

Town of Lauderdale-By-The-Sea
Regular Planning and Zoning Board

Agenda

Monday, December 4, 2023

6:00 PM



Jarvis Hall 4505 N. Ocean Drive
www.Lauderdalebythesea-fl.gov

LAUDERDALE-BY-THE-SEA TOWN COMMISSION

Regular Planning and Zoning Board

Monday, December 4, 2023, 6:00 PM
Jarvis Hall 4505 N. Ocean Drive, 33308

1. **CALL TO ORDER**

2. **PLEDGE OF ALLEGIANCE TO THE FLAG**

3. **APPROVAL OF MINUTES**

3.a. November Planning and Zoning Board Minutes

4. **PUBLIC COMMENTS**

5. **NEW BUSINESS**

5.a. Pursuant to Chapter 30 “Unified Land Development Regulations,” Article IV “Development Permits – Applications, Requirements And Review Procedures,” Division 4 “Adjustments To The Code – Procedures And Requirements,” Section 30-128 “Administrative adjustments” of the Town’s Code of Ordinances (“Town Code”), the Applicant has requested a Level 2 Administrative Adjustment to permit a 1.7 foot extension of the existing garage into the required 25 foot front setback for the subject property located at 291 Imperial Lane.

6. **OLD BUSINESS**

7. **UPDATES/BOARD MEMBER COMMENTS**

8. **ADJOURNMENT**

THE TOWN OF LAUDERDALE-BY-THE-SEA WILL FURNISH APPROPRIATE AUXILIARY AIDS AND SERVICES NECESSARY TO AFFORD INDIVIDUALS AN EQUAL OPPORTUNITY TO PARTICIPATE IN MEETINGS OF THE TOWN COMMISSION. IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT AND FLORIDA STATUTE 286.26, PERSONS WITH DISABILITIES NEEDING SPECIAL ACCOMMODATION TO PARTICIPATE IN THIS PROCEEDING

SHOULD CONTACT THE TOWN CLERK NO LATER THAN TWO (2) DAYS PRIOR TO THE MEETING AT (954) 640-4200 FOR ASSISTANCE.

IF ANY PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE TOWN COMMISSION WITH RESPECT TO ANY MATTER CONSIDERED AT SUCH MEETING OR HEARING, HE/SHE WILL NEED A RECORD OF THE PROCEEDINGS AND FOR SUCH PURPOSES MAY NEED TO ENSURE THAT A VERBATIM RECORDING OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

PROCEDURES FOR PUBLIC COMMENTS:

Public Comments may address issues that are not on this meeting’s agenda, but should relate to the business of the Town, and should not contain personal attacks. If your comment requires follow up, the Town Manager will have a staff person respond to your concerns, and will advise us of the outcome.

The Town Clerk will read off the names of those who have signed up to speak. When your name is called, please come to the podium, state your name for the record, and indicate whether you are a Town resident. Do not state your address. You have up to three minutes to make your comments, but there is no requirement to use the entire time. If you wish to address a particular Commissioner or member of Town Administration, please do so by use of their title.

If you wish to approach the Commission dais to hand out a document or for some other reason, please request permission and state your reason for doing so. All documents to be provided to the Commission should be handed to the Town Clerk for distribution.

These procedures have been developed to assure that the Town Commission meeting time is efficiently used, and that meetings are conducted in a polite and respectful manner. More information on the decorum rules for Town Commission meetings is

available in Section 2-23 of the Town Code of Ordinances.

INVOCATION:

The Invocation before each Town Commission meeting is a voluntary service of a private citizen, offered to serve the spiritual needs of the members of the Town Commission and solemnize the meeting. It is not intended to be an opportunity to advance or disparage one faith or belief over another. The views expressed in the Invocation have not been previously reviewed by the Town and do not necessarily represent the beliefs of any Town employee or official. No person is required to be present at or participate in the Invocation, and the decision whether to be present or participate in the Invocation will not affect any person's right to actively participate in the official business of the Town or obtain any benefit from the Town. The Town's written Invocation policy is available on its website, and upon written request to the Town Clerk.all static



Agenda Item No: 3.a.

Planning and Zoning Board Agenda Item Report

Meeting Date: December 4, 2023

Submitted By:

Submitting Department: Development Services

Item Type: Presentation

Agenda Section: APPROVAL OF MINUTES

Subject Title: November Planning and Zoning Board Minutes

Explanation:

Recommendation:

Exhibits:

1. November Planning and Zoning Board Minutes

NON APPROVED
TOWN OF LAUDERDALE-BY-THE SEA
PLANNING AND ZONING BOARD MEETING MINUTES
LIVE STREAMED FROM JARVIS HALL
Wednesday, November 1, 2023

1. CALL TO ORDER & PLEDGE OF ALLEGIANCE

Vice Chair Goldberg called the in-person Planning and Zoning (P&Z) Board meeting for the Town of Lauderdale-By-The-Sea (L-B-T-S) to order at approximately 6:25PM.

2. PLEDGE OF ALLEGIANCE TO THE FLAG

The Pledge of Allegiance was recited.

ROLL CALL & WELCOME

Board Clerk Megan Small called the roll and present in-person were Vice Chair Howard Goldberg, and Board Members Wayne Dillistin, Patricia Omana, and Denise Lambert. Also attending were 1st Alternate Karen Sylvester and 2nd Alternate Karen Blake. Present in person were Town Attorney James White, Development Services Director Jhanelle Campbell, Assistant Development Services Director Muriel Bryan Ramirez, and Board Clerk Megan Small.

3. APPROVAL OF MINUTES

a. Planning & Zoning (P&Z) Meeting Minutes – September 19, 2023

Board Member Dillistin made a motion to approve the minutes of the P&Z Meeting of September 19, 2023 as written. The motion was seconded by Board Member Omana. The motion to approve September 19, 2023 minutes as written carried 4-0.

4. PUBLIC COMMENTS

Vice Chair Goldberg opened the meeting to the public for any comments on items not on the agenda. When an agenda item was presented, public comments regarding that item would be heard at that time. As there was no one from the public present, the Vice Chair closed this portion of Public Comments.

5. NEW BUSINESS

5.a. Case Number 2023-V-02: Variance to allow encroachments into both the required side yard setback and the rear yard setback for an accessory structure and to permit the erection of a wall that exceeds the maximum height per Town Code to an existing single-family dwelling.

Susan Leven, Town Planner, presented this item via a Slide Presentation for Variance Request for 1900 E Terra Mar Drive. This would allow for encroachment into both the required side and rear yard setback. The applicant, who has owned the property for 10 years, wished to construct a wall with a canopy to provide privacy in the rear of the property. The proposed canopy would encroach on the side and rear setbacks and the wall would exceed the maximum 6-foot height for a wall. The application did not meet most of the criteria for a variance. Town Staff

recommended denial of the application. This agenda item would go before the Town Commission at their November 14, 2023 Meeting.

The Applicant, Michael Trevor Armstrong, addressed the Board. He stated the following:

1. The location is unique – on a corner at the end of a bridge and on the canal.
2. Code is different from when the house was built in the 1950's – it is challenging to maintain usable space.
3. He maintains the easement to the south of the property.
4. There is a sidewalk that runs over the bridge and by his house.
5. A new dock was put in and a retaining wall is proposed.
6. Security – anyone on the bridge can see into the property.
7. Many people who do not live in the neighborhood fish and walk in the area.
8. Privacy is important to them.
9. Sound and light screening – there is light and noise pollution from headlights, car noise, and noise from the electrical boxes adjacent to the property.
10. His goal is to improve the appeal and appearance of the property, the neighborhood and Lauderdale-By-The-Sea.
11. He realized there was a privacy issue when the retaining wall was removed to replace the dock.

When asked how tall the retaining wall was, Mr. Armstrong stated it was 4-5 feet.

Victor Ballon, architect for the project, presented several photos and plans to the Board, stating:

1. He conducted a visual and Code study.
2. The house does not comply with any setbacks.
3. The Pool would not exist under current Code.
4. A higher elevation would be required to meet the flood zone requirements, and a six-foot fence would do nothing.
5. People hang out under the trees in the easement.
6. People walking by can see into the entire house.
7. The wall and canopy at 10 feet and halfway across the back of the property would cover most of the house.
8. The proposed wall would be built entirely on their property.
9. Landscaping was considered but takes up too much space.

Ms. Sylvester stated that a lifestyle change (recent marriage and birth of a child) is not a reason for a variance.

Mr. Goldberg asked if the neighbors have any concerns about the proposal. Mr. Armstrong stated that they support the application.

Ms. Sylvester asked why they wanted to do a canopy in one area when the property will still be visible over the adjacent 8-foot wall.

Mr. Ballon asked for a 9-foot wall instead of 10-foot.

Mr. Goldberg asked if they considered any alternatives to the proposed wall and canopy. Mr. Ballon said he suggested razing the house and rebuilding.

Ms. Sylvester asked for an explanation of the setbacks for accessory structures on a waterway.

Ms. Leven explained that on a waterway, accessory structures need to have the same setback as is required for the primary structure.

Mr. Ballon emphasized the need for privacy and security.

Mr. Goldberg asked for comments from the public – there were none.

Mr. Dillistin made a motion to accept Staff's recommendation and recommend denial of the project to the Commission. Vote was unanimous in favor of denial.

6. OLD BUSINESS

None.

7. UPDATES/BOARD MEMBER COMMENTS

Vice Chair Goldberg said that tomorrow the Chamber of Commerce has a social event and everyone was welcome to come. He gave the time and location for the event.

8. ADJOURNMENT

As all business was finished and without objection, the meeting was adjourned at approximately 6:28PM.

Chair Ron Piersante

ATTEST:

Date Accepted: _____



Agenda Item No: 5.a.

Planning and Zoning Board Agenda Item Report

Meeting Date: December 4, 2023

Submitted By: Jhanelle Campbell, Development Services Director

Submitting Department: Development Services

Item Type: Presentation

Agenda Section: NEW BUSINESS

Subject Title: Pursuant to Chapter 30 “Unified Land Development Regulations,” Article IV “Development Permits – Applications, Requirements And Review Procedures,” Division 4 “Adjustments To The Code – Procedures And Requirements,” Section 30-128 “Administrative adjustments” of the Town’s Code of Ordinances (“Town Code”), the Applicant has requested a Level 2 Administrative Adjustment to permit a 1.7 foot extension of the existing garage into the required 25 foot front setback for the subject property located at 291 Imperial Lane.

Explanation: See attached report

Recommendation: The proposed plans and narrative submitted by the Applicant have met the criteria within the Land Development Code and Staff recommends approval of the Level 2 Administrative Adjustment with the following conditions:

If approved, the Level 2 Administrative Adjustment expires concurrently with the Building Permit approved for the subject property

Exhibits:

1. 2023-L2-AA-03 Staff Report 291 Imperial Lane
2. Ex 1 2023-L2-AA-03 291 Imperial Application and Plans
3. Ex 2 Public Notice Section 30-139
4. Ex 3 RS-5 Section 30-212
5. Ex 4 Section 30-128 Administrative Adjustments



Town of Lauderdale-by-the-Sea
Development Services

To: Planning & Zoning Board

From: Jhanelle Campbell, Development Services Director

Meeting Date: December 6, 2023

Re: Case Number 2023-L2-AA-03: Pursuant to Chapter 30 "Unified Land Development Regulations," Article IV "Development Permits – Applications, Requirements And Review Procedures," Division 4 "Adjustments To The Code – Procedures And Requirements," Section 30-128 "Administrative adjustments" of the Town's Code of Ordinances ("Town Code"), the Applicant has requested a Level 2 Administrative Adjustment to permit a 1.7 foot extension of the existing garage into the required 25 foot front setback for the subject property located at 291 Imperial Lane.

The purpose of this memorandum is to provide findings and recommendations regarding the Level 2 Administrative Adjustment application (**Exhibit 1**) submitted to the Town of Lauderdale-By-The-Sea, Florida (the "Town") by Edward Maslanka (the "Applicant"). The application seeks to allow a 1.7-foot encroachment into the required 25-foot front setback for an addition to an existing residential garage on the property located at 291 Imperial Lane (the "Property") (**Diagram 1**).

Diagram 1



The Applicant has paid the appropriate fee and submitted the required documents. Notice has been given to all property owners located within a three hundred (300) foot radius of the Property. The Property has been posted and the public hearing concerning the Administrative Adjustment has been

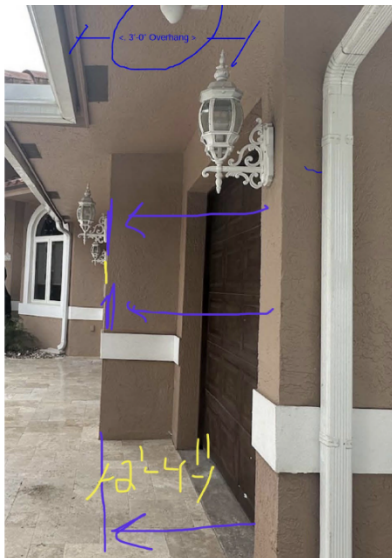
advertised, pursuant to Section 30-139 of the Town Code of Ordinances (the “Town Code”) (**Exhibit 2**). Staff have not received comments from the public regarding this request.

Background and Request

The Property is a developed parcel of land located within the RS-5 zoning district (**Exhibit 3**). The existing single-family home was originally constructed in the mid-1950’s, while the existing building was constructed in the mid 1990’s. The property is 11,226 SF (.26 acres) in size. The Applicant recently obtained a variance (2023-V-01) to construct a gate and fence within the Property’s front setback). The current proposal involves constructing an addition to the northern of the two garages on the Property since the Applicant’s new vehicle cannot fit within the existing space.

Diagram 2 provides a visual representation of the proposed additions. Section 30-212(c)(1) of the Town Code requires a front setback of twenty-five (25) feet. Currently, the west side of the Property has a front setback of twenty-five point six five (25.65) feet. The encroachment of two point thirty-three (2.33) feet will reduce the front setback to twenty-three point thirty-two (23.32) feet for a total encroachment of one point seven (1.7) feet. The Code permits an encroachment of up to thirty percent (30%) of the required setback, or a maximum seven point five (7.5) feet.

Diagram 2



Administrative Adjustment

Town Code Provision

Section 30-128 of the Town Code (**Exhibit 4**) establishes Level 1 and Level 2 Administrative Adjustment standards that allow the Town Manager and Town Commission, respectively, to approve a reduction in parking standards and/or setback requirements. A Level 2 Administrative Adjustment is permitted for setback encroachments of up to thirty percent (30%) or five (5) feet of the required

setback, whichever is less (**Table 1**). The Town Code requires review by the Town Staff, Planning & Zoning Board, and Town Commission.

Table 1

Administrative Adjustment Thresholds			
Building Standards that May be Adjusted	<u>Maximum Level 1 Adjustment</u>	<u>Maximum Level 2 Adjustment</u>	<u>291 Imperial Lane</u>
Setbacks	n/a	30% or 5 feet, whichever is less	1.7 foot encroachment 30% of the 25 foot required setback is 7.5'

Criteria and Analysis

Section 30-128 of the Town Code states that an encroachment into the required setbacks shall be approved if the requested relief is within the limits specified in the Administrative Adjustments Thresholds Table and the decision maker finds that there is competent substantial evidence in the record that all of the following standards are met:

- a. The Administrative Adjustment does not result in an increase in allowable density;
Applicant response: The proposed building adjustments do not result in an increase in allowable density.
Staff response: The criterion has been met.
- b. The Administrative Adjustment does not provide for building height that exceeds the zoning code standards;
Applicant response: Building height is not [affected] in this request, there is no roofing construction.
Staff response: The criterion has been met.
- c. In no way does the Administrative Adjustment allow a structure's footprint to encroach upon an established recorded or platted easement and/or the Town's right-of-way;
Applicant response: The property in question is at the end of Imperial Lane which is a Cul-De-Sac. Previously the owner was granted an Administrative Adjustment for a new driveway gate that was installed. This Adjustment moves the North side one car garage forward by 2'-4" closer to the front radius property line which shall encroach into front set back by 1.7 feet". Existing front set back is 25.65', new set back will be 23.32'.
Staff response: Note that the previous application was a variance as opposed to an administrative adjustment. The criterion has been met.

- d. The Administrative Adjustment furthers a minimum of one of the following conditions:
- i. Required to compensate for some unusual aspect of the development site or the proposed development; or
 - ii. Supports an objective from the purpose statements of the zoning district where located; or
 - iii. Proposed to protect sensitive natural resources or save healthy existing trees; or
 - iv. Supports Mid-Century Modern Architecture; or
 - v. Utilized to create a view corridor or other benefit to the Community; or
 - vi. Required to legalize the existing nonconforming footprint, overhangs, roof cornices, eaves or exterior balconies; or
 - vii. Required to allow a setback which matches the existing building's current side or rear setback, overhangs, roof cornices, eaves or exterior balconies; or
 - viii. Required for an expansion, addition or modification to an existing structure where that expansion, addition, or modification will not increase the footprint of the existing structure.

Applicant response: The...administrative adjustment meets more than one requirement (see underlined above). Does not modify the Roof Eave Overhang, modification takes place within existing overhang.

Staff response: The criterion has been met.

- e. The Administrative Adjustment will not substantially interfere with the convenient and enjoyable use of adjacent lands, and will not pose a danger to the public health or safety,

Applicant response: Does not interfere with the convenient and enjoyable use of adjacent lands. Does not pose a danger to public health and safety.

Staff response: The criterion has been met.

- f. The requested Administrative Adjustment is not incompatible with the character of development in the surrounding area and will not result in incompatible uses.

Applicant response: This Application for Administrative Adjustment Level 2 is compatible with character of development and surrounding area and does not result in incompatible use.

Staff response: The criterion has been met.

- g. Any adverse impacts, including but not limited to reductions in view corridors, resulting from the Administrative Adjustment will be mitigated to the maximum extent practicable.

Applicant response: This Administrative Adjustment does not limit or create adverse impacts in view corridors.

Staff response: The criterion has been met.

- h. The Administrative Adjustment is consistent with the comprehensive plan.

Applicant Response: The Application Administrative Adjustment is consistent with the comprehensive plan.

Summary Findings and Recommendations

The proposed plans and narrative submitted by the Applicant have met the criteria within the Land Development Code and Staff recommends approval of the Level 2 Administrative Adjustment with the following conditions:

1. If approved, the Level 2 Administrative Adjustment expires concurrently with the Building Permit approved for the subject property.

Exhibits

Exhibit 1 – Level 2 Administrative Adjustment Application with Plans

Exhibit 2 – Town Code Section 30-139 Public Notice

Exhibit 3 – Town Code Section 30-212(c)(1) (RS-5)

Exhibit 4 – Town Code Section 30-128 Administrative Adjustments

LAUDERDALE•BY•THE•SEA

ADMINISTRATIVE ADJUSTMENT LEVEL 2



Exhibit 1

4501 N. OCEAN DRIVE, LAUDERDALE-BY-THE-SEA, FL 33308
(954)-640-4210
ZONING@LBTS-FL.GOV
M-F 8:30-4:30 PM

For Administrative Purpose Only

Application Number: _____

BTR #: _____

Date Application Submitted: _____

Date Application Found Complete: _____

Pre-Application Meeting Date: _____

Non-Refundable Application Fee: _____

Cost Recovery Fee: _____

LAUDERDALE•BY•THE•SEA

ADMINISTRATIVE ADJUSTMENT LEVEL 2

In accordance with Town Code Section 30-128, a Level 2 Administrative Adjustment may be requested for:

- Setback adjustments up to 30% or 5 feet, whichever is less
- Overhangs, roof cornices and eaves and exterior balconies and all other requests up to five (5) feet, whichever is less
- More than three (3) parking spaces or more than 10% of the minimum parking requirement (for residential zoning districts only)

SECTION A: PROJECT DETAILS

Project Name: Edward Maslanka One Car Garage Renovation

Code Section from which Administrative Adjustment is sought: 30-128

SECTION B: ITEMS FOR SUBMITTAL

Note: Please submit digital copies with the hard copy application via email or thumb drive

- The Fee for Administrative Adjustment Level 2 + Deposit ([See Fee Schedule](#))
- A description of the request
- Two (2) current surveys, signed and sealed.
- Two (2) hard copies of a sketch that identifies the following:
 - All improvements and structures on the subject parcel
 - Proposed improvements which necessitates the adjustment
 - Distance of improvement from property line
 - Overhang distance from the building
- For parking reductions, submit a parking report that identifies the following:
 - Available parking within distance to the subject property
 - Pedestrian public route(s) from public parking to subject parking
- For building adjustments, explain how the administrative adjustment request meets the criteria as established in Town Code Section 30-128 (see Section C)

SECTION C: CRITERIA FOR APPROVAL

Section 30-128 of the Code of Ordinances states an Administrative Adjustment to Building Standards shall be approved only if all of the following standards are met:

- a) The Administrative Adjustment does not result in an increase in allowable density.
- b) The Administrative Adjustment does not provide for building height that exceeds the zoning code standards.
- c) In no way does the Administrative Adjustment allow a structure's footprint to encroach upon an established recorded or platted easement and/or the Town's right-of-way.
- d) The Administrative Adjustment furthers a minimum of one of the following conditions:
 - i. Required to compensate for some unusual aspect of the development site or the proposed development; or
 - ii. Supports an objective from the purpose statements of the zoning district where located; or
 - iii. Proposed to protect sensitive natural resources or save healthy existing trees; or
 - iv. Supports Mid-Century Modern Architecture; or
 - v. Utilized to create a view corridor or other benefit to the Community; or
 - vi. Required to legalize the existing nonconforming footprint, overhangs, roof cornices, eaves or exterior balconies; or
 - vii. Required to allow a setback which matches the existing building's current side or rear setback, overhangs, roof cornices, eaves, or exterior balconies; or
 - viii. Required for an expansion, addition, or modification to an existing structure where that expansion, addition, or modification will not increase the footprint of the existing structure.
- e) The Administrative Adjustment will not substantially interfere with the convenient and enjoyable use of adjacent lands and will not pose a danger to the public health or safety.
- f) The requested Administrative Adjustment is not incompatible with the character of development in the surrounding area and will not result in incompatible uses.
- g) Any adverse impacts, including but not limited to reductions in view corridors, resulting from the administrative Adjustment will be mitigated to the maximum extent practicable.
- h) The Administrative Adjustment is consistent with the comprehensive plan.
- i) An administrative adjustment to parking standards may be approved, in whole or in part, upon a finding that there is sufficient available parking that is open to the public and is judged adequate to accommodate the parking reduction request within a reasonable walking distance of the subject property along a practical and usable pedestrian route.

If a resubmittal is requested, please submit the amended documents, the previous comments received from the Town, and the applicant's response to those comments.

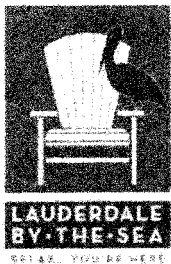
Need assistance or clarification?
Please contact us at (954)-640-4210 or email Zoning@lbts-fl.gov



TABLE OF CONTENTS AND ATTACHMENTS

- **ADMINISTRATIVE ADJUSTMENT LEVEL 2 APPLICATION**
- **SIGNED AND NOTARIZED APPLICATION**
- **SIGN APPLICANT LETTER JOHN DAUGHERTY ACTING AS AGENT FOR APPLICANT**
- **BCPA PROPERTY INFORMATION**
- **APPLICANT INTRO LETTER**
- **APPLICANTS RESPONSES TO SECTION C. "CRITERIA"**
- **BUILDING DEPART PERMIT APPLICATION COMMENTS (SEE #3 ZONING)**
- **ELEVATION PICTURES AND OVERHANG INFORMATION PROPOSED RENOVATION**
- **SURVEY WITH FINISH FLOOR ELEVATION AND EXISTING SETBACK**
- **SECOND SURVEY SHOWING NEW SETBACK WITH ONE CAR GARAGE RENOVATION**
- **SIGN AND SEALED PLANS**

CGC056966
info@gdpmcs.com
call / text (954) 338-8730



TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA
Administrative Adjustment

PROPERTY/APPLICANT INFORMATION

Date: 12 October 2023

Permit Number Assigned: LBS23-014695

Property Address: 291 Imperial Lane

Legal Description: Lot 21 Block 1 Folio 4943 18 04 0240

Subdivision LAUDERDALE SURF & YACHT ESTATES 22-46 B

Zoning District: RS-5

Property Owner's Name: EDWARD MASLANKA

Address: 291 Imperial Lane, Lauderdale By The Sea, FL. 33308

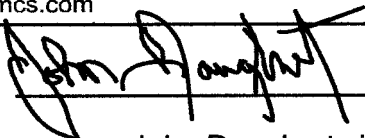
Phone #: +1 (954) 701-3931 Fax

Email address: Emasl28341@aol.com

Owner/Applicant's Name: John N. Daugherty

Phone #: +1 (954) 338-8730 Fax

Email address: John.D@gdpmcs.com

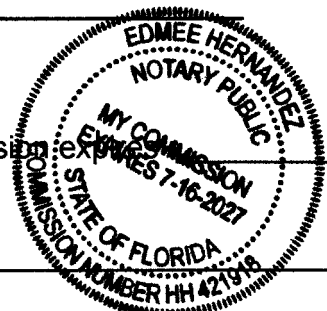
Signature of Applicant/Owner: 

Print Name of Applicant/Owner: ☐ John Daugherty i

State of: Florida County: Miami-Dade

Notary: Edmee Hernandez My Commission expires 7-16-2027

Personally Known: ☒ ID:



*Letter required from Owner(s) if represented by Agent.

ADMINISTRATIVE ADJUSTMENT PROCEDURES OR STANDARDS

Code Section from which Administrative Adjustment is sought: _____

Description of your request: Move one car garage door front wall forward 2'-4" towards
the front property line.

On a separate page, describe how your administrative adjustment request meets the criteria for administrative adjustment approval: (Refer to Section 30-128 of the Town Code, which is attached for your reference).

Attach additional pages if necessary

Supply copies of the following:

Two (2) sealed surveys of the entire property, completed within sixty (60) days of the date this application is filed. The survey must clearly identify and indicate distances between all structures, property lines, setbacks, easements, and adjacent rights of way. If the adjustment is for an existing structure, the survey should clearly indicate the area in which the administrative adjustment is necessary.

Two (2) copies of a Site Plan under Seal of a Florida licensed Architect or Engineer, which clearly depicts the proposed improvements, which necessitates the adjustment in relation to the above-delineated elements for survey. For single-family and duplex properties the site plan drawn to scale, which depict the proposed improvements, which necessitates the adjustment, does not need to be sealed. The site plan is not necessary for adjustments requested for existing buildings.

To be completed by Town

Date Application submitted: _____

Date Application found complete: _____

Pre-Application meeting date: _____

Board of Adjustment meeting date: _____

Town Commission meeting date: _____

Zoning Code Administrative Adjustment Fee Amount:

Level 1	\$150.00
Level 2	\$350.00
Appeal of Level 1	\$200.00
Deposit for consultant	\$500.00

Town Off-Site Consultant (if applicable)

NOTE: The Town Code provides for cost recovery of outside consultants, legal advertising costs, direct mail notice costs, etc. and depending on the scale of the project, additional fees may be incurred. Therefore, the above fees reflect a \$500 deposit for third party fees. Any unused portion of the \$500 deposit will be refunded to the Applicant.

Sec. 30-128. - Administrative adjustments.

- (a) *Purpose.* The purpose of this section is to establish standards for review of applications for Administrative Adjustments. As defined in the Administrative Adjustment Thresholds Table below, Level 1 Administrative Adjustments may be approved by the Town Manager, and Level 2 Administrative Adjustments require Town Commission approval.

Administrative Adjustments are available for certain limited variations or adjustments to building or parking standards of the Code based on specific criteria, where the application of the standard creates practical difficulties in allowing development or redevelopment that otherwise advances the purposes served by the standards of this Code and the comprehensive plan, and is compatible with surrounding development.

Administrative Adjustments can also support flexibility in development and redevelopment efforts encouraging design and compatibility equal to or better than that resulting from the strict application of the Code, in furtherance of the Architectural Design Standards of the Town and the desired Mid-Century Modern architectural style.

- (b) *Eligibility.* Developments located within any zoning district are eligible to apply for an Administrative Adjustment. The thresholds applicable to Level 1 and Level 2 Administrative Adjustments are shown in the following Table, Administrative Adjustment Thresholds.

Administrative Adjustment Thresholds		
Building Standards that may be Adjusted	Maximum Level 1 Adjustment	Maximum Level 2 Adjustment
Setbacks for existing structures with no setback changes	n/a	30% or 5 feet, whichever is less
All other setbacks	n/a	30% or 5 feet, whichever is less
Overhangs, roof cornices and eaves and exterior balconies	n/a	All other requests up to 5 feet, whichever is less
Parking Standards	Up to 3 spaces or 10% of the minimum parking requirement, whichever is greater	All Other

- (c) *Level 1 Administrative Adjustments.*

- (1) *Review.* A Level 1 Administrative Adjustment application shall be reviewed and evaluated by the DSD, any other Town departments or staff the DSD determines are applicable, and the Board of Adjustment.

(d) *Level 2 Administrative Adjustments.*

- (1) *Review of Adjustment of Parking.* An application for a Level 2 Administrative Adjustment for Parking shall be accompanied by a parking report, prepared by the Town, analyzing existing and future parking demands, the availability of underutilized public parking spaces, and traffic circulation.
- (2) *Review of Adjustment of Building Standards.*
 - a. A Level 2 Administrative Adjustment application shall be reviewed and evaluated by the DSD, any other Town departments or staff the DSD determines are applicable, and the Board of Adjustment.

(e) *Criteria for Approval.*

- (1) *Building Standards.* An Administrative Adjustment to Building Standards shall be approved only if the requested relief is within the limits specified in Administrative Adjustments Thresholds Table, and if the decision maker finds that there is competent substantial evidence in the record that all of the following standards are met:
 - a. The Administrative Adjustment does not result in an increase in allowable density;
 - b. The Administrative Adjustment does not provide for building height that exceeds the zoning code standards;
 - c. In no way does the Administrative Adjustment allow a structure's footprint to encroach upon an established recorded or platted easement and/or the Town's right-of-way;
 - d. The Administrative Adjustment furthers a minimum of one of the following conditions:
 - i. Required to compensate for some unusual aspect of the development site or the proposed development; or
 - ii. Supports an objective from the purpose statements of the zoning district where located; or
 - iii. Proposed to protect sensitive natural resources or save healthy existing trees; or
 - iv. Supports Mid-Century Modern Architecture; or
 - v. Utilized to create a view corridor or other benefit to the Community; or
 - vi. Required to legalize the existing nonconforming footprint, overhangs, roof cornices, eaves or exterior balconies; or
 - vii. Required to allow a setback which matches the existing building's current side or rear setback, overhangs, roof cornices, eaves or exterior balconies; or
 - viii. Required for an expansion, addition or modification to an existing structure where that expansion, addition, or modification will not increase the footprint of the existing structure.
 - e. The Administrative Adjustment will not substantially interfere with the convenient and enjoyable use of adjacent lands, and will not pose a danger to the public health or safety,
 - f. The requested Administrative Adjustment is not incompatible with the character of development in the surrounding area, and will not result in incompatible uses.
 - g. Any adverse impacts, including but not limited to reductions in view corridors, resulting from the Administrative Adjustment will be mitigated to the maximum extent practicable.
 - h. The Administrative Adjustment is consistent with the comprehensive plan.
- (2) *Parking Standards.* An Administrative Adjustment to Parking Standards may be approved, in whole or in part, upon a finding that there is sufficient available parking that is open to the public and is judged adequate to accommodate the parking reduction request within a reasonable walking distance of the subject property along a practical and usable pedestrian route.

(f) *Reporting.* The Town Manager shall file a quarterly report on Administrative Adjustments with the Town Commission.

(Ord. No. 2014-08, § 3, 7-7-2014)

Edward Maslanka
291 Imperial Lane
Lauderdale By The Sea, FL. 33308

Ms. Susan Leven
Zoning Department
4501 North Ocean Drive
Lauderdale By The Sea FL 33308

12 October 2023

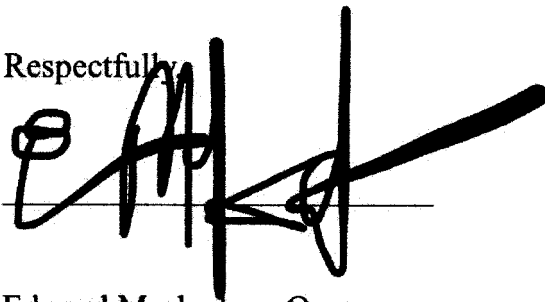
RE: Administrative Level 2 Representative/Agent
291 Imperial Lane, LBS 33308

Dear Ms. Leven,

Mr. John Daugherty will be representing my interest as my agent
for Administrative Level 2 Variance.
John operates and qualifies Generation Development LLC., who
I have contracted for the project.

Please feel free to call or e-mail me with any additional
questions. My cell number is (954) 701-3931 and my e-mail is
Emasl28341@aol.com

Respectfully,

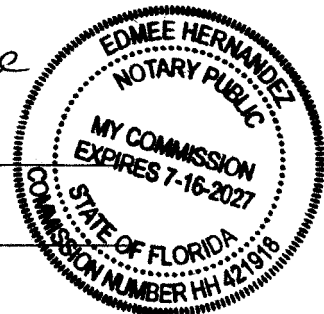


Edward Maslanka – Owner

State of Florida County of Miami Dade

Notary Edmee Hernandez Commission Expires _____

Personally Known ☒ ID _____





IMPORTANT:

If you are looking to purchase this property, the tax amount shown may have no relationship to the taxes you will pay.
If you are looking to purchase this property and are not using portability to transfer any capped savings, please use our **Tax Estimator** to determine a more likely estimate of your new amount.
If you own this home and want to purchase a new home in Florida, try our **Portability Estimator** to see how portability and the additional homestead exemption can help you.
If you own a home in Florida, and want to see how much portability will save you, try our **Portability Estimator**.

[PREVIOUS](#)[NEXT](#)[VIEW MAP](#)[PRINT](#)[NEW SEARCH](#)[PHOTOGRAPHS](#)[BCPA HOME](#)

Click here to display your 2023 TRIM Notice.

Site Address	291 IMPERIAL LANE, LAUDERDALE BY THE SEA FL 33308	ID #	4943 18 04 0240
Property Owner	MASLANKA, EDWARD EDWARD MASLANKA LIV TR	Millage	0211
Mailing Address	291 IMPERIAL LN LAUDERDALE BY THE SEA FL 33308	Use	01-01
Abbreviated Legal Description	LAUDERDALE SURF & YACHT ESTATES 22-46 B LOT 21 BLK 1		
Owner Alert	If you are the owner of this property, protect your property from scams or fraud by subscribing to BCPA's free Owner Alert Notification service. Please click here to subscribe.		

The just values displayed below were set in compliance with **Sec. 193.011, Fla. Stat.**, and include a reduction for costs of sale and other adjustments required by **Sec. 193.011(8)**.



IT'S IMPORTANT THAT YOU KNOW:

The 2024 values currently shown are considered "working values" and are subject to change. These numbers will change frequently online as we make various adjustments until they are finalized.

Property Assessment Values

Click here to see 2023 Exemptions and Taxable Values as reflected on the Nov. 1, 2023 tax bill.

Year	Land	Building / Improvement	Just / Market Value	Assessed / SOH Value	Tax
2024	\$666,820	\$3,737,550	\$4,404,370	\$1,594,550	
2023	\$666,820	\$3,737,550	\$4,404,370	\$1,594,550	
2022	\$666,820	\$1,557,600	\$2,224,420	\$1,548,110	\$147.37

2024 Exemptions and Taxable Values by Taxing Authority

	County	School Board	Municipal	Independent
Just Value	\$4,404,370	\$4,404,370	\$4,404,370	\$4,404,370
Portability	0	0	0	0
Assessed/SOH 13	\$1,594,550	\$1,594,550	\$1,594,550	\$1,594,550
Homestead 100%	YES	YES	YES	YES
Add. Homestead	0	0	0	0
Wid/Vet/Dis	0	0	0	0
Senior	0	0	0	0
Exempt Type 03	\$1,594,550	\$1,594,550	\$1,594,550	\$1,594,550
Taxable	0	0	0	0

Sales History -- Search Subdivision Sales

Date	Type	Price	Book/Page or CIN
12/20/2012	WD-Q	\$1,500,000	49366 / 1399
8/26/2008	QCD-T	\$100	45670 / 352
2/7/2003	WD	\$1,500,000	34552 / 901
10/30/2002	WD	\$750,000	34043 / 363
4/28/1998	WD	\$1,150,000	28191 / 15

Land Calculations

Price	Factor	Type
\$59.40	11,226	SF
Adj. Bldg. S.F. (Card, Sketch)		3859
Units/Beds/Baths		1/3/3
Eff./Act. Year Built: 1996/1995		

Special Assessments

Fire	Garb	Light	Drain	Impr	Safe	Storm	Clean	Misc
02						LB		
R								
1						1		

If you see a factual error on this page, please [click here](#) to notify us.

Applicants Introduction

Subject Property Address

291 Imperial Lane, Lauderdale By The Sea, FL. 33308

Building Permit Application LBS23-014695

Mr. Edward Maslanka's (Applicant) Administrative Adjustment Level 2 Application follows requirements defined in SECTION C: CRITERIAL FOR APPROVAL 30-128 Administrative Adjustment Code.

We have attached Applicants comments to the below criteria and explain to the best of our ability how the proposed minor renovation to the one car Garage Wall and its impact to the front property line setback meets the criteria.

The minor adjustment to the one car garage meets the Administrative Level 2 Threshold, the overall new setback will only encroach 6.7% or 1'-8" into front property setback, which is less than the minimum Administrative Adjustment Level 2 Threshold Requirements as defined in 30-128.(b). Those limits state the Threshold Encroachment shall be either 30% or 5 feet whichever is less into front property line. We have attached a recent survey showing existing setback and the new site survey showing both existing and proposed setback after one car garage is renovated. The existing setback is 25.65', the proposed new setback will be 23.32'

Applicant has attached plans originally submitted to Building Department: "LBS23-014695" for your review.

Applicant photographs of front elevation from Broward County Property Appraiser and Generation Development LLC staff that shows in detail area of renovation. The existing Roof Eave overhang that will not be changed, the new wall with the one car garage door will still be located under the existing overhang eave. We believe you will agree that we do not alter or take away or hinder neighbors or RS-5 Zoning intentions with moving the one car garage wall forward 2'-4". The one car garage is 8' wide, the wall that door is 10'-0" wide and except for being moved forward will have the same look.

Subject Property Address

291 Imperial Lane, Lauderdale By The Sea, FL. 33308

Building Permit Application LBS23-014695

Section C. Administrative Adjustment Criteria City Statute 30-128

(c) Review Level 1 Administrative Adjustment

Applicant Response- This application is Level 2 Administrative Adjustment, applicant therefore as no comment.

(d) Level 2 Administrative Adjustment

An application for a Level 2 Administrative Adjustment for parking shall be accompanied by a parking report, prepared by the Town, analyzing existing and future parking demands, the availability of underutilized public parking spaces, and traffic circulation.

Applicant Comment-This application does not affect RS-5 Parking and is not applicable to this review. Due to their being no existing parking being removed from the existing driveway outside of the roof eave area at one car garage, no parking shall be removed or added.

Review of adjustment of building standards. A Level 2 Administrative Adjustment application shall be reviewed and evaluated by the DSD, any other Town departments or staff the DSD determines are applicable, and the Planning and Zoning Board.

Applicants Comment- Evaluator's- Please note that Building footprint moves forward at the one garage door section on north corner of front of home.

(e) Criteria for approval

(1) Building standards. An Administrative Adjustment to building standards shall be approved only if the requested relief is within the limits specified in Administrative Adjustments Thresholds Table, and if the decision maker finds that there is competent substantial evidence in the record that all of the following standards are met.

Applicant's Response- We address below how applicant meets Administrative Adjustment Threshold Level 2.

Applicants Responses

Applicant's list below Administrative Adjustments as Part of Section C of Application that we consider meets below Threshold Table.

- a. Does not increase density.

Applicants Response The Administrative Adjustment does not result in an increase in allowable density.

- b. The Administrative Adjustment does not provide for building height that exceeds the zoning code standards.

Applicant Response - Building height is not effected in this request, there is no roofing construction.

- c. In no way does the Administrative Adjustment allow a structure's footprint to encroach upon an established recorded or platted easement and/or the Town's right-of-way.

Applicant Response - The property in question is at the end of Imperial Lane which is a Cul-De-Sac. Previously the owner was granted an Administrative Adjustment for a new driveway gate that was installed. This Adjustment moves the North side one car garage forward by 2'-4" closer to the front radius property line which shall encroach into front set back by 1'-8". Existing front set back is 25.65', new set back will be 23.32'.

- d. The Administrative Adjustment "minimum of one of the following conditions".

Applicant Response - The attached Administrative Adjustment meets more than one requirement.

- iv. Supports Mid-century Modern architecture.

Applicant Response - Meets Mid-century Modern architecture.

- viii. Required for an expansion, addition or modification to an existing structure where that expansion, addition, or modification will not increase the footprint of the existing structure.

Applicant Response - Does not modify the Roof Eave Overhang, modification takes place within existing overhang.

- e. The Administrative Adjustment will not substantially interfere with the convenient and enjoyable use of adjacent lands and will not pose a danger to public health or safety.

Applicant Response- Does not interfere with convent and enjoyable use of adjacent lands. Doe does not pose a danger to public health or safety.

- f. The requested Administrative Adjustment is not incompatible with the character of development in the surrounding areas and will not result in incompatible uses.

Applicant Response - This Application fort Administration Adjustment Level 2 is compatible with character of development and surrounding area and does not result in incompatible use.

- g. Any adverse impacts, including but not limited to reductions in view corridors, resulting from the Administrative Adjustment will be mitigated to the maximum extent practicable.

Applicant Response - This Administrative Adjustment does not limit or create adverse impacts in view corridors.

- h. The Administrative Adjustment is consistent with the comprehensive plan.

Applicant Response- The Application Administrative Adjustment Level 2 is consistent with the comprehensive plan.

Open Issues: 3

Civil General

General Issues

1. Civil General Mandatory

Flynn Engineering jay flynn 9/11/23 4:54 PM Express Workflow - 1	1. Submit survey of site with FEMA information noted 2. Clarify if the garage doors are being replaced or if the garage is being enclosed...plans do not show the doors going back that i can see
---	--

Structural

General Issues

2. plans/documentation Mandatory

CAP Government, Inc. Peter Leto 9/17/23 4:19 PM Express Workflow - 1	1. PROVIDE BROWARD COUNTY ASBESTOS APPPROVAL LETTER. 2. PROVIDE GARAGE DOOR PRODUCT APPROVAL ALONG WITH REVIEW FORM. 3. SHOW NEW ELEVATION SHEETS REFLECTING THENEW WORK,,
---	---

Zoning

3. Garage Setback Requires Administrative Adjustment
Level 2 Approval To Obtain Permit

General Issues

3. Garage setbacks Mandatory

Town of Lauderdale By- The-Sea Susan Leven 9/18/23 10:21 AM Express Workflow - 1	1. Please provide a detail drawing showing the original area and the addition with setbacks. The current submission looks like the addition to the garage causes a reduction in the front setback which could require a variance. 2. If the garage doors are proposed to be replaced, please provide a spec sheet for the new doors.
---	---

Closed Issues: 0

Administrative Adjustment Level 2 Additional Attached Additional Information

Project Scope:

Renovate and Move 1 Car Garage Wall Forward By 2'-4"

Applicant

Edward Maslanka

291 Imperial Lane

Lauderdale By The Sea, FL 33308

PROJECT MANAGEMENT & CONSULTING SERVICES
GENERATION DEVELOPMENT LLC



CGC056966
info@gdpmcs.com
call / text (954) 338-8730





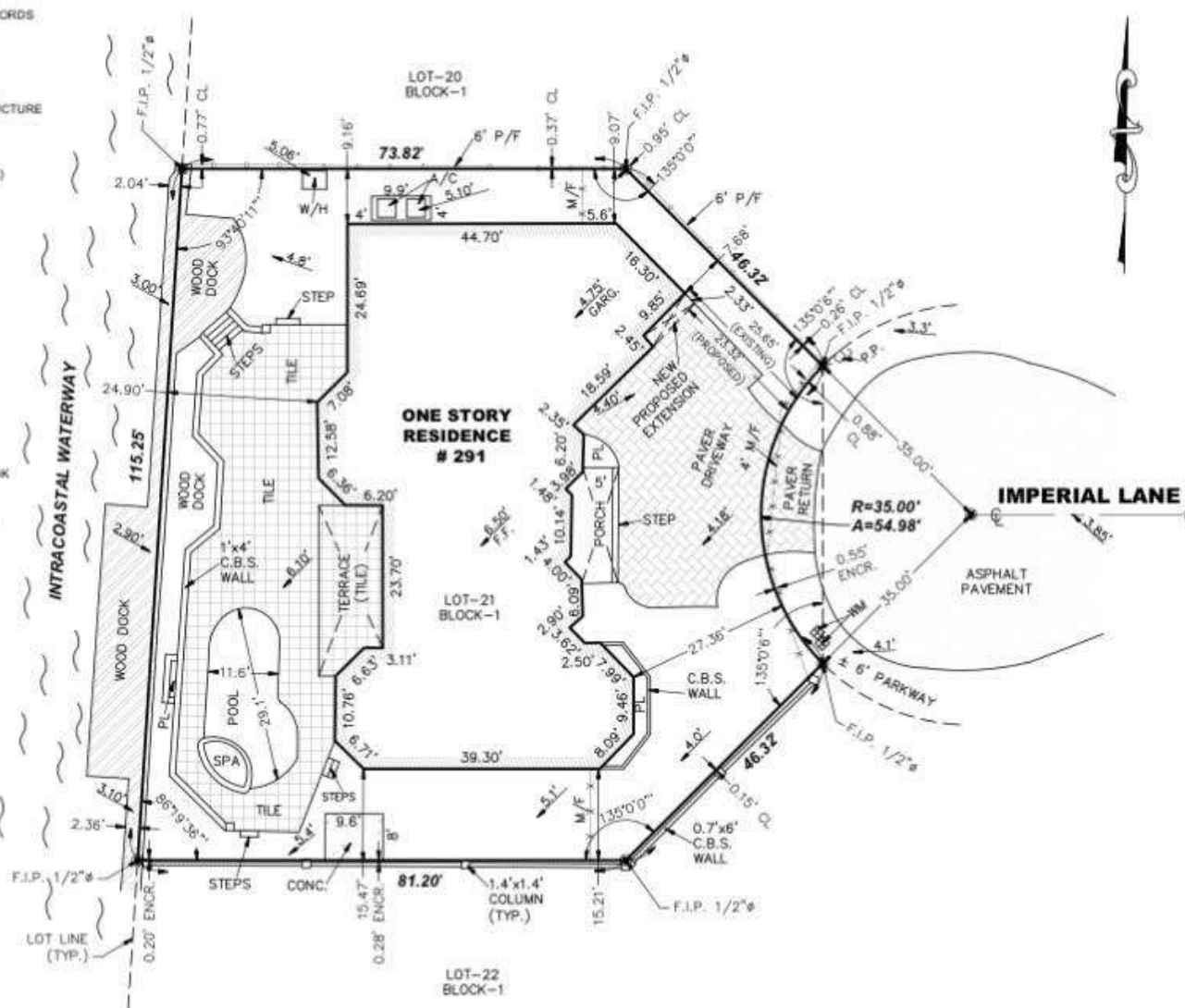
Direct (954) 338-8730
Project Management Services
GENERATION DEVELOPMENT
CGC056966
John.D@gdpmcs.com



291 Imperial Lane
One Car Garage Front Wall And
Door Move Forward To Match
The Front Wall Of Two Garage
Door.



BCR = BROWARD COUNTY RECORDS
BM = BENCHMARK
CB = CATCH BASIN
CL = CENTERLINE
CLF = CHAINLINK FENCE
CLP = CONCRETE LIGHT POLE
CBS = CONCRETE BLOCK STRUCTURE
CONC = CONCRETE
C/S = CONCRETE SLAB
DE = DRAINAGE EASEMENT
D = DELTA (CENTRAL ANGLE)
E = EAST
ELE = ELEVATION
X 0.00' = EXISTING ELEVATION
EOP = EDGE OF PAVEMENT
EOW = EDGE OF WATER
FF = FINISHED FLOOR
FH = FIRE HYDRANT
FN = FOUND NAIL
INV = INVERT
FIP = FOUND IRON PIPE
FIR = FOUND IRON ROD
FND = FOUND NAIL AND DISC
L = ARC LENGTH
MDCR = MIAMI DADE COUNTY
RECORDS
N = NORTH
ND = NAIL AND DISC
MF = METAL FENCE
ORB = OFFICIAL RECORDS BOOK
O/S = OFFSET
PB = PLAT BOOK
PBCR = PALM BEACH RECORDS
PC = POINT OF CURVATURE
PG = PAGE
PL = PROPERTY LINE
POB = POINT OF BEGINNING
POC = POINT OF
COMMENCEMENT
PVCF = PLASTIC FENCE
R = RADIUS
R/W = RIGHT OF WAY
S = SOUTH
S/W = SIDEWALK
SIR = SET 1/2" IRON ROD
SND = SET NAIL & DISC
UE = UTILITY EASEMENT
UP = UTILITY POLE
W = WEST
W/F = WOOD FENCE
W/M = WATER METER
U = UTILITY POLE



LOT 21, BLOCK 1, OF LAUDERDALE SURF & YACHT ESTATES,
ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT
BOOK 22, PAGE 46, OF THE PUBLIC RECORDS OF BROWARD
COUNTY, FLORIDA.

FOLIO #: 4943 18 04 0240

SURVEY NOTES:

- (1). BEARINGS SHOWN HEREON ARE REFERENCED TO THE RECORD PLAT AND ARE ASSUMED.
- (2). LEGAL DESCRIPTION PROVIDED BY CLIENT UNLESS OTHERWISE NOTED.
- (3). NO UNDERGROUND IMPROVEMENTS LOCATED EXCEPT AS SHOWN.
- (4). THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE COMMITMENT THEREFOR THE ONLY SURVEY MATTERS SHOWN ARE PER THE RECORD PLAT. THERE MAY BE ADDITIONAL MATTERS OF RECORD, NOT SHOWN WHICH CAN BE FOUND IN THE PUBLIC RECORDS OF THE CORRESPONDING COUNTY OF RECORD.
- (5). ELEVATIONS SHOWN REFER TO N.A.V.D. 88

BM# : 1910 (BROWARD) ELEVATION= 11.606' (N.G.V.D. 1929)

I HEREBY CERTIFY THAT THIS SURVEY WAS MADE UNDER MY RESPONSIBLE CHARGE AND TO THE BEST OF MY KNOWLEDGE AND BELIEF; THIS SURVEY MEETS THE MINIMUM TECHNICAL STANDARDS AS SET FORTH BY THE BOARD OF PROFESSIONAL LAND SURVEYORS IN CHAPTER 5J-17.050 TO 17.052 FLORIDA ADMINISTRATIVE CODE PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

JULIO S. PITA, P.L.S. 9/11/2023
DATE

PROFESSIONAL LAND SURVEYOR
LICENSE No. PSM 5789
STATE OF FLORIDA

GAVY & ASSOCIATES, INC
LAND SURVEYORS
LB # 6971
2657 S.W. 145th AVENUE
MIAMI, FL. 33175
PHONE: (786) 236-8344



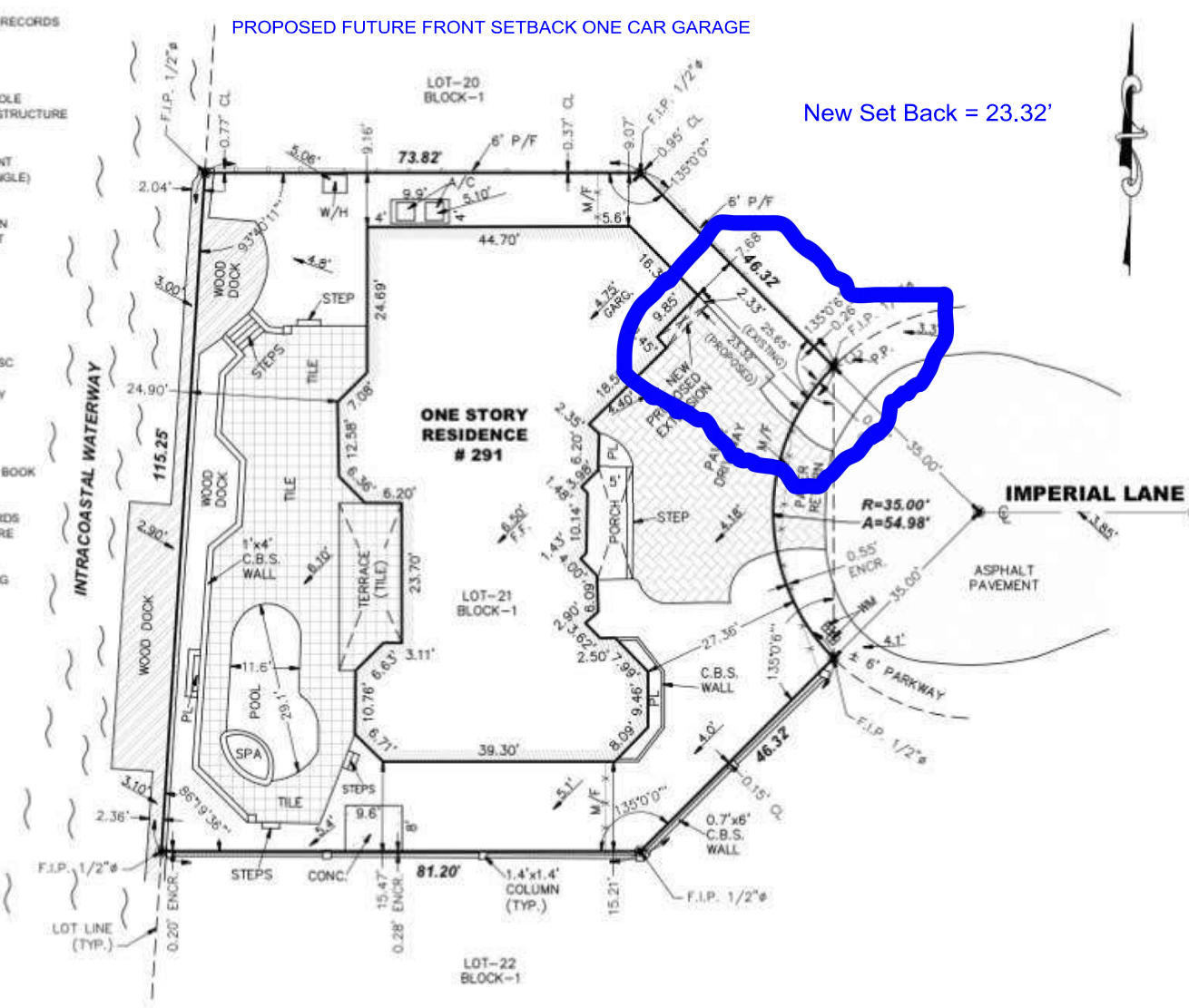
PROPERTY ADDRESS:
291 IMPERIAL LANE,
LAUDERDALE BY THE SEA,
FL 33308

DATE OF FIRM: 8/18/14

SHEET # 1 OF 1

1. MASLANKA, EDWARD
2. EDWARD MASLANKA LIV TR

- GENERAL LEGEND:**
- BCR = BROWARD COUNTY RECORDS
 - BM = BENCHMARK
 - CB = CATCH BASIN
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 - CLF = CHAINLINK FENCE
 - CLP = CONCRETE LIGHT POLE
 - CBS = CONCRETE BLOCK STRUCTURE
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 - UE = UTILITY EASEMENT
 - UP = UTILITY POLE
 - W = WEST
 - W/F = WOOD FENCE
 - W/M = WATER METER
 - UP = UTILITY POLE



PROPOSED FUTURE FRONT SETBACK ONE CAR GARAGE

New Set Back = 23.32'

LEGAL DESCRIPTION:
 LOT 21, BLOCK 1, OF LAUDERDALE SURF & YACHT ESTATES, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 22, PAGE 46, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

FOLIO #: 4943 18 04 0240

- SURVEYORS NOTES:**
- (1). BEARINGS SHOWN HEREON ARE REFERENCED THE RECORD PLAT AND ARE ASSUMED.
 - (2). LEGAL DESCRIPTION PROVIDED BY CLIENT UNLESS OTHERWISE NOTED.
 - (3). NO UNDERGROUND IMPROVEMENTS LOCATED EXCEPT AS SHOWN.
 - (4). THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE COMMITMENT THEREFOR THE ONLY SURVEY MATTERS SHOWN ARE PER THE RECORD PLAT. THERE MAY BE ADDITIONAL MATTERS OF RECORD, NOT SHOWN WHICH CAN BE FOUND IN THE PUBLIC RECORDS OF THE CORRESPONDING COUNTY OF RECORD.
 - (5). ELEVATIONS SHOWN REFER TO N.A.V.D. 88
 BM# : 1910 (BROWARD) ELEVATION= 11.606' (N.G.V.D. 1929)

CERTIFICATION OF BOUNDARY SURVEY:

I HEREBY CERTIFY THAT THIS SURVEY WAS MADE UNDER MY RESPONSIBLE CHARGE AND TO THE BEST OF MY KNOWLEDGE AND BELIEF; THIS SURVEY MEETS THE MINIMUM TECHNICAL STANDARDS AS SET FORTH BY THE BOARD OF PROFESSIONAL LAND SURVEYORS IN CHAPTER 5J-17.050 TO 17.052 FLORIDA ADMINISTRATIVE CODE PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

9/11/2023
JULIO S. PITA, P.L.S. DATE

PROFESSIONAL LAND SURVEYOR
 LICENSE No. PSM 5789
 STATE OF FLORIDA

Topographic Survey
PROPERTY ADDRESS:
 291 IMPERIAL LANE,
 LAUDERDALE BY THE SEA,
 FL 33308

FLOOD ZONE DATA:
 ZONE: AE 5FT (NAVD 88)
 COMMUNITY #: 125123
 PANEL & SUFFIX: 0386 H
 DATE OF FIRM: 8/18/14

REVISIONS:

DATE:

SCALE: 1" = 20'
 CADD: J.A.
 CHECKED BY: JSP
 GL-12139
 SHEET # 1 OF 1

CERTIFIED TO:

1. MASLANKA, EDWARD
2. EDWARD MASLANKA LIV TR



GAVY & ASSOCIATES, INC
LAND SURVEYORS
 LB # 6971
 2657 S.W. 145th AVENUE
 MIAMI, FL. 33175
 PHONE: (786) 236-8344



This form has been digitally signed and sealed by MASOOD HAJALI, P.E., on this date. Printed copies of this document are not considered signed and sealed and the signature must be verified on any electronic copies.

Digitally
signed by
MASOOD
HAJALI
Date:
2023.08.07
03:10:14
-04'00'

APPLICABLE CODES

1. FLORIDA BUILDING CODE 2020
2. A.S.C.E. 7-16 FOR WIND ANALYSIS AND DESIGN
3. ACI 318-14 - BUILDING CODE REQUIREMENTS FOR STRUCTURAL CONCRETE.
4. ACI 308
5. ASCE 14TH EDITION

DESIGN CRITERIA AND LOADS

1. WIND:
MEAN ROOF HEIGHT: 15'-10"
BASIC WIND VELOCITY: 170 MPH (A.L.T.)
OCCUPANCY CATEGORY: II
EXPOSURE: D
Kd: 0.85
ENCLOSED BUILDING INTERNAL PRESSURE COEFFICIENT: +/-0.18.
2. EXISTING ROOF DESIGN LOADS:
SUPERIMPOSED DEAD LOAD: 20 PSF
LIVE LOADS: 30 PSF

FOUNDATIONS

1. FOUNDATIONS HAVE BEEN DESIGNED TO BEAR ON 35% O.D. SCH40 HELICAL PILES INSTALLED AS REQUIRED TO ACHIEVE A MIN. COMPRESSION CAPACITY OF 15T AND AN UPLIFT CAPACITY OF 5T.
2. PILES SHALL BE PLUM AND INSTALLED AS PER INDICATED ON PLANS WITH PROPER ON CENTER REFUSALS.
3. HELICAL UNDERPINNING PILES SHALL EXTEND MIN. 5' INTO COMPETENT STRATUM ON GENTLE REFUSAL.

CONCRETE AND REINFORCING

1. ALL NORMAL-WEIGHT CONCRETE MUST BE MIXED IN ACCORDANCE WITH ACI 308 TO ACHIEVE A MINIMUM 28-DAY COMPRESSIVE STRENGTH OF 3,000PSI. WATER/CEMENT RATIO MUST BE 0.40 MAX. BY WEIGHT VOLUME ON PLANS AND 0.15 MAX. WATER-SOLUBLE CHLORIDE FOR CONCRETE IN CONCRETE PERCENT BY WEIGHT OF CEMENT IN ACCORDANCE TO TABLE 4.3.1 OF ACI 318-08.
2. SLUMP SHALL BE 4" (41).
3. CONTRACT AN INDEPENDENT TESTING LABORATORY TO PERFORM THE CONCRETE CYLINDER SAMPLING AND TESTING AS REQUIRED FLORIDA BUILDING CODE, 2020. SUBMIT TEST REPORTS TO ENGINEER.
4. AGGREGATES TO BE CLEAN AND WELLS GRADED, MAX. SIZE 1", VERTICAL DROP NOT TO EXCEED 8'-0".
5. NO ADDITIONAL WATER SHALL BE ADDED TO THE CONCRETE MIX AT THE JOBSITE UNLESS PREVIOUSLY APPROVED.
6. PROVIDE ALL FORMING AND TEMPORARY SHORING.

REINFORCING STEEL:

1. STANDARD ASTM A-615, GRADE 60, ASTM A615 FOR WELDED WIRE FABRIC.
2. REINFORCEMENT PLACEMENT TOLERANCES MUST COMPLY WITH SECTION 2.2.2 OF ACI 117.
3. SHALL BE DEFORMED BARS, FREE FROM LOOSE RUST AND SCALE.
4. CONTRACTOR TO PROVIDE CHAIRS, BOLSTERS, SPACERS ETC. IN ORDER TO CORRECTLY ASSEMBLE, PLACE AND SUPPORT ALL REINFORCING IN PLACE.
5. ALL REINFORCING SHALL CONFORM TO THE "MANUAL OF STANDARD PRACTICE FOR DETAILING REINFORCED CONCRETE STRUCTURES" (ACI-318).
6. CONCRETE COVER FOR REINFORCEMENT:
 - FOOTINGS: 3" CLEAR ALL AROUND
 - SLAB ON GRADE: BOTTOM-4" WHEN POURED ON 6" ML VAPOR BARRIER
 - COLUMNS AND BEAMS NOT EXPOSED TO WEATHER: BOTTOM-1 1/2" - TOP-1 1/2" CLEAR TO TIES - SIDE-1 1/2" CLEAR TO TIES
 - COLUMNS AND BEAMS EXPOSED TO WEATHER: BOTTOM-2" - TOP-2" CLEAR TO TIES - SIDE-1 1/2" CLEAR TO TIES

MASONRY

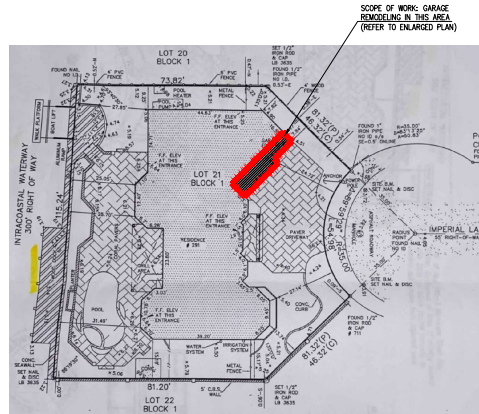
1. HOLLOW CONCRETE MASONRY UNITS SHALL COMPLY WITH THE PROVISIONS OF THE ASTM C90 "STANDARDS SPECIFICATIONS FOR HOLLOW LOAD BEARING CONCRETE MASONRY UNITS".
2. MINIMUM ALLOWABLE COMPRESSIVE STRESS ON NET AREA SHALL BE $f_m=1900$ PSI UNO. CMU SHALL MEET THE MINIMUM EQUIVALENT THICKNESS FOR 2-HOUR FIRE RATED WALLS AS INDICATED IN TABLE 703.3.2 OF THE FLORIDA BUILDING CODE. SUBMIT CERTIFICATES OF FIRE RATING FROM CMU MANUFACTURER.
3. MORTAR SHALL CONFORM TO ASTM C270, TYPE M OR S.
4. REINFORCEMENT BARS: ASTM'S GRADE 60.
5. PLACE CONCRETE UNITS IN STANDARD RUNNING BOND PATTERN, BOND MASONRY WITH OVERLAPPING UNITS AT WALL CORNERS AND INTERSECTIONS UNO. ALL MORTAR JOINTS SHALL BE 1/2" THICK.
6. HORIZONTAL JOINT REINFORCING SHALL BE STANDARD NO.3 LADDER AT EVERY OTHER COURSE. EXTEND HORIZONTAL JOINT REINFORCEMENT MINIMUM 4" INTO ALL THE COLUMNS. PROVIDE PREFABRICATED "L" AND "T" SHAPED REINFORCEMENT UNITS AT ALL CORNERS AND INTERSECTIONS RESPECTIVELY. LAP SPICE REINFORCEMENT MINIMUM 6".
7. WINDOW AND/OR DOOR BOLTS ARE TO BE SET IN MASONRY. TWO CELLS AT THE SETTING LOCATION SHALL BE FILLED WITH CONCRETE GROUT.
8. REFER TO ADDITIONAL REINFORCING NOTES ON FLOOR PLANS.
9. COMPRESSIVE STRENGTH OF GROUT SHALL BE 3000PSI AT 28-DAYS.

CONTRACTORS

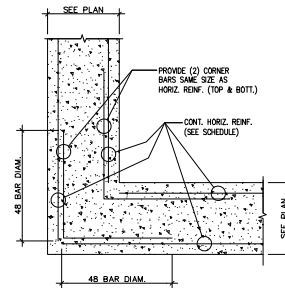
1. CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTION OF EXISTING AND/OR ADJACENT STRUCTURES, STREETS, AND SIDEWALKS DURING CONSTRUCTION.
2. CONTRACTOR SHALL VERIFY ALL DIMENSIONS IN THE FIELD. SHOULD A DISCREPANCY BE FOUND STOP WORK IMMEDIATELY AND NOTIFY OUR OFFICE.
3. CONTRACTOR SHALL WORK THE STRUCTURAL PLANS IN CONJUNCTION WITH THE ARCHITECTURAL, MECHANICAL, ELECTRICAL, AND PLUMBING DRAWINGS.
4. EXISTING STRUCTURE: CONTRACTOR SHALL REVIEW THE ORIGINAL CONSTRUCTION DRAWINGS OF THE EXISTING BUILDING PRIOR TO BIDDING AND DURING CONSTRUCTION TO VERIFY THE EXISTING MEMBERS INTERFERED BY THE NEW CONSTRUCTION.
5. THE USE OF SCALE TO OBTAIN DIMENSIONS NOT SHOWN ON THESE PLANS IS STRICTLY FORBIDDEN. THE ENGINEER WILL NOT BE RESPONSIBLE FOR ERRORS RESULTING FROM SUCH ACTION.
6. IN CASE OF DISCREPANCIES BETWEEN THE ARCHITECTURAL AND STRUCTURAL PLANS, THE ARCHITECTURAL PLANS SHALL GOVERN UNLESS STRENGTH IS AFFECTED.
7. ALL SPECIFIED MATERIALS AND CONNECTORS CAN BE SUBSTITUTED WITH EQUAL OR BETTER, WITH THE APPROVAL OF ENGINEER OF RECORD.
8. CONTRACTOR SHALL BE THE ONLY PARTY RESPONSIBLE FOR THE DESIGN, INSTALLATION AND DISMANTLING OF SHORING.

STRUCTURAL STEEL

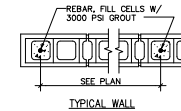
1. STRUCTURAL PLATES ASTM A36
2. STRUCTURAL TUBES ASTM A500 OR B
3. ALL WELDS TO USE 70W ELECTRODES AND SHALL COMPLY WITH AWS STANDARDS.
4. ALL STEEL COMPONENTS AND WELDS SHALL BE PROTECTED WITH ONE SHOP COAT OF RUST INHIBITING PAINT MIN. 3 ML DRY FILM THICKNESS



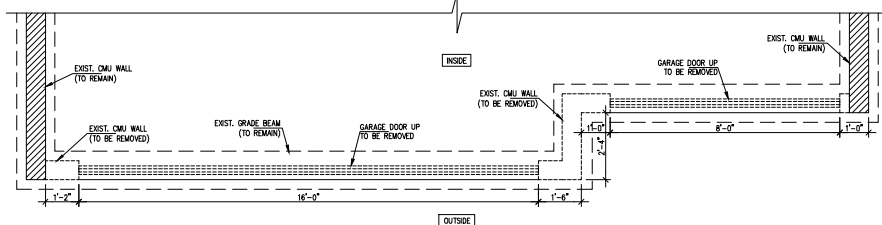
AERIAL VIEW - SCOPE OF WORK
NTS



TYP. GRADE BEAM DETAIL AT CORNER
3/4\"/>



TYP. REINFORCED MASONRY DETAILS
3/4\"/>



DEMOLITION/FLOOR PLAN
1/2\"/>

ROOF STRAP SCHEDULE

LABEL	TYPE	QUANTITY	NOA No./ FL. APPROVAL	ALLOWABLE LOAD	NAILING
A					

CONCRETE BEAM SCHEDULE

MARK	BEAM TYPE	F.S. BEAM ELEVATION	WIDTH	HEIGHT	REINFORCEMENTS			STIRRUPS	REMARKS
					BOTTOM	MIDDLE	TOP		
GB-1	A	TO MATCH EXISTING	16"	24"	4-#5	2-#5	4-#5	#3 @ 10" o.c.	
TB-1	A	+10'-0"	8"	12"	2-#5		2-#5	#3 @ 5" o.c.	

BEAM TYPES



TYPE-A TYPE-B

NOTES:

1. ARCHITECT TO REVIEW AND APPROVE ALL BEAM ELEVATIONS AND BEAM DEPICTS.
2. THE TOP ELEVATIONS AND DEPICTS REQUIRED IN THIS SCHEDULE ARE FOR DETERMINATION OF THE STRUCTURAL ELEVATIONS. ADDITIONAL CONCRETE MAY BE REQUIRED TO REACH TOP OF SLAB ELEVATIONS OR BOTTOM OF BEAM ELEVATIONS REQUIRED FOR ARCHITECTURAL REASONS. ALL BEAM BOTTOM ELEVATIONS SHOULD BE VERIFIED WITH THE ARCHITECTURAL DRAWINGS PRIOR TO FORMING. IF THE REQUIRED RISE EXCEEDS 8\"/>
3. PROVIDE (2) 6\"/>

COLUMN SCHEDULE

MARK	SIZE AND MATERIAL	REINFORCEMENT OR BASE PLATE	TYPE	COMMENTS
(ST)	HSS 4" X 4" STEEL	REFER TO DETAIL 4/S-2		



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Engineering

CALC ENGINEERING
www.calceng.com
3901 NW 79 AVE Unit 216
DORAL FL 33166
Phone: (305) 898-9995
ENGINEERING BUSINESS
CA CERTIFICATION: 32566
MASOOD HAJALI, P.E.
FLORIDA REG: 82038

GARAGE REMODELING FOR
EDWARD MASLANKA RESIDENCE @
291 IMPERIAL LN,
LAUDERDALE BY THE SEA, FL, 33308

Date	
Description	
Revision #	

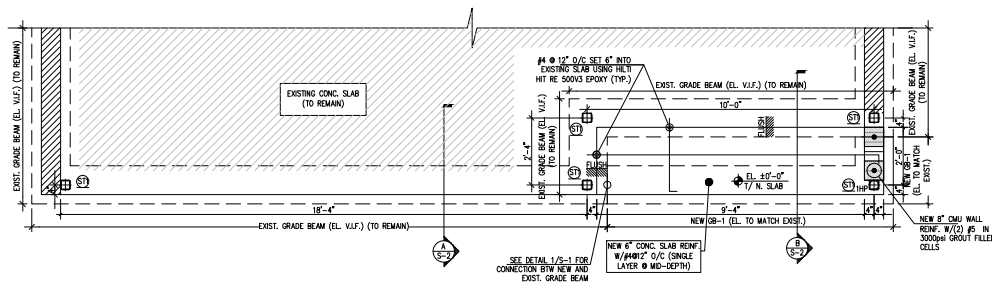
Date	02/26/2022
S-202215	
S-1	
Scale	AS SHOWN

DESIGN IS BASED ON FBC 2020, 7TH EDITION

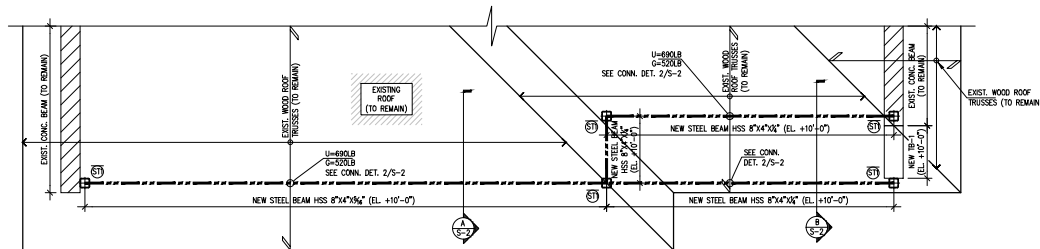


This item has been digitally signed and sealed by MASOOD HAJALI, P.E., on date above. Printed copies of this document are not considered signed and sealed and the signature must be verified on any electronic copies.

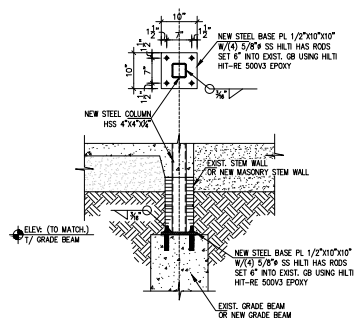
Digitally signed
by MASOOD
HAJALI
Date: 2023.08.07
03:10:28 -04'00'



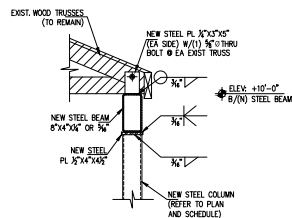
PARTIAL GARAGE FOUNDATION/FLOOR PLAN
1/2"=1'-0"



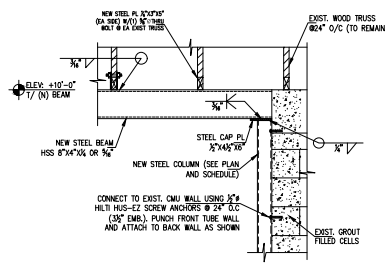
PARTIAL GARAGE ROOF PLAN
1/2"=1'-0"



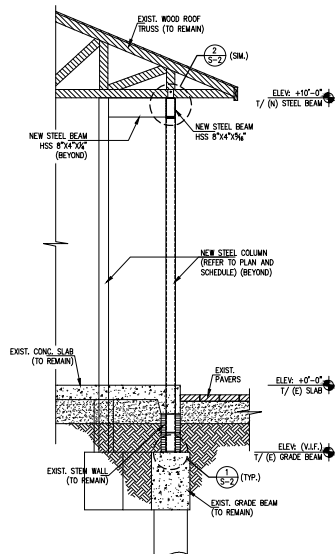
DETAIL 4/S-2
3/4"=1'-0"



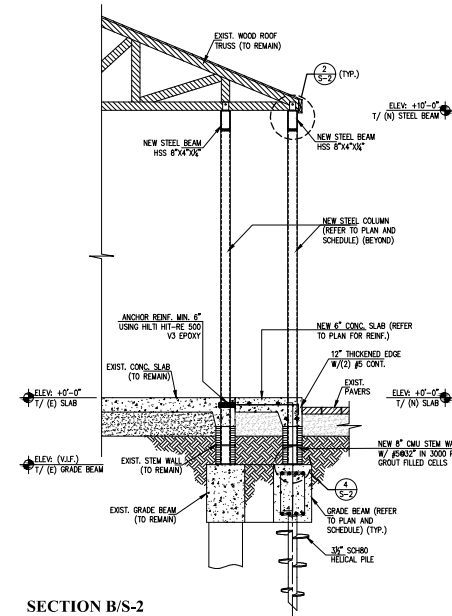
DETAIL 2/S-2
1"=1'-0"



DETAIL 3/S-2
3/4"=1'-0"



SECTION A/S-2
1/2"=1'-0"



SECTION B/S-2
1/2"=1'-0"



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Date	02/26/2022
	S-202215
	S-2
Scale	AS SHOWN

DESIGN IS BASED ON FBC 2020, 7TH EDITION

Sec. 30-139. Notice of Public Hearings.

- (a) *Generally.* When an application for development approval is subject to a public hearing, the DSD shall ensure that the necessary public hearing is scheduled for the decision-making body reviewing the application and that proper notice of the public hearing is provided, as set forth herein. All notices for public hearings shall include the following information:
- (1) Applicant's name;
 - (2) The date, time, and place of the public hearing;
 - (3) A description of the property involved by street address or by legal description, and area of the subject property. A map may be substituted for the legal description or as required by State law;
 - (4) The nature, scope and purpose of the proposal being noticed;
 - (5) The Town departments where the public may inspect the application, staff report and related materials during normal business hours;
 - (6) A statement that affected parties may appear at the public hearing, be heard and submit evidence with respect to the application; and
 - (7) Other information as may be required by law.
- (b) *Mailed notice.*
- (1) Where mailed notice is required, pursuant to Table XXX, it shall be provided to all property owners within a 300 foot radius of the subject property, and shall include the subject property owner(s) and Town Development Services Department.
 - (2) Distances for purposes of mailed notice requirements shall be measured from the perimeter of the property subject to development approval, except that where the owner of the subject property owns contiguous property, the distance shall be measured from the perimeter of the boundary of the contiguous property.
 - (3) Property owners shall be determined by the ad valorem tax records of Broward County.
 - (4) The DSD shall prepare the written notice and provide said notice to the Town Clerk who shall be responsible for mailing the notices, with the exception of public participation meetings which shall be the responsibility of the applicant as set forth in section 30-114 of this Code.
 - (5) Mailed notice shall be deemed given when a notice has been properly addressed, stamped and deposited in a U.S. Postal depository or collected by an employee of the U.S. Postal Service.
 - (6) Notice by mailing is a courtesy only and no action taken by the Town shall be voided by the failure of any individual property owner to receive such notice.
- (c) *Published notice.* When the provisions of this chapter require published notice, the DSD shall provide that the notice be:
- (1) Published in the non-legal section of the local newspaper of general circulation that has been selected by the Town and in accordance with applicable Florida Statutes.
 - (2) Follow the timelines and ad type established in Table XXX in this article.
 - (3) For the purposes of this section and Table XXX:
 - a. "Display ad" shall be no less than two columns wide by ten inches long and the headline of the required notice shall be in a type no smaller than 18 point font size. If the ad is for a zoning map amendment, it shall also include a map pursuant to Florida Statutes 166.041(3)(c)2.

-
- b. "Standard ad" shall be in the legal ad section of the classified ads of the newspaper and shall be in a type no smaller than 5 point font size.
- (d) *Posted notice.* When the provisions of this chapter require that notice be posted on the property subject to the application, the DSD shall provide the required sign to the applicant who will be responsible for posting the property, as set forth below:
- (1) Signs shall be placed on the property that is the subject of the application in accordance with timelines prescribed in Table XXX in this article prior to a required or requested hearing.
 - (2) If the subject property fronts on more than one right-of-way, then a sign shall be posted facing each right-of-way.
 - (3) Signs shall be placed no more than five feet from the street or if there is a sidewalk, no more than two feet beyond the property side edge of the sidewalk, so that the lettering is visible from the street.
 - (4) If the sign is destroyed or removed from the property, the applicant is responsible for obtaining another sign from the Town and posting the new sign on the property.
 - (5) The sign shall remain on the property until final disposition of the application. This shall include any deferral, rehearing, appeal, or requirement for review or hearing by another body. The sign information shall be updated to include any additional public hearings or public hearing deferrals consistent with Table XXX.
 - (6) No less than five days prior to the public hearing, the applicant shall execute and submit to the Department an affidavit of proof of the posting of the public notice sign in accordance with the provisions of this section. Updates as provided in (5) above shall also require such affidavit. If the applicant fails to submit the required affidavit, the DSD may postpone the application until the next public hearing after the affidavit has been supplied.
- (e) *Town Website Posting.* Notice of all development applications shall be provided on the Town's Website no later than ten days prior to any public hearing related to the application. Website Notice is a courtesy only and no action taken by the Town shall be voided by the failure of such notice to be posted.
- (f) *Re-noticing.* All costs of re-noticing the public hearing shall be borne by the party failing to comply with the applicable notice requirements, requesting the deferral or continuance, or whose actions are responsible for the deferral or continuance which may require re-noticing of the hearing. Continuances to a date certain, announced at the originally noticed meeting, shall not require re-notice of the new public hearing date. Continuances to unspecified dates, substantive changes to an application request during the period an application has been continued, or more than two continuances on the application, shall require re-noticing for the new public hearing date.
- (g) *Development applications requiring public hearing.* Public hearings on applications for development permit approvals other than rezoning, including, but not limited to administrative adjustments, appeals from administrative decisions, conditional uses, plats, site plans, vacations and variances shall be noticed as follows in accordance with Table XXX.
- (h) *Applicant bears burden of costs.* When the provisions of this chapter require that notice be provided, the costs of Town staff preparing the content of the notice and providing such notice shall be billed through cost recovery.
- (i) *Provisions of Florida Statutes to prevail.* Where provisions of the Florida Statutes conflict with provisions of this chapter, the Florida Statutes shall prevail except where this chapter contains supplementary requirements not in conflicting with the Florida Statutes.

Table XXX. Notice Requirements

Application Type	Florida Statute Reference	Public Participation Meeting	Board Notice Date (as applicable)	Commission Notice Date	Type of Notice			
					Website	Posted	Mailed 300'	Published (Ad Type)
Administrative adjustments, appeals from administrative decisions, plats, site plans, variances		n/a	10 days	10 days	X	X	X	n/a
Conditional uses for signs		10 days	n/a	10 days	X	X	X	n/a
A variance for a single-family home		n/a	10 days	10 days	X	X	X	n/a
Conditional uses, site plans, Level 2 site plan modifications, variances		10 days	10 days	10 days	X	X	X	n/a
Right-of-way vacations		10 days	10 days	10 days	X			X (Standard)
Architectural Review, Conditional Use Level 1 Modification, Site Plan Level 1 Modification		n/a			n/a	n/a	n/a	n/a
Comprehensive Plan - Text	163.3184	10 days	10 days	7 days - 1st public hrg and 5 days - 2nd public hrg	X			X (Display)
Comprehensive Plan - Map	163.3184	10 days	10 days	7 days - 1st public hrg and 5 days - 2nd public hrg	X	X	X	X (Display)
Land Development Code - Text Amendments changes to actual list of permitted, conditional, or	166.041(3)(c)2	10 days	10 days	7 days - 1st public hrg and 5 days - 2nd public hrg	X			X (Display)

prohibited uses within a zoning category).								
Land Development Code - all other Text Amendments	166.041	n/a	10 days	10 days	X			X (Standard)
Zoning Map Change (chapter 30)—Town (less than 10 contiguous acres)	166.041(3)(c)1	10 days	10 days	30 days	X		X	X (Standard)
Zoning Map Change (chapter 30)—Town (10 or more contiguous acres)	166.041(3)(c)2	10 days	10 days	7 days - 1st public hrg 5 days - 2nd public hrg	X	X	X*	X* (Display, with map)
Zoning Map Change (chapter 30)—Owner	166.041(3)(a)	10 days	10 days	10 days	X	X	X	X (Standard)

(Ord. No. 2022-05, § 3, 8-24-2022)

Exhibit 3

Subdivision D. - RS-5 District Regulations

Sec. 30-212. - RS-5 district—South residential single-family dwellings.

- (a) *Permitted uses.* No building or premises shall be used, and no building with its usual accessories shall be erected or altered other than a building or premises used exclusively for a single-family dwelling.
 - a. Construction on lots of 80 feet or less in width shall be limited to one building to a lot.
 - b. Vacation rental is a permitted accessory use if a vacation rental certificate is first obtained pursuant to section 30-327.
- (b) *Height.* No building shall be erected or altered exceeding two stories, which shall not be higher than 33 feet above normal grade level. As provided in section 7.1(1) of the Charter, in accordance with the Florida Building Code, bulkheads and penthouses used solely to enclose stairways, tanks, elevator machinery or shafts or ventilation or air conditioning apparatus shall not be included in determining building height. All other roof structures, including parapet walls, shall not exceed four feet in height above the maximum allowed building height.
- (c) *Residence setbacks.*
 - (1) *Front setback.* No residence shall have a front setback of less than 25 feet or more than 35 feet from the front lot line.
 - (2) *Side setback.* Except as provided in subsection (c)(4) below, no residence or any part thereof shall be erected on any lot closer than seven and one-half feet to either side lot line.
 - (3) *Rear setback.* Except as provided in subsection (c)(4) below, no residence or any part thereof shall have a rear setback of less than ten feet for a single story and less than 12 feet for two stories.
 - (4) *Waterfront setback.*
 - a. No residence or any part thereof shall have a rear or side setback, abutting the Intracoastal or an inland waterway, of less than 25 feet from the lot line.
 - b. Any structure legally constructed between September 26, 2007, and October 13, 2015, shall be allowed to continue as a legal nonconformity subject to the nonconforming provisions of this Code.
 - (5) *Roof overhangs.* Front and rear roof overhangs, cornices, or eaves, may project or extend no more than 36 inches into a required setback except side roof overhangs may only extend within five feet from the property line.
 - (6) *Corner lot side setbacks.* Corner lot side setbacks abutting a street shall be 15 feet excepting all that area on the east side of West Tradewinds Avenue between South Tradewinds and North Tradewinds where the west exposure setback shall be 20 feet.
 - (7) *Roof construction.* Gravel roof construction shall be prohibited.
- (d) *Density.* Dwelling units constructed shall not exceed a net density of five dwelling units per acre.
- (e) *Minimum building size.* No building shall be erected on any lot, not a waterfront lot, which does not comprise at least 1,200 ground floor square feet of floor space, exclusive of utility rooms, porches, garages and/or carports; and no building shall be erected on any waterfront lot, the main structure of which does not comprise at least 1,300 ground floor square feet of floor space, exclusive of utility rooms, porches, garages, and/or carports.

(Ord. No. 316, § 1, 1-9-90; Ord. No. 357, § 1, 11-8-94; Ord. No. 2004-05, § 2, 5-11-04; Ord. No. 2005-16, § 2, 1-10-06; Ord. No. 2007-14, § 2(Exh. A), 9-25-07; Ord. No. 2009-10, § 4, 7-28-09; Ord. No. 2009-19, § 5, 5-26-09; Ord. No. 2009-30, § 4, 12-1-09; Ord. No. 2012-15, § 3, 10-9-2012; Ord. No. 2014-13, § 2, 10-28-2014; Ord. No. 2015-12, § 2, 10-13-2015; Ord. No. 2017-05, § 3, 4-25-2017; Ord. No. 2017-12, § 2(Exh. A), 11-14-2017; Ord. No. 2018-23, § 2, 6-12-2018.

Exhibit 4

Sec. 30-128. - Administrative adjustments.

- (a) *Purpose.* The purpose of this section is to establish standards for review of applications for Administrative Adjustments. As defined in the Administrative Adjustment Thresholds Table below, Level 1 Administrative Adjustments may be approved by the Town Manager, and Level 2 Administrative Adjustments require Town Commission approval.

Administrative Adjustments are available for certain limited variations or adjustments to building or parking standards of the Code based on specific criteria, where the application of the standard creates practical difficulties in allowing development or redevelopment that otherwise advances the purposes served by the standards of this Code and the comprehensive plan, and is compatible with surrounding development.

Administrative Adjustments can also support flexibility in development and redevelopment efforts encouraging design and compatibility equal to or better than that resulting from the strict application of the Code, in furtherance of the Architectural Design Standards of the Town and the desired Mid-Century Modern architectural style.

- (b) *Eligibility.* Developments located within any zoning district are eligible to apply for an Administrative Adjustment except that adjustments to the parking standards are not permitted in the B-1 or B-1-A zoning districts. The thresholds applicable to Level 1 and Level 2 Administrative Adjustments are shown in the following table, Administrative Adjustment Thresholds.

Administrative Adjustment Thresholds		
Building Standards that May be Adjusted	Maximum Level 1 Adjustment	Maximum Level 2 Adjustment
Setbacks	n/a	30% or 5 feet, whichever is less
Overhangs, roof cornices and eaves and exterior balconies	n/a	All other requests up to 5 feet, whichever is less
Parking standards (only permitted in residential zoning districts, see section 30-321 for relief in the B1/B1-A zoning districts)	Up to 3 spaces or 10% of the minimum parking requirement, whichever is greater	All other

- (c) *Level 1 Administrative Adjustments.*

- (1) *Review.* A Level 1 Administrative Adjustment application shall be reviewed and evaluated by the DSD, any other Town departments or staff the DSD determines are applicable, and the Board of Adjustment.

- (d) *Level 2 Administrative Adjustments.*

- (1) *Review of adjustment of parking.* An application for a Level 2 Administrative Adjustment for Parking shall be accompanied by a parking report, prepared by the Town, analyzing existing and future parking demands, the availability of underutilized public parking spaces, and traffic circulation.
- (2) *Review of adjustment of building standards.* A Level 2 Administrative Adjustment application shall be reviewed and evaluated by the DSD, any other Town departments or staff the DSD determines are applicable, and the Planning and Zoning Board.

- (e) *Criteria for Approval.*

- (1) *Building Standards.* An Administrative Adjustment to Building Standards shall be approved only if the requested relief is within the limits specified in Administrative Adjustments Thresholds Table,

and if the decision maker finds that there is competent substantial evidence in the record that all of the following standards are met:

- a. The Administrative Adjustment does not result in an increase in allowable density;
- b. The Administrative Adjustment does not provide for building height that exceeds the zoning code standards;
- c. In no way does the Administrative Adjustment allow a structure's footprint to encroach upon an established recorded or platted easement and/or the Town's right-of-way;
- d. The Administrative Adjustment furthers a minimum of one of the following conditions:
 - i. Required to compensate for some unusual aspect of the development site or the proposed development; or
 - ii. Supports an objective from the purpose statements of the zoning district where located; or
 - iii. Proposed to protect sensitive natural resources or save healthy existing trees; or
 - iv. Supports Mid-Century Modern Architecture; or
 - v. Utilized to create a view corridor or other benefit to the Community; or
 - vi. Required to legalize the existing nonconforming footprint, overhangs, roof cornices, eaves or exterior balconies; or
 - vii. Required to allow a setback which matches the existing building's current side or rear setback, overhangs, roof cornices, eaves or exterior balconies; or
 - viii. Required for an expansion, addition or modification to an existing structure where that expansion, addition, or modification will not increase the footprint of the existing structure.
- e. The Administrative Adjustment will not substantially interfere with the convenient and enjoyable use of adjacent lands, and will not pose a danger to the public health or safety,
- f. The requested Administrative Adjustment is not incompatible with the character of development in the surrounding area, and will not result in incompatible uses.
- g. Any adverse impacts, including but not limited to reductions in view corridors, resulting from the Administrative Adjustment will be mitigated to the maximum extent practicable.
- h. The Administrative Adjustment is consistent with the comprehensive plan.

(2) *Parking Standards.* An Administrative Adjustment to Parking Standards may be approved, in whole or in part, upon a finding that there is sufficient available parking that is open to the public and is judged adequate to accommodate the parking reduction request within a reasonable walking distance of the subject property along a practical and usable pedestrian route.

(f) *Reporting.* The Town Manager shall file a quarterly report on Administrative Adjustments with the Town Commission.

(Ord. No. 2014-08, § 3, 7-7-2014; Ord. No. 2017-01, § 2, 1-16-2017; Ord. No. 2017-04, § 2, 4-25-2017)