



# City of Hallandale Beach

## PLANNING AND ZONING BOARD

400 S. Federal Highway  
Hallandale Beach, FL 33009  
www.cohb.org

Chair, Kuei Kang (Charles) Wu  
Vice-Chair, Howard Garson  
Boardmember Danny Kattan  
Boardmember Terri Dillard  
Boardmember Rick Levinson

Liaison, Christy Dominguez  
Liaison Dept. Director, Vanessa Leroy

## Meeting Minutes

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Wednesday, October 27, 2021

6:00 PM

Commission Chambers

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### 1. CALL TO ORDER

*The Planning and Zoning Board Meeting was called to Order by Chair Charles Wu at 6:17 p.m.*

### 2. ROLL CALL

**Present:** 4 - Chair, Kuei Kang (Charles) Wu, Vice-Chair, Howard Garson, and Boardmember, Rick Levinson

**Tardy:** 1 - Boardmember, Danny Kattan

**Absent:** 1 - Board member Terri Dillard

*Board Liaison: Christy Dominguez*

*Board Secretary: Cindy Bardales-Villanueva*

*Supporting Staff: Vanessa Leroy, Steven Williams, and Sheryl James*

*City Attorney's Representative: Elizabeth S. Loconte, Assistant City Attorney*

### 3. PLEDGE OF ALLEGIANCE

### 4. PUBLIC PARTICIPATION

*There were no speakers.*

### 5. APPROVAL OF MINUTES

1. Draft Minutes for August 25, 2021

**MR. GARSON MOVED TO APPROVE THE MINUTES OF THE AUGUST 25, 2021, PLANNING AND ZONING BOARD MEETING.**

Mr. Wu asked on the first item to state on the record why Ms. Dillard voted no. He asked to please review the audio and include it in the meeting minutes.

**MR. WU SECONDED THE MOTION WITH AN AMENDMENT.**

**MOTION PASSED BY A ROLL CALL VOTE (3-0).**

### 6. BOARD/COMMITTEE BUSINESS

*Mr. Kattan arrived at 6:21 pm*

### **Polling of Ex-Parte Communications (Board Secretary)**

*Board Secretary read the quasi-judicial statement into the record on the items listed on the agenda and polled the Planning and Zoning Board regarding ex-parte communications.*

*Mr. Levinson confirmed and disclosed all ex-parte communication and confirmed his decision would be based solely on the testimony presented at the meeting.*

*Mr. Garson confirmed and disclosed all ex-parte communication and confirmed his decision would be based solely on the testimony presented at the meeting.*

*Mr. Kattan confirmed and disclosed all ex-parte communication and confirmed his decision would be based solely on the testimony presented at the meeting.*

*Mr. Wu confirmed and disclosed all ex-parte communication and confirmed his decision would be based solely on the testimony presented at the meeting.*

### **Swearing in of Witnesses (Board Secretary)**

*Board Secretary swore in City staff, the applicant, and any other members of the audience who would give testimony during the evening's proceeding.*

1. Application #V-21-3330 by 500 Foster Road, LLC, requesting a variance from Section 32-160.e requiring a minimum of 10,000 square feet in lot area for residential mixed-use projects in the Foster Road subdistrict, in order to construct 2 residential units and 600 square feet of commercial use on a parcel with less than the minimum lot area required. The property is located at 500 Foster Road.

*Mr. Wu read the script into the record.*

*Ms. Dominguez, Planning and Zoning Manager provided a PowerPoint presentation and an overview of the item.*

*Mr. Garson: had questions on the minimum requirements met by the project.*

*Ms. Dominguez: advised that the project met the commercial requirements. However, it did not meet the residential requirements.*

*Mr. Garson: asked how many units were allowed on the property.*

*Ms. Dominguez: stated residential is allowed based on the zoning district, however, two units will exceed density unless there is a mixed-use component.*

*Mr. Wu: asked if townhomes would be allowed at this location?*

*Ms. Dominguez: stated No. A townhome development is a minimum of 3 units by definition and the proposal is for 2 units.*

*Mr. Kattan: asked if the street was considered residential use?*

*Ms. Dominguez: clarified it was mixed-use.*

*Mr. Levinson: asked staff what they believe would be a better use of the two lots?*

*Ms. Dominguez: stated that based on the lot size, there are residential units on both sides of the project.*

*Mr. Levinson: asked if there are any similar developments on Foster Road that are mixed-use and they are under 5,000-10,000 square feet?*

*Ms. Dominguez: stated no.*

*Board Secretary swore in the applicant.*

*The Applicant, Mr. William Delgado, Mega Developers, LLC introduced himself and gave an overview of the project.*

*Mr. Wu opened the floor to public participation.*

*Seeing no further speakers or public comments.*

*Mr. Wu closed the floor to public participation.*

*Mr. Wu: congratulated the applicant and the architect on the project and hoped that the process does not deter them from continuing to develop in our City.*

**MR. LEVINSON MOVED THAT THE PLANNING AND ZONING BOARD APPROVE APPLICATION #V-21-3330 BY 500 FOSTER ROAD, LLC, REQUESTING A VARIANCE FROM SECTION 32-160.E REQUIRING A MINIMUM OF 10,000 SQUARE FEET IN LOT AREA FOR RESIDENTIAL MIXED-USE PROJECTS IN THE FOSTER ROAD SUBDISTRICT, IN ORDER TO CONSTRUCT 2 RESIDENTIAL UNITS AND 600 SQUARE FEET OF COMMERCIAL USE ON A PARCEL WITH LESS THAN THE MINIMUM LOT AREA REQUIRED. THE PROPERTY IS LOCATED AT 500 FOSTER ROAD.**

**MR. GARSON SECONDED THE MOTION.**

**MOTION TO APPROVE BY A ROLL CALL VOTE (4-0)**

Application #V-19-2962 by VABY 220, LLC, requesting variances in order to construct a single-family home on a vacant lot at 224 SW 4th Avenue. The subject parcel is located at 220-224 SW 4<sup>th</sup> Avenue.

The variances requested are from the following code provisions:

- a) Section 32-924(b) of the Hallandale Beach Zoning and Land Development Code in order to allow the subdivision of two adjoining lots that were under single ownership on November 21, 1978, in a manner that diminishes its compliance with minimum lot frontage requirements for properties in the RS-6 District.
- b) Section 32-142 (d)(2), of the Hallandale Beach Zoning and Land Development Code, regarding the minimum lot width required for single-family homes in the RS-6 District.

*Mr. Wu read the script into the record.*

*Ms. Dominguez asked the board to recess the meeting to allow the applicant a few minutes to arrive.*

*After a 20-minute recess, Mr. Wu asked for a motion to defer the item to a later date since the applicant had not arrived.*

**MR. GARSON MOVED THAT APPLICATION #V-19-2962 BY VABY 220, LLC, BE DEFERRED TO THE NEXT PLANNING AND ZONING BOARD MEETING.**

**MR. LEVINSON SECONDED THE MOTION**

**MOTION APPROVED BY A ROLL CALL VOTE (4-0)**

**7. REMARKS BY THE CHAIR**

A. Distribution of Board and Committees Protocol Manual

*Mr. Wu: asked why the protocol manual was included in the agenda.*

*Ms. Dominguez: advise that the manual was distributed in advance of a training session that would be taking place at a later date scheduled by the City Clerk's office.*

*Mr. Wu: recognized that they are a shortage of staff at the time but did want to address that the board had previously made a motion to change the code to address the following provision and request staff to put forward ordinances to take action.*

- *Recommended that lots of records that they had been established as a platted lot of record for a certain neighborhood before a certain time be recognized as a developable lot, which would allow a vacant lot to be able to be redeveloped as infill lots.*
- *Revisit code provision on patios to address setbacks and not allow for patio areas to be enclosed in the future.*

*Ms. Dominguez: acknowledged and advised the board that they would need to look at the code holistically and there are currently several code amendments that need to be priorities. Especially on the Regional Activity Center (RAC) District which is a new code and staff was aware when it was implemented that there would be a need for future amendments.*

*Mr. Williams: recognized the board's concerns and agreed that variances should be addressed by modifying the code. He advised the Board that the department is currently reviewing the code and will be proposing code amendments in the future.*

*Mr. Wu: interjected and asked the board anyone would like to make a motion to reconsider continuing the meeting and vote on the second item on the agenda since the applicant had arrived.*

**MR. LEVINSON MOVED FOR THE CONTINUANCE OF APPLICATION #V-19-2962 BY VABY 220, LLC.**

**MR. KATTAN SECONDED THE MOTION**

**MOTION APPROVED BY A ROLL CALL VOTE (4-0)**

2. Application #V-19-2962 by VABY 220, LLC, requesting variances in order to construct a single-family home on a vacant lot at 224 SW 4th Avenue. The subject parcel is located at 220-224 SW 4th Avenue.

The variances requested are from the following code provisions:

- a) Section 32-924(b) of the Hallandale Beach Zoning and Land Development Code in order to allow the subdivision of two adjoining lots that were under single ownership on November 21, 1978, in

a manner that diminishes its compliance with minimum lot frontage requirements for properties in the RS-6 District.

- b) Section 32-142 (d)(2), of the Hallandale Beach Zoning and Land Development Code, regarding the minimum lot width required for single-family homes in the RS-6 District.

*Ms. Dominguez, Planning and Zoning Manager provided a PowerPoint and an overview of the item.*

*Mr. Levinson: asked why the applicant would need to request a variance to build a single-family home on the lot.*

*Ms. Dominguez: explained that the applicant demolished the single-family home which was on the double lot which was allowed when it was built since it met the code requirement of a 100-foot width lot.*

*Ms. Dominguez: further explained that the applicant later split the property into two which staff only became aware of after the applicant requested to build a single-family home.*

*Mr. Wu: asked if the sale of the lot was a violation of the code and were there any repercussions.*

*Ms. Dominguez stated yes, it is a code violation to a split lot that according to code is unified.*

*Board Secretary swore in the applicant.*

*The Applicant, Mr. Julio Berrios, VABY 220, LLC introduced himself and gave background on the process he had done to get approved.*

*Mr. Wu opened the floor to public participation.*

*Seeing no further speakers or public comments.*

*Mr. Wu closed the floor to public participation.*

*Mr. Wu asked the maker of the motion to add that the motion is based on competency and substantial evidence that it meets the various criteria of Chapter 32 - 965 of the land development code.*

**MR. KATTAN MOVED THAT BASED ON THE COMPETENT AND SUBSTANTIAL EVIDENCE PRESENTED THAT MEETS THE VARIANCE CRITERIA PER CHAPTER 32-965 OF THE ZONING AND LAND DEVELOPMENT CODE, THE PLANNING AND ZONING BOARD APPROVE APPLICATION #V-19-2962 BY VABY 220, LLC, REQUESTING VARIANCES IN ORDER TO CONSTRUCT A SINGLE-FAMILY HOME ON A VACANT LOT AT 224 SW 4TH AVENUE. THE SUBJECT PARCEL IS LOCATED AT 220-224 SW 4<sup>TH</sup> AVENUE.**

**THE VARIANCES REQUESTED ARE FROM THE FOLLOWING CODE PROVISIONS:**

- a) SECTION 32-924(B) OF THE HALLANDALE BEACH ZONING AND LAND DEVELOPMENT CODE IN ORDER TO ALLOW THE SUBDIVISION OF TWO ADJOINING LOTS THAT WERE UNDER SINGLE OWNERSHIP ON NOVEMBER 21,1978, IN A MANNER THAT DIMINISHES ITS COMPLIANCE WITH MINIMUM LOT FRONTAGE REQUIREMENTS FOR PROPERTIES IN THE RS-6 DISTRICT**
- b) SECTION 32-142 (D)(2), OF THE HALLANDALE BEACH ZONING AND LAND DEVELOPMENT CODE, REGARDING THE MINIMUM LOT WIDTH REQUIRED FOR SINGLE-FAMILY HOMES IN THE RS-6 DISTRICT.**

**MOTION APPROVED BY A ROLL CALL VOTE (4-0)**

**8. LIAISON'S REPORT**

*Ms. Dominguez provided a verbal report.*

**9. SCHEDULING OF NEXT MEETING**

Tuesday, November 23, 2021

**10. ADJOURNED**

*There being no further business to discuss before the City Commission, the meeting adjourned without objection at 7:51 p.m.*

RECORDED: RESPECTFULLY SUBMITTED:

Charles Wu, Chair,

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Cindy Bardales, Board Secretary

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ATTEST:

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Christy Dominguez, Liaison

Recording of this meeting can be made available to any member of the public upon request. Requests to hear a taping of the Planning and Zoning Board meeting, summarized above, should be submitted to the Planning & Zoning Division at \or can be mailed to 400 South Federal Highway, Hallandale Beach, Florida 33009