

**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.~~

~~Mr. McCulla asked if Staff would have the ability to identify unusual cases and send these to the Board. Mr. Fajardo said under the proposed recommendation, there would not be a situation in which signage would come before the Board unless it was denied at the DRC level, in which case there is a standard appeal process.~~

~~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 Vice Chair Hansen, seconded by Mr. McCulla, to approve. In a roll call vote, the **motion** passed 8-0. (Mr. Cohen was not present during the vote.)~~

11. City of Fort Lauderdale

Anthony Gregory Fajardo

4T13

Request: * **Amendment to City's Unified Development Regulations; Revision to Section 47-19.3, to allow the City Commission to grant a waiver of limitations for docks located in annexed areas of Riverland Road and Melrose Park to extend into the waterway subject to current criteria**

General Location: Riverland Road and Melrose Park Annexed Areas

District: 3 & 4

Mr. Fajardo stated that this Item is related to the waiver of dock limitations. Current Code requirements allow a request for such a waiver to be brought before the City Commission for consideration. When the areas of Riverland Road and Melrose Park were annexed into the City, there was an oversight with regard to extension into the waterway, which has been allowed by County Code in the past. Mr. Fajardo advised that this does not seem to have been intentionally omitted from the Code revision.

The proposed amendment would revise the appropriate section of Code to allow an Applicant to come before the City Commission and request waivers for mooring devices, such as boat lifts and mooring piles, to extend further into the waterway. Mr. Fajardo cited a recent case in which an Applicant was required to seek a variance in order to make repairs on an existing dock due to this oversight.

Mr. McCulla asked what would happen if two docks, located on adjacent properties, were subject respectively to County and City provisions. He asked which dock would be allowed to extend further into the water. Mr. Fajardo said the dock subject to City regulation would typically be allowed the greater

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.~~