

# PUBLIC HEARING OF MARCH 11, 1997

(Meeting convened at 2:00 p.m. and adjourned at 3:27 p.m.)

## PLEDGE OF ALLEGIANCE

1. MOTION TO ADOPT Resolution 97-189 to vacate and abandon right-of-way, lying and being in Broward County, Florida, and located on SW 76th Avenue between SW 30th and SW 35th Streets in the Town of Davie. Petitioner: Nova Southeastern University, Inc. (McLaughlin Engineering Co. - Agent) 1-V-96.

## **ACTION: (A-169) Approved.**

2. MOTION TO ADOPT Resolution 97-190 to vacate and abandon right-of-way, lying and being in Broward County, Florida, and located between Holmberg Road and the Sawgrass Expressway west of NW 87th Avenue in the City of Parkland. Petitioner: WCI Communities Limited Partnership, et al. (Carnahan-Proctor & Associates, Inc., - Agent) 26-V-96.

## **ACTION: (A-174) Approved.**

3. MOTION TO ADOPT Resolution 97-191 to vacate and abandon rights-of-way, lying and being in Broward County, Florida, and located East and South of the Sawgrass Expressway, North of Wiles Road and West of Coral Ridge Drive in the City of Coral Springs. Petitioner: WCI Communities Limited Partnership (Carnahan-Proctor & Associates - Agent) 27-V-96.

## **ACTION: (A-181) Approved.**

4. MOTION TO ADOPT Resolution 97-192 to vacate and abandon road right-of-way lying in Broward County, Florida, and located at NW 25th Terrace between NW 9th Street and Franklin Park Drive in unincorporated Broward County. Petitioner: Broward County Parks & Recreation Division (Ed Hazelrigg - Agent) 33-V-96.

## **ACTION: (A-187) Approved.**

5. MOTION TO ADOPT Resolution to vacate and abandon utility easement, lying in Broward County, Florida, and located at 2650 NW 34th Place in the City of Pompano Beach. Petitioner: Greenwin Florida Investments (Keith and Ballbe, Inc. - Agent) 1-V-97.

*ACTION: (A-114) Continued to March 25, 1997 at 2:00 p.m. at staff's request.*

6. MOTION TO ADOPT Resolution to vacate and abandon a utility easement, lying and being in Broward County, Florida, and located South of NW 34th Street and east of Banks Road in the City of Margate. Petitioner: Pulte Home Corporation (Craig A. Smith & Associates - Agent) 9-V-97.

*ACTION: (A-119) Continued to March 25, 1997 at 2:00 p.m. at staff's request.*

7. MOTION TO ADOPT Resolution 97-193 authorizing the exchange of County property rights with property rights owned by Lennar Homes, Inc. in accordance with provisions of Section 125.37 of the Florida Statutes. (Parcel 97-1)

## **ACTION: (A-200) Approved.**

8. A. MOTION TO APPROVE North Perry Airport Master Plan Update, and authorize the Aviation Department to transmit to the Federal Aviation Administration.

*ACTION: (A-130) Continued to May 13, 1997 at 2:00 p.m.*

B. MOTION TO AUTHORIZE Aviation Department to transmit an Airport Layout Plan (ALP) for North Perry Airport to the Federal Aviation Administration for approval.

*ACTION: (A-130) Continued to May 13, 1997 at 2:00 p.m.*

9. MOTION TO ADOPT Resolution proposing to amend Chapter 39, Broward County Administrative Code, "Fees and Other Charges, Aviation"; amending the schedule of rates, fees and charges for non-concessionaire motor vehicle rental business or service at Fort Lauderdale-Hollywood International Airport; providing for severability; providing for inclusion in the Administrative Code; and providing for an effective date.

*ACTION: (A-125) Withdrawn per staff's addendum.*

10. A. MOTION TO FILE proof of publication of a public hearing to receive public input on the removal of service on Mass Transit Route No. 86.

## **ACTION: (A-208) Approved.**

B. MOTION TO ADOPT Resolution 97-194 of the Board of County Commissioners of Broward County, Florida removing service on Mass Transit Route Number 86; and providing for an effective date.

## **ACTION: (A-208) Approved.**

11. MOTION TO CONSIDER enactment of a proposed ordinance, the substance of which is set forth as follows:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, AMENDING THE BROWARD COUNTY ADMINISTRATIVE CODE; AUTHORIZING THE COUNTY ATTORNEY FOR BROWARD COUNTY TO ACCEPT SERVICE OF PROCESS ON BEHALF OF BROWARD COUNTY AND THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY IN ANY COURT OR ADMINISTRATIVE PROCEEDING IN WHICH BROWARD COUNTY, THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, OR ANY MEMBER IS NAMED AS A PARTY; PROVIDING FOR SEVERABILITY, INCLUSION IN CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

***ACTION: (A-245) Filed proof of publication and enacted Ordinance 1997-11 to be effective as provided by law. The Chair advised that any commissioner who chooses to be served should indicate that preference in a letter.***

12. MOTION TO CONSIDER enactment of a proposed ordinance, the substance of which is as follows:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, ESTABLISHING AND CREATING A COMMUNITY ACTION AGENCY TRUST FUND; ESTABLISHING THE TERM OF EXISTENCE OF THE TRUST FUND; DEFINING THE TRUST ASSETS; PROVIDING FOR ACCEPTANCE OF DONATIONS, MAINTENANCE OF A SEPARATE ACCOUNT, AND TITLE TO PROPERTY; PROVIDING FOR DISBURSEMENT AND CONVERSION OF ASSETS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

***ACTION: (A-269) Filed proof of publication and enacted Ordinance 1997-10 to be effective as provided by law.***

13. MOTION TO CONSIDER enactment of an ordinance, the substance of which is as follows:

(This is the second of two public hearings, the first was held on Tuesday, February 25, 1997 at 2:00 p.m.)

TEXT CHANGE 6-T-96

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA; AMENDING CHAPTER 39, BROWARD COUNTY ZONING CODE, BY AMENDING ARTICLE XVI, "RESIDENTIAL ZONING DISTRICTS;" AMENDING 39-277 "RESIDENTIAL ZONING DISTRICTS," BY ADDING RM-5 AND RM-6 DISTRICT CLASSIFICATIONS; PROVIDING FOR DENSITY LIMITS; PROVIDING FOR PERMITTED USES; AMENDING 39-279 BY ADDING BED AND BREAKFAST AS A PERMITTED USE IN CERTAIN DISTRICTS; PROVIDING FOR MINIMUM PLOT SIZES FOR RM-5 AND RM-6 DISTRICTS; PROVIDING FOR MAXIMUM PLOT COVERAGE FOR RM-5 AND RM-6 DISTRICTS; PROVIDING FOR COMMON OPEN SPACE FOR RM-5 AND RM-6 DISTRICTS; PROVIDING FOR MAXIMUM HEIGHT FOR RM-5 AND RM-6 DISTRICTS; PROVIDING FOR FRONT, SIDE AND REAR YARD REQUIREMENTS FOR RM-5 AND RM-6 DISTRICTS; PROVIDING FOR MINIMUM FLOOR AREAS OF DWELLING UNITS FOR RM-5 AND RM-6 DISTRICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

***ACTION: (A-271) Enacted the ordinance to be effective as provided by law.***

14. MOTION TO CONSIDER enactment of an ordinance, the substance of which is as follows:

(This is the second of two public hearings, the first was held on Tuesday, February 25, 1997 at 2:00

p.m.)

#### TEXT CHANGE 4-T-96

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA; AMENDING CHAPTER 39, BROWARD COUNTY ZONING CODE; AMENDING ARTICLE II, "DEFINITIONS," BY ADDING CERTAIN DEFINITIONS AND DELETING CERTAIN DEFINITIONS; AMENDING SECTION 39-144, "APPLICABILITY," TO DELETE REFERENCE TO RURAL DISTRICTS; REPEALING SECTION 39-174, "WATER AREAS;" AMENDING ARTICLE XII, "OFF-STREET PARKING AND LOADING;" AMENDING SECTION 39-217, "LOCATION, CHARACTER AND SIZE," BY ALLOWING REQUIRED PARKING IN AGRICULTURAL AND RURAL DISTRICTS TO BE UNPAVED AND MARKED ONLY WITH WHEEL STOPS; AMENDING SECTION 39-219, "DRIVE-THROUGH FACILITIES," BY ELIMINATING THE REQUIREMENT FOR A SEPARATE ESCAPE LANE FOR STACKING SPACES IF THERE IS AN ADJOINING 24- FOOT WIDE PARKING AISLE; AMENDING SECTION 39- 221, "CALCULATING REQUIRED PARKING," BY CLARIFYING PARKING CALCULATIONS FOR GENERAL INDUSTRIAL COMPLEXES; AMENDING SECTION 39-228, "AMOUNT OF OFF-STREET PARKING," BY REDUCING THE AMOUNT OF PARKING FOR WHOLESALE PLANT NURSERIES AND OTHER AGRICULTURAL USES, BY ADDING PARKING REQUIREMENTS FOR RETAIL PLANT NURSERIES, OPEN-AIR SALE AND DISPLAY AREAS, AND FOR PUBLIC PARKS AND OUTDOOR RECREATION AREAS, AND BY REDUCING THE AMOUNT OF PARKING REQUIRED FOR RIDING AND BOARDING STABLES; AMENDING SECTION 39-229, "OFF-STREET LOADING," BY ALLOWING OFF-STREET LOADING SPACES TO BE ACCESSED THROUGH A PARKING AISLE AND BY REQUIRING OFF-STREET LOADING SPACES TO BE WITHIN 30 FEET OF THE BUILDING BEING SERVED; REPEALING ARTICLE XIV, "EXCAVATION REGULATIONS;" AMENDING ARTICLE XXV, "LIMITED AGRICULTURAL A-1 AND GENERAL AGRICULTURAL A-2 DISTRICTS," SECTION 39-402, "USES PERMITTED," BY ADDING PROVISIONS FOR SPECIAL EXCEPTION APPROVAL OF MINING OPERATIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

***ACTION: (A-279) Enacted the ordinance to be effective as provided by law.***

## **QUASI-JUDICIAL HEARING**

Please be advised that the following items on the Commission's agenda are quasi-judicial in nature. If you wish to object or comment upon these items, please indicate the item number you would like to address when the announcement regarding the quasi-judicial item is made. You must be sworn before addressing the Commission, and if you wish to address the Commission, you may be subject to cross-examination. If you refuse to submit to cross-examination, the Commission will not consider what you have said in its final deliberations.

15. MOTION TO CONSIDER enactment of an ordinance changing the Zoning District of certain lands within the Unincorporated Area of Broward County, Florida.

(This is the second of two public hearings, the first was held on Tuesday, February 25, 1997 at 2:00 p.m.)

REZONING PETITION 10-Z-96

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, CHANGING THE ZONING DISTRICT BOUNDARIES BY REZONING A PORTION OF SECTION 5, TOWNSHIP 50 SOUTH, RANGE 42 EAST; FROM R-3, LOW-DENSITY MULTIPLE DISTRICT AND B-3, GENERAL BUSINESS DISTRICT TO RM-10, RESIDENTIAL MULTIPLE-FAMILY DWELLING DISTRICT; PROVIDING FOR AMENDMENT OF THE ZONING DISTRICT MAPS; PROVIDING FOR THE REPEAL OF ALL REZONING ORDINANCES AND ZONING RESOLUTIONS IN CONFLICT HEREWITH; PROVIDING THAT THIS REZONING SHALL NOT BE CONSTRUED TO CREATE A RIGHT TO DEVELOPMENT THAT FAILS TO MEET THE REQUIREMENTS OF OTHER

LAND DEVELOPMENT REGULATIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

***ACTION: (A-348) Continued to March 18, 1997 at 10:00 a.m.***

16. MOTION TO CONSIDER enactment of an ordinance amending the Broward County Comprehensive Plan to adopt two small scale amendments in Unincorporated Broward County and the City of Pembroke Pines, the substance of which is as follows:

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, ADOPTING TWO SMALL SCALE AMENDMENTS TO THE BROWARD COUNTY COMPREHENSIVE PLAN; AMENDING THE 1989 BROWARD COUNTY LAND USE PLAN MAP IN THE UNINCORPORATED AREA AND IN THE CITY OF PEMBROKE PINES; AMENDING THE UNINCORPORATED AREA FUTURE LAND USE ELEMENT MAP; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

***ACTION: (A-1476) Filed proof of publicaiton, approved amendments PC 97-1 and PC 97-2, and enacted Ordinance 1997-09 to be effective as provided by law.***

**END OF QUASI-JUDICIAL HEARING**

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