

**1. ROLL CALL**

The meeting was called to order at 7:04 p.m. Board members present were Chair Mike Bender, Vice-Chair Bob Waitkus, Casey Lee, Scott McLaughlin and Mimi Turin. Also present were Andre Park and Martin Kiar from the Town Attorney's Office, Planner Deborah Ross and Board Secretary Janet Gale recording the meeting.

**2. APPROVAL OF MINUTES:** May 14, 2003  
June 11, 2003

Ms. Turin made a motion, seconded by Vice-Chair Waitkus, to approve the minutes of May 14, 2003. In a voice vote, all voted in favor. **(Motion carried 5-0)**

Vice-Chair Waitkus made a motion, seconded by Ms. Turin, to approve the minutes of June 11, 2003. In a voice vote, all voted in favor. **(Motion carried 5-0)**

**3. PLAT**

3.1 P 6-4-02, SHM Parcel, east side of Davie Road, 350 feet north of Stirling Road (R-0 and R-2) **(tabled from September 25, 2002)**

Elizabeth Pulice, representing the petitioner, was present. Ms. Ross read the planning report.

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

3.2 P 10-3-02, Lovy's Acres, SW 139 Avenue and SW 17 Court (R-1)

As the applicant was not present, Mr. McLaughlin made a motion, seconded by Ms. Lee, to move to the end of the agenda. In a voice vote, all voted in favor. **(Motion carried 5-0)**

**4. PUBLIC HEARINGS**

*Rezoning*

4.1 ZB 11-1-02, Laystrom/College Business Park, L.L.C., 6200 Nova Drive (from M-4, County to BP) **(tabled from June 25, 2003)**

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

Mr. Voight provided a presentation and explained the intent of the rezoning, one of which was to remove the offensive uses.

Chair Bender asked if anyone wished to speak for or against this item. As there were no speakers, the public hearing was closed and Board members discussed the proposal. At the Board's request, Ms. Ross researched information regarding retail uses.

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

4.2 ZB 7-1-03, Davie Community Redevelopment Agency/FMC Telecommunications, Inc., 6075 SW 45 Street (from B-2 to B-2, Western Theme Overlay)

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Redevelopment Administrator Will Allen, representing the petitioner, was present and distributed aerials. Ms. Ross read the planning report.

Mr. Allen advised that the Community Redevelopment Agency had approved this project. He spoke of the benefits of this proposal and plans to save two mature oak trees.

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

Ms. Turin, Chair Bender, Ms. Lee and Mr. McLaughlin disclosed that they had been contacted by Neal Kalis, a proponent of this project.

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

*Special Permits*

4.3 SE 5-1-03, Chamberlain and Epstein/Dream Homes of Davie, LLC., 3900 Joan's Way (A-1)

Nate Chamberlain, representing the petitioner, was present. Ms. Ross read the planning report.

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

Michael Bartlett, 4301 SW 105 Avenue, spoke about road conditions, drainage concerns, hours of operations, and the posting of a bond as a mechanism to assure that road damages would be repaired. He indicated that the purpose of his speaking was that the Board address those issues in making its decision.

Peter Dunne, 4350 SW 105 Avenue, reiterated Mr. Bartlett's concerns. He asked that there be ramifications for the developer should there be damage to the roads made by construction traffic and that the roads be evaluated on a timely basis.

Drew Gregg, 4221 SW 105 Avenue, also asked that the road be examined on a regular basis and that a means be established to assure that the developer would be responsible for repairing any damages.

Sylvia Clements, 4751 30 Street, spoke of the various agencies which should be involved in this project as a point of information for the Board.

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

A lengthy discussion ensued and Mr. Chamberlain answered questions in order to clarify the specifics of the project. He agreed to terms regarding hours of operations, a means for review of road damage and maintenance of debris on a regular basis, and to provide a "complaint person" for the neighboring homeowners and/or associations to contact and report that road repair was needed.

Mr. McLaughlin made a motion, seconded by Vice-Chair Waitkus, to approve based upon the following stipulations: 1) working hours were to be from 8 a.m. to 5 p.m., Monday through Friday; 2) that the applicant was to clean up any mess or "fugitive dust" on the road within 24 hours; 3) that there be a "sufficient" bond set; 4) that road repairs be made on a monthly basis; and 5) that Mr. Chamberlain provide a means to be contacted by homeowners associations in order for them to report problems. In a roll call vote, the vote was as follows: Chair Bender -

yes; Vice-Chair Waitkus – yes; Ms. Lee – no; Mr. McLaughlin – yes; Ms. Turin – yes. **(Motion carried 4-1)**

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4.4 SE 5-2-03, Megatran Inc./Longhorn Property Management, Inc., 4411 Kean Road (M-3)

Michael Acosta and John Bradley, representing the petitioner, were present. Ms. Ross read the planning report.

Mr. Acosta explained the intent of the special permit and answered questions. The Board deliberated about the length of time for which this temporary trailer could remain on site. Mr. Acosta advised that the current lease extended through March 2006.

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

Tyler Costa, 1225 South Alhambra Circle, Coral Gables, spoke of the configuration of the site and the office trailer that was proposed to be placed there.

Kenny Sloan, 1516 South Ocean Drive, Fort Lauderdale, reiterated that only a temporary structure could be placed on that site.

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

Another discussion ensued regarding the landscaping to be used for the screening of the trailer and regarding the removal of exotic trees from the wetland area. A landscape plan of the site was provided for the Board's review.

Ms. Lee made a motion, seconded by Vice-Chair Waitkus, to approve with the stipulation that the approval expires March 2006 and should be renewed by the Planning and Zoning Board and Town Council at that point in time. In a roll call vote, the vote was as follows: Chair Bender - yes; Vice-Chair Waitkus - yes; Ms. Lee - yes; Mr. McLaughlin - yes; Ms. Turin - yes. **(Motion carried 5-0)**

*Vacation/Abandonment*

4.5 VA 5-1-02, Cassidy, 6045 SW 45 Street

Neal Kalis, representing the petitioner, was present. Ms. Ross read the planning report.

Mr. Kalis indicated that he concurred with the staff's report and noted a typographical error on page two. He provided historical information and explained the intent of this request.

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

Ms. Turin disclosed that she had received a message from Mr. Kalis on this item. Mr. McLaughlin disclosed that he had communicated with Mr. Kalis and referenced a "corner cord" for the survey. Mr. Kalis indicated that he would provide a survey which showed that the "corner cord" was not included in the part being vacated. He also believed that his client would not have a problem with dedicating a "non vehicular line" along Orange Drive. At Mr. McLaughlin's request, Mr. Kalis provided a set of plans which was reviewed by the Board for a better understanding of this request. Chair Bender and Ms. Lee disclosed that they had communicated with Mr. Kalis.

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

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3.2 Mr. Aguirre, representing the petitioner, was present. Ms. Ross read the planning report.

Mr. Aguirre indicated that he concurred with the findings in the report.

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

**5. OLD BUSINESS**

There was no old business discussed.

**6. NEW BUSINESS**

There was no new business discussed.

**7. COMMENTS AND/OR SUGGESTIONS**

There were no comments and/or suggestions made.

**8. ADJOURNMENT**

There being no further business and no objections, the meeting was adjourned at 9:17 p.m.

Date Approved \_\_\_\_\_

\_\_\_\_\_  
Chair/Board Member