

APPROVED

**TOWN OF LAUDERDALE-BY-THE SEA
BOARD OF ADJUSTMENT MINUTES**

Jarvis Hall

Thursday, October 13, 2016 at 6:00 P.M.

CALL TO ORDER

Chair Sandra Booth called the Board of Adjustment (BOA) meeting for the Town of Lauderdale-By-The-Sea (L-B-T-S) to order at 6:03PM.

PLEDGE OF ALLEGIANCE TO THE FLAG

The Pledge of Allegiance was recited.

ROLL CALL

Members present were Sandra Booth, Carmen Miller, John Graziano and Helene Wetherington who arrived at 6:08PM. The absent members were John Lanata and 1st Alternate Paul LaCoursiere. Also present were Assistant Town Attorney Kathryn Mehaffey, Development Services Director Linda Connors, and Planning Technician Juliana Cardona. Senior Office Specialist Jhanelle Campbell was present to record the minutes of the meeting.

APPROVAL OF MINUTES

- i. Previous BOA Meeting Minutes – May 4, 2016
Carmen Miller made a motion to approve the minutes of May 4, 2016 as written. The motion was seconded by John Graziano. The motion carried 3-0.

NEW BUSINESS

- i. **Case Number 2016-L2AA-02:** Paul Novak (applicant) – Administrative Adjustment Request to allow a front setback of not less than 22'-10" where 25' is required.

Planning Technician Juliana Cardona gave a PowerPoint presentation. She explained that this case is an Administrative Adjustment Request for the existing Beach House at High Noon Resort, located at 4416 El Mar Drive, within the RM-25 zoning district. It is an existing one-story motel. The applicant, Paul Novak, is requesting relief from the requirements of Section 30-241(h)(1) to encroach into the front setback of not less than 22'-10" where 25' is required. Per code requirements, notice was given to all property owners within 300 feet, the property was posted and the hearing was advertised. The Town did not receive any comments from the public.

Ms. Cardona explained that the subject property is adjacent to the Sea Foam and High Noon Resort which recently updated their architecture to the Town's preferred Mid-Century Modern design. The applicant proposes to conform his property with the High Noon and Sea Foam buildings through the implementation of Mid-Century Modern architectural elements in the front façade. The proposed property renovation includes a new privacy wall in the main entrance. The wall is attached to the structure by a flat concrete roof and encroaches 2 feet 2 inches into the front yard setback. She said that staff reviewed the criteria for approval and explained that the request does not increase building height or density. It does not pose a danger to public health or safety. The adjustment is compatible with the character of the development and the

surrounding area. It is consistent with the comprehensive plan. Incorporating the Mid-Century Modern architectural elements enhances the property and the entire complex. Town and staff recommends approval of the request. They consider the criteria has been met.

Chair Booth requested that the record reflect Board Member Helene Wetherington is present. The chair invited the applicant, Paul Novak, to speak. He explained the request to incorporate Mid-Century Modern. He explained the privacy wall and the incorporation of the three properties which run as one operation. Chair Booth asked for public comments but there were none. There were no general comments from the board.

John Graziano made a motion to accept staff's recommendation of approval (Case Number 2016-L2AA-02) and the findings of staff's criteria analysis. The motion to approve was seconded by Helene Wetherington. The motion to approve carried 4-0.

- ii. **Case Number 2016-V-02:** FDG North LL (applicant/property owner) and the Town of Lauderdale-By-The-Sea (applicant) – Variance Request Application to allow a Variance from Section 30-241(i)-View Corridors, of the Town's Zoning Regulations to preserve nine silver buttonwood trees planted on the property located at 4660 North Ocean Drive, where view corridors with clear view from 4 feet to 12 feet above ground are required.

Planning Technician Juliana Cardona gave a PowerPoint presentation. She explained that the owner of 4660 N Ocean Drive, Florida Development Group (FDG), is completing the renovation of the Plunge Hotel. During site plan review of the Plunge Hotel, the Town realized that nine Silver Button Trees they planted on the south boundary of the Jack & Shirley Forrest Pine Portal are actually planted on FDG property. Town code specifies that view corridors shall maintain a clear view from four to twelve feet above ground. This would require that the trees are removed from the FDG property in the area which would be designated as a view corridor for the Plunge Hotel. Town staff, together with FDG, is requesting relief from the code requirements for view corridors to preserve the nine Silver Buttonwood Trees.

At the May 24, 2016 Town Commission meeting, Town staff was directed to initiate a variance request to protect the trees planted by the Town on the south side of the portal. Ms. Cardona said that notice was given to all property owners within 300 feet. The property was posted and the hearing was advertised. The Town did not receive any public comments.

Planning Technician Juliana Cardona explained that staff reviewed the application according to variance review criteria. Staff determined that this is a very unique portal. It has been naturally created by the trees. Removing the trees would affect not only the landscape but would increase the temperatures in that area by removing the shade provided by these trees. She said that Broward County policy would not permit the removal of these trees. This is not a property owner self-created hardship. She explained that allowing the preservation of the nine trees, would only require a minimum variance. Staff recommends approval of this variance request because the criteria to grant the request have been met. If this board recommends approval, Ms. Cardona stated that it should be with the condition that the Town Manager is authorized to enter into an agreement in which the Town would be able to maintain the trees at the Pine Avenue Portal that are located on FDG's property. The Board of Adjustment's recommendations would be submitted to the Town Commission for their review and final determination on October 25, 2016.

Chair Booth asked for any public comments for this agenda item but there were none. She then asked for general comments from the board.

Helene Wetherington made a motion to accept staff's recommendation of approval (Case Number 2016-V-02). The motion to approve was seconded by John Graziano. The motion to approve carried 4-0.

Chair Booth asked for any general public comments but there were none.

OLD BUSINESS


There was no old business to discuss.

UPDATES/BOARD MEMBER COMMENTS

There were no updates or comments to discuss.

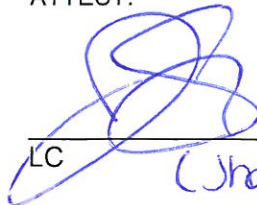
ADJOURNMENT

Carmen Miller made a motion to adjourn at 6:20PM. The motion to adjourn was seconded by John Graziano. The motion to adjourn carried 4-0.


Chair Sandra Booth
John A GRAZIANO

Date Accepted: 1/5/17

ATTEST:


LC
(Chanelle Campbell)