



TOWN OF DAVIE
PLANNING & ZONING DIVISION

PLANNING AND ZONING BOARD MEETING MINUTES
JULY 26, 2016

1. ROLL CALL

The meeting was called to order at 6:30 p.m. Board members present were Chair Ken DeArmas, Vice Chair Tom Jacob, and Christopher Cory. Mike Bender and Jodi Davidson were absent. Also present were Planning and Zoning Manager David Quigley; Allan Weinthal, Board Attorney; Lize Basinet; and Mona Laventure, Prototype Inc., recording the meeting.

2. MOTION TO EXCUSE BOARD MEMBERS

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

3. APPROVAL OF MINUTES

3.1 July 13, 2016, Meeting Minutes

Motion made by Mr. Cory, seconded by Vice Chair Jacob, to approve the July 13, 2016, meeting minutes. In a voice vote, the motion passed unanimously.

4. PUBLIC HEARING

Quasi-Judicial – Mr. Weinthal explained quasi-judicial proceedings, the role of the intervener, and what it means to waive the quasi-judicial procedure.

4.1 Special Permit (SE16-162) Nova Southeastern University

Generally located on the northwest corner of Southwest 39th Street and Southwest 73rd Avenue

- Nectaria Chakas, Lochrie & Chakas, attorney for applicant, 1401 East Broward Boulevard, Suite 303, Fort Lauderdale – waived quasi-judicial proceeding.
- Craig Palmer, 7411 SW 39th St., Davie (directly adjacent to NSU)
- Herbie Windsor [phonetic], 7421 SW 39th St., Davie

Chair DeArmas gave assurances of how this Board works, making recommendations to the Town Council based on rapport with the surrounding communities.

Mr. Quigley gave summary of the requested special permit involving the excavation of 40,000 cubic yards of material to create a lake on the NSU campus, in coordination with the South Florida Water Management District and Central Broward and Water Control District. A series of clarifications followed:

- Mr. Cory asked if an engineer came up with the 40,000 cubic yards calculation. Mr. Quigley said yes.
- Chair DeArmas asked if the buffer tree line on both sides stays. Mr. Quigley replied there would be a combination of preserving existing trees and adding new trees, 150 trees to be added.
- Chair DeArmas asked if the buffer between the properties and lake will be 50 feet or greater. Mr. Quigley said it may not be quite 50 feet but at least 30.
- Ms. Chakas stated this is a continuation of the other matter back in April for plat approval of this property. This special permit is consistent with land use and zoning. There is a buffer between the lake and the residents of 20 feet.

- Vice Chair Jacob wanted to know if other cities require a permit. Ms. Chakas said no, this is the first time she has seen it.
- Vice Chair Jacob asked what kind of timeline is expected to be running trucks and if there is a restriction of time, days and weekends. Ms. Chakas replied two to three months, and they would follow town ordinances.
- Mr. Cory asked about the 40,000 cubic yards or 2,300 truckloads, if half would be kept on the property to make the berms. Ms. Chakas explained that 56,000 cubic yards would be excavated, but that 40,000 would be taken offsite.
- Mr. Cory wondered who calculated the volume, if that is what is required by water management district, and will they sell the fill. Ms. Chakas replied it was the civil engineer.

In the interest of full disclosure, Chair DeArmas and Mr. Jacob stated they spoke with the Town Council that morning.

Chad Edwards, 3563 NW 53rd St., Ft. Lauderdale – Central Broward requires minimum depth of 10 feet, as stated on plan a maximum depth of 15 feet. They would like to keep it as shallow as possible, but the goal is 10feet.

Chair DeArmas then opened the public hearing.

Mr. Craig Palmer gave an account of the purchase of his property, with the understanding that, while Nova owned property behind them, his property would stay in a natural state forever. Then he learned Nova was going to build a sports complex on 10-acres on the north side and a lake on the 5-acres in question, objecting to losing the buffer of mature trees and the impact on the varied wildlife.

Vice Chair Jacob asked if he knew the percentage of different trees there. Mr. Palmer replied probably 70% oak plus Florida holly and others. He estimated 500-1000 trees.

Chair DeArmas asked if he had seen the site plan regarding the buffer. Mr. Palmer said he had seen the paper work but he doesn't agree. A 20 foot buffer is insufficient. The mature trees that are going to be left will be few and far in between.

Mr. Herman Borenson said they built their house in 1977. The proposed 20 foot buffer would be up against the parking lot of students who live on campus. His reasons for stopping the lake are not for him, but to save some of these kids who could get wild, drink, and climb the proposed six foot fence around the lake. He also has issues with increased noise levels.

Jeff D. [left before confirming last name and did not sign in], 7472 SW 39th St., Davie, said he has lived there 16 years and remembers a discussion 13-14 years ago regarding what to do with the garage and that property. They were told it was going to remain the same. He has taken great pride in the Council for what they have done through the years, preserving areas for the horses, landscaping, and animals. To change it now would take away from future generations. He also wondered who will compensate them if there is excessive flooding in the area. He asked that the Board reconsider the scope of the project and tone it down a bit.

Chair DeArmas closed the floor to further public comments.

Chair DeArmas asked for clarification of the overall size of the 20 foot buffer. Mr. Quigley directed him to page 4, C16, cross section AA and BB. Chair DeArmas said it looked like 10-25 from existing residence line to the first ditch and another 35 feet.

Chair DeArmas summarized the Board's desire to minimize the impact of developers seeking higher density while keeping the green and open spaces available. He explained how tax bases are determined with new development. Right now the permit may get denied, but there is nothing to say that a year from now it cannot be brought back up for higher density for homes and get approved.

Mr. Cory commented that there wouldn't even be a hearing about this if the petitioner wanted to build six homes. The zoning is R1, so he would rather see the creation of lakefront property for 10 existing homes. Initially, half the people wanted the lake, and this is a great solution to a problem.

Chair DeArmas asked if a survey of the percentage of different trees was done. Landscape

Architect Tom Laubenthal replied that a comprehensive tree list was made, accounting for every tree. There will be 100% mitigation value for everything being removed, which cash sum is going directly to the Town of Davie tree fund. Additionally, \$250,000 will go to landscape irrigation and the lake. He added that 72% were oaks, the rest were a variety of native species, with a few mixed hardwoods at the very fringe in mature creeks.

Chair DeArmas asked if any of the oaks are to be relocated to the berms. Mr. Laubenthal said they will be able to relocate about 30 trees and that 200-plus trees will be added, focusing on reestablishing the canopy at the rear yards of all of those residences.

Chair DeArmas addressed Mr. Palmer and Mr. Borenson, hoping this in-depth explanation of assessing the trees affected by this lake project helps satisfy their objections going forward. As to the matter about the kids possibly getting into the lake, Ms. Chakas commented that there would be a fence around the entire lake.

Chair DeArmas asked for any other comments or suggestions.

Mr. Cory said he had no objections and would support this item as it stands.

Vice Chair Jacob had no objections. He liked what the site plan did with the perimeter and thought it would help the drainage.

Motion made by Mr. Cory to approve Special Permit (SE16-162), seconded by Vice Chair Jacob. In a roll call vote, the motion passed 3-0 (with Mr. Bender and Ms. Davidson absent).

4.2 Rezoning (ZB15-342) Anchor Yacht Sales International, Inc.

4.3 Flex (FX15-343) Anchor Yacht Sales International, Inc
3541 West State Road 84

Chair DeArmas stated that items 4.2 and 4.3 would be discussed together. He acknowledged the Board's awareness of this contentious topic and cautioned the audience that everyone would be heard in an orderly manner. Mr. Weinthal again reviewed the quasi-judicial procedures and the role of interveners. Everyone will be given three (3) minutes to speak.

- John Voigt, 1177 SE 3rd Ave., Ft. Lauderdale, attorney for applicant – waived
- Audrey Edwards, 2661 Gulfstream Lane – waived
- Zachary Michael, 2655 Gulfstream Lane – waived
- Tony Spalding, 2778 Gulfstream Lane – waived
- Jim Burns, 2678 Gulfstream Lane – waived
- David Townsend, 2684 Key Largo Lane – waived
- Annette Bishop, 2648 Nassau Lane – waived
- Joan Smith, 2661 Key Largo Lane – waived
- Kahil Nasser, 2448 Nassau Lane – waived
- Sue Gavin, 2636 Sherwood Lane -- waived
- Gilbert Pinkham, 2672 Key Largo Lane – waived
- Jackie Zumwalt, 2685 Key Largo Lane – do not waive
- Penny Shea, 652 Flamingo Lane – do not waive
- Neil S., 2667 Gulfstream Lane – waived
- Anker Pearce, 2431 Whale Harbor Lane – waived
- Capt. Robert Franks, 2549 Key Largo Lane, Ft. Lauderdale – waived
- Andrea Anderson 2619 Flamingo Lane – waived
- Keith Burrow, 2413 Flamingo Lane – waived
- Jim Mertz, 2672 Gulfstream Lane – waived

- Mark Main, 2534 Nasau Lane – waived
- Keith Lewis 2678 Gulfstream Lane – waived
- Martin James, 2537 Maritime Lane – waived
- Claire Wagner, 2430 Key Largo Lane – waived
- Al Franco, 2607, Lauderdale Isles – waived
- Anthony Fajardo, Sustainable Development for City of Ft. Lauderdale, asked if this is the appropriate moment to state his wish to speak. Mr. Weinthal said not as an intervener as he is technically not adjacent to the property, but he has a right to speak later on.

Mr. Weinthal swore in participants who did not waive, as well as Mr. Voigt's two witnesses.

Mr. Quigley gave summary of the properties in the area. Certified Diesel is the only property that has a legal non-conforming use, has been there since the 1970s. The property in question was originally built as a single-family home, but has been used as a yacht brokerage for some time. The only zoning approval currently is for a home occupation.

In 2014/2015 a proposal was made to add a more commercial-looking façade to what was originally a residence. Applicants were informed it was residential land and that such improvement would not be allowed. The Town developed a proposal for a limited marine commercial district which could also address some of the other non-conforming issues. The district was designed to be very limited in impact, allowing marine sales, but not other uses. A public participation meeting was held August 20, 2015. In that meeting the Town learned there were some gaps in terms of the enforceability with the things that could be done with boats, so a revision was made and will be addressed at the upcoming Town Council meeting to make it explicitly clear what uses are allowed and what are not. Details are in the materials before the Board.

In addition to the zoning change, in order to allow commercial use of the site, it needs either a comprehensive plan amendment to make it commercial or approval of non-residential flex. The Broward County Plan allows municipalities a certain amount of flexibility to change the uses without changing the County's plan. Broward County rules on the use of flex also provide that when a property is on the border of two municipalities, or on the border of environmentally sensitive land, there is an opportunity to call for a compatibility review. As part of that notification process, the Town notified the City of Fort Lauderdale and Broward County that there is a potential use of flex, and both asked for a compatibility review. If the Town approves the rezoning and use of flex, they would approve the resolution contingent upon the positive outcome at the county level. The Town would have to revisit it again to approve the package.

Items that require rezoning require public participation meetings and a report identifying issues raised. There were two staff errors involving notification and they were corrected. The second participation meeting was held on May 16, 2016. In addition, public hearings involving rezoning require signs posted on the property, a newspaper ad, and mailed notices to the surrounding properties.

Mr. Quigley showed a slide of the existing and proposed B-2M language and discussed.

Chair DeArmas explained that this particular item is going before the Town Council to limit the uses happening under that district. This is what is going to be prohibited from happening in that area.

Mr. Quigley reviewed the permitted and prohibited uses, as well as the standards for operations. He was trying to create a middle ground that would allow Anchor Yachts to at least maintain what they have, and have kept it in a good state, and also allow them to be compatible with residential. The Town Council meeting is July 27th.

Mr. Cory wondered if the zoning for Hacienda Village was RM5 when it was absorbed by the Town of Davie. Mr. Quigley said yes, but if new uses are proposed, it has to be zoned as per Town of Davie. Chair DeArmas added that the second meeting is to change the zoning to B2M. Discussion followed regarding the particulars of the previous zoning for Hacienda Village and as it now stands for the Town of Davie.

Mr. Weinthal explained the procedures for interveners to bring oral testimony by right to examine the applicant or staff, as well as right to cross examine. Examination must stay on topics under direct examination. New evidence must be added later on when this phase of the examination is over. Petitioner has the right to rebut.

Chair DeArmas stated that he wanted the parties to understand what the Board's position is in this matter and that it is to their benefit to let everyone speak.

The Chair turned the meeting over to the petitioner.

John Voigt, (law firm of Doumar, Allsworth) spoke on behalf of petitioner Anchor Yachts. Mr. Voigt gave an overview of the situation to date as evidenced in the backup materials before the Board. On December 1, 2014, the Town of Davie held a public meeting at the facility with the other owners of that section, and were invited to rezone into the Town's B2M to give uniform control. Various county officials were there. The Town of Davie passed the B2M ordinance to tighten it up, not to add uses. Based on that, the petitioners filed their application. They were only looking to put this to rest, not looking to expand or change their use.

Mr. Voigt introduced Sandra Roberts, 3541 West State Road 84, Davie, and proceeded to question her as to the nature of her business, how they came to acquire the property, their hours of operation, and improvements they have made to the property since 2002. She said they never had problems with any of the neighbors at any time until they tried to put up the commercial façade. She claimed they purchased through a commercial realtor and there was a commercial sales entity in the building at the time. "For all intents and purposes, it looks like a home with a lot of boats in the back yard."

Chair DeArmas said he had traveled by on the water to review the property. A number of the boats are not new and appear to be stored or having work done to them. Mrs. Roberts explained which boats (in addition to the eight slips they lease from the State for their land use under the water) they maintain and attempt to sell "on consignment."

Mr. Voigt explained, by use of a slide, the property line and that next to Anchor is a marine recovery entity that has a dock with boats in varying conditions, including repossessions and salvage.

Mr. Weinthal called forth the interveners to cross-examine Mrs. Roberts.

Mrs. Zumwalt began by wondering why Anchor has to change from how it has been for years, adding that she never knew they were doing manufacturing, putting stuff inside the boats. Mrs. Roberts claimed they don't manufacture anything.

Mrs. Zumwalt asked if they were selling the property. Mrs. Roberts explained that running this type of business requires a great deal of money. They cannot get funding for boats that are built out of the country. So every boat there she has had to pay for. There are banks who lend money to purchase the boats, but they won't do it unless she is rated commercial. If Anchor is granted this commercial status, nothing is going to change. Again, the property was sold through a commercial dealer and was already being using for sales. Most of the dock was there when the property was purchased. The poles for the dock were there, so they asked Broward County and were told they could build the rest of the dock in 2009.

Mrs. Zumwalt rested her examination and Counsel Voigt had no rebuttal.

Ms. Penny Shea asked questions about the purchase of the property and intended purposes at the time, did they homestead the property for several years, and when did they apply for a home business license. Mrs. Roberts said they lived on the property for two years, but that they still have the home business license.

Ms. Shea asked if Mrs. Roberts was still CEO of Anchor Yachts, to which Mrs. Roberts replied that she hasn't been since March, and is now a consultant for Anchor Yachts and the owner of the property, working on commissions.

Ms. Shea asked various questions about uses, the hours they are actually open for business, and where Mrs. Roberts currently lives. Mrs. Roberts replied according to their posted business hours, and

that they live in Ft. Lauderdale.

Ms. Shea rested her examination and Counsel Voigt had no rebuttal.

Mrs. Zumwalt began her cross examination. She stated that she lives across from the property. One of her concerns is what is going to happen to the property, because in her mind “the Chinese are buying that property.”

Mrs. Zumwalt asked Mr. Quigley about a statement made earlier, that they could not rezone because it isn't in the town of Davie, so why is the town of Davie doing this because it's zoned as Hacienda Village. Mr. Quigley explained that the Town has a general rule if you own property and it is not zoned according to the Town of Davie zoning code, in order to develop it in a significant way, you have to rezone it in order for it to be developed properly. Chair DeArmas added that it did get annexed into the Town of Davie, so it does belong to the Town of Davie. Mr. Quigley finished by stating there are no parcels left suitable for a single family home. There is only potential for redevelopment, knocking something down, and building something back up, which happens over a period of decades.

Mrs. Zumwalt presented a copy of Broward County Code section 39-30A1, which was given to the Board for review. Mrs. Zumwalt rested her cross examination.

Ms. Shea brought up several matters regarding code compliance and county marine operating licenses and was informed by Chair DeArmas that this was not a code compliance hearing with a magistrate, who would have to hear such matters.

Ms. Shea next brought up objections about who actually owns Anchor Yachts, the Chins and Hampton Yachts, which was on the signage that was taken down from the property.

Ms. Shea continued by calling Sue Gavin to be sworn in for her testimony. Ms. Shea asked Ms. Gavin as to her knowledge of the Hampton Yachts signage and her research behind the company showing it to be owned by Jennifer Chin and her husband. She further asked Ms. Gavin as to her knowledge of non-conforming use, the new flex program, and what they're proposing. Ms. Gavin stated that she knew they were dredging the river, but was not sure if they're legally or not legally dredging.

Ms. Shea called Bob Franks, 2549 Key Largo Lane, Davie to be sworn in.

Ms. Shea asked Mr. Franks if, in those proceedings that evening, he had heard any falsehoods from anyone as pertaining to all of his research on the matter. Mr. Franks had one issue regarding prior use, and referenced from 1987 up through the present showing the building of the docks and the property's usage prior to 2002. Also, there are no business tax records for Anchor Yachts in all of Broward County. He also had two issues on the flex applications and would like to see some documentation about prior use as there are no records of a yacht brokerage prior to 2002.

Ms. Shea rested her examination.

Mr. Weinthal stated that the applicant and interveners have chance for three minute closing statements.

- Mr. Voigt said he didn't see any reason to take more of the Board's time. They had been invited by the Town of Davie to appear and they have.
- Ms. Zumwalt stated she wanted the Board to see that the business was technically illegal, that they shouldn't be running a commercial business. She finished with a plea to the Board to protect her and her family's enjoyment of her property, to keep it all the way it was built in the 1950s.
- Ms. Shae spoke of her wish to preserve the wetlands as habitat for the manatees and wildlife. She does not feel this business is conducive to that. It's one thing if they abide by residential rules and small businesses. But this is a multiple boat yard that contributes to sludge in their neighborhoods. She said the Roberts are fighting very hard for a company they don't own. She understands this is a source of revenue for the Town, but to please think of them.

Chair DeArmas applauded the participants for showing how the system works and for being as quiet and civil. He then opened the floor for the public hearing.

- Zachary Michael – Mr. Michael spoke of the narrowness of this part of the canal, that the rest of the canal is three to five times wider. A lot of repair that should be taken to yard licensed to do it. They are trying to get it rezoned so that the things they are already doing can continue to be done without complaints. She says there are no parties on the boats, there are parties on the boats every weekend. There are crews that live on the boats and people who are looking to buy the boats. The office may be closed, but there's nothing that prevents people from using it for non-permitted use. Mr. Cory asked whether Mr. Michaels objected to the town homes with dockage in this RM5 area, if a home owner should be allowed to rent to someone else who has a boat? Mr. Michael had no objection to that.
- Anker Pearce – Mr. Pearce showed on a photograph where the dredge used to be. He said they are trying to legitimize what they're doing. They say they're running a home business, but they're not. They're dredging a new waterway without a permit, there are noise violations. It's a "dirty corner" and nobody controls it. If the past is a prediction of the future, it speaks for itself. Mr. Pearce asked if the code were to change, wouldn't it have to be an RM lot changed to B2M. Mr. Cory stated that it can change and that's why they're there.
- Audrey Edwards – Has lived for here for 25 years and they went through all this 20 years ago when it was found not compatible. A line on a map doesn't tell you who your neighbors are. She passed a neighborhood petition to Mr. Weinthal signed by another 270 people who couldn't make to the meeting. She next read from 1984's Senate Bill 1149. She also stated some issues about participation notices not being received by everyone. Mr. Weinthal clarified that there were notices and they did hold the meetings August 25, 2015 and May 16, 2016. There was an issue with regard to notice and issue was corrected.
- Sue Gavin – Davie wants to protect trees, vegetation, animals. We are the animals in Lauderdale Isles. We are slowly dissipating because we are going to take this property, turn it into a boat yard, and all the homes on both sides of the river will end up suffering. There have been quite a few non-truths stated by Ms. Roberts and Mr. Voigt. There is a Davie code that says you cannot rezone property for the benefit of one property owner. Mr. Weinthal clarified that she was speaking of Section 12-309.
- Kahil Nasser – Mr. Nasser said this is a change of use issue. If they were just a brokerage, buying and selling yachts, he would have no objection. Then they went from yacht brokerage to retrofitting. Very few people are involved in a brokerage, retrofitting has subcontractors and service people. Contrary to what they're saying, don't have problem with brokerage business, as long as it's running on the residential rules.
- Capt. Robert Franks – Has been a licensed ship master last 36 years. Very big supporter of the marine industry and has no intention for anybody to put the Roberts out of business. It's a nice business but in the wrong place. There are three issues: 1) zoning – Broward County B-2 Section 39-300G, refers to limitation of uses – boat building repair and storage; 2) claim of prior use as a yacht brokerage property, could not find any records on sunbiz before 2002; 3) applicant for this flex application Anchor Yacht Sales International basically has been operating business on this property without business license for the Town of Davie or Broward County.
- Andrea Anderson – Has been living here for six 6 years on their own piece of paradise. Some people have canals behind their house and some people don't, yet they still signed the petition. She said they are counting on the Board to save them from the commercial use. The area is residential, and they would like to keep it as residential. "Please save us from this."
- Keith Burrow – Mr. Burrow just acquired the property when his uncle recently passed away. He had lived there for 60 years. When the market was crazy high, he was offered a lot of money for his property, but he didn't sell. All he wanted was to put his ashes in the canal. He knows his uncle did not want anything to change.

Chair DeArmas called a recess at 9:10 and reconvened at 9:16. When asked, the remaining interveners still wished to speak, so the statements continued.

- Jim Mertz– Mr. Mertz lives directly across from the Roberts and has been there 24-25 years. He has watched it grow from when the Roberts purchased it. If what the Roberts say is true, they have maybe \$9 million tied up in boats, they should go buy a piece of commercial property. Why buy a house and turn around and pretend that it is a residence, use it as a residence, get the tax benefits of a residence, which is illegal, and then pretend it's not anymore. He called the community and the Board to draw a line right here and say that's it, they've had enough. The Roberts don't even own this property anymore.
- Anthony Fajardo – Director of Sustainable Development with the City of Ft. Lauderdale, Mr. Fajardo spoke on behalf of City of Ft. Lauderdale. They did pass some motions requesting the County move forward with a compatibility analysis. As a professional in the field, he recognizes the situation among the Board and the Town Council and Staff and the applicant. They have heard concerns from the neighbors regarding the compatibility of this lot. They are on the same page with Mr. Quigley. Ft. Lauderdale hasn't taken an official stance as to whether or not they believe it is compatible at this point.
- Mark Main – Mr. Main made general statements of his dislike of the issues, feeling the same as the others who have spoken.
- Annette Bishop [gave no address] – Comes here as a mother, as a resident, as a community person. She spoke of going in the pool right off river with her children, in the narrowest, winding part of the river. She is concerned with the constant boat collisions and feels they will only worsen with the increasingly larger yachts that speed into the docks, creating wakes. She also cited the Senate Bill. It's growth, but it's not smart growth.
- Gilbert Pinkham – There are two houses up the canal where they're supposedly digging it out, but they're probably making it deeper and longer. That's probably illegal, along with all the other illegal stuff they've been doing since 2002. Mrs. Roberts has been doing everything illegal as it is, everyone knows it and nothing has been done about it. If it goes from residential to commercial, they'll just start breaking even bigger rules.
- Keith Lewis – States he bought his house four years ago after having lived in a plantation house. They decided to be further up on the river, and they were under the impression it was a residential area. He agrees with what others have said, that it will be easier to go to the next level if this petition is passed. He wants the nice quiet place he thought he had found.
- David Townsend – He also lives directly across from their dock. He looks at them every day, thinking this area was supposed to be residential. He's scared to death it is going to become commercial. Let them buy a place where it is okay to do a business. He moved there in 1978 when the other side of river was all trees and it was very quiet. It's louder now. Let's not make it worse.
- Martin James, 2537 Maritime Lane – He used the map to explain how the dock was built years ago. He has been in the marine industry all his life and knows something of the costs per hour of having a boat in for repairs, which only gets greater when there are restrictions on what can and can't be done, especially on multi-million dollar boats.
- Claire Wagner– She states she is visually affected by this and is concerned with her property values should she decide to sell. Mrs. Roberts said when she originally bought the property, she brought it from a commercial realtor. Just because she brought it from a commercial realtor, doesn't mean it's a commercial property. She knew it wasn't commercial, she lived in the home and even did a homestead there. Ms. Wagner is also concerned about the loss of all the manatees.

- Al Franco – Has been a yacht broker since 1960 and also built boats in Taiwan. He knows how this kind of business is conducted and gave an overview of the right way it could be done. Mrs. Roberts could rent a slip in boat yard, and put a boat there and have the work done there where it's commercially zoned. He closed with a statement about participation by the rest of the community, that they are interested, but just aren't getting the notices. Chair DeArmas said he thinks Mr. Franco misunderstood and explained why.

Chair DeArmas closed the public participation portion of the meeting.

Chair DeArmas gave closing comments, reminding the audience of the members of the Town Council and Staff that are present. Once again he congratulated the participants on an excellent meeting. He then opened the floor to comments and suggestions from board members.

Mr. Cory said he understands the whole process with the B2M. He is definitely opposed this concept. He asked if he were to make a motion to reject the request, could he motion to change to RM5 Davie zoning. Mr. Quigley said he could make that as a recommendation to council. Mr. Cory said he doesn't think it should be a business, it should remain residential.

Vice Chair Jacob said he was impressed with the attendance there. They went a little off topic now and then, but this is strictly a zoning issue, not code violations or whatever. He thought everyone made their points well. He said he would lean towards keeping it residential.

Chair DeArmas called for a motion.

Motion made by Mr. Cory to reject item 4.2 Rezoning (ZB15-342) Anchor Yacht Sales International, Inc., seconded by Vice Chair Jacobs. In a roll call vote, the motion passed 3-0 (with Mr. Bender and Ms. Davidson absent).

Motion made by Vice Chair Jacobs to reject item 4.3 Flex (FX15-343) Anchor Yacht Sales International, Inc., seconded by Mr. Cory. In a roll call vote, the motion passed 3-0 (with Mr. Bender and Ms. Davidson absent).

5. **OLD BUSINESS**– none.
6. **NEW BUSINESS**– none.
7. **COMMENTS AND/OR SUGGESTIONS**– none.
8. **ADJOURNMENT**

Hearing no further business, Chair DeArmas adjourned the meeting at 9:57 p.m.

Date Approved: _____

Chair/Board Member