

DRAFT

**PLANNING AND ZONING BOARD (PZB) PUBLIC HEARING SUMMARY
WEDNESDAY, JUNE 28, 2017
CITY HALL, COMMISSION CHAMBERS
HALLANDALE BEACH, FLORIDA**

ATTENDANCE ROLL CALL:

2017 PZB ATTENDANCE

Board Members	1/25	2/22	3/22	4/12	5/24	6/28	7/26	8/23	9/27	10/25	11/29	12/21
Sheryl Natelson - Chair	CANCELLED	A	CANCELLED	P	P	P						
Terri Dillard- Vice Chair		A		P	A	P						
Charles Wu		P		P	P	A						
Alexander Lewy		P		P	P	P						
Howard Garson		P		P	P	P						
Harriett Ginsberg- Alter		P										
Total Members Present		4		5	4	4						
Total Members Absent		2		0	1	1						

Present **(P)**

Absent: **(A)**

Tardy: **(T)**

 Un-appointed

Staff in Attendance:

Christy Dominguez

Vanessa Leroy

Cindy Bardales

Jane Graham

1. CALL TO ORDER

Ms. Natelson called the meeting to order at 6:33 P.M.

2. ROLL CALL

Mr. Wu was absent.

3. PLEDGE OF ALLEGIANCE

4. APPROVAL OF MINUTES

Mr. Garson stated he had corrections to the minutes that included the following:

Line 69: mentioned residential on Hallandale Beach boulevard he was referring to present use being grandfathered in.

Line 118 and 122: asked to remove the public speaker's address. He advised that at recent City Commission meeting the Commission agreed that public speaker's address information should not be included in the minutes.

Line 124: Word "Stiffen" Should Read "Stifen".

Line 168: typo should read "Mr. Garson"

MS. DILLARD MOVED TO APPROVE THE MINUTES OF THE MAY 24, 2017 PLANNING AND ZONING BOARD HEARING WITH CORRECTIONS MADE BY MR. GARSON.

MR. GARSON SECONDED THE MOTION.

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

5. NEW BUSINESS

1. Applications # DB-17-0868 and # RD-17-0869 by Donaldson- West Venture, LLC requesting major development plan approval and redevelopment area modifications to develop 10 townhomes units at 301-303 Foster Road.

The applications are as follows:

- 1) Application # DB-17-0868 for Major Development Review approval pursuant to Section 32-782 of the zoning and land development code to construct a new townhouse complex with 10 units.
- 2) Application# # RD-17-0869 requesting Redevelopment Area Modifications (RAMS) from the following code provisions:
 - a) Table 32-160(E) relative to the minimum dimensional requirements for building placement of front and side yard setbacks, and separation between buildings in the West RAC zoning district/foster road subdistrict.
 - b) Table 32-160(E) relative to the maximum density allowed for townhomes in the West RAC District.
 - c) Section 32- 203 (A)(1) relative to the minimum number of parking spaces required for townhomes in the West RAC zoning district.
 - d) Section 32-453(C) relative to the minimum dimensions of off-street parking spaces.
 - e) Section 32-453(I)(4) requiring all parking corridors in excess of 4 parking spaces shall be designed to permit vehicular entry and exit in one continuous forward motion.

- f) Table 32-160 (E) relative to the minimum landscaped area required for townhomes in the West RAC zoning district/foster road Subdistrict.
- g) Section 32-384 (E) relative to the minimum width of landscaped buffer abutting a side common property line around vehicular used areas.
- h) Section 32-384 (F) requiring interior landscaped islands 7 feet in width for every 10 parking spaces in a row.

Polling of Ex Parte Communications (Board Secretary)

Ms. Natelson advised that she had no Ex-Parte Communications regarding this matter. She advised she would base her decision solely on the testimony being presented.

Ms. Dillard advised that she had no Ex-Parte Communications regarding this matter. She advised she would base her decision solely on the testimony being presented.

Mr. Lewy advised that he was part of the Hallandale Beach CRA Board previously but was not certain if he was an active member when the project was presented to the Board. He advised he would base his decision solely on the testimony being presented.

Mr. Garson advised that he had no Ex-Parte Communications regarding this matter. He advised he would base his decision solely on the testimony being presented.

Swearing in of Witnesses (Jane Graham, Assistant City Attorney)

The oath was administered by the Assistant City Attorney to all staff and public attendees that would be speaking on the case.

Ms. Dominguez: provided a PowerPoint presentation and gave a summary of the item.

Mr. Kevin Hanna, Donaldson-West Ventures, LLC (Applicant): stated that based on the size of lot the proposed 10 townhomes would make the project feasible.

Mr. Peter Ganci, West Architecture & Design, LLC (Architect): stated that the design of the project had a lot of challenges but meeting our City's code was the intent. He described the façade and landscaping design of the building.

Mr. Lewy: asked if the south side of the property was being fenced with a chain-link fence.

Mr. Ganci: stated agreed it was chain-link fence but would also include hedges on the south side and proposed an aluminum picket fence on N.W. 3rd Avenue.

Mr. Lewy: stated that the City's intent is to beautify this area of the City and had concerns on the chain-link fence being proposed to fence the property. He suggested that the applicant look for other types of materials to fence the property.

Ms. Dillard: asked if a Community Meeting was put in place for residents to attend.

Ms. Dominguez: clarified that based on the size the project, a Community Meeting was not required.
Ms. Dillard: asked where the dumpster enclosure was located on the property.

Mr. Hanna: stated that the location of the dumpster enclosure is located by 3rd Avenue, screened behind a masonry wall.

Mr. Garson: asked if the parking spaces were designated.

Mr. Ganci: stated that based on the traffic study the peak demand is 15 spaces and they were providing 20 spaces.

Mr. Hanna: further added that they were currently working on providing one parking space per unit and one for a guest. He stated that they have proposed a lease parking agreement with the neighboring church as an option to allow 12 parking spaces for visitors on hours other than church hours.

Ms. Dillard: asked if the Police Department has participated in the review process?

Ms. Dominguez: confirmed that the Police Department was involved in the review process and had no objections with chain-link fence but were not in favor of a wooden fence for the property.

Ms. Dillard: asked what the anticipated time frame was to begin construction.

Mr. Hanna: stated based on City Commission approval, they believe it would be 7 to 11 months before completing construction and should and expect this same time next year, families moving in to the units.

Mr. Lewy stated that he unit's square footage size would attract families and should expect at least 2 cars per family. He suggested removing the patio from one of the units to accommodate parking. Some of the units would have more value based on the amenities.

Mr. Hanna: acknowledged Mr. Lewy's point but specified that they want each unit to have its own patio.

Ms. Natelson: asked that applicant if they agreed to all recommendations made by staff.

Mr. Hanna: Agreed to all 7 recommendations made by staff, and to include, replacing the chain-link fence to other material that is more appealing.

Ms. Natelson: opened the Public Hearing.

Ms. Constance Hudson (Public Speaker): asked if the applicant contacted the church regarding the use of the parking lot.

Mr. Hanna: confirmed and stated that he had been in contact with Pastor Taylor and they agreed to continue their conversation. He added that the Pastor would not make any final decision until consulting with his congregation first.

Ms. Natelson: closed the Public Hearing.

MR. LEWY MOVED THAT THE PLANNING AND ZONING BOARD RECOMMEND APPROVAL BASED ON STAFF AND THE BOARD RECOMMENDATIONS FOR APPLICATION# DB-17-0868 FOR MAJOR DEVELOPMENT REVIEW APPROVAL PURSUANT TO SECTION 32-782 OF THE ZONING AND LAND DEVELOPMENT CODE TO CONSTRUCT A NEW TOWNHOUSE

COMPLEX WITH 10 UNITS AND INCLUDE THE FOLLOWING MODIFICATION:

- 1) AREA FENCE TO BE UNIFORMED AND NOT USE CHAIN-LINK FENCE.**

MS. DILLARD SECONDED THE MOTION.

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

2. Application # V-17-01109, by Michael Terrinoni, requesting variances to renovate the property and construct an outdoor kitchen in the rear yard of the property located at 466 Alamanda Drive. The variances requested are from the following Sections of the Hallandale Beach Zoning and Land Development Code:
 - a) Section 32-141(d)(4)(b)(2), to allow a 5-foot rear yard setback, where 40 feet are required;
 - b) Section 32-141(d)(4)(c)(1), to allow a 7-foot side yard setback, where 10 feet are required;
 - c) Section 32-384(a)(1), to allow 39.06% of landscape area throughout the property, where a minimum of 50% is required.
 - d) Section 32-242(a)(4), to allow a 450 square-foot accessory structure, where a maximum of 100 square feet is allowed.

Polling of Ex-Parte Communications (Board Secretary)

Ms. Natelson advised that she had no Ex-Parte Communications regarding this matter. She advised she would base her decision solely on the testimony being presented.

Ms. Dillard advised that she had no Ex-Parte Communications regarding this matter. She advised she would base her decision solely on the testimony being presented.

Mr. Lewy advised that he had no Ex-Parte Communications regarding this matter. He advised he would base his decision solely on the testimony being presented

Mr. Garson advised that he had no Ex-Parte Communications regarding this matter. He advised he would base his decision solely on the testimony being presented.

Swearing in of Witnesses (Jane Graham, Assistant City Attorney)

The oath was administered by the Assistant City Attorney to all staff and public attendees that would be speaking on the case.

Ms. Leroy: provided a PowerPoint presentation and gave a summary of the item.

Charles Buckalew, Architect: briefed the Board on what the applicant request and design of the outdoor kitchen area. He added the Variance was needed due to setback, however, setback requirements where intended for homes in Golden Isles abutting each other.

Mr. Buckalew: further added that the home owner intends to start a family and this property would be his dream home. The applicant was not considering renting and selling.

Ms. Leroy: pointed out the Board that she spoke to a representative by the name of Fran Markowitz from the Golden Isle Association who had informed he had received serval complains from neighbor.

Ms. Leroy: further added that the applicant provided six letters from neighboring homeowners that were not opposed to the application.

Ms. Natelson: asked if the applicant had gone before the Board Association for review.

Ms. Leroy: stated based on information from Ms. Markowitz the applicant had not been reviewed by the board. She explained that applicant that apply for Minor Development Review are advised that they belong to an association which require approval, however, it is not a requirement from the City for applicant to be granted approval for their homeowner's association.

Ms. Dominguez: further pointed out regulations not to require approval from association was put in place 6 to 7 years ago, by the City Attorney's Office.

Mr. Michael Terrononi, Property Owner: stated that he had worked very hard to build his dream home. He confirmed that he had no intent of using the home for commercial reason or vacation rental.

Mr. Garson: asked if with the landscaping being deficient if there was anyway rain water harvesting would be mitigated?

Mr. Buckalew: stated that there is a compensation with the sprinkles.

Mr. Buckalew: added that currently there is no mention of non-conforming structure in Golden Isles.

Ms. Leroy: stated the City is aware that non-conforming structures may exist that have not yet been addressed but Code Division is doing their best to address them.

Ms. Natelson opened the Public Hearing.

Mr. Geoffrey Siegel, Public Speaker: stated he had concern with the size of the structure being 10 feet in height and obstructing the neighbor's view.

Mr. Brian Ruben, Public Speaker: stated he had neutral concerns with the variance being requested and if this would send a precedent message in Golden Isles.

Ms. Graham: swore in Mr. Alex Berkovich that would be speaking on the case.

Mr. Berkovich: introduced himself as the President of Golden Isles Association and confirmed that applicant had not submitted the project being presented for review.

Ms. Graham: stated that the action taking place would be to approving application based on the Code.

Discussion ensued.

Ms. Natelson: closed the Public Hearing.

Mr. Buckalew: approached the dais and provided the Board members a picture of another option of the Gazebo, removing the solid wall (Exhibit "A").

MR. LEWY MOVED THAT THE PLANNING AND ZONING BOARD RECOMMEND APPROVAL BASED ON STAFF AND THE BOARD RECOMMENDATIONS FOR APPLICATION # V-17-01109, BY MICHAEL TERRINONI, REQUESTING VARIANCES TO RENOVATE THE PROPERTY AND CONSTRUCT AN OUTDOOR KITCHEN IN THE REAR YARD OF THE PROPERTY LOCATED AT

466 ALAMANDA DRIVE AND INCLUDE THE FOLLOWING MODIFICATION:

1. GOLDEN ISLES HOMEOWNER'S ARCHITECTURAL COMMITTEE APPROVES APPLICANT'S PLANS TO CONSTRUCT A COVERED OUTDOOR KITCHEN IN REAR YARD OF PROPERTY, AS ARTICULATED IN APPLICATION.
2. MODIFICATION OR DENIAL OF PLANS BY THE GOLDEN ISLES HOMEOWNERS ARCHITECTURAL COMMITTEE REQUIRES APPLICANT TO RETURN TO THE NEXT SCHEDULED PLANNING AND ZONING MEETING FOR APPLICATION TO BE AMENDED OR RECONSIDERED.
3. CITY ATTORNEY'S OFFICE WILL REVIEW FOR ANY CONTRACTUAL RESTRICTIONS BETWEEN THE CITY AND THE GOLDEN ISLES HOMEOWNERS ASSOCIATION RELATED TO THE APPLICATION.

MS. DILLARD SECONDED THE MOTION.

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

6. REMARKS BY STAFF

Ms. Dominguez updated the Board on City Commission agenda results for previous application.

7. NEXT SCHEDULED MEETING

July 26, 2017

MEETING ADJOURNED AT 9:45 P.M.

RESPECTFULLY SUBMITTED:

RECORDED:

Cindy Bardales, Board Secretary

Chair, Sheryl Natelson

ATTEST:

Christy Dominguez, Liaison

A 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.

EXHIBIT "A"

