



**BOARD OF ADJUSTMENT MEETING
CITY OF FORT LAUDERDALE
CITY HALL COMMISSION CHAMBERS
April 12, 2023 – 6:00 P.M.**

CITY OF FORT LAUDERDALE

Board Members	Attendance	Cumulative Attendance 6/2022 through 5/2023	
		Present	Absent
Blaise McGinley, Chair	P	9	1
Howard Elfman, Vice Chair	P	9	1
Bill Kent	A	3	3
Chadwick Maxey	P	8	2
Douglas Meade	A	6	4
Howard Nelson	P	10	0
Robert Wolfe	P	9	1
 <u>Alternate</u>			
Fred Stresau	P	3	0

Staff

Rhonda Hasan, Assistant City Attorney
 Chakila Crawford, Senior Administrative Assistant
 Jazmine Eveillard, Administrative Assistant
 Mohammed Malik, Zoning Administrator
 James Hollingsworth, Zoning Plan Examiner
 J. Opperlee, Recording Secretary, Prototype Inc.

Communication to the City Commission

Motion made by Mr. Nelson, seconded by Mr. Wolfe, to ask the City Commission’s recommendation for the number of Board members to sit at the dais. In a voice vote, motion passed unanimously.

Motion made by Mr. Nelson, seconded by Mr. Maxey, to ask the City Commission to appoint a new Board member and/or move the alternate to a full member. In a voice vote, motion passed unanimously.



CITY OF FORT LAUDERDALE

DRAFT MINUTES
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3.	PLN-BOA-23030001	831-845 N FEDERAL HIGHWAY LLC/ MICHAEL DIDICAL	2	<u>3</u>
4.	PLN-BOA-23030002	SHP VI/HOLDEN FORT LAUDERDALE LLC/ ANDREW J. SCHEIN, ESQ./LOCHRIE & CHAKAS P. A.	2	<u>5</u>
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I. Call to Order

The meeting was called to order at 6:24 p.m. Roll was called and a quorum was determined to be present.

II. Approval of Minutes – March 7 2023

Motion made by Mr. Nelson, seconded by Mr. Wolfe to approve the Board’s March 7, 2023 minutes. In a voice vote, motion passed unanimously.

III. Public Sign-In / Swearing-In

All individuals wishing to speak on the matters listed on tonight’s agenda were sworn in.

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

IV. Agenda Items

Board members agreed to hear Item 3 first.

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CASE:	PLN-BOA-23030001
OWNER:	831-845 N FEDERAL HIGHWAY LLC
AGENT:	MICHAEL DIDICAL
ADDRESS:	845 N FEDERAL HIGHWAY, FORT LAUDERDALE FL 33304
LEGAL DESCRIPTION:	LOTS 42,43,44, AND 45, BLOCK 252 PROGRESSO, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGE 18, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, LESS RIGHT OF WAY. SAID LANDS SITUATE, LYING AND BEING IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA. (SEE SURVEY)
ZONING DISTRICT:	RAC-UV - URBAN VILLAGE DISTRICTS
COMMISSION	2

DISTRICT:	
REQUESTING:	<p><u>Sec. 5-26. - Distance between establishments.</u></p> <ul style="list-style-type: none"> • Requesting a special exception from the required distance separation of three hundred (300) feet between establishments selling alcoholic beverages. The property is two hundred twenty-nine (229) feet and six (6) inches from the nearest establishment licensed to sell alcoholic beverages. Requesting the distance of separation be reduced from three hundred (300) feet to two hundred twenty-nine (229) feet and six (6) inches, a total reduction of seventy feet (70) and four (4) inches.

The property lessee was present but had not provided documentation indicating he was authorized to represent the applicant.

Motion made by Mr. Maxey, seconded by Mr. Wolfe:
 To table this item to the next agenda. In a roll call vote, motion **passed** 5-0.

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CASE: PLN-BOA-23020002

OWNER: LAS OLAS BY SEABREEZE LP

AGENT: JUAN MANUEL DELUTAULT

ADDRESS: 2915 E LAS OLAS BOULEVARD, FORT LAUDERDALE, FL 33316

LEGAL DESCRIPTION: LOT 6 & 7, BLOCK 6, OF SUBDIVISION LAS OLAS BY THE SEA, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 1, PAGE 6, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA. (SEE SURVEY)

ZONING DISTRICT: PRD – PLANNED RESORT DEVELOPMENT DISTRICT

COMMISSION DISTRICT: 2

REQUESTING: **Sec. 5-26. - Distance between establishments.**

- Requesting a special exception from the required distance separation of three hundred (300) feet between establishments selling alcoholic beverages. The location of the proposed establishment is two hundred eighty-eight (288) feet from one establishment licensed to sell alcoholic beverages and eighty (80) feet from another establishment licensed to sell alcoholic beverages. The special exception reduces the distance from three hundred (300) feet to two hundred eighty-eight (288) feet, a total reduction

of twelve (12) feet and from three hundred (300) feet to eighty (80) feet, a total reduction of two hundred twenty (220) feet, respectively.

Juan Manuel Delutault, agent, described the request. He confirmed this was a restaurant, not just a bar.

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

Motion made by Mr. Nelson, seconded by Mr. Wolfe:

To approve the special exception because it meets the community standards of this neighborhood. In a roll call vote, motion **passed** 5-0.

2.

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CASE:	PLN-BOA-23020003
OWNER:	DYLAN BUSS; ANNA LYDIA DOMI
AGENT:	JORGE A. HOYOS
ADDRESS:	2414 SEA ISLAND DRIVE, FORT LAUDERDALE FL 33301
LEGAL DESCRIPTION:	LOT 20, SEA ISLAND UNIT ONE, ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN PLAT BOOK 26, PAGE(S) 28, OF 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. 47-19.5.1d - Fences, walls, and hedges.</u>

- Requesting a variance from the average three (3) foot setback requirements to allow a NEW six (6) foot high fence/gate added TO AN EXISTING FENCE/GATE to be reduced to one (1) foot six (6) inches, a total reduction of one (1) foot six (6) inches.

- Requesting a variance from the average three (3) foot setback requirement to be reduce to zero (0) feet for an existing non-conforming twenty-eight (28) feet long site wall/fence, a total setback reduction of three (3) feet.

Jorge Hoyos, agent, described the request. He said the distance between the gate and the street would be approximately 11' 6". He had sent letters to neighbors and heard no objections. Mr. Hoyos said the existing wall was on the property line. Mr. Malik said he could not find permit records so he did not know if the wall was permitted. He acknowledged that some records were missing. Mr. Nelson noted the gate would still be many feet from the roadway.

Chair McGinley opened the public hearing.

Fred Stresau stated he had written the fence ordinance and said allowing someone to place a wall or fence six feet tall on the property line was intended to allow someone to have at least twenty-five feet between the garage door and the wall or fence. He noted the fence ordinance also required landscaping in front of the fence, but this wall had no landscaping.

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

Mr. Hoyos confirmed the gate would be aluminum and louvered like the other gate.

Motion made by Mr. Nelson, seconded by Mr. Elfman:

To grant the variance requests because they meet the criteria for a variance. In a roll call vote, motion **passed** 5-0.

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CASE:	PLN-BOA-23030002
OWNER:	SHP VI/HOLDEN FORT LAUDERDALE LLC
AGENT:	ANDREW J. SCHEIN, ESQ./LOCHRIE & CHAKAS P. A
ADDRESS:	1290 N FEDERAL HIGHWAY, FORT LAUDERDALE FL 33304
LEGAL DESCRIPTION:	A PORTION OF PARCEL "A," THE MAROONE CHEVROLET PLAT, AS RECORDED IN PLAT BOOK 164 PAGE 47 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA. SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS, COVENANTS, AND RIGHTS-OF-WAY OF RECORD. (SEE SURVEY)
ZONING DISTRICT:	B-1 – BOULEVARD BUSINESS
COMMISSION DISTRICT:	2

REQUESTING:	<p><u>Sec. 47-19.2. Z.1 - Roof mounted structures.</u></p> <ul style="list-style-type: none">• Requesting a variance to allow the existing permitted parapet, which ranges in height from +/- five (5) feet four (4) inches to twelve (12) feet, to serve as adequate mechanical equipment screening in lieu of the requirements of Section 47-19.2. Z.1 of the ULDR, which requires that the rooftop mechanical equipment be at least six (6) inches high above the topmost surface of the roof mounted structure, for a total variance of a maximum of five (5) feet four (4) inches. <p><u>Sec. 47-25.3. A.3.b.iii - Screening of rooftop mechanical equipment</u></p> <p>Requesting a variance to allow the existing permitted parapet, which ranges in height from +/- five (5) feet four (4) inches to twelve (12) feet to serve as adequate mechanical equipment screening in lieu of the requirements of Section 47-25.3.A.3.b.iii of the ULDR, which requires that the rooftop mechanical equipment be at least six (6) inches high above the topmost surface of the roof mounted structure, for a total variance of a maximum of five (5) feet four (4) inches.</p>
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Andrew Schein, the applicant's attorney, provided a Power Point presentation, a copy of which is attached to these minutes for the public record.

Mr. Schein confirmed for Mr. Elfman that the parapets could not be built higher because of the weight load on the roof.

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

Mr. Nelson said this had been constructed as permitted and he felt it met the hardship criterion.

Motion made by Mr. Nelson, seconded by Mr. Maxey

To grant the variances because they meet the criteria for a variance. In a roll call vote, motion **passed** 5-0.

Communication to the City Commission [Index](#)

Board members discussed the seating arrangement on the dais.

Motion made by Mr. Nelson, seconded by Mr. Wolfe, to ask the City Commission's recommendation for the number of Board members to sit at the dais. In a voice vote, motion passed unanimously.

Mr. Nelson said he preferred the current seating and agreed to sit at the other table instead of on the dais.

Motion made by Mr. Nelson, seconded by Mr. Maxey, to ask the City Commission to appoint a new Board member and/or move the alternate to a full member. In a voice vote, motion passed unanimously.

Report and for the Good of the City [Index](#)

Mr. Maxey reported he was resigning from the Board, effective immediately, because he was moving. He thanked his fellow Board members and City staff.

Other Items and Board Discussion [Index](#)

None

There being no further business to come before the Board, the meeting adjourned at 7:16 p.m.

Chair:

Attest:

ProtoType Inc.

Any written public comments made 48 hours prior to the meeting regarding items discussed during the proceedings have been attached hereto.