

**BOARD OF ADJUSTMENT MEETING
WEDNESDAY, MAY 12, 2004 – 7:30 P.M.
1ST FLOOR – CITY HALL
CITY COMMISSION CHAMBERS
100 N. ANDREWS AVENUE
FORT LAUDERDALE, FLORIDA**

BOARD MEMBERS

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

ALTERNATES

Scott Strawbridge	P
Al Massey	P
Jon Albee	P

STAFF

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

Margaret A. D'Alessio, Recording Secretary

GUESTS

Sydney Brown	Armitha Edwards
Lucille Dixon	Valerie Lewis
Gwen Hankerson	Hugh Johnson
Bob Wonsch	John Aurelius
Ron Reitz	Mike Sands
Joe Pasquale	Enid Davenport
Bernadette Weeks	Bill McCormack
Rev. John White	Bob Young
Brenda Kelley	Desiree Smith
Beatrice Bright	Jay Williams

CALL TO ORDER

Chair Patricia Rathburn called the meeting to order at approximately 7:36 p.m.

Chair Patricia Rathburn proceeded to have the Board members introduce themselves and then Chair Patricia Rathburn proceeded to introduce the alternate members of the Board, along with staff. She then proceeded to explain the procedure that would be used at tonight's meeting.

APPROVAL OF MINUTES – April 14, 2004

Motion made by Don Larson and seconded by Binni Sweeney to approve the minutes of the April 14, 2004 meeting. Board unanimously approved.

Chair Patricia Rathburn announced that all items were quasi-judicial, and anyone wishing to speak on the issues would be sworn in.

Chair Patricia Rathburn asked if any of the Board members had any sign problems regarding any items on tonight's agenda.

7. APPEAL NO. 04-28

APPLICANT: Parkland Camelot, Ltd.
LEGAL: Harbor Heights, P.B. 34, P. 33, A portion of Parcel "C"
ZONING: B-1 (Boulevard Business)
STREET: 2400 SE 17 Street Causeway
ADDRESS: Fort Lauderdale, FL

APPEALING: Sec. 47-21.9(A)(2)(a) – To permit an average and minimum perimeter landscape area of 3'6" where the Code requires an average 10' and minimum 5' perimeter landscape area for that portion of the site that abuts a street.

Binni Sweeney stated that she had been to the site and had not seen any signs. Chair Patricia Rathburn also stated that she had been to the site and had not seen any signs. Stephen Buckley and Don Larson also stated they had been to the site and had not seen the required signs.

Motion by Binni Sweeney and seconded by Don Larson to defer Appeal No. 04-28 until June 9, 2004 due to failure to post required signs. Board unanimously approved.

2. APPEAL NO. 04-18

APPLICANT: FPIP XII, LTD
LEGAL: Township 50 South, Range 42 East, Section 14,
Southerly Right-of-Way line for State Road A-1-A (S.E.
17 St. Causeway) and along the Westerly Right-of-Way
line for Eisenhower Blvd.
ZONING: B-1 (Boulevard Business)
STREET: 1680 SE 17 Street
ADDRESS: Fort Lauderdale, FL

APPEALING: Sec. 47-22.3H – Seeking a variance to permit a Reader Board on a proposed ground sign where it is currently not permitted by Code.

Chair Patricia Rathburn stated they had heard this matter last month and there had been an issue as to whether this was to be a variance request or an interpretation. She announced the applicant had filed for an interpretation and they wanted both hearings at the same meeting, but had not met the cut-off for the interpretation.

Greg Brewton, Zoning Administrator, confirmed.

Motion made by Binni Sweeney and seconded by Don Larson to defer this item until June 9, 2004. Board unanimously approved.

1. APPEAL NO. 04-16

APPLICANT: Mainstreet One Financial Plaza Ltd.
LEGAL: Town of Fort Lauderdale, P.B. "B", P. 40 (D), Block 14,
Lot 20 and Portion of Lot 21
ZONING: RAC-CC (Regional Activity Center – City Center)
STREET: 100 SE 3 Avenue
ADDRESS: Fort Lauderdale, FL

APPEALING: Sec. 47-22.4(A)(2) – Seeking a variance to permit a ground sign with a building identification other than the approved building identification located on the wall of the principal structure.

Heidi Davis, attorney for the applicant, stated that they were requesting that this item be deferred until June 9, 2004. She explained they were attempting to work out some issues with staff regarding interpretation of Code, and if they were approaching the correct Board.

Motion made by Binni Sweeney and seconded by Fred Stresau to defer this item until June 9, 2004. Board unanimously approved.

3. APPEAL NO. 04-24

APPLICANT: Sydney Brown
LEGAL: Lot 1, Block 3, Lauderdale Manor Homesites, P.B. 34, P. 21
ZONING: CB
STREET: 1880 NW 24 Terrace
ADDRESS: Fort Lauderdale, FL

APPEALING: Sec. 4-25.3 A.3.d.iv – To exempt the minimum 5' masonry buffer yard wall required for non-residential property when abutting residential property.

All individuals wishing to speak on this item were sworn in.

Chair Patricia Rathburn announced that this item had been deferred from April 14, 2004 meeting due to a notice problem.

Sydney Brown, applicant, proceeded to show drawings of the site in question. He stated that this was a unique situation and he was being requested to erect a 5' wall on the southern boundary between the residential property and this site. He explained that the County had gone in and dug the parking lot raising the roadway about 3'. He stated that 3 meters served the property and there was also a sewer line at the site. He stated the lines were an impediment to where the wall should be erected. He advised that there were 2 schools located in the area behind the office on the east, and if the wall was erected it would obstruct the view of the children going to the schools. He felt that this would be a dangerous situation.

Chair Patricia Rathburn announced they had received letters from residents objecting to the construction of the wall.

Stephen Buckley asked if there was a chain link fence at the site. Mr. Brown showed on the map where the fence stopped and explained there was only a small hedge at the area. Mr. Buckley asked if the building had originally been a house. Mr. Brown confirmed and stated it had been a commercial building since the '80's. Mr. Buckley asked if all the parking went over the sidewalk. Mr. Brown confirmed and stated there had been a flat surface, but due to water problems the County had raised the roadway at the intersection of 19th Street. He proceeded to show where his property line was located on the map. Mr. Buckley proceeded to ask if the property was presently for sale. Mr. Brown confirmed.

Binni Sweeney asked why he was requesting a variance if the property was for sale. Mr. Brown replied that he had offered the property knowing that a school was coming there, but that did not negate the fact that this situation existed.

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Fred Stresau stated that the City required the wall to set back from the property line so there would be no sight line problem, and in looking at the survey there appeared to be a landscape area between the edge of the parking and the property line. He asked if there was a utility line in that area. Mr. Brown confirmed and stated that the water lines served his property and other stores in the area. He added there was also another meter at the edge of his property which served the house next door. He explained there were actually 5 meters in the area.

Fred Stresau asked when the parking lot had been built or was it part of the original construction. Mr. Brown stated there had been a small parking area originally. Fred Stresau stated it appeared they had added additional asphalt for parking in what would have been the buffer yard. Mr. Brewton confirmed and stated that the buffer yard ordinance had been created in 1997, and it was designed to separate commercial properties from residential properties. He explained the wall was required to be a minimum of 5' in height which would allow the residents to feel protected from the active use of the commercial site. Fred Stresau asked if more parking was being provided than actually needed or whether the asphalt abutting the water and sewer lines could be removed making room for the wall. Mr. Brewton replied that they had not looked at the application or site to determine how much parking he had at this time. Fred Stresau stated that the Board did not know how much parking he was required to have, and whether the asphalt could be removed from the documentation provided. Mr. Brewton stated if it would require Mr. Brown to remove any existing required parking, then he would be exempt from having to erect the wall. Fred Stresau stated he understood that, but the Board did not know all the facts. Mr. Brewton confirmed and stated that he assumed that Mr. Brown had gone through some type of review and this would have already been determined. He suggested that the Board question Mr. Brown in that matter.

Greg Brewton asked the applicant why he was coming before this Board for a variance. Mr. Brown explained that they had about 9 parking spaces which were not enough, and one individual had applied for a license and an inspector stated that a wall might have to be erected. Then, another inspector came and stated not to worry about the wall. Mr. Brewton stated he was going to assume that the inspector had done his research and made a determination that the wall would be required, but would not require the applicant to remove any required parking. He further explained there was an exemption under that section of the Code which would allow a property owner to be exempt from the wall requirement. He stated the applicant would not come before this Board for an exemption because that would have been automatic.

Chair Patricia Rathburn clarified that if the applicant had to lose a parking space in order to erect the wall and needed that space, then he would be exempt from constructing such wall. Mr. Brewton confirmed. Fred Stresau reiterated that the Board did not know that at this time.

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Fred Stresau stated they should not assume anything and there was not enough information on the site plan to know how many parking spaces were required at this site, and how many were being provided. He stated if there were more parking spaces than what was required, then that would not be a reason to eliminate the requirement for the buffer wall.

Mr. Brewton stated he believed such determination had been made by staff in saying that the wall had to be erected because the spaces could be lost if necessary. Mr. Brown advised they had already lost one parking space because on 19th Street they had to meet handicap requirements.

Gus Carbonell clarified that one of the letters received opposing the wall had been from the neighboring house that would be directly affected by the wall. Mr. Brown confirmed. Gus Carbonell stated it appeared there was room at the location of the lines to put in a hedge, and asked if one existed at this time. Mr. Brown stated they had planted hedges over the lines.

Don Larson asked if there was parking on 19th Street. Mr. Brown replied there was none.

Chair Patricia Rathburn proceeded to open the public hearing.

Armitha Edwards stated that she lived two houses down from the subject property. She stated that she had problems with the stores facing 19th Street and children throwing trash onto her property. She stated that she had contacted the City many times about Renee Chestnut's home. She stated the property was a nuisance and a wall was needed between the properties. She advised there was not enough parking available at the site. She also stated that the property was a public nuisance and she had sent photographs of the property to the City.

Mr. Brown stated that he had spoken with Ms. Edwards regarding this matter, and asked how a wall would protect the children walking on the sidewalk. Ms. Edwards replied that the children did not go into the area in order to attend school, but got off the bus at that corner. She explained they were not zoned to attend the schools behind the fence. Mr. Brown reiterated that children did live in the area.

Chair Patricia Rathburn stated this was not the time for a debate to be held with the residents in the area.

Lucille Dixon stated that she lived on NW 24th Terrace for the last 41 years. She stated that children went through the neighborhood to school and she believed the wall would be a hindrance making the children walk on the street creating a dangerous situation. She stated they wanted to improve their neighborhood and the wall would not be an enhancement.

Binni Sweeney stated there was a sidewalk for the children to walk on. Ms. Dixon stated that a group of children could not all fit on the sidewalk. She explained the wall was between a home and a business and prevented them from seeing the children walking to and from school.

Al Massey asked if the children presently cut through the parking area. Ms. Dixon confirmed and stated they did not use the sidewalks. Mr. Massey stated that it was dangerous having the children walking through the parking area. Ms. Dixon confirmed but stated they only did that for a short distance. She explained the sidewalk was located on 19th Street and 24th Terrace, and the school was on the east side.

Mr. Brown stated that the sidewalk at the corner of NW 19th Street went from 4' to 2 ½' and a small portion of that sidewalk was on his property.

Fred Stresau stated that the survey showed that it was 5' wide which was what Code required. He stated further that it showed a trash container on the sidewalk which should not be there.

Enid Davenport stated that she lived at the corner since 1963, and reiterated that a lot of children came from the project going to the schools. She believed the wall would be a hazard to the area and prohibit everyone from seeing the children walking in the area.

Ethel Hankerson stated that she lived in the area since 1962 and she did not think the wall should be installed. She further stated there was not enough parking in the area.

Stephen Buckley clarified that the house south of this site was vacant. Ms. Hankerson confirmed. Stephen Buckley stated that he felt someone wanting to purchase that property would want a wall erected separating the properties giving the residences more privacy. He felt this was a classic example of a derelict house next to a business without the insulation of such a wall.

Mr. Brown stated that he understood the theory regarding the desirability of the house, but the problem was that the house was not for sale.

Stephen Buckley explained that the narrow portion of the sidewalk was 80' from the proposed wall, and reiterated that the wall would make the house more desirable.

Fred Stresau stated that at the very least the fence would continue to the sidewalk or at least within 3' of it, and the barrier was intended to separate the properties and keep people from walking on the residential property. Whether anyone purchased that house or not was not a concern of this Board, nor was it a

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concern of the Board's whether the street would be torn up and vacated. He reiterated that the only thing this Board was to address this evening was whether a barrier should be erected between the properties. He stated the wall was required by the zoning code throughout the City. He stated further that he did not know how to solve the construction of the wall due to the water lines, other than to have the water lines removed and he would be reluctant to do that at this time. He wanted everyone to understand that there would be some type of barrier at that location.

Fred Stresau clarified that they were only going to deal with the wall within the 5' to 8' adjacent to the applicant's property line.

Binni Sweeney stated that she understood people wanted to be able to see the children, but she also believed there should be a buffer between a commercial and residential area. She stated if everyone was worried about their children, then they should walk them to school each day.

Gus Carbonell stated that some of the discrepancies which had been discussed might have been due to the fact that the survey was 6 ½ years old, and he advised that the scale appeared to be off. He continued stating there was a site triangle involved and the concern seemed to be centered around the safety of the children. He stated that sometimes throughout the City there were discrepancies regarding a 10' x 10' site triangle which was necessary by driveways to the edge of property lines or the edge of the roadways. He stated he had a problem of having a wall next to a vehicle not in a forward motion, but on the other hand he believed the wall was necessary. Therefore, he felt the wall should stop more than 3' away from the sidewalk to allow more visibility.

Since no other individuals wished to speak on this matter, Chair Patricia Rathburn proceeded to close the public hearing.

Motion made by Fred Stresau and seconded by Don Larson to close the public hearing. Board approved unanimously.

Stephen Buckley stated that the suggestion that the barrier stop 10' from the sidewalk opposed to 3' giving more visibility would help solve the problem.

Binni Sweeney asked if 10' was necessary. Mr. Carbonell stated that appeared to be the requirement and he had been hearing that at every DRC meeting. He added that there was a landscape area located between the parking area and the property line that would have to be maintained.

Don Larson stated that even though the Code required a wall, it was not always the best thing for the neighborhood, and stated that he was concerned with the water and sewer lines at the site. He did not think it made sense to put a wall on top of the lines, and asked if that would actually be the case in this instance. He

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stated if the wall was required he could live with it 10' back and then have it to go 2 ½' and have it within 3' of the sidewalk.

Greg Brewton stated he was concerned whether the sewer and water lines were actually located at the site. He stated that staff did not have any indication of that.

Don Larson stated that he did not want to put staff on the spot, but he felt it would only be fair to the Board and the applicant to know such information before making a determination about the wall. He suggested that possibly a motion could be made subject to where the lines were located.

Robert Dunckel stated that the Code had a provision regarding utilities but it stated: "...when a utility or other public purpose easement..." and these appeared to be private lines. He reiterated that in reading the survey, he did not see any utility easements along the southern boundary.

Binni Sweeney stated that the Board should be aware of all information before voting on this matter. She asked if a survey could be gotten showing the exact location of all lines. Mr. Brewton replied that the applicant could obtain the survey. He stated if construction was to take place at the site, the lines would have to be located.

Chair Patricia Rathburn asked who would make the determination regarding the parking spaces if such a wall was constructed. Greg Brewton replied that they would look at it. He stated he would defer to the fact that the normal process was that when an inspector went to the site, there would be an opportunity for such inspector to make an analysis as to whether the requirement of the wall would place the owner in a position to lose required parking spaces or not. He felt if the applicant had gotten this far, he felt it would be very unlikely, in his opinion, that this item had not been previously researched. If it had been done and the applicant was before this Board, then that meant he had the ability to lose some of his parking in order to construct the wall because that was one of the first exemptions listed in the Code. He stated that the applicant might want to defer action until he had investigated this matter further.

Chair Patricia Rathburn stated that she agreed and more information could be supplied to the Board before the June meeting. She proceeded to ask for a motion to defer this matter until the June meeting.

Fred Stresau stated that Greg Brewton had to assume that his staff had reviewed the matter and determined that all the existing parking spaces were needed. As far as the location of the water and sewer lines, there was a photograph showing at least 3-4 water meters which lie between the edge of the asphalt and the property line. Mr. Dunckel had stated that they were private lines and could be moved. He felt they should make a motion to have the wall constructed, including the height and setbacks as described previously.

Motion made by Gus Carbonell and seconded by Binni Sweeney to approve the application and exempt the minimum 5' masonry buffer wall for a distance of 10' from the property line, and in that 10' area the masonry wall would be 2 ½' in height beginning 3' back from the property line.

Roll call showed: YEAS: Fred Stresau, Don Larson, Stephen Buckley, Binni Sweeney, Gus Carbonell, and Patricia Rathburn. NAYS: Al Massey. Motion carried 6-1.

4. APPEAL NO. 04-29

APPLICANT: Right Perspective Development Group, LLC
LEGAL: North Lauderdale, P.B. 1, P. 48, Block 19, Lots 23 and 24
ZONING: B-2 (General Business District)
STREET: 401 NW 7 Avenue
ADDRESS: Fort Lauderdale, FL

APPEALING: Sec. 47-6.20 – To allow a 4' front (east) building setback, where the Code requires a 5' front building setback; and

APPEALING: Sec. 47-21.9.A.2.a – To allow a 3' wide perimeter landscape area abutting N.W. 4 Street, where a minimum width of 5' is required for landscape areas when abutting a street.

All individuals wishing to speak on this item were sworn in.

Fred Stresau had a conflict of interest in regard to this item, therefore, alternate Scott Strawbridge sat in during this hearing.

Bernadette Weeks stated that she and Valerie Lewis were the owners of a piece of history located at 401 NW 7 Avenue. She explained that Hugh Johnson of Architectural Alliance would speak regarding the technical aspects of this request.

Ms. Weeks explained they had purchased the building which had been African-American owned for more than 40 years, and had been abandoned. She stated that there had been various uses at the site. She further stated that the County had done a taking of this property along the front part several years ago, thereby leaving it with a 4' setback instead of 5' as required by City Code. She added that was one reason why they were before this Board, along with an issue of landscaping.

Ms. Weeks stated that the City of Fort Lauderdale through the CRA were engaged in redevelopment of the Northwest-Progresso area. She stated their office would be the first professional office on 7th Avenue between Sunrise and Broward Boulevards. She also stated that she was relocating her office to the

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area and was also building off Sistrunk Boulevard. She stated that all of her financial resources were being invested in the CRA. She explained that the proposed office space was a huge step in the City's redevelopment process. She stated they were going to beautify the area and provide landscaping well beyond what was required. In addition, she advised they had a pending application with the DRC. She stated that Mr. Johnson would explain the unique architecture of the corner door of the building and the building structure. She stated that their contractor, Bob Young, was also present at tonight's meeting, including another business owner who was investing in the area.

Ms. Weeks further stated that they believed this was a good project for the area, and they did not know what the problem would be having two African-American lawyers come into the area with over 25 years of experience. She added that they had met with the Pastor from Mount Herman who had stated that he had been interested in the building, but at that time she had a contract on the property. She stated that they had met with him in regard to parking and had asked if they could possibly share the parking. She stated at that time they had been aware of the possible waivers that could have been granted for the area. She further stated that the Pastor had stated that he had spoken with the previous owners of the property. She added that the previous owners had informed her that they were not interested in selling their property to the church under any circumstances. She stated they found themselves in a precarious position where they had a contract, but had not been aware that the Church had also been interested in the property. She continued stating that they hoped this Board would grant the requested variance.

Valerie Lewis added that in addition to beautifying the area by rehabilitating the building, they were also going to provide individuals in the community with employment opportunities.

Hugh Johnson, architect, stated that they had worked with the City regarding this matter, and had even asked for suggestions as to how the City wanted to see this area developed. He stated that the applicant had added on-street parking, along with additional landscaping features in order to mitigate the fact that they could not meet the 5' landscaped setback from the parking lot. He further stated that the entry to the building was an old corner store entry placed on an angle and was an invitation to the neighborhood. He reiterated that it was a unique piece of property and not many existed in the City. He also added that the building had been built in 1960.

Chair Patricia Rathburn proceeded to open the public hearing.

Reverend John White, Minister and President of the Mt. Herman Church, stated that the church had been an integral part of the community for over 90 years. He announced that the officers and membership of the church opposed the variance, and asked this Board not to grant the request. He stated that this was a clear

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case of self-created hardship. He stated that the previous owner refused to obey local laws, and therefore, lost legal use of the property which he felt was a legitimate reason for not granting this variance. He stated that the community had been waiting for over 50 years for redevelopment. He advised that on the west side of 7th Avenue, they wanted development which was equal to what was on the east side of 7th Avenue. He added that 7th Avenue was an entryway into Downtown to the Performing Arts Center and he felt it should be properly developed with development meeting the present codes. He stated that Mt. Herman Church had planned for redevelopment and it was not an isolated process. He advised they had created a charrette previously with participation of the CRA, as well as the Community Development Department to assist them in developing the area. He stated they were proposing adjacent to their proposal, a family community center with a value of about \$2 Million. He continued stating that their building had to abide by the codes and did so, and he believed that once they started varying the codes and whoever ended up with the property, they had to live with that forever. He stated they were committed to believe that they did not need the codes changed, and they welcomed the project and would support them in their efforts, but requested that their variance not be granted and have their building meet the present codes. He felt there was a way of working around the process because in their community once codes started changing all things would happen unequally. Then, their community would deteriorate and lose its value. He felt they should have the same residential codes and compliance that was on Las Olas. He felt codes should not be changed just because they were in that community.

Reverend White stated he had nothing against this project, and the previous owner had not wanted to sell his property to their church. He stated that he was disappointed that the CRA had not come to them and ask them again after sitting in a charrette previously to help define the process, and now they had not heard back from the CRA. He felt something was wrong with the process. He stated they were asking the Board to keep the codes in the black community. He asked why they had to change codes which affected development in the black community. He announced that he had been a member of the CRA Advisory Board, and sat on the Board of Adjustment in another City. He stated that he understood the process, but was only saying to keep the code. He reiterated that the membership of Mt. Herman was requesting this Board not to grant this variance.

Bill McCormack stated that with all due respect to the Pastor and the entire congregation of Mt. Herman Church, this was a clear-cut request. He stated that this property would not interfere with their property or their project. He continued stating that this was a professional development project that would provide services to the community. He stated that due to the County having used the property in the past, they were asking only for 12" to give the leeway to be able to continue this professionally developed project. He advised they had invested personally in this property which would be a benefit to the community. If this

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request would cause a negative impact to the area, then he could understand their opposition, but this was a clear request for a positive development. He stated the new owners had nothing to do with old history of the building or the area.

Chair Patricia Rathburn clarified that the reason for the variance was because the occupancy of the building had not been continuous.

Don Morris, Planning and Zoning, confirmed. He stated that the property had been vacant for some time and due to that fact, Section 36-47.3.8 (Termination of Non-Conforming Uses) applied. The property no longer complied with the legal non-conforming status because the use had discontinued, and therefore, they had to meet the requirements for setbacks and landscaping. He added that the landscaping was for the new parking lot and would have to comply regardless.

Dr. Gwen Hankerson stated that she was requesting this Board not to grant the variance. She explained that Mt. Herman had been the first black church in Broward County, and history meant something to her and advised that she had written the book "*Across the Tracks*" which was the authentic history of African-Americans in this County. She stated that for people entering their community, history had no significance. She advised they wanted something for their children and grandchildren to have and the church had not had a lot of space for expansion, but now they were coming together under a dynamic administrator with vision. She stated it was significant that the Sistrunk Corridor had businesses as it had 50-60 years ago, but she asked for the Board to allow the church the ability to expand.

Chair Patricia Rathburn reminded everyone that they were to speak regarding the variance which was a 1' reduction in the building setback, and a 2' reduction in the landscaping requirements.

Dr. Hankerson reiterated that was what she had been speaking about. She asked the Board not to grant the requested variance.

Chair Patricia Rathburn reiterated that by not granting this variance, it would not grant expansion abilities to the church, and therefore, the two issues were not relevant.

Dr. Hankerson stated the church had tried to get the property previously. Chair Patricia Rathburn stated that she was speaking about what the church wanted to do with the property. She clarified that the reason Dr. Hankerson did not want them to get the variance was because it would impact the church. Dr. Hankerson confirmed, and she stated that the church needed the opportunity to expand. Chair Patricia Rathburn further clarified that the objection to the variance was that if it was not granted, the church could do what they wanted to do. Dr. Hankerson stated that was not what she was stating.

Reverend White stated they welcomed the development and the applicants would have to supply the landscaping anyway. Therefore, he asked why they would grant the variance. He reiterated that once they started changing codes, the applicant could decide to move or leave the building in the future and then someone could come into the area with some undesirable use for the structure.

Chair Patricia Rathburn reiterated that the issue was if the applicants did not receive the variance in respect to the building setbacks, they would not be able to use the building. She stressed that no one would be able to use the building.

Mr. Morris explained that the building had lost its non-conforming status, and therefore, for it to be occupied at its current location a variance was required for any type of use.

Reverend White stated that the applicants were aware of the situation when they purchased the building since it had not been in compliance.

Robert Dunckel stated that they could not use the building unless 1' of it would be removed.

Ms. Weeks stated that they were not aware of that fact when they had purchased the building, and reiterated there was no way they would have known such information.

Reverend White stated that he had shared such information with the applicant when they had met.

Dr. Hankerson stated that if the information was known, then the opportunity should have been given to the church.

Al Massey stated that this was a nice project and he did not understand how it would adversely affect the church, other than it might impair their ability to obtain the property.

Bob Young, contractor, stated that the project would not hurt the church and reiterated that the property had been vacant for a long time. He stated this project was good for the community. He stated that he had attempted to purchase tracts of land in the community for development. He announced that he belonged to the First Baptist Church, and stated they claimed to be the oldest church in the black community. He stated they were only requesting for 1' that had been taken by the County. He asked what other type of structure or business did the church want at this particular site. He stated that possibly they were objecting to this project because they had been unable to purchase the site.

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Stephen Buckley asked for more information in regard to the widening of 7th Avenue and what the setbacks had been previously.

Mr. Young explained that 7th Avenue had been two lanes in 1958, and then it had been widened. He stated that every piece of property had lost footage due to the widening. He explained that there had never been parking in the front, but had been located on the side. He stated the requirements then were not as they were today.

Scott Strawbridge asked if Mr. Johnson had helped prepare the narrative distributed in the back-up materials which discussed the criteria. Mr. Johnson confirmed and stated it had been prepared jointly with the owner. Scott Strawbridge stated that they needed to see if the request met the criteria. He stated that he appreciated the fact that everyone had different points of view on this matter, but he hoped everyone would be good friends and neighbors.

Scott Strawbridge stated that in regard to the criteria that needed to be met in order to have a variance granted, he asked how this application met criteria A. He stated that the criteria had been addressed in the back-up material, and asked if they could review such information.

Mr. Johnson stated they felt the circumstances were special because of the right-of-way taking that had occurred. Scott Strawbridge asked approximately how much property had been lost with the taking. Mr. Johnson stated that he did not know that information, but felt it was substantial since the road had originally only been two lanes.

Mr. Young replied that the right-of-way when taken had been approximately 20' to 40'. Gus Carbonell stated that on the survey submitted showed the original property line to be 15' into what was now 7th Avenue. Mr. Johnson reiterated that the property had always been zoned commercial.

Scott Strawbridge asked if the zoning overlay had changed for the area. Mr. Morris stated that he could not answer that question because he did not have the history of the property in his possession. Scott Strawbridge asked if it had always been a commercial district. Chair Patricia Rathburn reminded the Board that one of the past uses for the property had been a funeral home.

Scott Strawbridge stated that when the road had been widened, there had been an increase in commercial activity. He proceeded to criteria B and asked for the architect to address it. Mr. Johnson stated there were examples of properties up and down this particular roadway which did not meet the side or front setbacks and were operating businesses. He further stated that this building had been abandoned and now that individuals wanted to revitalize its use, they felt that was a good reason to request the variance. He added that in working with staff they were going to attempt to put the 5' landscape setbacks, but staff felt it was in

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the best interest of the property owners to get as much parking on the site as possible and add extra landscaping. Also, since they were putting in parallel parking on the street and adding landscaping in the public right-of-way there was a balance. He reiterated that it was a mitigation to help with the parking shortfall.

Scott Strawbridge stated that the applicant stated that the hardship was not self-created. Mr. Johnson confirmed and stated that was due to the taking of the right-of-way. He added that they had created the side setback circumstance in the interest of providing parallel parking and additional landscape. He reiterated that the CRA was encouraging parallel parking throughout the neighborhood. Scott Strawbridge stated there was a design alternative where they could legally reduce the amount of parking and bring the landscaping into compliance, and then they would only require one variance. Mr. Johnson stated that staff felt this was a better alternative and a better site plan.

Scott Strawbridge further stated that there were no precedents on this Board, and a 1' variance on a physical structure appeared reasonable considering the circumstances.

Beatrice Bright stated they did not want the Code changed and that was all they were asking.

Chair Patricia Rathburn stated they were not here to change the Code.

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

Motion made by Don Larson and seconded by Binni Sweeney to close the public hearing. Board unanimously approved.

Binni Sweeney stated that she was always the one who said, if they don't change things they will never change, but she felt this variance would be good for the neighborhood. She stated if the church had an objection about the change in the landscaping, then why could they not compromise and give them the foot on the building and make them have 5' of landscaping.

Chair Patricia Rathburn stated that staff had addressed that issue and they were providing more landscaping with the subject site plan than they would have otherwise. Binni Sweeney stated that she understood that, but it was vehemently opposed by the neighborhood. She reiterated that they kept saying they did not want any change. She stated this was a legitimate hardship due to the taking by the County.

Mr. Morris stated this was presently going through DRC review, and additional issues could be raised with the site design, and therefore, he could not verify anything that was stated this evening in regard to meetings with staff. He

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explained the DRC process was designed to identify deficiencies in a design and point those out to the applicant. He felt that should be recognized as well. Binni Sweeney stated that she understood what was being said and what they were presenting in the 3' was than the 5', but she felt the neighborhood had the right to be heard, and this could be a good compromise.

Chair Patricia Rathburn asked if a parking space would be lost if they met the current landscape code. Mr. Johnson confirmed. Binni Sweeney reiterated that she was just attempting to offer a compromise to satisfy both parties.

Mr. Morris stated that parking was required and there was a provision in the CRA which allowed them to go through a parking reduction and to count on-street parking towards their requirement, but parking was required for the site.

Scott Strawbridge asked if the Board could hear from the church regarding the parking issue. Reverend White stated that the church was not opposed to development, and suggested that possibly this could be deferred and they could all meet and attempt to arrive at a compromise. Scott Strawbridge stated that possibly they were close to that at this time.

Ms. Weeks stated they had invested so much, and she felt the issue came down to the church not having been able to purchase the property. She stated they were not asking for anything unreasonable and this would be consistent with other properties in the area. She stated they want to be good neighbors and that was why they had originally met with Reverend White. She stated that she was convinced they would be good neighbors, but she felt they had done everything imaginable in order to make this work. She stated they had met with staff for countless hours and had prepared the proposal and spent a lot of money doing so. She stated they wanted to move forward and wanted a decision made, and hoped that this Board would grant the variance being requested.

Chair Patricia Rathburn stated that her law office was in the CRA and she had limited parking, and if she could have an extra space anywhere, it would be valuable. She stated that the church was not pleased about the variance because they did not want to have changes made from the Code, but ultimately she felt they would be happier with the plan being presented. She stated this plan also addressed the critical need for parking, while still beautifying the neighborhood. She reiterated that the landscape plan shown was far above what they were required to do. Therefore, there was a significant net gain for the neighborhood in regard to its beautification and the gaining of landscaping without sacrificing the parking which was critical to the success of the applicant's business.

Binni Sweeney asked if the variance was granted, and then DRC stated there was something wrong with the plan, what would happen. She asked if the variance would override.

Mr. Morris stated that it would depend if it was another issue which was not addressed this evening, then the variance would not override. He stated they were not granting a variance to any number of parking spaces but to landscaping, and if there were issues regarding the number of parking spaces that was not being addressed this evening. He felt those types of items would be addressed during DRC review. He stated that DRC would only waive what was granted by this Board through the variance request.

Motion made by Al Massey and seconded by Don Larson to approve the variance request as submitted.

Robert Dunckel stated that it had been marketed that to grant the landscape variance the trade-off was that they would be receiving additional landscaping than what was required, but he did not feel it had gone through that level of DRC review. He suggested that the Board might want to consider a condition as to the perimeter landscaping that would require them to provide landscaping at least equal to or greater than that presented to the Board on LP-2.

Al Massey stated that he would add that condition to the motion. Therefore, the motion read as follows:

Motion made by Al Massey and seconded by Don Larson to approve the variance request as submitted with the condition that the perimeter landscaping would require them to provide landscaping at least equal to or greater than that presented to the Board on LP-2.

Binni Sweeney addressed the members of the church and stated that she believed she was a neighborhood advocate. She agreed with what they were saying, but they were both going to lose this evening. She stated that the criteria for the setback reduction of 1' had been met and reiterated that the applicant did have a hardship due to the taking by the County. She further stated that with they had met the criteria for the landscaping.

Roll call showed: YEAS: Don Larson, Stephen Buckley, Gus Carbonell, Scott Strawbridge, Al Massey and Patricia Rathburn. NAYS: Binni Sweeney. Motion carried 6-1.

Fred Stresau returned to the Board for the remaining of the agenda.

5. APPEAL NO. 04-26

APPLICANT: Sarl Investment Company, Inc.
LEGAL: Sunrise, P.B. 28, P. 42, Block 3, Lot 20
ZONING: ROC (Planned Residential Office District)
STREET: 2300 NE 9 Street
ADDRESS: Fort Lauderdale, FL

APPEALING: Sec. 47-21.9(A)(2) – (Perimeter Landscape Area) – To permit a 1' perimeter landscape area to install a required handicap parking space abutting a street, where the Code requires an average 10' and a minimum 5' perimeter landscape area for that portion of the site that abuts a street.

All individuals wishing to speak on this item were sworn in.

Bob Wonsch, architect, stated they were requesting a variance to provide a handicap parking space required by law at the site. He explained they had attempted to place this space in other areas of the site, but there was no other location for it without restricting the existing driveways or restricting access to the other parking areas. He proceeded to show the site plan. He stated the area was permitted with the building in 1957. He explained this was not a hardship created by the owner, but created by law.

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.

Chair Patricia Rathburn stated that she had been to the site and it appeared the only place to put the parking space was to get the ramp to go into the main entrance, otherwise one would be crossing the parking aisles and the driveway.

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

6. APPEAL NO. 04-27

APPLICANT: Case Holding Company, Inc.
LEGAL: Gateway Industrial Center No. 21, P.B. 110, P. 27, Parcel "A" and "B"
ZONING: I (Industrial)
STREET: 1100 W. McNab Road
ADDRESS: Fort Lauderdale, FL

APPEALING: Sec. 47-20.2 – To permit 233 of the required 323 parking spaces to exist during construction of a new parking garage where the Code requires that all off-street parking and loading be provided and maintained on the basis of the minimum requirements as outlined in the Table of Parking and Loading Zone Requirements.

All individuals wishing to speak on this matter were sworn in.

John Aurelius, attorney, stated that this was a unique situation and they were asking for a temporary allowance to waive the Code for 90 parking spaces during construction of a multiple story garage. He proceeded to show the building at the north which was adjacent to the City of Pompano Beach, but they were part of the second-tiered annex into the City of Fort Lauderdale. He explained what was being built was originally a processing facility for Bank of America, but for the last few years it has been utilized by T-Mobile and due to their success they need additional parking spaces for employees.

Mr. Aurelius explained they were going to build a parking garage facility and would be investing about \$2 Million into the project. He proceeded to show an aerial map of the site. He stated they were utilizing other properties owned by Case Holding Company for temporary parking, and the tenant was also busing the employees back and forth. He explained they also were staggering the work hours for the employees and offering share-riding. He stated they were requesting 90 spaces during the construction period.

Don Larson asked if there were going to be additional spaces available after construction for future expansion.

Ron Reitz stated they were meeting the requirements for parking. Mr. Aurelius stated they were required to have 323 spaces and would be providing 505 spaces. He stated that hopefully they would be approved very soon through the DRC approval, but things were placed on hold subject to obtaining the variance so they would be able to obtain the permit.

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

Motion made by Binni Sweeney and seconded by Don Larson to approve the application as presented.

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Chair Patricia Rathburn asked if a time limit had to be imposed. Robert Dunckel stated that the way it was worded, the variance would be for "during construction," which he deemed that to be until they received their CO. Mr. Aurelius stated they had timetables in the Code which had to be adhered to. He explained if they violated the building code, then the variance would lapse.

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

8. APPEAL NO. 04-30

APPLICANT: Jaime A. Velasquez

LEGAL: **Stilwell Isles, P.B. 15, P. 26, Block 2, Lot 1 and a portion of Lot 2**

ZONING: **RS-4.4 (Residential Single Family/Low Density)**

STREET: **300 Royal Plaza Drive**

ADDRESS: **Fort Lauderdale, FL**

APPEALING: Sec. 47-5.30 (Table of Dimensional Requirements) – To permit the construction of a 7,587 sq. ft. 2-story, single-family structure on a 72' wide waterway lot, where the Code requires a minimum 100' wide waterway lot for a new single family residence.

All individuals wishing to speak on this item were sworn in.

Robert Dunckel asked if there was a doctrine of merger, and asked if this lot and the lot immediately to the south had been joined in one title.

Greg Brewton stated that he was not familiar with the background on this. He stated the application had come in as one lot which was independently owned. He further stated that if they later found out that was the case, then it would be subject to enforcement. Mr. Dunckel stated that would not be the case if a variance was granted tonight. Mr. Brewton explained that the variance tonight did not deal with that issue. Mr. Dunckel continued stating that he thought tonight's variance had to do with building when on a 75' wide lot when the Code required a 100' lot. Mr. Brewton stated they were not requesting a relief from the merger provision. Mr. Dunckel further stated that if they were given permission to build on a 100' lot, he felt that accomplished the doctrine of merger.

Chair Patricia Rathburn asked the representative of the owner if they were aware of the ownership of the lot in question.

Mike Sands, architect, stated he did not, but they had looked into the matter and they were unable to discover when the actual park dedication had taken place.

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Chair Patricia Rathburn reiterated that the question was whether this lot had been owned at one time by the owner of Lot 2 located to the south. Mr. Sands replied that he did not know the answer to that question. Chair Patricia Rathburn asked if there was reason to believe that the lots had been owned by one individual.

Robert Dunckel stated that this was a difference of degree, and if at one point in time the ownership of the two had been combined and then split apart, they were dealing with a self-created hardship. On the other hand, if they had never been combined, and it was his recollection that the cut-out for the park had appeared on the face of the plat and had been platted that way, then part of the intent of the Code was that they did not want to deprive a person the ability to develop the plot. He stated he did not have any particular reason to believe they had been combined, but he was just curious whether it fell under such a pattern.

Mr. Sands continued stating that the inconsistency of the lot on Las Olas Boulevard spoke directly to the compatibility of the neighborhood. He explained that the park dedication had taken out a good portion of the frontage of their piece of property, and developing it would create a non-conformity with the adjacent structures in the area. He proceeded to show the required setback if the park dedication had not been taken from their property. He explained it would be a conforming lot in the district and they would not be requesting this variance.

Mr. Sands explained they were attempting to achieve a reduction of the required lot width from 100' to the 72' at the front setback, which would reduce the required setback from 25' to 18' and make it a developable piece of property, while enhancing the appearance of the neighborhood. He continued stating that the original intent of the Code was to have a corner yard separation from Las Olas Boulevard of 25'. He explained with their proposed 18' setback, they would be 43' away from Las Olas Boulevard.

Binni Sweeney asked if the remaining lots on the street were 100'. Mr. Sands replied they were a minimum of 100', and explained this was the only lot on this side of the street which was not at 100'. Binni Sweeney asked if they could find out whether this lot had ever been part of the lot next door. Mr. Brewton replied they could rely on information received by the City Attorney's Office.

Chair Patricia Rathburn advised there had been two separate houses on the site for years. Robert Dunckel agreed and stated that the Attorney's title base only goes back to 1972.

Gus Carbonell clarified that there had not been a dedication, but the park had been created by platting. He stated there were a lot of confusing provisions in the Code, and asked if further clarification could be provided as to whether a deed had ever been recorded. Mr. Brewton stated that in the waterways portion there was a section that gave a layer on top of the non-conforming lot section which he

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felt they were dealing with. He stated the provision for having a lot substandard on the waterway and being able to tear down a structure and rebuild were different from normal non-conforming lot situations that existed under Section 47-3. He stated if the required criteria were not met, then a variance had to be obtained.

Chair Patricia Rathburn proceeded to open the public hearing.

Jay Williams stated that he was in favor of the variance and the lot in question was of an irregular shape for development. He explained that this lot was originally 10' less and they had acquired 10' of the adjoining lot. He further stated that a 25' setback from the park would be ludicrous and unnecessary.

Chair Patricia Rathburn clarified that the applicant was not requesting any setback variances, and were only asking to build on a 72' wide waterway lot. She further stated that they had advertised only to permit the construction of a 7,587 sq. ft. structure on a 72' wide waterway lot. She asked if the applicant was requesting anything else in addition to what had been stated.

Mr. Sands stated the minimum lot width in the ULDR was 100', and they were looking to reduce that to 72', and 25% of the lot width for setback. He explained the corner yard setback was 25% of the lot width. Fred Stresau stated this was not a corner yard. Mr. Sands disagreed. Mr. Stresau asked how it could be a corner yard if there was a park between the site and Las Olas.

Robert Dunckel stated that had not been advertised, and therefore, the Board had no jurisdiction over that. Chair Patricia Rathburn clarified that if the applicant was requesting something else other than to be able to build a house of any size on a waterway lot which was not 100', then they had to make a new application. She reiterated that tonight the Board could only grant a variance that had been requested and advertised, which was to permit the construction of a house on a waterway lot that was only 72' in width. She suggested if the applicant was requesting something else, then they might want to defer this item until next month and make their additional request.

Mr. Sands reiterated that their request was to reduce the minimum lot width from 100' to 72'. Chair Patricia Rathburn reiterated that was all that had been advertised. Mr. Sands stressed that this was a corner yard, regardless of the park. He stated the portion of the lot at the top was the only portion adjacent to Las Olas and by definition it was their property. Therefore, this was a corner yard. He stated that he had been arguing that fact.

Robert Dunckel stated whether it was or not was not relevant at this meeting because it had not been advertised for such a relief. He stated the applicant had several options. One was they could continue to proceed on the basis of what had been advertised. He stated that another option was to proceed and continue

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the matter and amend the request so it would include the corner lot, and possibly even make a request for an appeal of the Administrator's interpretation of a corner lot. He reiterated that tonight the only relief which could be given was in regard to the fact that the lot was not 100' in width.

Chair Patricia Rathburn explained that the difference in what they had to do was that if the matter was deferred there would be no application fee, unless they requested the interpretation. She stated if they returned and filed again for the other variance they wanted, then there would be an additional fee.

Mr. Sands asked if they were granted the variance to reduce the lot width would the side yard setback be based on that lot width. Mr. Brewton confirmed.

Fred Stresau stated if it was 130' due to the 10' abutting Las Olas, then the setback was about 31' and it would be met, therefore, why were they discussing the issue. Mr. Brewton replied that was not what the interpretation had been made on. Fred Stresau asked if it had to be a 30' setback from the park or a 30' setback from Las Olas. Mr. Brewton stated the side yard setback would be determined from the setback line. Mr. Stresau clarified that Mr. Brewton was determining that it was double jeopardy, and they had to have a setback from Las Olas and from the park which abutted Las Olas. Mr. Brewton confirmed. Mr. Stresau stated they needed to hear that issue next month. Mr. Brewton agreed.

Chair Patricia Rathburn asked if the applicant wanted to proceed with what had been advertised. Mr. Sands clarified that the lot width by definition was at the front setback. Chair Patricia Rathburn reiterated that he was asking for an interpretation.

Robert Dunckel stated that was why the applicant was before the Board because the definition of lot width read as measured at the front or the front setback line. Mr. Brewton confirmed. Mr. Sands stated they were asking to reduce the required lot width from 100' to 72'. Robert Dunckel explained the way the application was worded was that they were requesting to build on a lot that did not have a 100' width. By granting that variance, it would not give the applicant a greater lot width, it would merely excuse one from meeting that provision of the Code which stated there had to be a minimum width of 100'.

Fred Stresau asked how one measured minimum width at the front yard setback. Mr. Sands stated if the lot was 72' in width, then they would have 25% of that and the side yard setback would give them 18' from the park, and that was what they wanted to achieve. He stated they were directed to request this variance to reduce the lot, thereby granting them the 18' setback.

Chair Patricia Rathburn reiterated that would be a staff interpretation. She emphasized that tonight the Board could do one of two things, which was to either vote on the variance which would allow them to build a structure on a

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waterway lot that was not 100' in width. She stated they could also defer everything and have them come back.

Mr. Sands stated they would appreciate in proceeding forward for the variance for the lot width. He hoped that would resolve the issue they had with staff.

Robert Dunckel repeated that this would not be a variance for lot width, but was one to allow them to build on the lot.

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 Don Larson to close the public hearing. Board unanimously approved.

Gus Carbonell stated that he agreed they needed to return in regard to the interpretation issue, and he felt there were other issues regarding the lot width.

Binni Sweeney stated that if they moved forward, she felt it would create a problem for the applicant because it appeared they were not going to be granted this variance. She stated there were many questions the Board wanted answers to which were not being addressed this evening. She suggested that the applicant reconsider the matter.

Don Larson stated that they might not get turned down, but the variance could create problems that would make them redo things and their cost would be doubled.

Chair Patricia Rathburn stated that it had been explained that they ran the risk of paying a double fee if they chose to file, but they were hoping that if the variance was granted they would be able to convince staff that their interpretation was correct, and then they would not have to return before this Board. She stated it was the applicant's choice.

Mr. Sands stated they had a memorandum which they had written in regard to a certain section of the Code. He explained staff had crossed out the section of the Code, and had told them what section of the Code they needed to make their request to. He stated they were following some directions. He reiterated that the bottom line was that the building would be 43' off Las Olas more than any corner yard. He reiterated that was what they were attempting to achieve. He stated they wanted to go through the proper procedure to achieve that, and if tonight was not getting them to where they wanted to be and would hinder them, then they would not want to proceed.

Chair Patricia Rathburn explained she did not think it would hinder them, but if they were unable to convince staff that their interpretation was correct, it would

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cost the applicant another fee, but as long as they were willing to assume that burden then it was their choice. Mr. Sands stated they would accept that fact.

Fred Stresau asked Mr. Brewton for some further clarification. Mr. Brewton stated they were still looking at how this could be interpreted differently, but he was not prepared to do that now. He explained other members of the staff had reviewed this matter, and in looking at what was proposed, there might or might not be a way to get around the corner yard issue.

Motion made by Fred Stresau and seconded by Binni Sweeney to table this matter until June 9, 2004. Roll call showed: YEAS: Al Massey, Fred Stresau, Binni Sweeney. NAYS: Gus Carbonell, Don Larson, Stephen Buckley and Patricia Rathburn. Motion failed 3-4.

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

“For the Good of the City”

Chair Patricia Rathburn stated that the ordinance to change the time of this Board’s meetings would go before the Commission possibly next month.

Motion made by Don Larson and seconded by Fred Stresau to adjourn the meeting.

There being no further business to come before this Board, the meeting was adjourned at approximately 10:01 p.m.

CHAIRMAN

Patricia Rathburn

ATTEST:

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.
