

PUBLIC HEARING OF MARCH 28, 1995

(The meeting convened at 2 p.m. and adjourned at 4:55 p.m.)

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.

1. MOTION TO ENACT an ordinance changing the zoning district of certain lands within the unincorporated area of Broward County, Florida, subject to dedication of road right-of-way (Rezoning Petition 11-Z-94).

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, CHANGING THE ZONING DISTRICT BOUNDARIES BY REZONING A PORTION OF SECTION 24, TOWNSHIP 51 SOUTH, RANGE 41 EAST; FROM M-1, LIGHT INDUSTRIAL DISTRICT TO M-2, MEDIUM INDUSTRIAL 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-3485) The Board denied the Petitioner's application for rezoning from the current M-1 Zoning District classification to the M-2 Zoning District under the conclusions reached by the Hearing Officer as it **does not meet** the requirements of applicable state law and is **not compatible** with the surrounding zoning.

2. MOTION TO ENACT an ordinance changing the zoning district of certain lands within the unincorporated area of Broward County, Florida, subject to dedication of road right-of-way (Rezoning Petition 12-Z-94).

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, CHANGING THE ZONING DISTRICT BOUNDARIES BY REZONING A PORTION OF SECTION 24, TOWNSHIP 51 SOUTH, RANGE 41 EAST; FROM M-1, LIGHT INDUSTRIAL DISTRICT TO M-2, MEDIUM INDUSTRIAL 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-5278) The Board approved the Petitioner's request to continue the item to the next zoning public hearing.

3. MOTION TO ENACT an ordinance changing the zoning district of certain lands within the unincorporated area of Broward County, Florida (Rezoning Petition 13-Z-94).

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, CHANGING THE ZONING DISTRICT BOUNDARIES BY REZONING A PORTION OF SECTION 18, TOWNSHIP 48 SOUTH, RANGE 43 EAST; FROM R-1B, ONE-FAMILY DWELLING DISTRICT TO R-1P, ONE-FAMILY DWELLING-PARKING 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-5376) The Board denied the Hearing Officer's findings recommending approval of Petition 13-Z-94 as the petitioner's application for rezoning from the current R-1B, Zoning District classification to the R-1P, Zoning District classification **does not meet** the requirements of applicable state law including Chapter 163 of the Florida Statutes; the requested zoning **is not consistent** with the Broward County Comprehensive Plan and Land Use map, and it **does not meet** the applicable criteria set forth in the Broward County Zoning Code.

4. MOTION TO ENACT an ordinance changing the zoning district of certain lands within the unincorporated area of Broward County, Florida (Rezoning Petition 14-Z-94).

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, CHANGING THE ZONING DISTRICT BOUNDARIES BY REZONING A PORTION OF SECTION 32, TOWNSHIP 50 SOUTH, RANGE 40 EAST; FROM E-1, ESTATE DISTRICT TO A-2, GENERAL AGRICULTURAL 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-3430) Withdrawn at the applicant's request.

5. MOTION TO ENACT an ordinance changing the zoning district of certain lands within the unincorporated area of Broward County, Florida, subject to dedication of road right-of-way (Rezoning Petition 1-Z-95).

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, CHANGING THE ZONING DISTRICT

BOUNDARIES BY REZONING A PORTION OF SECTION 7, TOWNSHIP 48 SOUTH, RANGE 43 EAST; FROM R-1B, ONE-FAMILY DWELLING DISTRICT TO R-1P, ONE-FAMILY DWELLING-PARKING 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: (B-1775) The Board continued this item to the April 11, 1995 2 p.m. public hearing.

6. MOTION TO ENACT an ordinance changing the zoning district of certain lands within the unincorporated area of Broward County, Florida (Rezoning Petition 2-Z-95).

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, CHANGING THE ZONING DISTRICT BOUNDARIES BY REZONING A PORTION OF SECTION 17, TOWNSHIP 49 SOUTH, RANGE 42 EAST; FROM OP, OFFICE PARK DISTRICT TO I-1, INSTITUTIONAL-EDUCATIONAL 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: (B-2052) The Board filed proof of publications, considered the criteria set forth in Section 2.01(a) of the ordinance, approved the Hearing Officer's recommendation, and enacted the rezoning ordinance as provided by law.

END OF QUASI-JUDICIAL HEARING

7. MOTION TO AMEND existing Declaration of Restrictive Covenants.

ACTION: (B-2161) Approved.

NON AGENDA

8. COMMISSIONER'S REQUEST Commissioner Thompson requested that the County Administrator, in conjunction with the Transportation Planning Division and Code and Zoning Enforcement Division, establish procedures on enforcement with respect to trucks unloading on side streets.

ACTION: (B-2194) County Administrator B. Jack Osterholt confirmed that he will deal with the request.

9. INFORMATIONAL ITEM Commissioner Hart advised that he will be attending a press conference

in Tallahassee on March 29, 1995, that Senator Ron Silver, Dade County, is holding to request a constitutional amendment for full funding of Article V costs.

ACTION: (B-2224) For informational purposes.

10. MOTION TO DIRECT the County Attorney to amend Chapter 39, Broward County Zoning Code of Ordinances, Adding Article LXXXIV, Establishing a Hearing Examiner for Owner-Initiated Site-Specific Rezonings, that quasi-judicial proceedings regarding rezoning requests of residential districts to something other than a residential classification be heard by the Board of County Commissioners.

ACTION: (B-2251) Approved by unanimous consent.

[Back to previous page](#)