

PLANNING AND ZONING BOARD
OCTOBER 9, 2002

1. ROLL CALL

The meeting was called to order at 7:03 p.m. Board members present were Chair George Greb, Vice-Chair Mike Bender, Casey Lee, Mimi Turin and Bob Waitkus. Also present were Town Attorney Monroe Kiar, Planner Deborah Ross and Board Secretary Janet Gale recording the meeting.

2. APPROVAL OF MINUTES: September 25, 2002

Mr. Waitkus made a motion, seconded by Vice-Chair Bender, to approve the minutes of September 25, 2002. In a voice vote, all voted in favor. **(Motion carried 5-0)**

3. PUBLIC HEARING

Rezoning

3.1 ZB 2-1-02, Voigt/Hanmi Baptist Church, 2150 Flamingo Road (from AG to CF)

John Voigt and Rosana Cordova, representing the petitioner, were present. Ms. Ross read the planning report (Planning and Zoning Division's recommendation: suitable for consideration).

Mr. Voigt provided a presentation and explained why he believed this project was appropriate for this location and for rezoning. In answering questions, he clarified that there was an access road to the property off Flamingo Road; that approximately three acres of the property would be developed residential and serve as a buffer to the east; that the project consisting of one 10,000-square foot building would be built in one phase; and that the congregation was small. Mr. Voigt argued that this project was purchased for the purpose of being a church prior to the Calvary Church being built and that by not granting the rezoning and variance, it would be denying the church its use of the property. He indicated that there were meetings with members of the Paradise Pines Homeowners' Association and favorable correspondence from an officer of the association was part of the record.

Chair Greb asked if anyone wished to speak for or against this item.

Grete Peck, 2221 SW 120 Terrace, indicated that she was the current treasurer of the Paradise Pines Homeowners' Association. She clarified that the Association's board members who were elected in February 2002 had not received a letter from the developer, nor had they had a meeting with the developer. Ms. Peck was not in favor of this item and she maintained that the letter dated August 27, 2002, from Mark Schmidt and the homeowners' association's Vice-President Felix Braverman to the developer, represented their individual opinions and not that of the Association.

Ethan Loubriel, 2221 SW 120 Terrace, indicated that the letter from Mr. Schmidt was not collaborated with the Association's president, secretary or treasurer. He was opposed to this item and indicated two other homeowners who were also opposed. Mr. Loubriel read from the Code which stated that the distance between houses of worship should not be less than 2,500 feet, and he asked that this regulation be upheld. It was established that there were 16 homes represented in the Association.

Fernando Miranda, 2181 SW 120 Terrace, was opposed to this item and stated his reasons.

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

Mr. Voigt responded to some of the points brought up by the various speakers. A lengthy discussion ensued regarding the lack of support from neighbors and concerns about establishing precedence by varying the distance between houses of worship.

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

Variance

3.2 V 2-1-02, Voigt/Hanmi Baptist Church, 2150 Flamingo Road (AG)

John Voigt, representing the petitioner, was present. Ms. Ross read the planning report (Planning and Zoning Division’s recommendation: suitable for consideration).

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

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

4. OLD BUSINESS

There was no old business discussed.

5. NEW BUSINESS

5.1 November and December Meeting Schedules

After a brief discussion, the Board agreed that both November 27th and December 25th meetings should be cancelled and not rescheduled.

Vice-Chair Bender made a motion, seconded by Mr. Waitkus, to cancel the November 27th meeting. In a voice vote, all voted in favor. **(Motion carried 5-0)**

Vice-Chair Bender made a motion, seconded by Mr. Waitkus, to cancel the December 25th meeting. In a voice vote, all voted in favor. **(Motion carried 5-0)**

A discussion ensued regarding illegal lot clearing and advertising tactics which were done on weekends or at such times when Code Compliance could not be notified. The Board discussed various solutions and it was the consensus to discuss the problem with staff, if possible.

Vice-Chair Bender made a motion, seconded by Mr. Waitkus, to request that the Town Administrator arrange to have Development Services Director Mark Kutney and Chief Code Compliance Officer Dan Stallone present at the next meeting in order to address various violations that Board members had observed and to discuss what penalties may be enforced. In a voice vote, all voted in favor. **(Motion carried 5-0)**

6. COMMENTS AND/OR SUGGESTIONS

There were no comments and/or suggestions made.

7. ADJOURNMENT

There being no other business and no objections, the meeting was adjourned at 8:20 p.m.

Date Approved _____

Chair/Board Member