



Geil S. Bilu, Esq.

Macarena Santos, Esq.

REAL ESTATE LAW • BUSINESS LAW • IMMIGRATION LAW

June 7, 2019

Via Federal Express

City of Oakland Park
ATTN: Planning and Zoning Division
5399 North Dixie Highway
Oakland Park, FL 33334

RE: Stevenville, LLC- Variance Application
Folio No: 494223031532

To Whom It May Concern:

In regards to the above-referenced property, attached please find:

- Development Permit Application
- Application for a Variance
- Letter of Authorization
- Written Narrative
- Application Fee of \$520

Please feel free to contact me with any additional questions.

Sincerely,


Geil S. Bilu
Attorney at Law

RECEIVED

JUL 8 2019

City of Oakland Park
Planning & Zoning Division

2760 W Atlantic Blvd., Pompano Beach, FL 33069
Telephone: 954-580-2092 ~ Facsimile: 954-427-1518
Email: gbilu@focused-legal.com

DEVELOPMENT PERMIT APPLICATION

The type of development permit(s) for which this form is applicable to as well as the corresponding fee schedule are described on Pages 5-7. Mandatory application documents and the required ancillary attachments for each type of request are on Pages 8-10. **Prior to the submission of an application, the applicant must contact the Planning and Zoning Division for an appointment at 954-630-4572.**

STAFF USE ONLY

Date Submitted:	Case No. CD19-16V
Project Name:	
Folio No(s):	

GENERAL DATA - COMPLETE ALL SECTIONS

Address of property: 1383 NE 34th CT	
Legal Description: (or attach description) - Attached	
Gross Acres: 0.2	Net Acres: 0.2
Title to this Property has been held since: 12/3/15	Existing Zoning: R-1
Existing Use of Property [include no. and sq. ft. of existing structure(s)]: Vacant	
Proposed Use of Property (include no. and sq. ft. of proposed structure(s)): Dwelling Unit compliant with zoning	
Type of Development Permit(s) requested: N/A - Variance	

OWNER/APPLICANT INFORMATION

(The undersigned has reviewed all instructions concerning the application and understands the application must be complete and accurate prior to staff review or Public Hearing(s). **Attach proof of ownership and owner's authorization for representative.**

Name of Property Owners: Stevenville, LLC		Title:
Address: 260 South Osceola Ave, #802		
City: Orlando	State: FL	Zip Code: 32801
Phone: (407) 267-9089		(954) 929-5065
Signature: <i>[Signature]</i>		Signature: <i>[Signature]</i>
Email Address: Jguillermoburgos@gmail.com		Email Address: Paul.W.Faria@aol.com
Name of Applicant's Representative: Reil S. Blum, Esq.		
Address: 2760 W Atlantic Blvd		
City: Pompano Beach	State: FL	Zip Code: 33069
Office Phone: (954) 580-2092	Cell Phone: (954) 254-1198	
Email Address: gblum@focused-legal.com		

RECEIVED

JUL 8 2019

City of Oakland Park
Planning & Zoning



RECEIVED

JUL 8 2019

City of Oakland Park
Planning & Zoning Division

5399 N. Dixie Highway, Suite 3 • Oakland Park, Florida 33334 • www.oaklandparkfl.gov

APPLICATION FOR A VARIANCE

1. In accordance with §24-232 of the Oakland Park Land Development Code, you may file an application for a variance if:
 - a. Special conditions and circumstances exist affecting the land, structure or building involved preventing the reasonable use of said land, structure or building.
 - b. That the circumstances which cause the hardship are peculiar to the property, or to such a small number of properties that they clearly constitute marked exceptions to other properties in the district.
 - c. That the literal interpretation of the provisions of the Land Development Code would deprive the applicant of a substantial property right that is enjoyed by other property owners in the district. It is of no importance whatever that the denial of the variance might deny to the property owner some opportunity to use the property in a more profitable way, or to sell it at a greater profit than is possible under the terms of the Land Development Code.
 - d. That the hardship is not self-created or the result of mere disregard for, or ignorance or, the provisions of this chapter.
 - e. That the variance is the minimum variance that will make possible the reasonable use of the property, and that the variance will be in harmony with the general purposes and intent of this chapter and will not be injurious to the neighborhood, or otherwise detrimental to the public welfare.
 - f. That granting the variance requested will not be detrimental to the adjacent property or adversely affect the public welfare. No nonconforming use of neighboring lands, structures or buildings in the same district, and no permitted use of land, structures or buildings in other districts shall be grounds for the issuance of a variance.
 - g. Under no circumstances shall the Board of Adjustment recommend a variance to permit use not generally permitted in the district involved, or any use expressly or by implication prohibited by the terms of the Land Development Code in said district.
2. Two (2) public hearings are required: one before the Board of Adjustment and one before the City Commission. Please note there are advertisements required.
3. Public notice signs must be posted on your property prior to both the board of Adjustment and City Commission hearing. Public notice signs and affidavits of posting will be provided by the City.
4. You or your appointed representative will be responsible for presenting your case and answering any questions directed to you at both the Board of Adjustment and the City Commission hearing.

PLEASE ATTACH A STATEMENT IN RESPONSE TO THE QUESTIONS BELOW:

- Specify the regulations from which you seek a variance.
- Briefly describe why the regulations will not permit your project to proceed.
- Describe the special conditions or justification for your request.
- Explain how you have attempted to comply with the regulations and why your request is the minimum variance.

Paul W. Farin
Owner/Applicant Signature

5/31/19
Date

RECEIVED

JUL 8 2019

**City of Oakland Park
Planning & Zoning Division**

May 31, 2019

City of Oakland Park
5399 North Dixie Highway
Oakland Park, FL 33334

RE: Stevenville LLC- Variance Application
Folio No: 494223031532

To Whom It May Concern:

Please be advised that Stevenville, LLC hereby authorizes Geil S. Bilu Esq. of Focused Legal Solutions to apply for a variance for the above referenced property with the City of Oakland Park.

Sincerely,



Paul Farin
Manager

RECEIVED

JUL 8 2019

**City of Oakland Park
Planning & Zoning Division**



Geil S. Bilu, Esq.

Macarena Santos, Esq.

REAL ESTATE LAW • BUSINESS LAW • IMMIGRATION LAW

June 7, 2019

City of Oakland Park
5399 North Dixie Highway
Oakland Park, FL 33334

RE: Stevenville, LLC- Variance Application
Folio No: 494223031532

To Whom It May Concern:

Please be advised that the undersigned attorney has been retained by Stevenville LLC to request a variance from the City of Oakland Park ("the City") for the above referenced property ("the Property"). The owner of the Property, Stevenville, LLC ("Stevenville") purchased the Property with the intent of constructing a new dwelling consistent with the surrounding R-1 and R-2 properties, but is unable to do so as the Property cannot be considered a "lot" under a literal reading of Section 24-245 (53) of the Municipal Code of Ordinances of the City of Oakland Park ("the City Code").

Prior to filing this application for a variance, Stevenville had been working with the City in order to obtain site plan approval to construct a new dwelling on the Property. Pursuant to Section 24-245 (53) of the City Code, in order to be designated as a "lot", the subject parcel must, among other requirements, have frontage on a street. The Property is, for lack of a better word, landlocked, and surrounded by other R-1 and R-2 parcels. In an effort to qualify the Property as a lot, Stevenville, which also owns the parcel directly to the south of the Property, recorded a Private Access and Utility Easement on July 19, 2018 providing for perpetual access to the Property from NE 34th Court (see attached Exhibit A). This easement was prepared and recorded upon the advice of a City Employee, under the mistaken belief that creation of the easement would be sufficient to meet the street frontage requirement. Upon filing an application to rezone the Property to an R-2, Stevenville was informed that the Property could not be rezoned because it did not meet the definition of a "lot" under the City Code.

Since the Property is surrounded by other residential properties which all have existing structures on them, there is no reasonable use for the Property other than to build a dwelling which will conform to the surrounding uses. There are few, if any, other vacant parcels in the City that are completely surrounded by residential properties.

2760 W Atlantic Blvd., Pompano Beach, FL 33069
Telephone: 954-580-2092 ~ Facsimile: 954-427-1518
Email: gbilu@focused-legal.com



RECEIVED

JUL 8 2019

**City of Oakland Park
Planning & Zoning Division**

Geil S. Bilu, Esq.

Macarena Santos, Esq.

REAL ESTATE LAW • BUSINESS LAW • IMMIGRATION LAW

Because of this unique situation a literal interpretation of the definition of a “lot” would render the Property useless, and in essence a proverbial White Elephant for Stevenville, who would not be able to make any beneficial use of it. By granting this variance, the City will not only allow for Stevenville, to use the property beneficially, but will also be doing its part to add additional affordable housing to the City. Since the surrounding parcels are all similarly zoned, the use of the Property under the variance will be harmonious with general purposes of the City’s Land Development Code and will not be injurious to the neighborhood or public welfare, nor will it be detrimental to the interests of adjacent property owners. Quite the opposite, in fact; were the City not to grant this request for a variance, Stevenville would be forced to leave the property vacant which could potentially pose a hazard to surrounding neighborhood and would be detrimental to the interests of the surrounding property owners..

For the foregoing reasons, Stevenville is requesting that the city grant its request for a variance from Sec. 24-245 (53) and allow the Property to be considered a “lot” as the easement will allow for perpetual access to the street for any owner or resident of the Property, without the Property having actual frontage.

Please feel free to contact me with any additional questions.

Sincerely,

Geil S. Bilu
Attorney at Law