

**TOWN COUNCIL  
REGULAR MEETING  
MAY 2, 2001**

**1. PLEDGE OF ALLEGIANCE**

The meeting was called to order at 7:00 p.m. by Mayor Venis and was followed by the Pledge of Allegiance.

**2. ROLL CALL**

Present were Mayor Venis, Vice-Mayor Paul and Councilmembers Clark, Starkey and Truex. Also present were Town Administrator Willi, Town Attorney Kiar (left at 11:46 p.m.) Counsel Tom Connick (arrived at 10:29 p.m.), and Assistant Town Clerk McDaniel recording the meeting. Town Clerk Muniz was absent.

**3. OPEN PUBLIC MEETING**

Mayor Venis advised the speakers of the Open Public Meeting procedures.

Donald DeLorme, Vice-President of Park City West - 10550 West State Road 84, presented a petition signed by 300 park residents in protest to the change in waste management fees which were the result of their annexation into the Town. The residents had previously been told that their fee would not change and he asked that this situation be readdressed. Mr. DeLorme indicated that the other parks had been represented in the article of annexation and Park City West should also have been. Mr. Kiar stated that this issue was looked into and indicated that the other parks were represented by legal counsel at the time of their annexation. He advised that the other parks had obtained agreements to keep their same waste management fees; however, the owner of Park City West did not seek the same agreement. Mayor Venis asked Mr. Kiar to look into this again.

Elliot Frimmer recommended a six-month moratorium on the construction of new cell towers and asked that areas be established where they could be built which would be safe for residents. He spoke about the water situation and proposed a plan to establish catch areas for rain water which provided for water to be used during a drought. Mr. Frimmer recommended a grid system throughout the State for transferring this rainwater when needed.

Cynthia Turni, 3100 West Rolling Hills Circle, felt that the cell towers were a large problem and residential areas needed to be protected from their construction. She referred to Cooper City's zoning, which allowed cell towers only in certain easement areas or city owned property.

Grover Cleveland Baron, 3100 West Rolling Hills Circle, spoke about the cell tower which his area fought against, resulting in another tower being built in the complex across the street. He asked Council to step in and alleviate this problem.

Arthur Hurley, 4601 SW 128 Avenue, stated that significant agricultural properties had recently been lost and spoke about the Nato Family Trust, which was a boarding farm for horses, as well as the Golden Shoe Ranch. He advised that the property appraiser denied the agricultural classification of both of these properties and they were going into development. Mr. Hurley stated that Vice-Mayor Paul had proposed a mitigation bank. He advised that he had attended an Open Space Advisory Committee meeting and asked Mr. Willi if staff was developing a policy to take present lands owned by Davie as open space, and turn parts of those properties into mitigation areas. Mr. Willi responded in the affirmative. Mr. Hurley felt this was a bad idea and encouraged Council to direct staff that mitigation must be retained on the site.

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Matthew Montgomery, 5740 SW 44 Street, stated that he volunteered many hours as head coach of the girls softball team. He discussed two occasions where he felt police had mistreated him. Mayor Venis asked Mr. Willi to have Police Chief John George look into this matter.

Katherine Montgomery, 5740 SW 44 Street, indicated that she was Matthew Montgomery's mother and felt the problem with the police mistreatment was serious. She stated a time when an officer raised his voice to her, and two other incidents where police officers had treated her family and her guests inappropriately.

Jeanette Davis, 4260 SW 56 Avenue, discussed incidents with her daughter and police officers who had stopped her many times. She felt that this harassment needed to be addressed and stopped.

Paul Salyers, 5601 SW 37 Street, advised that he had attempted to open a tattoo parlor and piercing salon but the Town's Code had created great hardships as there were no free standing buildings for lease. He objected to this occupation being lumped in with adult businesses and strip joints. Mr. Salyers wanted to know what he could do to open this shop and stated that Mr. Willi had suggested that there would need to be a change in the Town's Code in order for him to do so. Mr. Willi agreed to review this application with staff. Councilmember Clark asked Mr. Willi to keep her advised of what happened with this situation.

Richard Clark, 4141 SW 56 Avenue, felt that the Town had a problem with its police officers. He stated that an officer humiliated him during a practice session with kids on a field in the Town. Mr. Clark explained an incident in which a police officer confronted him and reached for his gun unnecessarily when Mr. Clark stepped back.

Doug Brown, 14730 SW 14 Street, stated that FP&L had allowed the phone companies to use their transmission lines as cell towers. He stated that towers did not have to be built in outlying areas.

Jay Stahl, 581 Surrey Circle West, suggested a proposed use fee for trails. Mr. Willi indicated that this issue was discussed at a recent Open Space Advisory Committee meeting. Public Works/Capital Projects Manager Bruce Bernard agreed that the use fee was discussed, however, there was no result.

Dave Kaplan, 7791 NW 33 Street, submitted a list of streetlights that were out. He thanked the Town for the striping that was done on his street and reminded all that when the Habitat Homes were added to their neighborhood, there was an agreement to not open NW 33rd Street. Mr. Kaplan asked if the plan could be put in the next Davie Update. Mr. Willi stated that the plan was available and it could be put in the next issue.

Dan Pignato, 6920 SW 56 Court, spoke about the safety issue of emergency vehicles gaining access to gated communities as the entry codes were frequently changed; however, police and fire rescue were not informed of the change. He requested a card reader be given to the Police and Fire Departments so that easy entry could be gained. Mr. Pignato suggested a large enough Town Hall that would accommodate its citizens, as there were several tonight who could not get in and were standing outside.

Jason Curtis, 3801 Flamingo Road, stated that taxpayers paid for the parks and he did not agree with the Town selling mitigation sites, but suggested that property be found for developers where natural wetlands already existed on the sites. Mr. Willi advised that staff was thinking about a program that would allow wetland mitigation to be done on some existing open space properties with the Town retaining ownership and control of the

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properties. He stated that the plan was to improve the open space property with partial wetland mitigation. Mr. Willi stated that the intent was to use the funds generated by the sale of these mitigation sites to purchase property to expand the acreage owned by the Town.

Mayor Venis advised that St. Bonaventure [item 9.5] and Parkway Christian [item 9.2] would be heard after the Presentation portion of the agenda.

**4. PRESENTATIONS**

**4.1 Under 11 Soccer Team**

Max Gross presented the Town with a trophy won by the team for winning the Green Division II Regional Cup. He thanked Parks Supervisor Mark Dornacker and the Parks and Recreation Department for administrating this program. Mr. Gross thanked the Town for its support and advised there were about 1,000 kids participating in the Town's soccer programs. He asked that space be given for more fields.

**4.2 Citizen Recognition - Michelle Scholls and Don Barfield**

Fire Chief Don DiPetrillo spoke about an incident in Southwest Ranches on March 6th where a vehicle had gone into the canal. He told of the actions of Michelle Scholls and Donald Barfield who worked together to free the driver trapped underwater and indicated that the driver was treated and had recovered. Mayor Venis presented Ms. Scholls and Mr. Barfield with certificates of recognition for their noble acts of heroism to protect the safety and welfare of this resident.

**4.3 Townwide Traffic Signals - Dan Arner**

**4.4 Interchange at Stirling Road and I-75 - Dan Arner**

Mayor Venis advised that these items would be heard at the May 16th meeting.

**4.5 Upcoming Special Events - Bonnie Stafiej and Dennis Andresky**

Bonnie Stafiej, Special Projects Director, advised that upcoming events included: Take A Kid Fishing (May 5th); Future of Wrestling at Bergeron Rodeo Grounds (May 12th); Name the Davie Bus Contest (May 16th); 5-Star Rodeo (May 26th); and Memorial Day Parade (May 31st).

Dennis Andresky, Parks and Recreation Director, announced that upcoming events included: registrations for Pine Island Adventure Camp, Summer Daze Program, Extreme Teen Program, and preschool program at Ivanhoe Community Center; Mother's Day Program (May 11th); youth flag football (registration - May 7th; program begins August 18th).

9.5 Mayor Venis swore in the witnesses. Mr. Katims summarized the planning report.

Development Services Director Mark Kutney read the planning report and asked Mayor Venis to direct staff to revisit the Code allowing a percentage of parking on grass areas for houses of worship.

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Mayor Venis cited an example where approval was given to a church that was in excess of the 45% grass area parking and the Code was to have been revisited at that time.

Father Ed Prendergast, representing the petitioner, explained the history of the church and the master plan proposed in 1985. He spoke about the parking challenge in taking care of the number of people that could attend various events and the significance of having a church structure identified as a church, which resulted in the importance of having the steeple.

Jeff Evans, also representing the petitioner, presented the site plan and explained the request. He stated that there were currently 251 paved spaces and the petitioner was requesting a minimum of 97 grass spaces, adding that another 93 grass spaces were being provided which were not required. Mr. Evans explained that putting the church on the corner of the lot would force the traffic flow toward the back of the site. He stated that there were a total of 441 spaces, although only 348 were required by Code. He pointed out the main entrance to the church and showed the main parking and overflow areas. Mr. Evans advised that the proposed steeple would face the campus, not the public and described the building as stucco with a tile roof. He explained the orientation of the building on the corner. Mr. Evans pointed out that all roof peaks met the Code, but he felt any church of significance needed a steeple, which was a symbol of the church. He spoke about the different local municipalities requirements and stated that the Town's Code restricted the height. Mr. Evans referred to the rendering showing the steeple with the cross on top and felt it was aesthetically pleasing and fit into the community.

Vice-Mayor Paul asked if the grass area was gated with Mr. Evans responding in the affirmative. Councilmember Truex asked about the number of students in the school which was 650.

Vice-Mayor Paul asked if there would be landscaping along the berm as she felt that people would want to drive over a small berm when leaving the parking area. Mr. Evans indicated there would be landscaping and the route for exiting the area directed cars to the front. All green space would remain green. Councilmember Starkey stated that keeping green spaces as they were would allow for the best drainage, as well.

Mayor Venis asked if anyone wished to provide testimony in favor of or opposition to the issue.

Art Denunzio, 5200 King Arthur Avenue, felt the proposed construction was in good taste and advised that the building design was carefully chosen from several styles. He felt that the steeple identified the church and the church itself would be an asset to the community. Mr. Denunzio advised that the grounds and landscaping would be maintained.

Dan Pignato, 6920 SW 56 Court, spoke in favor of the church and its importance to the community, stating that the church had given much to the local families. He felt the steeple was important.

Joy Yoder, 12610 SW 13 Manor, was sworn in. She expressed concern with the plans for parking as it could result in people driving over the sidewalk on 136th Avenue. Ms. Yoder pointed out that overflow parking had caused damage to the sidewalk and this became a serious problem to those using it. She added that this was part of the recreational trail system. Ms. Yoder did not feel the height of the steeple was a problem, but lighting the steeple should be low key so it would not light up the homes of local residents.

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Bill Parcel, 12500 SW 12 Street, spoke in favor of the church and school and felt it was a true asset to the community.

Stan Olesiewicz, 14400 SW 20 Street, did not understand why variances were required since impact fees were already paid. He agreed that the grass parking was a great benefit to drainage and the parking for school and church would occur on different days. Mr. Olesiewicz suggested that the steeple would not be a visual detriment to the neighborhood, but the four concrete transmission poles along the property line were a detriment. They extended eight to ten feet beyond the proposed height of the steeple. He asked that the variance be approved.

Mary Godwin, 1401 SW 139 Avenue, spoke in favor of the church, stating that the resulting traffic did not bother her. She felt a beautiful steeple was important to the church and asked Council to approve.

John Moody, 13700 Roanoke Street, asked Council to approve.

Jaquelyn Augustine felt the church would be a great asset.

Bob Muccio, 13501 SW 14 Place, felt that the section of land that the church and school were on was overused. He stated that there was much traffic congestion and he spoke about Easter day when the parking was along both sides of 14th Street. Mr. Muccio stated that the steeple equaled the height of a nine-story building and felt it looked good in the renderings. He was concerned that a fire truck or emergency vehicle could not get through the parking areas. Mr. Muccio's main objection was that 14th Street needed to be kept clear and presented pictures of the traffic to Council.

John Pisula, 2933 SW 136 Avenue, stated that other communities allowed even more green space. He felt that there was ample parking available and the church was important to be better neighbors and asked for Council's support.

Frank Ragonese, 1401 SW 136 Avenue, spoke in support and indicated that though he lived across the street from the church, the extra traffic was not a problem. He indicated that he would allow his kids to cross the street even during these times of congestion and asked that Council support the church and the community. Mr. Ragonese indicated that the church was approved in 1985 and he would be glad to see the steeple from his home.

Kirk Lenzen, 13720 SW 14 Street, indicated that he did not have a problem with the request.

Mayor Venis closed the public hearing.

Mr. Evans stated that the plan was for low lighting at night on the church. The overall lighting plan included lights on the ball fields as well, which they intended to keep. He spoke about the cracked sidewalk and felt that this was placed over solid muck, which could not be compressed and did not properly support the sidewalk. Mr. Evans stated that parishioners would not be driving over the berm as the fence and the building were in the way.

Mayor Venis felt that the extra parking needed three or four times per year would be alleviated from 14th Street by the new design, as people would need to park on the property and indicated that he had spoken to Mr. Evans on this issue. He added that there was a similar variance in 1998 and the grass parking made sense for drainage. Mayor Venis indicated that he was not opposed to the request.

Vice-Mayor Paul advised that she had spoken to Ms. Godwin and Mr. Ragonese. She stated that the light poles were probably taller than the steeple and her concerns with the parking were alleviated by the proposed plan. Vice-Mayor Paul stated it was an important

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consideration that the original location of the church was changed at the Town's request. She felt that the concerns indicated by the public would be addressed and she had no objection.

Councilmember Truex made a motion, seconded by Councilmember Starkey, to approve. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice-Mayor Paul - yes; Councilmember Clark - yes; Councilmember Starkey - yes; Councilmember Truex - yes. (Motion carried 5-0)

9.2 Mr. Kutney summarized the planning report. Mayor Venis swore in the witnesses.

Dick Hastings, representing the petitioner, introduced Pastor Terry Pisketel who presented petitions in favor to the Council, as well as a letter of support from Calvary Chapel which was marked as Exhibit 1. He explained the history, objectives, community activities, educational functions and racial composition of the church, which had been located in Davie for five years.

Arnold Ramos, also representing the petitioner, spoke of the need for this rezoning, stating that at the time of its move several years ago, the school had less than 200 children and had agreed to the deed restrictions that were in place at that time. He spoke about the original site plan showing the connection over the canal for pedestrian crossing, although the church was willing to fence that off. Mr. Ramos spoke about the Planning and Zoning Board meeting, the concerns expressed and the discussions with local homeowner's associations and the resulting decisions of the church to address the concerns. The concerns included cleaning the bank, signage and fencing of the lake area, which eradicated pedestrian traffic from 121st.

Mr. Kiar entered minutes from the Planning and Zoning Board and Council meetings from 1992 as Exhibit 2 into the record.

Mr. Ramos explained that the school was built in 1995 and in 1997-98, the parents began to ask the church to expand the school as the public schools were becoming overcrowded. He stated that if the request was approved, the church would meet with the homeowner's association on the site plan. Mr. Ramos added that the names on the petitions were mostly residents of Davie who were not members of the church. He indicated that the frontage road would be used for school traffic and added that the elementary school would start earlier, with 60% of the traffic going north.

Councilmember Truex asked if the minutes of the 1992 Planning and Zoning and Council meetings were available to the Planning and Zoning Board in their recent decision. Mr. Ramos indicated they were not, but were secured since then.

Vice-Mayor Paul asked how many church members were Davie residents. Mr. Ramos stated that 50% were residents and 50% of the children in the school were also residents. Vice-Mayor Paul questioned the traffic study done in 1992. Mr. Ramos indicated that a recent traffic study was done and he found 230 trips total, providing there was no school bus. He explained the route of the traffic.

Mayor Venis asked if anyone wished to provide testimony in favor of or opposition to the issue.

Linda McDaniel, Vice Chair of the Board for Parkway Christian Church, and Principal of Nova Eisenhower Elementary, emphasized the need for schools and spoke about legislation to limit the size of schools. She felt this school would be an asset to Davie.

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Danny Chapman, 3563 62 Avenue, member of the church and in favor of the school as it was a need.

Horace Bowman, 5560 SW 5 Street - Plantation, felt it was a great opportunity for families to provide this education for their kids.

Diane Bowman, 5560 SW 5 Street - Plantation, spoke in favor and asked Council to approve.

Lovelene Montanari, 13350 SW 7 Place, stated that more room was needed in schools and spoke in favor of the church and school.

Carol Heaston, 3100 West Wayside - Cooper City, spoke in favor.

Karon Ramos, 5681 SW 9 Street - Plantation, felt there had always been a need for the school and added that the concerns of the residents, children and parents had been carefully considered in the plans for this school.

Rolf Harms, 16300 Golf Club Road - Weston, felt the school would not negatively affect real estate values, as was mentioned in the paper. He felt the property values would improve.

Mike Rickadilly, 6881 West Wedgewood Avenue, discussed the need for more room in public and private schools throughout and asked Council to approve.

Maggie Rickadilly, 6881 West Wedgewood Avenue, spoke about the need for more space in public schools and hoped Council would approve.

Rene Peters, 2621 SW 110 Way, spoke in favor.

Ken Yost, 7280 NW 7 Court, Plantation, spoke in favor.

Sharon Goldstein, 1301 SW 118 Street, President of the Homeowner's Association of Village of Lake Pine, Phase II, spoke about the reasons the residents were opposed. She stated that traffic leaving Village of Lake Pine took many minutes, because of the traffic on State Road 84, and felt that the school would add to that traffic. Ms. Goldstein stated that this property had already had a variance granted, property values would not be enhanced, the property would not generate any taxes and the Town would be hit with the impact of having to provide services while the school would service families from other cities. The concerns of the homeowner's association included future construction in this area. She felt that since the petitioner had agreed to the restrictions, they should be held to it and asked Council to reject the request.

Councilmember Truex asked if 121st Avenue was a concern. Ms. Goldstein stated that 121st Avenue was their only way out and there were 256 families in the Village of Lake Pine, which meant they were already congested.

Cheryl Beale, 11903 SW 13 Court, indicated that this was not an attack on the church, but it was a legal issue. She referred to the declaration of restrictions and its limitations, which were agreed to in 1992. Ms. Beale indicated that the restrictions were actually accommodations to allow their current activities and the property was purchased with the knowledge of and agreement to these restrictions. She felt the additional traffic impact to 121st and State Road 84 and the noise of the school children were a detriment. Ms. Beale explained that there would be an impact to the horse trails because of the extra traffic and a negative impact to the homeowners in the area. She was opposed to the request and asked that Council uphold the Planning and Zoning Board's recommendation.

Libby Brien, 1211 SW 120 Way, submitted a petition in opposition to the request which was signed by the residents in the Village of Lake Pine II and which Mr. Kiar introduced into evidence. Ms. Brien felt that the expansion would negatively affect her property values

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and invade her peace and quiet. She added that the noise had been a factor in the past and indicated that there was no landscape buffer, which was promised. Ms. Brien spoke about a bridge which she felt was intended in the future to allow access by cars which would cross over from 121st. She stated that Mr. Ramos had failed to live up to previous promises and felt his tactics were devious and circumvented input by residents. Ms. Brien pointed out that the school was a business venture that would utilize Town resources and would not contribute to the tax base. She added that there were three other schools being built in the area and asked Council to deny.

Rhonda Huttleston, 7175 Orange Drive, stated that there was not a middle or elementary school being built and this school would offer relief for overcrowding. She felt it was very important to keep class sizes down because of the benefit for the children and indicated that she was in favor of the school.

Kathy Doreal, 6881 West Wedgewood Avenue, advised that she attended Western High School with 4,000 other students. She spoke in favor of the school as public school classes had too many students in each class for the teachers to even know their names.

Sylvia Weisz, 1211 SW 120 Way, explained that her house faced the expansion project and she was appalled that she should have to fight this project again. She indicated that she was not in favor.

Angelica Rondo, 1300 SW 18 Terrace, was against the request.

Sundar Thyagarajan 1216 SW 120 Way, stated that this issue was not about the church or against the church. He stated that he lived across the street and this request would affect the residents. Mr. Thyagarajan added that a 450-student school was not right for the community and if the number of students were reduced, he would be in favor.

Tim Podgwaite, 10740 SW 27 Street, stated that traffic would be a zoning issue and the Town needed the school. He stated that more parochial schools were needed, not just this one.

Shirley Podgwaite, 10740 SW 27 Street, suggested a specific traffic pattern. She stated that the community needed a school and a safe place where children could be nurtured.

Jacqueline Augustine, 1204 SW 118 Terrace, was not in favor due to the increased traffic and felt this was not fair to the people directly across from the school as they purchased their homes so they could see the horses.

Adele Epstein, 810 SW 119 Way, stated that leaving the development did not take fifteen minutes, but three minutes. She pointed out that there was not an elementary school being built in the area. Ms. Epstein stated that she watched the traffic at 121st Way and residents in Phase II were using the back entrance. Students were not dropped off at 121st Way, but were walked into the school by parents. She added that the school had won the Golden School Award for four years.

Roger Belmar, 11880 SW 13 Court, was not against education but was concerned with the increased congestion. He felt that this construction would affect the families in the area and their property values.

Judith Connell, 11907 SW 13 Court, spoke about the petitions being distributed both for and against. She also spoke about the increase in traffic, including buses and was concerned about the broken covenant. Ms. Connell stated that there was no other access for residents onto State Road 84 except 121st. She added that the equestrian trail was important

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to maintain and spoke about fast paced living, which she felt would cause parents to want to drop students off quickly on 14th Street. She advised that Lake Pines I and II were all against this project.

Sandra Weatherworks, 1160 SW 120 Way, spoke against the request, stating that the church was originally in Plantation and at some point in the future they may move if they did not get their way. She felt that they should stay with the plan they had when they moved into the community.

Janet DaSilva, 1160 SW 120 Way, stated that she moved to Davie several years ago because she was attracted to the school district. She felt that increased traffic was a big concern and suggested that parents would use the dirt road. Ms. DaSilva stated that the church would come back to add more grades, adding she was not in favor.

Karen Bowling, 1712 SW 43 Avenue, stated that she had heard the concerns but felt that it was important for her children to learn about God at a young age, which overshadowed other concerns. She was in favor.

Tricia Cavarra, 13888 SW 40 Street, spoke in favor, stating that the school offered family values and felt that traffic problems were the direct result of the growth in Broward County, which was tremendous, but this growth was not the school's fault.

Pamela Norwood, 310 NW 78 Avenue, reported that the newest schools in Broward County were over capacity as soon as they opened and the Broward County School Board did not have the capacity or the resources to build more than they had already committed to. Ms. Norwood felt that the proposed buffer and drainage were more than adequate and that parents did not use the back access road. She urged Council to support the request.

Lisa Cole, Weston, spoke in support and stated that schools were not about money as Parkway Christian was not for profit. She reported that her property was located near a public school that was at 200% capacity and the value of her property had increased. Ms. Cole felt that parents needed options and the community was fortunate to have this school.

Phil Harwick, 1205 SW 120 Way, spoke about the petitions presented by Mr. Ramos and felt it was important not to count those not living in the area. He stated that out of 21 speakers in support, 20 had not lived in Village of Lake Pines, but those in the Village were not in support. Mr. Harwick felt the covenants originally granted should stay in place and that the church would try to change the covenants again. He asked Council to deny.

Scott Clark spoke in favor of what the school had been accomplishing and was in favor of the church in general.

Ed Leyland, 1300 SW 120 Way, agreed that overcrowding was a problem, additional schools were needed and church was the way to go, but felt that the school proposed would not be adequate for the area they had chosen. He added that this school would grow and additional property would be needed. Mr. Leyland asked Council to consider rejecting this proposal.

Nikki Koski, 5907 SW 112 - Cooper City, spoke about the need for such a school for children who needed this element in their lives, as children were a legacy.

Sally Walker, 6601 SW 16 Street - Plantation, stated that although residents of Davie seemed concerned that they would be paying for others to attend this school, they needed to be mindful of magnet schools and the unified school system in Broward County. Not all students attended school where they lived and stated that 25% of the children in Parkway currently were from Davie.

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Julia Saludes, 11330 SW 23 Place, had lived in three homes in the area of Parkway Christian and did not feel the church was negative. She stated that the vision for the children would require more space for classrooms and faith-based education was important. Ms. Saludes felt that planning and decision-making should be made with the next hundred years in mind.

John Pisula, 2933 SW 136 Avenue, spoke in support, stating that those who were opposed were against the request because the school would be close to their residence. He reminded all that the students suffered as a result of overcrowding, adding that this was not just about Davie, but the larger community. Mr. Pisula stated that he had never driven on a dirt road or parked on 121st Avenue in taking his child to school. He did feel that it was important for the church to do what they were supposed to and Code Compliance should see that they did. Mr. Pisula spoke about the covenant and stated that the United States Constitution itself had changed since its inception and felt it was important to focus on what was right for the time. He urged Council to approve.

Frank Ragonese, 1401 SW 136 Avenue, spoke on behalf of the church, school and youth. He stated that this church helped the Boys Scouts of America and it was important for God to be back in schools, something not possible today in public schools. Mr. Ragonese felt that the Police Department would enforce any traffic violations. He added that the Boy Scouts could not camp anywhere without a permit and when they camped on the church property, the permit was issued by the Town. Mr. Ragonese asked Council to help the children by approving the request.

Mike McDaniel, 7441 SW 15 Street, discussed flat space around the lake explaining that it was required at the time the church was built when the dirt was pulled from the lake area. He advised that the petition was done with Ms. Epstein and her children, not the children alone and the bridges were sanctioned in the deed restrictions as pedestrian walkways to prevent vehicular traffic. Mr. McDaniel stated that the sound system for the Easter service did not point the speakers toward residences and the church had addressed landscaping issues. He presented a document containing photographs depicting the concerns of Pine Lakes residents which was marked as Exhibit 4. Mr. McDaniel discussed each picture and concern and urged Council to approve the request.

Mayor Venis closed the public hearing.

Mr. Ramos presented the official site plan and spoke about the culvert openings, stating that the Town had requested pedestrian access. He stated that the Church would fence the property on their side. Mr. Ramos read the covenant agreement, which stated that application could be made to the Town for modifications. He stated that there was no intent for access to 121st and traffic would be handled well. Mr. Ramos spoke about the landscape plan, stating that all that was requested was in place.

Councilmember Truex asked about the distance from residential properties to their building. Mr. Ramos stated it was 480 feet to the property line then a 70-foot roadway and another 100 feet.

Mr. Ramos indicated that the 310 names on the petitions submitted were residents and voters in Davie. He spoke about the move from Plantation and the need for the 8.6 acres they now had.

Pastor Pisketel thanked Council for listening to both sides and for the decision it would make.

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Councilmember Truex asked if it was illegal to use 14th Street. Mr. Kutney did not believe so.

Councilmember Clark referred to the staff report, which did not mention 121st Avenue. She felt that should this become a concern, the Police Department would address it. Mayor Venis asked Mr. Kutney about 121st Avenue. Mr. Kutney stated that the traffic had been analyzed and it was found that the proposed site would be accessed from Flamingo Road and would not impact 121st Avenue.

Councilmember Starkey asked why the fence was going to be placed on the west side of the lake. Mr. Ramos stated that the culvert crossings were proposed to be fenced, as was the whole area, but some residents did not want to look at the fence, but wanted to see the lake. He stated that this was the resident's request and the church would fence the lake on its side for safety reasons. He added that the site plan would be taken back to the residents so they would have input on where the landscaping and fence would be located. Mr. Ramos felt that the lake was an amenity and stated that the church had been open for the community. The location of the fence was a discussion with residents and the result may be two fences, as the church side of the lake would be fenced, as well as the residents' side if that was what they wanted.

Councilmember Starkey spoke about the serious overcrowding in schools in general and the specific surrounding schools. She felt that any private school providing classroom space was to be commended.

Vice-Mayor Paul asked about the Planning and Zoning Board's denial. Mr. Kutney explained that the Board's position was based on the deed restrictions being adhered to. Mr. Connick agreed and reported that the deed restriction should be upheld if there was not an agreement with residents. Vice-Mayor Paul asked if it was legal to modify the covenant and Mr. Connick assured her it was. She felt that Council had a responsibility to address residents' concerns, including the issue of the dirt road. Chief George stated that it would need to be investigated whether this was a roadway or had just become a convenient path.

Vice-Mayor Paul asked about the results of a traffic study. Mr. Kutney indicated that there would be no impact on Flamingo Road, which would be the main feeder road. Vice-Mayor Paul asked what Council could do to assure residents that their concerns would be addressed. She suggested this would include fencing the area so there would be no access on 121st Avenue side. Mr. Kutney stated that Council would have control over the site plan and added that the Town used deed restrictions much more often than other municipalities.

Mr. Ramos reiterated the petitioner's intent to fence the property and to not use 121st Avenue, parents would be encouraged to use the roadway, and the church would work with residents on the site plan. He added that landscaping and architectural treatment would be in accordance with their wishes and the playground would be buffered by the building.

Mayor Venis confirmed with Mr. Ramos that there would be additional meetings with residents to review the site plan. Vice-Mayor Paul stated that the residents did not feel it would happen as promised and assurances must be built in. Mr. Ramos enumerated the promises from the minutes showing restrictions which had been kept. He added that the minutes showed that the church reserved the right to come back for modifications to the covenant.

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Councilmember Clark referred to the minutes, which stated that the petitioner would work with the Town to change the restrictions if the school was to be successful. She advised getting the promises in writing from Parkway and felt they would make good on them. Councilmember Clark felt strongly that the dirt road needed to be researched.

Councilmember Truex stated that he was at the Planning and Zoning Board meeting and had visited the site with church members. He added that he had received many e-mails and phone calls. Councilmember Starkey indicated that she had spoken with several people and received many e-mails on this issue, as did Mayor Venis and Vice-Mayor Paul. Councilmember Clark advised that she had only received e-mails.

Councilmember Truex made a motion, seconded by Councilmember Clark, to approve subject to fencing on the west side, no access from 121st Avenue and that the church would work with the development. Mayor Venis asked that a staff member be present at these meetings. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice-Mayor Paul - yes; Councilmember Clark - yes; Councilmember Starkey - yes; Councilmember Truex - yes. (Motion carried 5-0)

Mayor Venis called for a recess at 11:44 p.m. and reconvened the meeting at 11:47 p.m.

9.3 Mayor Venis swore in witnesses.

Marsh Ferrara, representing the petitioner, was present.

Mr. Kutney summarized the planning report.

Mr. Ferrara advised that he had a concern with a trailer located on the property. He stated that he had planned to use it as an office and for several other uses, which were not allowed. He asked Council if he could keep the trailer or have time to dispose of it properly, approximately six months.

Mayor Venis asked if anyone wished to provide testimony in favor of or opposition to the issue. No one spoke.

Mr. Kutney spoke about the trailer and the restrictions against trailers, stating that the trailer needed to be removed as soon as possible.

Councilmember Truex stated that he represented the seller in this real estate closing and felt it would be appropriate to abstain.

Councilmember Clark asked why the trailer was needed with Mr. Ferrara responding that he did not really need it.

Mayor Venis asked if six months would meet with Mr. Kutney's approval. Mr. Kutney felt this would be gracious. Mr. Ferrara agreed he could do this and would use it for storage in the meantime. Councilmember Clark felt six months was not necessary and Mr. Ferrara should not be using the trailer during that time. Mayor Venis did not mind giving him six months as long as he was trying to sell it. He advised that Mr. Ferrara should not use it for storage. Mr. Kutney agreed that Code enforcement would come into effect and staff would follow up at the end of the time allowed.

Vice-Mayor Paul made a motion, seconded by Councilmember Clark, to rezone the property from R-10 to B-2, giving the owner six months to get rid of the trailer. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice-Mayor Paul - yes; Councilmember Clark - yes; Councilmember Starkey - yes; Councilmember Truex - abstained. (Motion carried 4-0)

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9.4 Bill Laystrom, representing the petitioner, was present.

Mr. Kutney read the planning report.

Mayor Venis swore in the witnesses.

Mr. Laystrom displayed the site plan and explained the parking requests, indicating that the site met Code. He spoke about the agreement to provide royal palm trees outside the property in addition to proposed landscaping. Mr. Laystrom added that additional trees would be provided along with ground covering, as part of site plan.

Councilmember Truex asked what would happen should this be denied. Mr. Laystrom indicated that approximately 23 parking spaces would be lost.

Mayor Venis asked if anyone wished to provide testimony in favor of or opposition to the issue. No one spoke.

Councilmember Truex did not agree with swapping royal palms for green space and felt that staff's analysis was accurate. He felt that the need for the variance was self-created. Vice-Mayor Paul stated that the trees were not a swap as they would not be located on site. Mr. Laystrom agreed, stating that the green space was there and met Code.

Vice-Mayor Paul made a motion, seconded by Councilmember Clark, to approve. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice-Mayor Paul - yes; Councilmember Clark - yes; Councilmember Starkey - yes; Councilmember Truex - no. (Motion carried 4-1)

8.21 Mr. Laystrom stated that the petitioner agreed with all the plans of the Site Plan Committee, that the plan exceeded Code and the petitioner agreed with all planting requirements.

Vice-Mayor Paul made a motion, seconded by Councilmember Clark, to approve. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice-Mayor Paul - yes; Councilmember Clark - yes; Councilmember Starkey - yes; Councilmember Truex - yes. (Motion carried 5-0)

9.6 Mayor Venis swore in witnesses.

Doug Neuhaus, the petitioner, was present.

Mr. Kutney summarized the planning report.

Mayor Venis asked if anyone wished to provide testimony in favor of or opposition to the issue. No one spoke.

Councilmember Truex made a motion, seconded by Councilmember Clark, to approve. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice-Mayor Paul - yes; Councilmember Clark - yes; Councilmember Starkey - yes; Councilmember Truex - yes. (Motion carried 5-0)

9.8 Mayor Venis swore in witnesses.

Ramone Seda, representing the petitioner, explained the request.

Mr. Kutney summarized the planning report.

Mr. Seda submitted pictures for Council's review. Mayor Venis confirmed that Mr. Seda had taken the pictures on April 24, 2001 and submitted them as Exhibit 1.

Mayor Venis asked if anyone wished to provide testimony in favor of or opposition to the issue. No one spoke.

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Councilmember Truex made a motion, seconded by Councilmember Clark , to approve. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice-Mayor Paul - yes; Councilmember Clark - yes; Councilmember Starkey - yes; Councilmember Truex - yes. (Motion carried 5-0)

9.9 Mayor Venis swore in witnesses. Mr. Kutney summarized the planning report. Ivette Toledo, the petitioner, was present.

Mayor Venis asked if anyone wished to provide testimony in favor of or opposition to the issue. No one spoke.

Councilmember Truex made a motion, seconded by Vice-Mayor Paul , to approve. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice-Mayor Paul - yes; Councilmember Clark - yes; Councilmember Starkey - yes; Councilmember Truex - yes. (Motion carried 5-0)

9.1 Assistant Town Clerk McDaniel read the ordinance by title. Mayor Venis advised that a public hearing would be held on May 16, 2001.

Mayor Venis asked if anyone wished to speak for or against the ordinance. As no one spoke, the public hearing was closed.

Councilmember Starkey made a motion, seconded by Councilmember Clark, to approve. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice-Mayor Paul - yes; Councilmember Clark - yes; Councilmember Starkey - yes; Councilmember Truex - no. (Motion carried 4-1)

**5. MAYOR/COUNCILMEMBER'S COMMENTS**

**6. TOWN ADMINISTRATOR'S COMMENTS**

**7. TOWN ATTORNEY'S COMMENTS**

Comments were deferred.

**8. CONSENT AGENDA**

*Minutes*

8.1 February 21, 2001 - Regular Meeting

8.2 March 7, 2001 - Regular Meeting

8.3 March 21, 2001 - Regular Meeting

*Home Occupational License*

8.4 Pam Kagan Marketing, Inc., 14320 Arlington Place

*Resolutions*

8.5 **BOARD - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA**  
R-2001-104 **ESTABLISHING THE DAVIE COMMUNITY RELATIONS ADVISORY BOARD; PROVIDING FOR MEMBERSHIP OF THE BOARD; PROVIDING FOR TERMS OF OFFICE FOR ITS MEMBERS; PROVIDING FOR FUNCTIONS AND DUTIES OF THE BOARD; AND PROVIDING AN EFFECTIVE DATE. (tabled from April 18, 2001)**

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- 8.6  
R-2001-105     **BID - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ACCEPTING THE BID FOR PICNIC PAVILIONS, FISHING DOCKS, AND DRINKING FOUNTAINS FOR LINEAR PARK. (Intrastate Construction Corp. - not to exceed \$166,000)**
- 8.7  
R-2001-106     **BID - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ACCEPTING THE BID TO PURCHASE ONE CANON DIGITAL COPIER IR550 PER MIAMI DADE COUNTY SCHOOL BOARD CONTRACT NUMBER 245-ZZ11. (Ikon Office Solutions - \$16,028)**
- 8.8  
R-2001-107     **BID - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ACCEPTING THE BID TO PURCHASE ONE RISOGRAPH GR3770 DIGITAL DUPLICATOR PER STATE OF FLORIDA CONTRACT NUMBER 600-340-01-1. (Riso, Inc. - \$15,202)**
- 8.9  
R-2001-108     **BID - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ACCEPTING THE BID FOR CELLULAR TELEPHONE SERVICE, STATE OF FLORIDA BID 725-330-98-1. (Nextel Communications and Almac Communications - \$30,000 estimated)**
- 8.10  
R-2001-109     **BID - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ACCEPTING THE BID TO PURCHASE EQUIPMENT FOR THE 75 FT QUINT AND TWO RESCUE PUMPERS, CITY OF TALLAHASSEE BID NO. 2166-95-R01-1GG. (Emergency One, Inc. - \$154,695.26)**
- 8.11           **NEGOTIATIONS - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING AND DIRECTING THE UTILITIES DEPARTMENT TO NEGOTIATE AN AGREEMENT WITH THE TOWN'S CURRENT UTILITY ENGINEERING FIRM, CALVIN, GIORDANO & ASSOCIATES, INC., FOR THE CONTINUATION OF PROJECTS CURRENTLY UNDERWAY; AND PROVIDING AN EFFECTIVE DATE.**
- 8.12  
R-2001-110     **OPPOSITION - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, OPPOSING ALTERNATIVE 3, AND ALTERNATIVE 5 OF THE FLORIDA DEPARTMENT OF TRANSPORTATION I-75 MASTER PLAN TIER 2 ANALYSIS WHICH PROPOSE SPECIAL USE INTERCHANGES AT SOUTHWEST 14 STREET, SOUTH POST ROAD, AND STIRLING ROAD.**
- 8.13  
R-2001-111     **OPPOSITION - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, OPPOSING ANY BILLS FILED IN THE STATE OF FLORIDA HOUSE OF REPRESENTATIVES OR STATE OF FLORIDA SENATE LESSENING THE AUTHORITY OF THE TOWN OF DAVIE TO REGULATE AND AMORTIZE BILLBOARDS WITHIN THE TOWN, AND PROVIDING FOR AN EFFECTIVE DATE.**

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- 8.14  
R-2001-112     **CHANGE ORDER - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE A CHANGE ORDER NO. 4 WITH DOOLEY AND MACK CONSTRUCTORS, INC. FOR THE ADDITION OF GYMNASIUM EQUIPMENT TO THE SCOPE OF WORK AT THE "MULTIPURPOSE FACILITY AT PINE ISLAND PARK" PROJECT. (increase of \$11,849.20)**
- 8.15  
R-2001-113     **EXPENDITURE - THE EXPENDITURE OF UP TO \$75,000.00 IN PARKS AND RECREATION BOND FUNDS ALLOCATED FOR GESSNER PARK. A PICNIC SHELTER AND RESTROOM FACILITY, EQUALLY SHARED BY THE SCHOOL BOARD OF BROWARD COUNTY AND THE TOWN OF DAVIE, IS TO BE CONSTRUCTED AT DAVIE ELEMENTARY SCHOOL.**
- 8.16  
R-2001-114     **BID - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ACCEPTING THE BID FOR "MITY-LITE" FOLDING TABLES AND STORAGE CARTS, STATE OF FLORIDA BID 420-420-98-1 FOR THE "MULTIPURPOSE FACILITY AT PINE ISLAND PARK" PROJECT . (Mity-Lite, Inc. - \$12,363.25)**
- 8.17  
R-2001-115     **CLASSIFICATION CHANGES - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, CREATING THE CLASS SPECIFICATIONS AND ASSIGNING A PAY GRADE TO THE ASSISTANT PARKS AND RECREATION DIRECTOR, FITNESS COORDINATOR, FITNESS TECHNICIAN, AND PARK RANGER SUPERVISOR; REVISING THE CLASS SPECIFICATION OF ADMINISTRATIVE AIDE; AND RETITLING THE PARKS MAINTENANCE SUPERVISOR TO MAINTENANCE SERVICES SUPERVISOR AND REASSIGNING THE PAY GRADE IN THE NON-REPRESENTED PAY PLAN.**
- 8.18  
R-2001-116     **RECLASSIFICATION - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ADJUSTING THE PAY GRADE FOR THE JOB CLASSIFICATION OF PLANNING & ZONING MANAGER IN THE NON-REPRESENTED PAY AND CLASSIFICATION PLAN AND PROVIDING AN EFFECTIVE DATE.**
- 8.19  
R-2001-117     **RECLASSIFICATION - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, RECLASSIFYING THE POSITION OF ASSISTANT TO THE DEVELOPMENT SERVICES DIRECTOR IN THE NON-REPRESENTED PAY AND CLASSIFICATION PLAN AND PROVIDING AN EFFECTIVE DATE.**
- 8.20  
R-2001-118     **INTERLOCAL AGREEMENT - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE APPROPRIATE TOWN OFFICIALS TO EXECUTE A PROPOSED INTERLOCAL AGREEMENT WITH BROWARD COUNTY TO PROVIDE FOR DELIVERY OF EMERGENCY MEDICAL AND FIRE PROTECTION SERVICES IN THE PINE ISLAND RIDGE AREA; AND PROVIDING FOR AN EFFECTIVE DATE**

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*Site Plan*

**8.21** SP 8-3-00, Rick Case Honda/ICW South, 15700 Pointe West Drive (BP) Planning and Zoning Division recommended approval subject to the planning report; Site Plan Committee recommended approval subject to staff's recommendations and subject to a fifth condition that the applicant work on the landscaping plan with staff and Mr. Aucamp as the Committee's representative, and if they do not come to an agreement, the applicant would come back before this Committee and the Town Council

Councilmember Truex asked that items 8.10 and 8.20 be removed from the Consent Agenda.

Vice-Mayor Paul made a motion, seconded by Councilmember Clark, to approve the Consent Agenda without items 8.10 and 8.20. In a voice vote, all voted in favor. (Motion carried 5-0)

**8.10** Councilmember Truex stated that the equipment was necessary but felt that this may not be a legitimate bid. He explained that it was a piggyback bid based on 1995 Tallahassee contract and stated that the prices were not the same. Councilmember Truex stated that the contract was for vehicles and apparatus and the resolution was only for apparatus. He spoke about the delivery time and was not sure if this would be a consideration here. Councilmember Truex stated that he understood that this was an important purchase and asked if this would become a public safety issue, should this not be purchased right now.

Fire Chief Donald DiPetrillo advised that some current vehicles averaged 14 years in front line service, 50% longer than they should be in service, and without adequate maintenance. He added that there were no reserve vehicles. A new truck was ordered without equipment, so equipment needed to be swapped each time the vehicle was used. Two vehicles would be coming in soon and the bid was for the purpose of getting equipment for these vehicles. Chief DiPetrillo stated that he could not speak to the appropriateness of the cost.

Mayor Venis explained the Tallahassee bid and the reason for the escalation clause to provide for price increases over a ten-year period. He stated that fire departments generally liked to have their equipment custom made, which was also provided by this bid.

Councilmember Truex made a motion, seconded by Councilmember Clark, to approve. In a voice vote, all voted in favor. (Motion carried 5-0)

**8.20** Councilmember Truex stated that the fiscal impact in the staff report indicated \$400,000 plus \$50,000 in miscellaneous revenues. Fire Chief DiPetrillo felt some additional revenue savings may be possible.

Councilmember Truex referred to Section 6.1 and asked about the 5% per year, which was not tied to an index. He asked how the exact percentage would be known. Fire Chief DiPetrillo stated that it was generally tied to an index, but this just indicated a cap of 5%.

Councilmember Truex made a motion, seconded by Councilmember Clark, to approve. In a voice vote, all voted in favor. (Motion carried 5-0)

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**9. PUBLIC HEARINGS**

*Ordinance - First Reading (Second Public Hearing to be held May 16, 2001)*

- 9.1 CODE AMENDMENT - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, AMENDING THE CODE OF ORDINANCES OF THE TOWN OF DAVIE, SECTION 12-113, ENTITLED "BUFFERING AND LANDSCAPING FOR TELECOMMUNICATION TOWERS, ANTENNA, RELATED ACCESSORY STRUCTURES AND OTHER COMMUNICATION ANTENNA APPARATUS"; AND CREATING SECTION 12-114, ENTITLED "DEFINITIONS"; AND SECTION 12-506, ENTITLED "TELECOMMUNICATIONS TOWERS": TO PROVIDE LANDSCAPE STANDARDS FOR TELECOMMUNICATION TOWERS, ANTENNAS, RELATED ACCESSORY STRUCTURES, AND OTHER COMMUNICATION ANTENNA APPARATUS; PROVIDING FOR SEVERABILITY; AND, PROVIDING FOR AN EFFECTIVE DATE.**

**This item was approved earlier in the meeting.**

*Quasi Judicial Items*

- 9.2 REZONING - ZB 1-2-01, Ramos/Parkway Christian Church, 1200 South Flamingo Road (from CF to CF, amending the Declaration of Restrictions) (tabled from March 7, 2001) Planning and Zoning Division recommended approval; Planning and Zoning Board recommended denial**

**This item was approved earlier in the meeting.**

- 9.3 REZONING - ZB 3-1-01, M.A.F. Realty, Inc., 6101 Orange Drive (from RM-10 to B-2) Planning and Zoning Division recommended approval; Planning and Zoning Board recommended approval**

**This item was approved earlier in the meeting.**

- 9.4 VARIANCE - V 2-1-01, Willow Acquisitions, LLC, 15700 Pointe West Drive (BP) (to reduce the width of four landscape medians in between double rows of parking from 10 feet to 0 feet and to reduce one terminal island width from 10 feet to 6.92 feet) (tabled from April 18, 2001) Planning and Zoning Division recommended denial; Planning and Zoning Board recommended approval of the variance subject to and conditioned upon the applicant providing a covenant running with the land that they would maintain Royal palm trees according to a map exhibit described as L-1-05 project Rick Case Honda Master Landscape Plan, Davie Commerce Center, of which a reduced copy would be provided to the Town Clerk to be marked as an exhibit, and that would consist of no less than 54 Royal palm trees running along the area that was depicted on the map; with a further covenant running with the land that those palm trees would be maintained by the property owner who was seeking the variance; that the petitioner has agreed to submit the approval letter from the South Florida Water Management District; and that the petitioner would work with staff to determine the height of the Royal palm trees with one change being in the number of Royal palms (14)**

**This item was approved earlier in the meeting.**

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9.5 **VARIANCE - V 2-2-01, Evans/Archdiocese of Miami, 1301 SW 136 Avenue (CF) (to reduce the number of required parking spaces by 85 for a total of 334 and to allow a steeple 75 feet in height with a metal cross on top for a total height of 88 feet 9 inches) *Planning and Zoning Division recommended denial; Planning and Zoning Board recommended approval***

**This item was approved earlier in the meeting.**

9.6 **VARIANCE - V 2-3-01, Neuhaus/Powers, 4271 SW 54 Avenue (R-3) (tabled from April 18, 2001) (to reduce the sideyard setback along the northern portion of the subject site to 10 feet) *Planning and Zoning Division recommended approval; Planning and Zoning Board recommended approval***

**This item was approved earlier in the meeting.**

9.7 **VARIANCE - V 3-2-01, MDM Services/BP/Amoco, 11400 State Road 84 (B-3) (to reduce a portion of the landscape buffer to 5 feet wide from a point beginning at the southeast corner of the subject site terminating 35 feet to the north) *Planning and Zoning Division recommended approval; Planning and Zoning Board recommended approval***

**This item was approved earlier in the meeting.**

9.8 **VARIANCE - V 3-4-01, Seda, 7919 North Silverado Circle (RM-5) (to allow an accessory building to occupy 35% of a required rear yard, to allow a screen enclosure to extend into the required rear setback by 67% and to reduce the minimum separation from the rear property line to 5 feet) *Planning and Zoning Division recommended approval; Planning and Zoning Board recommended approval***

**This item was approved earlier in the meeting.**

9.9 **VARIANCE - V 3-5-01, Toledo, 7913 North Silverado Circle (RM-5) (to allow an accessory building to occupy 33% of a required rear yard, to allow a screen enclosure to extend into the required rear setback by 67% and to reduce the minimum separation from the rear property line to 5 feet) *Planning and Zoning Division recommended approval; Planning and Zoning Board recommended approval***

**This item was approved earlier in the meeting.**

**10. APPOINTMENTS**

10.1 **School Advisory Board (one exclusive appointment - Councilmember Truex; two exclusive appointments - Mayor Venis; terms expire March 2002)**

**Mayor Venis appointed Debbie Meyers and deferred his second appointment. Councilmember Truex deferred his appointment.**

10.2 **Unsafe Structures Board (non-exclusive appointment - appointment of a real estate appraiser) (term expires April 2004)**

**Councilmember Starkey nominated Ed Woolslair.**

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Councilmember Starkey made a motion, seconded by Councilmember Clark, to approve. In a voice vote, all voted in favor. (Motion carried 5-0)

- 10.3 Youth Advisory Board (three exclusive appointments - Mayor Venis; two exclusive appointments - Councilmember Starkey; one exclusive - Councilmember Truex; terms expire April 2002)

Mayor Venis appointed Charlie Manfre. Councilmember Starkey appointed Anthony Bencivenga and Leslie Linne. Councilmember Truex appointed Mario Coiradas.

- 10.4 Planning and Zoning Board/Local Planning Agency (one exclusive - Vice-Mayor Paul and Councilmembers Clark and Starkey; must be a resident and qualified voter - nominations require approval by Council) (term May 23, 2001 to May 21, 2002)

Vice-Mayor Paul appointed Mike Bender. In a voice vote, all voted in favor. (Motion carried 5-0)

Councilmember Clark reappointed Edna Moore. In a voice vote, all voted in favor. (Motion carried 5-0)

Councilmember Starkey deferred her appointment.

**11. OLD BUSINESS**

- 11.1 Establishing Time Certain Council Meetings  
This item was deferred until the next meeting.

**12. NEW BUSINESS**

- 12.1 Pine Island Multi-Purpose Building Usage Guidelines - Dennis Andresky  
Mr. Willi advised that this item was withdrawn.

- 12.2 Rescheduling of July 4, 2001 Town Council Meeting

After some discussion, it was decided to reschedule the July 4th meeting to July 3rd. In a voice vote, all voted in favor. (Motion carried 5-0)

**13. ADJOURNMENT**

There being no objections or further business, the meeting was adjourned at 12:40 p.m.

APPROVED \_\_\_\_\_

\_\_\_\_\_  
Mayor/Councilmember

\_\_\_\_\_  
Town Clerk