



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

Wednesday February 28, 2021

6:00 PM

Commission Chambers

1. CALL TO ORDER

The Planning and Zoning Board Meeting was called to Order by Chair Charles Wu at 6:05 p.m.

2. ROLL CALL

Present:

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

Absence (Excused):

Boardmember, Terri Dillard

Staff

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

Since the applicant for item A. was not present and running late, Mr. Wu adjusted the schedule to accommodate the applicant and allow sufficient time to arrive.

5. APPROVAL OF MINUTES

A. Draft of the Meeting Minutes November 30, 2021

MR. LEVINSON MOVED TO APPROVE THE MINUTES OF THE NOVEMBER 30, 2021, PLANNING AND ZONING BOARD MEETING.

MR. KATTAN SECONDED THE MOTION.

MOTION PASSED BY A ROLL CALL VOTE (4-0).

B. Draft of Meeting Minutes December 28, 2021

MR. LEVINSON MOVED TO APPROVE THE MINUTES OF THE DECEMBER 28, 2021, PLANNING AND ZONING BOARD MEETING.

MR. KATTAN SECONDED THE MOTION.

MOTION PASSED BY A ROLL CALL VOTE (4-0).

6. BOARD/COMMITTEE BUSINESS

- A. AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF HALLANDALE BEACH, FLORIDA, AMENDING ARTICLE III DIVISION 2, OF THE ZONING AND LAND DEVELOPMENT CODE, SECTION 32-142(D), RS-6 RESIDENTIAL SINGLE-FAMILY DISTRICT, SECTION 32-143(D), RS-7 RESIDENTIAL SINGLE-FAMILY DISTRICT, SECTION 32-144(D), RD-12 RESIDENTIAL TWO-FAMILY DISTRICT, SECTION 32-145(D), RM-18 MULTI-FAMILY DISTRICTS, SECTION 32-160C PALMS GATEWAY SUBDISTRICT STANDARDS, SECTION 32-160E FOSTER ROAD SUBDISTRICT SITE DEVELOPMENT STANDARDS EXEMPTING CERTAIN NONCONFORMING LOTS FROM THE PROVISIONS OF SECTION 32-924, NONCONFORMING LOTS OF RECORD; AMENDING SECTION 32-142(D), RS-6 RESIDENTIAL SINGLE-FAMILY DISTRICT, SECTION 32-143(D), RS-7 RESIDENTIAL SINGLE-FAMILY DISTRICT, SECTION 32-144(D), RD-12 RESIDENTIAL TWO-FAMILY DISTRICT, DISTRICTS, AND SECTION 32-160C PALMS GATEWAY SUBDISTRICT STANDARDS, TO CREATE SETBACK REQUIREMENTS FOR OPEN COVERED PATIOS IN REAR YARD SETBACK; AMENDING SECTION 32-160C PALMS GATEWAY SUBDISTRICT DIMENSIONAL REQUIREMENTS RELATIVE TO SIDE YARD SETBACKS; AND AMENDING ARTICLE III DIVISION 3, OF THE ZONING AND LAND DEVELOPMENT CODE, SECTION 32-197(C) RAC NEIGHBORHOOD SUBDISTRICT STANDARDS EXEMPTING CERTAIN NONCONFORMING LOT FROM THE PROVISIONS OF SECTION 32-924, NONCONFORMING LOTS OF RECORD; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

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

Mr. Levinson: asked if any built structures would apply to the new code requirements.

Ms. Dominguez: confirmed yes.

Mr. Kattan: congratulated staff for moving forward with this ordinance, which he believes would resolve the issues brought before them. He suggested having a public outreach on the topic, bringing in more new development.

Mr. Wu: clarified that the current zoning district would not change should the ordinance go into effect.

Ms. Dominguez: agreed.

Mr. Wu opened the floor to public participation.

No Public Speakers.

Mr. Wu closed the floor to public participation.

MR. GARSON MOVED THAT BASED ON THE COMPETENT AND SUBSTANTIAL EVIDENCE PRESENTED TODAY, THAT THE PLANNING AND ZONING BOARD RECOMMEND APPROVAL AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF HALLANDALE BEACH, FLORIDA, AMENDING ARTICLE III DIVISION 2, OF THE ZONING AND LAND DEVELOPMENT CODE, SECTION 32-142(D), RS-6 RESIDENTIAL SINGLE-FAMILY DISTRICT, SECTION 32-143(D), RS-7 RESIDENTIAL SINGLE-FAMILY DISTRICT, SECTION 32-144(D), RD-12 RESIDENTIAL TWO-FAMILY DISTRICT, SECTION 32-145(D), RM-18 MULTI-FAMILY DISTRICTS, SECTION 32-160C PALMS GATEWAY SUBDISTRICT STANDARDS, SECTION 32-160E FOSTER ROAD SUBDISTRICT SITE DEVELOPMENT STANDARDS EXEMPTING CERTAIN NONCONFORMING LOTS FROM THE PROVISIONS OF SECTION 32-924, NONCONFORMING LOTS OF RECORD; AMENDING SECTION 32-142(D), RS-6 RESIDENTIAL SINGLE-FAMILY DISTRICT, SECTION 32-143(D), RS-7 RESIDENTIAL SINGLE-FAMILY DISTRICT, SECTION 32-144(D), RD-12 RESIDENTIAL TWO-FAMILY DISTRICT, DISTRICTS, AND SECTION 32-160C PALMS GATEWAY SUBDISTRICT STANDARDS, TO CREATE SETBACK REQUIREMENTS FOR OPEN COVERED PATIOS IN REAR YARD SETBACK; AMENDING SECTION 32-160C PALMS GATEWAY SUBDISTRICT

DIMENSIONAL REQUIREMENTS RELATIVE TO SIDE YARD SETBACKS; AND AMENDING ARTICLE III DIVISION 3, OF THE ZONING AND LAND DEVELOPMENT CODE, SECTION 32-197(C) RAC NEIGHBORHOOD SUBDISTRICT STANDARDS EXEMPTING CERTAIN NONCONFORMING LOT FROM THE PROVISIONS OF SECTION 32-924, NONCONFORMING LOTS OF RECORD;; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

MR. KATTAN SECONDED THE MOTION.

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

B. APPLICATION # V-21-03739 BY MANUEL FUENTES, REQUESTING VARIANCES FROM THE FOLLOWING CODE PROVISIONS IN ORDER TO BUILD A SINGLE-FAMILY DETACHED HOME AT THE PROPERTY LOCATED AT 753 NW 5 COURT:

THE VARIANCES REQUESTED ARE AS FOLLOWS:

- a) SECTION 32-924(B) OF THE ZONING AND LAND DEVELOPMENT CODE IN ORDER TO SUBDIVIDE TWO ADJOINING LOTS UNDER SINGLE OWNERSHIP ON NOVEMBER 21, 1978, IN A MANNER WHICH DIMINISHES ITS COMPLIANCE WITH MINIMUM LOT WIDTH, AREA, AND DEPTH REQUIREMENTS OF THE DISTRICT IN WHICH THEY ARE LOCATED.
- b) SECTION 32-143(D)(1), SECTION 32-143(D)(2), OF THE ZONING AND LAND DEVELOPMENT CODE, REGARDING THE MINIMUM LOT AREA AND LOT WIDTH REQUIRED.

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.

Mr. Wu read the script into the record.

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

Mr. Manuel Fuentes, Property Owner (Hialeah, FL): gave a brief historical background on the purchase of the property.

Mr. Levinson: asked the applicant what his intention for the property was?

Mr. Fuentes: clarified that he would be building a single-family home on the property and renting out in the future.

Mr. Wu opened the floor to public participation.

No Public Speakers.

Mr. Wu closed the floor to public participation.

MR. LEVINSON MOVED THAT BASED ON THE COMPETENT AND SUBSTANTIAL EVIDENCE PRESENTED TODAY, I MOVE THAT THE PLANNING AND ZONING BOARD RECOMMEND APPROVAL TO APPLICATION # V-21-03739 BY MANUEL FUENTES, REQUESTING VARIANCES FROM THE FOLLOWING CODE PROVISIONS IN ORDER TO BUILD A SINGLE-FAMILY DETACHED HOME AT THE PROPERTY LOCATED AT 753 NW 5 COURT:

THE VARIANCES REQUESTED ARE AS FOLLOWS:

- a) SECTION 32-924(B) OF THE ZONING AND LAND DEVELOPMENT CODE IN ORDER TO SUBDIVIDE TWO ADJOINING LOTS UNDER SINGLE OWNERSHIP ON NOVEMBER 21, 1978, IN A MANNER WHICH DIMINISHES ITS COMPLIANCE WITH MINIMUM LOT WIDTH, AREA, AND DEPTH REQUIREMENTS OF THE DISTRICT IN WHICH THEY ARE LOCATED.**
- b) SECTION 32-143(D)(1), SECTION 32-143(D)(2), OF THE ZONING AND LAND DEVELOPMENT CODE, REGARDING THE MINIMUM LOT AREA AND LOT WIDTH REQUIRED.**

MR. GARSON SECONDED THE MOTION.

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

- C. AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF HALLANDALE BEACH, FLORIDA, AMENDING ARTICLE IV DIVISION 23 OF THE ZONING AND LAND DEVELOPMENT CODE, SECTION 32-761, DEMOLITION STANDARDS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.**

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

Mr. Wu read the script into the record.

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

Mr. Wu: asked what precipitated the ordinance being proposed?

Ms. Dominguez: stated that it was discussed during a City Commission Meeting in which they addressed Minor Development size demolition requirements.

Mr. Kattan: suggested including construction site temporary fences be solid and not flimsy as he has seen around in several construction sites within the city.

Ms. Dominguez: stated that the type of fence allowed in the City is addressed in our City's Design Guidelines.

Mr. Wu: stated that he was concerned that the proposed ordinance would penalize applicants with a temporary fence past the maximum time allowed. Due to the delay of the building permit, they would be considered in violation.

Mr. Wu: further added that he would like to see discretion embedded into the ordinance if a building permit is not issued during the timeline of 180 days.

Ms. Dominguez: stated that she agreed with the Board recommendation and suggestion to allow for a 6 month extension by the City Manager for due cause.

Mr. Wu opened the floor to public participation.

No Public Speakers.

Mr. Wu closed the floor to public participation.

MR. KATTAN MOVED THAT BASED ON THE COMPETENT AND SUBSTANTIAL EVIDENCE PRESENTED TODAY, MOVE THAT THE PLANNING AND ZONING BOARD RECOMMEND APPROVAL TO THE CITY COMMISSION OF AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF HALLANDALE BEACH, FLORIDA, AMENDING ARTICLE IV DIVISION 23, OF THE ZONING AND LAND DEVELOPMENT CODE, SECTION 32-761, DEMOLITION STANDARDS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE SUBJECT TO THE FOLLOWING CONDITIONS:

- 1. CONSIDERATION OF AN EXTENSION AT THE DISCRETION OF THE CITY MANAGER PROVIDED THE APPLICANT DEMONSTRATES GOOD FAITH.**

MR. GARSON SECONDED THE MOTION.

MOTION PASSED BY A ROLL CALL VOTE (4-0).

8. LIAISON'S REPORT

Ms. Dominguez provided a verbal report.

9. SCHEDULING OF NEXT MEETING

A. Wednesday, March 23, 2022

Mr. Levinson advised the Board that he would not attend March's meeting due to a scheduled conflict.

10. ADJOURNED

There being no further business to discuss before the Planning and Zoning Board, the meeting adjourned without objection at 7:15 p.m.

RECORDED: RESPECTFULLY SUBMITTED:

Chair, Charles Wu

ATTEST:

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.