

# **PUBLIC HEARING OF SEPTEMBER 8, 1998**

(Meeting convened at 2:00 p.m. and adjourned at 4:40 p.m.)

PLEDGE OF ALLEGIANCE - Led by Henry Templeton, Broward Sheriff's Office.

CALL TO ORDER

1. MOTION TO ADOPT Resolutions 1998-853 through 1998-932 to assess land clearance liens.

**ACTION: (B-58) Approved.**

2. MOTION TO ADOPT Resolution 1998-933 to vacate and abandon a utility easement, lying and being in Broward County, Florida and located at 140 NE 48th Court in Unincorporated Broward County. Petitioner: Richard K. Taylor (Joseph P. Mullen, Esquire - Agent) 4-V-98.

**ACTION: (B-117) Approved.**

3. MOTION TO ADOPT Resolution 1998-934 to vacate and abandon right-of-way and utility easements, lying and being in Broward County, Florida and located west of SW 136th Avenue, between State Road 84 and West Park Boulevard in the Town of Davie. Petitioner: Poinciana Homes of Broward Inc. (Courtney A. Callahan, Esq. - Agent) 21-V-98.

**ACTION: (B-127) Approved.**

4. MOTION TO ADOPT Resolution 1998-935 of the Board of County Commissioners of Broward County, Florida granting a franchise to B.V. Oil Company, Inc., for time period certain, to provide vessel bunkering services at Port Everglades; providing for severability; providing for an effective date; and authorizing the Chair and Clerk to execute the franchise.

**ACTION: (B-150) Approved.**

5. MOTION TO ADOPT Resolution 1998-936 of the Board of County Commissioners of Broward County, Florida granting a franchise to Perma-Fix of Fort Lauderdale, Inc., for time period certain, to provide vessel oily waste removal services at Port Everglades; providing for severability; providing for an effective date; and authorizing the Chair and Clerk to execute the franchise.

**ACTION: (B-158) Approved.**

6. MOTION TO FILE proof of publication of a public hearing to receive public input on the adoption of changes to the following Broward County Mass Transit Division fixed routes, with an effective date of December 27, 1998: Routes 2, 3, 5, 7, 14, 20, 28, 31, 55, the addition of Route 15, and the removal of Route 87 Park and Ride.

# **ACTION: (B-165) Approved.**

7. MOTION TO ENACT an ordinance, the substance of which is as follows. (This is the second of two public hearings. The first public hearing was held on Tuesday, August 25, 1998 at 2:00 p.m.)

TEXT CHANGE 4-T-98

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA; AMENDING CHAPTER 39 OF THE BROWARD COUNTY CODE OF ORDINANCES (ZONING CODE) BY AMENDING ARTICLE II, "DEFINITIONS," ADDING A DEFINITION OF "PRINCIPAL BUILDING;" AMENDING ARTICLE XIII, "CONDITIONAL USES," BY AMENDING THE REFERENCE TO COMMERCIAL VEHICLES ASSOCIATED WITH HOME OFFICES; AMENDING ARTICLE XVI, "RESIDENTIAL ZONING DISTRICTS," AMENDING SECTION 39-277, "RESIDENTIAL ZONING DISTRICTS," ADDING RD-4 TO RD-10 DISTRICTS; AMENDING SECTION 39-278, "DENSITY," PROVIDING FOR DENSITY FOR RD-4 TO RD-10 DISTRICTS AND PROVIDING ADDITIONAL DENSITY FOR COMMUNITY RESIDENTIAL FACILITIES; AMENDING SECTION 39-279, "USES PERMITTED," ADDING PERMITTED USES IN RD-4 TO RD-10 DISTRICTS; AMENDING SECTION 39-281, "PLOT SIZE," ADDING MINIMUM SIZE OF PLOTS IN RD-4 TO RD-10 DISTRICTS; AMENDING SECTION 39-282, "PLOT COVERAGE," ADDING MAXIMUM PLOT COVERAGE FOR RD-4 TO RD-10 DISTRICTS; AMENDING SECTION 39-283, "COMMON OPEN SPACE," ADDING REQUIREMENTS FOR OPEN SPACE IN RD-4 TO RD-10 DISTRICTS; AMENDING SECTION 39-284, "HEIGHT," ADDING A MAXIMUM HEIGHT FOR STRUCTURES IN RD-4 TO RD-10 DISTRICTS; AMENDING SECTION 39-285, "FRONT YARD," ADDING A FRONT YARD REQUIREMENT IN RD-4 TO RD-10 DISTRICTS; AMENDING SECTION 39-286, "SIDE YARDS," ADDING SIDE YARDS REQUIREMENTS IN RD-4 TO RD-10 DISTRICTS; AMENDING SECTION 39-287, "REAR YARD," ADDING REQUIREMENTS IN RD-4 TO RD-10 DISTRICTS; AMENDING SECTION 39-288, "MINIMUM FLOOR AREA OF DWELLING UNITS," ADDING MINIMUM FLOOR AREA REQUIREMENTS FOR DWELLINGS IN RD-4 TO RD-10 DISTRICTS; ADDING A NEW SECTION 39-289, TO BE TITLED "PERMITTED ACCESSORY USES FOR HOTELS, MOTELS AND COMMUNITY RESIDENTIAL FACILITIES;" REPEALING ARTICLE LXXII, "ESTABLISHMENT OF NEW RESIDENTIAL ZONING DISTRICTS;" PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Code and Zoning Enforcement Division)

***ACTION: (B-904) Filed proof of publication and enacted the ordinance to be effective as provided by law.***

8. MOTION TO ENACT an ordinance, the substance of which is as follows. (This is the second of two public hearings. The first public hearing was held on Tuesday, August 25, 1998 at 2:00 p.m.)

TEXT CHANGE 5-T-98

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, AMENDING CHAPTER 39 OF THE BROWARD COUNTY CODE OF ORDINANCES, ARTICLE II, "DEFINITIONS," SECTION 39-4, "TERMS DEFINED," TO ADD, AMEND, AND DELETE CERTAIN DEFINITIONS; CREATING A NEW ARTICLE VI ENTITLED "SIGNS,"

CREATING SECTION 39-50 ENTITLED "PURPOSE, INTENT AND SCOPE," PROVIDING FOR INTENT OF ARTICLE; CREATING SECTION 39-51 ENTITLED "DEFINITIONS," DEFINING TERMS WITHIN ARTICLE; CREATING SECTION 39-52 ENTITLED "PROHIBITED SIGNS," SETTING FORTH TYPES OF PROHIBITED SIGNS; CREATING SECTION 39-53 ENTITLED "NONCONFORMING SIGNS," SETTING FORTH REQUIREMENTS OF NONCONFORMING SIGNS; CREATING SECTION 39-54 ENTITLED "SIGN PERMITS," ESTABLISHING REQUIREMENTS FOR SIGN PERMITS; CREATING SECTION 39-55 ENTITLED "MAINTENANCE AND REMOVAL," REQUIRING MAINTENANCE AND REMOVAL OF SIGNS; CREATING SECTION 39-56 ENTITLED "GENERAL SIGN REQUIREMENTS FOR PERMANENT SIGNS," PROVIDING REQUIREMENTS FOR SIGNS; CREATING SECTION 39-57 ENTITLED "BASIC DESIGN SCHEDULE FOR NONRESIDENTIAL SIGNS," SETTING FORTH DESIGN REQUIREMENTS FOR SIGNS; CREATING SECTION 39-58 ENTITLED "PERMITTED PERMANENT SIGNS"; ESTABLISHING LIMITATIONS ON PERMANENT SIGNS; CREATING SECTION 39-59 ENTITLED "MASTER SIGN PLANS," SETTING FORTH REQUIREMENTS FOR SIGN PLANS; CREATING SECTION 39-60 ENTITLED "TEMPORARY SIGNS," SETTING FORTH REQUIREMENTS FOR TEMPORARY SIGNS; AMENDING ARTICLE IX, "GENERAL PROVISIONS," SECTION 39-144, "APPLICABILITY," PROVIDING FOR APPLICATION OF PROVISIONS; AMENDING ARTICLE XIII, "CONDITIONAL USES," SECTION 39-242, "TEMPORARY PROMOTIONAL SIGNS," PROVIDING FOR PROMOTIONAL SIGNS; AMENDING ARTICLE XIV, "AGRICULTURAL ESTATE A-1 AND GENERAL AGRICULTURAL A-2 DISTRICTS," SECTION 39-245, "GENERAL PROVISIONS," SETTING FORTH GENERAL PROVISIONS FOR AGRICULTURAL DISTRICTS; DELETING ARTICLE XVIII, "SIGN REGULATIONS," IN ITS ENTIRETY; AMENDING ARTICLE LXXIV, "OFFICE PARK (OP) DISTRICT," TO DELETE SECTION 39-1194, "LANDSCAPING REQUIREMENTS," AND SECTION 39-1195, "SIGN REGULATIONS," AMENDING ARTICLE LXXVIII, "PLANNED EMPLOYMENT CENTER DISTRICT," SECTION 39-1273, "LAND USE REGULATIONS," TO DELETE SIGN REGULATIONS; AMENDING ARTICLE LXXXI, "PLANNED DEVELOPMENT DISTRICT (PDD)," SECTION 39-1317, "LAND USE REGULATIONS," TO DELETE SIGN REGULATIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Code and Zoning Enforcement Division)

***ACTION: (B-921) Filed proof of publication and enacted Ordinance 198-27, as amended per the County Attorney's memorandum, to be effective as provided by law.***

9. MOTION TO ENACT an ordinance, the substance of which is as follows. (This is the first of two public hearings. The second public hearing will be held on Tuesday, September 28, 1998 at 2:00 p.m.)

TEXT CHANGE 6-T-98

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA; AMENDING SECTION 39-4, "TERMS DEFINED"; INCLUDING VIETNAMESE POT BELLIED PIGS WITHIN THE DEFINITION OF HOUSEHOLD PETS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by Commissioner Lori Nance Parrish)

***ACTION: (B-1509) Filed proof of publication, and advised that the second public hearing on this***

*ordinance will be held on September 28, 1998 at 2:00 p.m.*

10. MOTION TO ENACT an ordinance, the substance of which is as follows. (This is the first of two public hearings. The second public hearing will be held on Tuesday, September 28, 1998 at 2:00 p.m.)

TEXT CHANGE 7-T-98

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA; AMENDING SECTION 39-4, TERMS DEFINED, TO ADD ADDITIONAL DEFINITIONS; CREATING A NEW SECTION 39-150 RELATING TO WIRELESS COMMUNICATION FACILITIES, TOWERS, ANTENNAS, AND THE COLLOCATION OF WIRELESS COMMUNICATION ANTENNAS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

*ACTION: (B-1585) Filed proof of publication, and advised that the second public hearing on this ordinance, as amended, will be held on September 28, 1998 at 2:00 p.m.*

## **NON AGENDA**

11. **INFORMATIONAL:** Commissioner Gunzburger reported favorably on the taxi cab operation at Fort Lauderdale-Hollywood International Airport.

**ACTION: (B-4917) No action necessary.**

12. **INFORMATIONAL:** Commissioner Lieberman advised that at 10:30 a.m., Wednesday, September 9, 1998, there will be a Tri-County Regional Meeting to discuss South Florida's 2007 for the Pan American Games.

*ACTION: (A-4956) Assistant County Attorney Larry Lymas-Johnson will formally represent the county commission at that meeting.*

13. **DISCUSSION:** The Chair commented about County Administrator Roger Desjarlais' September 1, 1998 memorandum on the Florida Power & Light franchise agreement.

*ACTION: (B-4999) The Board directed that this agreement be placed on the September 15, 1998 agenda.*

14. **DISCUSSION:** The Chair advised that there is a horse trail in her area that was a former maintenance easement. Commissioner Parrish informed the commissioners that she intends to contact the Town of Davie concerning this easement, and if agreement cannot be reached, she intends to put an item on the agenda relative to this easement.

*ACTION: (B-5166) No action necessary at this time.*

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