

PUBLIC HEARING OF JUNE 24, 2008

(Meeting convened at 2:10 p.m. and adjourned at 4:11 p.m.)

PLEDGE OF ALLEGIANCE was led by Dr. David Lazerson, Special Education and Music Director of the Quest Center in Hollywood, and a 2008 inductee into the National Teachers Hall of Fame.

CALL TO ORDER: Mayor Wexler called the meeting to order and declared a quorum present.

<u>COMMISSIONER</u>	<u>DISTRICT</u>	<u>ATTENDANCE</u>
Josephus Eggelletion, Jr.	9	Present
Sue Gunzburger	6	Present
Kristin D. Jacobs	2	Present
Ken Keechl	4	Present
Ilene Lieberman	1	Present
Stacy Ritter	3	Present
John E. Rodstrom, Jr.	7	Present
Diana Wasserman-Rubin	8	Present
Lois Wexler	5	Present

1. MOTION TO CONSIDER enactment of an Ordinance, the title of which is as follows:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, AMENDING CHAPTER 27 OF THE BROWARD COUNTY CODE OF ORDINANCES PERTAINING TO ENVIRONMENTAL PROTECTION, ARTICLE I, DIVISION 4, REGARDING ADJUDICATORY PROCEDURE, LIABILITY AND REMEDIES; PROVIDING FOR RECOVERY OF COSTS EXPENDED BY BROWARD COUNTY FROM RESPONSIBLE PARTIES WHEN ABATING VIOLATIONS OF CHAPTER 27 OR CONDUCTING CORRECTIVE ACTIONS TO ADDRESS NONCOMPLIANCE WITH CHAPTER 27; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (T-2:33 PM) Filed proof of publication and enacted the Ordinance to become effective as provided by law.

VOTE: 9 – 0.

2. MOTION TO ADOPT Resolution 2008-459 to vacate a 55-foot wide, platted, unimproved right-of-way known as SW 45th Street, lying within, over and across Davie Tropicana Replat, located at 5951 Orange Drive, in the Town of Davie; at no cost to the County. Petitioners: Scott Gorton (2007-V-17) (Orangemen Holdings, Inc., Agent) **(Commission District 7)**

ACTION: (T-2:33 PM) Approved.

VOTE: 9 – 0.

3. MOTION TO ADOPT Resolution 2008-460 to vacate an irregularly shaped utility easement, generally 16 feet in width, lying within, over and across a portion of Parcel A, Reflections Plat, located at 6750 North Andrews Avenue, in the City of Fort Lauderdale; at no cost to the County. Petitioners: T-C CYPRESS PARK WEST LLC (2008-V-11) (Akerman Senterfitt, Agent) **(Commission District 9)**

ACTION: (T-2:34 PM) Approved.

VOTE: 9 – 0.

4. MOTION TO ADOPT Resolution to vacate a portion of a 10-foot wide equestrian trail easement in Parcel B, and a portion of a 10-foot wide public utility easement in Parcels A and B, Charleston Oaks Plat, located at southwest corner of SW 142nd Avenue and SW 26th Street, in the Town of Davie; at no cost to the County. Petitioners: Hector Garcia, Jeffrey Eichel and Lana Eichel (2008-V-12) (Leigh R. Kerr, AICP., Agent) **(Commission District 5)**

ACTION: (T-2:35 PM) The Board continued this item until the next Public Hearing to be held on August 12, 2008, at 2:00 p.m. (Refer to minutes for full discussion.)

VOTE: 9 – 0.

5. MOTION TO CONSIDER renewal of licenses to provide Nonemergency Medical Transportation Services (NEMTS) to Gent-Trans, Inc.; Handi-Van, Inc.; Laboss Transportation Services, Inc.; Kams Wheelchair Services, Inc.; and M & T Transportation, Inc.

ACTION: (T-2:41 PM) Approved.

VOTE: 7 – 0. Commissioners Eggelletion and Gunzburger were out of the meeting room at the time of the vote.

ACTION: (T-2:43 PM) Commissioner Gunzburger returned to the meeting room and requested that she be shown voting in the affirmative.

VOTE: 8 – 0.

6. MOTION TO ENACT an Ordinance amending the Broward County Comprehensive Plan to adopt Broward County Land Use Plan map amendment, PC 08-1, located in the city of Coconut Creek, as a part of the first annual proposed 2008 amendments to the Broward County Comprehensive Plan (**Commission District 2**), the substance of which is as follows:

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, ADOPTING AN AMENDMENT AS PART OF THE FIRST ANNUAL 2008 AMENDMENTS TO THE BROWARD COUNTY COMPREHENSIVE PLAN; AMENDING THE 1989 BROWARD COUNTY LAND USE PLAN MAP LOCATED IN THE CITY OF COCONUT CREEK; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (T-2:42 PM) Filed proof of publication and enacted the Ordinance to become effective as provided by law.

VOTE: 8 – 0. Commissioner Gunzburger was out of the meeting room at the time of the vote.

ACTION: (T-2:43 PM) Commissioner Gunzburger returned to the meeting room and requested that she be shown voting in the affirmative.

VOTE: 9 – 0.

7. MOTION TO ENACT an Ordinance amending the Broward County Comprehensive Plan to adopt Broward County Land Use Plan map amendment, PC 08-2, located in the city of Coconut Creek, as a part of the first annual proposed 2008 amendments to the Broward County Comprehensive Plan (**Commission District 2**), the substance of which is as follows:

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, ADOPTING AN AMENDMENT AS PART OF THE FIRST ANNUAL 2008 AMENDMENTS TO THE BROWARD COUNTY COMPREHENSIVE PLAN; AMENDING THE 1989 BROWARD COUNTY LAND USE PLAN MAP LOCATED IN THE CITY OF COCONUT CREEK; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (T-2:42 PM) Filed proof of publication and enacted the Ordinance to become effective as provided by law.

VOTE: 9 – 0.

8. MOTION TO ENACT an Ordinance amending the Broward County Comprehensive Plan to adopt Broward County Land Use Plan map amendment, PC 08-3, located in the city of Coral Springs, as a part of the first annual proposed 2008 amendments to the Broward County Comprehensive Plan (**Commission District 3**), the substance of which is as follows:

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, ADOPTING AN AMENDMENT AS PART OF THE FIRST ANNUAL 2008 AMENDMENTS TO THE BROWARD COUNTY COMPREHENSIVE PLAN; AMENDING THE 1989 BROWARD COUNTY LAND USE PLAN MAP LOCATED IN THE CITY OF CORAL SPRINGS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (T-2:43 PM) Filed proof of publication and enacted the Ordinance to become effective as provided by law. (Refer to minutes for full discussion.)

VOTE: 7 – 0. Commissioners Eggelletion and Rodstrom were not in the meeting room at the time of the vote.

ACTION: (T-3:52 PM) Commissioner Rodstrom returned to the meeting room and requested that he be shown voting in the affirmative.

VOTE: 8 – 0.

9. MOTION TO ENACT an Ordinance amending the Broward County Comprehensive Plan to adopt Broward County Land Use Plan text (PCT 08-1), regarding open space areas, including existing and former golf courses, as a part of the first annual proposed 2008 amendments to the Broward County Comprehensive Plan, the substance of which is as follows:

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, ADOPTING AN AMENDMENT AS PART OF THE FIRST ANNUAL 2008 AMENDMENTS TO THE BROWARD COUNTY COMPREHENSIVE PLAN; AMENDING THE 1989 BROWARD COUNTY LAND USE PLAN TEXT REGARDING OPEN SPACE AREAS, INCLUDING EXISTING AND FORMER GOLF COURSES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (T-3:01 PM) Filed proof of publication and enacted the Ordinance to become effective as provided by law. (Refer to minutes for full discussion.)

VOTE: 8 – 0. Commissioner Rodstrom abstained from voting.

10. MOTION TO ENACT an Ordinance amending the Broward County Comprehensive Plan to adopt Broward County Land Use Plan text (PCT 08-2), to revise platting requirements, per Section D.2, Chapter IV., as a part of the first annual proposed 2008 amendments to the Broward County Comprehensive Plan, the substance of which is as follows:

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, ADOPTING AN AMENDMENT AS PART OF THE FIRST ANNUAL 2008 AMENDMENTS TO THE BROWARD COUNTY COMPREHENSIVE PLAN; AMENDING THE 1989 BROWARD COUNTY LAND USE PLAN TEXT TO REVISE PLATTING REQUIREMENTS, PER SECTION D.2., CHAPTER IV; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (T-3:53 PM) Filed proof of publication and enacted the Ordinance to become effective as provided by law.

VOTE: 9 – 0.

11. A. MOTION TO ADOPT Resolution to transmit a proposed amendment to the Broward County Land Use Plan text (PCT 08-3), establishing a “Local Activity Center” in the city of Sunrise, relating to the Harrison Park (Westerra) Development of Regional Impact, to the State of Florida Department of Community Affairs pursuant to Section 163.3184(15). **(Commission District 5)**

ACTION: (T-3:54 PM) The Board continued this item until the next Public Hearing to be held on August 12, 2008, at 2:00 p.m. (Refer to minutes for full discussion.)

VOTE: 9 – 0.

- B. MOTION TO ADOPT Resolution to transmit a proposed amendment to the Broward County Land Use Plan map (PC 08-12), establishing a “Local Activity Center” in the city of Sunrise, relating to the Harrison Park (Westerra) Development of Regional Impact, to the State of Florida Department of Community Affairs pursuant to Section 163.3184(15). **(Commission District 5)**

ACTION: (T-3:54 PM) The Board continued this item until the next Public Hearing to be held on August 12, 2008, at 2:00 p.m. (Refer to minutes for full discussion.)

VOTE: 9 – 0.

12. MOTION TO ENACT an Ordinance to adopt a proposed amendment to the Transportation Element to the Broward County Comprehensive Plan, the title of which is as follows:

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, ADOPTING AN AMENDMENT TO THE BROWARD COUNTY COMPREHENSIVE PLAN BY AMENDING THE TRANSPORTATION ELEMENT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (T-4:10 PM) Filed proof of publication and enacted the Ordinance to become effective as provided by law.

VOTE: 9 – 0.

13. MOTION TO ENACT an Ordinance to adopt a proposed amendment to the Sanitary Sewer Element to the Broward County Comprehensive Plan, the title of which is as follows:

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, ADOPTING AN AMENDMENT TO THE BROWARD COUNTY COMPREHENSIVE PLAN BY AMENDING THE SANITARY SEWER ELEMENT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (T-4:10 PM) Filed proof of publication and enacted the Ordinance to become effective as provided by law.

VOTE: 9 – 0.

14. MOTION TO ENACT an Ordinance to adopt a proposed amendment to the Future Unincorporated Area Land Use Element to the Broward County Comprehensive Plan, the title of which is as follows:

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, ADOPTING AN AMENDMENT TO THE BROWARD COUNTY COMPREHENSIVE PLAN BY AMENDING THE FUTURE UNINCORPORATED AREA LAND USE ELEMENT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (T-4:10 PM) Filed proof of publication and enacted the Ordinance to become effective as provided by law.

VOTE: 9 – 0.

QUASI-JUDICIAL HEARING

Please be advised that the following item on the Commission’s agenda is 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.

- 15. **MOTION TO CONSIDER** enactment of an Ordinance to change the Zoning District boundaries from M-2, General Manufacturing and Industrial District, to B-3, Intense Commercial Business District for 2.468 +/- acres within the Central County Unincorporated Area of Broward County, Florida. **(Commission District 7)** (This is a Quasi-Judicial Public Hearing)

REZONING PETITION 1-Z-08

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 M-2, GENERAL MANUFACTURING AND INDUSTRIAL DISTRICT TO B-3, INTENSE COMMERCIAL BUSINESS DISTRICT; 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.

ACTION: (T-2:29 PM) Filed proof of publication and enacted the Ordinance to become effective as provided by law. (Refer to minutes for full discussion.)

VOTE: 9 – 0.

END OF QUASI-JUDICIAL HEARING