

**TOWN OF LAUDERDALE-BY-THE SEA**  
**BOARD OF ADJUSTMENT MINUTES**  
*Jarvis Hall*  
*Wednesday, August 5, 2015 at 6:00 P.M.*

CALL TO ORDER

Acting 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 6:05pm.

PLEDGE OF ALLEGIANCE TO THE FLAG

The Pledge of Allegiance was recited.

ROLL CALL

Clerk Idalia Gutierrez called the roll. Members present were Sandra Booth, Carolyn Zaumeyer and Carmen Miller. Chair Helene Wetherington, First Alternate Gerri Ann Capotosto, Second Alternate Verenice Rapaport-Yankwitt and Board Member Charles Baclet were absent. Also present were Town Attorney Kathy Mehaffey and Town Planner Linda Connors. Clerk Idalia Gutierrez was present to record the minutes of the meeting.

APPROVAL OF MINUTES – Previous BOA Meeting Minutes dated May 6, 2015.

Carmen Miller made a motion to approve the minutes of May 6, 2015 as written. The motion was seconded by Carolyn Zaumeyer. The motion carried 3-0.

PUBLIC COMMENTS

The Acting Chair called for public comments. As no one wished to speak, the Chair closed this public comments session.

NEW BUSINESS

- A) **Case Number 2015-AAL1-01:** Level 1 Administrative Adjustment for Parking Standards for 2 parking spaces to reduce the required parking from 47 to 45 on property generally located at 275 Commercial Boulevard (Linda Connors, Town Planner / Asst. Development Services Director)

Town Planner Linda Connors said that Case #2015-AAL1-01 is for the commercial building at 275 Commercial Boulevard. The first floor is parking and the second and third floors are offices. There are 13,400 square feet of offices. The Code requires 45 parking spaces. The property has 41 spaces because three were removed due to a dumpster enclosure and a credit was given for one space because the building pre-existed the 1995 parking standards. On the site, there are 41 spaces but they do have credit for 45 spaces. The building is designated for office but there is a request for 925 square feet for counseling services. Ms. Connors explained the difference in requirements for parking spaces for office and for counseling services which would require two additional parking spaces. As the site cannot accommodate two more parking spaces, Ms.

Connors said that the Board is here tonight because the Code does allow for parking reduction for less than three spaces or 10% of the minimum parking requirement after review by the Board of Adjustment.

Ms. Connors explained that the applicant said the clients of the counseling service would walk to their appointments. She said that Staff supports the reduction but with some recommendations as conditions. Ms. Connors read all three conditions into the record. She asked the Board Members to review and make a recommendation to the Town Manager. She asked for Board questions and informed the Board Members that the applicant was available this evening for questions.

Ms. Connors answered Ms. Miller that the landscaping in the parking island needs to be improved so that no one parks in the island. Ms. Connors answered Ms. Zaumeyer that it would be a short walk for the counseling clients. Ms. Miller voiced concern for parking in the community. Ms. Connors explained that there have been parking reductions and exemptions granted but this location is further away from them. In this area, public parking is also available. Ms. Connors answered the Acting Chair that in the past, the Town Commission has allowed for these types of parking requests. Ms. Connors explained the past parking exemption program. There were no more Board questions. Acting Chair Booth asked if anyone else wished to speak. There were no questions or comments from the public or the Board and the public hearing was closed.

Carolyn Zaumeyer made a motion to recommend approval of the two-space parking reduction with Staff's recommended conditions for Case Number 2015-AAL1-01. The motion was seconded by Carolyn Miller. The motion carried 2-1 with Carmen Miller voting against.

- B) **Case Number 2015-AAL2-02:** Brian Novak (applicant) / Administrative Adjustment Request to allow an administrative adjustment to the front and rear setback requirements for property located at 4424 El Mar Drive in the RM-25 Zoning District (Linda Connors, Town Planner / Asst. Development Services Director)

Town Planner Linda Connors said that the Town allows for Administrative Adjustments for certain instances when there are small requirements that do not meet the setback. She explained that the property owner of the High Noon Hotel, 4424 El Mar Drive, is renovating the exterior of the property. She said that when the building was originally built in the 1950's, it met the setback requirements. Due to the height of the towers being added on the side of the building, the side setback requirement is increased. In addition, the renovation plans include a concrete overhang in the Mid-Century Modern architectural style for a front entry feature which would provide shade. However, it encroaches into the front setback which requires an Administrative Adjustment. They are also planning to build planter boxes that also encroach into the setback requirements. Ms. Connors said that the applicant is doing an excellent job in bringing their building into the Mid-Century Modern architectural style. She said that Town Staff supports the amendment and the request for Administrative Adjustment for Case #2015-AAL2-02.

Ms. Connors explained how Town Code allows approval of an Administrative Adjustment to building standards only if the decision maker finds that there is competent substantial evidence in the record that all its standards are met. Ms. Connors explained all eight criteria that have been met. She said that Staff recommends the Administrative Adjustment be approved with conditions. She read all of the recommended conditions into the record. Ms. Connors said that the property owner and the architect are available this evening for questions from the Board.

Brian Novak, property owner, made a correction that it should have been read into the record that the Administrative Adjustment is for the side setback. He said that he has owned this building for almost fifty-five years. He is renovating in the architectural style preferred by the Town. He said that the towers are cosmetic and not functional. Ms. Booth called for public comments but no one from the public wished to speak. Ms. Connors explained that notice was mailed to all property owners within 300 feet. Also, notice has also been posted on the Town website and on the property. She said that she received one telephone call from a woman living at the Villas By The Sea. After a conversation, the woman said she was in support of the application. Mr. Novak answered Acting Chair Sandra Booth that the building was built in 1958. Ms. Booth talked about the original architecture and said she was happy with the renovation plans. There were no questions or comments from the public or the Board and the public hearing was closed.

Carolyn Zaumeyer made a motion to recommend approval of the Administrative Adjustment Request to the setback requirements for the property located at 4424 El Mar Drive with Staff's recommended conditions for Case Number 2015-AAL2-02.

Upon Board discussion, Ms. Miller was concerned about the sidewalk. Ms. Connors answered that the sidewalk would not be blocked. Norman Barr, a Lauderdale-By-The-Sea resident, commented that he supports this project.

The motion was seconded by Carolyn Miller. The motion carried 3-0.

#### OLD BUSINESS

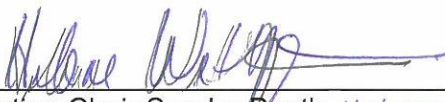
There was no old business to discuss.

#### UPDATES/BOARD MEMBER COMMENTS

Ms. Connors said that they did not receive any applications, so there would not be a Board of Adjustment meeting in September. There were no other updates or comments.

#### ADJOURNMENT

Carolyn Zaumeyer made a motion to adjourn at 6:29pm. The motion was seconded by Carmen Miller. The motion carried 3-0.

  
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Acting Chair Sandra Booth Helene Wetherington

ATTEST:

Date Accepted: 1/6/2016

  
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