

RESOLUTION NO. 26-

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, REGARDING THE APPEAL OF FINAL ORDER OF THE BOARD OF ADJUSTMENT REGARDING CASE # PLN-BOA-24040001 DENYING THE VARIANCE REQUESTS OF APPLICANTS, MARIO AND YELENA TACHER, MAKING CERTAIN FINDINGS AND SETTING A DE NOVO HEARING TO CONSIDER THE APPEAL BEFORE THE CITY COMMISSION AT 6:00 P.M. ON _____, 2026, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on November 13, 2024, the Board of Adjustment entered Final Order of the Board of Adjustment Regarding Case # PLN-BOA-24040001 denying the variance requests of applicants, Mario and Yelena Tacher, from ULDR Section 47-39. A.1.b.(3)(g) General provisions. - Yard encroachments, requiring a minimum 10-foot distance separation between an accessory building and a principal building, Applicants are seeking to reduce the distance to 8.9 feet and from ULDR Section 47-39. A.1.b.(3)(d) General provisions. - Yard encroachments, requiring a minimum 5-foot rear yard setback and a minimum 5-foot side yard setback for accessory buildings, Applicants are seeking to reduce the rear yard setback to 4.5 feet and the side yard setback to 2.0 feet; and

WHEREAS, Section 47-24.12.A.13 of the City of Fort Lauderdale, Florida Unified Land Development Regulations ("ULDR") provides that the applicant may file an appeal to the City Commission in accordance with Section 47-26B.1 - Appeals; and

WHEREAS, in accordance with Section 47.26B, the City Commission has reviewed the record at its January 20, 2026, regular meeting and determined that either there was a departure from the essential requirements of law in the proceedings or that competent substantial evidence does not exist to support the decision of the Board of Adjustment; and

WHEREAS, the City Commission will conduct a de novo hearing on the variance request;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA:

SECTION 1. That foregoing "WHEREAS" clauses are true and correct and hereby ratified and confirmed.

SECTION 2. The de novo hearing and, Fort Lauderdale, Florida, shall be held at 6:00 p.m. on

_____, 2026, or as soon thereafter as may be heard, at the Broward Center for the Performing Arts, Mary N. Porter Riverview Ballroom, 201 SW 5th Avenue, Fort Lauderdale, Florida. At such time and place, the City Commission shall consider whether or not it intends to approve, amend or reject the decision of the Planning and Zoning Board.

SECTION 3. That this Resolution shall become effective immediately upon adoption.

ADOPTED this ____ day of _____, 2026.

Mayor
DEAN J. TRANTALIS

ATTEST:

City Clerk
DAVID R. SOLOMAN

APPROVED AS TO FORM
AND CORRECTNESS:

City Attorney
SHARI L. MCCARTNEY

Dean J. Trantalis _____
John C. Herbst _____
Steven Glassman _____
Pamela Beasley-Pittman _____
Ben Sorensen _____