

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

Jarvis Hall

Wednesday, April 15, 2015 at 6:00 P.M.

CALL TO ORDER

Chair Helene Wetherington called the Board of Adjustment (BOA) meeting for the Town of Lauderdale-By-The-Sea (L-B-T-S) to order at 6:00 PM. The Pledge of Allegiance was recited. Roll was called. Members present were Sandra Booth, Carolyn Zaumeyer, Carmen Miller, Helene Wetherington, First Alternate Gerri Ann Capotosto and Second Alternate Verenice Rapaport. Charles Baclet was 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.

PLEDGE OF ALLEGIANCE TO THE FLAG

The Pledge of Allegiance was already recited.

APPROVAL OF MINUTES – Previous BOA Meeting Minutes dated October 1, 2014

Carmen Miller made a motion to approve the minutes of October 1, 2014 as written. The motion was seconded by Sandra Booth. The motion carried 5-0.

PUBLIC COMMENTS

The Chair called for public comments. Barbara Cole, a resident of L-B-T-S, said that she is an advocate for changes that moved the Town forward. She was glad that the Board would be discussing parking for the restaurant downtown and the property on El Mar Drive. She encouraged the Board to participate in aiding the Town to be creative and continue with the success it has had in the last few years. As no one else wished to speak, the Chair closed this public comments session.

NEW BUSINESS

Case Number 2015-AAL1-01: Level 1 Administrative Adjustment for Parking Standards for 2 Parking Spaces to Reduce the Required Parking from 29 to 27 on Property Generally Located at 4560 El Mar Drive (Linda Connors, Town Planner / Asst. Development Services Director)

Town Planner Linda Connors said that Case #2015-AAL1-01 was a Level 1 Administrative Adjustment for parking standards to reduce the required parking from 29 to 27. She explained what would transpire on the property in order for a new boutique hotel to be built. She explained that the parking would be on either end of the building. Ms. Connors said that to meet the pavement setback requirement of the Code, they reduced their number of parking spaces. They are asking for this in order to move forward with their site plan application. Ms. Connors said that the Town Commission approved the site plan application contingent upon their getting this Administrative Adjustment. Ms. Connors asked for questions. She answered Ms. Capotosto that this is not a variance request but rather an Administrative Adjustment to the Code. Ms. Wetherington wanted to know if this Administrative Adjustment would be a hardship to any

neighboring properties. Ms. Connors said that they did not believe it would cause a hardship. She further stated that the applicants are comfortable with the reduced parking. Florida Development Group said if overflow parking was needed, they have other hotels at the site. There are also public parking spaces along Washingtonia. Ms. Connors said the applicant's representative was here tonight to answer any questions. Ms. Capotosto said that parking is such a premium in L-B-T-S. She commented about the 5' setback being used towards parking. She asked about the number of rooms in the new hotel. Ms. Connors said there would be 34 rooms and 27 parking spaces. Ms. Connors further stated that this is less of a deficit than the number of parking spaces available now for what is existing at this location.

Nectaria Chakas, on behalf of the applicant, stated that currently there are 44 hotel rooms on site which would be reduced by ten to 34 rooms. They would be providing more spaces now, ratio wise. They are also providing twenty bicycle spaces on site and ten actual bicycles. Ms. Wetherington asked about the setback. Attorney Chakas explained about the amount of space between the property line and the vehicle use areas. She further stated that the Administrative Adjustment would allow them to have more green space. She answered that less pavement and more landscape make the area look better. Ms. Connors answered Ms. Rapaport that the Planning and Zoning Board and the Town Commission both approved this site plan contingent upon the approval of the Administrative Adjustment. This Board's role this evening was to make a recommendation to the Town Commission for their final review and approval. There were no further questions from the Board or public comments

Sandra Booth made a motion to recommend to Town Commission approval of Case Number 2015-AAL1-01 for a Level 1 Administrative Adjustment for Parking Standards to reduce the required parking from 29 to 27. The motion was seconded by Verenice Rapaport. The motion carried 5-0. *(See the first full paragraph on the next page for an update on this case*.)*

Case Number 2014-PR-01: Level 2 Administrative Adjustment for Parking Standards for 13 Parking Spaces to Reduce the Required Parking from 21 to 8 on Property Generally Located at 106 and 108 Commercial Boulevard.

Town Planner Linda Connors explained that Case #2014-PR-01 was a Level 2 Administrative Adjustment for parking standards to reduce the required parking from 21 to 8. She explained that the property right now was retail space. The applicant and owner want to change it to restaurant use. She said that restaurants require additional spaces than retail requires and the requirement would be 40 spaces. There are two onsite, so the requirement would be 38 spaces. She explained that in 1995, the Town changed its parking code. They considered any of the uses as having sufficient parking, even if the parking spaces were non-existent. The 1995 parking credit is 18 spaces. This leaves 20 spaces required for the restaurant. There were seven spaces in the parking exemption program. The applicant applied for this parking exemption prior to the program's expiration. This leaves a 13 space reduction required which the applicant is requesting. Staff went to the Town Commission on this application. However, the Town recently changed the Code so that these applications come to the Board of Adjustment before going to the Town Commission. To ensure that procedures are being followed correctly, this is now before the Board of Adjustment this evening. When the Town Commission voted on this in December 2014, they were in support of the application based on the information presented to them. To follow the Town's regulatory requirements, it is being heard tonight. Ms. Connors asked for questions. She also said the applicants, property owner and restaurateur, were here tonight to answer questions.

**Ms. Connors said she had a correction to the last case, Case Number 2015-AAL1-01. Administration can approve any reduction that is 10% or 3 spaces. Therefore, the application for the Florida Development Group does not have to go back to the Town Commission as the reduction was 2 spaces. It goes to Administration for approval.*

Vincent Foti, restaurateur, said that he did not have presentation materials for tonight as he thought this would just be procedural in nature. Ms. Connors said his information is backup in the Staff report. Ms. Wetherington asked Mr. Foti how he would mitigate being 13 spaces short. He replied that he proposes to mitigate it by having valet parking which was not a condition to his approval when he went in front of the Town Commission. Mr. Foti said that they were looking to lease some property within a reasonable distance from the restaurant to park cars. Nothing is firmed up yet. Ms. Rapaport asked the valet parking operating hours. He answered that they would probably start out by offering valet parking from 5:00PM to closing. He would be open to extending valet parking hours, as it would help his business and the Town. Ms. Booth commented that residents would find a way to park their cars. Ms. Miller asked Mr. Foti where his other restaurant was located. He gave the address on Federal Highway south of Oakland Park Boulevard. Ms. Wetherington asked Ms. Connors to explain what was discussed at the last Town Commission Meeting regarding parking. Ms. Connors explained that they would be moving forward on creative ways to provide additional parking. They are also adding parking spaces wherever they can do so creatively, e.g., they added parking on Bougainvillea last year near the Chamber of Commerce.

Marcos Radonni, member of the public, said that he is new to the area. He and his wife are involved with creative solutions for parking which are simpler than most people think. He spoke about systems that are available to provide more parking on the footprint of two. Barbara Cole, L-B-T-S resident, said it is her opinion that the owner of this property gives back to the Town. If they are involved in a project, it will be a first-class project. She feels the Commission, the Administration, and the Staff are always on top of any parking issue.

Gerri Ann Capotosto made a motion to recommend to the Town Commission approval of Case Number 2014-PR-01 for a Level 2 Administrative Adjustment for Parking Standards to facilitate the reduction of the required parking from 21 to 8 so the restaurant could be in compliance. The motion was seconded by Sandra Booth. The motion carried 5-0.

OLD BUSINESS

There was no old business to discuss.

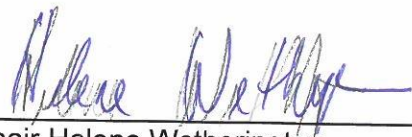
UPDATES/BOARD MEMBER COMMENTS

There were no updates or comments.

Ms. Connors said that the next meeting would be May 6th for another parking reduction case.

ADJOURNMENT

As there was no other business to discuss and without objection, Chair Wetherington adjourned the meeting at 6:31PM.


Chair Helene Wetherington

ATTEST:

Date Accepted: 1/6/2016


LC