

PLANNING AND ZONING BOARD
SEPTEMBER 26, 2007

1. ROLL CALL

The meeting was called to order at 7:05 p.m. Board members present were Chair Mike Bender, Vice-Chair John Stevens, Philip Busey, Dan Pignato and Mimi Turin. Also present were Attorney Thomas Moss, Acting Planning and Zoning Manager Marcie Nolan, Acting Deputy Planning and Zoning Manager David Abramson and Board Secretary Janet Gale recording the meeting.

2. APPROVAL OF MINUTES: September 12, 2007

Vice-Chair Stevens made a motion, seconded by Ms. Turin, to approve the minutes of September 12, 2007. In a voice vote, all voted in favor. **(Motion carried 5-0)**

3. PUBLIC HEARING

Vacation

3.1 VA 12-1-06, Ford, 12702 SW 26 Street (A-1)

Eric Grainger and William Ford, representing the petitioner, were present. Mr. Abramson summarized the planning report.

Chair Bender asked if anyone wished to speak for or against this item. As no one spoke, the public hearing was closed.

Mr. Busey asked about the access points of neighboring properties and Mr. Grainger informed him where they were.

Vice-Chair Stevens made a motion, seconded by Mr. Pignato, to approve. In a roll call vote the vote was as follows: Chair Bender – yes; Vice-Chair Stevens – yes; Mr. Busey – yes; Mr. Pignato – yes; Ms. Turin – yes. **(Motion carried 5-0)**

Rezoning

3.2 ZB 5-4-07, Coker & Feiner/Equity One (Florida Portfolio) Inc., 6505 Nova Drive (from M-4 to B-3)

Rod Feiner, representing the petitioner, was present. Mr. Abramson summarized the planning report and listed the uses which the petitioner had agreed not to allow by means of a Declaration of Restrictive Covenants.

Mr. Busey asked what the comparable zoning was for the County. Mr. Abramson responded that it would probably be a heavy industrial district. Mr. Busey asked if the proposed uses were consistent with M-4 and Mr. Abramson responded that the proposed uses would be permitted in an M-4 zoning district.

Mr. Pignato listed additional uses which he would want excluded from the subject site. They were private clubs, pool rooms, dance hall clubs, and automotive repair shops. His justification was that the site was across the street from a school and he believed that they were unsuitable uses.

Mr. Feiner advised that his client would object to that request and explained that they believed a private club or dance hall would be an appropriate use for secondary level school students. As this was an out parcel within a shopping center, it had to have some flexibility and a Declaration of Restrictive Covenants would apply in perpetuity. The subject was discussed at length and due to other restrictions in the Code, most Board members indicated that they were comfortable with the rezoning as proposed.

Chair Bender asked if anyone wished to speak for or against this item. As no one spoke, the public hearing was closed.

Vice-Chair Stevens made a motion, seconded by Mr. Busey, to approve. In a roll call vote the vote was as follows: Chair Bender – yes; Vice-Chair Stevens – yes; Mr. Busey – yes; Mr. Pignato – yes; Ms. Turin – yes. **(Motion carried 5-0)**

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Variance

3.3 V 6-1-07, Bage, 5750 SW 56 Street (R-3)

Robert Bage, the petitioner, was present. Mr. Abramson summarized the planning report.

Mr. Bage provided letters of support from 17 of his immediate neighbors. There were no questions of staff or the petitioner.

Chair Bender asked if anyone wished to speak for or against this item. As no one spoke, the public hearing was closed.

Vice-Chair Stevens made a motion, seconded by Mr. Pignato, to approve. In a roll call vote the vote was as follows: Chair Bender – yes; Vice-Chair Stevens – yes; Mr. Busey – yes; Mr. Pignato – yes; Ms. Turin – yes. **(Motion carried 5-0)**

4. OLD BUSINESS

Ms. Nolan updated the Board on Council's actions regarding recent ordinances which the Board had reviewed. She advised of a proposed Code amendment which would create a provision for those homeowners who were requesting to expand their building to "within their prior approved envelope" of setbacks, so they would not need a variance.

5. NEW BUSINESS

Ms. Nolan indicated that in the not too distant future, the Board would be dealing with the Land Development Code for the Regional Activity Center. Prior to this undertaking and for the Board's edification, workshops would be planned as well as a series of public hearings.

6. COMMENTS AND/OR SUGGESTIONS

Chair Bender asked that when planning the annual meeting schedule, that staff consider certain dates for not having a meeting. He explained that some petitioners expressed their distress at having to attend meetings when they should have been with their families. On occasion, this had happened to each of the Board members and they were in total agreement.

Ms. Nolan responded that staff could be more sensitive with applicants and make sure that those dates are not scheduled for an item. She suggested that a calendar be provided and if there were any scheduling conflicts, staff and the Board would work around them.

7. ADJOURNMENT

There being no further business and no objections, the meeting was adjourned at 7:42 p.m.

Date Approved: _____

Chair/Board Member