

**BOARD OF ADJUSTMENT MEETING  
WEDNESDAY, FEBRUARY 11, 2004 – 7:30 P.M.  
1ST FLOOR – CITY HALL  
CITY COMMISSION CHAMBERS  
100 N. ANDREWS AVENUE  
FORT LAUDERDALE, FLORIDA**

**BOARD MEMBERS**

	<b><u>Present</u></b>	<b><u>Absent</u></b>
Stephen Buckley, Vice-Chairman	P	
Gus Carbonell	P	
Fred Stresau	P	
Patricia A. Rathburn, Chairman	P	
E. Birch Willey	P	
Binni Sweeney	P	
Don Larson	P	

**ALTERNATES**

Scott Strawbridge		A
Al Massey	P	
Jon Albee	P	

**STAFF**

Robert Dunckel, City Attorney  
Greg Brewton, Zoning Administrator  
Charlie Wygant  
Charla Lopez

Margaret A. D'Alessio, Recording Secretary

**GUESTS**

Sam Caliendo	Maurice DeGraff	John Bradley
Claudia Gozmero	Margot Crawford	Judy Hirschberg
Spencer Secoy	David Skidmore	Jeanine Kuflik
Roger Newsom	Robert Lochrie	Demetrios Kirkiles

**CALL TO ORDER**

Chair Patricia Rathburn called the meeting to order at approximately 7:35 p.m. Roll call was taken. Chair Patricia Rathburn proceeded to introduce the members of the Board and the staff. She then proceeded to explain the procedure that would be used at tonight's meeting.

Chair Patricia Rathburn asked if there were any sign problems regarding the cases on tonight's agenda.

Binni Sweeney stated that the sign in front of the Mancini residence was blank and nothing had been filled in. Chair Patricia Rathburn asked if staff was not to have filled in the information.

Greg Brewton, Zoning Administrator, replied that staff did fill in the information on the signs.

**1. APPEAL NO. 04-06**

**APPLICANT:** John A. Mancini  
**LEGAL:** **Sea Island, Unit 4, P.B., 29, P. 29, Block 3, Lot 3  
Less W. 27'**  
**ZONING:** **RS 4.4 – Residential Single Family/Low Density District**  
**STREET:** **2716 Barcelona Dr.**  
**ADDRESS:** **Fort Lauderdale, FL**

**APPEALING: Sec. 47-5.30 (Table of Dimensional Requirements)** – To permit a 15' side yard where the code requires a minimum 25' yard when abutting a waterway.

**Motion** made by Binni Sweeney and seconded by Fred Stresau to defer this matter until March 10, 2004. Board unanimously approved.

**2. APPEAL NO. 04-07**

**APPLICANT:** Cassandra Colby Tansey/World Fitness Association  
**LEGAL:** **Hoys Business Center, P.B. 39, P. 11, Block 1, Lot 2**  
**ZONING:** **B-1 – Boulevard Business**  
**STREET:** **5800 N. Federal Highway**  
**ADDRESS:** **Fort Lauderdale, FL**

**APPEALING: Sec. 47-20.11** – To permit parking stall depth of 16' 10 9/16" where the code requires a depth of 19' 1 1/8" for 45 degree parking and to permit an overall parking dimension of 46' 9 1/8" where the code requires a minimum overall dimension of 51' 21/8". **Sec. 47-20.2.B** – To exclude a 2<sup>nd</sup> floor area of 1,773 sq. ft., a 1<sup>st</sup> floor area of 1,540 sq. ft and 233 sq. ft. hallway area from the parking calculations where the code requires that the parking calculations be based on the total gross floor area of the building. **Sec. 47-20.2.C** – To permit 31 parking spaces where the code requires a minimum 39 parking spaces for the proposed certification of fitness instructor's use.

Chair Patricia Rathburn announced that this item was being continued per staff's request until March 10, 2004.

Greg Brewton, Zoning Administrator, explained that they were working with the applicant on this request.

Gus Carbonell entered the meeting at approximately 7:45 p.m.

**APPROVAL OF MINUTES – January 14, 2004**

Chair Patricia Rathburn asked for a motion to approve the minutes from the January 14, 2004 meeting.

**Motion** made by Don Larson and seconded by Fred Stresau to approve the minutes of the January 14, 2004 meeting as amended. Board unanimously approved.

**Individuals wishing to speak regarding tonight's agenda were sworn in.**

**3. APPEAL NO. 04-08**

**APPLICANT:** David Skidmore  
Jeanine Kuflik

**LEGAL:** Dames & Young Resubdivision, Block "C", Stranahans  
Subdivision, P.B. 2, P. 63D, Lot 8 less south 44', Block C

**ZONING:** RC-15 – Residential Single Family/Cluster Dwellings/Low  
Medium Density

**STREET:** 1216 NE 1 St

**ADDRESS:** Fort Lauderdale, FL

**APPEALING: Sec. 47-5.32 (Table of Dimensional Requirements)** – To permit a single family home to be constructed on a 4,550 sq. ft. lot where the code requires a minimum lot size of 5,000 sq. ft.

Jeanine Kuflik stated that they were requesting this variance so that they could build on a lot that was 4,550 sq. ft. and the minimum requirements of 5,000 sq. ft.

Chair Patricia Rathburn asked the applicant what was their hardship and asked if they owned the lot, along with the adjacent lot. Ms. Kuflik stated they owned the lot, but did not own the adjacent lot. David Skidmore stated that the previous owner had sold off about 30 years ago the back portion of the lot. He stated there was a house on the lot at the present time, but the cottage in the rear had been sold off previously. He reiterated that created a non-conforming lot.

Binni Sweeney asked why there was a "For Sale" sign in the front of the house. Ms. Kuflik replied that they were thinking of selling. She stated that after seeing all the work that needed to be done on the house, it was more than she had anticipated. She stated she might decide to remodel it and live in it. Mr. Skidmore stated that the person who wanted to buy the land wanted to rebuild on it.

Binni Sweeney asked if the sale was contingent on what happened this evening. Mr. Skidmore stated it was, otherwise, they were just going to remodel the house. He stated they had not realized how much work was needed on the house when they had purchased it.

Chair Patricia Rathburn clarified that they were discussing the front half of Lot #8. Ms. Kuflik confirmed and further clarified that the owner of Lot #9 had purchased the back half of Lot #8.

Gus Carbonell stated there were many of these instances in the older neighborhoods, such as Victoria Park. He stated the ULDR had a provision where it addressed a legal non-conforming lot that did not meet criteria, but had a recorded deed of sale of the property by a certain date, thereby making it legal non-conforming. He stated that he believed that law came into effect because people years ago kept selling pieces of their land, and the City was unaware of what was happening because they were private sales. He asked if possibly this house fell into that category.

Mr. Brewton stated that he would have to look this up, but he had spoken to the property owners previously and he did not think they fell into that category. Gus Carbonell reiterated that if there was a recorded deed of the property after it had become smaller, then they would be grand fathered in.

Chair Patricia Rathburn stated she was uncomfortable with a legal opinion being given by a board member. Mr. Brewton replied that they did not believe the present owners fell within that category.

Binni Sweeney stated if they were in that category they would be legal non-conforming, but if they demolished it would they be able to build a new house. Mr. Brewton stated that the legal non-conforming would stop.

Chair Patricia Rathburn proceeded to open the public hearing.

John Bradley, owner of the property to the east, stated that he held an option on the property immediately to the south. He explained that he owned Lot #7 and had an option on the back half of Lot #8. He stated that some of the information, which had been given tonight, was untrue. He stated that after the applicants had purchased the property, they had offered to sell it to him so that he would buy them out at a profit. He stated this was an attempt to do more of what was occurring in Victoria Park and that was to overbuild. He stated that everyone had known for the last 30 years, including the applicants, that this was an undersized lot. The previous owner had sold the back half of the lot to Mrs. Crawford in 1976. He stated that the applicants had purchased the property with the knowledge that they were going to remodel it. He felt that would be great, but if they wanted to build another mammoth house on the lot, it would be wrong. He stated that this was not

a surprise situation and the applicants were well aware of the situation which was reflected by the for sale sign, along with the fact that they offered to sell him the lot at a profit. He reiterated that the applicants were not facing this Board with "clean hands." They knew the lot was under sized and this Board should not provide the remedy. He stated the neighbors around the subject property were present, and objected to the requested variance. He added there was a fence in the rear and an alley was located beyond the cottage.

Margo Crawford, owner of the cottage behind the subject property, stated that she was against the variance and did not want to see a new house being built on the lot. She stated that her husband had purchased the south 44' of Lot #8 from Mrs. Burl Reed.

Spencer Secoy, resident next to the property in question, stated that he felt overbuilding this area would lend itself to unnecessary cramped conditions in an area that was being over built.

Claudia Gozmero stated that she was against the variance and did not want a large house built there. She believed it would impact the surrounding neighbors.

Judy Hirshberg, renter of the property adjacent to the subject property, stated that she was not in favor of the neighborhood being overcrowded.

There being no other individuals who wished to speak on this matter, the public hearing was closed and discussion was brought back to the Board.

**Motion** made by Fred Stresau and seconded by Binni Sweeney to close the public hearing. Board unanimously approved.

Binni Sweeney stated that when the zoning had been changed requiring 5,000 sq. ft. was done for a reason, and if the variance was granted there would be an oversized house on a smaller piece of property. She reiterated this would keep the City from getting better.

Gus Carbonell stated that the maps provided to the Board appeared to show the subdivision of the lots according to deeds, and asked if the County created this as a tax record or did the City draw this for property lines. He stated the lots being created were quite different from the original plots which had been uniform. He asked how these maps came about.

Mr. Brewton stated that he wished he could answer the question, but he did not know how they had been created. He stated further that from the subdivision regulations, there were exceptions to platting and allowances for properties to be re-subdivided. He believed that some of the maps had been created through property identifications for tax records. He explained that would be for the sole

benefit of describing a map, and would not be where the City was allowing properties to be varied without going through a process to do so.

Gus Carbonell asked how the code addressed the legal non-conforming lots that did not meet the criteria. Mr. Brewton stated there were two sections of the Code that had to be dealt with, and one of those was the non-conforming lot regulation on Section 47-3, and the other would be the subdivision regulations under Section 47-24. He further stated that the exceptions to platting would be construction of a single-family dwelling on a parcel which was of record as of March 1, 1989.

Stephen Buckley asked when the people had sold the back portion of this lot had it been done properly according to Code. Mr. Brewton replied it was not done properly. Stephen Buckley asked if the "L" shaped lot was larger and was a legal non-conforming lot. Mr. Brewton stated they had more land than what was required at that time, and no property had been deleted, but they had actually added property. He stated if the lot had not been done properly was that lot in the same situation. Mr. Brewton stated the City would not be responsible or able to review the selling of property. The City would look at it if they were going to replat. In the Code, there was no control over the sale or purchase of property. Mr. Brewton stated that if the "L" shaped lot came into the City, they would look as to whether or not it met the minimum lot size requirements, along with any other subdivision regulations. Stephen Buckley reiterated that presently it was an improperly subdivided lot. Mr. Brewton agreed it could be.

Chair Patricia Rathburn stated that Lot #8 was the subdivided lot, and therefore, would not have any impact on Lot #9.

Stephen Buckley asked if the small portion had a separate tax ID #. Mrs. Crawford stated that it had been incorporated into Lot #9. Mr. Bradley remarked that was why it was being shown as an "L" shaped lot.

Chair Patricia Rathburn stated that this was a lot bigger subject than this Board needed to delve into, but it was her understanding that if one had a lot of record that was 45' or 35' wide which had been a platted lot of record, that was what the provision in the Code dealt with and not lots illegally subdivided. Mr. Brewton confirmed.

Binni Sweeney clarified that if the lot was non-conforming the house was fine, but if they wanted to demolish it, than it was no longer legally non-conforming. Mr. Brewton stated they would lose their legal non-conforming status if more than 50% of the structure was demolished.

**Motion** made by Binni Sweeney and seconded by Fred Stresau to approve the application as presented. Roll call showed: YEAS: None. NAYS: Fred Stresau,

Don Larson, Stephen Buckley, Birch Willey, Binni Sweeney, Gus Carbonell, and Patricia Rathburn. Motion was denied 0-7.

**4. APPEAL NO. 04-09**

**APPLICANT:** Roger Newson/Worldwide Yacht Sales  
**LEGAL:** **Beg. 371.70W & 35.90N of SE Cor Sec 8, Cont. N 179.10 E  
200, S 175 to N R/W/L Davie Blvd, WLY ALG R/W 200.07 to  
POB**  
**ZONING:** **CB – Community Business; I – General Industrial**  
**STREET:** **2101 SW 12 St. (Davie Blvd)**  
**ADDRESS:** **Fort Lauderdale, FL**

**APPEALING: Sec. 47-6.10** – To permit watercraft sales in the CB District where such use is not listed as a permitted use in the district.

Roger Newsom, President Worldwide Yacht Sales, stated that he was requesting a variance. He explained the subject property was  $\frac{3}{4}$  of an acre, and that  $\frac{1}{2}$  of the acre was zoned industrial, including the building, and  $\frac{1}{3}$  of the property was zoned CB. He explained that he wanted to sell small boats. He added that the property had been vacant for 10 years.

Binni Sweeney asked why watercraft sales were not allowed in CB zoning.

Greg Brewton, Zoning Administrator, stated that the CB zoning district was created to be somewhat of a lesser zoning classification than the normal B-1 zoning, which was along thoroughfares throughout the City being retail in nature and allowing for a multiple retail type activity. He stated that CB was designed to be a little less than that in certain situations where staff and the Commission felt they did not want to see that much of intensity, and wanted to limit the commercial activities permitted under the CB district. He added that this occurred in 1997. Mr. Brewton explained that the question was if it was under I-95 would that be appropriate for CB zoning.

Robert Dunckel stated that in looking at the Code, one could see that boat sales were not allowed in CB, but the next district up from that was B-1. Similarly, automobile sales and automobile rentals were not permitted uses in CB, but were permitted in B-1. He added this fit in the hierarchy described by Mr. Brewton.

Chair Patricia Rathburn proceeded to open the public hearing. There being no individuals who wished to speak on this matter, the public hearing was closed and discussion was brought back to the Board.

**Motion** made by Fred Stresau and seconded by Binni Sweeney to close the public hearing. Board unanimously approved.

Don Larson asked if the people in the rental units had been notified of this. Mr. Brewton clarified that they would not have been individually notified, only the property owner, and they had been due to the fact that they were within the 300' requirement.

Don Larson continued to ask if the fencing was going to be redone. Mr. Newsom stated that the fencing would be changed.

Fred Stresau asked whether this was a unique piece of property since it was well below the vista from I-95 and Davie Boulevard. Mr. Brewton agreed and stated that the property owners in such areas had a difficult time with the commercial zoning because it was secluded and hard to get to. He stated that unless someone had a particular reason to go to the area, the business would not be seen. He felt that possibly this owner could return to the Board for approval for a sign since the area was so secluded.

Gus Carbonell asked if this would have to go through a review where landscaping would have to meet Code. Mr. Brewton agreed and stated that he believed the property was within 100' of a residential area. He stated the other issue was that the residential was commercial. He felt the problem would be that the residential which existed was zoned commercial to the west, and therefore, was legal non-conforming. However, he stated he was not sure if the threshold would be triggered for DRC review, and the site would have to be reviewed. He stated the least would be retroactive landscaping. Gus Carbonell remarked that directly south was B-2 zoning.

Stephen Buckley asked if the CB zoning had not changed since the overpass had been constructed. Mr. Brewton stated that at one time he thought the area was zoned B-1 because the CB zoning had not existed. He stated it had been rezoned to CB anticipating that it would be the proper zoning for the area. In hindsight, he stated there might be a need to look at this from a different perspective. He stated there had been a number of discussions with the property owner of this site in an attempt to see how this site could work from a commercial point of view. Stephen Buckley asked if the CB area went west from Davie Boulevard. Mr. Brewton stated he did not think it went directly west of the site, but he believed there might be some CB as one went towards the City limits, but he was not sure how far CB went along the Davie Boulevard corridor.

**Motion** made by Don Larson and seconded by Binni Sweeney to approve the application as presented. Roll call showed: YEAS: Don Larson, Stephen Buckley, Birch Willey, Binni Sweeney, Gus Carbonell, Fred Stresau and Patricia Rathburn. NAYS: None. Motioned carried 7-0.



**5. APPEAL NO. 04-11**

**APPLICANT:** Broward General Medical Center  
**LEGAL:** **Broward General Hospital 60-33B, Tracts A, B  
Less SE Cor of Tract B, Lot 5, S 10, Lots 6 & 7**  
**ZONING:** **CF – Community Facility  
CB – Community Business  
B-1 – Boulevard Business**  
**STREET:** **1600 South Andrews Avenue**  
**ADDRESS:** **Fort Lauderdale, FL**

**APPEALING: Sec. 47-22.3** – To permit twelve (12) new single-faced signs, six (6) new double-faced signs, three (3) new single-faced signs and one (1) new double-faced sign where the code requires a maximum of 2 free standing signs and two points of purchase.

Robert Lochrie, attorney, stated that this was a request for a master sign package and way-finding plan for the soon-to-be-completed Broward General Medical Center. He stated that the hospital was first constructed in 1938 and today provided the primary medical facility for all of north Broward County. He explained the facility employed almost 3,000 people, and treated 325,000 patients a year, of which 80,000 were emergency room patients. He stated there were approximately 247,000 visitors to the facility per year, and approximately 3,500 babies were born there per year.

Mr. Lochrie stated the hospital was undergoing an aggressive 400,000 sq. ft. expansion and renovation of the existing facility. He further stated that many of the areas were moving around on the site.

Mr. Lochrie further stated that this was the largest unified parcel consisting of 25 acres in downtown Fort Lauderdale. He stated it was important that individuals coming to this facility were able to quickly identify the parking areas for the various centers. He stated this was not the first time this facility had requested a variance. He explained that in 1992 several variances had been granted to the hospital. He stated they were not relying on those variances, and basically were beginning from scratch. He advised that they would be removing sixteen (16) signs from the property, adding twenty-two (22) signs, while retaining eight (8) existing ones. He explained that the Code provided a significant hardship for this type of facility and only allowed for four (4) signs. He continued stating that in regard to free-standing signs, the Code limited those to “two points of purchase,” meaning if there were two different elements with different stores (if a shopping center) only two (2) signs would be permitted. In this case, he explained the parking areas had to be labeled, along with the treatment facilities.

Mr. Lochrie continued stating that there were essentially 3 types of signs they were requesting for the property. He explained the first was the freestanding ground sign

at one location at the main entrance to the facility on Andrews Avenue. He proceeded to show renderings of the 3 types of signs and their locations. The other type of sign was a freestanding directional sign for various locations.

Binni Sweeney stated there were 2 10' signs on either side of the street, and asked if they could have 5' signs on the corners so everyone would be able to see them. Mr. Lochrie replied that was the effect one got, but they were providing for a double-faced sign. He stated they needed them at the proposed angle so that individuals coming down Andrews and south on 17<sup>th</sup> Street could see them. Binni Sweeney reiterated that she lived by Holy Cross and when their expansion was done, their neighborhood had gone through the same thing and many signs had been approved. She stated that all that was visible now were signs. Mr. Lochrie stated the building and landscaping were going to be visible. He referred the Board to the graphic showing the existing signage.

Robert Dunckel clarified that the request tonight was in regard to the number of signs. Mr. Lochrie confirmed. Mr. Dunckel asked if he was representing to the Board that all the signs were of a proper size and height, and that no other variances would be required. Mr. Lochrie confirmed. Robert Dunckel stated that he believed staff was of a different opinion. He stated that in the past the Board preferred to see the whole thing, and not have the matter come before them piecemeal. Mr. Lochrie reiterated that was why this matter was being presented as a complete package. He explained that there were a couple different ways to look at these signs. He stated that one way was to look at them as being purely directional signs. He explained if the freestanding signs were referred to as directional signs, then it was his understanding that they would be asking for a variance from the dimensional requirements as well. He stated it would be a directional sign with a variance for the dimensional requirements, but however, they were not calling it that and were stating that it was a freestanding sign which they were entitled to have. He explained they were not entitled to do the number of freestanding signs they were requesting.

Robert Dunckel asked how they could not refer to the signs as directional since they contained an arrow on them. Mr. Lochrie explained they did not meet the dimensional requirements of a directional sign. He stated that the thing about directional signs was that there was no limit to the number, and from that perspective they would not be requesting a variance, but would simply be saying they were larger. He stated that of the two available options, it made sense to them to ask for freestanding signs, but more of them than permitted.

Binni Sweeney asked how tall was sign #29. Mr. Lochrie replied it was 10'. Mr. Dunckel stated that sign was listed as existing to be removed. Mr. Lochrie stated these new signs were to replace those signs so they would be clearer and more attractive, also being correct in directing the proper flow of traffic to the various facilities.

Bob Augusta, Mitchell Associates, stated they were the consultants hired by the hospital to design the signage and way-finding system.

Chair Patricia Rathburn asked if the freestanding signs were going to be the same size as the ones they were replacing. Mr. Augusta confirmed and stated the old signs were 10' x 4'.

Stephen Buckley stated that in the documentation the signs were called free-standing directional signs, and he asked if they were now calling them something else. Mr. Lochrie stated that on the matrix they referred to them as freestanding signs.

Robert Dunckel asked if staff was satisfied that the signs required no dimensional variances. Mr. Brewton stated there were two questions that had to be answered. He stated they were attempting to present an application that was asking for freestanding signs, along with the number. Code stated that they could not control copy; therefore, it would be a question as to whether the freestanding sign could contain something that resembled a directional sign, but still be referred to as a freestanding sign. Mr. Lochrie confirmed that was what they were actually dealing with. He reiterated that this was a major facility in the City and areas had to be identified with these signs. He stated that he believed directional signs were to be 3' in height, which would not work at such a large facility.

Mr. Brewton further stated that another way to look at this was that the existing signs were there due to a variance as freestanding signs. Mr. Lochrie stated this was not something new. Mr. Brewton stated that the applicant could conceivably ask for an amendment to the previous variance. Robert Lochrie stated that variances had been granted, but the records were not specific as to where all the signs were located.

Birch Willey stated that sign #31 was to be replaced with sign #11 which was to be a main entrance sign that would be 10'. Mr. Lochrie confirmed. Birch Willey stated that in order to facilitate what was happening at the hospital, the Board had to accept what the hospital stated was needed, and accept what the consultants were proposing and move forward. Binni Sweeney agreed, but asked if the signs on the façade of the building were the proper size. Mr. Lochrie stated those signs were of the correct height. Binni Sweeney asked about the sign over the entranceway. Mr. Lochrie stated those were smaller than required by Code because even though they were asking for a wall sign, this would be a sign over the entrance to the door to direct the people.

Chair Patricia Rathburn stated that it appeared that the way the Appeal had been written and advertised was concise, therefore, if they assumed that all the signs

were free-standing, except for some smaller ones, the maximum size of the free-standing signs would be 10.5', and they could do all the signs tying it to the plan.

Robert Dunckel confirmed and stated that he felt one motion could encompass the whole package.

**Motion** made by Don Larson to approve the variance as requested and advertised, subject to the signage being in accordance with the submitted plans.

Mr. Brewton stated that there was a concern regarding the definition regarding the freestanding sign. He stated that normally a freestanding sign sat on a pole, and there possibly could be an issue as to whether these were ground signs or freestanding signs.

Chair Patricia Rathburn stated that due to how it was written, she did not feel it was misleading even if they were ground signs. Mr. Brewton agreed and stated that when it was advertised they wanted the Board to have the flexibility of not having to deal with many of the issues this evening. The Board was to look at the package, and if they liked the package, then they could vote on the number of signs in the package, and then they would be identified when applying for the permits as being part of the approval process of this Board.

Chair Patricia Rathburn stated she did not think they had to call them anything right now because they were according to plan, and they were keeping within what was advertised.

**Motion** made by Don Larson and seconded by Birch Willey to approve the variance as requested so long as the signs conformed to the specifications in the submitted package.

Fred Stresau asked at what point would any of the larger signs be required to have landscaping around the bases. Robert Lochrie replied that the signs had landscape requirements and they were including those improvements.

Roll call showed: YEAS: Stephen Buckley, Birch Willey, Binni Sweeney, Gus Carbonell, Fred Stresau, Don Larson and Patricia Rathburn. NAYS: None. Motion carried 7-0.

Demetrios Kirkiles, representing property owners across from Broward General, stated that they welcomed the idea of having uniformity regarding the signs, but their main concern was that their businesses had a view that could be blocked by the two signs at the corner of 17<sup>th</sup> Street and Andrews Avenue. He stated they wanted to make sure they were not going to be buried behind a sign or landscaping.

Chair Patricia Rathburn stated it did not appear there would be any impact to that area. Fred Stresau reiterated that the signs would have to meet the required setbacks and sight triangles.

Robert Dunckel explained that the variance granted pertained to the number of signs, and not their placement.

**“Good of the City”**

Workshop

Greg Brewton announced that the workshop would be held on March 10, 2004 and would begin at 5:00 p.m. on the 8<sup>th</sup> floor in the cafeteria. He stated that prior to such workshop a preliminary agenda would be distributed to the Board so they could review it and see if they wanted to add any discussion items to it.

500 W. Broward Boulevard Parking Lot

Fred Stresau stated that in regard to the parking lot at 500 W. Broward Boulevard, another 12 months had been given to the owner, and he wanted Code Enforcement to monitor the situation. He announced that they had operated for about 1-½ years without an occupational license and had run up \$181,000 in fines which the Commission had settled for \$70,000. The amount was paid, but he felt they were making more money than the \$250 per day fine. He stated if this happened again, he felt the entire Board should go before the Special Master and explain the situation because he felt they were abusing the City and this Board. He stated had the Board known what was going on, he did not think they would have voted how they did.

Robert Dunckel stated that under Code Enforcement for repeat violators, the fine could go up to \$500 per day. Chair Patricia Rathburn agreed and stated it could be \$500 per day or 90 days in jail.

Restaurant/Oakland Park

Don Larson stated that the Board had passed a variance for a restaurant on Oakland Park recently, and in regard to the parking they were still congesting the area. He felt that no emergency vehicles could get through the area if needed. He asked if they had applied for a valet permit as of this time. Greg Brewton stated it was his understanding that they were attempting to correct the parking problem.

Don Larson stated that at the meeting, he had specifically made a point stating that he wanted the lanes kept open, and the issue was constantly being violated.

Robert Lochrie stated that those concerns had been relayed to him, and the restaurant had reacted very quickly. He advised they had met with staff on 3 different occasions and suggested various alternatives. Therefore, they were in the process of obtaining the permit. Don Larson advised that the few nights they had an officer assist them, there had been no problem. Robert Lochrie stated that he would pass that information on to the owners.

North Side School Parking Lot

Gus Carbonell stated that over a year ago, the Board had issued a temporary use permit for the North Side School where they had built a parking lot on NE 3<sup>rd</sup> Avenue, but it appeared the lot was not being used at all. Therefore, he wanted to know the future of the parking lot. Greg Brewton stated that he did not know, but would check into the matter.

**Motion** made by Fred Stresau and seconded by Birch Willey to adjourn the meeting.

There being no further business to come before this Board, the meeting was adjourned at approximately 8:50 p.m.

CHAIRMAN

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Patricia Rathburn

ATTEST:

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Margaret A. D'Alessio  
Recording Secretary

A mechanical recording is made of the foregoing proceedings, of which these minutes are a part, and is on file in the Planning & Zoning Offices for a period of two (2) years.

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