

TOWN OF DAVIE  
PLANNING AND ZONING BOARD  
FEBRUARY 11, 2015

**1. ROLL CALL**

The meeting was called to order at 6:31 p.m. Board members present were Chair Ken DeArmas, Tom Jacob, and Christopher Cory. Jodi Davidson was absent. Also present were Planning and Zoning Manager David Quigley, Deputy Planning and Zoning Manager David Abramson, Board Attorney Daniel Stallone; and Lisa Edmondson, Recording Clerk, Prototype.

**2. SELECTION OF VICE CHAIR**

**Motion** made by Mr. Cory, seconded by Chair DeArmas, to appoint Mr. Jacob as Vice Chair. In a voice vote, the motion passed unanimously.

**3. MOTION TO EXCUSE BOARD MEMBERS** - Chair DeArmas announced that Ms. Davidson was excused.

**4. APPROVAL OF MINUTES**

4.1 January 28, 2015 Meeting Minutes

**Motion** made by Vice Chair Jacob, seconded by Mr. Cory, to approve the minutes of the January 28, 2015, meeting. In a voice vote, the motion passed unanimously (3-0 with Ms. Davidson absent).

**5. PUBLIC HEARING (QUASI-JUDICIAL)**

5.1 Variance (V) 14-335 Diaz  
*1985 Southwest 115 Avenue*

Mr. Stallone confirmed that the applicant has waived the quasi-judicial proceedings.

Mr. Abramson presented this item summarizing the staff report for the record and stating this matter would go before Town Council at the March 4, 2015 meeting.

Mr. Alex Diaz, property owner, appeared on his own behalf.

A history of the property and barn structures, as well as adjacent properties were discussed. Mr. Stallone suggested there was a need to look further into the variance process to discuss and clarify the code with regard to barns as the ordinance is open to interpretation by the Code Enforcement Officer.

Discussion continued regarding setbacks from each perimeter property line, letters of no objection were noted as received from the affected surrounding property owners, and the current status of the structure (which has already been built).

Chair DeArmas then opened the public comment portion of the hearing.

Mr. Ruben Garcia spoke in favor of the variance indicating he has no objection.

Mr. John Finnay indicated he has no objection to granting the variance.

Mr. Dennis Deveaugh, spoke in favor of permitting the variance.

With no one else wishing to speak on this item, Chair DeArmas then closed public comment portion of the hearing.

Further discussion ensued regarding criteria for a pole barn, the overall improvement of the property, and drainage. It was also noted that the neighbor least affected by the variance was the only person who had voice any objection.

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**Motion** made by Vice Chair Jacob, seconded by Chair DeArmas (who had passed the gavel to Mr. Cory), to approve. In a roll call vote as follows, the motion passed: Acting Chair Cory, no; Vice Chair Jacob, yes; Mr. DeArmas, yes (motion passed 2-1 with Ms. Davidson absent).

5.2 Variance (V) 14-345 Dagen

*Generally located south of Southwest 27th Street, west of Southwest 148th Avenue*

Mr. Stallone confirmed that the applicant has waived the quasi-judicial proceedings.

Mr. Abramson presented this item summarizing the staff report for the record and stating this matter would go before Town Council at the March 4, 2015 meeting. Two variances were requested: 1) to permit a reduction in the square footage of the residence; and 2) to allow for a reduction in the barn setback.

Mr. Sheldon Dagen, property owner, appeared on his own behalf.

A history of the property and surrounding area was discussed.

Chair DeArmas then opened the public comment portion of the hearing.

Mr. Mark Gabrielson expressed his opinion on how the “rules keep changing” pertaining to variances.

With no one else wishing to speak on this item, Chair DeArmas then closed public comment portion of the hearing.

Discussion continued regarding the unusual lot size of the property and easements, as well as adjacent property values. The applicant stated he was willing to build a fence if necessary.

**Motion** made by Mr. Cory, seconded by Vice Chair Jacob, to approve the residential building size reduction. In a roll call vote, the motion passed unanimously 3-0 (with Ms. Davidson absent).

**Motion** made by Vice Chair Jacob, seconded by Chair DeArmas (who had passed the gavel to Mr. Cory), to approve the barn variance. In a roll call vote as follows, the motion passed: Acting Chair Cory, no; Vice Chair Jacob, yes; Mr. DeArmas, yes (motion passed 2-1 with Ms. Davidson absent).

6. **OLD BUSINESS** - none.

7. **NEW BUSINESS** - none.

8. **COMMENTS AND/OR SUGGESTIONS**

Vice Chair Jacob opened discussion regarding variances in general, as well as meeting the standards and interpreting the criteria for granting or denying variances.

9. **ADJOURNMENT**

Hearing no further business, Chair DeArmas adjourned the meeting at 7:45 p.m.

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

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