

**PLANNING AND ZONING BOARD**  
**JANUARY 28, 2004**

**1. ROLL CALL**

The meeting was called to order at 7:02 p.m. Board members present were Chair Mike Bender, Vice-Chair Mimi Turin, Casey Lee and Scott McLaughlin. Also present were Attorney Andre Parke, Planner Deborah Ross and Board Secretary Janet Gale recording the meeting. John Stevens was absent.

**2. PLATS**

2.1 P 2-1-03, Oak Scholar - Davie, 3655 Shotgun Road (AG)

Howard Nelson, representing the petitioner, was present. Ms. Ross read the planning report.

Mr. Nelson indicated that he accepted the conditions in the report; however, he clarified that the recommended ten-foot recreational trail which abutted SW 36 Street would only extend 168 feet as that was the length of the property at that point.

Chair Bender questioned why the front of the property had been cleared before anything had been approved. Mr. Nelson responded that it had been a failure in communication with his client to emphasize the procedure prior to the removal of the Brazilian Pepper trees. He assured the Board that a wildlife study and a tree survey had been completed. Mr. Nelson indicated that the archaeological site had been preserved. Ms. Lee reviewed the archaeological survey. Mr. McLaughlin asked a question about the horse trail and Mr. Nelson explained that although the equestrian trail was just outside the limits of the plat, it would be indicated on the plat for informational purposes.

In the discussion which ensued, Chair Bender contended that he was opposed to the proposal as the Post Road Bridge would become impassable during peak hours and that Shotgun Road already had been over its capacity to handle any additional traffic. He also believed it would negate the Town's chances of getting a middle school assigned to the 33 acres located to the south because of this plat's impact on traffic.

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

2.2 P 5-1-03, La Tierra De Monstera Deliciosa, 6838 SW 43 Court (R-3)

Robert Martinez, the petitioner, requested that this item be moved to later in the meeting as his architect was not present and expected shortly.

Mr. McLaughlin made a motion, seconded by Vice-Chair Turin, to review this item last. In a voice vote, with Mr. Stevens being absent, all voted in favor. **(Motion carried 4-0)**

**3. OLD BUSINESS**

3.1 SE 3-1-99, FMC Telecommunication, 6045 SW 45 Street (B-2, Western Theme District), Requesting an 18-month Extension

Scott Kleinman, representing the petitioner, was present. Ms. Ross summarized the request for an extension of a previously approved special permit.

Mr. Kleinman explained the delays which had been incurred and indicated that the 18-month extension would be a reasonable amount of time to complete the project.

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Ms. Lee established that this was the second extension request since the expiration of the original request.

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

2.2 Robert Martinez, the petitioner, was present. He provided historical information on the property and explained his intent. Ms. Ross summarized the planning report.

In a brief discussion, issues were clarified regarding the access road, tree removal and the relocation of a large Laurel Oak tree. Mr. Martinez advised of a correction in the planning report to reflect that there had been a change in zoning. Ms. Ross indicated that she would research the rezoning.

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

**4. NEW BUSINESS**

There was no new business discussed.

**5. COMMENTS AND/OR SUGGESTIONS**

There were no comments and/or suggestions made.

**6. ADJOURNMENT**

There being no further business and no objections, the meeting was adjourned at 7:35 p.m.

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

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