follows:

**City of Fort Lauderdale
Zoning & Landscaping Division -BOA
700 NW 19th Avenue, Fort Lauderdale, FL 33311**

- **DISTRIBUTION:** The City of Fort Lauderdale, Zoning & Landscaping Division will mail all notices prior to the public hearing meeting date, as outlined in Section 47-27.
- **To order a tax map and notice list, please email Heather Hanson at hhanson@bcpa.net or call 954-357-6855. You may also contact Kenny Gibbs, kgibbs@bcpa.net or call 954-357-5503.**

23 ISLA BAHIA DRIVE, LLC
2620 SE 21ST STREET
FORT LAUDERDALE, FL 33316

May 15, 2023

City of Fort Lauderdale
Development Services Department
Zoning & Landscaping Division – BOA
700 NW 19th Avenue
Fort Lauderdale, FL 33311

To whom it may concern:

Please consider this document as our Letter of Consent to allow Stephanie J. Toothaker, Esq., Estefania Mayorga and Roya Edwards of Stephanie J. Toothaker, Esq., P.A. d/b/a TOOTHAKER.org to represent 23 Isla Bahia Drive, LLC in our Application to be submitted with the Board of Adjustment.

Yours truly,



Richard G. Cole, Jr.
Manager

STATE/Commonwealth of Virginia

CITY/COUNTY OF Fairfax

I HEREBY CERTIFY that on the 15 day of May, 2023, before me, a Notary Public in and for the State/Commonwealth and City/County aforesaid, personally appeared Richard G. Cole, Jr., known to me (or satisfactorily proven to be the person whose name is subscribed to this written instrument) as Manager of **23 Isla Bahia Drive, LLC**, a Florida limited liability company, and acknowledged that he executed the foregoing and annexed instrument as such on behalf of such company for the purposes therein contained.

GIVEN under my hand and seal this 15 day of May, 2023.



Notary Public

My Commission Expires March 31, 2025

Notarial Registration No. 7957308

[NOTARIAL SEAL]

ALYSON A THOMPSON NOTARY PUBLIC REG. #7957308 COMMONWEALTH OF VIRGINIA MY COMMISSION EXPIRES MARCH 31, 2025



PROPERTY SUMMARY

Tax Year: 2023
Property ID: 504213160380
Property Owner(s): 23 ISLA BAHIA DRIVE LLC
Mailing Address: 8253 BACKLICK RD LORTON, VA 22079
Physical Address: 23 ISLA BAHIA DRIVE FORT LAUDERDALE, 33316-2307
Property Use: 01-01 Single Family
Millage Code: 0312
Adj. Bldg. S.F: 4970
Bldg Under Air S.F: 4585
Effective Year: 1969
Year Built: 1968
Units/Beds/Baths: 1 / 3 / 3
Deputy Appraiser: Residential Department
Appraisers Number: 954-357-6831
Email: realprop@bcpa.net
Zoning : RS-4.4 - RESIDENTIAL OF SINGLE FAMILY/LOW DENSITY
Abbr. Legal Des.: ISLA BAHIA 47-27 B LOT 37

PROPERTY ASSESSMENT

Year	Land	Building / Improvement	Agricultural Saving	Just / Market Value	Assessed / SOH Value	Tax
2023	\$1,287,000	\$2,261,770	0	\$3,548,770	\$1,881,810	
2022	\$1,287,000	\$2,261,770	0	\$3,548,770	\$1,827,000	\$33,651.47
2021	\$1,287,000	\$1,675,630	0	\$2,962,630	\$1,773,790	\$32,703.32

EXEMPTIONS AND TAXING AUTHORITY INFORMATION

	County	School Board	Municipal	Independent
Just Value	\$3,548,770	\$3,548,770	\$3,548,770	\$3,548,770
Portability	0	0	0	0
Assessed / SOH 14	\$1,881,810	\$1,881,810	\$1,881,810	\$1,881,810
Granny Flat				
Homestead 100%	\$25,000	\$25,000	\$25,000	\$25,000
Add. Homestead	\$25,000	0	\$25,000	\$25,000
Wid/Vet/Dis	0	0	0	0
Senior	0	0	0	0
Exemption Type	0	0	0	0
Affordable Housing	0	0	0	0
Taxable	\$1,831,810	\$1,856,810	\$1,831,810	\$1,831,810

SALES HISTORY FOR THIS PARCEL					LAND CALCULATIONS		
Date	Type	Price	Book/Page or Cin	Unit Price	Units	Type	
03/10/2023	Warranty Deed Qualified Sale	\$6,000,000	118732049	\$90.00	14,300 SqFt	Square Foot	
11/16/2016	Quit Claim Deed Non-Sale Title Change	\$100	114054134				
02/21/2013	Order Determining Homestead Non-Sale Title Change		111376189				
08/24/2010	Quit Claim Deed Non-Sale Title Change	\$100	47393 / 1033				
07/23/2009	Warranty Deed Non-Sale Title Change	\$100	46441 / 720				

RECENT SALES IN THIS SUBDIVISION

Property ID	Date	Type	Qualified/ Disqualified	Price	CIN	Property Address
504213160240	04/21/2023	Warranty Deed	Qualified Sale	\$3,800,000	118819018	51 ISLA BAHIA DR FORT LAUDERDALE, FL 33316
504213160380	03/10/2023	Warranty Deed	Qualified Sale	\$6,000,000	118732049	23 ISLA BAHIA DR FORT LAUDERDALE, FL 33316
504213160610	05/09/2022	Trustee's Deed	Qualified Sale	\$5,000,000	118153193	24 ISLA BAHIA DR FORT LAUDERDALE, FL 33316
504213160091	04/05/2022	Warranty Deed	Qualified Sale	\$14,000,000	118067100	70 ISLA BAHIA DR FORT LAUDERDALE, FL 33316
504213160730	01/19/2022	Warranty Deed	Qualified Sale	\$7,250,000	117879307	48 ISLA BAHIA DR FORT LAUDERDALE, FL 33316

SPECIAL ASSESSMENTS										SCHOOL
Fire	Garb	Light	Drain	Impr	Safe	Storm	Clean	Misc		
Ft Lauderdale Fire-rescue (03) Residential (R) 1						(F1) 1.00				Harbordale Elementary: A Sunrise Middle: C Fort Lauderdale High: A

ELECTED OFFICIALS

Property Appraiser	County Comm. District	County Comm. Name	US House Rep. District	US House Rep. Name
Marty Kiar	4	Lamar P. Fisher	23	Jared Moskowitz
Florida House Rep. District	Florida House Rep. Name	Florida Senator District	Florida Senator Name	School Board Member
100	Chip LaMarca	37	Jason W. B. Pizzo	Sarah Leonardi



[Department of State](#) / [Division of Corporations](#) / [Search Records](#) / [Search by Entity Name](#) /

Detail by Entity Name

Florida Limited Liability Company
23 ISLA BAHIA DRIVE, LLC

Filing Information

Document Number	L23000095646
FEI/EIN Number	NONE
Date Filed	03/02/2023
Effective Date	03/01/2023
State	FL
Status	ACTIVE

Principal Address

8253-J BACKLICK ROAD
LORTON, VA 22079

Mailing Address

8253-J BACKLICK ROAD
LORTON, VA 22079

Registered Agent Name & Address

HURCHALLA, JAMES J, ESQ
1700 W LAS OLAS BLVD, SUITE 206
FORT LAUDERDALE, FL 33301

Authorized Person(s) Detail

Name & Address

Title MGR

COLE, RICHARD G, JR
8253-J BACKLICK ROAD
LORTON, VA 22079

Title MGR

LONG, JOHN D
8253-J BACKLICK ROAD
LORTON, VA 22079

Annual Reports

No Annual Reports Filed

Document Images

[03/02/2023 – Florida Limited Liability](#)

[View image in PDF format](#)



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Feet

MARTY KIAR
BROWARD COUNTY PROPERTY APPRAISER



23 ISLA BAHIA DR
DATE OF PRINT: 05/05/2023

FOLIO_NUMB	NAME_LINE_	NAME_LINE1	ADDRESS_LI	CITY	STATE	ZIP
494307000460	TIITF/STATE OF FLORIDA	% FL INLAND NAVIGATION DISTRICT	1314 MARCINSKI RD	JUPITER	FL	33477
504212000045	CITY OF FORT LAUDERDALE		100 N ANDREWS AVE	FORT LAUDERDALE	FL	33301
504212290010	1 HARBORAGE INVESTMENTS LLC		5531 N UNIVERSITY DR #103	CORAL SPRINGS	FL	33067
504212290050	SUSSMAN,S DONALD	888 PROPERTY TR	5 HARBORAGE ISLE DR	FORT LAUDERDALE	FL	33316
504212290200	CONGDON,EARL E & KATHRYN W		20 HARBORAGE ISLE DR	FORT LAUDERDALE	FL	33316
504212290210	THE HARBORAGE ASSN INC		21 HARBORAGE	FORT LAUDERDALE	FL	33316
504212290220	THE HARBORAGE ASSN INC		21 HARBORAGE	FORT LAUDERDALE	FL	33316
504212290230	THE HARBORAGE ASSN IC		21 HARBORAGE	FORT LAUDERDALE	FL	33316
504213140410	PUBLIC LAND	% CITY OF FORT LAUDERDALE	100 N ANDREWS AVE	FORT LAUDERDALE	FL	33301
504213160010	CITY OF FORT LAUDERDALE		100 N ANDREWS AVE	FORT LAUDERDALE	FL	33301
504213160350	POWER,STEPHEN F & PATTI ANN		31 ISLA BAHIA DR	FORT LAUDERDALE	FL	33316
504213160360	ISLA HARBOR BEACH LAND TR	ISLA HARBOR BEACH LLC TRSTEE	29 ISLA BAHIA DR	FORT LAUDERDALE	FL	33316
504213160370	SYMONS,STEPHEN & SUSAN		27 ISLA BAHIA DR	FORT LAUDERDALE	FL	33316
504213160380	23 ISLA BAHIA DRIVE LLC		8253 BACKLICK RD	LORTON	VA	22079
504213160390	TANNENBAUM,ELIZABETH & ROSS		21 ISLA BAHIA DR	FORT LAUDERDALE	FL	33316
504213160400	POWERS,ROBERT JR & MICHELE		19 ISLA BAHIA DR	FORT LAUDERDALE	FL	33316
504213160410	HUBLER,BRAD		17 ISLA BAHIA DR	FORT LAUDERDALE	FL	33316
504213160580	FLYNN,JOHN J & FRANCES A		18 ISLA BAHIA DR	FORT LAUDERDALE	FL	33316
504213160590	SEGUIN,FRANCIS E & ROSEMARIE J		20 ISLA BAHIA DR	FORT LAUDERDALE	FL	33316
504213160600	SHOTTENKIRK,GREGORY J	GREGORY J SHOTTENKIRK REV TR	22 ISLA BAHIA DR	FORT LAUDERDALE	FL	33316
504213160610	GREGORY J SHOTTENKIRK REV TR	SHOTTENKIRK,GREGORY J	309 S GEAR AVE	WEST BURLINGTON	IA	52655
504213160620	VON PUSCH,RICK G & NELA		26 ISLA BAHIA DR	FORT LAUDERDALE	FL	33316
504213160630	DIXON,ANDREW F & JEAN M		28 ISLA BAHIA DR	FORT LAUDERDALE	FL	33316
504213160640	ISLA HARBOR BEACH LAND TR	ISLA HARBOR BEACH LLC TRSTEE	30 ISLA BAHIA DR	FORT LAUDERDALE	FL	33316
504213160650	CASTELL,BARBARA R	BARBARA R CASTELL REV TR	32 ISLA BAHIA DR	FORT LAUDERDALE	FL	33316
504213160740	COMPANY SIX-C INC	DDCTD %CITY OF FORT LAUDERDALE	100 N ANDREWS AVE	FORT LAUDERDALE	FL	33301
504213160750	COMPANY SIX-C,INC DDCTD PUBLIC	%CITY OF FORT LAUDERDALE	100 N ANDREWS AVE	FORT LAUDERDALE	FL	33301

May 5, 2023

VIA ELECTRONIC SUBMISSION

BOARD OF ADJUSTMENT
 C/O MOHAMMED MALIK, ZONING ADMINISTRATOR/LIAISON
 CITY OF FORT LAUDERDALE
 100 NORTH ANDREWS AVENUE
 FORT LAUDERDALE, FL 33311

**RE: Variance Request for 23 Isla Bahia Drive, Fort Lauderdale, FL 33316
 (the “Property”)**

Dear Honorable Members of the Board of Adjustment:

This firm represents 23 Isla Bahia Drive, LLC (the “Applicant”), owner of the real property located at 23 Isla Bahia Drive, Fort Lauderdale, FL 33316, Folio No. 504213160380 referred to herein as the “Property”. The Property has an underlying land use designation of Low Residential and is zoned Residential Single Family/Low Density (“RS-4.4”). The Property abuts Davock Bay to the rear and is located at the corner intersection of Isla Bahia Drive and Harborage Isle Drive.

Applicant is seeking to demolish the current single-family residence that was built in 1968 and construct a new building. On behalf of the Applicant, we are respectfully requesting approval of a variance from ULDR Section 47-5.30 to allow a corner yard setback of 16 feet where the ULDR requires a corner yard setback of 25 feet for a total variance of 9 feet, as summarized in the table below. The following pages provide a detailed analysis of how the Applicant's request for a variance complies with the variance criteria set forth in ULDR Section 47-24.12.A.4.

Sec. 47-5.30. - Table of dimensional requirements for the RS-4.4 district.

	Required	Proposed	Variance Request
Front Yard (Isla Bahia Dr)	25 feet	25 feet	N/A
Corner Yard (Harborage Isle Dr)	25 feet*	16 feet	9 feet
Side Yard (Interior)	10 feet	10 feet	N/A
Rear Yard (Waterway)	25 feet when abutting waterway	25 feet	N/A
*25% of lot width but not greater than 25 feet			

Stephanie J. Toothaker, Esq.
 land use development political strategy procurement

1. **CRITERIA FOR APPROVAL OF BOA VARIANCE REQUEST**

- a. *That special conditions and circumstances affect the property at issue which prevent the reasonable use of such property; and*

RESPONSE: Special conditions affect the property at issue which prevent the reasonable use of such property:

- (1) The Property abuts a waterway to the rear, which increases the minimum rear setback from 15 feet to 25 feet;
- (2) The Property is located at a corner intersection, therefore creating a minimum corner side yard setback of 25 feet; and
- (3) There is a swale with a width between approximately 9 feet to 11 feet outside of the eastern property line. The swale already creates a buffer and visual break and adding an additional 25 feet setback from the eastern property line to the building would be unnecessarily burdensome.

The combination of the increased rear setback requirement, the corner lot nature, and the swale outside of the property line are special conditions that make it difficult to construct a building that complies with the 25 feet corner yard setback requirement measured from the eastern property line to the building and would reduce the buildable area, thereby limiting the Applicant's full use of the Property. The 16-foot width from the building to the eastern property line plus the 9-11-foot-wide swale provide a 25-27 foot setback.

- b. *That the circumstances which cause the special conditions are peculiar to the property at issue, or to such a small number of properties that they clearly constitute marked exceptions to other properties in the same zoning district; and*

RESPONSE: The circumstances that cause the special conditions, including the adjacency to a waterway, the corner nature of the Property, and presence of a large swale outside the property line, are unique to the Property in question and not shared by a significant number of other properties in the same zoning district. Therefore, these conditions are peculiar to the Property.

- c. *That the literal application of the provisions of the ULDR would deprive the applicant of a substantial property right that is enjoyed by other property owners in the same zoning district. It shall be of no importance to this criterion that a denial of the variance sought might deny to the owner a more profitable use of the property, provided the provisions of the ULDR still allow a reasonable use of the property; and*

RESPONSE: The literal application of the provisions of the ULDR would deprive the applicant of a substantial property right that is enjoyed by other property owners in the same zoning district. The unique conditions, including the adjacency to a waterway, the corner nature of the Property, and the large swale outside of the property line, make it difficult to achieve a reasonable use of the Property while adhering to the strict setback requirements of the ULDR. Other property owners in the same zoning district have been allowed to maintain or modify nonconforming buildings that do not meet current setback requirements, including 27 Isla Bahia Drive which presents similar conditions as the Property.

- d. *That the unique hardship is not self-created by the applicant or his predecessors, nor is it the result of mere disregard for, or ignorance of, the provisions of the ULDR or antecedent zoning regulations; and*

RESPONSE: The unique hardship is caused by a combination of physical characteristics of the Property. Its adjacency to a waterway requires a larger minimum yard setback of 25 feet rather than 15 feet at the rear of the Property, its corner lot nature creates an increased minimum yard setback requirement of 25 feet to the east of the Property, and the large swale outside of the property line further reduces the buildable area of the proposed single-family residence. These factors together result in an unnecessary burden, which is not the result of the Applicant's own actions or disregard for the ULDR.

- e. *That the variance is the minimum variance that will make possible a reasonable use of the property and that the variance will be in harmony with the general purposes and intent of the ULDR and the use as varied will not be incompatible with adjoining properties or the surrounding neighborhood or otherwise detrimental to the public welfare.*

RESPONSE: The variance the Applicant is seeking is the minimum variance necessary to allow for a reasonable use of the Property as the proposed corner setback for the new construction is consistent with the existing setback of the building that is proposed to be demolished. Additionally, the proposed corner setback is in harmony with the general purposes and intent of the ULDR since it maintains the existing setback that has existed for over 50 years and does not create any adverse impacts on the surrounding area.

Respectfully,

/s/ Stephanie Toothaker

Stephanie J. Toothaker, Esq.



Harborage Drive Looking West



Harborage Drive Looking South



Intersection of Isla Bahia Drive and Harborage Drive



Swale Along Harborage Drive



Isla Bahia Drive Looking West

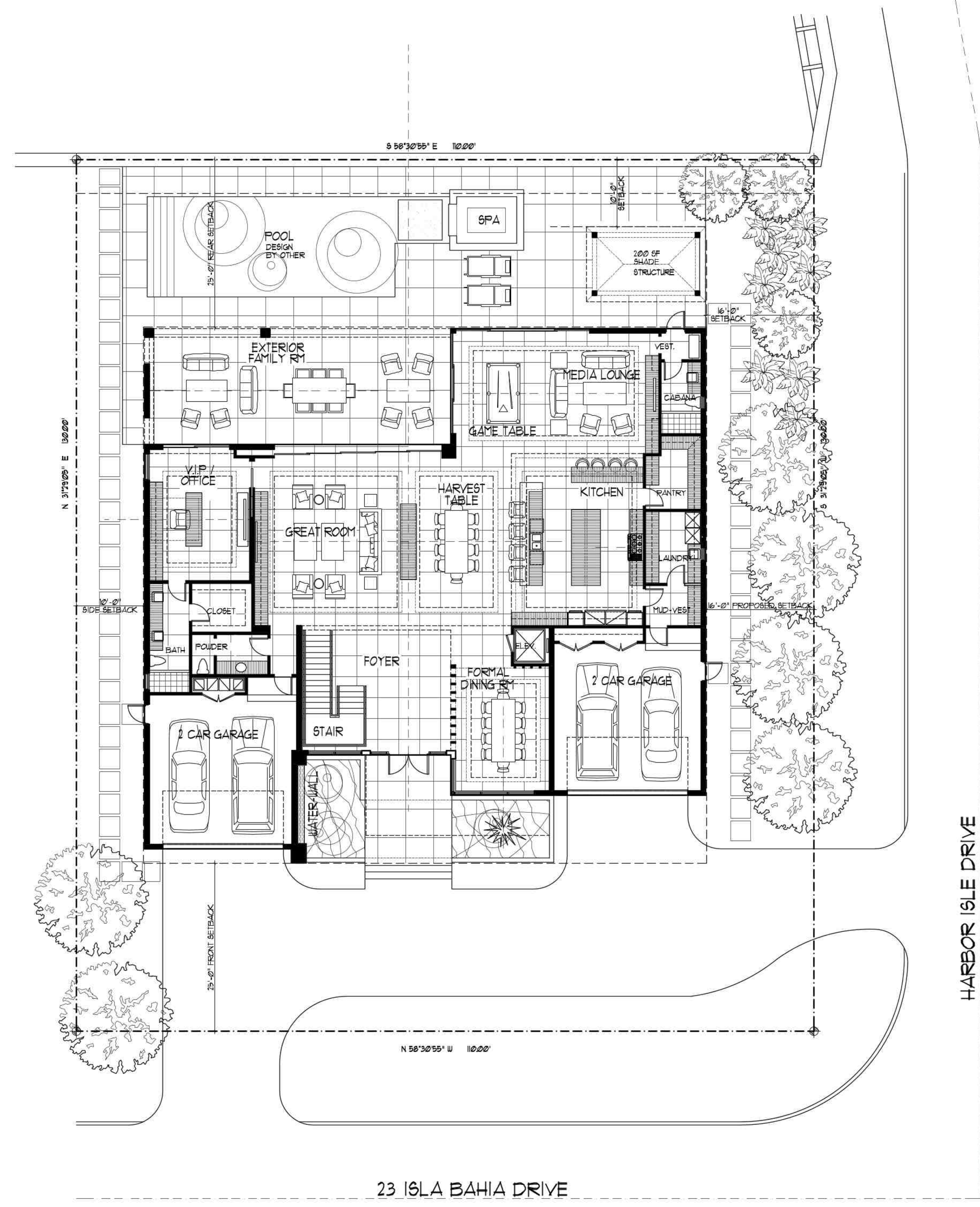
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Digitally signed
by Mark A Muir
Date:
2023.05.16
17:57:14 -04'00'



AREA CALCULATIONS:	
LOT SIZE	= 14,300 S.F.
MAX. LOT COVERAGE (45%)	= 6,435 S.F.
FLOOR AREA RATIO (15%)	= 10,125 S.F.
FIRST FLOOR A/C	= 4,005 S.F.
SECOND FLOOR A/C	= ---- S.F.
TOTAL A/C	= ---- S.F.
2 CAR GARAGE (LEFT)	= 540 S.F.
2 CAR GARAGE (RIGHT)	= 534 S.F.
EXTERIOR FAMILY ROOM	= 790 S.F.
COVERD ENTRY	= 244 S.F.
LEFT COVERD BALC.	= ---- S.F.
RIGHT COVERD BALC.	= ---- S.F.
SHADE STRUCTURE	= 200 S.F.

LOT COVERAGE = 6,313 S.F.
(122 SF UNDER)



A NEW RESIDENCE FOR:
23 ISLA BAHIA DRIVE L.L.C.
23 ISLA BAHIA DRIVE
FORT LAUDERDALE
FLORIDA 33316

COLESTOCK & MUIR ARCHITECTS, P.A.
4199 N. DIXIE HWY., STUDIO ONE, BOCA RATON, FL 33431
PHONE: (561) 395-1787 FAX: (561) 395-3335
CORP. LICENSE NO. AR-0003131 EMAIL: CMA@CMAARCHITECTS.COM



REVISIONS:

LEGAL
LOT 31, ISLA BAHIA DRIVE
FORT LAUDERDALE
FLORIDA 33316

DATE: 05/16/2023
JOB #: 0323106

SITE PLAN
SCALE: 1/8" = 1'-0"

A1