

APPROVED
TOWN OF LAUDERDALE-BY-THE SEA
PLANNING AND ZONING BOARD
MEETING MINUTES

Jarvis Hall - 4505 Ocean Drive
Wednesday, August 16, 2017

1. CALL TO ORDER

Chair John Lanata called the meeting to order at 6:00P.M. Members present were Charles Clark, Roseann Minnet, John Lanata, John Graziano, 1st Alternate Cari McCormack and 2nd Alternate Paul LaCoursiere. The absent member was David Chanon. Also present were Assistant Town Attorney Kathryn Mehaffey, Development Services Director Linda Connors, and Clerk Jhanelle Campbell.

2. PLEDGE OF ALLEGIANCE TO THE FLAG

The Pledge of Allegiance was recited.

3. APPROVAL OF MINUTES

a. Planning and Zoning Board Meeting Minutes – July 19, 2017

(This was incorrectly listed on the agenda as the July 19, 2017 minutes were previously approved at the July 26, 2017 meeting.)

b. Planning and Zoning Board Meeting Minutes – July 26, 2017

Ms. Minnet made a motion to approve the minutes of July 26, 2017 as presented. The motion was seconded by Ms. McCormack. The motion carried 5-0.

4. PUBLIC COMMENTS

The Chair called for public comments but no one came forward. He closed public comments and turned the meeting over to Development Services Director Linda Connors to present New Business.

5. NEW BUSINESS

- a. 2017-CUS-04: Conditional Use – Waiver of the requirements of Article VIII “Sign Regulations” of Chapter 30 for one wall sign for the Plunge Beach Hotel at 4660 El Mar Drive. (Linda Connors, Development Services Director)

Development Services Director Linda Connors clarified that because there are six people in attendance this evening, 2nd Alternate Paul LaCoursiere would participate in discussions but would not vote. She said that Doug Barrow was here representing the hotel and explained that they want to put a sign on the El Mar Drive side designed in the Town’s architectural style of choice, Mid-Century Modern. Since the Town realized that Mid-Century Modern signs tend to be larger than what is normally allowed in the Sign Code, the Town Commission adopted a provision in the Sign Code that allows an exemption (a conditional use) for a Mid-Century Modern sign. Per the Sign Code, 32 sq. ft. is allowed and this sign is much larger at 421 sq. ft. She explained how a sign is measured and that even though this is a large sign, the diamond symbol is skewing the remainder of the sign. The star symbol is also larger than what is allowed by code but the letters are the appropriate size per code. If the three components of the sign (hotel name plus diamond and star symbols) are calculated individually, the total

square footage would be 166 square feet. Staff found that the sign meets the criteria of Section 30-510 of the Town's Unified Land Development Code which outlines the specific criteria for approving a conditional use sign waiver and recommend approval. The conditions for this approval are in the Staff Report and Ms. Connors read the conditions into the record. She spoke with neighbors to the north of the sign and all their concerns were answered and they had no objections. Notice of the meeting was sent twice.

Ms. Connors answered Ms. Minnet that there was one other property on El Mar Drive, the Tides Inn, which also was granted a conditional use for their sign. Doug Barrow answered that the sign would be up lit from the ground. In regard to the effect on turtles, Ms. Connors answered that lighting would be reviewed at time of permit to determine the type of lighting, etc. Mr. Barrow also spoke about amber lighting. As there were no other board questions or concerns, the Chair asked for public comments but no one came forward. The public hearing was closed.

Mr. Graziano made a motion to approve Staff's recommendations on 2017-CUS-04. The motion was seconded by Mr. Clark. The motion carried 5-0.

Ms. Connors said that Staff would present the application to the Town Commission at their September 13, 2017 Meeting for final approval.

6. OLD BUSINESS

- a. Review of Ordinance 2017-11 Deleting Inapplicable and Duplicative Broward County Regulations for the Town's Annexed Areas. (Linda Connors, Development Services Director)

Development Services Director Linda Connors reviewed what transpired at the July 19th and July 26th Planning and Zoning Meetings. The Board reviewed the former Broward County Code applicable to the 1997 and 2001 annexed areas with the Town's current code. The Board discussed and determined which code provisions should be deleted, are duplicative in nature or are not applicable. Ordinance 2017-11 reflects the Board's decisions from their last two meetings. She spoke about the County's lighting standards that were kept because the Town did not have this and about keeping the Town's less restrictive language in certain areas (e.g., swimming pools, spas, boat lifts and boat slips). She spoke about policy on how to handle existing boat lifts without permit records. She said that when the Town Commission reviewed the ordinance, they felt that letters should be sent to affected property owners to let them know about the boat lift issue and to record a document so that anyone wishing to buy the affected property could do a search and see that the boat lift was non-compliant. This is being discussed with the Town's Attorney.

Ms. Connors spoke about additional zoning regulations and districts that remain and need to be incorporated from County rules for inclusion in the Town's Code of Ordinances. They still need to be reviewed and Town Staff will prepare a future amending ordinance to ensure that district regulations follow the same format and become a seamless part of the Town's regulations. She spoke about County's permitted usages (e.g., mortuary). Permitted usages would be reviewed with the P&Z Board. She said that the Town Commission hired the Mellgren Planning Group to help Staff speed up this process. Ms. Minnet suggested that for the next meeting, to have a Zoning Map reflecting all the districts. This would help show which areas are affected by things. Mr. Graziano wanted to know what would be considered grandfathered in the northern zone (e.g., overhang, shed or something that does not meet new requirements). Ms. Connors explained that the language may not be the same but for most, the intent was the same. Ms.

Connors offered to speak to associations who have questions regarding this. Ms. Connors also explained grandfathering as something built legally and then the code changes, you are grandfathered until such time that it has to be replaced for up to 50% replacement and then you have to come up to the new code. If it was built without permit, then you are at risk and have to come up to code. If it was built before annexation, the County has shared their records with the Town. Ms. Connors said that homeowners should keep all records for their home and pass those records on to any new owner of the house. Always do any work with the proper permit. As there were no other board questions or concerns, the Chair asked for public comments but no one came forward. The public hearing was closed.

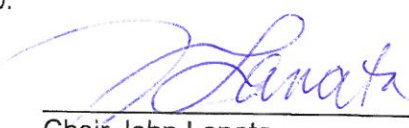
Ms. McCormack made a motion to approve Ordinance 2017-11 as written by Town Staff. The motion was seconded by Mr. Clark. The motion carried 5-0.

Ms. Minnet wanted to ensure that included in the motion was the letter, the seawall and the recorded portion of it and she was told that the motion did include these things.

7. UPDATES/BOARD MEMBER COMMENTS

8. ADJOURNMENT

Ms. McCormack made a motion to adjourn at 6:29PM. The motion was seconded by Mr. Graziano. The motion carried 5-0.


Chair John Lanata

ATTEST:

Date Accepted: 10/4/17

Development Services Director Linda Connors


Linda Connors