

TOWN OF DAVIE
PLANNING AND ZONING BOARD
MARCH 9, 2016

1. ROLL CALL

The meeting was called to order at 6:30 p.m. Board members present were Chair Ken DeArmas, Christopher Cory, and Mike Bender. Vice Chair Tom Jacob and Jodi Davidson were absent. Also present were Planning and Zoning Manager David Quigley, Deputy Planning and Zoning Manager David Abramson, Board Attorney Allan Weinthal; and Lisa Edmondson, Recording Clerk, Prototype, Inc.

2. MOTION TO EXCUSE BOARD MEMBERS

Motion made by Mr. Bender, seconded by Mr. Cory, to excuse Vice Chair Jacob and Ms. Davidson. In a voice vote, the motion passed unanimously.

3. APPROVAL OF MINUTES

3.1 December 9, 2015 Meeting Minutes

Motion made by Mr. Bender, seconded by Mr. Cory, to approve the December 9, 2015 meeting minutes. In a voice vote, the motion passed unanimously.

4. PUBLIC HEARING

Quasi Judicial

4.1 Rezoning (ZB) 13-013 Davie Road Commercial Center/Prima Professional Campus

Generally located on the northeast corner of University Drive and Davie Road Extension

Attorney Weinthal confirmed that the applicant waived the quasi-judicial process. There was no one in the public wishing to speak on this item.

Mr. Abramson then gave a summary of the staff report, advising this matter would be going before Town Council on April 6, 2016.

Ms. Jane Storms appeared on behalf of the applicant.

Chair DeArmas then opened and closed the public hearing as there was no one wishing to speak on this item.

Motion made by Mr. Bender, seconded by Mr. Cory, to approve Rezoning 13-013.

In a roll call vote, the motion passed 3-0 (with Vice Chair Jacob and Ms. Davidson absent).

4.2 Variance (V) 15-327 Diaz

1985 Southwest 115th Avenue

Attorney Weinthal confirmed that the applicant waived the quasi-judicial process.

Mr. Abramson then gave a summary of the staff report.

Mr. Alex Diaz appeared on behalf of the applicant. A history of the property was reviewed by Mr. Abramson indicating that a prior variance had been requested for an existing barn on this property which had been approved. However, a concrete slab adjacent to the barn had been installed with no permit. The homeowner had been in contact with Ms. Borgesi at the Davie Engineering Department who had gone out to the property, suggesting a berm be put in to mitigate water retention issues.

Chair DeArmas then opened the public hearing.

Mr. Steve Wahlbrink (counsel for adjoining neighbors Ms. Heidi Firpo and Mr. Angel Ruiz) as well as Ms. Firpo and Mr. Ruiz, appeared in opposition to the variance detailing issues with pooling and flooding of their property due to the barn, concrete slab, and raised elevations

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of Mr. Diaz's property. Ms. Firpo added she did not believe the berm had been built high enough as water continues to drain toward her home. Pictures of their property and flooding conditions were shown to staff and the Board.

Mr. Cory commented that he believed the issue was more due to general flooding problems than the position of the actual slab itself. He noted he had previously voted against the barn variance when it came before the Board.

Chair DeArmas then closed the public hearing as there was no one else wishing to speak on this item.

Discussion continued regarding property lines, neighborhood drainage, berm height, and assistance provided by the Town to Ms. Firpo and Mr. Ruiz with regard to these issues.

Motion made by Mr. Bender, seconded by Mr. Cory, to approve Variance 15-327.

In a roll call vote, the motion passed 3-0 (with Vice Chair Jacob and Ms. Davidson absent).

5. **OLD BUSINESS** - none.

6. **NEW BUSINESS**

6.1 March Meeting Calendar

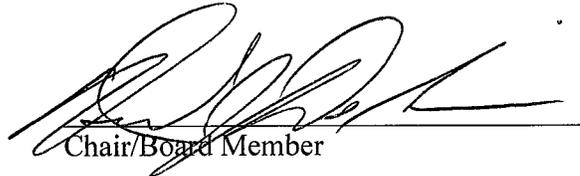
The meeting date was changed from March 23, 2016 to March 22, 2016.

7. **COMMENTS AND/OR SUGGESTIONS** - none.

8. **ADJOURNMENT**

Hearing no further business, Chair DeArmas adjourned the meeting at 7:10 p.m.

Date Approved: 3-22-16


Chair/Board Member