



TOWN OF DAVIE
PLANNING & ZONING DIVISION

PLANNING AND ZONING BOARD MEETING MINUTES
February 12, 2020

1. ROLL CALL

The meeting was called to order at 6:30 p.m. Board members present were Chair Donna Evans, Vice Chair Tom Jacob, and Lisa Alvarez. David Oakes was absent. Also present were Planning & Zoning Manager David Quigley, Deputy Planning & Zoning Manager David Abramson, Board Attorney Allan Weinthal, and Lorraine Robinson, Board Secretary.

2. APPROVAL OF MINUTES

2.1 December 11, 2019 Meeting Minutes

Motion made by Vice Chair Jacob, seconded by Ms. Alvarez, to approve the December 11, 2019 meeting minutes. In a voice vote, the motion passed 3-0 (with David Oakes absent).

2.2 January 8, 2020 Meeting Minutes

Motion made by Vice Chair Jacob, seconded by Ms. Alvarez, to approve the January 8, 2020 meeting minutes. In a voice vote, the motion passed 3-0 (with David Oakes absent).

3. PUBLIC HEARING

Quasi-Judicial

**3.1 Variance (V19-133) Gleason (Tabled from 1/8/20)
11345 Earnest Boulevard**

Ms. Alicia Lewis, GM Law appeared on behalf of the Applicant and did not waive quasi-judicial proceeding.

Mr. Weinthal stated the item would proceed in quasi and swore in the participants.

Mr. Abramson provided a brief staff report. The variance being requested would allow a 1,440 ft. pre-fabricated detached garage to be placed 12 ft. from the side (west) property line (a 25 ft. side yard setback is normally required).

Mr. Weinthal asked Ms. Lewis if she like opportunity to cross examine and Ms. Lewis responded "no".

Chair Evans asked if there was any review for flooding. Mr. Abramson responded that Engineering reviewed the slopes to ensure they were adequate from the property line to the garage. Ms. Lewis did not want to cross examine.

Mr. Weinthal stated that the PowerPoint presentation would be labeled Exhibit A (PP Presentation).

Ms. Lewis provided a brief description describing the existing home and lot size. She said the property was zoned R-1 and permits for accessory structures. She said the variance request was for reduction of the side setback. She stated that Section 12-81 requires a 25 ft. setback; initially they were asking for a 10 ft. setback and revised it to 12 ft. to allow for drainage after Engineering review. She stated the garage was 1,440 ft. and that the owner wanted to farm and store equipment in

the garage. She added the client provided an affidavit that it would not be used to store commercial vehicles. Ms. Lewis said the neighbors provided letters of no objection.

Mr. Weinthal said that staff was desirous of pointing out a potential inaccuracy on the slide #5. Mr. Quigley said that while the slide states that it is not to scale, it appears they took a neighboring shed parcel image and placed it on the parcel to represent the proposed structure. He said the house from front to back is 67 feet in length and the proposed garage is 60 feet in length. He pointed out the scale was a little off. Ms. Lewis did not have an objection.

Ms. Alvarez asked if the trees were to be removed. Mr. Abramson responded there is a condition of approval in the staff report that if there any trees, that a tree removal permit be obtained prior to any building permits. Ms. Lewis didn't anticipate tree removal was needed but would comply if that changed.

Mr. Weinthal addressed the public stating that quasi was a more formal proceeding; any of them could act as interveners and speak out if they were for or against the item including cross examining staff or Ms. Lewis. None of the public wanted to intervene and therefore closed this portion of the hearing.

Mr. Weinthal said that staff has the right to present a closing argument and opted to not have one. Ms. Lewis did not present a closing argument but said she was available if the committee had any questions.

Mr. Weinthal closed this portion to the public.

Chair Evans said they've had similar requests and rejected them. She has a problem with the size of a 1440 sf. garage. Mr. Weinthal said that every application should be reviewed on its own merits. Chair Evans said she feels that a (2) foot difference in the setback request doesn't warrant a variance and it doesn't present a hardship. Vice Chair Jacob said that the (2) feet was to meet Engineering specifications. Chair Evans said the setback request wasn't consistent with the rural lifestyle that the Town represents.

Vice Chair Jacob said he didn't have a problem with the request as it similar to neighboring structures.

Mr. Weinthal said the staff report would be labeled Exhibit A (Staff Report).

Ms. Lewis said there were other slides showing properties with similar structures. Mr. Weinthal said that it would be up to the Chair to showing the slide but that every request is decided on the merits of the specific variance under the criteria in the Town Ordinance. Chair Evans said it was irrelevant.

Motion made by Vice Chair Jacob to approve V19-133 subject to staff recommendations. Failed due to lack of second.

Motion made by Ms. Alvarez, seconded by Chair Evans (who passed the gavel to Vice Chair Jacob) to deny.

In a roll call vote, the motion passed 2-1 (with Vice Chair Jacobs opposed and David Oakes absent).

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4. OLD BUSINESS – none

5. NEW BUSINESS – none

6. COMMENTS AND/OR SUGGESTIONS – none

7. ADJOURNMENT

Hearing no further business, the meeting was adjourned at 7:46 p.m.

Date Approved:

3/11/20



Chair/Board Member