

**PLANNING AND ZONING BOARD
SEPTEMBER 13, 2000**

1. ROLL CALL

The meeting was called to order at 7:38 p.m. Board members present were Chair George Greb, Vice-Chair Jay Stahl, Michael Davenport, Larry Davis, and Edna Moore. Also present were Town Attorney Monroe Kiar, Planning and Zoning Manager Jeff Katims, and Board Secretary Alina Medina recording the meeting.

Barbara McDaniel, Acting Administrative Services Director, announced that Ms. Medina had tendered her resignation and would be greatly missed. Chair Greb, Mr. Davenport, and Vice-Chair Stahl complimented Ms. Medina on her professionalism and thanked her for her service to the Board.

2. PUBLIC HEARING

Variances

2.1 V 5-4-00, Lombardo/Ross-Matz Investments, 8020 SW 30 Street (B-2) (tabled from August 23, 2000) (staff requesting a tabling to October 11, 2000)

Mr. Katims stated that staff and the Board felt the petitioner was trying to get too much development on the site and the applicant was to consider redesigning the site to reduce the number of variances and building intensity. He indicated that the petitioner had requested additional time to finalize the revisions.

Mr. Davenport made a motion, seconded by Mr. Davis, to table to October 11, 2000. In a voice vote, all voted in favor. (Motion carried 5-0)

2.2 V 8-1-00, Pem Mar Seventh Day Adventist Church/Florida Conference Association of Seventh-day Adventists, 3375 NW 74 Avenue (CF)

Colette Satchell, Cornelius Gray, and John Gepin, representing the petitioner, were present. Mr. Katims presented the planning report (staff's recommendation: approval).

Ms. Satchell stated the first phase would include the multi-purpose room which would be used initially for church services, with a kitchen and community service room, full parking lot, lighting, and landscaping. Phase two would include landscaping required for the balance of the site, drop-off, and covered walkway into sanctuary. She described the interior layout of the buildings.

Mr. Davenport questioned the combined square footage of the phases and the uses of the community room. Ms. Satchell replied that after phase two was completed, the multi-purpose room would be used for its original purpose instead of a sanctuary. Mr. Davenport asked for an explanation of access to 37th Avenue and the church entrance expressing concerns regarding traffic congestion in the neighborhood. Ms. Satchell indicated that the road was projected for widening. Mr. Davenport asked why, if the adjacent property was zoned CF and it was owned by the same entity, that the petitioner would need the separation variance. Mr. Katims said that it was not a separation between the parcels, but the total parcel and the northern boundary.

Mr. Davis asked for an explanation regarding the number of churches in the near vicinity. Mr. Kiar deferred to staff for clarification regarding the churches which were outside the Town's boundaries. Mr. Katims acknowledged that only one church actually was within the jurisdiction, but that the intent of the Code needed to be taken into consideration.

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

Mr. Davis made a motion, seconded by Vice-Chair Stahl, to approve. In a roll call vote, the vote was as follows: Chair Greb, yes; Vice-Chair Stahl, yes; Mr. Davenport, yes; Mr. Davis, yes; Ms. Moore, yes. (Motion carried 5-0)

2.3 V 7-1-00, Rodriguez, 5220 Davie Road (RO)

Cristina Rodriguez, representing the petitioner, was present. Mr. Katims presented the planning report with variance revisions (staff recommendation: denial).

Mr. Katims asserted that the building did not qualify for a variance under the Town's requirements and the Board needed to make that finding. He pointed out that if the parking was angled, there would be no need for two of the three variances and Broward County would be satisfied. Discussion continued regarding pavement, access, and driveway requirements.

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Chair Greb asked about the wall now proposed which Ms. Rodriguez explained was for water retention purposes.

Mr. Davenport's opinion was that the building was beautiful and would be an asset to Davie Road. He did not believe the Board should go by the Code under those circumstances.

Chair Greb stated that he did not have a problem approving the variances, but was concerned about petitioner going before the Town Council. He urged the petitioner to make a list of all steps she had taken since purchasing the property, along with the costs and to present this information to Council. Mr. Katims suggested that he and petitioner meet with the County and discuss their specifications.

Chair Greb inquired whether, if petitioner got approval from the Board and Council, she would still have any problems with the County or could construction be commenced. Mr. Katims replied that the project could go forward. However, he expressed concern with taking the plans to Council when there was a dispute regarding the County's specifications for the easement. Chair Greb countered that there was no need to get with the County if the petitioner did not need their approval to go forward.

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

Mr. Davis made a motion, seconded by Vice-Chair Stahl, to approve. In a roll call vote, the vote was as follows: Chair Greb, yes; Vice-Chair Stahl, yes; Mr. Davenport, yes; Mr. Davis, yes; Ms. Moore, yes. (Motion carried 5-0)

Ordinances

2.4 AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, APPROVING CODE AMENDMENT APPLICATION ZB(TXT)06-01-00, AMENDING THE CODE OF ORDINANCES OF THE TOWN OF DAVIE, ARTICLE III, BY ADDING SECTIONS 12-32.400 THROUGH 12-32.499 TO CREATE THE R-1E PLANNED DEVELOPMENT DISTRICT; PROVIDING FOR DISTRICT INTENT, MASTER PLANS, DISTRICT APPLICABILITY LIMITATIONS, DEVELOPMENT AREA LIMITATIONS, PERMITTED AND CONDITIONAL USES, PROPERTY DEVELOPMENT REGULATIONS, AND EQUESTRIAN PROVISIONS; PROVIDING FOR SEVERABILITY; AND, PROVIDING

This item was withdrawn by staff.

2.5 AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, AMENDING THE CODE OF ORDINANCES OF THE TOWN OF DAVIE, ARTICLE X BY ADDING "TEMPORARY USE PERMIT PROCEDURE", SECTION 12-316 ENTITLED "PURPOSE", ADDING SECTION 12-317 "PERMITTED TEMPORARY USES IN CONNECTION WITH DEVELOPMENT PROJECTS", ADDING SECTION 12-318 "OTHER TEMPORARY USES REQUIRING A PERMIT", ADDING SECTION 219 "PROCEDURES IN SECURING TEMPORARY USE PERMIT"; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Mr. Katims explained that the purpose of the ordinance was for temporary use procedures within the Code which would have to be approved by Council. Mr. Davis questioned how subsection 5 affected the temporary use procedures and was advised by Mr. Katims that temporary uses could be granted for up to 60 days. General discussion followed regarding what types of uses would be covered under the ordinance. Chair Greb suggested adding a time limit of 60 days to the ordinance. Mr. Davis concurred, adding "consecutive" to the number of days. Mr. Katims replied that the time would be in a calendar year, not necessarily consecutive. Mr. Davenport expressed concern that having a garage sale would require permitting. Mr. Katims explained that garage sales needed to be tracked to make sure they were not held more than a specific number of times per year, but was not sure if garage sales would fall under the ordinance. He requested a suggestion from the Board regarding that issue.

Mr. Davenport made a motion, seconded by Ms. Moore, to recommend the ordinance to Council with the Board's suggested changes. In a roll call vote, the vote was as follows: In a voice vote, all voted in favor. (Motion carried 5-0)

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3. OLD BUSINESS

Vice-Chair Stahl mentioned transcription of the minutes. Ms. Medina advised that tapes had been sent off-site for transcription; however, three additional meetings had been transcribed and should have been placed on the agenda for approval.

Ms. Medina expressed her pleasure working in the past with the Board and the Town, stating that current circumstances had forced her to move on.

Mr. Davis asked about exotic animal special permits and observed that two Councilmembers had no knowledge of the amendment. Mr. Katims informed the Board that staff needed to go to Council to pursue the amendment and it would be put on the October 4th Council agenda.

Chair Greb stressed that the Board's sole intent was for the public to have input and voice their opinion regarding the housing of exotic animals.

4. NEW BUSINESS

There was no new business to discuss.

5. COMMENTS AND/OR SUGGESTIONS

There were no comments and/or suggestions.

6. ADJOURNMENT

There being no objections, the meeting adjourned at 9:10 p.m.

Approved: _____

Chair/Board Member