

PLANNING AND ZONING BOARD
DECEMBER 14, 2005

1. ROLL CALL

The meeting was called to order at 7:05 p.m. Board members present were Chair Mike Bender, Vice-Chair Scott McLaughlin, Marlon Luis, John Stevens and Mimi Turin. Also present were Town Attorney Monroe Kiar, Planning and Zoning Manager Bruce Dell, Planner Chris Gratz and Board Secretary Janet Gale recording the meeting.

2. APPROVAL OF MINUTES: November 9, 2005

Mr. Stevens made a motion, seconded by Vice-Chair McLaughlin, to approve the minutes of November 9, 2005. In a voice vote, all voted in favor. **(Motion carried 5-0)**

3. PLATS

3.1 P 8-3-04, Lorson Estates, 1275 SW 130 Avenue (A-1)

Chair Bender acknowledged that a substantial number of residents were present to address items 3.1 and 4.1, known as Lorson Estates. As a memorandum to table these items had been distributed and posted, Chair Bender suggested that the public be allowed to express their concerns.

Chair Bender advised that the tabling request was for December 28th; however, he believed that was an inconvenient time of year with people not being able to attend due to the holidays. He suggested that the second meeting in January would be better.

Manny Sinalovski, representing the petitioner for this project, expressed that while he had no objection to the delay for tonight since he also wanted the public properly noticed, he asked that it be tabled to the first meeting in January due to deadlines in the process.

Harry Hausman, 13251 SW 14 Street, was concerned that the zoning was for R-5 and only 11 houses were planned for the five acres.

Chair Bender explained that the developer did not have to build to the maximum.

Mr. Gratz advised that technical questions could be directed to the developer during public participation meetings which Mr. Sinalovski was proposing. Mr. Sinalovski requested that for the convenience of the concerned residents, the meetings be held in the Town's Community Room. Mr. Gratz responded affirmatively and recommended that Mr. Sinalovski contact the Parks and Recreation Department to make the arrangements.

Christine Galbraith, 13501 SW 14 Place, had several concerns beginning with setting a precedent for the rezoning of the undeveloped land north of this project. She was also concerned about drainage and asked that the Board consider that her community was already established at one unit per acre. Ms. Galbraith spoke of the need for a landscape barrier between the high school and her community and other issues which arose as a result of hurricane Wilma. She presented photographs of flooded streets in order to emphasize the drainage issues she has been dealing with in her neighborhood.

Mr. Sinalovski spoke of the measures being taken with the plat in order to improve the expansion and drainage on SW 14 Street. He offered to mirror the landscape buffer on both sides of SW 14 Street, assuming that the Town would allow them to landscape on its property. Mr. Sinalovski indicated that he had no interest in the other undeveloped property surrounding his; however, he was willing to deed restrict this plat in order to reaffirm to the community that this would never be more than the 11 lots he was proposing.

Mr. Stevens made a motion, seconded by Ms. Turin, to table item 3.1 to January 11, 2006. In a voice vote, all voted in favor. **(Motion carried 5-0)**

Mr. Stevens made a motion, seconded by Ms. Turin, to table item 4.2 to the January 11th meeting. In a voice vote, all voted in favor. **(Motion carried 5-0)**

**PLANNING AND ZONING BOARD
DECEMBER 14, 2005**

3.2 P 12-1-04, Farida Plat, 950 South Flamingo Road (R-5)

Daniel Fee, representing the petitioner, was present. Mr. Gratz summarized the planning report.

Vice-Chair McLaughlin asked why there were no lot lines indicated on the plat and Mr. Fee explained.

Vice-Chair McLaughlin advised that he would abstain from voting on this plat as he was the surveyor of record.

Julie Aitken, 3801 Flamingo Road, asked if this was a “lot specific” plat. Mr. Gratz responded that based on complaints by the Site Plan Committee and Town Council, the lines were not on the plat.

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

4. PUBLIC HEARING

Vacation

4.1 VA 5-1-05, Craven Thompson and Associates/Broward County, Long Key – Flamingo Park, generally located on the southwest corner of Flamingo Road, SW 36 Court, and SW 130 Avenue (R-S)

Edward Ploski, representing the petitioner, was present. Mr. Gratz explained that the intent of the request was to “technically clean up” old platted easements for roads which would not go through.

Using a plat map, Mr. Ploski further explained the request. He indicated that he received “no objection letters” from all the utilities except for Bellsouth which had utility poles in a right-of-way.

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

Julie Aitken, 3801 Flamingo Road, indicated that she owned the property to the south and provided historical information. It was her suggestion that rather than the Town just vacating rights-of-way, that these easements be left as was or relocated to be used as recreational trails, not roads, throughout the park.

As a result of staff’s request, Mr. Ploski pointed out an area of the park which Broward County agreed to dedicate as an equestrian trail. Using an aerial, Ms. Aitken pointed out where a recreational trail would be ideally located to tie in with another trail.

Chair Bender asked Mr. Ploski if he was willing to meet with Ms. Aitken to work something out. Mr. Ploski responded affirmatively.

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

Vice-Chair McLaughlin asked that Mr. Ploski work with Bellsouth on its need for an easement. Mr. Ploski assured that the County would not accept the application unless the Bellsouth easement was resolved.

Ms. Turin asked Mr. Gratz about the Town’s direction to unite the trail system. He responded that it was part of the Evaluation and Appraisal Report to complete the trail systems, but there was not a time frame. Boardmembers expressed that it would be nice to have a trail system that actually went somewhere in the park.

Vice-Chair McLaughlin made a motion, seconded by Ms. Turin, to approve contingent upon meetings with the resident, Ms. Aitken, and the retention for Bellsouth if necessary. In a roll call vote, the vote was as follows: Chair Bender – yes; Vice-Chair McLaughlin – yes; Mr. Luis – yes; Mr. Stevens – yes; Ms. Turin – yes. **(Motion carried 5-0)**

**PLANNING AND ZONING BOARD
DECEMBER 14, 2005**

Rezoning

4.2 ZB 8-2-04, Lorson One, LLC/POA/Acecon Construction Corp., 1275 SW 130 Avenue
(from A-1 to R-5)

Earlier in the meeting, this item was tabled to January 11, 2006.

Variances

4.3 V 7-2-05, Nelson, 3778 Gulfstream Way (AG) **(tabled from November 9, 2005)**

Kim Nelson, the petitioner, was present. Mr. Gratz pointed out the uniqueness of the request and showed that it would minimally impact the neighbors. He also indicated that the homeowners' association and affected neighbors had stated no objections to the project.

Mr. Nelson elaborated on the technicalities of the request and indicated that he would be duplicating a neighbor's garage which was nicely done and did not look like an add-on. He answered questions posed by Boardmembers for their accurate understanding of the project.

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

Vice-Chair McLaughlin expressed that although he thought the garage was a great idea, breaking up the 25-foot barrier was like opening up a can of worms.

Ms. Turin asked if the garage could be placed anywhere on the property without the need for a variance. Mr. Nelson responded negatively and indicated that this plan was the only one that worked.

Vice-Chair McLaughlin made a motion to deny. The motion died due to the lack of a second.

Mr. Luis made a motion, seconded by Mr. Stevens, to approve. In a roll call vote, the vote was as follows: Chair Bender – yes; Vice-Chair McLaughlin – no; Mr. Luis – yes; Mr. Stevens – yes; Ms. Turin – no. **(Motion carried 3-2)**

Ms. Turin expressed her agreement with Vice-Chair McLaughlin that this would set a precedent and would be a "slippery slope" in respecting the designated setbacks.

4.4 V 7-3-05, DuPont, 3344 Meadowbrook Way (AG)

Mr. Gratz indicated that the applicant was not present and the homeowners' association was not clear about the applicant's request. Mr. Gratz asked that the item be tabled to January 11th.

Mr. Luis made a motion, seconded by Vice-Chair McLaughlin, to table to January 11, 2006. In a roll call vote, the vote was as follows: Chair Bender – yes; Vice-Chair McLaughlin – yes; Mr. Luis – yes; Mr. Stevens – yes; Ms. Turin – yes. **(Motion carried 5-0)**

5. OLD BUSINESS

Mr. Stevens indicated that he would not be able to attend the December 28th meeting and asked if anyone else would be absent. A brief discussion ensued.

Mr. Stevens made a motion, seconded by Vice-Chair McLaughlin, to cancel the meeting of December 28th. In a voice vote, all voted in favor. **(Motion carried 5-0)**

6. NEW BUSINESS

There was no new business discussed.

7. COMMENTS AND/OR SUGGESTIONS

There were no comments and/or suggestions made.

**PLANNING AND ZONING BOARD
DECEMBER 14, 2005**

8. ADJOURNMENT

As there was no other business and no objections, the meeting was adjourned at 8:10 p.m.

Date Approved: _____

Chair/Board Member