

**PLANNING AND ZONING BOARD  
CITY OF FORT LAUDERDALE  
CITY HALL COMMISSION CHAMBERS – 1<sup>ST</sup> FLOOR  
100 NORTH ANDREWS AVENUE  
FORT LAUDERDALE, FLORIDA  
TUESDAY, JANUARY 20, 2015 – 5:30 P.M.**

**Cumulative**

<b>Board Members</b>	<b>Attendance</b>	<b>June 2014-May 2015</b>	
		<b>Present</b>	<b>Absent</b>
Patrick McTigue, Chair	P	8	0
Leo Hansen, Vice Chair	P	8	0
Brad Cohen	P	7	1
Stephanie Desir-Jean (dep. 8:10)	P	6	2
Michael Ferber	P	8	0
Richard Heidelberg	P	1	0
James McCulla	P	8	0
Peter Witschen	P	7	1

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  
Tom Lodge, Urban Design and Planning  
Yvonne Redding, Urban Design and Planning  
Lorraine Tappen, Urban Design and Planning  
Brigitte Chiappetta, Recording Secretary, Prototype, Inc.

**Communications to City Commission**

**Motion** made by Mr. McCulla, seconded by Mr. Cohen, that his suggestion that the City review, improve, or eliminate Condition #2 for rezoning be sent forth to the City Commission for consideration. In a voice vote, the **motion** passed unanimously.

**I. ~~CALL TO ORDER / PLEDGE OF ALLEGIANCE~~**

~~Chair McTigue called the meeting to order at 6:32 p.m. and all stood for the Pledge of Allegiance. He extended a welcome to new Board member Richard Heidelberg. 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.~~

~~Mr. McCulla requested clarification of the uses allowed on the site. Mr. Lodge replied that the site will be leased for a sports training facility to be operated by Nova Southeastern University.~~

~~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, the Chair closed the public hearing and brought the discussion back to the Board.~~

~~Motion made by Mr. McCulla, seconded by Vice Chair Hansen, to approve. In a roll call vote, the motion passed 7-0.~~

#### IV. COMMUNICATION TO THE CITY COMMISSION

Mr. McCulla observed that there are three specific criteria that must be met by rezoning requests, including the requirement for a substantial change in the character of an area. He pointed out that this condition is not typically imposed by Staff or the Board, and recommended that it be revised or eliminated.

**Motion** made by Mr. McCulla, seconded by Mr. Cohen, that his suggestion that the City review, improve, or eliminate Condition #2 for rezoning be sent forth to the City Commission for consideration. In a voice vote, the **motion** passed unanimously.

Vice Chair Hansen returned to the issue of the vacant lot discussed in Item 1, expressing concern that the lot might remain vacant over the long term.

~~Motion made by Vice Chair Hansen to recommend to the Commission to negotiate with the County to make landscaping improvements on that lot. The motion died for lack of second.~~

#### V. FOR THE GOOD OF THE CITY OF FORT LAUDERDALE

~~There being no further business to come before the Board at this time, the meeting was adjourned at 9:38 p.m.~~

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

  
Chair

  
Prototype

[Minutes prepared by K. McGuire, Prototype, Inc.]

**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, MARCH 18, 2015 – 5:30 P.M.**

**Cumulative**

<b>Board Members</b>	<b>Attendance</b>	<b>June 2014-May 2015</b>	
		<b>Present</b>	<b>Absent</b>
Patrick McTigue, Chair	P	9	1
Leo Hansen, Vice Chair	P	10	0
Brad Cohen	P	9	1
Stephanie Desir-Jean (arr. 6:37)	P	8	2
Michael Ferber	P	10	0
Richard Heidelberg	P	3	0
James McCulla	P	10	0
Peter Witschen (arr. 6:40)	P	9	1

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

Thomas Lodge, Urban Design and Planning

Yvonne Redding, Urban Design and Planning

Brigitte Chiappetta, Recording Secretary, Prototype, Inc.

**Communications to the City Commission**

**Motion** made by Mr. McCulla, seconded by Vice Chair Hansen, that the Ordinance regarding rezoning be reworded to require that the applicant meet two of the following three criteria, not all of them:

1. The zoning district proposed is consistent with the City's Comprehensive Plan;
2. Substantial changes in the character of development in or near the area under consideration support the proposed rezoning;
3. The character of the area proposed is suitable for the uses permitted in the zoning district and is compatible with surrounding districts and uses.

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

**I. ~~CALL TO ORDER / PLEDGE OF ALLEGIANCE~~**

#### IV. COMMUNICATION TO THE CITY COMMISSION

Ms. Parker advised that the City Clerk's Office had requested clarification of a communication to the City Commission submitted in January 2015, including the wording of the motion as well as confirmation of how many Board members voted in favor of it. The motion suggested that Staff review, improve, or eliminate Condition 2 for rezoning. She requested that the motion and communication be restated with greater clarity.

**Motion** made by Mr. McCulla to communicate to the City Commission that they consider removing Criterion 2 from the list of code criteria for rezoning a parcel in the City.

Mr. McCulla explained that this criterion states substantial changes must have occurred the subject neighborhood or area to warrant rezoning of a parcel. He pointed out that the Board has often approved or recommended the requested zoning changes even when substantial change is not demonstrated by applicants. Code states that the following three criteria for rezoning must be met:

1. The zoning district proposed is consistent with the City's Comprehensive Plan;
2. Substantial changes in the character of development in or near the area under consideration support the proposed rezoning;
3. The character of the area proposed is suitable for the uses permitted in the zoning district and is compatible with surrounding districts and uses.

He pointed out that any changes required under Condition 2 would also be met by either Condition 1 or 3, and concluded that Condition 2 could be removed from the three required criteria or the Ordinance could be modified to require that two of the three criteria must be met.

Mr. McCulla restated his **motion** as follows: **motion** that the Ordinance regarding rezoning be reworded to require that the applicant meet two of the three presently stated criteria, not all of them.

Vice Chair Hansen **seconded** the **motion**. In a roll call vote, the **motion** passed 8-0.

#### ~~V. FOR THE GOOD OF THE CITY OF FORT LAUDERDALE~~

~~There being no further business to come before the Board at this time, the meeting was adjourned at 7:49 p.m.~~

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