



**PLANNING AND ZONING BOARD MEETING MINUTES
DEVELOPMENT SERVICES DEPARTMENT
700 NW 19 AVENUE, FORT LAUDERDALE, FL 33311
WEDNESDAY, MAY 20, 2026 – 6:00 P.M.**

Board Members	Attendance	Present	Absent
Patrick McTigue, Chair	P	12	0
Brian Donaldson, Vice Chair	P	11	1
Kevin Buckley	A	10	2
Hector DelaTorres	P	8	1
Whitney Dutton	P	9	3
Steve Ganon	P	11	1
Monty Lalwani	P	4	1
Jacquelyn Scott	P	10	2
Alexander Spence	P	9	0

Staff

D'Wayne Spence, Deputy City Attorney
Scott Stone, Assistant City Attorney
Jim Hetzel, Urban Design and Planning Manager
Karlanne Devonish, Principal Urban Planner
Yvonne Redding, Urban Planner III
Burt Ford, Chief Zoning Examiner
James Hollingsworth, Zoning Examiner
Mohammed Malik, Zoning Administrator
N. Day, Recording Clerk, Prototype, Inc.

Communication to City Commission

None.

I. CALL TO ORDER / PLEDGE OF ALLEGIANCE

The meeting was called to order at 6:12 p.m. and the Pledge of Allegiance was recited. Urban Design and Planning Manager Jim Hetzel introduced the City Staff members present, and Chair McTigue introduced the Board members.

II. DETERMINATION OF QUORUM / APPROVAL OF MINUTES

Motion made by Vice Chair Donaldson, seconded by Ms. Scott, to approve. In a voice vote, the **motion** passed unanimously.

IV. AGENDA ITEMS

Index

NEIGHBORHOOD ASSOCIATION: Coral Ridge Association
CASE PLANNER: Yvonne Redding

~~Disclosures were made at this time.~~

~~Robert Lochrie, representing the Applicant, explained that this Application came before the Board at an earlier date in relation to a parking reduction. One bay within the 3000 Plaza was converted into a takeout only restaurant which did not require additional parking; however, when the business was converted into a full service restaurant, the Applicant requested and received a parking reduction.~~

~~Mr. Lochrie explained that the language in the parking reduction addressed the additional spaces required to convert from a takeout only to a full restaurant; it had not considered the full amount of parking that would be required for a full restaurant. The Application before the Board tonight requests a parking reduction of 11 additional parking spaces.~~

~~The parking reduction already received by the Applicant is based on the availability of publicly owned parking spaces in the area. During peak hours, approximately 48% of these spaces are available. This does not consider the parking spaces owned by the Plaza shopping center itself, which are shared between different users.~~

~~Mr. Lochrie concluded that the Application meets all requirements for the requested reduction and agrees with all Staff conditions.~~

~~At this time Chair McTigue opened the public hearing. As there were no individuals wishing to speak on the Item, the Chair closed the public hearing and brought the discussion back to the Board.~~

~~**Motion** made by Vice Chair Donaldson, seconded by Mr. Canon, to adopt a Resolution approving Site Plan Level III, Case Number UDP A25070 based on the following findings of fact, and that the Board hereby finds that the Applicant meets the standards and requirements of the ULDR and criteria for the proposed use as cited in the Resolution, and approval of the Application subject to all conditions that are included in the Staff Report.~~

~~Attorney Stone read the following Resolution into the record:~~

~~A Resolution of the Planning and Zoning Board of the City of Fort Lauderdale, Florida, approving a Site Plan Level III development permit for a parking reduction to reduce the required parking spaces from 11 to zero for the property located at 3020 N. Federal Highway, Unit #13, Fort Lauderdale, Florida, in the Boulevard Business (B-1) District, Case Number UDP A25070; providing for conflicts, providing for severability, and providing for an effective date.~~

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

4. CASE: UDP-T26006

REQUEST: * Amend City of Fort Lauderdale Unified Land Development Regulations (ULDR) Section 47-6.10, List of Permitted and Conditional Uses, Community Business (CB) District and Section 47-6.11, List of Permitted and Conditional Uses, Boulevard Business (B-1) District to Permit Fortune Tellers, Psychic Readers as an Accessory Use to Retail Use

APPLICANT: City of Fort Lauderdale

COMMISSION DISTRICT: City-Wide

CASE PLANNER: Karlanne Devonish, AICP

Principal Urban Planner Karlanne Devonish explained that this Item proposes an amendment to the City's Unified Land Development Regulations (ULDR) Section 47-6.10, entitled "List of Permitted and Conditional Uses, Community Business or CB District," and Section 47-6.11, "List of Permitted and Conditional Uses, Boulevard Business or B-1 District," to permit fortune tellers/psychic readers as an accessory use to retail use.

The proposed amendment would add fortune tellers and psychic readers as a permitted use when accessory to a retail use within the CB and B-1 zoning districts. This amendment follows a series of legal challenges involving the City dating back to 2005, when the City was sued for denying a business tax receipt (BTR) to a fortune-telling business in the B-1 zoning district. Similar challenges were settled in 2006 by allowing the use as an accessory or ancillary component to a bookstore.

In 2025, a related lawsuit arose following the denial of a relocation request to a B-1 property for a fortune teller or psychic use, resulting in another settlement. The City Commission has directed Staff to amend the ULDR to add fortune-telling and psychic reading to the CB and B-1 zoning districts as accessory uses to retail use.

Mr. Ganon requested additional information on this Item. Deputy City Attorney D'Wayne Spence explained that in 2024, a member of the original group of fortune tellers who had sued the City filed another suit alleging that the City prohibited this use without providing any justification to differentiate these businesses from other similarly situated uses within Code. He recalled that when the original suits were settled, the City had agreed to take a closer look at these uses and determine whether there were circumstances that would not prohibit them.

Attorney Spence continued that the City had not examined the subject uses more closely during the past 20 years. While the City had not further evaluated the uses, there was no documented history of complaints associated with the uses where they were previously located.

Attorney Spence concluded that the proposed Code amendment would not allow this use as an outright use; it must be an accessory use to a retail use, such as a bookstore.

Mr. DelaTorres requested the reason for the original prohibition of the use in Code. Attorney Spence replied that the City had not had a reason for the prohibition, and the courts had indicated a reason was necessary. This particular use was a "carry-over"

from the 1950s in terms of its prohibition and no documentation of the reason for the prohibition was found.

Attorney Spence further clarified that this issue is not site-specific, but is instead zoning district-specific. The proposed amendment suggests that the subject use not stand on its own, as it would in the B-3 zoning district, but to be an accessory use to retail.

Motion made by Ms. Scott, seconded by Vice Chair Donaldson, to recommend approval of Case Number UDP-T26006, and the Board hereby finds that the text amendments to the ULDR are consistent with the Comprehensive Plan. In a roll call vote, the **motion** passed 8-0.

5. CASE: UDP T26007

REQUEST: *Amend City of Fort Lauderdale Unified Land Development Regulations (ULDR) Section 47.2.2, Measurements and Section 47.19.5, Fences, Walls and Hedges to Revise the Grade and Height Measurement for Fences and Walls

APPLICANT: City of Fort Lauderdale

COMMISSION DISTRICT: City-Wide

CASE PLANNER: Karlanne Devonish, AICP

Ms. Devonish explained that this Item proposes an amendment to ULDR Section 47.2.2, entitled "Measurements," and Section 47.19.5, entitled "Fences, Walls, and Hedges." It addresses the method for measuring the height of fences and walls from grade.

Vice Chair Donaldson recalled that the Board had previously seen a presentation addressing this issue, and asked if the Commission has provided further direction on the Item since that previous presentation or if the Item is a continuation of that presentation. Ms. Devonish replied that this Item addresses the same issue, but takes a different approach. Today's presentation was presented to the City Commission in November 2025 and the Commission provided direction on how to move forward.

Ms. Devonish provided background information on the Item, recalling that prior to the most recently finished Federal Emergency Management Agency (FEMA) flood compliance map, the addition of fill to raise the finished floor level in order to comply with base flood elevation was not required. Fences and walls were measured at the lowest adjacent grade, which was typically the lowest adjacent neighbor's grade. This resulted in minimal negative impacts to property owners. She reviewed an example of this previous process for the Board in the PowerPoint presentation.

In 2021, FEMA's finished floor regulations changed the base flood elevation, which allowed owners to place fill on an entire lot and raise it to the required grade. When an entire site is raised in this manner, once a fence is proposed using the lowest adjacent grade, the height of the fence on the property installing it only provided a few feet with little privacy, while the neighboring property exhibited the maximum fence height of 6.5 feet. This resulted in property owners requesting variances to increase the heights of their fences to 6 feet on their properties. Because a large number of applications were

~~Motion made by Mr. Dutton, seconded by Vice Chair Donaldson, to recommend approval of Case Number UDP-T26007 and the Board hereby finds that the text amendments to the ULDR are consistent with the Comprehensive Plan, with a note to add "in the ULDR" to the end after "specified," so it would end "unless otherwise specified in the ULDR." In a roll call vote, the motion passed 8-0.~~

V. COMMUNICATION TO THE CITY COMMISSION

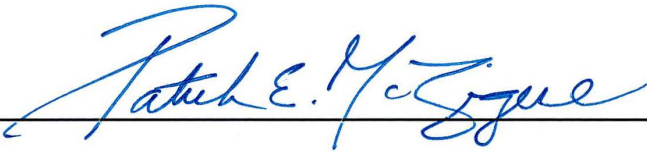
None.

VI. FOR THE GOOD OF THE CITY OF FORT LAUDERDALE

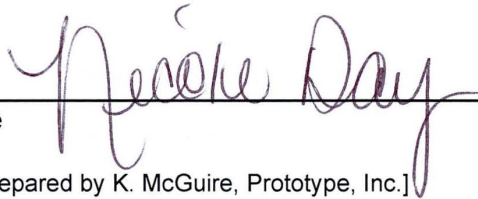
There being no further business to come before the Board at this time, the meeting was adjourned at 7:10 p.m.

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.]