

PLANNING AND ZONING BOARD
AUGUST 27, 2003

1. ROLL CALL

The meeting was called to order at 7:07 p.m. Board members present were Vice Chair Bob Waitkus, Casey Lee, Scott McLaughlin, and Mimi Turin. Also present were Board Attorneys Andre Parke and Martin Kiar, Planner Deborah Ross and Board Secretary Janet Gale recording the meeting. Chair Mike Bender was absent.

2. PLATS

2.1 P 7-3-02, Black Stone Creek, west side of SW 154 Avenue, south of SW 31 Street (AG and A-1)

John Voigt, representing the petitioner, was present. Ms. Ross read the planning report and a correction into the record.

The intent for the use of the plat was clarified in the planning report. Ms. Lee inquired on access to the monopole located by the site. Mr. Voigt assured that the developer had a significant financial interest in the sale of the homes and it would be prudent to arrange a harmonious access when it reached the site plan process.

Ms. Lee made a motion, seconded by Ms. Turin, to approve. In a roll call vote, the vote was as follows: Chair Bender - absent; Vice-Chair Waitkus - yes; Ms. Lee - yes; Mr. McLaughlin - yes; Ms. Turin - yes. **(Motion carried 4-0)**

2.2 P 8-1-02, Parkside Estates of Davie, north of Orange Drive, ¼ mile west of Pine Island Road (AG)

John Mascarinas, representing the petitioner, was present. Ms. Ross read the planning report.

Mr. McLaughlin asked about the plans for the existing structure on parcel "E". Ms. Ross advised that it was the Town's intention to save and relocate the structure and then apply the "flexibility provisions" of the Comprehensive Plan to use it as a souvenir or another type store to service the residents of the subdivision. Mr. McLaughlin contended that the proposal did not make sense and explained his opinion. He asked if the structure was to remain indefinitely and Ms. Ross responded that until a grant was received or parking concerns were addressed, the building was to remain. Ms. Lee inquired on the maintenance of the structure and that point had not been clarified. She also asked that it be specified that the ten-foot equestrian trail was not on the property belonging to lots 21 through 29.

Mr. McLaughlin made a motion, seconded by Ms. Turin, to approve based upon the applicant providing pertinent information about the historical building to staff before the plat was presented to the Town Council. In a roll call vote, the vote was as follows: Chair Bender - absent; Vice-Chair Waitkus - yes; Ms. Lee - no; Mr. McLaughlin - yes; Ms. Turin - yes. **(Motion carried 3-1)**

2.3 P 10-1-02, Sharon Gardens, west side of SW 148 Avenue, south of SW 26 Street (A-1)

Ms. Ross advised of the reasons why staff was requesting a tabling.

Mr. McLaughlin made a motion, seconded by Ms. Lee, to table to September 10, 2003. In a voice vote, with Chair Bender being absent, all voted in favor. **(Motion carried 4-0)**

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3. PUBLIC HEARINGS

Vice-Chair Waitkus advised that there had been a request to take item 3.4 out of order.

Mr. McLaughlin so moved, seconded by Ms. Lee. In a voice vote, with Chair Bender being absent, all voted in favor. **(Motion carried 4-0)**

Vacation

3.4 VA 5-1-03, Morgan/Nova Southeastern University, 7600 SW 36 Street

John Santulli, representing the petitioner, was present. Ms. Ross read the planning report.

Mr. McLaughlin advised that he would abstain from voting on this item as Nova Southeastern University was one of his clients.

Mr. Santulli concurred with the planning report except that the car dealership was not vacant and was being utilized.

Vice-Chair Waitkus asked if anyone wished to speak for or against this item. As there were no speakers, the public hearing was closed.

Ms. Turin made a motion, seconded by Ms. Lee, to approve. In a roll call vote, the vote was as follows: Chair Bender - absent; Vice-Chair Waitkus - yes; Ms. Lee - yes; Mr. McLaughlin - abstained; Ms. Turin - yes. **(Motion carried 3-0 with Mr. McLaughlin abstaining)**

Flexibility Rule

3.1 FX 3-1-03, Centerline Homes/McHugh, SW 74 Terrace and Griffin Road (Griffin Corridor West Gateway Zone)

Robert Stiegele, representing the petitioner, was present. Ms. Ross read the planning report.

Using renderings and site plans, Mr. Stiegele provided a presentation and explained the intent for the 36 flex units within the development and being in the Griffin Corridor West Gateway Zone. He advised of the meetings he had with neighbors and of what adjustments had been considered to address their concerns.

Mr. Stiegele answered questions posed by Board members regarding ingress, egress, anticipated commercial uses, shared parking arrangements, open green space, and the impact of the proposed density on roads and services.

Ms. Lee disclosed that she had spoken with Mr. Stiegele. She commented that as a former employee of the Town, she had been involved in the development of the plans for the Griffin Corridor and that this project met the expectations of that zoning district.

Vice-Chair Waitkus asked if anyone wished to speak for or against this item.

Valerie Hoecherl, 4701 SW 74 Terrace, was opposed to the development due to traffic concerns on her dead-end street, the proximity of three-story buildings, and the hours of operation for mercantile businesses.

Laura Pearson, 7410 SW Griffin Road, spoke in opposition of the project with her concerns being that the three-story buildings looked into her property and with the parking problems.

Ron Glenn, 4621 SW 76 Terrace, spoke in opposition with his concern being density, morning commuter traffic, and the tall buildings looking down into his home.

Frederick James, 4741 SW 74 Terrace, spoke in opposition and addressed the "green area" which had been slated for drainage purposes.

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Deloris Pearson, 7410 SW Griffin Road, was opposed for the same reasons as previously stated.

Joseph Cosner, 4451 SW 77 Avenue, spoke in opposition as he had attended the meetings when the development of the Griffin Corridor was being discussed and did not believe that the intensity was intended for this area. He indicated that he understood it was only for the downtown area. Mr. Cosner also pointed out that while the buildings had a nice appearance, they were supposed to be designed in the "Old Florida" vernacular. He reiterated other points which had been made and suggested that a black, chain-link fence with plants on both sides be used as a buffer instead of a wall.

Cathy James, 4741 SW 74 Terrace, spoke in opposition and of the danger of drivers not realizing that her street was a dead end, then turning around in private driveways.

Susan Theodosiou, 4760 SW 74 Terrace, spoke in opposition. She reiterated previously stated concerns.

Jacqui deChabert-Rios, 4620 SW 74 Terrace, spoke in opposition.

Carol Katz, 4740 SW 74 Terrace, spoke in opposition.

As there were no other speakers, the public hearing was closed.

Mr. Stiegele responded that a lot of the concerns had been addressed at the Site Plan Committee meeting the previous day. He reminded that the purpose of this meeting was to transfer a number of reserve units to this development and that the development was in compliance with the intended use of the Griffin Corridor.

A lengthy discussion ensued among Board members regarding access to the site; landscape buffering and tiers of screening; the intentions of "flex space" for use at this site; the ability of emergency vehicle access and turn around; hours of retail operations and restrictions; and parking in the right-of-way. Vice-Chair Waitkus expressed his objections to the density and traffic. Ms. Turin indicated that while she appreciated the application of mixed-uses for this area, she was concerned with the density that would be brought about by the 36 flex units.

Mr. McLaughlin made a motion, seconded by Ms. Turin, to deny the flex rule. In a roll call vote, the vote was as follows: Chair Bender - absent; Vice-Chair Waitkus - yes; Ms. Lee - no; Mr. McLaughlin - yes; Ms. Turin - yes. **(Motion carried 3-1)**

Rezoning

3.2 ZB 5-1-03, Khavanin/Zarbafi, 5150 South Pine Island Road (from R-5 to R-3)

Gus Khavanin, the petitioner, was present. Ms. Ross read the planning report.

Mr. McLaughlin asked about the strategy of this request. Ms. Ross explained that it was a sacrifice for a lesser density in order to mesh with the Comprehensive Plan and that was why a variance request would follow.

Vice-Chair Waitkus asked if anyone would like to speak for or against this item. As no one spoke, the public hearing was closed.

Ms. Turin made a motion, seconded by Ms. Lee, to approve. In a roll call vote, the vote was as follows: Chair Bender - absent; Vice-Chair Waitkus - yes; Ms. Lee - yes; Mr. McLaughlin - yes; Ms. Turin - yes. **(Motion carried 4-0)**

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Variance

3.3 V 5-1-03, Khavanin/Zarbafi, 5150 South Pine Island Road (R-3)

Gus Khavanin, the petitioner, was present. Ms. Ross summarized the planning report.

Vice-Chair Waitkus asked if anyone would like to speak for or against this item. As no one spoke, the public hearing was closed.

Mr. McLaughlin expressed that he was not an advocate of reducing setbacks and/or lot sizes; however, he understood the intent and clarified that SW 82 Avenue had not been improved.

Ms. Lee made a motion, seconded by Ms. Turin, to approve. In a roll call vote, the vote was as follows: Chair Bender - absent; Vice-Chair Waitkus - yes; Ms. Lee - yes; Mr. McLaughlin - yes; Ms. Turin - yes. **(Motion carried 4-0)**

4. OLD BUSINESS

There was no old business discussed.

5. NEW BUSINESS

Ms. Lee asked that the vote for approval or denial be shown to the Council in actual numbers such as 4-1 or 3-2, or whatever the actual vote was. She was advised that the procedure had been to present the actual vote to Council in the backup material.

Ms. Ross advised that Town Administrator Tom Willi had allocated funding for two Board members to attend the Florida Planning Association Conference on September 3rd through 6th. She distributed the literature and asked that interested parties contact her directly.

6. COMMENTS AND/OR SUGGESTIONS

Mr. McLaughlin and Ms. Lee advised that they would not be able to attend the next meeting.

7. ADJOURNMENT

There being no further business and no objections, the meeting was adjourned at 9:25 p.m.

Date Approved _____

Chair/Board Member