

LOCAL PLANNING AGENCY
SEPTEMBER 23, 2009

1. ROLL CALL

The meeting was called to order at 7:16 p.m. Board members present were Chair Mimi Turin, Vice-Chair Philip Busey, Ken DeArmas, Ken Farkas and Tom Jacob. Also present were Attorney Thomas Moss, Planning and Zoning Manager David Quigley, Deputy Planning and Zoning Manager David Abramson, and Board Secretary Janet Gale recording the meeting.

2. APPROVAL OF MINUTES: January 28, 2009

Mr. Jacob made a motion, seconded by Mr. DeArmas, to approve the minutes of January 28, 2009. In a voice vote, all voted in favor. **(Motion carried 5-0)**

3. PUBLIC HEARING

Ordinance

- 3.1 AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, AMENDING THE CODE OF ORDINANCES, CHAPTER 12, LAND DEVELOPMENT CODE, BY AMENDING SECTION 12-107, LANDSCAPING STANDARDS FOR LOTS AND SITES, SECTION 12-284, FENCES, MAILBOXES, BUS STOPS AND ENTRANCEWAY FEATURES, AND SECTION 12-288, INCENTIVES; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (ZB [TXT] 8-1-09)

Mr. Quigley advised that this item had been initiated by the Town Council at its August 5, 2009 meeting. Guard gates and guard houses were generally prohibited in the Rural Lifestyle Area. The only way they could be acquired was by obtaining a specific number of points through an established point system. This ordinance would amend the Code to allow the guard gates in the Rural Lifestyle Area in order to provide some security for current and prospective homeowners. Although the prohibition for guard gates may be removed, staff opined that the design features for guard gates and guard houses should be maintained.

Representatives from Woodbridge Ranches development had made an appeal to Council and that was the impetus for Council to direct staff to create the proposed amendment. Mr. DeArmas disclosed that he lived down the street from Woodbridge Ranches and it was a very nice community.

Mr. Farkas asked staff if Woodbridge Ranches had the chance to earn the points to put up the guard gate when the development was originally conceived. Mr. Quigley believed the development had been approved simultaneously or shortly after the Rural Lifestyle Initiative had been innovated.

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

Francisco Perez, representing Woodbridge Ranches, spoke in favor of the ordinance. He indicated that sales had been lost due to not having a gated community and being in competition with nearby developments which did offer that security. Mr. Perez provided a rendering of the proposed guard gate and guard house and pointed out that the clearance for the carport roof was 14-feet to allow for emergency vehicles. Although as the developer, it would be an added expense to provide, he believed it was necessary in order to sell the remaining lots in the development.

Caesar Hassan indicated that he was a homeowner in Woodbridge Ranches since May of this year. Although he was a resident for a few months, four incidences of vandalism have occurred. He believed that if the community were gated instead of having a "thru-access," the vandalism would decrease greatly.

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

A lengthy discussion ensued regarding the vulnerability of the development and how the guard gate would solve a myriad of problems. As a neighbor and Agency member, Mr. DeArmas expressed that he would not have a problem approving this item. He added that based on the lush landscaping, size of the setbacks, amenities, and architectural detail to the houses, he believed that the development far exceeded the expectations of the surrounding community and would easily qualify for enough points to allow for a guard gate.

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Vice-Chair Busey was disinclined to approve of changing an ordinance that would effect all future development in the area just for one situation that really was not a problem since they probably had the points to earn a guard gate.

Mr. Perez advised that his project fell short of obtaining the necessary points when it first got started and he explained why that happened. Although Agency members were sympathetic, they were reluctant to set a precedent or amend an ordinance which would impact development in the entire area in order to accommodate one situation.

Alternatives to changing the ordinance were discussed at length and the Agency agreed to have staff research and reassess the point system allocations for developers who have gone beyond the requirements to enhance the community. Mr. Farkas asserted that any modifications made to the point system should be to the benefit of the Town and not to the developer. In other words, credit could be earned for improvements which augment the Rural Lifestyle Initiative.

Mr. DeArmas suggested tabling the item for more time so that staff can research if there were options to earn more points rather than changing the ordinance. Mr. Quigley clarified that the Agency was interested in having staff come back with other options rather than “throwing the baby out with the bath water.”

Mr. DeArmas made a motion, seconded by Mr. Farkas, to table to October 14, 2009, or the next available meeting in order to allow staff more time for research since the proposed ordinance was a directive from the Town Council. In a roll call vote, the vote was as follows: Chair Turin – yes; Vice-Chair Busey – yes; Mr. DeArmas – yes; Mr. Farkas – yes; Mr. Jacob – yes. **(Motion carried 5-0)**

4. OLD BUSINESS

There was no old business discussed.

5. NEW BUSINESS

As the last Agency meeting was in January, Vice-Chair Busey asked if there was a way to review minutes sooner than eight months apart. Ms. Gale responded affirmatively and explained how it could be done. If there was not a Local Planning Agency meeting scheduled for several months due to a lack of items, a meeting could be held after the Planning and Zoning meeting and the minutes would be placed on the agenda for review.

6. COMMENTS AND/OR SUGGESTIONS

There were no comments and/or suggestions made.

7. ADJOURNMENT

There being no further business and no objections, the meeting was adjourned at 8:28 p.m.

Date Approved: _____

Chair/Agency Member