

**PLANNING AND ZONING BOARD
CITY OF FORT LAUDERDALE
CITY HALL COMMISSION CHAMBERS – 1ST FLOOR
100 NORTH ANDREWS AVENUE
FORT LAUDERDALE, FLORIDA
WEDNESDAY, APRIL 17, 2013 – 6:30 P.M.**

Cumulative

Board Members	Attendance	June 2012-May 2013	
		Present	Absent
Patrick McTigue, Chair	P	10	1
Leo Hansen, Vice Chair	P	10	1
Brad Cohen	P	8	0
Stephanie Desir-Jean	P	9	2
Michael Ferber	P	9	2
James McCulla	P	10	1
Michelle Tuggle	P	11	0
Tom Welch	P	9	2
Peter Witschen	P	9	2

It was noted that a quorum was present at the meeting.

Staff

Ella Parker, Urban Design and Planning Manager
D'Wayne Spence, Assistant City Attorney
Jenni Morejon, Urban Design and Development
Anthony Fajardo, Urban Design and Development
Tom Lodge, Urban Design and Development
Todd Okolichany, Urban Design and Development
Yvonne Redding, Urban Design and Development
Randall Robinson, Urban Design and Development
Linda Mia Franco, Urban Design and Development
Tom White, City Landscape Architect
Al Battle, Northwest CRA Director
Brigitte Chiappetta, Recording Secretary, Prototype, Inc.

Communications to City Commission

None.

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	<u>Case Number</u>	<u>Applicant</u>
1.	Item of Discussion	
2.	1Z13** *	City of Fort Lauderdale / Townsend Park
3.	2Z13** *	Saint John United Methodist Church

4. ~~7ZR12** *~~ ~~Second Avenue Properties / Boat Owners Warehouse~~
5. ~~4P13**~~ ~~Gunther Motors Company / Gunther Motors Plat~~
6. ~~1P13**~~ ~~New Mount Olive Baptist Church, Inc. / New Mount Olive Baptist Church Plat~~
7. ~~1T13*~~ ~~Downtown RAC Flexibility Units~~
8. ~~6T13*~~ ~~City of Fort Lauderdale~~
9. ~~3Z13** *~~ ~~City of Fort Lauderdale~~
10. ~~3T13*~~ ~~City of Fort Lauderdale~~
11. ~~4T13*~~ ~~City of Fort Lauderdale~~
12. ~~5T13*~~ ~~City of Fort Lauderdale~~
13. ~~Communication to the City Commission~~
14. ~~For the Good of the City~~

~~Special Notes:~~

~~Local Planning Agency (LPA) items (*)~~ – In these cases, the Planning and Zoning Board will act as the Local Planning Agency (LPA). Recommendation of approval will include a finding of consistency with the City's Comprehensive Plan and the criteria for rezoning (in the case of rezoning requests).

~~Quasi-Judicial items (**)~~ – Board members disclose any communication or site visit they have had pursuant to Section 47-1.13 of the ULDR. All persons speaking on quasi-judicial matters will be sworn in and will be subject to cross-examination.

~~Chair McTigue called the meeting to order at 6:33 p.m. and all stood for the Pledge of Allegiance. The Chair introduced the Board members, and Urban Design and Planning Manager Ella Parker introduced the Staff members present. Attorney Spence explained the quasi-judicial process used by the Board.~~

~~Chair McTigue advised that Applicants are allowed 15 minutes for their presentations; representatives of associations and groups are allowed five minutes, and individual speakers are allowed three minutes each.~~

~~**Motion** made by Ms. Tuggle, seconded by Mr. McCulla, to approve the minutes of the March 20, 2013 minutes. In a voice vote, the **motion** passed unanimously.~~

~~extension, as docks on County properties are limited to 5 ft. The County limits the dock width on properties, which meant docks on Riverland Road and Melrose Park were subject to yard setbacks. He reiterated that Staff feels these limitations were due to an oversight.~~

~~He added that the recommendation does not change the overall limitations determined by the State to allow for safe and navigable waterways.~~

~~There being no further questions from the Board at this time, Chair McTigue opened the public hearing. As there were no members of the public wishing to speak on this Item, Chair McTigue closed the public hearing and brought the discussion back to the Board.~~

~~**Motion** made by Mr. McCulla, seconded by Ms. Tuggle, for approval. In a roll call vote, the **motion** passed 8-0. (Mr. Cohen was not present during the vote.)~~

12. City of Fort Lauderdale

Anthony Gregory Fajardo

5T13

Request: *

Amendment to City's Unified Development Regulations; Revision to Section 47-5.60, amending the development permit and approval process within the Residential Office zoning districts (RO/ROC/ROA) subject to the requirements of Section 47-24, Table 1, Development Permit and Procedures and to remove the requirement to provide a bufferyard and wall when adjacent to residential property, but as may be required under the general requirements of Section 47-25.3.A to mitigate adverse impacts of the non-residential use adjacent to residential uses

General Location: City-wide

District: All Districts

Mr. Cohen returned to the Board at 9:10 p.m.

Mr. Fajardo stated that this was a recommendation from Staff to revise 47-5.60 regarding Residential Office (RO, ROC, ROA) zoning districts. He noted that this was also in response to a communication to the City Commission from the Planning and Zoning Board. The recommendation revises the Section to make the process for approval subject to the same triggers seen elsewhere in the City: any construction under 5000 sq. ft. is subject to Site Plan Level 1 review as long as it is not adjacent to residential property. Any construction of fewer than five units is also subject to Site Plan Level 1 review.

He added that some items would still come before the Board, but would be consistent with other projects in development throughout the City.

Mr. Fajardo continued that Staff also recommends addressing buffer yard requirements. Staff proposed allowing other items to encroach into the buffer yard requirements, which is not currently allowed under the existing requirement. Buffer yard requirements presently require a 10 ft. landscape yard; however, in Residential Office zoning districts, the properties are smaller in both size and character and have various uses that remain in character with the surrounding neighborhood. Due to the existing restriction, however, parking requirements are very difficult. Staff proposed that vehicular use areas be allowed to encroach into the buffer yard up to the setback requirements.

Code also requires a wall for buffer yards under its current language. Staff has found that this introduces a non-residential element into these residential areas, and recommends allowing options to the wall, such as a fence or another alternative. The property would still need to be visible, although screened.

Vice Chair Hansen asked if the RO zoning districts were considered to be successful in general. Mr. Fajardo advised that this would be a matter of opinion for the individuals residing in these areas.

There being no further questions from the Board at this time, Chair McTigue opened the public hearing. As there were no members of the public wishing to speak on this Item, Chair McTigue closed the public hearing and brought the discussion back to the Board.

Mr. Ferber commented that while streamlining the approval process seemed appropriate, he felt amending Code with regard to buffer yards could result in unintended consequences. Vice Chair Hansen asserted that he felt the proposed improvements would be beneficial.

Mr. Fajardo clarified that the amendment would not affect the principal or accessory structures located on the property, which would remain subject to the full 10 ft. buffer yard requirements. The proposed flexibility would only affect the vehicular use area.

Motion made by Mr. McCulla, seconded by Mr. Ferber, to approve. In a roll call vote, the **motion** passed 9-0.

~~13. Communication to the City Commission~~

~~None.~~

~~14. For the Good of the City~~

~~None.~~