



## BOARD OF ADJUSTMENT MEETING

City of Fort Lauderdale  
Development Services Department (Lobby)  
700 NW 19th Avenue, Fort Lauderdale, Florida 33311

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Wednesday, December 13, 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.	<b>CASE:</b>	<b>PLN-BOA-23070003</b>
	<b>OWNER:</b>	1201 BAYVIEW CORP
	<b>AGENT:</b>	HEATHER GRIMES
	<b>ADDRESS:</b>	1201 BAYVIEW DRIVE, FORT LAUDERDALE, FL 33304
	<b>LEGAL DESCRIPTION:</b>	LOT 11, IN BLOCK "G", OF BEACHWAY HEIGHTS, UNIT "A". ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 22, AT PAGE 17, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA. (SEE SURVEY)
	<b>ZONING DISTRICT:</b>	RS-4.4 – RESIDENTIAL OF SINGLE FAMILY/LOW DENSITY

COMMISSION DISTRICT: 1

REQUESTING: **Sec. 47-5.30 - table of dimensional requirements for the RS-4.4 district**

- Requesting a variance to reduce the corner yard setback to seven (7) feet, five (5) inches, whereas the code requires a minimum of 25% of the lot width at the front yard setback (98 feet x 25% = 24 feet 6 inches), a total variance reduction request of seventeen (17) feet, one (1) inch.

This case was Deferred from the August 9, 2023, BOA meeting Agenda.

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2. **CASE:** **PLN-BOA-23070004**  
**OWNER:** HAJIANPOUR, MOHAMMAD A & ZOYA  
**AGENT:** JAYSEN MATIAS  
**ADDRESS:** 215 SE 12 AVENUE, FORT LAUDERDALE, FL 33301  
**LEGAL DESCRIPTION:** LOT 15 BLOCK 18 OF BEVERLY HEIGHTS 10, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 1, PAGE 30, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA. (SEE SURVEY)  
**ZONING DISTRICT:** RC-15 – RESIDENTIAL SINGLE FAMILY AND CLUSTER/MEDIUM DENSITY  
**COMMISSION DISTRICT:** 4  
**REQUESTING:** **Sec. 47-3.6. B.3. - Change in structure. Damage, destruction, or removal of structure.**

- Requesting a variance to allow repair and replacement as needed to the existing non-conforming structure by more than 50 % of the total gross floor area (as per provided plans).

Please Note: Section 47-3.6.B.3 states that, if more than fifty percent (50%) of the total gross floor area of the building or more than fifty percent (50%) of a structure or more than fifty percent (50%) of its replacement value is damaged, destroyed or removed for any reason the entire building, structure or use thereof shall be required to meet the ULDR.

**Sec. 47-5.33. - Table of dimensional requirements for the RC-15 and RCs-15 districts.**

- Requesting a Variance to reduce the rear yard setback to 2.8 feet of an EXISTING structure, whereas the code requires a minimum setback of 15 feet. A total setback reduction of 12.2 feet (as per provided plans).
- Requesting a variance to reduce the EAST corner yard requirement of a PROPOSED ALTERATION OF AN EXISTING STRUCTURE to 11 feet 7 inches, whereas the code requires a minimum of 25 % of lot width at the front yard setback (58 feet 1 inch x 25% = 14 feet 7 inch). A total reduction request of 3 feet (as per provided plans).

This case was deferred from the September 21, 2023, BOA

meeting agenda. The applicant has reduced the number of variance requests since the September 21, 2023 BOA meeting. Code sections 47-3.2. B.1. and 47-3.2. B.2 is no longer being requested by the applicant, code section Sec. 47-3.6. B.3. was added.

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3. **CASE:** **PLN-BOA-23100004**

**OWNER:** 16TH STREET DRYSTACK LLC

**AGENT:** MATTHEW BOONE/SOUTHEAST SIGN CO

**ADDRESS:** 1335 SE 16 ST, FORT LAUDERDALE, FL 33316

**LEGAL DESCRIPTION:** THE EAST 390 FEET OF THE WEST 580 FEET, LESS 520 FEET OF BLOCK 6, "HERZFELD'S ADDITION TO LAUDERDLAE HARBORS", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 35, PAGE 22 OF THE PUBLIC RECORDS OF BROWARD COUNTY. (SEE SURVEY)

**ZONING DISTRICT:** B-1 - BOULEVARD BUSINESS

**COMMISSION DISTRICT:** 4

**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 a proposed sign on the east elevation of the structure, which is not abutting Streets and vehicle travel ways, whereas as the code requires signs shall be limited and oriented to be viewed from the streets and vehicle travel ways abutting the lot or plot.

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4. **CASE:** **PLN-BOA-23110003**

**OWNER:** CITY OF FORT LAUDERDALE

**AGENT:** RONNIE J. HALL

**ADDRESS:** 1409 NW 6 ST, FORT LAUDERDALE, FL 33311

**LEGAL DESCRIPTION:** LOTS 1 THRU 16, INCLUSIVE, AND LOTS 42 THROUGH 50, INCLUSIVE OF BLOCK 2 OF LINCOLN PARK, ACCORDING TO THE PLAT THEREOF (RECORDED IN PLAT BOOK 5, PAGE 2 OF THE PUBLIC RECORDS OF BROWARD COUNTY FL). A PORTION OF LOTS 5,6,7 AND 8, BLOCK "2", "LINCOLN PARK", ACCORDING TO THE PLAT THREOF, AS RECORDED IN PLAT BOOK 5, PAGE 2 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLROIDA. (SEE SURVEY)

**ZONING DISTRICT:** P - PARKS RECREATION AND OPEN SPACE

**COMMISSION DISTRICT:** 3

**REQUESTING:**

**Sec. 5-27. - Distances of establishments from church or school.**

- Requesting a special exception to allow the sale of alcohol incidental to the sale and service of food from an establishment less than five hundred (500) feet from a church or school. The establishment is one hundred ninety-five (195) feet from the nearest church or school.

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5. **CASE:** **PLN-BOA-23110005**  
**OWNER:** FRETHAM, CURT JOHN  
**AGENT:** ANDREW J. SCHEIN ESQ.; LOCHRIE & CHAKAS, P.A.  
**ADDRESS:** 301 SW 14 WAY, FORT LAUDERDALE FL 33312  
**LEGAL DESCRIPTION:** LOTS 3,4,5,6 AND THE NORTH-HALF (N ½) OF LOT 7, BLOCK 2, RIVER HIGHLANDS, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 10, PAGE 3, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA. (SEE SURVEY)  
**ZONING DISTRICT:** RS-8 – RESIDENTIAL SINGLE FAMILY/LOW MEDIUM DENSITY  
**COMMISSION DISTRICT:** 2  
**REQUESTING:** **Sec. 47-24.5. D.3.c.ii - Subdivision regulations.**

- Requesting an amendment, to an approved variance(s) to rearrange the lot width to accommodate the existing structure to remain at the existing location. Amendments include the following: **LOT C** to be a minimum width of 62 feet whereas the variance was approved to allow a minimum width of 56.25 feet. **LOT D** to be a minimum width of 50 feet, whereas the variance was approved to allow a minimum width of 56.25 feet.

**Sec. 47-5.31.- Table of dimensional requirements for the RS-8 district.**

- Requesting an amendment to variance(s) granted at the September 21, 2023, Board of Adjustment meeting to change the approved minimum lot width of 56.25 feet for LOT C to be a minimum width of 62 feet and LOT D to be a minimum width of 50 feet, whereas the code requires a minimum lot width of 75 feet on the waterway.
- Requesting a variance to allow an existing structure on LOT C at a side yard setback of 4.66 feet, whereas the code requires a minimum setback of 5 feet, a total variance request of 0.34 feet.

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6. **CASE:** **PLN-BOA-23110006**  
**OWNER:** OLDFIELD POINT HOLDINGS LLC  
**AGENT:** ANDRE LATTOUF KORBAN  
**ADDRESS:** 1908 SUNRISE KEY BOULEVARD, FORT LAUDERDALE FL 33304

**LEGAL DESCRIPTION:** LOT 81, SUNRISE KEY, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 45, PAGE 6 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA. SAID LANDS SITUATE LYING AND BEING IN THE CITY OF FT. LAUDERDALE, BROWARD COUNTY, FLORIDA. (SEE SURVEY)

**ZONING DISTRICT:** RS-4.4 - RESIDENTIAL OF SINGLE FAMILY/LOW DENSITY

**COMMISSION DISTRICT:** 2

**REQUESTING:** **Sec. 47-19.3. (f) – Boat slips, docks, boat davits, hoists and similar mooring structures.**

- Requesting a variance to allow a new seawall cap and dock elevation to be at 5.5 feet NAVD, whereas code allows the seawall and concrete dock at a maximum Base flood elevation of the property which is 5.0 feet NAVD. A total variance request for 0.5 feet higher.

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7. **CASE:** **PLN-BOA-23110007**

**OWNER:** BREWERS HILL DEVELOPMENT GROUP LP

**AGENT:** DANICA BLAZANOVIC

**ADDRESS:** 1815-1823 E COMMERCIAL BOULEVARD, FORT LAUDERDALE FL 33308

**LEGAL DESCRIPTION:** LOTS 9, 9A, 10, 11, 12 AND 12A, BLOCK 2 "CORAL RIDGE-ADDITION 'A'", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 41, PAGE 30, PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA; TOGETHER WITH THE VACATED ALLEY LYING SOUTH OF LOTS 9 AND 12 AND LYING NORTH OF LOTS 9A AND 12A BLOCK 2, OF SAID "CORAL RIDGE-ADD. 'A'", AS VACATED BY VIRTUE OF ORDINANCE NO. C-93-55 RECORDED IN OFFICIAL RECORDS BOOK 21744, PAGE 79, PUBLIC RECORDS OF BROWARD COUNTY FLORIDA. (SEE SURVEY)

**ZONING DISTRICT:** CB – COMMUNITY BUSINESS

**COMMISSION DISTRICT:** 1

**REQUESTING:** **Sec. 5-27. - Distances of establishments from church or school.**

- Requesting a special exception to allow the sale of alcohol incidental to the sale and service of food from an establishment less than five hundred (500) feet from a church or school. The establishment is one hundred seventy-six (176) feet from the nearest church or school.

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8. **CASE:** **PLN-BOA-23110008**

**OWNER:** 3314 BEACH HOUSE LLC

**AGENT:** IVELISSE GONZALEZ

**ADDRESS:** 3314 NE 15 COURT, FORT LAUDERDALE FL 33304

**LEGAL DESCRIPTION:** LOT: 16 BLOCK: 9 SUBDIVISION: LAS OLAS BY THE SEA ESTENSION ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK: 3 PAGE: 8 PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA. (SEE SURVEY)

**ZONING DISTRICT:** RS-8 – RESIDENTIAL SINGLE FAMILY/LOW MEDIUM DENSITY

**COMMISSION DISTRICT:** 2

**REQUESTING:** **Sec. 47-3.2. B.1- Continuation of a nonconforming structure.**

- Requesting a variance to allow an existing nonconforming garage at a side yard setback of 4.6 feet to be converted to a livable area, whereas a nonconforming structure may not be enlarged or altered in a way which increases its nonconformity, but a nonconforming structure may be altered to decrease its nonconformity.

**Sec. 47-5.31.- Table of dimensional requirements for the RS-8 district. (Note A)**

- Requesting an existing non-conforming garage converted to a living space at an east side yard setback of 4.6 feet, whereas the code allows a minimum side yard setback of 5 feet. A total variance request of 0.4 feet.

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9. **CASE:** **PLN-BOA-23030003**

**OWNER:** WALTON, MICHAEL RAYMOND; LOFRIA, MICHELE

**AGENT:** N/A

**ADDRESS:** 5560 NE 26 AVENUE, FORT LAUDERDALE, FL 33308

**LEGAL DESCRIPTION:** LOT 2, BLOCK 3, "GOLF ESTATES", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 43, PAGE 26, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA. (SEE SURVEY)

**ZONING DISTRICT:** RS-8 - RESIDENTIAL SINGLE FAMILY/LOW MEDIUM DENSITY

**COMMISSION DISTRICT:** 1

**REQUESTING:** **Request for Rehearing of Final Order/Case PLN-BOA-23030003. This rehearing request is pursuant to ULDR Sec. 47-24.12. A.7 on a denial of the following variance requests:**

**Sec. 47-19.1. L. - General requirements.**

- Requesting a variance to allow a free-standing shade structure to be 17.44' high, whereas the code does not allow a freestanding shade structure to exceed the height of the principal structure, which is 14.8' high. A total variance request of 2.64 feet in height.

**Sec. 47-19.2. P.- Freestanding shade structures.**

- Requesting a variance to allow an existing freestanding shade structure to have a maximum height of 17.44 feet, whereas the code allows a maximum height of 12 feet measured from the ground to the top of the structure. A total variance request of 5.44 feet in height.
- Requesting a variance to allow an existing freestanding shade structure to have a setback of 7 feet FROM WATER

WAY whereas the code requires a minimum of 10 feet setback FROM WATERWAY a total variance request of 3 feet.

- V. **COMMUNICATION TO THE CITY COMMISSION**
- VI. **FOR THE GOOD OF THE CITY OF FORT LAUDERDALE**
- VII. **VOTE FOR 2024 BOARD OF ADJUSTMENT CALENDAR**

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**PLEASE NOTE THAT TWO-WAY COMMUNICATION BETWEEN MEMBERS OF THE BOARD OF ADJUSTMENTS IS PROHIBITED BY SUNSHINE LAW. PLEASE DO NOT REPLY TO ANY BOARD MEMBER. ALL DISCUSSIONS ON ITEMS RELATIVE TO THE AGENDA SHOULD TAKE PLACE AT SCHEDULED BOARD MEETINGS.**

Two or more City Commissioners and/or Advisory Board members may be present at this meeting. If a person decides to appeal any decision made with respect to any matter considered at this public meeting or hearing, he/she will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

If you desire auxiliary services to assist in viewing or hearing the meetings or reading agendas and minutes for the meetings, please contact the City Clerk's office at (954) 828-5002 and arrangements will be made to provide these services for you.

**Unless otherwise stated, these items are quasi-judicial. Board members shall disclose any communication or site visits they have had pursuant to Section 47-1.13 of the ULDR. All persons speaking on a quasi-judicial matter will be sworn in and will be subject to cross-examination.**