

**DRAFT**  
**PLANNING AND ZONING BOARD**  
**CITY OF FORT LAUDERDALE**  
**CITY HALL COMMISSION CHAMBERS – 1<sup>ST</sup> FLOOR**  
**100 NORTH ANDREWS AVENUE**  
**FORT LAUDERDALE, FLORIDA**  
**WEDNESDAY, OCTOBER 17, 2012 – 6:30 P.M.**

**Cumulative**

<b>Board Members</b>	<b>Attendance</b>	<b>June 2012-May 2013</b>	
		<b>Present</b>	<b>Absent</b>
Patrick McTigue, Chair	P	4	1
Leo Hansen, Vice Chair	P	4	1
Brad Cohen	P	2	0
Stephanie Desir-Jean	P	4	1
Michael Ferber	A	4	1
James McCulla	P	4	1
Michelle Tuggle	P	5	0
Tom Welch	P	4	1
Peter Witschen	P	4	1

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

**Staff**

Ella Parker, Acting Urban Design and Planning Manager  
 D'Wayne Spence, Assistant City Attorney  
 Anthony Fajardo, Urban Design and Development  
 Tom Lodge, Urban Design and Development  
 Yvonne Redding, Urban Design and Development  
 Mohammed Malik, Chief Zoning Examiner  
 Brigitte Chiappetta, Recording Secretary, Prototype, Inc.

**Communications to City Commission**

**Motion** made by Mr. Witschen, seconded by Ms. Desir-Jean, to request that Staff develop a process that would not require Items such as 17R12A and 18R12A, both of which relate to sign approval, to come before the Planning and Zoning Board (and also streamline the review process for residential uses in the residential office districts, which currently require the Board's review). Staff has prepared revised code language that will streamline the review process for signage in the Regional Activity Centers and anticipates making additional code improvements in the near future to address the communication in full.

**Index**

**Case Number**                      **Applicant**

8. Ninth Street Property, LLC / French Village Thomas Lodge 11P12

Request: \*\* Vacation of Right-of-Way

Legal Description: A portion of SE 9<sup>th</sup> Street additional thoroughfare, South of and adjacent to Parcel "A", PAT'S PLAT, according to the plat thereof, as recorded in Plat Book 154, Page 5, of the public records of Broward County, Florida.

General Location: Southwest corner of SE 8<sup>th</sup> Street and SE 2<sup>nd</sup> Avenue

District: 4

**APPROVED (8-0) WITH THE FOLLOWING STAFF CONDITIONS:**

- 1. The applicant dedicates a 5-foot pedestrian sidewalk to the City, as provided on the site plan for the associated "French Village" multi-family residential project;**
- 2. Any utilities required to be removed, replaced or relocated, shall be done so at the applicant's expense, and as approved by the City Engineer. All improvements constructed within the easement shall conform to City engineering standards; and**
- 3. The vacating ordinance shall be in full force and effect on the date a certificate, executed by the City Engineer, is recorded in the public records of Broward County, Florida. The certificate shall state that all conditions of the vacation have been met. A copy of the recorded certificate must be provided to the City.**

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

Robert Lochrie, representing the Applicant, stated that the request would vacate portions of a right-of-way that were dedicated by plat in 1993. He showed photos of the area, noting that one portion of the vacation is in Item 7 and the second portion is in Item 8. The request would vacate a 5 ft. area originally dedicated as right-of-way; a 5 ft. pedestrian easement would be dedicated back in the location of the former right-of-way. The site will be developed as a uniform site, which means 5 ft. around the entire site will be dedicated to create a uniform property line.

The proposal is consistent with the Downtown Master Plan, which requires very specific setbacks from the center line of the street. The City's Property and Right-of-Way Committee unanimously recommended support for the request.

Vice Chair Hansen asked why the property line was not uniform in the first place. Mr. Lochrie explained when the property was platted, it did not include all the portions of property that have presently been assembled. He advised that instead of a dedicated right-of-way, the City's preference is now for a 5 ft. easement, which will be provided if the Application is approved.

Mr. Lodge stated that the Application meets the criteria found in ULDR Section 47-24-6, Vacation of Right-of-Way. Staff has proposed the following conditions:

- The Applicant must dedicate a 5 ft. pedestrian sidewalk to the City, as provided on the site plan, for the associated French Village Multi-Residential Project; and
- Any utilities being required to be removed, replaced, or relocated shall be done at the Applicant's expense, and approved by a City Engineer. All improvements constructed within the easement must conform to City engineering standards.

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 Item 7 with Staff conditions as presented.

Mr. Lodge clarified that the conditions apply to both Items 7 and 8.

In a roll call vote, the **motion** passed 8-0.

**Motion** made by Mr. McCulla, seconded by Mr. Witschen, to approve Item 8 with Staff conditions. In a roll call vote, the **motion** passed 8-0.

~~9. Neighborhood Compatibility Anthony Greg Fajardo 4T12  
Request: Revision to Section 47-25.3, Neighborhood Compatibility, of the Unified Land Development Regulations to exempt park, open space and conservation areas from the requirements of a buffer yard  
General Location: City Wide  
District: All Commission Districts~~

~~Anthony Fajardo, representing the Department of Sustainable Development, explained that this Item is an Ordinance pertaining to neighborhood compatibility~~