



REQUEST: Amend City of Fort Lauderdale Unified Land Development Regulations (ULDR) Section 47-39, Development Regulations for Annexed Areas to Update Height, Measurement and Definition Requirements.

CASE NUMBER	UDP-T24002	
APPLICANT	City of Fort Lauderdale	
GENERAL LOCATION	RS-3.52, RS-6.70, RS-6.85A, RS-6.85B, RD-12.22, RM-12.67, RM-16, RM-33.5 Zoning Districts	
UNIFIED LAND DEVELOPMENT REGULATIONS (ULDR) SECTIONS	Section 47-39, Development Regulations for Annexed Areas	
NOTIFICATION REQUIREMENTS	10-day legal ad	
SECTION 166.033, FLORIDA STATUES	N/A	
ACTION REQUIRED	Recommend approval or denial to City Commission	
PROJECT PLANNER	Karlanne Devonish, Principal Urban Planner	<i>KD</i> <i>CP</i>

BACKGROUND

The proposed amendment was initiated based on a communication sent by the City’s Board of Adjustment (BOA) to the City Commission to request the “City take a look at the height and zoning requirements in the annexed areas”.

For some additional history, an application was submitted by a property owner in the Lauderdale Isles Civic Improvement Association requesting to make improvements to his property by adding a second story to an existing house located in the RS-6.85A zoning district, a formerly annexed area. The applicant and the City’s Zoning Administrator did not agree on an interpretation of the height requirement and on October 12, 2022, the BOA reviewed an application to appeal the Zoning Administrator’s interpretation that the maximum building height of two stories as provided in the City’s Unified Land Development Regulations (ULDR) Section 47-39.A.6. is equivalent to 20 feet pursuant to the definition of “story” provided in ULDR Section 47-39.A.2.B. The applicant interpreted that the height of a story shall be every 10 feet, therefore 30 feet is needed to exceed the two-story limit. The definition of story pursuant to Section 47-39.A.2.B is as follows:

Story: A habitable area of a building horizontally enclosed by the exterior walls of the building, with a vertical clearance between the floor and ceiling of at least seven and one-half (7½) feet. Any upper story which does not exceed two-thirds (⅔) of the area of the first-floor level shall not be considered a story except for determining the height of the building. For the purposes of determining the height of a building, a story shall be considered to be every ten (10) feet of building height above first floor level measured from the exterior elevation. For purposes of determining the height of a structure other than a building, a story shall be each ten (10) feet in height of the structure above the established grade.

The BOA upheld the Zoning Administrator’s interpretation but sent a Communication to the City Commission to request the “City take a look at the height and zoning requirements in the annexed areas to more accurately reflect current building construction techniques.” The BOA meeting minutes are attached as **Exhibit 1**.

On November 1, 2022, at the City Commission Conference meeting, the City Commission discussed BOA’s communication and directed staff to reach out to affected neighborhoods to get feedback regarding the proposed amendments. The City Commission Conference meeting minutes are attached as **Exhibit 2**.

PROPOSED ULDR AMENDMENTS

The intent of these revisions is to adopt code language that is consistent with how these measurements are applied in other similar residential areas throughout the City, and that the regulations are easy to understand by residents and applicants. Below is a detailed summary for each of the proposed ULDR amendment sections, including intent and description of section content.

Section 47-39.A.2.B

Intent: Remove terms that are no longer applicable and add new terms and definitions based on the proposed regulations.

Description: The proposed amendments will delete the term *story* and add the following terms and definitions to apply to the annexed areas, consistent with the rest of the City as well as the current Broward County and Florida Building code:

Accessory Building: An "accessory building" is a subordinate building which is located on the same development site as the principal building, the use of which building is clearly incidental to the use of the principal building.

Plot Coverage: The combined area occupied by all buildings and roofed structures.

Principal Building: A building that is occupied by, devoted to, a principal use on the development site and shall include any addition or alteration to an existing principal building. In determining whether a building is of primary importance, the use of the entire parcel shall be considered. There may be more than one (1) principal building on a parcel.

Principal Structure: A structure, the use of which is the primary use of the land. A principal structure may consist of a building or an unmanned or uninhabited structure such as a communication tower, utility substation, parking facility or other similar construction. There may be more than one (1) principal structure on a parcel.

Section 47-39.A.6

Intent: Update how height is measured, create dimensional requirement tables, and replaced the term duplex to two-unit townhouse.

Description: The proposed amendment will measure height using feet and not stories and apply the maximum height consistent with comparable residential zoning districts throughout the City district. Table 1 below provides the proposed height based on the zoning district.

Table 1: Residential Zoning Districts Proposed Height

Type of District	District	Proposed Height
One-family detached dwelling districts	RS-3.52, RS-6.85A, RS-6.85B	35 feet
One-family detached dwelling district	RS-6.70	20 feet
Duplex and attached one-family dwelling district	RD12.22	35 feet
Multiple-family dwelling district	RM-12.67	35 feet for one-family dwelling/Duplex, Attached one-family dwelling 40 feet for multifamily dwelling

Multiple-family dwelling district	RM-16	35 feet for one-family dwelling/Duplex, Attached one-family dwelling 40 feet for multifamily dwelling
Multiple-family dwelling districts	RM-33.5	35 feet for one-family dwelling/Duplex, Attached one-family dwelling 55 feet for multifamily dwelling

For RS-6.70 zoning located in the Melrose Park neighborhood, the height will be measured based on a maximum of 20 feet (not stories), consistent with existing regulations. In addition, dimensional requirement tables were created, similar to how the rest of the ULDR is formatted to better define regulations for zoning districts in the annexed areas. A location map highlighting the proposed height for each zoning district is attached as **Exhibit 3**.

Table 2 below provides an example of one of the proposed tables of dimensional requirements.

Table 2: Table of Dimensional Requirements for RS-3.52, RS-6.70, RS-6.85A, RS-6.85B districts.

Requirements	RS-3.52	RS-6.70	RS-6.85A	RS-6.85B
Maximum density per net acre	3.52	6.70	6.85	6.85
Minimum plot area per unit	10,000 square feet	7,500 square feet	6000 square feet	6000 square feet
Maximum Structure Height	35 feet	20 feet	35 feet	35 feet
Minimum plot width	Note A			
Minimum floor area per dwelling unit	800 square feet	1,000 square feet	800 square feet	800 square feet
Minimum Front Yard	25 feet			
Minimum side yard	7.5 feet, up to 22 feet in height Where a building exceeds 22 feet in height, that portion of the building above 22 feet shall be set back an additional 1 foot per foot of additional height.			
Minimum street side yard	15 feet			
Minimum rear yard	15 feet			
Maximum plot Coverage	40%			
<u>Note A: Every individual plot shall have at least one (1) side, which has a minimum dimension of sixty (60) feet. The plot line, which provides access to the plot must be a minimum of nineteen (19) feet. The minimum plot size for all permitted nonresidential uses shall be one (1) net acre, with a minimum street frontage of one hundred fifty (150) feet, except that existing nonresidential buildings on plots which are less than one (1) net acre may be expanded provided the expansion meets all requirements for setbacks, off-street parking, landscaping, and all other development standards in effect at the time of site plan submittal for the</u>				

expansion. Every individual plot used for nonresidential uses shall maintain a setback along any street side of at least thirty (30) feet in all residential zoning districts.

The proposed amendments are attached as **Exhibit 3**.

PUBLIC OUTREACH EFFORTS

Staff sent an initial communication to the neighborhood associations affected by the proposed changes on May 1, 2023. In response, staff received several letters of support as well as one in opposition from the Melrose Park Neighborhood Association. In addition, a public outreach meeting was scheduled for June 7, 2023, however, no one from the public attended. Staff presented the proposed amendments separately to the Melrose Park Neighborhood Association on September 28, 2023. Comments received from the Melrose Association members varied and many opposed increasing the height to 35 feet and requested the height remain the same as the existing regulations. In response, staff did not modify existing height requirements for Melrose Park in the proposed amendments. The letters of support and the opposition letter from Melrose Park Neighborhood Association are attached as **Exhibit 4**.

Lastly, pursuant to the ULDR, a newspaper advertisement was published ten days prior to the PZB meeting, providing a general public notice of the proposed amendment. The comments provided were considered as part of the proposed amendments.

PLANNING & ZONING BOARD REVIEW OPTIONS

The Planning and Zoning Board, in its capacity as the Local Planning Agency, shall determine whether the proposed amendment is consistent with the City of Fort Lauderdale's Comprehensive Plan and whether the Planning and Zoning Board recommends approval or denial of the proposed amendment to the City Commission.

EXHIBITS:

1. October 12, 2022, BOA Minutes
2. November 01, 2022, City Commission Conference Meeting Minutes
3. Location Maps with Proposed Heights
4. Proposed Text Amendments
5. Letters of Support and Opposition



CITY OF FORT LAUDERDALE

**BOARD OF ADJUSTMENT MEETING
CITY OF FORT LAUDERDALE
CITY HALL COMMISSION CHAMBERS
OCTOBER 12, 2022 – 6:00 P.M.**

Board Members	Attendance	Cumulative Attendance 6/2022 through 5/2023	
		Present	Absent
Howard Nelson, Chair	P	5	0
Blaise McGinley, Vice Chair	P	4	1
Howard Elfman	P	5	0
Bill Kent	A	0	1
Chadwick Maxey	P	4	1
Douglas Meade	P	5	0
Robert Wolfe	A	4	1

Staff

D'Wayne Spence, Assistant City Attorney
 Chakila Crawford, Senior Administrative Assistant
 Jazmine Eveillard, Administrative Assistant
 Mohammed Malik, Zoning Administrator
 Burt Ford, Zoning Chief
 James Hollingsworth, Zoning Plan Examiner
 Jamie Opperlee, Recording Secretary, Prototype Inc.

Communication to the City Commission

Motion made by Chair Nelson, seconded by Mr. McGinley to:
 Request the City take a look at the height and zoning requirements in the annexed areas to more accurately reflect current building construction techniques. In a voice vote, motion **passed** unanimously.

Index

	<u>Case Number</u>	<u>Owner/Agent</u>	<u>District</u>	<u>Page</u>
1.	PLN-BOA-22070001	Lennar Homes, LLC/Deena Gray, Esq.	4	<u>2</u>
2.	PLN-BOA-22080001	Lakshmi P Addepalli, Kranthi Alapati/ Matthew Roque-Paskow	2	<u>3</u>
3.	PLN-BOA-22080005	Paula Jean and Richard Ehmke/ Stephanie Toothaker, Esq.	4	<u>5</u>
4.	PLN-BOA-22070003	Eric Silva and Sylvia Hernandez-Silva	4	<u>7</u>
5.	PLN-BOA-22080007	John Palmisano and Bernadette Indre/Andrew Schein, Esq.	1	<u>10</u>
		Communication to the City Commission		<u>11</u>
		For the Good of the City		<u>11</u>
		Other Items and Board Discussion		<u>12</u>

~~Ms. Toothaker said Mr. Fernandez's objections were to noise, not the structure. She said when Police had been called for the noise issues, the owners had never been cited.~~

~~Mr. Malik confirmed that a tribal built Tiki hut was subject to zoning approval, but not to a City building permit.~~

~~Ms. Toothaker said the permits for the Tiki hut and kitchen were on hold pending the variance requests. She said if the variance for height were granted, they would stipulate that if the hut needed to be rebuilt, it would not exceed the height requirements.~~

~~Mr. Ford said a front door did not need to face the front yard. The width of the lot determined the front yard. The orientation of the home did not change which side was considered the front.~~

~~Richard Ehmke, owner, said they always tried to be good neighbors. He stated he was not aware of the setback requirements when the Tiki hut was built.~~

~~Mr. Ford said once anything was added to the Tiki hut, such as this kitchen, it became a structure; it was no longer a Tiki hut.~~

~~Ms. Toothaker requested a deferral to allow them time to meet with Mr. Fernandez.~~

~~**Motion** made by Mr. Elfman, seconded by Mr. Maxey to:
Defer the case to the Board's next meeting. In a roll call vote, motion **passed** 4-1 with Mr. Meade opposed.~~

4. [Index](#)

CASE:	PLN-BOA-22070003
OWNER:	SILVA, ERIC B H/E; HERNANDEZ-SILVA, SILVIA M
AGENT:	N/A
ADDRESS:	2536 WHALE HARBOR LANE, FORT LAUDERDALE, FL 33312
LEGAL DESCRIPTION:	LOT 14, RESUBDIVISION OF PORTION OF BLOCK 12, OF "LAUDERDALE ISLES NO. 2", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 41, AT PAGE 10, OF THE PUBLIC RECORDS OF BROWARD COUNTY.
ZONING DISTRICT:	RS-6.85A - IRREGULAR RESIDENTIAL
COMMISSION DISTRICT:	4

APPEALING:

Appealing the Zoning Administrator's Interpretation that the maximum building or structure height of two (2) stories as provided in Sec.47-39.A.6.D is equivalent to 20 feet pursuant to the definition of story provided in Sec. 47-39.A.2.B:

Story: A habitable area of a building horizontally enclosed by the exterior walls of the building, with a vertical clearance between the floor and ceiling of at least seven and one-half (7½) feet. Any upper story which does not exceed two-thirds (⅔) of the area of the first-floor level shall not be considered a story except for determining the height of the building. For the purposes of determining the height of a building, a story shall be considered to be every ten (10) feet of building height above first floor level measured from the exterior elevation. For purposes of determining the height of a structure other than a building, a story shall be each ten (10) feet in height of the structure above the established grade. Whereas the applicant has interpreted that the height of a story shall be every 10 feet therefore 30 feet is needed to exceed the 2-story limit.

Whereas the applicant has interpreted that the height of a story shall be every 10 feet therefore 30 feet is needed to exceed the 2-story limit.

Eric Silva, owner, provided a Power Point presentation, a copy of which is attached to these minutes for the public record.

Mr. Silva stated both the two-story height limit and the 10-foot per floor methodology came from the Broward County code. Mr. Silva summarized that the height limit was two stories, not 20 feet, and the story definition provided a formula for determining height and a story must have 10 feet to be a story. He requested the following interpretation: "The height of a story is every 10 feet, therefore, 30 feet is needed to exceed the two-story limit. Height limit two stories, 10 feet is needed for a story, and it can only be exceeded with three stories, not 24 feet."

Chair Nelson opened the public hearing.

Dawn Hanna, adjacent neighbor, asked the Board to agree with Mr. Silva's interpretation.

Jose Luis Barboza, neighbor, said he agreed with Mr. Silva's interpretation.

There being no other members of the public wishing to address the Board on this item, Chair Nelson closed the public hearing and brought the discussion back to the Board.

Chair Nelson asked which took precedent: the ten-foot exterior measurement or actual height of floors. Mr. Ford said they needed to take both into account. Mr. Spence said the definition of story related to habitable area. For the purposes of determine the height of the building, each floor was considered every 10 feet on the exterior. He read from the code regarding the height measurements and story definition. He recalled that when the City annexed this area, they had worked with the community to maintain its unique character.

Mr. Spence read from the resolution that preceded the annexation, which stated the City would work with the annexed area to develop zoning codes unique to the area, for the purposes of an ordinance that would allow any buildings or structures that did not meet Broward County code or City zoning code to exist in compliance.

Mr. McGinley said from a modern construction perspective, a 10-foot floor-to-floor was unrealistic and requesting a 12-foot floor-to-floor seemed reasonable within the context of a modern home.

Mr. Maxey said perhaps staff should declare a maximum height for two stories. He was unsure the City's interpretation of 10 feet per floor was what the community wanted. Mr. Ford said the code stated the measurement per story was from the floor to the ceiling.

Mr. Spence read from the definition of story: "For the purposes of determining the height of the building, a story shall be considered every ten feet of building height from the first floor level measured from the exterior elevation. "

Chair Nelson said the Board would recess and asked Mr. Silva to consider returning with a variance request instead of an interpretation.

The Board took a brief recess.

Chair Nelson reopened the public hearing.

Dennis Gullo, neighbor, said he was remodeling his home and he and other neighbors would be in the same situation as Mr. Silva.

Motion made by Mr. Maxey, seconded by Mr. McGinley to:

Affirm the interpretation of City staff for case **PLN-BOA-22070003** as it meets the requirements set forth in the ULDR. In a roll call vote, motion **failed** 2-3 with Mr. Maxey, Mr. McGinley and Chair Nelson opposed.

Motion made by Mr. McGinley, seconded by Mr. Meade to:

Reverse staff's decision for case **PLN-BOA-22070003** relative to building height. In a roll call vote, motion **failed** 2-3 with Mr. Maxey, Mr. Meade and Mr. Elfman opposed.

~~Mr. Schein said eight neighbors had sent letters of support, including the two adjacent ones. No one had sent a letter of objection.~~

~~Chair Nelson said the Tiki hut was substantially in excess of the square footage allowed and also in the setback and asked if it could be reduced in size to make it closer to the square footage and setback requirements. Mr. Schein said the structural columns were already embedded in concrete. He said it would not be possible without tearing the entire structure down.~~

~~Chair Nelson opened the public hearing. There being no members of the public wishing to address the Board on this item, Chair Nelson closed the public hearing and brought the discussion back to the Board.~~

~~Mr. McGinley asked about the permit status. Mr. Malik pointed out that many of the people constructing the huts informed owners that no permits were needed, but the huts did require zoning permits but not structural permits. Mr. McGinley wondered if the owner could go back to the builder to reconstruct the hut within the setbacks and size limits.~~

~~**Motion** made by Mr. McGinley, seconded by Mr. Elfman to:
Approve the variance requests for case **PLN BOA 22080007** because they met the criteria for a variance.~~

~~Mr. Elfman requested an amendment that if the Tiki hut ever needed to be replaced, it would be rebuilt with a maximum of 200 square feet. Mr. McGinley accepted the amendment.
In a roll call vote, the amended motion **passed 5-0.**~~

Communication to the City Commission

[Index](#)

Motion made by Chair Nelson, seconded by Mr. McGinley to:
Request the City take a look at the height and zoning requirements in the annexed areas to more accurately reflect current building construction techniques. In a voice vote, motion **passed** unanimously.

Report and for the Good of the City

[Index](#)

- Election of Chairperson and Vice-Chairperson for the balance of unexpired terms.

Mr. Nelson resigned his Chairmanship.

Motion made by Mr. Nelson, seconded by Mr. Meade, to elect Mr. McGinley Chair. In a voice vote, motion passed unanimously.

Motion made by Mr. Nelson, seconded by Mr. Maxey, to elect Mr. Elfman Vice Chair. In a voice vote, motion passed unanimously.

Other Items and Board Discussion

[Index](#)

None

There being no further business to come before the Board, the meeting adjourned at 8:36 p.m.

Chair:



A handwritten signature in black ink, appearing to be "Ben Nelson", written over a horizontal line.

Attest:



A handwritten signature in blue ink, appearing to be "John O'Malley", written over a horizontal line.

ProtoType Inc.

Any written public comments made 48 hours prior to the meeting regarding items discussed during the proceedings have been attached hereto.

City of Fort Lauderdale

<https://fortlauderdale.legistar.com/Calendar.aspx>

www.fortlauderdale.gov/fltv

www.youtube.com/cityoffortlauderdale

Cable Television - Comcast Channel 78 and AT&T U-verse Channel 99



Meeting Minutes

Tuesday, November 1, 2022

1:30 PM

City Hall - City Commission Chambers
100 North Andrews Avenue, Fort Lauderdale, FL 33301

City Commission Conference Meeting

FORT LAUDERDALE CITY COMMISSION

DEAN J. TRANTALIS Mayor

BEN SORENSEN Vice Mayor - Commissioner - District IV

HEATHER MORAITIS Commissioner - District I

STEVEN GLASSMAN Commissioner - District II

ROBERT L. McKINZIE Commissioner - District III

GREG CHAVARRIA, City Manager

DAVID R. SOLOMAN, City Clerk

ALAIN E. BOILEAU, City Attorney

PATRICK REILLY, City Auditor

~~CALL TO ORDER~~

~~Vice Mayor Sorensen called the meeting to order at 1:32 p.m.~~

~~QUORUM ESTABLISHED~~

~~Commission Members Present: Commissioner Steven Glassman, Commissioner Robert L. McKinzie, Vice Mayor Ben Sorensen and Mayor Dean J. Trantalis (arrived at 2:23 p.m.)~~

~~Commission Members Not Present: Commissioner Heather Moraitis~~

~~Also Present: City Manager Greg Chavarria, City Clerk David R. Solomon, City Attorney Alain E. Boileau, and City Auditor Patrick Reilly~~

COMMUNICATIONS TO THE CITY COMMISSION

22-1063

Communications to the City Commission - (Commission Districts 1, 2, 3 and 4)

**Board Of Adjustment (BOA) Meeting
October 12, 2022**

Communication to the City Commission

*Motion made by Chair Nelson, seconded by Mr. McGinley to:
Request the City take a look at the height and zoning requirements in the annexed areas to more accurately reflect current building construction techniques. In a voice vote, motion passed unanimously.*

Chris Cooper, Development Services Department Director, explained this communication is a request to the Commission to address height requirements in annexed areas of the City. Mr. Cooper requested Commission direction regarding Staff's pursuit of community outreach to determine support for a zoning change that would modify building height measurement requirements in the annexed areas consistent with height requirements in the City and Broward County.

In response to Commissioner McKinzie's questions, Mr. Cooper explained the annexed areas, including Riverland Road and the Melrose areas. Mr. Cooper reiterated the BOA communication request was to decide which building height requirements to follow in the annexed areas. Commissioner McKinzie remarked on the need to measure building height consistently.

Vice Mayor Sorensen agreed on the need for Staff to pursue community outreach and follow up with the Commission. Commissioner Glassman concurred. City Manager Chavarria confirmed.

NEIGHBOR PRESENTATIONS

NP-1 [22-0945](#)

~~Dennis Ulmer – Honoring our Veterans~~

~~Vice Mayor Sorensen recognized Dennis Ulmer, 1007 NW 11th Place. Mr. Ulmer gave a neighbor presentation on the importance of honoring veterans on Veterans Day, November 11th.~~

NP-2 [22-1001](#)

~~Roderick Newkirk – Affordable Housing Resources~~

~~Vice Mayor Sorensen recognized Roderick Newkirk, 605 N. Andrews Avenue. Mr. Newkirk gave a neighbor presentation regarding the need for affordable housing for low-income residents and requested information regarding affordable housing opportunities. Commissioner McKinzie remarked on the lack of affordable housing. Further comment and discussion ensued.~~

~~Vice Mayor Sorensen recommended Mr. Newkirk work with Chris Cooper, Development Services Department Director, to coordinate Staff resources. Further comment and discussion ensued.~~

~~City Manager Chavarria remarked on the need for landlords to provide affordable housing inventory.~~

NP-3 [22-1070](#)

~~Warren B. Pinder – Street Name Change in Honor of Coach Marcia S. Pinder~~

~~Vice Mayor Sorensen recognized Warren Pinder, 360 Utah Avenue. Mr. Pinder gave a neighbor presentation in support of a secondary street naming of Northwest 24th Avenue to Coach Marcia Pinder Lane from Sunrise Boulevard to Dillard Panther Lane in recognition of her outstanding work with the Dillard Girls Basketball team. George Pinder spoke in support of this initiative.~~

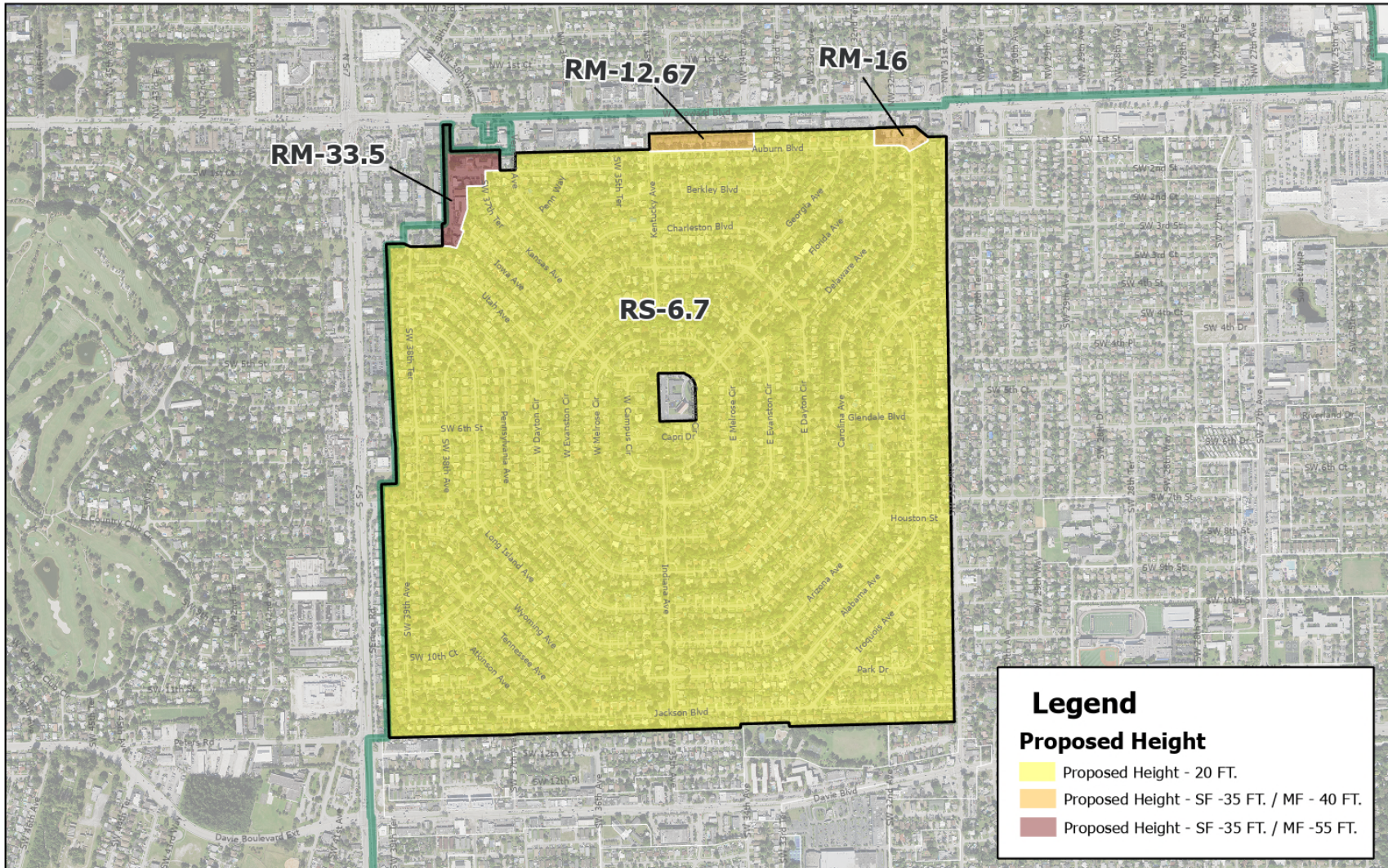
~~Vice Mayor Sorensen agreed that the Commission should consider this secondary street naming.~~

~~Commissioner McKinzie supported this initiative and remarked on the support of the neighborhood and others.~~

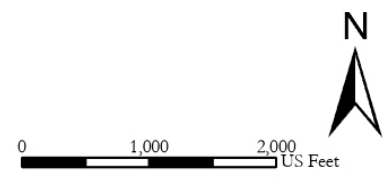
~~Commissioner Glassman confirmed his support. In response to~~

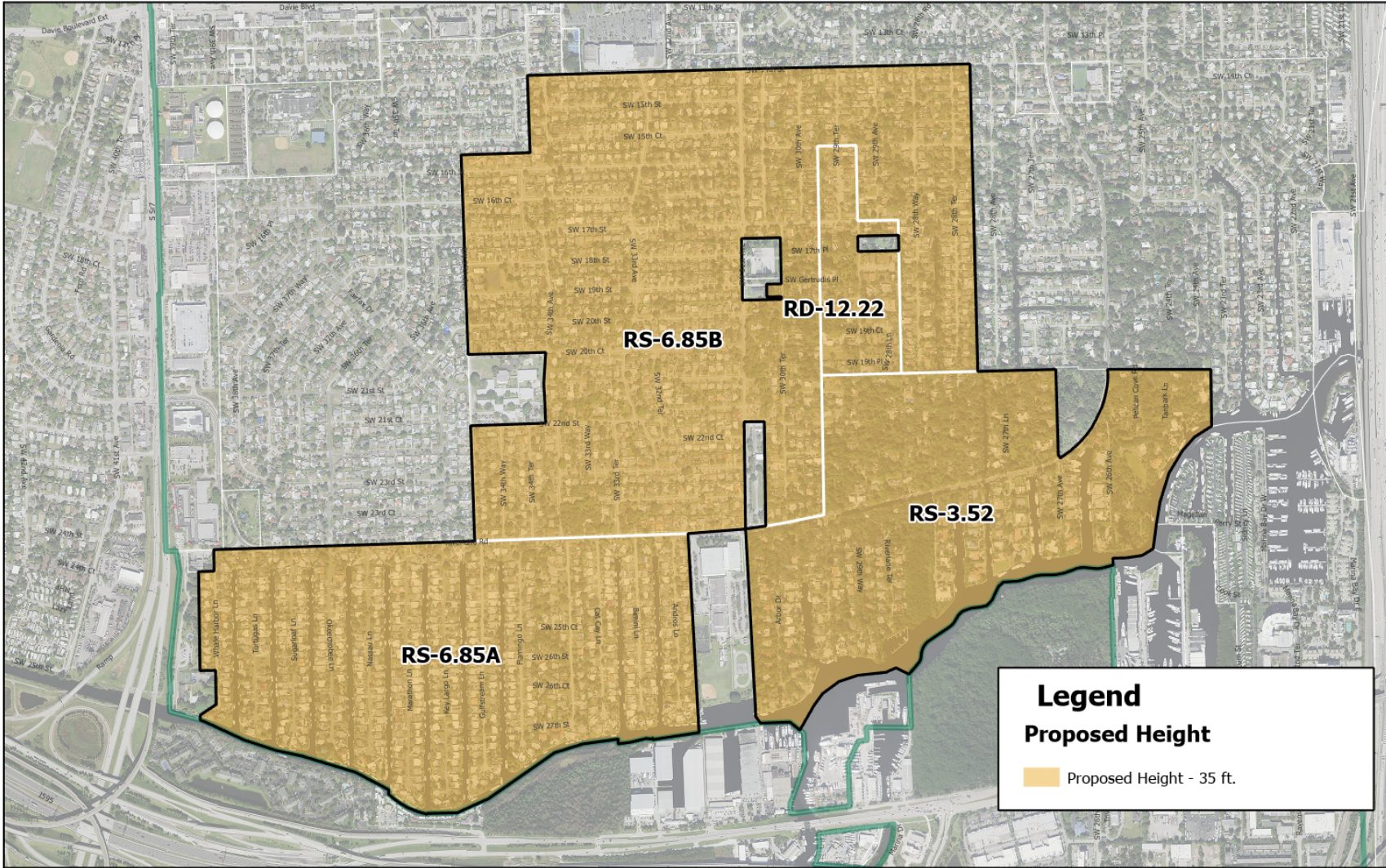
ADJOURNMENT

Mayor Trantalis adjourned the meeting at 4:34 p.m.

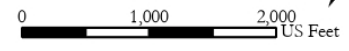


Melrose Park - Annexed Residential Zoning Districts





Riverland Road- Annexed Residential Zoning Districts



Section 47-39.A.2. Definitions and Measurements

The following definitions shall apply to all property located in the Melrose Park and Riverland Road areas as defined in Section 47-39.A. Where certain definitions and measurements do not appear in this section and are defined in Section 47-35.1 or Section 47-2.2, Section 47-35.1 and Section 47-2.2 shall apply.

A. General construction of terms. For the purpose of this code, certain terms used herein are herewith defined. When not inconsistent with the context, words used in the present tense include the future, words in the singular number include the plural and words in the plural number include the singular number. The word "shall" is always mandatory and not merely directory. The word "building" shall include the word "structure." The word "used" shall include arranged, designed, constructed, altered, converted, rented, leased or intended to be used. The word "land" shall include water surface and land water.

B. *Terms defined.* (Defined in Sec. 47-35.1)

Accessory building: An "accessory building" is a subordinate building which is located on the same development site as the principal building, the use of which building is clearly incidental to the use of the principal building.

Adult Day Care Center: An establishment, which provides day care and activities for adolescents or adults who require supervision due to physical or mental limitations.

...

Habitable Room Area: The total floor area of a dwelling unit excluding closets, bathrooms, garages, utility rooms, storage areas, and rooms not accessible from the interior of the dwelling unit.

~~*Height of Building:* The vertical distance from the established grade at the center of the front of the building to the highest point of the roof surface for a flat roof, to the deck line for a mansard roof and to the mean height level between eaves and ridge for gable, hip and gambrel roofs. The height of buildings and structures shall be measured from grade to the uppermost part of the roof or structure. Church spires and steeples, chimneys, parapet walls, machine rooms, elevator towers and the like necessary to the design and function of a building but not designed for human occupancy, shall not be included in the measurement of overall height of a building. The height shall be the roof peak for structures with pitched roofs and the top of finished roof for structures with flat roofs. Parapet walls may extend not more than forty-two (42) inches above the allowable height of a building.~~

Home Office: An office designed for and operated as a business location in a dwelling unit, and carried on by persons residing in the dwelling unit involving only written correspondence, phones, computers, or other common office equipment, and which is clearly incidental and secondary to the use of the dwelling for residential purposes. Home offices shall preclude any business operation, which requires or permits customers or patrons to visit the dwelling. Home offices shall be permitted in all residential zoning districts subject to the following limitations:

- (1) Not more than ten (10) percent of any dwelling unit may be used for a home office.
- (2) No merchandise or equipment related to the home office shall be stored at, delivered to or dispensed from the dwelling unit, or from any accessory building or structure on the property, except office equipment or supplies required for daily office operations.
- (3) Commercial vehicles associated with the home office in all residential districts shall be subject to Section 47-39.A.1.b.(7) General Provisions.
- (4) No sign or any other evidence of the existence of the home office shall be visible from the exterior of the dwelling unit.
- (5) A certificate of use shall be obtained for any home office. In addition to the requirements of Section 47-19.7, certificates of use for home offices shall comply with the following:
 - a. A floor plan of the dwelling unit, drawn to scale, shall be submitted with an application for a certificate of use for a home office, designating the room or rooms to be occupied by the home business.
 - b. Any certificate of use issued for a home.

...

CODING: Words, symbols, and letters ~~stricken~~ are deletions; words, symbols, and letters underlined are additions.

Plot: Land occupied or to be occupied by a building or use, and their accessory buildings and accessory uses, together with such yards and open spaces as are required by this code. A plot may consist of one (1), or more, or portions of a platted lot and/or unplatted land.

Plot, Corner: A corner plot is a plot of which at least two (2) adjacent sides abut for their full length upon a street, provided that such two (2) sides intersect at an interior angle of not more than one hundred thirty-five (135) degrees. Where a plot is on a curve, if tangents through the intersections of the lot lines with the street lines make an interior angle of not more than one hundred thirty-five (135) degrees, such a plot is a corner plot. In the case of a corner plot with a curved street line, the corner shall be considered to be that point on the street line nearest to the point of intersection of the tangents herein described.

Plot Coverage: The combined area occupied by all buildings and roofed structures.

Plot Depth: The mean horizontal distance between the front and rear plot lines.

Plot, Interior: A plot other than a corner plot.

Plot, Through: A plot abutting on two (2) streets, not at their intersection, if any, which may be either a corner or interior plot.

~~*Plot Depth:* The mean horizontal distance between the front and rear plot lines.~~

Plot Width: The horizontal distance between the side plot lines at the depth of the required front yard.

Plot Line, Front: The line dividing a plot from a street or base building line, whichever will result in a lesser depth of plot. On a corner plot the shorter of the two (2) front lines as above defined shall be considered to be the front plot line for the purposes of determining required plot width and required front yard depth. On a corner plot where both front plot lines as above defined are equal or within five (5) feet of the same length, both such lines shall be considered to be front plot lines for the purposes of determining required street yard depth. On through lots, both front plot lines as above defined shall be considered to be front plot lines for the purpose of determining required yards.

Plot Line, Rear: The plot line opposite and most distant from the front plot line. In the case of a triangular or gore-shaped lot wherein the two (2) side plot lines converge in the rear, the rear plot line shall be considered to be a line ten (10) feet in length within the plot parallel to and at the maximum distance from the front plot line.

Plot Line, Side: Any plot line other than a front or rear plot line. A side plot line separating a plot from a street is called a side street plot line. A side plot line separating a plot from another plot or plots is called an interior or side plot line.

Plot Line, Street or Alley: A plot line separating the plot from a street or alley.

Porch: A roofed-over space attached to the outside of an exterior wall of a building, which has no enclosure other than the exterior walls of such building. Open mesh screening shall not be considered an enclosure.

Principal building: A building that is occupied by, devoted to, a principal use on the development site and shall include any addition or alteration to an existing principal building. In determining whether a building is of primary importance, the use of the entire parcel shall be considered. There may be more than one (1) principal building on a parcel.

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Principal structure: A structure, the use of which is the primary use of the land. A principal structure may consist of a building or an unmanned or uninhabited structure such as a communication tower, utility substation, parking facility or other similar construction. There may be more than one (1) principal structure on a parcel.

Private Property: All lands and water areas owned by other than a municipality, county, state or federal government or any of its subdivisions.

...

~~Story~~: A habitable area of a building horizontally enclosed by the exterior walls of the building, with a vertical clearance between the floor and ceiling of at least seven and one-half (7½) feet. Any upper story which does not exceed two-thirds (⅔) of the area of the first floor level shall not be considered a story except for determining the height of the building. For the purposes of determining the height of a building, a story shall be considered to be every ten (10) feet of building height above first floor level measured from the exterior elevation. For purposes of determining the height of a structure other than a building, a story shall be each ten (10) feet in height of the structure above the established grade.

...

Townhouse: A one-family dwelling constructed as part of a series or group of attached dwellings consisting of three (3) to eight (8) units per building with a common party wall or fire separation wall connecting each dwelling unit and with a property line running through the center of the common party wall or fire separation wall. Dwellings attached only by an open breezeway; or other unroofed wall or fence are not included in this definition. Section 47-18.33 does not apply to townhouse developments located in Section 47-39.A, Areas.

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Sec.47-39.A.6. Dimensional Requirements

A. Table of Dimensional Requirements for RS-3.52, RS-6.70, RS-6.85A, RS-6.85B districts.

Requirements	RS-3.52	RS-6.70	RS-6.85A	RS-6.85B
Maximum density per net acre	<u>3.52</u>	<u>6.70</u>	<u>6.85</u>	<u>6.85</u>
Minimum plot area per unit	<u>10,000 square feet</u>	<u>7,500 square feet</u>	<u>6000 square feet</u>	<u>6000 square feet</u>
Maximum Structure Height	<u>35 feet</u>	<u>20 feet</u>	<u>35 feet</u>	<u>35 feet</u>
Minimum plot width	Note A			
Minimum floor area per dwelling unit	<u>800 square feet</u>	<u>1,000 square feet</u>	<u>800 square feet</u>	<u>800 square feet</u>
Minimum Front Yard	<u>25 feet</u>			
Minimum side yard	<u>7.5 feet, up to 22 feet in height</u> <u>Where a building exceeds 22 feet in height, that portion of the building above 22 feet shall be set back an additional 1 foot per foot of additional height.</u>			

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<u>Minimum street side yard</u>	<u>15 feet</u>
<u>Minimum rear yard</u>	<u>15 feet</u>
<u>Maximum plot Coverage</u>	<u>40%</u>

Note A: Every individual plot shall have at least one (1) side, which has a minimum dimension of sixty (60) feet. The plot line, which provides access to the plot must be a minimum of nineteen (19) feet. The minimum plot size for all permitted nonresidential uses shall be one (1) net acre, with a minimum street frontage of one hundred fifty (150) feet, except that existing nonresidential buildings on plots which are less than one (1) net acre may be expanded provided the expansion meets all requirements for setbacks, off-street parking, landscaping, and all other development standards in effect at the time of site plan submittal for the expansion. Every individual plot used for nonresidential uses shall maintain a setback along any street side of at least thirty (30) feet in all residential zoning districts.

B. Table of Dimensional Requirements for RD-12.22 district.

<u>Requirements</u>	<u>One Family detached Dwelling</u>	<u>Duplex /Two-Family Dwelling</u>	<u>Townhouse or Villa</u>
<u>Maximum density per net acre</u>	<u>12.22</u>	<u>12.22</u>	<u>12.22</u>
<u>Minimum plot area per unit</u>	<u>3,300 square feet</u>		
<u>Maximum Structure Height</u>	<u>35 feet</u>		
<u>Minimum plot width</u>	<u>Note A</u>		
<u>Minimum floor area per dwelling unit</u>	<u>800 square feet</u>	<u>800 square feet</u>	<u>800 square feet</u>
<u>Minimum Front Yard</u>	<u>18 feet</u>	<u>18 feet</u>	<u>25 feet along all street sides consisting of three or more dwelling units.</u>
<u>Minimum side yard</u>	<u>5 feet up to 22 feet in height Where a building exceeds 22 feet in height, that portion of the building above 22 feet shall be set back an additional 1 foot per foot of additional height.</u>	<u>5 feet up to 22 feet in height Where a building exceeds 22 feet in height, that portion of the building above 22 feet shall be set back an additional 1 foot per foot of additional height.</u>	<u>5 feet See Section 47-39.A.6.F.</u>
<u>Minimum street side yard</u>	<u>10 feet</u>	<u>10 feet</u>	<u>10 feet</u>
<u>Minimum rear yard</u>	<u>5 feet</u>	<u>5 feet</u>	<u>5 feet</u>
<u>Maximum plot Coverage</u>	<u>65%</u>	<u>40%</u>	<u>40%</u>

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Note A: Every individual plot shall have at least one (1) side, which has a minimum dimension of sixty (60) feet. The plot line, which provides access to the plot must be a minimum of nineteen (19) feet. The minimum plot size for all permitted nonresidential uses shall be one (1) net acre, with a minimum street frontage of one hundred fifty (150) feet, except that existing nonresidential buildings on plots which are less than one (1) net acre may be expanded provided the expansion meets all requirements for setbacks, off-street parking, landscaping, and all other development standards in effect at the time of site plan submittal for the expansion. Every individual plot used for nonresidential uses shall maintain a setback along any street side of at least thirty (30) feet in all residential zoning districts.

C. Table of Dimensional Requirements for RD-12.67 District

Requirements	One Family detached Dwelling	Two-Family Dwelling	Townhouse or Villa	Multi-family dwelling (three (3) or more dwelling)
Maximum density per net acre	<u>12.67</u>	<u>12.67</u>	<u>12.67</u>	<u>12.67</u>
Minimum plot area per unit	<u>3,300 square feet</u>	<u>3,300 square feet</u>	<u>3,300 square feet</u>	<u>3,300 square feet</u>
Maximum Structure Height	<u>35 feet</u>	<u>35 feet</u>	<u>35 feet</u>	<u>40 feet</u>
Minimum plot width	<u>Note A</u>	<u>Note A</u>	<u>Note A</u>	<u>Note A</u>
Minimum floor area per dwelling unit	<u>800 square feet</u>	<u>800 square feet</u>	<u>800 square feet</u>	<u>600 square feet</u> <u>400 (efficiency apartment)</u>
Minimum Front Yard	<u>18 feet</u>	<u>18 feet</u>	<u>18 feet</u>	<u>18 feet</u>
Minimum side yard	<u>5 feet up to 22 feet in height</u> <u>Where a building exceeds 22 feet in height, that portion of the building above 22 feet shall be set back an additional 1 foot per foot of additional height.</u>	<u>5 feet up to 22 feet in height</u> <u>Where a building exceeds 22 feet in height, that portion of the building above 22 feet shall be set back an additional 1 foot per foot of additional height.</u>	<u>5 feet</u> <u>See Section 47-39.A.6.F</u>	<u>5 feet</u>
Minimum street side yard	<u>10 feet</u>	<u>10 feet</u>	<u>10 feet</u>	<u>10 feet</u>
Minimum rear yard	<u>5 feet</u>	<u>5 feet</u>	<u>5 feet</u>	<u>5 feet</u>
Maximum plot Coverage	<u>65%</u>	<u>40%</u>	<u>40%</u>	<u>40%</u>

Note A: Every individual plot shall have at least one (1) side, which has a minimum dimension of sixty (60) feet. The plot line, which provides access to the plot must be a minimum of nineteen (19) feet. The minimum plot size for all permitted nonresidential uses shall be one (1) net acre, with a minimum street frontage of one hundred fifty (150) feet, except that existing nonresidential buildings on plots which are less than one (1) net acre may be expanded provided the expansion meets all requirements for setbacks.

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off-street parking, landscaping, and all other development standards in effect at the time of site plan submittal for the expansion. Every individual plot used for nonresidential uses shall maintain a setback along any street side of at least thirty (30) feet in all residential zoning districts. All individual plots used for multiple-family dwellings consisting of three (3) more dwelling units, or nonresidential uses shall maintain a side yard on each side of the plot not contiguous to a public or private street of at least twenty (20) feet.

D. Table of Dimensional Requirements for RM-16 District

<u>Requirements</u>	<u>One Family detached Dwelling</u>	<u>Two-Family Dwelling</u>	<u>Townhouse or Villa</u>	<u>Multi-family dwelling (three (3) or more dwelling)</u>
<u>Maximum density per net acre</u>	<u>16</u>	<u>16</u>	<u>16</u>	<u>16</u>
<u>Minimum plot area per unit</u>	<u>3,300 square feet</u>	<u>2,904 square feet</u>	<u>2,904 square feet</u>	<u>2,904 square feet</u>
<u>Maximum Structure Height</u>	<u>35 feet</u>	<u>35 feet</u>	<u>35 feet</u>	<u>40 feet</u>
<u>Minimum plot width</u>	<u>Note A</u>	<u>Note A</u>	<u>Note A</u>	<u>Note A</u>
<u>Minimum floor area per dwelling unit</u>	<u>800 square feet</u>	<u>800 square feet</u>	<u>800 square feet</u>	<u>600 square feet 400 square feet (efficiency apartment)</u>
<u>Minimum Front Yard</u>	<u>18 feet</u>	<u>18 feet</u>	<u>18 feet</u>	<u>18 feet</u>
<u>Minimum side yard</u>	<u>5 feet up to 22 feet in height Where a building exceeds 22 feet in height, that portion of the building above 22 feet shall be set back an additional 1 foot per foot of additional height</u>	<u>5 feet up to 22 feet in height Where a building exceeds 22 feet in height, that portion of the building above 22 feet shall be set back an additional 1 foot per foot of additional height</u>	<u>5 feet, See Section 47-39.A.6.F</u>	<u>5 feet</u>
<u>Minimum street side yard</u>	<u>10 feet</u>	<u>10 feet</u>	<u>10 feet</u>	<u>10 feet</u>
<u>Minimum rear yard</u>	<u>5 feet</u>	<u>5 feet</u>	<u>5 feet</u>	<u>5 feet</u>
<u>Maximum plot Coverage</u>	<u>65%</u>	<u>40%</u>	<u>40%</u>	<u>40%</u>

Note A: Every individual plot shall have at least one (1) side, which has a minimum dimension of sixty (60) feet. The plot line, which provides access to the plot must be a minimum of nineteen (19) feet. The minimum plot size for all permitted nonresidential uses shall be one (1) net acre, with a minimum street frontage of one hundred fifty (150) feet, except that existing nonresidential buildings on plots which are less than one (1) net acre may be expanded provided the expansion meets all requirements for setbacks, off-street parking, landscaping, and all other development standards in effect at the time of site plan submittal for the expansion. Every individual plot used for nonresidential uses shall maintain a setback

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along any street side of at least thirty (30) feet in all residential zoning districts. All individual plots used for multiple-family dwellings consisting of three (3) more dwelling units, or nonresidential uses shall maintain a side yard on each side of the plot not contiguous to a public or private street of at least twenty (20) feet.

E. Table of Dimensional Requirements for RM-33.5

<u>Requirements</u>	<u>One Family detached Dwelling</u>	<u>Two-Family Dwelling</u>		<u>Townhouse or Villa</u>	<u>Multi-family dwelling (three (3) or more dwelling)</u>
<u>Maximum density per net acre</u>	<u>33.5</u>	<u>33.5</u>		<u>33.5</u>	<u>33.5</u>
<u>Minimum plot area per unit</u>	<u>3,300 square feet</u>	<u>2,904 square feet</u>		<u>2,904 square feet</u>	<u>2,904 square feet</u>
<u>Maximum Structure Height</u>	<u>35 feet</u>	<u>35 feet</u>		<u>35 feet</u>	<u>55 feet</u>
<u>Minimum plot width</u>	<u>Note A</u>	<u>Note A</u>		<u>Note A</u>	<u>Note A</u>
<u>Minimum floor area per dwelling unit</u>	<u>800 square feet</u>	<u>800 square feet</u>		<u>800 square feet</u>	<u>600 square feet 400 square feet (efficiency apartment)</u>
<u>Minimum Front Yard</u>	<u>18 feet</u>	<u>18 feet</u>		<u>18 feet</u>	<u>18 feet</u>
<u>Minimum side yard</u>	<u>5 feet up to 22 feet in height Where a building exceeds 22 feet in height, that portion of the building above 22 feet shall be set back an additional 1 foot per foot of additional height</u>	<u>5 feet up to 22 feet in height Where a building exceeds 22 feet in height, that portion of the building above 22 feet shall be set back an additional 1 foot</u>		<u>5 feet</u>	<u>5 feet</u>
<u>Minimum street side yard</u>	<u>10 feet</u>	<u>10 feet</u>		<u>10 feet</u>	<u>10 feet</u>
<u>Minimum rear yard</u>	<u>5 feet</u>	<u>5 feet</u>		<u>5 feet</u>	<u>5 feet</u>
<u>Maximum plot Coverage</u>	<u>65%</u>	<u>40%</u>		<u>40%</u>	<u>40%</u>

Note A: Every individual plot shall have at least one (1) side, which has a minimum dimension of sixty (60) feet. The plot line, which provides access to the plot must be a minimum of nineteen (19) feet. The

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minimum plot size for all permitted nonresidential uses shall be one (1) net acre, with a minimum street frontage of one hundred fifty (150) feet, except that existing nonresidential buildings on plots which are less than one (1) net acre may be expanded provided the expansion meets all requirements for setbacks, off-street parking, landscaping, and all other development standards in effect at the time of site plan submittal for the expansion. Every individual plot used for nonresidential uses shall maintain a setback along any street side of at least thirty (30) feet in all residential zoning districts. All individual plots used for multiple-family dwellings consisting of three (3) more dwelling units, or nonresidential uses shall maintain a side yard on each side of the plot not contiguous to a public or private street of at least twenty (20) feet.

Note B: Every individual plot used for multiple-family dwellings consisting of three (3) or more dwelling units shall maintain a setback along all street sides of at least twenty-five (25) feet.

All individual plots used for multiple-family dwellings consisting of three (3) more dwelling units, or nonresidential uses shall maintain a side yard on each side of the plot not contiguous to a public or private street of at least twenty (20) feet.

F. Specific Use Requirements:

(1) Common Open Space. For each net acre of property reflected in a subdivision plat or site plan for construction of one-family, two-family or townhouse dwellings in RS-3.52, RS-6.70, RS-6.85A and RS-6.85B and RM-12.67 to RM-33.5 submitted for plat review after the effective date of this article, common open space for active or passive recreation areas or water retention areas shall be reserved and supplied as follows:

- (a) For each net acre of property reflected in a subdivision plat or site plan, a minimum of thirteen thousand five hundred sixty (13,560) square feet of plot area;
- (b) For plots containing less than one (1) net acre, a minimum of twenty (20) percent of the plot area;
- (c) For lots platted prior to the effective date of this article or recorded in the public records as an individual plot, no common open space shall be required, provided the lots are not further subdivided.
- (d) A reduction in the size of such reserved areas shall be permitted for one-family, two-family or townhouse dwelling developments if one (1) or more individual plots are increased above minimum plot area at a ratio of one (1) square foot increase in residential plot area to one (1) square foot decrease in common open space area.
- (e) Such areas must be specifically delineated on the recorded subdivision plat or approved site plan and shall be conveyed by any of the following procedures:
 - 1. The acceptance of a deed to such land by the City of Fort Lauderdale.
 - 2. The sale, lease or other disposition of such property to a nonprofit corporation, such as a homeowners association, chartered under the laws of Florida, to administer and maintain the facilities and land or water areas.
 - 3. The inclusion of a portion of said property in the deeded lots or descriptions of individual purchasers subject to an acceptable deed restriction limiting that portion to the use outlined in the approved site plan and recorded in the public records. Access rights for all residents within the development shall be guaranteed.

(2) Townhouses:

- a. Side yards shall not be required on any common party wall plot line.

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- b. Where a building abuts a one family detached or duplex/two-family dwelling, where a building exceeds 22 feet in height, that portion of the building above 22 feet shall be set back an additional 1 foot per foot of additional height.

(3) Zero lot line developments:

- a. On any two (2) or more plots which meet the minimum area stated in this article, one-family detached dwellings and accessory buildings may be located on a side plot line, provided the sum of both required side yards exists on the opposite side plot line.
- b. No openings of any kind shall be permitted on the side of any building directly abutting and running parallel to the zero yard side of the plot. No encroachments of any kind, including roof overhangs, shall be permitted on any adjoining property.
- c. Zero lot line development shall require submission, approval and recordation of a subdivision plat indicating the area and dimension of each lot and specifically indicating that a minimum five (5) feet wide maintenance easement, in favor of the adjoining property owner, shall be provided on each lot adjacent to the zero lot line side of each lot. The subservient property owner shall not place any landscaping or other obstruction in the maintenance easement which would interfere with reasonable access to the easement for maintenance purposes. Such subdivision plats shall also meet all applicable requirements of the ULDR.
- d. At no time shall a zero lot line development be approved which would allow a residential structure to be placed on a plot line that directly abuts land held in separate ownership, which is not developed or intended to be developed utilizing the zero lot line concept.

A. Plot size.

- (1) ~~The minimum plot area per dwelling unit in residential zoning districts shall be as follows, provided common open space is provided in compliance with Section 47-39.A.6.C. of this Code:~~

Min. plot area per unit	
District	in square feet
RS-3.52	40,000
RS-6.70	7,500
RS-6.85	6,000
RD-12.22	3,300
RM-12.67	3,300
RM-16	3,300 (1 family detached)
	2,904 (all others)
RM-33.5	3,300 (1 family detached)
	2,904 (all others)

~~Every individual plot shall have at least one (1) side, which has a minimum dimension of sixty (60) feet. The plot line, which provides access to the plot must be a minimum of nineteen (19) feet.~~

- (2) ~~The minimum plot size for all permitted nonresidential uses shall be one (1) net acre, with a minimum street frontage of one hundred fifty (150) feet, except that existing nonresidential buildings on plots which are less than one (1) net acre may be expanded provided the~~

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expansion meets all requirements for setbacks, off-street parking, landscaping, and all other development standards in effect at the time of site plan submittal for the expansion.

B. ~~Plot coverage.~~ The combined area occupied by all buildings and roofed structures shall not exceed the following maximum percentages of any individual plot:

District	Maximum Coverage
RS 3.52, RS 6.70, RS 6.85A and RS 6.85B	40%
RD 12.22, RM 12.67 to RM 33.5	65% for 1 family detached, 40% for all other uses

C. ~~Common open space.~~

(1) ~~For each net acre of property reflected in a subdivision plat or site plan for construction of one-family, two-family or townhouse dwellings in RS 3.52, RS 6.70, RS 6.85A and RS 6.85B and RM 12.67 to RM 33.5 submitted for plat review after the effective date of this article, common open space for active or passive recreation areas or water retention areas shall be reserved and supplied as follows:~~

- (a) ~~For each net acre of property reflected in a subdivision plat or site plan, a minimum of thirteen thousand five hundred sixty (13,560) square feet of plot area;~~
- (b) ~~For plots containing less than one (1) net acre, a minimum of twenty (20) percent of the plot area;~~
- (c) ~~For lots platted prior to the effective date of this article or recorded in the public records as an individual plot, no common open space shall be required, provided the lots are not further subdivided.~~

(2) ~~A reduction in the size of such reserved areas shall be permitted for one-family, two-family or townhouse dwelling developments if one (1) or more individual plots are increased above minimum plot area at a ratio of one (1) square foot increase in residential plot area to one (1) square foot decrease in common open space area.~~

(3) ~~Such areas must be specifically delineated on the recorded subdivision plat or approved site plan and shall be conveyed by any of the following procedures:~~

- (a) ~~The acceptance of a deed to such land by the City of Fort Lauderdale.~~
- (b) ~~The sale, lease or other disposition of such property to a nonprofit corporation, such as a homeowners association, chartered under the laws of Florida, to administer and maintain the facilities and land or water areas.~~
- (c) ~~The inclusion of a portion of said property in the deeded lots or descriptions of individual purchasers subject to an acceptable deed restriction limiting that portion to the use outlined in the approved site plan and recorded in the public records. Access rights for all residents within the development shall be guaranteed.~~

D. ~~Height.~~ No building or structure, or part thereof, shall be erected or altered to exceed the maximum height of two (2) stories: scenery lofts, towers, cupolas, steeples and domes, not exceeding in gross area, at a maximum horizontal section, thirty (30) percent of the roof area, and flag poles, airplane beacons, broadcasting towers, antenna, chimneys, stacks, tanks and roof structures used for ornamental or mechanical purposes, may exceed the permissible height limit in any district by not more than twenty five (25) percent. Parapet walls may extend not more than five (5) feet above the allowable height of a building. (Inserted from Broward County Code 39-103 entitled "Exclusions from height limits").

RM 12.67 to RM 33.5	4 stories
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E. ~~Front yard.~~

(1) ~~Every individual plot shall maintain a front yard as follows:~~

District	Front Yard
RS 3.52, RS 6.70, RS 6.85A and RS 6.85B	25 feet
RD 12.22	Eighteen (18) feet for one family or two family dwellings, twenty five (25) feet along all street sides for multiple family dwellings consisting of three (3) or more dwelling units
RM 12.67 to RM 33.5	18 feet

(2) ~~Every individual plot used for nonresidential uses shall maintain a setback along any street side of at least thirty (30) feet in all residential zoning districts.~~

(3) ~~Every individual plot used for multiple family dwellings consisting of three (3) or more dwelling units shall maintain a setback along all street sides of at least twenty five (25) feet.~~

F. ~~Side yards.~~

(1) ~~Every individual plot used for one family or two family dwellings shall maintain side yards as follows:~~

District	Side Yard
RS 3.52, RS 6.70, RS 6.85A and RS 6.85B	7.5 feet
RD 12.22, RM 12.67 to RM 33.5	5 feet

(a) ~~Street side yards:~~

District	Street Side Yard
RS 3.52, RS 6.70, RS 6.85A and RS 6.85B	15 feet
RD 12.22, RM 12.67 to RM 33.5	10 feet

(b) ~~Zero lot line developments:~~

1. ~~On any two (2) or more plots which meet the minimum area stated in this article, one family detached dwellings and accessory buildings may be located on a side plot line, provided the sum of both required side yards exists on the opposite side plot line.~~
2. ~~No openings of any kind shall be permitted on the side of any building directly abutting and running parallel to the zero yard side of the plot. No encroachments of any kind, including roof overhangs, shall be permitted on any adjoining property.~~
3. ~~Zero lot line development shall require submission, approval and recordation of a subdivision plat indicating the area and dimension of each lot and specifically indicating that a minimum five (5) feet wide maintenance easement, in favor of the adjoining property owner, shall be provided on each lot adjacent to the zero lot line side of each lot. The subservient property owner shall not place any landscaping or other obstruction in the maintenance easement which would interfere with reasonable access to the easement for maintenance purposes. Such subdivision plats shall also meet all applicable requirements of the ULDR.~~

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4. ~~At no time shall a zero lot line development be approved which would allow a residential structure to be placed on a plot line that directly abuts land held in separate ownership, which is not developed or intended to be developed utilizing the zero lot line concept.~~

~~(c) Townhouses: Side yards shall not be required on any common party wall plot line.~~

~~(2) All individual plots used for multiple family dwellings consisting of three (3) more dwelling units, or nonresidential uses shall maintain a side yard on each side of the plot not contiguous to a public or private street of at least twenty (20) feet.~~

~~G. Rear yard.~~

~~(1) All individual plots used for one family or two family dwellings shall maintain a rear yard as follows:~~

District	Rear Yard
RS 3.52, RS 6.70, RS 6.85A and RS 6.85B	15 feet
RD 12.22, RM 12.67 to RM 33.5	5 feet

~~H. Minimum floor area of dwelling units. The following minimum floor areas per dwelling unit shall be provided:~~

District	Minimum Floor Area per Dwelling Unit
RS 6.70	1,000 square feet (City RS-8 Requirements)
RS 3.52, RS 6.85A, RS 6.85B, RD 12.22	800 square feet
RM 12.67 to RM 33.5	800 square feet (1 family) 600 square feet (multiple family) 400 square feet (efficiency apt.)

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To: [Karlanne Devonish](#)
Cc: [Stephen Conte](#); jeri.anderton@yahoo.com; divyananda.saraswati@gmail.com
Subject: [EXTERNAL:CAUTION!]- Support for Building Height Amendments in Chula Vista Isles
Date: Wednesday, July 5, 2023 1:58:46 PM
Attachments: [image.png](#)
[image.png](#)

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Dear Urban Design and Planning Division,

I am writing to express my support for the proposed Building Height Amendments in Chula Vista Isles. As the President of Chula Vista Isles, I am pleased to inform you that the residents of our community endorse these amendments. Furthermore, in light of the recent flooding event in April 2023, implementing these amendments will enable residents to proactively mitigate future flood risks by elevating their homes.

Chula Vista Isles is a close-knit residential neighborhood that prides itself on its unique character, picturesque landscapes, and harmonious atmosphere. We believe it is crucial to maintain these qualities while embracing thoughtful and well-planned growth. Therefore, I commend the proposed amendment, which aims to establish height dimensional standards in feet instead of stories. This change will contribute to the preservation of our neighborhood's identity and align future development with our shared vision.

Furthermore, these amendments will foster fairness and predictability in our zoning regulations, benefiting both residents and developers. They will establish clear and consistent guidelines, encouraging responsible growth that respects our neighborhood's scale and character. I am confident that these amendments will create an environment that supports sustainable practices, preserves property values, and protects the long-term interests of homeowners in Chula Vista Isles.

Thank you for your attention to this matter. If you require any further information, please do not hesitate to contact me. I appreciate your dedication to serving our community and we look forward to inviting you to one of our meetings.

Sincerely,

Adina Victor

President of Chula Vista Isles



**LAUDERDALE ISLES
CIVIC IMPROVEMENT ASSOCIATION, Inc.**

PO Box 121255, Fort Lauderdale, FL 33312
www.ourlicia.com

Nonprofit
Organization
Since 1959

March 15, 2023

Ms. Karlanne Grant, AICP
City of Fort Lauderdale
Urban Design and Planning Division
700 NW 19th Avenue
Fort Lauderdale, FL 33311

RE: Lauderdale Isles Civic Association Board Meeting – Motion Supporting a Building Height Code Change for the Annexed Area

Dear Ms. Grant:

At the February 23, 2023 Lauderdale Isles Civic Association (LICA) Board Meeting, Lauderdale Isles resident Eric Silva made a presentation to the LICA Board regarding building height limits and his plans to build a new home. He explained that zoning staff did not approve his building permit application because of the staff interpretation of a 20-foot height limit.

Mr. Silva also presented height limits in other areas of Fort Lauderdale and other cities in Broward County. After discussion on the issue, the Board unanimously approved a motion supporting a code change to limit building height to two stories and less than 30 feet, including parapet walls.

Feel free to contact me with any questions.

Earl Prizlee, President
Lauderdale Isles Civic Improvement Association

From: [Jack Brown](#)
To: michellehemple@gmail.com
Cc: [Karlanne Devonish](#)
Subject: [EXTERNAL:CAUTION!]- RE: ULDR Height Amendment for Residential Districts in Annexed Areas
Date: Tuesday, July 11, 2023 10:58:30 AM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)

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~~Wonderful, thank you!~~

~~Please reach out to Karlanne Devonish with a support letter, she is copied on this email.~~

~~Sincerely,~~



~~Jack Brown~~

~~Partner / Designer~~

~~O: 954.713.6101~~

~~M: 954.610.4747~~



~~ARCHITECTURE | MASTER PLANNING | AA26002322~~

~~2801 SW 3rd Ave, Unit F8, Fort Lauderdale, FL 33315~~

From: Michelle Hemple <michellehemple@gmail.com>

Sent: Tuesday, July 11, 2023 10:56 AM

To: Jack Brown <jackb@gbmarchitecture.com>

Subject: Re: ULDR Height Amendment for Residential Districts in Annexed Areas

We support the amendment as well. I would LOVE to do an addition on my home!!!!

Michelle Hemple

MichelleHemple@gmail.com

954-914-8369

~~On Tue, Jul 11, 2023 at 10:53 AM Jack Brown <jackb@gbmarchitecture.com> wrote:~~

~~Michelle,~~

~~Thank you so much for the response. I just received a text back from Cole. Hopefully, I will speak to him soon and get his support. Our Chula Vista HOA is already in support of this much needed~~

From: [Melrose Park](#)
To: [Karlanne Devonish](#)
Subject: [EXTERNAL:CAUTION!]- Response from Melrose Park Homeowners Association. TO / ULDR Height Amendment for Residential Districts in Annexed Areas
Date: Wednesday, November 29, 2023 11:41:45 AM

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Hello Karlanne,
Please see below.

Response from Melrose Park Homeowners Association

To: Karlanne Devonish
Principal Urban Planner

Thank you for attending our September 28, 2023 homeowners association meeting. The presentation regarding ULDR Height Amendment for Residential Districts in Annexed Areas was very informative and the residents asked an assortment of questions in regards to how this will affect our neighborhood and impact their quality of life.

As a result of the questions and clarifications presented, the attending homeowners **rejected** the City's proposal.

Listed below are the homeowners who were in attendance:

Linda Dawkins
Ionie Hume
Jamie DeGale
Godfrey Johnson
Ed Parke
Bev Kemp
Yolanda Spence
Virina Tinder

Bevon Petit
Johnny Marshall
Elizabeth Picoe
Janet Jeffrey
Lezlye Williams
Steven Davis
Donna Guthrie

Donna Guthrie
President
Melrose Park HOA
melroseparkhoa@yahoo.com

CITY OF FORT LAUDERDALE
PLANNING AND ZONING BOARD ACTING AS THE LOCAL PLANNING AGENCY
(LPA)
NOTICE OF PUBLIC HEARING
AMENDMENTS TO THE UNIFIED LAND DEVELOPMENT REGULATIONS (ULDR)

NOTICE IS HEREBY GIVEN that the Planning and Zoning Board acting as the Local Planning Agency (LPA) of the City of Fort Lauderdale, as well as the Planning and Zoning Board, shall hold a public hearing on WEDNESDAY, FEBRUARY 21, 2024 at 6:00 PM or as soon thereafter as the same may be heard in person at the Development Services Department building, 700 NW 19TH Avenue, Fort Lauderdale, Florida, and broadcasted on the City's local government access channel FLTV at: www.fortlauderdale.gov/fltv to amend the City of Fort Lauderdale Unified Land Development Regulations, (ULDR) as follows:

Case **UDP-T24002** is an amendment to Section 47-39 of the Unified Land Development Regulations entitled "Development Regulations for Annexed Areas" to update the height and measurement requirements of the zoning districts.

SPECIFICALLY:

AMENDING SECTION 47-39.A.2 ENTITLED "DEFINITIONS AND MEASUREMENTS" AND SECTION 47-39.A.6 ENTITLED "DIMENSIONAL REQUIREMENTS."

****AGENDA ITEMS MAY BE TAKEN OUT OF ORDER TO ACCOMMODATE PUBLIC COMMENT OR AS THE BOARD DEEMS NECESSARY. ALL APPLICANT(S), AGENT(S), AND ANYONE WHO WISHES TO SPEAK ON ANY ITEM ON THE AGENDA, MUST BE PRESENT AT THE BEGINNING OF THE MEETING DUE TO THE POSSIBILITY THAT AGENDA ITEMS MAY BE TAKEN OUT OF ORDER. ****

All interested persons may appear at said meeting and be heard with respect to the proposed amendments. Information on this amendment may be obtained from the Development Services Department, Urban Design & Planning Division, 700 N.W. 19 Avenue, Fort Lauderdale, Florida, during normal business hours.

David R. Soloman, City Clerk
City of Fort Lauderdale

If any person decides to appeal any decision made with respect to any matter considered at this public meeting or hearing, he/she will need a record of the proceedings, and for such purpose, he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

If you desire auxiliary services to assist participating in the meeting, or in viewing or hearing the meetings or reading agendas and minutes for the meetings, please contact the City Clerk at 954-828-5002 at least 48 hours prior to the meeting, and arrangements will be made to provide these services for you. A turnkey video system is also available for your use during this meeting.

Publish on **February 09, 2024**, as a legal classified ad.

Please provide proof to nmartin@fortlauderdale.gov

And Affidavit of Publication to: City of Ft. Lauderdale
700 NW 19th Avenue
Fort Lauderdale, FL 33311

cc: City Clerk
Finance AIP
Planner
Case File