



BOARD OF ADJUSTMENT MEETING NOTICE

Date: March 28th, 2025

A Public Hearing will be held before the Board of Adjustment on: **Wednesday, April 09th, 2025 at 6:00 pm.**

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-24120001
OWNER:	QUARTERMAN, LISA M
AGENT:	SCHEIN, ANDREW J, ESQ.
ADDRESS:	720 ISLE OF PALMS DRIVE, FORT LAUDERDALE, FL 33301
LEGAL DESCRIPTION:	LOT 25, BLOCK 1, SUBDIVISION: STILLWELL ISLES ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 15, PAGE 34 IN THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA. (SEE SURVEY).
ZONING DISTRICT:	RS-4.4 - RESIDENTIAL OF SINGLE FAMILY/LOW DENSITY
COMMISSION DISTRICT:	2
REQUESTING:	<u>Sec. 47-5.30. - Table of dimensional requirements for the RS-4.4 district. (Note A)</u>

- Requesting a variance to allow an existing 24.43' front yard setback to remain, whereas ULDR Section 47-5.30 requires a 25-foot front yard setback. A total variance request of 0.57 feet.
- Requesting a variance to allow an existing side yard setback of 9.10 feet to remain, whereas ULDR Section 47-5.30 requires a minimum 10-foot side yard setback. A total variance of 0.90 feet.
- Requesting a variance to allow an existing freestanding shade structure to remain at a side yard setback of 5.22 feet, whereas ULDR Section 47-5.30 requires a 10-foot side yard setback. A total variance request of 4.78 feet.

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

- Requesting a variance to allow an existing freestanding shade structure to remain at a 2.9-foot rear yard setback from the wet face of seawall (measured as per section 47-2.2. S), whereas ULDR Section 47-19.2. P. requires a 10-foot rear yard setback. A total variance of 7.1 feet.

- Requesting a variance to allow an existing freestanding structure of 324 square feet to remain in the required rear yard setback whereas ULDR code requires a maximum of 200 gross square feet in the required rear yard setback area. A total variance request of 124 square feet.

Note: This case was deferred from February 12th, 2025, BOA meeting agenda.

To watch and listen to the meeting, please visit:

<https://www.fortlauderdale.gov/government/BOA> OR
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-24120001

LEGEND

-  Municipal Boundary
-  Subject Site

N



0 100 200
US Feet

PLN-BOA-24120001

Sec. 47-5.30. - Table of dimensional requirements for the RS-4.4 district. (Note A)

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

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

Freestanding shade structures. Freestanding shade structures (such as a gazebo, a tiki hut, or a trellis) may be permitted when accessory to residential uses, in the required rear yard but no closer than five (5) feet from the rear property line except where a parcel is abutting a waterway, where they shall be no closer than ten (10) feet from the waterway as measured in accordance with Section 47-2.2.R. Freestanding shade structures shall be open on all sides and shall be no greater in height than twelve (12) feet measured from the ground to the top of the structure, and shall be limited in size to a maximum of two hundred (200) gross square feet in area for that portion of the structure protruding into the required yard area. No more than one (1) freestanding shade structure per plot shall be permitted in the required rear yard.

Record

Showing 1-40 of 52

<input type="checkbox"/>	Record, Permit, or Account #	Record Description	Application Name	Record Type	Balance	Planner Name	Street #	Dir	Street Name	Type	Unit # (start)	Status
<input type="checkbox"/>	PLN-BOA-24120001	Variance to permit an existing pergola and house ...	Quarterman Residence	Z- Board of Adjustment (BOA)	212		720		ISLE OF PALMS	DR		Open
<input type="checkbox"/>	PLN-BOA-24100003		Pergola Variance	Z- Board of Adjustment (BOA)	0		720		ISLE OF PALMS	DR		Withdrawn
<input type="checkbox"/>	CE24031085	Q-ALERT #16309836 LOUD NOISE COMPLAINT		Code Case	0	DOMINICKB	720		ISLE OF PALMS	DR		Closed
<input type="checkbox"/>	CE24010101	ACTION ITEM/Q-ALERT # 1151306 ILLEGAL INSTALLATIO...	ILLEGAL INSTALLATION OF BASK...	Code Case	0	Paulette DelGr...	720		ISLE OF PALMS	DR		Closed
<input type="checkbox"/>	BLD-ACC-23120021	Aluminum pergola	Pergola	Accessory Structure Permit	0		720		ISLE OF PALMS	DR		Awaiting C
<input type="checkbox"/>	CE23120602	QALERT-Q1149105 NOISE		Code Case	0	Robert Krock	720		ISLE OF PALMS	DR		Closed
<input type="checkbox"/>	CE23110591	LIGHTS THAT IS STRING UP TO THE PALM TREE IS ILLU...		Code Case	0	Dorian Koloian	720		ISLE OF PALMS	DR		Closed
<input type="checkbox"/>	BE23110141	PERGOLA IN THE BACK, THERE IS NO PERMIT ON FILE F...	WORK W/O PERMIT-PERGOLA	Building Code Case	0	Leonardo Martinez	720		ISLE OF PALMS	DR		Special M
<input type="checkbox"/>	PLB-GAS-23040022	PLUMB FOR BLD-RALT-23020006	GAS STOVE RECONNECT FOR BLD-...	Plumbing Gas Permit	0		720		ISLE OF PALMS	DR		Complete
<input type="checkbox"/>	BE23030075	DEMOLITON TO THE ENTIRE FRONT OF THE HOUSE, INCLU...		Building Code Case	0	Leonardo Martinez	720		ISLE OF PALMS	DR		Closed
<input type="checkbox"/>	BE23030055	CITATION 0893 - 25-14 THERE IS SILT/SEDIMENT MATT...		Building Code Case	0	Justin Drechsel	720		ISLE OF PALMS	DR		Closed
<input type="checkbox"/>	BE23020183	RED TAG 25-14 THERE IS SILT/SEDIMENT MATTER DISCH...		Building Code Case	0	Justin Drechsel	720		ISLE OF PALMS	DR		Closed
<input type="checkbox"/>	BLD-RPAV-WT-23020011	DRIVEWAY/ALKWAY CONVERSION TO DRIVEWAY	Lobby Walk-Thru- Paving	Walk-Thru - Residential Paving	0		720		ISLE OF PALMS	DR		Complete
<input type="checkbox"/>	MEC-RES-23020004	MECH FOR BLD-RALT-23020006	MECH FOR BLD-RALT-23020006	Mechanical Residential Permit	0		720		ISLE OF PALMS	DR		Complete
<input type="checkbox"/>	PLB-RES-23020005	PLUMB FOR BLD-RALT-23020006	PLUMB FOR BLD-RALT-23020006	Plumbing Residential Permit	0		720		ISLE OF PALMS	DR		Complete
<input type="checkbox"/>	ELE-RES-23020006	ELEC FOR BLD-RALT-23020006	ELEC FOR BLD-RALT-23020006	Electrical Residential Permit	0		720		ISLE OF PALMS	DR		Complete
<input type="checkbox"/>	BLD-RALT-23020006	REPLACING KITCHEN CABINETS & COUNTERTOPS DUE TO W...	REPLACING KITCHEN CABINETS &...	Residential Alteration Permit	0		720		ISLE OF PALMS	DR		Complete
<input type="checkbox"/>	BE22100109	WORK WITHOUT PERMIT		Building Code Case	0	Jorge Martinez	720		ISLE OF PALMS	DR		Closed
<input type="checkbox"/>	CE22040090	NEIGHBOR COMPLAINT OF TRASH CANS LEFT OUT		Code Case	0	MICHELLES	720		ISLE OF PALMS	DR		Closed
<input type="checkbox"/>	CE22031111	TWO BRIGHT FLOODLIGHTS SHINING INTO NEIGHBOR'S BE...		Code Case	0	MARCOA	720		ISLE OF PALMS	DR		Closed
<input type="checkbox"/>	PLB-RES-20020221	REPLACE DRAIN LINES W/ NEW PIPE -- NOC	REPLACE DRAIN LINES W/ NEW P...	Plumbing Residential Permit	0		720		ISLE OF PALMS	DR		Complete
<input type="checkbox"/>	PM-15060727	BACKFLOW RECERT 1.25INCH PVB	BACKFLOW RECERT 1.25INCH PVB	Plumbing Backflow Installation Permit	0		720		ISLE OF PALMS			Complete
<input type="checkbox"/>	PM-12070298	RECERTIFY BACKFLOW	RECERTIFY BACKFLOW	Plumbing Backflow Installation Permit	0		720		ISLE OF PALMS			Void
<input type="checkbox"/>	PM-11080670	RECERTIFY 1 INCH PVB BACKFLOW	RECERTIFY 1 INCH PVB BACKFLOW	Plumbing Backflow Installation Permit	0		720		ISLE OF PALMS			Complete
<input type="checkbox"/>	PM-10071568	INSTALL LAWN SPRINKLER SYSTEM: 111 HEADS	INSTALL LAWN SPRINKLER SYSTE...	Plumbing Irrigation Permit	0		720		ISLE OF PALMS			Complete
<input type="checkbox"/>	PM-10050371	INSTALLATION OF WINE ROOM REFRIGERATION SYSTEM ~F...	INSTALLATION OF WINE ROOM RE...	Mechanical Commercial Permit	0		720		ISLE OF PALMS			Complete
<input type="checkbox"/>	PM-10040971	ONSITE DRAINAGE FOR NEW SFR BP 09011108 ~ ~ ~ ~EX...	ONSITE DRAINAGE FOR NEW SFR ...	Plumbing Residential Permit	0		720		ISLE OF PALMS			Complete
<input type="checkbox"/>	PM-10030623	SFR: INSTALL PAVER POOL DECK (2800 SQ FT) AND ~WA...	SFR: INSTALL PAVER POOL DECK...	Residential Paving Permit	0		720		ISLE OF PALMS			Complete
<input type="checkbox"/>	PM-10030151	30 DAY TEMP FOR TEST MAIN ELECT 09011112	30 DAY TEMP FOR TEST MAIN EL...	Electrical Temporary Pole	0		720		ISLE OF PALMS			Complete
<input type="checkbox"/>	PM-09121139	PREWIRED LOW VOLTAGE PHONE/DATA/ & TV FOR NEW...	PREWIRED LOW VOLTAGE PHONE/D...	Electrical Low Voltage Permit	0		720		ISLE OF PALMS			Complete
<input type="checkbox"/>	PM-09111517	ATF RELOC.1 ROYAL PALM 40'ON SITE,ATF REM.15 ~PAL...	ATF RELOC.1 ROYAL PALM 40'ON...	Landscape Tree Removal-Relocation Permit	0		720		ISLE OF PALMS			Complete
<input type="checkbox"/>	PM-09110794	ELEC FOR CENTRAL VAC (MECH #09101745)	ELEC FOR CENTRAL VAC (MECH #...	Electrical Residential Permit	0		720		ISLE OF PALMS			Complete
<input type="checkbox"/>	PM-09101745	INSTALL CENTRAL VACUUM SYSTEM FOR NEW SFR ~BP 090...	INSTALL CENTRAL VACUUM SYSTE...	Mechanical Residential Permit	0		720		ISLE OF PALMS			Complete
<input type="checkbox"/>	PM-09101744	INSTALL BURGLAR ALARM FOR NEW SFR 26 DEVICES ~BP ...	INSTALL BURGLAR ALARM FOR NE...	Electrical Burglar Alarm	0		720		ISLE OF PALMS			Complete
<input type="checkbox"/>	PM-09090031	NATURAL GAS LINE TO GENERATOR	NATURAL GAS LINE TO GENERATOR	Plumbing Gas Permit	0		720		ISLE OF PALMS			Complete
<input type="checkbox"/>	PM-09090030	INSTALL NATURAL GAS GENERATOR ON PREFAB SLAB SFR	INSTALL NATURAL GAS GENERATO...	Generator Permit	0		720		ISLE OF PALMS			Complete
<input type="checkbox"/>	PM-09080059	natural gas piping to 10 appliances bp09011108 ~ ...	natural gas piping to 10 app...	Plumbing Gas Permit	0		720		ISLE OF PALMS			Complete
<input type="checkbox"/>	PM-09030703	IRRIGATION WATER METER 1" BP 09011108	IRRIGATION WATER METER 1" BP...	Plumbing Meter Install Permit	0		720		ISLE OF PALMS			Complete
<input type="checkbox"/>	PM-09021441	new tile roof 5671sf bp 09011108 ~ ~ ~ ~EXPEDITED...	new tile roof 5671sf bp 0901...	Re-Roof Permit	0		720		ISLE OF PALMS			Complete
<input type="checkbox"/>	PM-09020478	PLUMBING FOR SWIMMING POOL	PLUMBING FOR SWIMMING POOL	Plumbing Residential Permit	0		720		ISLE OF PALMS			Complete

Record

Showing 41-52 of 52

<input type="checkbox"/>	Record, Permit, or Account #	Record Description	Application Name	Record Type	Balance	Planner Name	Street #	Dir	Street Name	Type	Unit # (start)	Status
<input type="checkbox"/>	PM-09020476	ELECTRIC HOOK UP SWIMMING POOL	ELECTRIC HOOK UP SWIMMING POOL	Electrical Residential Permit	0		720		ISLE OF PALMS			Complete
<input type="checkbox"/>	PM-09020475	NEW SWIMMING POOL - DECK BY OTHERS SFR ~RENEW PER...	NEW SWIMMING POOL - DECK BY ...	Residential Pool-Spa-Fountain Permit	0		720		ISLE OF PALMS			Complete
<input type="checkbox"/>	PM-09011115	NEW PLUMBING FOR SFR BP09011108 ~ ~ ~EXPEDITED P...	NEW PLUMBING FOR SFR BP0901...	Plumbing Residential Permit	0		720		ISLE OF PALMS			Complete
<input type="checkbox"/>	PM-09011114	NEW AC BP09011108 ~CHANGE OF CONTRACTOR 10/27/0...	NEW AC BP09011108	Mechanical HVAC New Install Permit	0		720		ISLE OF PALMS			Complete
<input type="checkbox"/>	PM-09011112	NEW ELECTRIC WIRING BP09011108 ~ ~ ~EXPEDITED SUB...	NEW ELECTRIC WIRING BP09011108	Electrical Residential Permit	0		720		ISLE OF PALMS			Complete
<input type="checkbox"/>	PM-09011108	NEW 3 STORY SFR: 5 BEDROOM 5 BATHROOM 1 & 2 C...	NEW 3 STORY SFR: 5 BEDROOM 5...	Residential New Construction Permit	0		720		ISLE OF PALMS			Complete
<input type="checkbox"/>	PM-08121449	ELECTRIC FOR DOCK ONLY BP08110752	ELECTRIC FOR DOCK ONLY BP08...	Electrical Residential Permit	0		720		ISLE OF PALMS			Complete
<input type="checkbox"/>	PM-08110752	replace 100 ft seawall & 100ft dock	replace 100 ft seawall & 100...	Boatlift-Dock-Seawall-Pile Permit	0		720		ISLE OF PALMS			Complete
<input type="checkbox"/>	PM-05051367	COMPLETE DEMO OF STRUCTURE 2326 SF OR 23260 C.F.	COMPLETE DEMO OF STRUCTURE 2...	Residential Demolition Permit	0		720		ISLE OF PALMS			Complete
<input type="checkbox"/>	PM-05050153	SEWER CAP	SEWER CAP	Plumbing Sewer Cap Permit	0		720		ISLE OF PALMS			Complete
<input type="checkbox"/>	PM-00011183	REROOF TILE 2600SF	REROOF TILE 2600SF	Re-Roof Permit	0		720		ISLE OF PALMS			Complete
<input type="checkbox"/>	AB-0028602		ELLMAN,LANCE & CARYN	Resident/Business Alarm Registration	0		720		ISLE OF PALMS	DR		Active



CITY OF FORT LAUDERDALE

PUBLIC NOTICE

1 of 2

BOARD OF ADJUSTMENT MEETING

DATE: April 09th, 2025

TIME: 6:00 P.M.

CASE: PLN-BOA-24120001

Sec. 47-5.30. - Table of dimensional requirements for the RS-4.4 district. (Note A)

- Requesting a variance to allow an existing 24.43' front yard setback to remain, whereas ULDR Section 47-5.30 requires a 25-foot front yard setback. A total variance request of 0.57 feet.
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MEETING LOCATION: DEVELOPMENT SERVICES DEPARTMENT
700 N.W. 19TH AVENUE
FORT LAUDERDALE, FL., 33311
CONTACT: 954-828-6506

TO WATCH AND LISTEN TO THE BOARD OF ADJUSTMENT MEETING:
www.fortlauderdale.gov/FLTV , www.youtube.com/cityoffortlauderdale or Cable
Television- Comcast Channel 78 and AT&T U-Verse Channel 99
TO VIEW MORE INFORMATION ABOUT THIS ITEM:
www.fortlauderdale.gov/government/BOA

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





CITY OF FORT LAUDERDALE

PUBLIC NOTICE

2 of 2

BOARD OF ADJUSTMENT MEETING

DATE: April 09th, 2025

TIME: 6:00 P.M.

CASE: PLN-BOA-24120001

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

- Requesting a variance to allow an existing freestanding shade structure to remain at a 2.9-foot rear yard setback from the wet face of seawall (measured as per section 47-2.2. S), whereas ULDR Section 47-19.2. P. requires a 10-foot rear yard setback. A total variance of 7.1 feet.
- Requesting a variance to allow an existing freestanding structure of 324 square feet to remain in the required rear yard setback whereas ULDR code requires a maximum of 200 gross square feet in the required rear yard setback area. A total variance request of 124 square feet.

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

TO WATCH AND LISTEN TO THE BOARD OF ADJUSTMENT MEETING:
www.fortlauderdale.gov/FLTV , www.youtube.com/cityoffortlauderdale or Cable
Television- Comcast Channel 78 and AT&T U-Verse Channel 99
TO VIEW MORE INFORMATION ABOUT THIS ITEM:
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SIGN NOTICE

Applicant must **POST SIGNS** (for Board of Adjustment) according to Sec. 47-27.2 Types of Public Notice and 47-27.9 Variance, Special Exception, Temporary Non-Conforming Use. Interpretation requires the following notice:

- Sign Notice shall be given by the applicant by posting a sign provided by the City stating the time, date, and place of the Public Hearing on such matter on the property which is the subject of an application for a development permit. If more than one (1) public hearing is held on a matter, the date, time, and place shall be stated on the sign or changed as applicable.
- The sign shall be posted at least fifteen (15) days prior to the date of the public hearing.
- The sign shall be visible from adjacent rights-of-way, including waterways, but excepting alleys.
- If the subject property is on more than one (1) right-of-way, as described above, a sign shall be posted facing each right-of-way.
- If the applicant is not the owner of the property that is subject of the application, the applicant shall post the sign on or as near to the subject property as possible subject to the permission of the owner of the property where the sign is located or, in a location in the right-of-way if approved by the City.
- If the sign is destroyed or removed from the property, the applicant is responsible for obtaining another sign from the City and posting the sign on the property.
- The sign shall remain on the property until final disposition of the application. This shall include any deferral, rehearing, appeal, request for review or hearings by another body. The sign information shall be changed as above to reflect any new dates.
- The applicant shall, five (5) days prior to the public hearing, execute and submit to the department an affidavit of proof of posting of the public notice sign according to this section. If the applicant fails to submit the affidavit the public hearing will be postponed until the next hearing after the affidavit has been supplied.

AFFIDAVIT OF POSTING SIGNS

STATE OF FLORIDA

BROWARD COUNTY

BOA CASE NO. PLN-BOA-24120001

APPLICANT: Andrew J. Schein, Esq.

PROPERTY: 720 Isle of Palms Drive

PUBLIC HEARING DATE: April 9, 2025

BEFORE ME, the undersigned authority, personally appeared Andrew J. Schein, Esq., who upon being duly sworn and cautioned, under oath deposes and says:

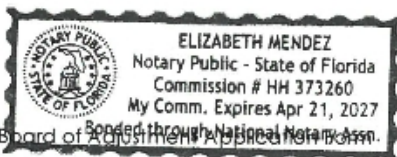
1. Affiant is the Applicant in the above cited City of Fort Lauderdale **Board or Commission** Case.
2. The Affiant/Applicant has posted or has caused to be posted on the Property the signage provided by the City of Fort Lauderdale, which such signage notifies the public of the time, date and place of the Public Hearing on the application for relief before the **Board or Commission**.
3. That the sign(s) referenced in Paragraph two (2) above was posted on the Property in such manner as to be visible from adjacent streets and waterways and was posted at least **fifteen (15)** days prior to the date of the Public Hearing cited above and has remained continuously posted until the date of execution and filing of this Affidavit. Said sign(s) shall be visible from and within twenty (20) feet of streets and waterways, and shall be securely fastened to a stake, fence, or building.
4. Affiant acknowledges that the sign must remain posted on the property until the final disposition of the case before the **Board or Commission**. **Should the application be continued, deferred, or re-heard, the sign shall be amended to reflect the new dates.**
5. Affiant acknowledges that this Affidavit must be executed and filed with the Zoning & Landscaping Division **five (5)** calendar days prior to the date of Public Hearing and if the Affidavit is not submitted, the Public Hearing on this case shall be cancelled.
6. Affiant is familiar with the nature of an oath or affirmation and is familiar with the laws of perjury in the State of Florida and the penalties, therefore.

NOTE: I understand that if my sign is not returned within the prescribed time limit as noted in Sec. 47.27.2. of the City of Fort Lauderdale ULDR, I will forfeit my sign deposit. 15 (initial here)

Affiant [Signature]

SWORN TO AND SUBSCRIBED before me in the County and State above aforesaid this 29 day of March 2025

(SEAL)



[Signature]
NOTARY PUBLIC
MY COMMISSION EXPIRES:





BOARD OF ADJUSTMENT (BOA) APPLICATION FORM

REV: 03/18/2024 APPLICATION FORM: BOA



GENERAL INFORMATION
BOARD OF ADJUSTMENT REVIEW PROCESS AND APPLICATION SUBMITTAL

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. To request a meeting with staff, [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 [Meeting Dates and Deadlines](#) can be found on the City's website at the Board of Adjustment webpage. Staff will provide guidance once an application has been submitted to the City.

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. [BOA Flow Chart](#).

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, special advertising, re-advertising and any other costs associated with the application submittal 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. All 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.

EXAMPLE VARIANCE SUBMITTAL

Click to access the Board of Adjustment (BOA) page to view previous [Board of Adjustment \(BOA\) agendas, case backup, minutes and results](#).

QUESTIONS: Questions regarding the Board of Adjustment process or LauderBuild, contact us by phone or email at: boardofadjustment@fortlauderdale.gov
Phone: 954-828-6520, Option 5.

INSTRUCTIONS: The following information is required pursuant to the City's Unified Land Development Regulations (ULDR). The Board of Adjustment application form must be filled out accurately and all applicable sections must be completed. Complete the sections indicated for application, type N/A for those section items not applicable. Select the application type below and complete entire application form.

Application Type	(Select the application type from the list below and complete pages 1-4 of the application)	FEES
<input type="radio"/>	Requesting a Variance/Special Exception/Interpretation (Before)	\$2,332
<input checked="" type="radio"/>	Requesting a Variance/Special Exception/Interpretation (After)	\$2,968
<input type="radio"/>	Requesting Variance/Special Exception/Interpretation for Residential Accessory Structures & Existing Non-Conforming Structures (Homesteaded Only) (Before)	\$689
<input type="radio"/>	Requesting a Variance/Special Exception/Interpretation for Residential Accessory Structures & Existing Non-Conforming Structures (Homesteaded Only) (After)	\$901
<input type="radio"/>	Request for Continuance	\$954
<input type="radio"/>	Request for Rehearing	\$318
<input type="radio"/>	Rehearing Request before the board	\$1,219

Page 1: BOA - Applicant Information Sheet

INSTRUCTIONS: The following information is required 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(s) and/or special exception(s) requested. The application form must be filled out accurately and all applicable sections must be completed. Please print or type and answer all questions. Do Not leave any sections Blank. Indicate N/A if a question does not apply.

Case Number	BE23110141
Date of complete submittal	

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

Property Owner's Name	Lisa Quarterman		
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	720 Isle of Palms Drive, Fort Lauderdale, FL 33301		
E-mail Address	lisaquarterman@yahoo.com		
Phone Number	404-434-4192		
Proof of Ownership	<input type="checkbox"/> Warranty Deed or	<input checked="" type="checkbox"/> Tax Record	

NOTE: If **AGENT** is to represent **PROPERTY OWNER**, an agent authorization form is required (must be notarized)

Applicant / Agent's Name	Andrew J. Schein, Esq. as Agent for Owner - Florida Bar No. 125742		
Applicant / Agent's Signature			
Address, City, State, Zip	699 N. Federal Highway, Suite 400, Fort Lauderdale, FL 33304		
E-mail Address	ASchein@lochriellaw.com		
Phone Number	954-617-8919		
Agent Authorization Form Submitted	<input type="checkbox"/>		

Include ANY Related code case/permit #	BE23110141		
Existing / New	Existing: <input checked="" type="checkbox"/>	New: <input type="checkbox"/>	
Project Address	Address:		
Legal Description	See survey		
Tax ID Folio Numbers <i>(For all parcels in development)</i>	504212150210		
Variance/Special Exception Request <i>(Provide a brief description of your request)</i>	See below		
Applicable ULDR Sections <i>(Include all code sections)</i>	47-5.30 and 47-19.2.P		

Current Land Use Designation	Low Residential		
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	W		25'	24.43' EXISTING
Side	N		10'	5.22' EXISTING
Side	S		10'	11.30' EXISTING
Rear	E		10'	2.9' EXISTING

* Variance requests:

Requesting a variance to allow an existing 24.43' front yard setback to remain, whereas ULDR Section 47-5.30 requires a 25-foot front yard setback. A total variance request of 0.57 feet.

Requesting a variance to allow an existing side yard setback of 9.10 feet to remain, whereas ULDR Section 47-5.30 requires a minimum 10-foot side yard setback. A total variance of 0.90 feet.

Requesting a variance to allow an existing freestanding shade structure to remain at a side yard setback of 5.22 feet, whereas ULDR Section 47-5.30 requires a 10-foot side yard setback. A total variance request of 4.78 feet.

Requesting a variance to allow an existing freestanding shade structure to remain at a 2.9-foot rear yard setback from the wet face of seawall as per section 47-2.2.S, whereas ULDR Section 47-19.2. P. requires a 10-foot rear yard setback. A total variance of 7.1 feet.

Requesting a variance to allow an existing freestanding structure of 324 square feet to remain in the required rear yard setback whereas code requires a maximum of 200 gross square feet in the required rear yard setback area. A total variance request of 124 square feet.

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

Answer **All** questions on this page only *if* you are applying for a **VARIANCE**. If additional space is needed, attach an additional page(s) to this page. *If* you are applying for a Special Exception, print or type N/A for the questions below and complete page 2b of this application form. Note: A narrative must be submitted in addition to this page.

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

See bottom of page 1

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

See "attachment to page 2 of the Variance Application"

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:

See "attachment to page 2 of the Variance Application"

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

See "attachment to page 2 of the Variance Application"

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

See "attachment to page 2 of the Variance Application"

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.

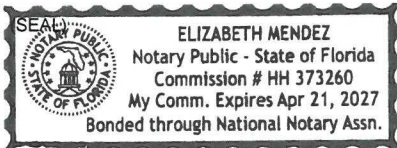
See "attachment to page 2 of the Variance Application"

AFFIDAVIT: I, Andrew Schein 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]
(Signature)

SWORN TO AND SUBSCRIBED before me in the County and State above aforesaid this 4 day of December, 2021



[Signature]
NOTARY PUBLIC
MY COMMISSION EXPIRES:

Applicant: Andrew J. Schein / Lochrie & Chakas, P.A.
Owner: Lisa Quarterman
Address: 720 Isle of Palms Drive (“Property”)
Request: Variance from ULDR Sections 47-5.30 and 47-19.2.P

Attachment to Page 2 of the Variance Application

1. General Information and Request

Lisa Quarterman (“Owner”) is the owner of the Property. Owner purchased the Property in 2021 and shortly thereafter was diagnosed with skin cancer. Still wanting to be able to enjoy her new backyard, Owner erected a pergola on the back deck of the Property. The pergola was professionally installed to meet the requirements of the Florida Building Code, however a portion of the pergola was installed within the setbacks required for accessory structures. Owner is therefore seeking variances related to the installation of the pergola.

This variance application also includes “clean-up” items related to the existing setbacks for the main structure. In 2009, the City signed off on the final survey for the Property, which showed a 25.1’ front yard setback and a 10.1’ side yard (north) setback. A copy of the final survey, prepared by McLaughlin Engineering and signed by the City on June 18, 2009, is included in this application.

When Owner ordered a survey for this application, the surveyor determined that the front yard setback of the main structure is 24.43’ and the side yard (north) setback of the main structure is 9.10’. No changes have been made to these areas since the June 18, 2009 survey and it appears to be minor discrepancies between different surveyors. Therefore, applicant is including these existing setbacks in the variance request.

2. Code Provisions

ULDR Section 47-5.30 – Table of dimensional requirements for the RS-4.4 district: Minimum 10’ side yard setback and minimum 25’ front yard setback

ULDR Section 47-19.2.P: Freestanding shade structures may be permitted when accessory to residential uses, in the required rear yard but no closer than five (5) feet from the rear property line except where a parcel is abutting a waterway, where they shall be no closer than ten (10) feet from the waterway as measured in accordance with Section 47-2.2.R..... and shall be limited in size to a maximum of two hundred (200) gross square feet in area for that portion of the structure protruding into the required yard area.

1. Variance Request

Variance to allow an existing 24.43’ front yard setback to remain where ULDR Section 47-5.30 requires a 25’ front yard setback, for a total variance of 0.57 feet.

Variance to allow an existing 9.10’ side yard setback to remain where ULDR Section 47-5.30 requires a 10’ side yard setback, for a total variance of 0.90 feet.

Variance to allow an existing freestanding shade structure to remain at a side yard setback of 5.22', where ULDR Section 47-5.30 requires a 10' side yard setback, for a total variance of 4.78 feet.

Variance to allow an existing freestanding shade structure to remain at a 2.9-foot rear yard setback from the wet face of seawall as per section 47-2.2.S, whereas ULDR Section 47-19.2. P. requires a 10-foot rear yard setback. A total variance of 7.1 feet.

Variance to allow an existing freestanding shade structure of 324 square feet to remain in the required rear yard setback whereas code requires a maximum of 200 gross square feet in the required rear yard setback area, for a total variance request of 124 square feet.

2. Variance Criteria

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

RESPONSE: The variance request for the front yard setback (24.43') and the side yard setback of the house (9.10') appears to be a discrepancy between two different surveyors. When the house was originally constructed, McLaughlin Engineering showed these setbacks at 25.1' and 10.1', respectively. When the survey prepared by Thomas J. Kelly was prepared for this application, it showed a front yard setback of 24.43' and a side yard setback of 9.10', though no changes to these areas of the house have been made since the original survey.

Discrepancies between surveys is not common and is a special condition that only arose through the processing of this variance application, and not allowing the existing house to remain due to surveying discrepancies outside of Owner's control would prevent the reasonable use of such property.

As for the pergola, a portion of the incorrect installation location can be attributed to the survey discrepancy and a portion can be attributed to the ULDR. The counter under the pergola was installed at the same side setback as the existing house (9.10'), therefore there were no questions during the installation as to the setback; it matched the house. The roof of the pergola, however, is 5.22' from the side property line.

As for the rear yard setback of the pergola, the Section 47-19.2.P of the ULDR states that the minimum setback is 10' from the waterway "as measured in accordance with Section 47-2.2.R". However, ULDR Section 47-2.2.R is an incorrect cross-reference in the ULDR; the correct cross-reference should be Section 47-2.2.S, which states that the measurement should be taken from the face of the seawall (*not* the waterway, as 47-19.2.P states). In this case, the pergola is approximately 18.58' from the edge of the water, but 2.9' from the wetface of the seawall.

- 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;

RESPONSE: As stated above, it's peculiar different surveying companies show discrepancies between surveys. The front setback and side yard setback variances for the house are being requested as a "clean-up" to fix the issue caused by one or both surveying companies.

It's also peculiar that a code violation is issued for a freestanding shade structure is constructed more than 10' from the face of the waterway (as suggested by ULDR Section 47-19.2.P), but not more than 10' from the face of the seawall (as stated by ULDR Section 47-2.2.S, which is not correctly cross-referenced in ULDR Section 47-19.2.P). This incorrect cross-reference should be fixed to avoid further confusion.

- 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;

RESPONSE: Florida Statute § 70.002 recognizes the right of a property owner to use and enjoy their property and the right to due process. The right of a property owner to use and enjoy their property is not absolute, of course, and requires a balancing of interests. The Board of Adjustment, as part of the due process procedures in the City's code, may balance such interests.

After Owner's skin cancer diagnosis, she was unable to use and enjoy her backyard. As the purchase of the property happened shortly before the cancer diagnosis, this was an incredibly unfortunate confluence of events. Owner had the pergola professionally erected so that she can use and enjoy her backyard without putting her health into further jeopardy.

The right to use and enjoy their property is enjoyed by other property owners in the same zoning district, and Owner would not be able to enjoy their property to the same extent without a shade structure in the backyard. Applicant understands that this right is not absolute, but allowing the shade structure to remain will not harm the City or the neighborhood's interests.

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

RESPONSE: Applicant's need for the pergola due to her skin cancer diagnosis was not self-created by the applicant. The installation of the pergola was not due to disregard for or ignorance of the provisions of the ULDR, but was affected by outside events. The counter for the pergola was installed at the same setback as the house, which Owner now knows is nonconforming due to the discrepancy between the surveyors. The rear yard setback for the pergola was installed more than 10' from the waterway but not more than 10' from the wetface of the seawall, and the irrelevant cross-reference in the ULDR did not help this situation.

- 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.

RESPONSE: These variance requests are the minimum that will make Owner's reasonable use of the property possible. The pergola and the existing main structure are in harmony with the neighborhood and the general purposes and intents of the ULDR.

Page 3: Checklist for submittal and completeness:

The following information and checklist outlines the necessary items for submittal to ensure the application is deemed complete. Failure to provide the information/items below will result in your application being deemed incomplete. **Note: Fourteen (14) Copy Sets of each item below will be DUE AFTER your application has been DEEMED COMPLETE. The applicant will need to meet with staff PRIOR to submitting the BOA application submittal via Lauderbuild.**

***Meeting Request information and the link to schedule a meeting with staff can be found on the cover page of this BOA application.**

- **Preliminary BOA Meeting** - The applicant and/or agent met with staff on the following date: _____
- **Board of Adjustment Application Form**- The Board of Application form must be complete with the applicable information, signatures, and notarizations. *Submit the complete application form along with your submittal. **Page 4** of the BOA application is due AFTER sign(s) are posted.
- **Proof of Ownership**- Warranty deed or tax record including corporation documents and Sunbiz verification name.
- N/A □ **Agent Authorization Form**- Authorization from **ALL** Property owner(s) is required. If the Property is owned by an Entity, Sunbiz verification must be included with the authorized agent form.
- **Narrative**- Include the applicable ULDR code sections, Date, specific request, and criteria as described in the specifications for submittal by application. The narrative must be titled "Narrative" and indicate the author).
- **Color Photographs**- Color photos of the entire property and all surrounding properties dated and labeled and identified as to orientation.
- **Survey**- The survey of the property must be digitally 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 land(s) not included in the proposed project unless specifically requested by the City. *Must be the most recent survey and the date on the survey should not exceed one (1) year. **Copy sets of Survey must be at half-size scale 11x17"**.
- **Site Plan**- A full set of plans must be submitted a survey may be substituted if the requested variance is clearly indicated. Cover sheet on plan set to state project name and table of contents. **Copy sets of Plans must be at half-size scale 11x17"**.
- **Elevations**- If applicable (Elevations may be required by staff upon application submittal).
- **Landscape Plans**- If applicable (Landscape Plans may be required by staff upon application submittal).
- **Additional Plans**- If applicable (Additional Plans may be required by staff upon application submittal).
- **Mail Notification Documents**- 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. Please submit the following:
 - **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 Division (BOA, 700 N.W. 19th Avenue, Fort Lauderdale, Florida 33311**

**City of Fort Lauderdale- Zoning Division (BOA)
700 N.W. 19th Avenue
Fort Lauderdale, Florida 33311**

How To order a Tax Map and Notice List- To order a tax map and notice list, please contact Heather Hanson at hhanson@bcpa.net or call 954-357-6855 OR Kenny Gibbs at kgibbs@bcpa.net or call 954-357-5503. **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.

How to Submit Your Application submittal- Submittals must be conducted through the City's Online Citizen Access portal- LauderBuild. No hard copy application submittals are accepted. View plan and document requirements at [LauderBuild Plan Room](#). View file naming and Convention standards at [File Naming Convention Standards](#)

Please Note: All copy sets must be clear, accurate and legible. All non-plan documents should be 8 1/2" x 11". Plans must be folded to 8 1/2" x 11".



Site Address	720 ISLE OF PALMS DRIVE, FORT LAUDERDALE FL 33301	ID #	5042 12 15 0210
Property Owner	QUARTERMAN, LISA M	Millage	0312
Mailing Address	720 ISLE OF PALMS DR FORT LAUDERDALE FL 33301-2512	Use	01-01
Abbr Legal Description	STILWELL ISLES ISLES OF PALMS 15-34 B LOT 25 BLK 1		

The just values displayed below were set in compliance with **Sec. 193.011**, Fla. Stat., and include a reduction for costs of sale and other adjustments required by **Sec. 193.011(8)**.

* 2025 values are considered "working values" and are subject to change.

Property Assessment Values					
Year	Land	Building / Improvement	Just / Market Value	Assessed / SOH Value	Tax
2025	\$1,169,910	\$5,631,410	\$6,801,320	\$6,801,320	
2024	\$1,169,910	\$5,631,410	\$6,801,320	\$6,801,320	\$128,482.95
2023	\$1,169,910	\$7,226,660	\$8,396,570	\$7,913,670	\$154,440.93

2025 Exemptions and Taxable Values by Taxing Authority				
	County	School Board	Municipal	Independent
Just Value	\$6,801,320	\$6,801,320	\$6,801,320	\$6,801,320
Portability	0	0	0	0
Assessed/SOH	\$6,801,320	\$6,801,320	\$6,801,320	\$6,801,320
Homestead	0	0	0	0
Add. Homestead	0	0	0	0
Wid/Vet/Dis	0	0	0	0
Senior	0	0	0	0
Exempt Type	0	0	0	0
Taxable	\$6,801,320	\$6,801,320	\$6,801,320	\$6,801,320

Sales History			
Date	Type	Price	Book/Page or CIN
1/6/2021	WD-Q	\$6,650,000	116991573
4/23/2008	WD-Q	\$1,750,000	45344 / 1927
3/31/2005	WD	\$2,295,000	39690 / 702
11/1/1973	WD	\$120,000	
1/1/1972	WD	\$62,500	

Land Calculations		
Price	Factor	Type
\$90.00	12,999	SF
Adj. Bldg. S.F. (Card, Sketch)		8206
Units/Beds/Baths		1/6/6.1
Eff./Act. Year Built: 2012/2010		

Special Assessments								
Fire	Garb	Light	Drain	Impr	Safe	Storm	Clean	Misc
03				UU		F1		
R				UU				
1				1709.33		1		

EXHIBIT "A"

700 FLAMINGO DR LLC
PO BOX 200
LANGHORE, PA 19047

708 ROYAL PLAZA DRIVE LLC
230 SW NATURA AVE
DEERFIELD BEACH, FL 33441

729 ISLE OF PALMS LLC
150 MOUNT VERNON ST STE 500
BOSTON, MA 02125

811 FLAMINGO DRIVE LLC
1600 SW 4 AVE
POMPANO BEACH, FL 33060

ABUTTING LOT OWNERS % RIVIERA
ISLES HOA INC
2319 N ANDREWS AVE
WILTON MANORS, FL 33311

AGUERO, MARLENE & MANUEL E
650 ISLE OF PALMS DR
FORT LAUDERDALE, FL 33301

BEAR, MARCELLE, GERALD M &
MARCELLE BEAR TR
704 ROYAL PLAZA DR
FORT LAUDERDALE, FL 33301

BEAUCHAMP, JOHN L & JOHN L
BEAUCHAMP REV TR ETAL
704 ISLE OF PALMS DR
FORT LAUDERDALE, FL 33301

BPC FLORIDA LLC
701 FLAMINGO DR
FORT LAUDERDALE, FL 33301

FOX,JEFFREY C QPERT H/E &
FOX,MICHAEL & FOX, MITCHELL
ETAL
725 FLAMINGO DR
FORT LAUDERDALE, FL 33301

GEORGE H LANGE LIV TR & LANGE,
GEORGE H TRSTEE ETAL
458 LANDSCAPE CT
ST LOUIS, MO 63119

HALIKIAS, ARISTOTLE PETER &
HALIKIAS, LISA ANNE
6404 PINECREST DR
BURR RIDGE, IL 60527

HARRIS, DONALD A & ELLEN
717 ISLE OF PALMS DR
FORT LAUDERDALE, FL 33301

HARRIS, JOSEPH K
715 FLAMINGO DR
FORT LAUDERDALE, FL 33301

HENDERSON, EMMITT E & KAYE
708 FLAMINGO DR
FORT LAUDERDALE, FL 33301

KLOTZ, ADAM M
701 ISLE OF PALMS DR
FORT LAUDERDALE, FL 33301

MAYA, DAVID & HEIDI
725 ISLE OF PALMS DR
FORT LAUDERDALE, FL 33301

MCCLENNEN, JACQUELYN
724 ISLE OF PALMS DR
FORT LAUDERDALE, FL 33301

MONANI, EDWARD
716 FLAMINGO DR
FORT LAUDERDALE, FL 33301

MORAITIS, ROBERT J
724 FLAMINGO DR
FORT LAUDERDALE, FL 33301

NAYAK, SMITA & VINAYAK
401 N BIRCH RD #1000
FORT LAUDERDALE, FL 33304

O'CONNOR, DANIEL P & ELIZABETH
730 ISLE OF PALMS DR
FORT LAUDERDALE, FL 33301

O'LEARY, DENNIS & KATHLEEN
805 FLAMINGO DR
FORT LAUDERDALE, FL 33301

PUBLIC LAND % CITY OF FORT
LAUDERDALE
101 NE 3 AVE STE 2100
FORT LAUDERDALE, FL 33301

QUARTERMAN, LISA M
720 ISLE OF PALMS DR
FORT LAUDERDALE, FL 33301

SHAW, JESSE
645 FLAMINGO DR
FORT LAUDERDALE, FL 33301

SOLTEX REALTY LLC
4 WATERWAY SQUARE PL STE 275
SPRING, TX 77380

TAYLOR, BRUCE
712 FLAMINGO DR
FORT LAUDERDALE, FL 33301

TIITF/STATE OF FLORIDA & % FL
INLAND NAVIGATION DISTRICT
1314 MARCINSKI RD
JUPITER, FL 33477

UZNIS, GEORGE M & MARYANN
710 ISLE OF PALM DRIVE
FORT LAUDERDALE, FL 33301

WHARTON, JENNIFER H/E &
WHARTON, ERNEST
709 ISLE OF PALMS DR
FORT LAUDERDALE, FL 33301

VASTLAND NORTHCREST
DEVELOPMENT LLC
1720 WEST END BLVD #600
NASHVILLE, TN 37203

ELIZABETH MENDEZ, FRP-PLANNER
LOCHRIE & CHAKAS, P.A.
699 N. FEDERAL HIGHWAY, #400
FORT LAUDERDALE, FL 33304

EXHIBIT "B"

SOLAR DR

SOLAR ISLE DR

FLAMINGO DR

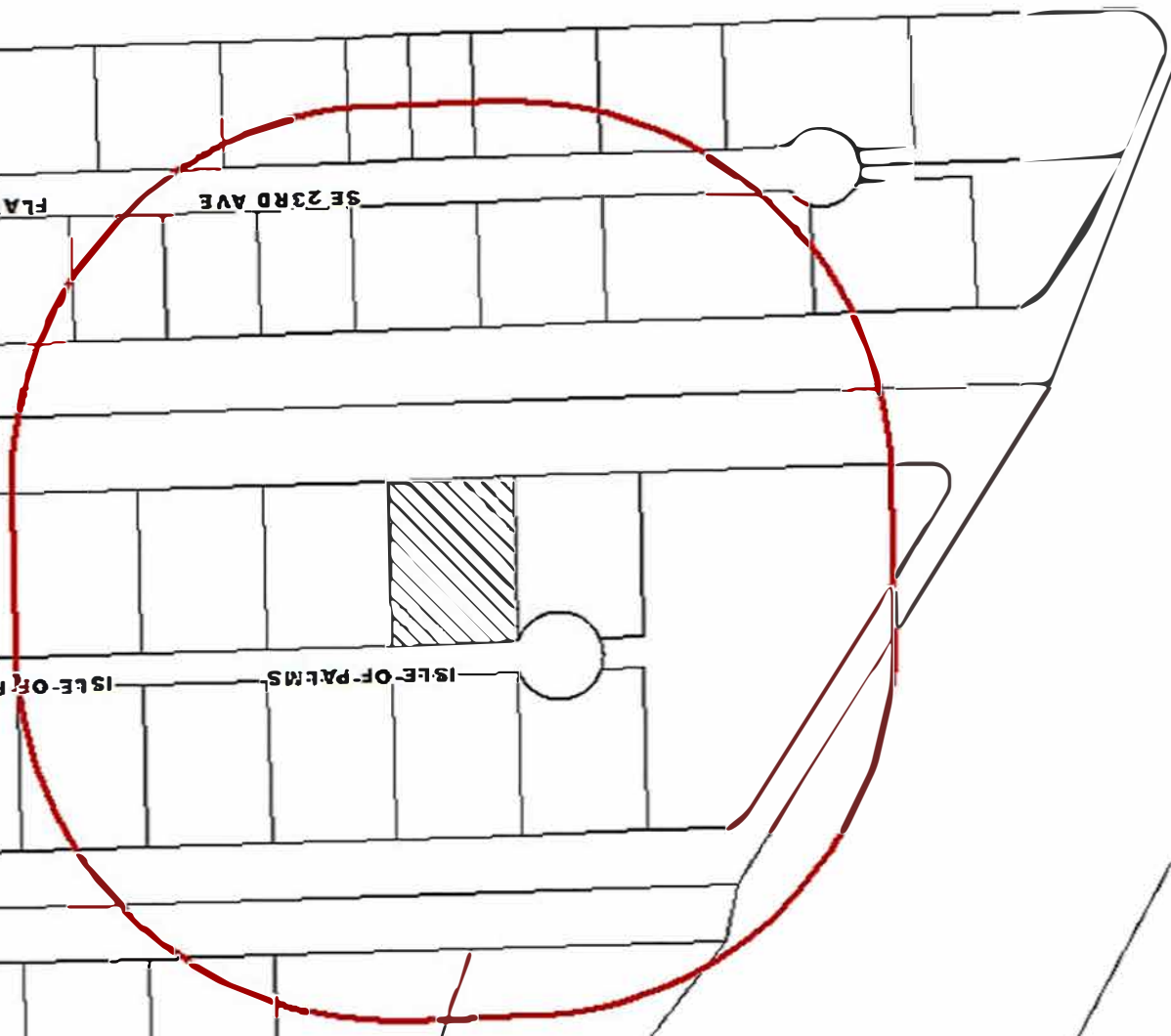
SE 23RD AVE

ISLE OF PALMS DR

ISLE OF PALMS

ROYAL PLAZA DR

CORAL WAY



720 ISLE OF PALMS DR
DATE OF PRINT: 12/05/2024

1/241Y KIAR
BROWARD
COUNTY

MARTY KIAR
BROWARD COUNTY PROPERTY APPRAISER



Applicant: Andrew J. Schein / Lochrie & Chakas, P.A.
Owner: Lisa Quarterman
Address: 720 Isle of Palms Drive (“Property”)
Request: Variance from ULDR Sections 47-5.30 and 47-19.2.P

Narrative

1. General Information and Request

Lisa Quarterman (“Owner”) is the owner of the Property. Owner purchased the Property in 2021 and shortly thereafter was diagnosed with skin cancer. Still wanting to be able to enjoy her new backyard, Owner erected a pergola on the back deck of the Property. The pergola was professionally installed to meet the requirements of the Florida Building Code, however a portion of the pergola was installed within the setbacks required for accessory structures. Owner is therefore seeking variances related to the installation of the pergola.

This variance application also includes “clean-up” items related to the existing setbacks for the main structure. In 2009, the City signed off on the final survey for the Property, which showed a 25.1’ front yard setback and a 10.1’ side yard (north) setback. A copy of the final survey, prepared by McLaughlin Engineering and signed by the City on June 18, 2009, is included in this application.

When Owner ordered a survey for this application, the surveyor determined that the front yard setback of the main structure is 24.43’ and the side yard (north) setback of the main structure is 9.10’. No changes have been made to these areas since the June 18, 2009 survey and it appears to be minor discrepancies between different surveyors. Therefore, applicant is including these existing setbacks in the variance request.

2. Code Provisions

ULDR Section 47-5.30 – Table of dimensional requirements for the RS-4.4 district: Minimum 10’ side yard setback and minimum 25’ front yard setback

ULDR Section 47-19.2.P: Freestanding shade structures may be permitted when accessory to residential uses, in the required rear yard but no closer than five (5) feet from the rear property line except where a parcel is abutting a waterway, where they shall be no closer than ten (10) feet from the waterway as measured in accordance with Section 47-2.2.R..... and shall be limited in size to a maximum of two hundred (200) gross square feet in area for that portion of the structure protruding into the required yard area.

1. Variance Request

Variance to allow an existing 24.43’ front yard setback to remain where ULDR Section 47-5.30 requires a 25’ front yard setback, for a total variance of 0.57 feet.

Variance to allow an existing 9.10' side yard setback to remain where ULDR Section 47-5.30 requires a 10' side yard setback, for a total variance of 0.90 feet.

Variance to allow an existing freestanding shade structure to remain at a side yard setback of 5.22', where ULDR Section 47-5.30 requires a 10' side yard setback, for a total variance of 4.78 feet.

Variance to allow an existing freestanding shade structure to remain at a 2.9-foot rear yard setback from the wet face of seawall as per section 47-2.2.S, whereas ULDR Section 47-19.2. P. requires a 10-foot rear yard setback. A total variance of 7.1 feet.

Variance to allow an existing freestanding shade structure of 324 square feet to remain in the required rear yard setback whereas code requires a maximum of 200 gross square feet in the required rear yard setback area, for a total variance request of 124 square feet.

2. Variance Criteria

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

RESPONSE: The variance request for the front yard setback (24.43') and the side yard setback of the house (9.10') appears to be a discrepancy between two different surveyors. When the house was originally constructed, McLaughlin Engineering showed these setbacks at 25.1' and 10.1', respectively. When the survey prepared by Thomas J. Kelly was prepared for this application, it showed a front yard setback of 24.43' and a side yard setback of 9.10', though no changes to these areas of the house have been made since the original survey.

Discrepancies between surveys is not common and is a special condition that only arose through the processing of this variance application, and not allowing the existing house to remain due to surveying discrepancies outside of Owner's control would prevent the reasonable use of such property.

As for the pergola, a portion of the incorrect installation location can be attributed to the survey discrepancy and a portion can be attributed to the ULDR. The counter under the pergola was installed at the same side setback as the existing house (9.10'), therefore there were no questions during the installation as to the setback; it matched the house. The roof of the pergola, however, is 5.22' from the side property line.

As for the rear yard setback of the pergola, the Section 47-19.2.P of the ULDR states that the minimum setback is 10' from the waterway "as measured in accordance with Section 47-2.2.R". However, ULDR Section 47-2.2.R is an incorrect cross-reference in the ULDR; the correct cross-reference should be Section 47-2.2.S, which states that the measurement should be taken from the face of the seawall (*not* the waterway, as 47-19.2.P states). In this case, the pergola is approximately 18.58' from the edge of the water, but 2.9' from the wetface of the seawall.

- 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;

RESPONSE: As stated above, it's peculiar different surveying companies show discrepancies between surveys. The front setback and side yard setback variances for the house are being requested as a "clean-up" to fix the issue caused by one or both surveying companies.

It's also peculiar that a code violation is issued for a freestanding shade structure is constructed more than 10' from the face of the waterway (as suggested by ULDR Section 47-19.2.P), but not more than 10' from the face of the seawall (as stated by ULDR Section 47-2.2.S, which is not correctly cross-referenced in ULDR Section 47-19.2.P). This incorrect cross-reference should be fixed to avoid further confusion.

- 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;

RESPONSE: Florida Statute § 70.002 recognizes the right of a property owner to use and enjoy their property and the right to due process. The right of a property owner to use and enjoy their property is not absolute, of course, and requires a balancing of interests. The Board of Adjustment, as part of the due process procedures in the City's code, may balance such interests.

After Owner's skin cancer diagnosis, she was unable to use and enjoy her backyard. As the purchase of the property happened shortly before the cancer diagnosis, this was an incredibly unfortunate confluence of events. Owner had the pergola professionally erected so that she can use and enjoy her backyard without putting her health into further jeopardy.

The right to use and enjoy their property is enjoyed by other property owners in the same zoning district, and Owner would not be able to enjoy their property to the same extent without a shade structure in the backyard. Applicant understands that this right is not absolute, but allowing the shade structure to remain will not harm the City or the neighborhood's interests.

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

RESPONSE: Applicant's need for the pergola due to her skin cancer diagnosis was not self-created by the applicant. The installation of the pergola was not due to disregard for or ignorance of the provisions of the ULDR, but was affected by outside events. The counter for the pergola was installed at the same setback as the house, which Owner now knows is nonconforming due to the discrepancy between the surveyors. The rear yard setback for the pergola was installed more than 10' from the waterway but not more than 10' from the wetface of the seawall, and the irrelevant cross-reference in the ULDR did not help this situation.

- 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.

RESPONSE: These variance requests are the minimum that will make Owner's reasonable use of the property possible. The pergola and the existing main structure are in harmony with the neighborhood and the general purposes and intents of the ULDR.



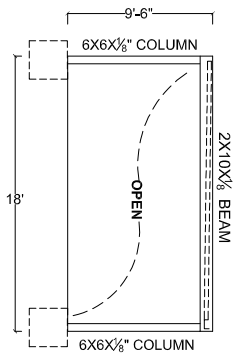




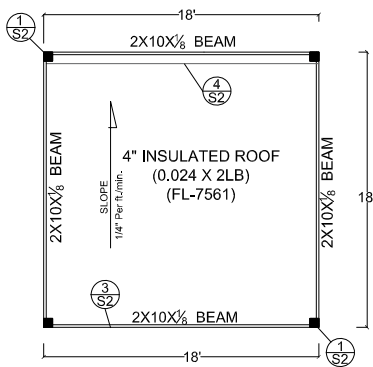
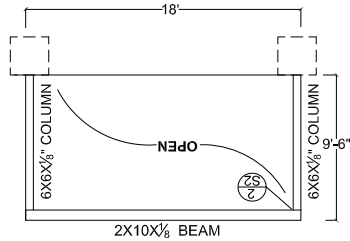




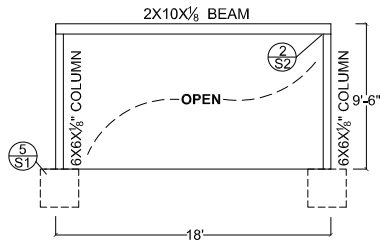
SIDE VIEW



REAR VIEW

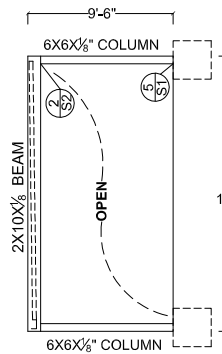


ROOF FRAMING VIEW

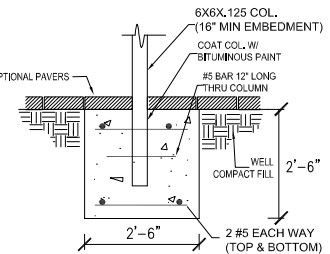


FRONT VIEW

- 170 MPH & Exposure "C"
- New 2'-6"x2'-6"x2'-6" deep isolated footing under the columns
- The existing soil meets the required load bearing capacity of 2,500 psf
- According to the rational analysis, the provided foundation and attachment to the host structure are adequate to support gravity, uplift, and lateral loads imposed by the new structure
- This design complies with F.B.C. 2020 7th Edition & ASCE 7-16



SIDE VIEW



5-S1 COLUMN ATTACHED & ISOLATED FOOTING

Project Site Address:
 Lisa Marie Quarterman
 720 Isle Of Palms Dr
 Ft. Lauderdale, FL 33301

Engineer's Seal:
 No 62565
 Digitally signed by Myoung-ho Kim
 Date: 2023.12.16 09:28:45 -05'00'
 MYOUNGHO KIM, P.E. FL Reg # 62565
 2653 Baccarat Dr, Cooper City, FL 33026
 TEL: 954-630-7224 FAX: 305-816-5907

Project #: 3027-2023 Lisa Marie Quarterman