

**CITY OF NORTH LAUDERDALE  
COMMUNITY DEVELOPMENT DEPARTMENT  
701 SW 71<sup>st</sup> Avenue**

**MEETING OF THE  
PLANNING AND ZONING BOARD**

**MINUTES  
FEBRUARY 4, 2020**

The Planning and Zoning Board met on Tuesday, February 4, 2020 at the Municipal Complex.

1. **CALL TO ORDER BY CHAIRMAN** – Vice Chair McKay called the meeting to order at 6:36 p.m.
2. **ROLL CALL** – Clerk took roll. There was a quorum.  
Christine McKay, Chair  
Dr. Enjoli R. Paul, EdD, Vice Chair  
William Albright  
Barbara Thomas  
Alfredo Marriaga  
City Attorney Brian Sherman  
City Clerk Patricia Vancheri
3. **APPROVAL OF MINUTES**
  - a. **January 7, 2020** - Board Member Thomas moved to approve the Minutes. Seconded by Board Member Albright. Minutes approved unanimously.
4. **OLD BUSINESS** – None.
5. **NEW BUSINESS**

**QUASI-JUDICIAL ITEMS:**

- a. **SITE PLAN REVIEW:** **SPR 19-04**  
**NAME OF APPLICANT:** **The Archdiocese of Miami Catholic Cemeteries**  
**PROJECT NAME:** **Our Lady Queen of Heaven Mausoleum #23 and #29**  
**PROJECT LOCATION:** **1500 S SR 7**  
**PROJECT DESCRIPTION:** **Site plan application to expand Mausoleum #23  
And to build #29 in accordance with section 98-136 (Site  
Plans) Of the City code within a community facility (CF)  
zoning district.**

*Attorney Sherman reviewed the process for quasi-judicial items. He swore in any witnesses for the three Agenda items under 5. New Business.* Attorney Sherman proceeded to read the item into the record. Andrew Disbury, Community Development Specialist presented the item based on the back up memorandum. He explained that the Applicant is continuing the master plan approval by adding Mausoleum #29 and the expansion of #23, an indoor mausoleum site. The master plan will need to be updated this year. Staff is recommending approval of this item based on the eight (8) conditions listed in the back up memorandum. He stated that the Applicant does comply with redevelopment standards with regards to zoning setbacks. Mr. Disbury reviewed the landscape comments from the DRC that were addressed in the back up memorandum. Staff is recommending a positive recommendation from the Planning and Zoning Board to present to the City Commission. Chair McKay questioned the specific locations of Mausoleum #29 and #23 on the color graphic provided. Mr. Disbury clarified the locations of Mausoleum #29, located in the corner next to the Resurrection development and Mausoleum #23, in the Phase 5 area as shown on the graphic. The Applicant, Mora Jennings, on behalf of the Archbishop of the Archdiocese of Miami and Catholic Cemeteries of the Archdiocese of Miami introduced herself and other Administrators present to answer questions. Ms. Jennings provided a brief background on the phases of development over the years. She agreed to all the approvals outlined in the Staff recommendations. **Public Hearing was opened.**

**Paul Robinson**, identified himself as a representative of the City of Margate - requested the conditions for approval to include that the Applicant should build a wall along the eastern property line and clear the overgrowth of vegetation on the 25 foot platted right of way along the same property line in order to buffer and mitigate the impacts of the development from the abutting neighborhoods to the east. He stated that the development activity on this property has driven wildlife animals from the forest areas into those of the abutting neighborhood. He expressed concerns with coyotes and other wildlife entering from the adjacent property due to ongoing construction.

**Rich Zuccini**, identified himself as the Chair for the City of Margate Planning and Zoning Board - spoke on the same issue. He expressed concerns that additional expansion and development will increase incidents of wildlife presence on the northeast part of the property. He referenced city code requirements for landscaping and a buffer for commercial properties and the cemetery. He specified an issue with the right of way, heavy vegetation and large trees contiguous to the cemetery property. He requested to have a six (6) foot masonry wall built to contain the wildlife.

**Gale DeAngelis** – SW 11 Place - expressed concerns with the wildlife traveling northeast onto the residential properties. She commented on having the cemetery take responsibility in maintaining the property, clearing the non-native trees and overgrowth.

**Rose Farquharson** - SW 11 Place - expressed concerns with wildlife, overgrown grass and branches.

**Cara Cerchione** - SW 11 Place - expressed concerns with a metal freight container that homeless people frequent and build fires near the property. He reported issues with wildlife, and overgrowth. She requested a wall to prevent concerns with wildlife as construction is going on and to separate the cemetery from the residential property.

**Susie Dowd** - SW 11 Place - expressed concerns with people living on the property and building fires, the wildlife, and overgrowth. She emphasized the need to consider a wall.

**There were no further comments from the public. Public Hearing was closed.** Board Member Thomas questioned how the City of North Lauderdale would address the feasibility of a wall if the property borders the City of Margate. Tammy Reed-Holguin, Community Development Director clarified that the zoning code for the City of North Lauderdale does not require a wall or a barrier between a community facility zoning and residential [property]. She stated that in this case it is not commercial zoning; it is community facility zoning and by code there is no buffer required. She advised that the board can discuss that [a wall] with the Applicant and it would have to be adopted as part of their site plan but it [a wall] is not part of the city zoning code. Board Member Albright inquired if a condition can be added before moving forward with a recommendation or if the item can be tabled for further discussion. Ms. Reed-Holguin advised that conditions would have to be discussed with the Applicant and by the board for a recommendation. Attorney Sherman stated that the board can add a condition that is reasonably related to the application. There was discussion on the wall being recommended as part of the conditions for recommended approval to the City Commission. Board Member Albright questioned if the issues were made known to city staff prior to this item coming before the board. Mrs. Reed-Holguin advised there were discussions with one of the residents on issues regarding the wildlife. Andrew Disbury, Community Development Specialist, advised the concerns were reported to Florida Fish and Wildlife by the residents. There was some discussion regarding addressing the concerns expressed during public discussion regarding the wildlife. The location of the development to the cemetery was clarified as noted on the plans provided in the back up memorandum. Board Member Thomas inquired on making a recommendation for the distance of the buffer from the homes. Attorney Sherman stated that an option for the board is for the Applicant and Staff to have a discussion on what can be proposed to address this issue. There was some discussion on the board's option to make recommendations to add a condition for either final adoption or final discussion to the City Commission. Board Albright inquired if the city staff was aware of the container and the homeless people that were referred to during public discussion. Mrs. Reed-Holguin responded that city staff was not aware of the issue and code enforcement will have to go out to check that area. Attorney Sherman briefly reviewed the process for quasi-judicial items. He clarified that any conditions need to be relevant to the application before the board. There are issues mentioned that are not necessarily part of the application. The city has other avenues, such as code compliance, to take care of these others issues. Board Member Albright inquired with the Ms. Jennings regarding addressing the issues. Ms. Jennings replied that they are willing to meet with the city to discuss the issues. They are not aware of any metal container on the property. She directed the board's attention to the graphic on the screen and the east line of the property as the area in question. She pointed out the 25 foot right of way which is a piece of property that runs along and in between the cemetery and the residences that is not owned by the Archdiocese which they do not control and cannot maintain. She explained that the developments of the mausoleums were beginning to be built in the 1980's and is not a new development. The master site plans were approved and presented many times before the board and the City Commission for the expansion of the mausoleums. The plans are in compliance with all code provisions. She requested to have the plans approved as applied. Board Member Albright questioned which city the 25 foot right of way falls on. Mrs. Reed-Holguin replied that the 25 foot right of way is in the City of North Lauderdale. There was discussion on how to move forward with the application with recommendations to address the issues. **There were no further questions by the board for the**

**Applicant and Staff. Board Member Albright moved to reopen public hearing with a two minute time limit for each speaker. Seconded by Board Member Thomas. All were in favor. None were opposed. Public hearing was opened.**

**Ms. DeAngelis** commented on addressing issues with the City of North Lauderdale. She stated the area discussed is not the entire eastside of Parcel B; it is only thirteen (13) houses impacted by the open area to the cemetery. She advised that there are encroaching trees extending over the right of way.

**Mr. Zuccini** commented on the function of the right of way, overgrown vegetation and trees contiguous to the cemetery property. He addressed issues with the homeless people building fires on the property, and a path necessary for emergency vehicles. He suggested a recommendation to the City Commission to encourage the cemetery operators to provide a buffer or to contribute funds to provide a buffer.

**Susie Dawd** voiced support of the concerns expressed.

**There were no further comments from the public. Public Hearing was closed.** Board Member Paul questioned who owns the 25 foot property. Applicant confirmed the 25 foot property is owned by the City of North Lauderdale. There was discussion on how to move forward with the motion and addressing the concerns of the public. Attorney Sherman announced that at this time the Applicant and Staff can provide a brief summary. Applicant, Mora Jennings gave a brief summary on the conditions of approval which included a statement acknowledging compliance and conforming to all applicable City codes and Florida Building Codes regarding the development. Board Member Albright inquired if the Applicant would be willing to address the concerns of the neighboring properties and with the City of Margate. Ms. Jennings responded that they have no opposition to discuss a collaborative effort to address the issues. She stated that there are some limitations since they do not own the right of way. There was brief discussion regarding addressing concerns with the cemetery property, right of way and City of Margate. Attorney Sherman interjected that the application before the board is for the construction of the two (2) mausoleums. There were no additional comments from the Applicant. **Board Member Thomas moved to transmit this item with a favorable recommendation to the City Commission for a preliminary and final site plan to construct Mausoleum #29 and expansion of Mausoleum #23 within the Resurrection Development, located within Community Facilities (CF) zoning district with the eight (8) conditions as outlined by staff and to add the additional condition that the City and Applicant work together to address the issues raised at the Planning and Zoning Board meeting tonight, including maintenance, animal control and code enforcement issues on the undeveloped part of the property. Seconded by Board Member Albright.** Tammy Reed- Holguin, Community Development Director clarified that the homes are 1000 feet away from where the development is being proposed. There is time to address the issues and to have the development move forward as discussed by the board. She advised that many of the concerns heard are code enforcement issues that city staff is willing to look into further although there will be limitations as to what the city can do. The city does not offer animal control services but will reach out to other agencies regarding what can be done to assist in this area. There have been code enforcement complaints addressing a raccoon repellent. Ms. Holguin- Reed clarified that the resident was asked to move the repellent from the city's right of way onto their property. The Public Works department does not clear undeveloped sites. The right of way is connected to the turnpike which was given to the City

of North Lauderdale through annexation. **There was no further discussion. Clerk called the roll. All YES. MOTION PASSED UNANIMOUSLY.** Chair McKay acknowledged that Mayor Ziade was present at the meeting.

<b>b. SPECIAL EXCEPTION USE:</b>	<b>SEU 20-02</b>
<b>NAME OF APPLICANT:</b>	<b>Lord's House Ministry, Inc.</b>
<b>PROJECT NAME:</b>	<b>Lord's House Ministry</b>
<b>PROJECT LOCATION:</b>	<b>1401 S SR 7, Suite B7 A&amp;B</b>
<b>PROJECT DESCRIPTION:</b>	<b>Special exception use request to allow a non-business use within a business district in accordance with Chapter 106 - 467 (19) of the City code within a general business (B-3) zoning district.</b>

Attorney Sherman read the item into the record. Andrew Disbury, Community Development Specialist, presented the item based on the back up memorandum. The applicant is proposing to operate a church in a business district. The Lords House Ministry is taking over an existing CF Use at the property for the church that previously occupied the space located in Champions Square Plaza. He reviewed the hours of operation and provided information on the background of the approved modifications and requirements for Community Facility (CF) uses in non – CF zoning districts as stated in the memorandum. Chair McKay questioned if the current property was already operating as a church and changing owners. Mr. Disbury responded yes, the CF use goes with the owner not the property. Board Member Marriaga questioned the parking in that particular area. Mr. Disbury referenced condition #6 in the back up memorandum which addresses noise, parking and other code enforcement issues. Chair McKay questioned how parking issues would be addressed with limited parking if this [SEU 20-02] moves forward. Mr. Disbury responded that the issue would be addressed by code enforcement. The Applicant would receive a warning regarding the parking which would need to be addressed by a parking agreement or additional traffic plan. Board Member Marriaga inquired if green areas and trees are required. Mr. Disbury stated that this is not a new construction; it is an existing building which is not being extended or modified to accommodate this use and does not create any landscaping requirements. The Applicant, Paule Kethia Verme-Dantus, with the Lords House Ministry presented herself to the board. Ms. Verme- Dantus reviewed the church hours of operations which she stated should not cause any parking issues. **Public Hearing was opened. There were no comments from the public. Public hearing was closed. There was no further discussion. Board Member Thomas moved to to make recommendation to the City Commission for consideration and approval to allow a Community Facility Use within a Commercial Business District in accordance with Chapter106-467 (19) of the City code within a general business (B-3) zoning district with the seven (7) conditions outlined by staff. Seconded by Board Member Albright. Clerk called the roll. All YES. MOTION PASSED UNANIMOUSLY.**

<b>c. SPECIAL EXCEPTION USE:</b>	<b>SEU 20-04</b>
<b>NAME OF APPLICANT:</b>	<b>Tasty Crab Broward LLC.</b>
<b>PROJECT NAME:</b>	<b>Tasty Crab</b>
<b>PROJECT LOCATION:</b>	<b>7250 W. McNab Rd.</b>



the front area of the building that is owned or leased per Section 94-16 (C) (1) (a) of the City Code. In this case the linear frontage is 70 square feet and they are requesting 133.32 square feet of signage. He noted that the building is 380 feet from the roadway. Mr. Disbury stated that Staff does not make a positive recommendation for the approval SWAV 20-01, due to the nature of the request and the existing conditions of the site as noted in the back up memorandum. He advised that the sign would not be visible due to the location on the north facing elevation and the sign is twice the amount of square footage. He referenced the speed along the roadway, and the buildings that are in front. Board Member Thomas questioned the size of the signs. Mr. Disbury clarified the size of the signs and what is allowed by code. Chair McKay requested clarification on the installation of the first sign. Mr. Disbury explained that the first sign meets the code requirements. Board Member Marriaga questioned the new signage. Mr. Disbury advised that the city code does not regulate the wording or images of the sign only the size and dimensions of the sign. The restaurant wants to be visible. Applicant, Jackie Gomez, with Rocktide Construction presented herself to board members. She requested consideration for approval for a second wall sign. The sign alone is 66.32 square feet complying with the 16 inch maximum height of the letters, that are upper and lowercase letters. Ms. Gomez stated that because it is a linear length sign it gives the appearance of being large but it is not. She understands that city planner is not recommending approval due to limited visibility but that there is a vantage point on McNab Road, entering the plaza on the west side. She commented that it is not uncommon practice to allow a secondary sign on a corner lot parcel. This is an excess of 49 square feet of building for an expanding restaurant chain. She proposed considering a different layout for the linear length of the sign to allow for the second sign, reducing the size of the sign from 70 square feet to 60 square feet and stacking for the signs. Ms. Gomez stated the sign was authorized by the landlord. There is a Value Storage building with two (2) signs, facing McNab Road and the interior roadway on the east entrance of the parcel. Chair McKay questioned if both signs would be exactly the same. Ms. Gomez responded that both signs would be identical. Chair McKay questioned if the other frontage is the same length. Ms. Gomez replied that is correct. Tammy Reed- Holguin, Community Development Director advised there were discussions with the Applicant regarding shortening the first and second signs and shortening the name to reduce square footage. She stated that stacking the letters will not reduce the square footage of the sign. The Value Storage does have two (2) signs but they are within the allowed square footage. There is a monument sign on the property closer to McNab Road for advertising that would provide additional visibility. There was discussion on the limitations of visibility on the property facing the interior road and McNab Road. Board Member Paul commented that the request for nearly twice the amount of square footage allowed by code for the sign is excessive. She inquired if the Applicant would consider smaller signage as a more reasonable request. She stated that the monument sign would be visible signage in comparison to the two (2) smaller signs. Ms. Gomez expressed disagreement with the amount of visibility of the monuments signs. She inquired if the board would consider reducing a portion of the sign. Chair McKay inquired if the Applicant would need to return to city staff to present a new sign layout if modified. Mr. Disbury responded yes, and that decision should be discussed between the sign company and the business. There was some discussion regarding the presentation of the two signs to city staff. **Public hearing was opened. No one from the public spoke. Public hearing was closed.** Board Member Thomas expressed concerns with violating city code that does not allow for the signage. Attorney Sherman clarified that the city code limits but does not make the request invalid. The code requires a waiver; it is a matter of granting the waiver in excess of the city code or not if it does not meet the criteria. There was discussion regarding special permission granted for signage in the past but not usually to the extent requested. The Applicant

already used their full allowance for the first sign and would need to return with a new layout if they choose to pursue the application with a modification. There was a discussion among board members regarding the process of recommendation to the City Commission. There was no further discussion. **Board Member Thomas moved to make an unfavorable recommendation to the City Commission for consideration of SWAV 20-01 to allow two wall signs totaling 133.32 square feet on the North and East elevations where 70 square feet is allowed according to City Code section 94-16 C(1)(a) within a B-3 General Business district. Seconded by Board Member Thomas. MOTION PASSED 4-1. Board Member Marriaga dissenting.** Mrs. Holguin-Reed advised that the next hearing of the SWAV 20-01 will be at the City Commission Meeting, February 25, 2020.

**7. STAFF REPORT**

Community Development Director, Tammy Reed Holguin advised that Peter Piper Pizza is officially opened.

**8. GENERAL DISCUSSION**

City Clerk Vancheri clarified the date of the Meeting Minutes approved by board members was incorrectly noted on the Agenda as January 7, 2019 and should correctly state January 7, 2020.

**9. NEXT TENTATIVE MEETING – March 3, 2020**

**10. ADJOURNMENT – There being no further business the meeting adjourned at 8:33 p.m.**

Respectfully Submitted,  
Deputy City Clerk, Elizabeth Garcia-Beckford