

# PUBLIC HEARING OF JUNE 10, 1997

(The meeting convened at 2:45 p.m and adjourned at 5:30 p.m.)

PLEDGE OF ALLEGIANCE was led by the Chair.

1. MOTION TO ADOPT Resolution(s) 1997-700 thru 1997-722 to assess land clearance liens.

***ACTION: (B-0080) Approved, as amended. (Folio #0205-05-1392, invoice #950676 was withdrawn.)***

2. MOTION TO ADOPT Resolution 1997-723 to vacate and abandon a utility easement, lying in Broward County, Florida and located at 2001 Barcelona Terrace in the City of Margate. Petitioner: Pedrito Benevides, et al. (Craig A. Smith & Associates, Inc. - Agent) 18-V-97.

**ACTION: (B-0096) Approved.**

3. MOTION TO CONSIDER award of a new license for Nonemergency Medical Transportation Service (NEMTS) to Professional Medical Transportation Corp. contingent upon licensee satisfying all remaining requirements of Chapter 3½, Section 6(g) of the Broward County Code of Ordinances.

**ACTION: (B-0103) Approved.**

4. MOTION TO CONSIDER award of renewal licenses for Nonemergency Medical Transportation Service (NEMTS) to Medi-Wheels Systems; ABET Enterprises, Inc.; and Coastal Limousine Service.

**ACTION: (B-0127) Approved.**

5. MOTION TO ADOPT Resolution 1997-724 amending 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: (B-0135) Approved, as amended. The Board amended the schedule of rates, fees and charges for non-concessionaire (off airport) motor vehicle rental business or service at Fort Lauderdale-Hollywood International Airport to a flat fee of \$3.95 per contract.***

STAFF DIRECTIVE:

Staff will provide the Board and County Administrator with a status report every six (6) months quantifying the amount of revenue generated (analysis of past & present fees), at which time a determination could be made whether to reconsider the item and adjust the rates.

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

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY,

FLORIDA, AMENDING CHAPTER 2, AIRPORTS AND AIRCRAFT, SECTION 2-115 OF DIVISION 5, RELATING TO PAYMENT AND ACCOUNTABILITY FOR NON-CONCESSIONAIRE MOTOR VEHICLE RENTAL OPERATIONS AND ACTIVITIES; PROVIDING FOR SEVERABILITY; PROVIDING FOR AMENDMENT TO THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

***ACTION: (B-1472) Due to the action taken on item 5, the item is nullified.***

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

AN ORDINANCE OF THE BROWARD COUNTY BOARD OF COUNTY COMMISSIONERS ENACTED PURSUANT TO THE FLORIDA LAND USE AND ENVIRONMENTAL DISPUTE RESOLUTION ACT ESTABLISHING SPECIAL MASTER PROCEDURES FOR MEDIATION OF DEVELOPMENT ORDER DISPUTES; PROVIDING FOR DEFINITIONS; PROVIDING FOR FILING OF REQUESTS FOR RELIEF; PROVIDING FOR SPECIAL MASTER SELECTION, QUALIFICATIONS, AND RESTRICTIONS; PROVIDING FOR CONDUCT OF SPECIAL MASTER PROCEEDINGS INCLUDING REQUESTS FOR RELIEF, RESPONSES, SUFFICIENCY HEARINGS, NOTICES, SUBPOENAS, FACILITATION SESSIONS, AND OFFERS TO COMPROMISE; PROVIDING FOR SPECIAL MASTER RECOMMENDATIONS AND RESPONSES THERETO;

PROVIDING FOR RIPENESS DECISIONS; PROVIDING FOR TIME REQUIREMENTS AND CONSOLIDATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE AND AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

***ACTION: (B-1475) Filed proof of publication and continued the public hearing to June 24, 1997 at 2:00 p.m.***

8. MOTION TO CONSIDER enactment of an ordinance amending Chapter 39, Broward County Zoning Code.

(This is the second of two public hearings, the first was held on Tuesday, May 27, 1997 at 2:00 p.m.)

TEXT CHANGE 2-T-97

AN ORDINANCE OF THE BROWARD COUNTY BOARD OF COUNTY COMMISSIONERS, AMENDING THE BROWARD COUNTY ZONING CODE, SECTION 39-178.1, "HOUSEHOLD PETS," ELIMINATING RESTRICTIONS ON THE PERMITTED NUMBER OF HOUSEHOLD PETS; AMENDING SECTION 39-275, "GENERAL PROVISIONS," DELETING RESTRICTIONS ON THE PERMITTED NUMBER OF HOUSEHOLD PETS IN RESIDENTIAL ZONING DISTRICTS; AMENDING SECTION 39-402, "USES PERMITTED," TO PERMIT AN UNLIMITED NUMBER OF HOUSEHOLD PETS IN AGRICULTURAL DISTRICTS; AMENDING SECTION 39-537 PROVIDING FOR AN UNLIMITED NUMBER OF HOUSEHOLD PETS AS A PERMITTED USE IN ESTATE DISTRICTS; AMENDING

SECTION 39-558, "USES PERMITTED" PROVIDING FOR THE KEEPING OF AN UNLIMITED

NUMBER OF HOUSEHOLD PETS AS PERMITTED USE IN AGRICULTURAL ESTATE DISTRICTS; AMENDING SECTION 39-1325, "USES PERMITTED," TO ELIMINATE RESTRICTIONS ON THE NUMBER OF HOUSEHOLD PETS WHICH MAY BE KEPT IN RURAL ESTATES DISTRICTS; AMENDING SECTION 39-1335, "USES PERMITTED," TO ALLOW FOR KEEPING OF AN UNLIMITED NUMBER OF HOUSEHOLD PETS IN RURAL ESTATES DISTRICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

***ACTION: (B-1798) Filed proof of publication and enacted the ordinance to become effective as provided by law.***

9. MOTION TO CONSIDER enactment of an amending Chapter 39, Broward County Zoning Code.

(This is the second of two public hearings, the first was held on Tuesday, May 27, 1997 at 2:00 p.m.)

TEXT CHANGE 3-T-97

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA; AMENDING CHAPTER 39, BROWARD COUNTY ZONING CODE, BY AMENDING ARTICLE IX, SECTION 39-167

ENTITLED "COUNTY USES"; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

***ACTION: (B-3171) Filed proof of publication and enacted Ordinance 1997-24 to become 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. 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.

10. MOTION TO CONSIDER enactment of an ordinance changing the Zoning District of certain lands within the Unincorporated Area of Broward County, Florida (Rezoning Petition 24-Z-96).

(This is the second of two public hearings, the first was held on Tuesday, May 27, 1997 at 2:00 p.m.)

REZONING PETITION 24-Z-96

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, CHANGING THE ZONING DISTRICT BOUNDARIES BY REZONING A PORTION OF SECTIONS 12 AND 13, TOWNSHIP 48 SOUTH, RANGE 42 EAST AND SECTIONS 7 AND 18, TOWNSHIP 48 SOUTH, RANGE 43 EAST FROM R-1B, ONE-FAMILY DWELLING DISTRICT; R-1C, ONE-FAMILY DWELLING DISTRICT; R-1P, ONE-FAMILY DWELLING - PARKING DISTRICT; R-2, TWO-FAMILY DWELLING DISTRICT; RM-5, MULTIPLE-FAMILY DWELLING DISTRICT; R-4, APARTMENT DISTRICT; B-3, GENERAL BUSINESS DISTRICT; M-1, LIGHT INDUSTRIAL DISTRICT AND M-3, GENERAL INDUSTRIAL DISTRICT TO RS-5, ONE-FAMILY DETACHED DWELLING DISTRICT; RS-6, ONE FAMILY DETACHED DWELLING DISTRICT; RM-10, MULTIPLE-FAMILY DWELLING DISTRICT; RM-12, MULTIPLE-FAMILY DWELLING DISTRICT; RM-25, MULTIPLE-FAMILY DWELLING DISTRICT AND CONSERVATION-2 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-3280) Filed proof of publication, accepted the recommendations of staff and the Broward County Zoning Board, and enacted the ordinance to become effective as provided by law.***

#### **11. AMENDMENT PC 97-12**

##### **AMENDMENT TO THE BROWARD COUNTY LAND USE PLAN - CITY OF HALLANDALE**

**FROM:** approximately 3.5 acres Medium High (25) Residential and 5.5 acres Commercial Recreation

**TO:** approximately 5.5 acres Medium (16) Residential and 3.5 acres Commercial Recreation

**SIZE:** approximately 9 acres

**LOCATION:** in Sections 23 and 26, Township 51, range 42; located east of Northeast 14 Avenue and south of Atlantic Shores Boulevard; bound on the east by Diplomat Parkway; located north of Hallandale Beach Boulevard.

**RECOMMENDED ACTION:** Approve the amendment per Planning Council recommendation.

***ACTION: (B-3314) Approved the amendment per Planning Council recommendation.***

#### **12. AN ORDINANCE OF BROWARD COUNTY, FLORIDA ADOPTING A SMALL SCALE AMENDMENT TO THE BROWARD COUNTY COMPREHENSIVE PLAN; AMENDING THE 1989 BROWARD COUNTY LAND USE PLAN IN THE CITY OF HALLANDALE; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.**

***ACTION: (B-3350) Filed proof of publication and enacted Ordinance 1997- 22 to become effective as provided by law.***

# END OF QUASI-JUDICIAL HEARING

\*\*\*\*\*  
\*\*\*\*\*

## 13. AMENDMENT PC 96-10

### AMENDMENT TO THE BROWARD COUNTY LAND USE PLAN - CITY OF WESTON

**FROM:** Agricultural

**TO:** Low (2) Residential

**SIZE:** Approximately 328 acres

**LOCATION:** in Sections 24 and 25, Township 50, Range 39; located east of U.S. 27, south of South Post Road, west of Bonaventure Boulevard and north of Griffin Road.

**RECOMMENDED ACTION:** Denial of the amendment per Planning Council recommendation.

**ACTION:** *(B-4030) Approved the applicant's request.*

## 14. AMENDMENT PC 97-7

### AMENDMENT TO THE BROWARD COUNTY LAND USE PLAN - TOWN OF DAVIE

**FROM:** Low (5) Residential

**TO:** Commercial and/or Employment Center

**SIZE:** Approximately 15.7 acres

**LOCATION:** In Section 26, Township 50, Range 41; located east of Southwest 54 Terrace and south of Griffin Road; bound on the east by Southwest 52 Avenue and located north of Southwest 48 Street.

**RECOMMENDED ACTION:** Approve the amendment per Planning Council recommendation.

**ACTION:** *(B-5307) Approved the amendment per Planning Council recommendation.*

## 15. AMENDMENT PCNRM 97-1

### AMENDMENT TO THE NATURAL RESOURCE MAP SERIES - BROWARD COUNTY LAND USE PLAN

Annual amendment to update the Wetlands Map of the Natural Resource map Series of the Broward County Land Use Plan.

**RECOMMENDED ACTION:** Approve the amendment per Planning Council recommendation.

***ACTION: (B-5882) Approved the amendment per Planning Council recommendation.***

**16. AMENDMENT PCT 97-1**

**AMENDMENT TO THE BROWARD COUNTY LAND USE PLAN TEXT**

Amendment consists of revisions and additions to the Goals, Objectives and Policies and Permitted Uses Section to encourage mixed use development within identified Urban Infill, Urban Redevelopment and Downtown Revitalization Areas and Chapter 163 Redevelopment Areas and implement the recommendations of the South Florida Regional Planning Council's "Eastward Ho!" initiative.

**RECOMMENDED ACTION:** Approve the amendment per Planning Council recommendation.

***ACTION: (B-5890) Approved the amendment per Planning Council recommendation.***

**17. AMENDMENT PCT 97-2**

**AMENDMENT TO THE BROWARD COUNTY LAND USE PLAN TEXT**

Amendment consists of general "housekeeping" revisions to update references, clarify language and reformat text as appropriate.

**RECOMMENDED ACTION:** Approve the amendment per Planning Council recommendation.

***ACTION: (B-5910) Approved the amendment per Planning Council recommendation.***

**18. AMENDMENT TO THE DEEPWATER PORT COMPONENT OF THE COASTAL MANAGEMENT ELEMENT**

Amendment proposes revisions to the Goals, Objectives and Policies of the Deepwater Port Component based upon recommendations of the adopted Evaluation and Appraisal Report and Support Documents.

**RECOMMENDED ACTION:** Approve the amendment per Local Planning Agency recommendation.

***ACTION: (B-5925) Approved the amendment per Local Planning Agency recommendation.***

**19. AMENDMENT TO THE HOUSING ELEMENT**

Amendment proposes revisions to the Goals, Objectives and Policies of the Housing Element based upon recommendations of the adopted Evaluation and Appraisal Report and Support Documents.

**RECOMMENDED ACTION:** Approve the amendment per Local Planning Agency recommendation.

***ACTION: (B-5941) Approved the amendment per Local Planning Agency recommendation.***

**20. AN ORDINANCE OF BROWARD COUNTY, FLORIDA, ADOPTING THE FIRST ANNUAL 1997 AMENDMENTS TO THE BROWARD COUNTY COMPREHENSIVE PLAN; AMENDING THE 1989 BROWARD COUNTY LAND USE PLAN MAP IN THE TOWN OF DAVIE AND THE CITY OF WESTON; AMENDING THE BROWARD COUNTY LAND USE PLAN TO REVISE AND UPDATE THE WETLANDS MAP OF THE NATURAL RESOURCE**

**MAP SERIES; AMENDING THE 1989 BROWARD COUNTY LAND USE PLAN TEXT RELATING TO URBAN INFILL, URBAN REDEVELOPMENT, DOWNTOWN REVITALIZATION AND CHAPTER 163 REDEVELOPMENT AREAS; AMENDING THE 1989 BROWARD COUNTY LAND USE PLAN TEXT TO UPDATE REFERENCES, CLARIFY LANGUAGE AND REFORMAT TEXT AS APPROPRIATE; AMENDING THE DEEPWATER PORT COMPONENT OF THE COASTAL MANAGEMENT ELEMENT; AMENDING THE HOUSING ELEMENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.**

***ACTION: (B-5952) Filed proof of publication and enacted Ordinance 1997- 23 to become effective as provided by law.***

- \*\*\*\*\*
- \*\*\*\*\*

## **CONTINUED 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.

21. MOTION TO CONSIDER enactment of an ordinance changing the Zoning District of certain lands within the Unincorporated Area of Broward County, Florida (Rezoning Petition 3-Z-97). (Continued from June 3, 1997)

REZONING PETITION 3-Z-97

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, CHANGING THE ZONING DISTRICT BOUNDARIES BY REZONING A PORTION OF SECTION 36, TOWNSHIP 50 SOUTH, RANGE 41 EAST; FROM R-1C, ONE-FAMILY DWELLING DISTRICT, AND S-2, OPEN SPACE DISTRICT, TO RS-5, ONE-FAMILY DETACHED 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: (B-3373) Filed proof of publication, accepted the recommendations of staff and the Broward County Zoning Board, and enacted the Ordinance to become effective as provided by law.***

NOTE:

The applicant will attempt to replant some of the oak trees removed from the site to the Stirling Elementary School.

## **END OF QUASI-JUDICIAL HEARING**

\*\*\*\*\*  
\*\*\*\*\*

## **NON AGENDA**

22. INFORMATIONAL: Commissioner Gunzburger informed the Board that of the 39 State Legislative issues Broward County supported, 17 were passed.

**ACTION: (A-5968) No Board was necessary.**

[Back to previous page](#)