

**PLANNING AND ZONING BOARD
CITY OF FORT LAUDERDALE
CITY HALL COMMISSION CHAMBERS – 1ST FLOOR
100 NORTH ANDREWS AVENUE
FORT LAUDERDALE, FLORIDA
WEDNESDAY, JUNE 18, 2014 – 6:30 P.M.**

Cumulative

Board Members	Attendance	June 2014-May 2015	
		Present	Absent
Patrick McTigue, Chair	P	1	0
Leo Hansen, Vice Chair	P	1	0
Brad Cohen	P	1	0
Stephanie Desir-Jean (arr. 6:42)	P	1	0
Michael Ferber	P	1	0
James McCulla	P	1	0
Michelle Tuggle (6:34-9:06)	P	1	0
Tom Welch	P	1	0
Peter Witschen	P	1	0

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
Eric Engmann, Urban Design and Planning
Jim Hetzel, Urban Design and Planning
Randall Robinson, Urban Design and Planning
Brigitte Chiappetta, Recording Secretary, Prototype, Inc.

Communications to City Commission

None.

I. CALL TO ORDER / PLEDGE OF ALLEGIANCE

Chair McTigue called the meeting to order at 6:31 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. Assistant City Attorney D'Wayne Spence explained the quasi-judicial process used by the Board.

Chair McTigue advised that Applicants and their agents have 15 minutes in which to make their presentations to the Board; representatives of associations and groups are allotted five minutes, and individual speakers have three minutes.

II. APPROVAL OF MINUTES

Motion made by Mr. Ferber, seconded by Mr. Welch, to approve. In a voice vote, the **motion** passed unanimously.

III. AGENDA ITEMS

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<u>Case Number</u>	<u>Applicant</u>
1. V14002**	Thomas Luken / NE 54 th Court Vacation
2. R14018**	Tropical American Properties LLC / Pineapple House
3. V14003**	Tropical American Properties LLC / Pineapple House
4. R14006**	Luigi Toter / Serafina Restaurant

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.

1. <u>Applicant / Project:</u>	Thomas Luken / NE 54 th Court Vacation
Request: **	Right-of-Way Vacation
Case Number:	V14002
General Location:	Right-of-Way located between 5251 and 5301 NE 26 th Avenue
Legal Description:	That portion of NE 54 th Court (NE 53 rd Street as shown on recorded plat) right-of-way, being South of Lot 12, Block 2 and North of Lot 1, Block 4 of "Golf Estates," according to the plat thereof as recorded in PB 43 P 26 of PRBC, Florida.
Case Planner:	Eric Engmann
Commission District:	1

Disclosures were made, and any members of the public wishing to speak on this Item were sworn in.

Ms. Tuggle arrived at 6:34 p.m.

Thomas Luken, Applicant, explained that he is the owner of a property separated from an adjacent parcel by what was once intended to be 53rd Street; however, this roadway was never developed and exists only as a partial road. He concluded that the request is to vacate the unused partial roadway, remove the asphalt, and landscape the property.

The Board members reviewed the Application, clarifying that the adjacent property owner will be able to access her house through a front driveway. A portion of the asphalt from the partial roadway would remain for this homeowner's use. Mr. Luken advised that he represents the owner of the neighboring property as well as himself.

Ms. Desir-Jean arrived at 6:42 p.m.

Eric Engmann, representing Urban Design and Planning, stated that the partial roadway serves no public purpose, provides no primary access to lots, and creates no cross-access into the neighborhood. The Applicant has proposed a new easement over a portion of the existing right-of-way to satisfy comments from Public Works and utility providers. Staff recommends approval of the Application, subject to the two conditions listed in the Staff Report.

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 Mr. Witschen, to approve.

It was requested that the Application be corrected to remove the word "abandoned."

In a roll call vote, the **motion** passed 9-0.

IV. COMMUNICATION TO THE CITY COMMISSION

None.

V. FOR THE GOOD OF THE CITY OF FORT LAUDERDALE

None.

There being no further business to come before the Board at this time, the meeting was adjourned at 9:19 p.m.

Any written public comments made 48 hours prior to the meeting regarding items discussed during the proceedings have been attached hereto.