



CITY OF FORT LAUDERDALE

MINUTES
BOARD OF ADJUSTMENT MEETING
CITY OF FORT LAUDERDALE
DEVELOPMENT SERVICES DEPARTMENT
700 NW 19th AVENUE, FORT LAUDERDALE,
FLORIDA 33311
JULY 9, 2025 – 6:00 P.M.

Board Members	Attendance	Cumulative Attendance 6/2025 through 5/2026	
		Present	Absent
Howard Elfman, Chair	P	2	0
Milton Jones	P	2	0
Douglas Meade	P	1	1
Amy Mergler	A	1	1
Patricia Rathburn	P	2	0
Robert Wolfe, Vice Chair	P	2	0
Jason Hagopian	P	2	0
Jay Schechtman [alternate]	A	1	1
Samir Yajnik [alternate]	P	1	1
Jarrod Gaylis [alternate]	P	2	0

Staff

D'Wayne Spence, Interim City Attorney
 Karlanne Devonish, Acting Urban Design and Planning Manager
 Chakila Crawford, Senior Administrative Assistant
 Mohammed Malik, Zoning Administrator
 James Hoingsworth, Zoning Plans Examiner
 J. Opperee, Recording Secretary, Prototype Inc.

Communication to the City Commission

None

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	<u>Case Number</u>	<u>Owner/Agent</u>	<u>District</u>	<u>Page</u>
1.	PLN-BOA-25060002	Joseph Vartanian/Andrew Schein Esq.	4	<u>2</u>
2.	PLN-BOA-2506000	ACS Flagler/Andrew Schein Esq.	2	<u>3</u>
		Communication to the City Commission		<u>6</u>
		For the Good of the City		<u>6</u>
		Other Items and Board Discussion		<u>7</u>

~~Motion made by Ms. Rathburn, seconded by Mr. Wolfe to grant the variance requests regarding Sec 47-13.20.G RAC Landscape Requirements, Sec 47-13.20.H RAC Streetscape Design, and Sec 47-24.5. D.1 Subdivision layout as the applicant has set forth the criteria for the granting of the variances per the ULDR. Motion failed 4-3 with Mr. Jones, Mr. Hagopian, and Mr. Meade opposed.~~

~~Mr. Schein wondered if they would need the last three variances since they had the two variances maintaining the non-conforming status and noted he had initially only applied for the first two.~~

~~Motion made by Ms. Rathburn, seconded by Mr. Yajnik to grant the variance requests regarding Sec 47-13.20.G RAC Landscape Requirements and Sec 47-24.5. D.1 Subdivision layout because it would be inconsistent to not do so with the previous variances that had been granted, allowing the building to retain its existence as a non-conforming building and because the application met the criteria. Motion was never voted on.~~

~~Mr. Spence explained that the first two variances, which the Board had already approved, allowed the applicant to expand without terminating their legal, non-conforming status. The other three variance requests were added to address the site requirements of the new structure with the expanded additions to allow it to be constructed on the site and accommodated based on the existing conditions. Mr. Schein stated there was an addition planned and it would meet all code and comply with the Downtown Master plan. Mr. Malik said if they complied with the code, they would not need the last three variances. Mr. Spence cautioned Mr. Schein not to rely on a conversation at this meeting as an approval without a review of the plans.~~

~~Mr. Spence said the denial of the last three requests may trigger the two-year wait to apply for another variance. He said someone on the prevailing side could make a motion to reconsider the denied requests, which would require Ms. Rathburn to withdraw her motion. No one made the motion to reconsider and Ms. Rathburn's motion was never voted on.~~

Communication to the City Commission
None

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Report and for the Good of the City

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Presentation on Amendments to Board of Adjustments Process

Ms. Devonish provided the presentation, a copy of which is attached to these minutes for the public record. She said staff had brought this recommendation for administrative variances to the City Commission on May 6, 2025.

The two-year wait for successive applications was discussed. Mr. Spence said the language now indicated there was a two-year waiting period before an applicant could

submit an application for the same or a substantially similar application as was initially denied. This was intended to avoid repetitive requests to the Board that were not substantially different. Mr. Meade suggested allowing an applicant to return with a substantially different request. Ms. Rathburn noted how difficult it would be for staff to judge a "substantial" change. Mr. Gaylis suggested limiting the number of times someone could apply. The Board agreed with allowing two subsequent requests.

Mr. Meade suggested allowing a denied applicant to appeal to the Special Magistrate instead of the City Commission. Ms. Devonish stated the City Commission had discussed that and decided against it. Ms. Rathburn thought this would be substituting the Special Magistrate's opinion for the Board's.

The Board and staff discussed the administrative variance process and Ms. Rathburn urged staff to include a notice requirement to alert neighbors and give them the opportunity to provide input.

Ms. Devonish said they would bring the ordinance to the Planning and Zoning Board next month and to the City Commission in the fall for two readings.

Other Items and Board Discussion

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None

There being no further business to come before the Board, the meeting adjourned at 7:27 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.