

PUBLIC HEARING OF APRIL 9, 2002

(The meeting convened at 2:23 p.m. and adjourned at 4:35 p.m.)

PLEDGE OF ALLEGIANCE was led by George Keller, Assistant Director, Safety & Emergency Services.

CALL TO ORDER

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. All witnesses who will testify on any quasi-judicial item will be sworn. Participants who are members of the general public need not be sworn and will not be subject to cross examination if they are not sworn. The Commission shall not assign unsworn testimony the same weight or credibility as sworn testimony in its deliberations.

1. MOTION TO ENACT an Ordinance changing the zoning district classification of certain lands within the Unincorporated Area of Broward County, Florida. (This is a Quasi- Judicial Public Hearing) (**Commission District 9**) (Continued from March 12, 2002 - Item 19)

The applicant has requested that this item be deferred indefinitely. See letter requesting deferral attached (Exhibit 4).

REZONING PETITION 1-Z-01

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, CHANGING THE ZONING DISTRICT BOUNDARIES BY REZONING A PORTION OF SECTION 5, TOWNSHIP 50 SOUTH, RANGE 42 EAST, BROWARD COUNTY, FLORIDA, FROM RS-5, ONE-FAMILY DETACHED DWELLING DISTRICT, TO B-1, LIMITED COMMERCIAL BUSINESS DISTRICT, UTILIZING THE 5% FLEXIBILITY RULE; PROVIDING FOR AMENDMENT OF THE ZONING DISTRICT MAPS; PROVIDING FOR THE REPEAL OF ALL ZONING 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: (Time-3:07 PM) The Board deferred the item for four months. (Scrivener’s error-See County Administrator’s Memorandum: Reference should be Commission District #7 not #9.) See Page*****

2. MOTION TO ENACT an Ordinance changing the zoning district classification of certain lands within

the Unincorporated Area of Broward County, Florida. (This is a Quasi Judicial Hearing). (**Commission District 8**)

REZONING 2-Z-01

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, CHANGING THE ZONING DISTRICT BOUNDARIES BY REZONING A PORTION OF SECTION 24, TOWNSHIP 51 SOUTH, RANGE 41 EAST, BROWARD COUNTY, FLORIDA; FROM M-1, LIMITED MANUFACTURING AND INDUSTRIAL DISTRICT TO M-2, GENERAL MANUFACTURING AND 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: (Time-3:22 PM) Filed proof of publication; accepted the recommendations of staff and the Broward County Zoning Board and denied the Ordinance. See Page*****

3. MOTION TO CONSIDER enactment of an Ordinance changing the zoning district classification of certain lands within the Unincorporated Area of Broward County, Florida. This is the first of two Public Hearings. The second hearing will be held on May 14, 2002 at 2:00 p.m. (This is a Quasi Judicial Hearing). (**Commission District 6 and 7**)

REZONING PETITION 1-Z-02

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, CHANGING THE ZONING DISTRICT BOUNDARIES BY REZONING A PARCEL OF LAND LYING IN SECTIONS 21, 22, 27, 28 AND 34, TOWNSHIP 50 SOUTH, RANGE 42 EAST, INCLUDING ALL OF THE FORT LAUDERDALE-HOLLYWOOD INTERNATIONAL AIRPORT LOCATED WITHIN THE UNINCORPORATED AREA OF BROWARD COUNTY, FLORIDA; FROM UNZONED, M-2, GENERAL MANUFACTURING AND INDUSTRIAL DISTRICT, AND M-3, INTENSE MANUFACTURING AND INDUSTRIAL DISTRICT, TO AT, AIRPORT TRANSPORTATION 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: (Time-4:02 PM) Filed proof of publication and continued the public hearing to Tuesday, May 14, 2002 at 2:00 p.m. (Scrivener's error-See County Administrator's Memorandum: Reference should be Commission Districts #4 and #7 not #6 and #7.) See Page*****

END OF QUASI-JUDICIAL HEARING

4. MOTION TO ENACT an Ordinance changing the zoning district classification of certain lands within the Unincorporated Area of Broward County, Florida. (This is not a Quasi Judicial Hearing).

TEXT CHANGE 1-T-02

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, AMENDING CHAPTER 39 OF THE BROWARD COUNTY CODE OF ORDINANCES, "BROWARD COUNTY ZONING CODE," AMENDING SECTION 39-27 RELATING TO ZONING NOTICES OF PUBLIC HEARINGS; AMENDING SECTION 39- 35 RELATING TO VOTING BY THE BOARD OF ADJUSTMENT; AMENDING SECTION 39-36 RELATING TO APPLICATIONS FOR HEARINGS; AMENDING SECTION 39-38 RELATING TO VARIANCE NOTICES; AMENDING SECTION 39-40 RELATING TO CONSIDERATIONS FOR VARIANCES; AMENDING SECTION 39-42 PROVIDING FOR NOTICE OF BOARD OF ADJUSTMENT DECISIONS TO THE BOARD OF COUNTY COMMISSIONERS AND THE COUNTY ADMINISTRATOR; AMENDING 39-43 RELATING TO TIME LIMITS; AMENDING SECTION 39-44 RELATING TO APPEALS OF THE DECISIONS OF THE BOARD OF ADJUSTMENT TO THE COUNTY COMMISSION; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (Time-4:03 PM) Filed proof of publication; accepted the recommendations of staff and the Broward County Zoning Board and enacted the Ordinance, as amended, to become effective as provided by law.

See Page*****

5. MOTION TO CONSIDER staff recommendation that taxicab rates remain at the present amount in accordance with the Broward County Code Motor Carrier's

ACTION: (Time-4:16 PM) Approved.

6. MOTION TO ADOPT Resolution 2002-309 suspending the non-exclusive steamship agent franchise of Robin Ship Agency Services, Inc. (formerly known as S.N. Ship Agency Services, Inc.), for failure to adhere to the terms and conditions of its franchise, until the entity complies with all terms and conditions of the franchise and recommendations of the Enforcement Hearing Officer; and authorize the Chair and Clerk to execute same.

ACTION: (Time-4:17 PM) Approved. See Page*****

CONTINUED 10:00 A.M. COMMISSION MEETING

54. MOTION TO ADOPT Resolution 2002-308 to request Florida Power and Light Company to convert its Port Everglades plant to a cleaner generation technology. (Commissioner Gunzburger)

ACTION: (Time-12:12 PM) Tabled to the conclusion of the 2:00 p.m. public hearing meeting. See

*Page ******

*ACTION: (Time-4:18 PM) Approved, as amended. See Page ******

55. MOTION TO NOMINATE Broward County's three representatives to the Regional Activity Center (RAC) Subarea Mobility Study for Downtown Broward, as approved on February 19, 2002, from each of the following categories: (Chair)

- a.) Person with technical skills and technical education background related to the subject matter of this study;
- b.) A member of the respective Commission, Board or organization of the City of Fort Lauderdale, Broward County, DDA, the Northwest/Progresso/Flagler Heights Community Redevelopment Agency (CRA) and the MPO;
- c.) A citizen working or living within and near, but not exceeding one mile from the Study area.

*ACTION: (Time-12:14 PM) Tabled to the conclusion of the 2:00 p.m. public hearing meeting. See Page ******

*ACTION: (Time-4:19 PM) Approved. Nominations will be submitted by Commissioners' Eggleston and Rodstrom on Tuesday, April 16, 2002. See Page ******

NON AGENDA

7. SCHEDULE A MEETING WITH MR. KEN KRAUTER WHO HAS BEEN NOMINATED FOR PORT DIRECTOR BEFORE FINAL APPROVAL - MR. DESJARLAIS

ACTION: (Time-4:21 PM) The Board agreed to meet with Mr. Ken Krauter.

*See Page******

8. POWER PLANT CONCERN - COMMISSIONER GUNZBURGER

*ACTION: (Time-4:22 PM) The Board directed the County Administrator to have staff correct any misconceptions. See Page******

9. LEAGUE OF CITIES WITHDRAWING FROM REPLANT BROWARD PROGRAM-THE CHAIR/COMMISSIONER LIEBERMAN

*ACTION: (Time-12:20 PM/4:25 PM) The Board directed staff to research the issue and report to the Board on Tuesday, April 16, 2002 with recommendations. See Page******

10. REQUIRE APPLICANT TO PAY FOR RE-ADVERTISING WHEN REQUESTING DEFERRAL - COMMISSIONER LIEBERMAN

*ACTION: (Time-4:26 PM) The Board agreed the applicant should pay the cost when requesting a deferral. See Page******

11. MIRAMAR REGIONAL PARK - COMMISSIONER WASSERMAN-RUBIN

ACTION: (Time-4:26 PM) The Board directed staff to explore an earlier opening of the park. See Page*****

12. RE-DESIGN OF TERMINAL 4 - COMMISSIONER WASSERMAN-RUBIN

ACTION: (Time-4:27 PM) Without objection, Commissioner Wasserman-Rubin was added as a member of the Selection/Negotiation Committee for the re- design of Terminal 4. See Page*****

13. RECOMMENDATION FOR MEETING WITH STATE REPRESENTATIVES AND SENATORS CONCERNING ANNEXATION - COMMISSIONER WASSERMAN- RUBIN

ACTION: (Time-4:28 PM) The Board agreed to meet with State Representatives to develop strategy on annexation. See Page*****

14. REQUEST TO PUT THE TOWN OF DAVIE ON AIRPORT TASK FORCE - COMMISSIONER RODSTROM

ACTION: (Time-4:32 PM) The Board agreed to add the Town of Davie to the Airport Task Force. See Page*****

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