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FINAL ORDER OF THE BOARD OF ADJUSTMENT REGARDING CASE # PLN-BOA- 24040001

This matter was presented to this Board on November 13th, 2024, concerning the application of the owner TACHER, MARIO & YELENA regarding the use of real property legally described **LOT 6, BLOCK 3 OF "LAUDERDALE ISLES NO.2", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 35, AT PAGE 2, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.**

Whereas, the Applicant, pursuant to Section 47-24.12 of the Unified Land Development Regulations ("ULDR") sought variance requests to the following provisions:

Sec. 47-39. A.1.b.(3)(g) General provisions. - Yard encroachments.

- Requesting a variance from the minimum 10-foot required distance separation between an accessory building and a principal building to be reduced to a distance of 8.9 feet, a total variance request of 1.1 feet.

Sec. 47-39. A.1.b.(3)(d) General provisions. - Yard encroachments.

- Requesting a variance from the minimum 5 feet rear yard setback requirement for accessory buildings to be reduced to 4.5 feet, a total variance request of 0.5 feet.
- Requesting a variance from the minimum 5 feet side yard setback requirement for accessory buildings to be reduced to 2.0 feet, a total variance request of 3.0 feet.

And the Board, having heard and reviewed the evidence in this matter, is ORDERED BY THE BOARD OF ADJUSTMENT OF THE CITY OF FORT LAUDERDALE THAT THE SAID APPLICATION BE **DENIED.**

Motion made by Ms. Rathburn, seconded by Mr. Jones:

To grant the variance request for Sec. 47-39. A.1.b.(3)(g) General provisions. - *Yard encroachments.*

Motion failed 3 yeas-2 nays.

Motion made by Ms. Rathburn, seconded by Mr. Jones:

To grant the two variance requests regarding Sec. 47-39. A.1.b.(3)(d) General provisions - *Yard encroachments.*

Motion failed 0 yeas-5 nays.



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Dated this 11th day of December 2024



Howard Elfman
Chair of the Board of Adjustment

Pursuant to ULDR Sec. 47-24.12. A.8, This order shall be recorded in the public record of Broward County, Florida at the cost and expense of the applicant. Unless a shorter time period is specified above, a building permit to implement the improvements authorized by this Order must be secured within 180 days of the date of entry of this Order. Temporary nonconforming use permits shall expire within the time specified in the final order, which such time may not exceed one (1) year from the date of entry of the final order. Pursuant to ULDR Sec. 47-24.12.A.11, where an application for a variance or special exception or both has been denied by the Board of Adjustment, no new application for the same or a substantially similar variance or special exception or both may be made within a period of two (2) years from the date of such denial. In order to appeal the Board's decision, a Petition for a Writ of Certiorari must be filed (with the Circuit Court) within 30 days of rendition of this Final Order of the Board of Adjustment. Fla. Rules App. Procedure, Rule 9.100 (c).