



January 28, 2013

City of Ft. Lauderdale
Board of Adjustments
700 NW 19th Avenue
Ft. Lauderdale, FL

**Re: 2401 NE 27th Ave.
Ft. Lauderdale, FL**

Gentlemen:

ENCLOSED PLEASE FIND THE VACATION APPLICATION FOR 2401 NE 27TH AVE. IN FT. LAUDERDALE. THIS APPLICATION WAS APPROVED BY TERRY BURGESS IN JANUARY OF 2011 (SEE MINUTES FROM THAT MEETING ATTACHED).

THIS HOUSE WAS BUILT IN 1972. AT THAT TIME, PLOT PLANS WERE USED, NOT SURVEYS. PLANS WERE SUBMITTED AND APPROVED BY THE BUILDING DEPARTMENT AND THE HOUSE WAS BUILT AS PER THE PLANS.

THE OWNER STARTED THE RENOVATION TO INCREASE THE SQUARE FOOTAGE, KEEPING THE EXACT SAME FOOTPRINT OF THE HOUSE. NOTHING WAS ADDED TO THE EXTERIOR OF THE HOUSE. CONSTRUCTION CONSISTED OF ADDING A SECOND FLOOR.

THE CURRENT PERMIT WAS APPROVED BY THE CITY BUILDING DEPARTMENT AND WHEN WE TURNED IN OUR ELEVATION AND SURVEY, WE DISCOVERED THAT THE WALL AND PARTIAL PORTION OF THE POOL WAS ON THE EASEMENT. WE REQUESTED AND WERE GRANTED A 5' VARIANCE. (REFER TO PAGE 8 OF THE JANUARY 20, 2011 MINUTES) THE VARIANCE WAS UNANIMOUSLY APPROVED FOR THE 5' VARIANCE.

AS PER PAGE 11 OF THE MINUTES, THE ZONING ADMINISTRATOR, MR. TERRY BURGESS, DETERMINED THAT IT WAS OKAY TO EXIST, AND IF NOT, THEY WOULD NEED TO HAVE A VARIANCE FROM THE BOARD OF ADJUSTMENT. MR. BURGESS HAD THE POWER TO APPROVE THE VARIANCE AND HE DID.

ALSO, REFERRING TO PAGE 10 OF THE MINUTES, THE CITY ATTORNEY, MR. DUNCKEL, ADVISED THE PROPERTY OWNER THAT THE ITEM SHOULD GO BEFORE CODE ENFORCEMENT,

WHERE THE ZONING ADMINISTRATOR (TERRY BURGESS) MAY DETERMINE THAT THERE IS NO NEED TO GO BEFORE THE BOARD OF ADJUSTMENT.

Michael A. Genovesi, President
Custom Developments of FL, Inc.
1361 Airport Rd. N
Naples, FL 34104
239-687-7020



January 28, 2013

City of Ft. Lauderdale
Board of Adjustments
1700 NW 19th Ave.
Ft. Lauderdale, FL

**Re: 2401 NE 27th Ave.
Ft. Lauderdale, FL**

Gentlemen:

THIS HOUSE, LOCATED AT 2401 NE 27TH AVE. IN FT. LAUDERDALE, WAS BUILT IN 1972. IT WAS APPROVED BY BOTH THE ZONING AND BUILDING DEPARTMENTS WITH THE EXISTING FOOTPRINT AND THE PROPERTY WAS GIVEN A C.O. THE OWNER APPLIED FOR A PERMIT TO ADD A 2ND FLOOR; NOT CHANGING THE FOOTPRINT. A PERMIT WAS ISSUED.

DURING CONSTRUCTION, THE CITY BUILDING DEPARTMENT REQUIRED A NEW SURVEY, REVEALING AN ENCROACHMENT. ALL PLANS FROM 1972 WERE APPROVED BY THE PROPERTY AND RIGHT OF WAY COMMITTEE. (SEE ATTACHMENT OF THAT MEETING AND HIGHLIGHTED PORTIONS)

AT THAT TIME, TERRY BURGESS HAD THE POWER AND AUTHORITY TO ISSUE THE VARIANCE WITHOUT ANY OTHER ACTION. (SEE LAST PARAGRAPH ON PAGE 10 AND FIRST PARAGRAPH ON PAGE 11). WE HAVE BEEN WAITING FOR THE COPY OF THE VARIANCE AND NOW WE ARE TOLD THAT WE HAVE TO GO FOR A RIGHT OF WAY

AND EASEMENT VACATION; AS PER THE MINUTES FROM THE JANUARY 20, 2011 MEETING, IT CLEARLY STATES THAT THIS IS NOT REQUIRED.

Michael A. Genovesi, President
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