



TOWN OF DAVIE
PLANNING & ZONING DIVISION

PLANNING AND ZONING BOARD MEETING MINUTES
February 13, 2019

1. ROLL CALL

The meeting was called to order at 6:30 p.m. Board members present were Lisa Alvarez, Christopher Cory, Jodi Davidson, Donna Evans and Tom Jacob. Also present were David Quigley, Planning and Zoning Manager; David Abramson, Deputy Planning & Zoning Manager; Richard J. Lemack, Town Administrator; John Rayson, Town Attorney; and Lorraine Robinson, Secretary.

2. MOTION TO EXCUSE BOARD MEMBERS – n/a

3. APPROVAL OF MINUTES

3.1 December 12, 2018 Meeting Minutes

Motion made by Mr. Cory, seconded by Ms. Evans, to approve the December 12, 2018 meeting minutes. In a voice vote, the motion passed unanimously (5-0).

4. SELECTION OF CHAIR

Motion made by Ms. Davidson, seconded by Ms. Alvarez to nominate Donna Evans as Chair.

Motion made by Mr. Cory, seconded by Ms. Davidson to nominate Tom Jacob as Chair.

Acting Vice Chair called for a vote for Tom Jacob as Chair.

Motion made by Mr. Cory, seconded by Ms. Davidson to nominate Tom Jacob as Chair.

In a voice vote the motion passed (3-2 with Ms. Evans and Ms. Davidson dissenting).

Mr. Cory stated that there was a motion for Donna Evans as Chair but not a second. Ms. Alvarez stated she made a second. Acting Vice Chair Jacob called for a vote for Donna Evans as Chair.

Motion made by Ms. Davidson, seconded by Ms. Alvarez to nominate Donna Evans as Chair.

In a voice vote the motion passed (3-2 with Mr. Jacob and Mr. Cory dissenting).

Mr. Rayson stated that one of the Board members voted for two candidates and they should move for reconsideration of one of the votes for either Ms. Evans or Mr. Jacobs. Ms. Alvarez rescinded her vote for Mr. Jacobs and the motion passed for Ms. Evans as Chair.

5. SELECTION OF VICE CHAIR

Motion made by Mr. Cory, seconded by Ms. Alvarez nominating Tom Jacob as vice chair. In a voice vote the motion passed 4-1 (with Chair Evans dissenting).

Mr. Rayson noted that all Applicants had agreed to waive the quasi-judicial proceeding.

6. PUBLIC HEARING

Quasi-Judicial

Mr. Rayson stated that the Town Administrator was there to speak on one of the items and requested that Item 6.8 be moved forward. The Board agreed.

6.8 Variance (V19-001) Majestic Groves / Robbins Lodge Access

A 20-foot-wide strip of land that begins approximately 330 feet east of the intersection of Southwest 116th Avenue and Southwest 37th Court and runs south to Robbins Preserve Park

Mr. Quigley provided a brief staff report. On May 5, 2004, Town Council approved a subdivision plat known as Long Lake Ranches III. Parcel E was intended to allow pedestrian/equestrian access between Majestic Groves and Robbins Preserve but the access has been fenced off for some time. Residents had voiced concerns about access to the interior of the Majestic Groves neighborhood and Town Administration directed staff to propose a vacation of right-of-way. Since Parcel E was created through the Long Lake Ranches III plat, if vacated the land would be transferred back to the two adjacent properties that dedicated the land in the first place in the Long Lake Ranches West neighborhood. No letters of objection were received.

Mr. Cory asked if there were any fences on these two properties or if they could be fenced. Mr. Quigley discussed the fact that the 20ft strip was a platted right-of-way and that, if vacated, the land would become part of the neighboring lots.

Ms. Davidson asked if there was other access for residence to access the park. Mr. Quigley responded this was the only shortcut.

Mr. Lemack, Town Administrator addressed the Board and provided some background that Majestic Groves was a private roadway community and for years were looking for repaving assistance from the Town. The problem was exacerbated by Hurricane Irma. The release of these easements is part of the process to take back the roads as public for access.

Motion made by Vice Chair Jacob, seconded by Ms. Alvarez, to approve V19-001. In a roll call vote, the motion passed unanimously (5-0).

Vice Chair Jacob mentioned that staff would like the order to be reversed to allow residence requests first.

6.7 Variance (V18-300) Martini

8405 Southwest 26th Place

Mr. Abramson provided a brief staff report. The item is a variance application scheduled for the March 6th Town Council meeting to allow the construction of a deck to be located 16'-3" from the street side (west) property line and 11'-11" from the rear (north) property line (Town Code requires a minimum 30 feet and 12'-6" respectively). Also, to allow the construction of a pool to be located 19'-3" from the street side (west) property line (Town Code requires a minimum 30 feet). To allow an existing 25.4' x 12' concrete pad 0.9' from the rear (north property line and 1.5' from the street side (west) property line (Town Code requires 12.5' and 30' respectively). The concrete pad was not permitted and existed when the owner purchased the property in 2015. Letters of no objection were obtained from the adjacent property owners except for 2605 Southwest 84th Terrace.

Mr. Cory commented that the house is 20 feet from the side and the setback is 30 feet. Mr. Abramson responded that the current code based on the zoning district is 30 feet and that there may have been different rules at the time the house was built.

Mr. Alberto Martini spoke on behalf of the applicant.

Motion made by Ms. Davidson, seconded by Vice Chair Jacob, to approve V18-300. In a roll call vote, the motion passed unanimously (5-0).

6.6 Variance (V18-292) Gilmartin
1472 Southwest 97th Lane

Mr. Abramson provided a brief staff report. The item is a variance application scheduled for the March 6th Town Council meeting to allow the construction of a pool and deck 5 feet from the rear (east) property line (Town Code requires a minimum 10 feet). There were no letters of objection.

Mr. Cory asked if there was a utility easement in the rear property. Mr. Abramson stated that according to the certified survey, an easement is not showing.

Mr. Sean Gilmartin spoke on behalf of applicant.

Vice Chair Jacob asked if all the letters were approvals from neighbors on surrounding properties. Mr. Gilmartin said yes. Vice Chair Jacob asked if there were similar pools in the neighborhood. Mr. Gilmartin said that the way the houses were set back that other pools were designed the same way.

Motion made by Ms. Davidson, seconded by Ms. Alvarez, to approve V18-292. In a roll call vote, the motion unanimously (5-0).

6.5 Variance (V18-287) Grundman
13891 Southwest 24th Street

Mr. Abramson provided a brief staff report. The request is to allow a 6ft. high solid (board-on-board) wood fence along the eastern property line. (Town Code for the R-1 Zoning District limits such fence height to 4ft. in the front setback and a maximum opacity of 50 percent, unless the fence is located within the building envelope.) No letters of objection were received.

Mr. Richard Grundman and Ms. Danielle Corby spoke on behalf of applicant.

Vice Chair Jacob asked if there was an existing fence. Ms. Corby stated the neighbor has a white PVC fence. She added that the request was to place a fence in front of their (their neighbor's) fence for privacy. The neighbor has bees and a large dog and wanted protection against them.

Chair Evans asked how a 6-foot fence would help with bees. Mr. Quigley stated that Florida Statutes don't allow local governments to regulate bee keeping operations but that best management practices are to have a 6-foot fence or hedge as a barrier.

Chair Evans was concerned about maintaining the rural lifestyle. Ms. Corby stated the PVC would not be high enough and was only asking for this height on one side.

Mr. Carlos Lacerna spoke. He is the neighbor who is the bee keeper. He said he had no problem with the fence height but was concerned with encroachment.

Ms. Davidson wanted clarification on the requirements for a pool fence. Mr. Quigley stated he would check with the Building Official.

Motion made by Ms. Davidson, seconded by Vice Chair Jacob, to approve V18-287 along with the following conditions:

1. Staff Condition: To eliminate the proposed 6ft. high solid fence within the 30ft. setback from the property line.

In a roll call vote, the motion passed 4-1 (Chair Evans dissenting).

6.4 Variance (V18-276) Parc 3400
3400 Davie Road

Mr. Abramson provided a staff report, stating the site was generally located on the east side of Davie Road between Nova Drive and Southwest 39th Street. On December 2, 2015, Town Council approved a 259 multi-family unit residential development that provided 453 parking spaces (512 spaces would normally have been required by Town Code). The variance application would allow the addition of a one-bedroom apartment, while maintaining the parking requirements at 453 spaces. The one-bedroom apartment exists within the Parc 3400 development as a model (dry-unit).

Ms. Christina Bilenki, Dunay Miskel & Backman LLP, spoke on behalf of applicant. She stated that after CO's were issued, the leasing office determined that the one-bedroom unit was not needed. Analysis provided by the parking calculations study, reviewed by a Traffic Engineer indicated the most conservative demonstrated that only 429 spaces were required and that the project was providing 453 spaces.

Motion made by Mr. Cory, seconded by Ms. Alvarez, to approve V18-276. In a roll call vote, the motion passed 4-1 (Ms. Davidson dissenting)

6.3 Special Permit (SE18-170) Public Storage
12451 Orange Drive

Mr. Quigley provided a brief staff report. The subject site is approximately 3 acres and generally located 500ft. from the northwest corner of Flamingo Road and Orange Drive. The proposed Special Permit is necessary for the expansion of an existing self-storage facility to a building size of 152,306 sf within the Planned Business Center (B-3) District (in the B-3 District, building size is normally limited to 100,000 sf and self-storage is not listed as a permitted use). The existing facility is three-stories in height and has a gross floor area of 91,061sf. in size. The expansion is proposed at the south end of the facility within a vacant portion of the site. A site plan and plat note amendment are being processed concurrently.

Mr. Cory asked if expansion affected water retention. Mr. Quigley stated that there were some swales added around the edges. He discussed the addition of trees and moving of existing trees.

Ms. Janna Lhota, Holland & Knight and Mr. Jim Kahn, Keith & Associates, spoke on behalf of applicant. Ms. Lhota provided a brief presentation.

Chair Evans asked what guarantee the cypress trees would be protected. Mr. Quigley responded that there was a tree disposition plan at the Site Plan level and all cypress trees were accounted for. He added that before any land clearing that Landscaping Inspector would review. A CO would not be issued until all trees were in place.

Motion made by Ms. Davidson, seconded by Ms. Alvarez, to approve SE18-170. In a roll call vote, the motion unanimously (5-0).

6.2 Variance (V18-295) Driftwood Village Apartments

6.1 Variance (V17-137) Driftwood Village Apartments

Generally located north of Davie Road Extension, between Northwest 33rd Street and Northwest 75th Avenue

Mr. Abramson provided a brief staff report. The applications were to allow a total of 14 compact parking spaces, or 29% of the required spaces (Town Code provides for a maximum of 12

compact parking spaces, or 25% of the required spaces); and to provide a rear setback of 10ft. (Town Code requires a minimum of 20ft. Since the Planning & Zoning Board reviewed the development on 07/17/18, the applicant adjusted the plans that now require variances. The applicant reduced the total number of dwelling units from 24 to 23 and removed parking from the southeast corner of the site. The applicant has submitted concurrent site plan, rezoning and flex applications.

Mr. Dan Shapiro and Mr. Steve Shapiro, Crystal Grove, spoke on behalf of the applicant.

Mr. Cory commented that it was a great addition to the neighborhood.

Ms. Davidson asked the applicant to consider the number of compact spaces and that SUV's often line up in them. She didn't agree with the size of the spaces and that Davie residents drive big trucks. Mr. Shapiro responded that the site was very restricted.

Motion made by Mr. Cory, seconded by Vice Chair Jacob, to approve V17-137. In a roll call vote, the motion passed 4-1 (Ms. Davidson dissenting).

Motion made by Mr. Cory, seconded by Ms. Alvarez, to approve V18-295. In a roll call vote, the motion passed 4-1 (Ms. Davidson dissenting).

7. OLD BUSINESS – none

8. NEW BUSINESS– none

9. COMMENTS AND/OR SUGGESTIONS – none

10. ADJOURNMENT

Hearing no further business, the meeting was adjourned at 7:44 p.m.

Date Approved: _____

3/13/19


Chair/Board Member