

**Planning and Zoning Board Meeting**  
**City of Fort Lauderdale**  
**Wednesday, October 18, 2006 – 6:30 P.M.**  
**City Hall City Commission Chambers – 1st Floor**  
**100 North Andrews Avenue**  
**Fort Lauderdale, Florida**

**Cumulative**  
**June 2006 – May 2007**

<b><u>Board Members</u></b>	<b><u>Attendance</u></b>	<b><u>Present</u></b>	<b><u>Absent</u></b>
1. Pamela Adams	P	4	1
2. Edward Curtis, Vice Chair	P	4	1
3. Maria Freeman, Chair	A	4	1
4. Mary Fertig	P	5	0
5. Steve Glassman	P	5	0
6. Rochelle Golub	P	5	0
7. Mary Graham	P	5	0
8. Judith Hunt	A	2	3
9. Catherine Maus	P	4	1

**Staff**

Sharon Miller, Assistant City Attorney  
Greg Brewton, Planning and Zoning Services Manager  
Yvonne Redding, Planner II  
Anthony Fajardo, Planner II  
James Cromar, Planner III  
Michael Ciesielski, Planner II  
Tim Welch, Land Development Manager  
Sandra Goldberg, Recording Secretary  
Max Brand, Engineering Department

**Guests**

Frank Herhold	Churchill Hungerford
Jane Storms	Michael Schiff
Anne Bent	Boris Belfer
Donald Hall	David Zelch
Bianca Bryant	Cheri Thompson
James Gilgenbach	James Connelly
Robert Bell	Hans Stahl
Kevin Bradbury	Jose Rodriguez

Jim Parks	Lorraine Graen
Guy Vervel	Dennis Byk
Jake LaRue	Courtney Day
Tung Luu	Susan Engle
Ed Stacker	Val Steel
Jeff Falkinger	Natalie Bailey
Val Steele	Patty Hitchcock
John Weber	Greg Meyer
Peter DiMarco	Tracy Shepsky
Joanne Peck	Jerry Headfield
Robert Lochrie	Rod Feiner
Vicky Eckles	

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### **Call to Order**

Vice Chair Curtis called the meeting to order at 6:30 P.M., then proceeded to introduce the members of the Board and explain the procedures that would be followed during tonight's meeting. Assistant City Attorney Miller explained the procedures for quasi-judicial cases, the local planning board requirements, and the City's lobbying rules. Anyone wishing to testify on any matter was sworn in.

### **Approval of Minutes**

**Motion** made by Ms. Adams and seconded by Ms. Golub to approve the minutes of the September meeting. Board unanimously approved.

Mr. Curtis stated that there were requests to defer items 3 and 4.

**Motion** made by Ms. Fertig and seconded by Ms. Graham to defer items 3 and 4 to the Board's November 15 meeting. Board unanimously approved.

**Cases**

**1. Port St. Lucie Projects, LLC/Aquavista Plat**

**Yvonne Redding**

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**19-P-06**

**Request: \*\* Plat Approval / RMH-25 Zoning**

Legal Description: 8-49-42, Comm at N.W. Corner of N.W. ¼ SLY 1039.48, ELY 328, SLY 30 to POB, Con SLY 318.31, ELY 125, NLY 317.28, WLY 125 to POB

Address: 3050 N.W. 68 Street

General Location: South of N.W. 68 Street, West of N.W. 31 Avenue

**[Deferred from the September 20, 2006 meeting]**

Mr. Boris Belfer, plat processor, stated the plat had been through City review and everything had been complied and recommended for approval.

Ms. Yvonne Redding, Planner, explained that the property was surrounded by multi-family RML-25 and RM-15 zoning. This plat did not exceed the allowed density, had met all DRC conditions, and had been approved by the City surveyor and engineer.

Board members disclosed communications they had regarding this case.

Ms. Redding explained that this was acreage that was never platted, on which there was a pool and several single-story buildings. She confirmed for Ms. Graham that this was for site approval only; they would not see the site plan.

Mr. Curtis opened the public hearing. There being no members of the public wishing to speak on the item, Mr. Curtis closed the public hearing and brought the discussion back to the Board.

Mr. Brewton explained that the new Park Impact Fee would apply to this property; Mr. Belfer said he understood this.

**Motion** made by Ms. Adams and seconded by Ms. Fertig to approve. Motion unanimously approved.

**2. Rickel & Antweiler/Comfort Suites Hotel**

**Yvonne Redding**

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**54-R-06**

**Request: \*\* Site Plan Level III / Waterway Use / 88-Room Hotel / B-1 Zoning**

Legal Description: Coral Ridge Properties 28-8 B, Lot 4 N1/3 of S1/2, Lot 4 S2/3 of N1/2

Address: 2201 North Federal Highway

General Location: West side of Federal Highway, south of Oakland Park Boulevard.  
The parcel is bordered on the west side by the Middle River

**[Deferred from the September 20, 2006 meeting]**

Board members disclosed communications they had regarding this case.

Mr. James Gilgenbach, architect, explained that the project was to replace the damaged hotel with a 5-story Comfort Suites Hotel. He noted that there was a distance of 177 feet between the rear of the building and the rear property line.

Since the last meeting, Mr. Gilgenbach had met with neighborhood associations to the north and across the canal, and presented the plan for their review. Both associations had wanted the rear wall to be taller than the current 6 feet.

Mr. Gilgenbach noted that all of the rooms faced north or south, and windows had been added to the east and west sides of the building for aesthetics. Existing landscaping at the sea wall would remain. As the landscaping aged, Mr. Gilgenbach felt that it would mask the building and the rear wall.

Mr. Yvonne Redding, Planner, reported that the project met the Interdistrict Corridor and waterway landscaping requirements, was consistent with the Comprehensive Plan in regard to its use, and the applicant had provided analysis of the regulations required.

Regarding the civic association requirements, Ms. Redding noted that the 10-foot requested height was feasible, but other walls along that stretch were all 6 feet tall. Regarding the lighting, Ms. Redding remarked that in a commercial district, there was no maximum, but the photometric plan showed the light was nearly zero at the rear property line, due to the shielded fixtures. She felt the lighting would not be intrusive.

Ms. Graham noticed an inconsistency in the photometric study, and felt this needed to be right since this was one of the things Mr. Gilgenbach had agreed to adjust at the previous meeting. Mr. Gilgenbach said the numbers still declined to zero at the property line. Ms. Graham was also concerned about whether the trash removal vehicle could empty the dumpster and negotiate the parking lot. Mr. Brewton said this would need to be adjusted at site plan permitting. Mr. Gilgenbach confirmed that the air conditioning for the common areas would be small rooftop units.

Mr. Curtis opened the public hearing.

Mr. James Connelly, neighbor, said there were two businesses nearby with 10-foot walls, and he wanted the 6-foot wall raised to 10 feet to reduce headlight glare, since his property was only 90 feet away.

Mr. Robert Bell, neighbor, was concerned about the wall height and light control, and limiting access to the property. He also wanted to be sure that the landscaping was maintained.

Ms. Redding acknowledged receipt of a letter from Jeff Schaumburg that was not received in time to include with the Board's package that expressed concern about the wall height, the landscape maintenance, the lack of a photometric plan and the west-facing hotel windows.

Mr. Hans Stahl, neighbor, was concerned about dumpster noise and excess light.

There being no other members of the public wishing to speak on the item, Mr. Curtis closed the public hearing and brought the discussion back to the Board.

Mr. Gilgenbach agreed to provide whatever height wall the Board preferred. He also agreed to plant whatever tree species the Board preferred.

**Motion** made by Mr. Glassman and seconded by Ms. Fertig to approve, with the following conditions: The wall be 10 feet tall; the civic association's conditions for the lighting be met; Staff conditions be met. Motion passed 6 – 1 with Ms. Graham opposed.

<b><u>3. Broward County / Palmdale</u></b>	<b>Jenni Morejon</b>	<a href="#">Index</a> 4-Z-05
<b>Request: ** *</b>	<b>Rezoning from B-3 to Utility</b>	
Legal Description:	Parcel "A", 1-B Palmdale Plat, according to the plat thereof, as recorded in P.B. 112 P. 9, of the Public Records of Broward County, Florida	
Address:	301 N.W. 66 Street	
General Location:	South of McNab Road and east of the CSX Railroad Tracks	

**[Deferred from the September 20, 2006 meeting]**

Applicant requested a continuance to the November 15, 2006 meeting.  
Deferred to November 15, see above.

<b><u>4. Broward County / Palmdale</u></b>	<b>Jenni Morejon</b>	<a href="#">Index</a> 88-R-05
<b>Request: ** *</b>	<b>Public Purpose Use Approval</b>	
Legal Description:	Parcel "A", 1-B Palmdale Plat, according to the plat thereof, as	

recorded in P.B. 112 P. 9, of the Public Records of Broward County,  
Florida

Address: 301 N.W. 66 Street

General Location: South of McNab Road and east of the CSX Railroad Tracks

Applicant requested a continuance to the November 15, 2006 meeting.  
Deferred to November 15, see above.

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**5. Val. M. Steele/Steele Condominiums**

**Anthony Fajardo**

**51-R-06**

**Request: \*\* Site Plan Level III / Waterway Use / Three (3) Multi-Family Units / RMM-25**

Legal Description: Lot 3, Block 11, Riviera, according to the plat thereof recorded P.B. 6, P. 17 of the Public Records of Broward County, Florida

Address: 369 Sunset Drive

General Location: Approximately 100-feet west of Riviera Isle Drive (SE 25 Avenue), on the south side of Sunset Drive

Board members disclosed communications they had regarding this case.

Mr. Ed Stacker, attorney for the applicant, explained that the redevelopment would result in a diminution of the existing density, an increase of green space and waterway setback, and the elimination of back-out parking. Mr. Stacker produced letters from the neighbors across the waterway to the south and the past president of the Riviera Isles Homeowners Association, stating they had no objection to the project.

Mr. Stacker said they met all requirements except the side yard setback, to which they were requesting an exception.

Mr. Jeff Falkinger, architect, pointed out that the project was surrounded by much taller buildings. He presented photos of the existing development and contrasted it with the project, noting that there was much more green space and setback area in the rear and front of the property.

Mr. Anthony Fajardo, Planner, stated the applicant requested a 16' 10.5" variance for the setback modification and had submitted narratives to the Board.

Mr. Curtis opened the public hearing.

Ms. Lorraine Graen, neighbor, asked about the overall height; Mr. Fajardo stated the height was 53' 9" ; the allowed height in that area was 55'. He explained that stairwell features were

another 10 feet tall. Ms. Graham felt the height of the stair towers could be reduced. Natalie Bailey, project manager, agreed the height of the towers could be reduced.

Mr. Glassman felt the building would be “overwhelming” on the site, and wondered why the Staff report was so noncommittal concerning neighborhood compatibility issues and setback variance. Mr. Falkinger said that 80% of this building overlooked the next-door Riviera parking lot, and was therefore not obstructing any views.

Ms. Graham agreed that the building seemed “squeezed” onto the site, with setbacks less than a third the required distance, but noted it was an beautiful building.

There being no other members of he public wishing to speak on the item, Mr. Curtis closed the public hearing and brought the discussion back to the Board.

Mr. Stacker asked the Board to recognize that a lot only 50 feet wide was severely limited in terms of redevelopment. He reminded the Board that there was no neighborhood opposition and Mr. Stacker felt it was compatible with the surrounding neighborhood.

Mr. Guy Vervel, member of the Riviera Towers Board, said their board had unanimously voted against the project as being “much too high, much too big.”

Mr. Val Steele, owner, stated that ultimately, the property to the west would be built at 55 feet. Ms. Golub felt there were alternatives to building 55 feet tall. Mr. Steele pointed out that on a 50-foot lot, meeting the setback requirement of 50% of the height of the building would be impossible.

Ms. Graham felt the setback variance request was excessive. Mr. Falkinger noted that the parking requirements were very challenging; it had taken months to determine how to park the project.

Ms. Adams asked about the setback for the structure now on the property. Mr. Fajardo explained that the applicant was requesting a setback larger than currently existed on the property. The existing building was 2-stories.

Ms. Graen said the property was purchased a year ago for \$1 million and was now on the market for over \$2 million and she felt the variance was only to allow the property to be resold for speculation. She felt this was a problem in Fort Lauderdale; properties were “flipped continually, and not to the benefit of the neighborhood.”

Mr. Stacker remarked that if they built only a 30-foot building, they would need a variance. He felt that any redevelopment on the site would require relief from the setback requirements.

**Motion** made by Ms. Maus and seconded by Ms. Adams to approve, to include the Staff conditions and the condition that the stairwells be reduced to 8 feet in height. Motion failed 2 – 5 with Ms. Graham, Ms. Fertig, Mr. Glassman, Ms. Golub and Mr. Curtis opposed.

Ms. Fertig agreed with Ms. Graham that the relief requested was “tremendous,” and said she would not be able to support it. Ms. Golub felt that the relief was to allow the owner to maximize the use of the lot. She felt that they would set a bad precedent, especially for waterway properties, if they allowed this setback.

The following 2 items were heard together:

**6. Lauderdale Marine Center Plat**

**Anthony Fajardo**

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**3-P-06**

**Request: \*\* Plat Approval / Industrial Zoning**

Legal Description: Portions of the southwest quarter (SW ¼) of Section 16, Township 50 south, Range 42 east, Fort Lauderdale, Broward County, Florida

Address: 1601 S.W. 20 Street

General Location: Approximately 150 feet west of SW 15 Avenue on the north side of SW 20 Street

**[Deferred from the September 20, 2006 meeting]**

**7. Lauderdale Marine Center Annex**

**James Cromar**

**76-R-05**

**Request: \*\* *Site Plan Level III / Waterway Use / Conditional Use Approval for a Marina Facility with 67,700 SF of Commercial / Storage Use with 29 Boat Slips and 45 Dry Storage Spaces / Industrial Zoning***

Legal Description: Portions of the southwest quarter (SW ¼) of Section 16, Township 50 south, Range 42 east, Fort Lauderdale, Broward County, Florida

Address: 1601 S.W. 20 Street

General Location: Approximately 150 feet west of SW 15 Avenue on the north side of SW 20 Street

**[Deferred from the September 20, 2006 meeting]**

Board members disclosed communications they had regarding this case.

Mr. Curtis stated that at the last meeting, they had decided to hear the next two items together, but Ms. Adams had requested that the items be heard separately. Ms. Miller confirmed that a motion could be made to hear them separately.



Ms. Adams made a motion to hear the items separately. Motion died for lack of a second.

Mr. Hall admitted that the items were separate, but the more important item to consider was the site plan. Mr. Hall reported that pursuant to their discussions at the September meeting, they had met with the River Oaks Civic Association regarding the photometric lighting plan and façade improvements. At that meeting, Mr. Hall was advised to meet with Mr. Byk and Ms. Peck to discuss these issues. They had subsequently altered the façade design and photometric plan.

Mr. Hall stated that the result of the meetings had been a shortening of the light poles and a reduction of some the lights' wattage and installation of glare shields. The façade had been redesigned to break up the south elevation of the building. Mr. Byk had sent an email noting that the lighting plan was improved and the façade redesign had broken up a formerly "sterile" building. The Board had agreed that these changes were an improvement. Mr. Hall presented a permit summary for the west yard, noting that this had been a point of contention.

Mr. Anthony Fajardo, Planner, said the plat had been deferred due to inconsistencies with the site plan, but these had been rectified.

Mr. James Cromar, Planner, explained that since last month, the applicant had submitted the façade and photometric plan changes, and Mr. Byk had sent the email regarding the civic association's opinion of these changes. The applicant had also made a \$75,000 donation toward traffic mitigation. Mr. Cromar noted that it was up to the Board to determine if the requests met the requirements in the code. Mr. Cromar noted that the Staff engineer did concur with the applicant's traffic report, but it was up to the Board to determine if the site plan met the criteria for neighborhood compatibility and adequacy.

Ms. Fertig remembered asking last month for some written proof that traffic in the area was caused by construction at the railroad bridge, and asked if anyone had proof this evening; Mr. Hall said he did not.

Ms. Graham asked about the changes to the security lighting. Mr. David Zelch, architect, explained that the poles had been lowered and aimed away from the neighborhood and illumination at the property line had been reduced to zero. Mr. Zelch said the intensity of the light might have increased because of these changes. He explained to Ms. Graham that the lights on the building's east side had not been changed, and there were baffles to prevent light spillage or glare onto the street.

Mr. Curtis opened the public hearing.

Ms. Bianca Bryant, neighbor, presented a petition from neighbors opposed to the project and displayed an aerial photo of the marina. She pointed out the areas where work was currently done on boats, and the new area the owner wanted to expand to accommodate additional boats.

Ms. Bryant said she had tried to speak with Mr. Byk and Dr. Passen, the owner, but neither one had been interested in addressing her concerns. Ms. Bryant wanted to know how the new slips would be used, and what specific work would take place there. She cited ULDR sections listing requirements the applicant must submit to the City for conditional use permits and asked if these were met. Ms. Bryant said she and her neighbors suggested the marina become members of the Clean Marina Program.

Ms. Bryant had taken issue with many aspects of the applicant's traffic study and wondered if the small road was suited for commercial use. Ms. Bryant said she and her neighbors would like to see a thorough traffic study conducted on 20<sup>th</sup> Street west of 15<sup>th</sup> Avenue. She said she had conducted her own traffic study and reported that she found there to be twice as many vehicles as the applicant's study had reported. Ms. Bryant presented photos of traffic issues on the street near the marina and her home. According to Ms. Bryant, the site lighting was required to be "consistent with the theme of the immediate content and compatible with the lighting of adjacent parcels." Ms. Bryant presented testimonials regarding the traffic issues from residents of 20<sup>th</sup> Street.

Ms. Miller marked the planning file, including tonight's memo as exhibit 1; the applicant's submittal of the permits as exhibit 2; and the packet presented by Ms. Bryant as the Public's exhibit A.

Mr. Dennis Byk, president of the River Oaks Civic Association, said the Marine Center had begun attending meetings in April, and in August had received a vote of support for their project. He and Ms. Peck had then met with marina representatives to discuss the lighting and façade changes. Ms. Fertig asked about the changes in the membership in the civic association since the early summer when the association had first addressed the Planning and Zoning Board. Mr. Bick said that when the vote was taken at their August meeting, "twenty-something" new members had joined that evening, and the vote was 51 - 5. He felt that 23 of those voting were business, which meant that more than half of the "yes" votes were residential votes.

Ms. Cheri Thompson, neighbor, said her first concern was fire; she referred to a FEMA report generated after a fire at the Broward County Marina identifying problems uncovered and explained how she interpreted these potential problems at the Fort Lauderdale Marine Center. Her second concern was for risk management. She felt the marina should be required to perform a risk management study. Ms. Thompson's third concern was the sidewalks; she wanted a requirement for sidewalks to be installed on the west side if the project was approved.

Mr. Jim Parks, operations manager for the marine center, explained that he had met with State administrators of the Clean Marina program and they were committed to “get to the Clean Marina status.” Mr. Parks said they were doing all they could to mitigate the traffic issues. Mr. Parks said his “number one job” was to oversee the contractors and make sure they did not cause any environmental or health hazards. He noted they had “state of the art” overspray control equipment. Mr. Parks confirmed for Ms. Fertig that they intercepted and directed trucks arriving at the yard.

Mr. Parks said the paint sheds were on the river, 600 feet from 20<sup>th</sup> Street, and painting and sanding was always contained. He said they were pursuing “clean marina” status, and Ms. Fertig confirmed that he would agree to “commit to apply, and you would not have a problem with us making that a condition.”

Mr. Churchill Hungerford, resident, said a fire could not be stopped at the site, and that work was conducted in the open air “right next to the road.” He reminded the Board of the fire at Broward Marina [formerly on the site] in 1996 that put the marina out of business.

Mr. Peter DiMarco, resident, read an email he had already sent to Board members regarding the case. In the email, he stated that the design and lighting issues had been resolved, and the River Oaks Civic Association Board had unanimously approved the plans. Mr. DiMarco said that the campaign to oppose the project had resulted in a counter-campaign to support it. Mr. DiMarco asked the Board to approve the project. Mr. DiMarco felt this was the “finest...cleanest boat yard” on the east coast and the owner was conscientious about EPA requirements.

Mr. Jerry Headfield, boat owner, said this yard was clean and well managed and the security was good. He agreed with Mr. DiMarco that it was one of the finest yards on the east coast.

Mr. Jake LaRue, employee of Mango Marine at the Marine Center, said the Center owners went out of their way to comply with EPA regulations and best management practices.

Ms. Joanne Peck, neighbor, said they had made a lot of progress, but she wanted the Board to include a condition that the “east yard partners, at least, and we would hope the Lauderdale Marine Center would make the commitment to joining the Clean Marina program.” She felt they should also consider continuing the sidewalk up 20<sup>th</sup> Street.

There being no other members of the public wishing to speak on the item, Mr. Curtis closed the public hearing and brought the discussion back to the Board.

Ms. Fertig asked Mr. Hall to show where the work on boats was conducted; he pointed out on the site plan where the storage would be, and noted that any work in the east yard would be 200 feet from 20<sup>th</sup> Street. In the west yard, it would be 60 feet from the property line.

Tracy Scheppske, Keith and Associates, explained that they had upgraded the fire protection out to the docks as they had developed. She acknowledged that at the time of the Broward Marina fire, the facility did not have the fire protection currently required. Mr. Parks confirmed that the yard was fully compliant with fire protection requirements. They also had a fire plan for contractors and a yard plan depicting locations of all fire equipment.

Mr. Hall agreed to build the sidewalk along the edge of the west yard, but noted that this required resolution of some title issues.

Ms. Graham clarified how many wet and dry slips were currently on the site plan and asked about noise requirements. Mr. Parks said since most boats were fiberglass, the grinders did not generate much loud noise. Mr. Graham noted that the new development would certainly increase noise at the property.

Mr. Hall stated that the traffic study had been reviewed by the City and its outside consultant, and they had agreed that the expansion of the Marine Center would “not create an adverse traffic impact.”

Mr. Tim Welch, Engineering Department, said that Molly Hughes had prepared the traffic study and explained that the owner would complete the 50-foot street right-of-way with this site plan. They had also committed through the traffic analysis to complete the sidewalk from the east property corner to the west property corner, on the north side. Mr. Welch stated that other traffic studies had been conducted in the area and concluded that the street was currently at 23 – 40% of its capacity. Mr. Welch agreed that the road was somewhat narrow and thought they should add 2 feet to its width, and perhaps some speed humps, to help calm the traffic. Mr. Welch said he was satisfied with the entrance configuration. Mr. Welch described the entry gates’ location and access, and noted that the west entrance would be used for larger trucks or boats on trailers.

**Motion** made by Ms. Fertig and seconded by Ms. Maus to approve with the following conditions:

- All work must be conducted at least 200 feet from the property line;
- The applicant must apply to the Clean Marina program within the next 30 days, and must subsequently be accepted;
- The applicant must abide by the best management practices for marine facilities;
- Pending resolution of the title issue, sidewalks would be constructed along the entire length of the south side of the Marine Center;
- The roadway would be widened by 2 feet;
- The right-of-way dedication would be completed;
- Adherence to all Staff conditions, including the lighting, façade changes and \$75,000 donation.

Ms. Fertig added the recommendation that the City immediately consider traffic calming measures. Motion was approved unanimously [7 – 0].

Ms. Miller clarified that these conditions were appropriate to approval of the site plan, not the plat. Ms. Golub thought the dedication was already on the plat; Mr. Hall confirmed that it was. Mr. Curtis stated that the plat approval had no conditions other than those set forth on the plat. Ms. Miller explained that the deadline for acceptance into the Clean Marina program would be prior to issuance of the CO.

Mr. Curtis asked Ms. Miller if he should vote on this item this evening, given that he had not been present at the September meeting. She confirmed that he was required to vote on the item this evening.

Motion made by Ms. Fertig, seconded by Ms. Maus, to approve the plat, subject to the conditions set forth on the plat. Motion was approved unanimously [7 – 0].

Motion made by Ms. Fertig, seconded by Ms. Maus, to approve the site plan, with conditions. Motion was approved unanimously [7 – 0].

**7. Lauderdale Marine Center Annex** [Index](#)  
76-R-05

**Request: \*\* *Site Plan Level III / Waterway Use / Conditional Use Approval for a Marina Facility with 67,700 SF of Commercial / Storage Use with 29 Boat Slips and 45 Dry Storage Spaces / Industrial Zoning***

Legal Description: Portions of the southwest quarter (SW ¼) of Section 16, Township 50 south, Range 42 east, Fort Lauderdale, Broward County, Florida

Address: 1601 S.W. 20 Street

General Location: Approximately 150 feet west of SW 15 Avenue on the north side of SW 20 Street

[Deferred from the September 20, 2006 meeting]

**8. City of Fort Lauderdale/Fire Station #29** [Index](#)  
110-R-06

**Request: \*\* *Public Purpose Use / Replace Existing with New 14,534 SF Building / CF***

Legal Description: Office of the Fire Marshal – Fire Station No. 5 – A portion of the S.W. ¼ of the N.W. ¼ of Section 36, Township 49 South, Range 42 East, City of Fort Lauderdale, Broward County, Florida

Address: 2002 N.E. 16 Street

General Location: One block west of the 1600 block of Federal Highway to the east of Lake Melva including approximately a 40-foot wide strip of land that extends east from the south east side of the property to Federal Highway (US-1)

**Applicant withdrew application.**

**9. Rio Colony Plat**

**Anthony Fajardo**

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**10-P-06**

**Request: \*\* Plat Approval / RD-15**

Legal Description: The east ½ of the following described lands: (Prior to dedication of public right of ways as defined here after.) The east 40.46 feet of Lot 1, LESS the south 50 feet for road purposes, and LESS the north 25 feet for road purposes, and Lot 17, LESS the east 354 feet thereof, and LESS the north 25 feet of the west 240.52 feet for road purposes, all of F.A. Barrett's Subdivision of the west ½ of Section 21, Township 50 South, Range 42 East, according to the Plat thereof, recorded in Plat Book 1, Page 46 of the Public Records of Dade County, Florida, said lands situate, lying and being in Broward County, Florida.

Address: 1710 SW 24 Street

General Location: Approximately 1,100 feet west of SW 15 Avenue on the south side of SW 24 Street

Board members disclosed communications they had regarding this case.

Mr. Robert Lochrie, representative of the owner, explained that the property was zoned RD-15, and surrounded by zone RM-25 and other RD-15. Mr. Lochrie continued that they were requesting 16 of an allowed 19 units allowed in the district. Mr. Lochrie confirmed that the project met or exceeded all code requirements in regard to setbacks. He pointed out the shared pool and "tot lot" amenities in the development. He informed the Board that the pool site had been moved to the south courtyard. Mr. Lochrie stated that the building height to the "top of the beam" was 27"; code allowed 35 feet, which was reached by the highest element on the roof.

Mr. Lochrie informed the Board that the neighborhood association had unanimously endorsed the project when it was presented, and they had met with the neighbors on either side. They had agreed to install a concrete wall on three sides of the property, pursuant to a request by the neighborhood association. They had also agreed to dedicate an additional 25 feet of right-of-way on the eastern side.

Mr. Anthony Fajardo, planner, agreed with Mr. Lochrie's comments and added the plat restrictions: "This plat is restricted to 16 cluster home units (townhomes per Broward County). Banks are not permitted in the office use without the approval of the Board of County Commissioners who shall review and address these uses for increased impacts." He added that the plat was subject to ULDR 47-25.2, Adequacy, and 47-25.5, Subdivision regulations.

As to the site plan, Mr. Fajardo, cited the Staff report condition of approval: "The applicant shall construct a 6-foot decorative concrete block privacy wall along the south, east and west property lines subject to the City of Fort Lauderdale ULDR and Building Code requirements."

Ms. Graham asked if the City had an updated site plan showing the pool; Mr. Fajardo said the approval of the site plan would be subject to all ULDR requirements. Mr. Lochrie agreed to present the revised site plan right now. Mr. Michael Schiff, architect, explained that they had changed the pool site to allow the tot lot to be in a more secure area and to allow more sun on the pool. Ms. Graham was concerned about changes to the landscape plan as a result of the change.

Mr. Schiff pointed out the landscape strip around the perimeter on the inside of the wall. Ms. Golub thought sidewalks were required on the exterior boundaries of cluster homes; Mr. Lochrie said there were walkways throughout the project.

Mr. Curtis opened the public hearing.

Ms. Ann Bent, neighbor, said she was in favor of the project. Ms. Bianca Bryant, neighbor, said she approved of this development and felt it would be an improvement.

There being no other members of the public wishing to speak on the item, Mr. Curtis closed the public hearing and brought the discussion back to the Board.

Ms. Miller said the Board could include the provision in their motion that the revised site plan must meet the requirements of the ULDR. Mr. Fajardo said they had standard language that the site plan was subject to all ULDR requirements.

**Motion** made by Ms. Fertig and seconded by Mr. Glassman to approve the plat. Board approved unanimously [7 – 0].

Mr. Curtis said the Board had already agreed that they would not approve plans that had not been presented to them. Mr. Lochrie requested that the site plan be approved as is. They then had the option to apply for administrative approval for the changed plan, or to return to the Board.

**Motion** made by Ms. Fertig, seconded by Ms. Adams, to approve the site plan as submitted, subject to Staff conditions. Motion approved unanimously [7 – 0].

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**10. Rio Colony**

**Anthony Fajardo**

**150-R-05**

**Request: \*\* Site Plan Level III / 16 Cluster Homes / RD-15**

Legal Description: The east ½ of the following described lands: (Prior to dedication of public right of ways as defined here after.) The east 40.46 feet of Lot 1, LESS the south 50 feet for road purposes, and LESS the north 25 feet for road purposes, and Lot 17, LESS the east 354 feet thereof, and LESS the north 25 feet of the west 240.52 feet for road purposes, all of F.A. Barrett's Subdivision of the west ½ of Section 21, Township 50 South, Range 42 East, according to the Plat thereof, recorded in Plat Book 1, Page 46 of the Public Records of Dade County, Florida, said lands situate, lying and being in Broward County, Florida.

Address: 1710 SW 24 Street

General Location: Approximately 1,100 feet west of SW 15 Avenue on the south side of SW 24 Street

**11. Lauderdale Storage, LLP**

**Yvonne Redding**

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**16-P-06**

**Request: \*\* Plat Approval / B-3**

Legal Description: A portion of the Northeast one-quarter (N.E. ¼) of Section 8, Township 50 South, Range 42 east of the City of Fort Lauderdale, Broward County, Florida

Address: 540 SW 27 Avenue

General Location: East side of SW 27 Avenue, North of SW 6 Street

Board members disclosed communications they had regarding this case.

Mr. Dan Fee, representative of the owner, explained that the property had never been platted.

Ms. Yvonne Redding, Planner, stated that this had come through DRC for replacement of a burned building and it was discovered that the property had never been platted, so this plat was a condition of the DRC review. The City's surveyor and engineer had already signed off on the plat.

Mr. Curtis opened the public hearing. There being no members of the public wishing to speak on the item, Mr. Curtis closed the public hearing and brought the discussion back to the Board.

**Motion** made by Mr. Glassman and seconded by Ms. Maus to approve. Motion approve unanimously [7 – 0].



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**12. CKA Homes of Miami Road/Southport Lofts**

**Michael Ciesielski**

**43-R-06**

**Request: \*\* Site Plan Level III / Conditional Use for Mixed Use Development / 5 Townhomes with Allocation of Flexibility Units / RMM-25 / Employment Center**

Legal Description: Lots 15 and 16, Block 28, Everglade Land Sales Company's First Addition to Lauderdale, according to the Plat thereof, as recorded in P.B. 2, P. 15, of the public records of Dade County, Florida., together with that portion of the West ½ of that certain vacated alley lying east of and adjacent to Lots 15 and 16

Address: 2110-2118 South Miami Road

General Location: East side of South Miami Road between SE 21 Street and SE 22 Street

Board members disclosed communications they had regarding this case.

Mr. Rod Feiner, representative for the applicant, said this project would decrease the density from six units to five, while increasing the size of each unit. Mr. Feiner noted that in order for the project to go forward, they must apply for five flex units. Mr. Feiner pointed out that cars would not back out onto the roadway, but onto a private roadway. Pursuant to Staff request, larger windows had been put on the Miami Avenue façade.

Mr. Feiner said they had met with the Harbordale Civic Association and obtained their approval, subject to the installation of curbing on Miami Avenue.

Mr. Michael Ciesielski, Planner, confirmed that because this property was in the employment center, they must apply for the allocation of flex units to build residential units. There were currently 760 flex units available in this zone. In order to meet requirements to allocate the flex units, the applicant must meet the requirements for mixed-use development in Section 47-18.21. Mr. Ciesielski informed that Board that the applicant had provided a narrative addressing this in the application, as well as other narratives addressing neighborhood compatibility and adequacy. Mr. Ciesielski noted that this project was subject to the provisions of the Broward County School District Interlocal Agreement, and the School Board had provided a letter stating that no mitigation was due for this development.

Mr. Ciesielski listed the Staff conditions for approval:

- The applicant must provide curbing along S. Miami Rd. in front of the subject site and that this curbing shall have openings at select locations to allow surface water to runoff and enter at select locations. All curbing plans must be done with City Engineering approval.

- The applicant must provide a three (3') foot wide sidewalk from each principal entrance to the public sidewalk in accordance with section 47-18.33.B.10.

Mr. Feiner said he agreed with Staff conditions.

Mr. Curtis opened the public hearing.

Ms. Vicky Eckles, Harbordale Civic Association, said the Association had approved the project, and she explained the neighbors' concern for preserving the streetscape.

There being no other members of the public wishing to speak on the item, Mr. Curtis closed the public hearing and brought the discussion back to the Board.

**Motion** made by Ms. Fertig, seconded by Ms. Maus, to approve, subject to Staff conditions. Motion approved unanimously [7 – 0].

### **For the Good of the City**

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Mr. Glassman wanted an update on their request for a study regarding townhome/flex issues. Mr. Brewton said they were preparing opposition paper; he hoped to present this at the meeting next month.

Mr. Glassman remembered a case from their May meeting where the owner of a 1930s home said he would allow another party to move the home. The person in charge of that effort had informed Mr. Glassman that she had been stonewalled in her efforts and the home had ultimately been demolished while she was out of town. Ms. Fertig felt they should keep a record of this, as it went to the owner/developer's credibility. Mr. Brewton said he had spoken to that applicant's attorney this evening, Mr. Lochrie, who agreed to address the Board and explain the situation.

Mr. Lochrie said he had not spoken to that client in some time, but would tell the Board what he knew of the situation. He had coordinated several meetings between the owner and the Sierra Club representative. Photos were taken, and advertisements posted on several websites. Mr. Lochrie had not heard anything further, and Mr. Lochrie assumed that things were moving along. He said the developer had made it clear that if someone was interested, he would allow the home to be taken. He agreed to communicate with the developer and find out what had happened in this case.

There being no further business to come before the Board, the meeting was adjourned at 10:33 p.m.

Chair:

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Attest:

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Sandra Goldberg [for Jamie Opperlee, Recording Secretary]