



City Commission

Mayor Arlene R. Schwartz
Vice Mayor Antonio V. Arserio
Anthony N. Caggiano
Tommy Ruzzano
Joanne Simone

City Manager

Cale Curtis

City Attorney

David Tolces

City Clerk

Jennifer M. Johnson, MMC

MEETING OF THE BOARD OF ADJUSTMENT REGULAR MEETING <https://us02web.zoom.us/j/82268565193> MINUTES

Tuesday, October 14, 2025

6:30 p.m.

City of Margate
City Commission Chambers at City Hall

PRESENT:

Barbara Farias, Vice Chair (Acting Chair)
Kandi L. Harris, Secretary
Bradley Uribe, Board Member

ABSENT:

Russell W. Anderson, Chair
Mohamed M. Sulaman, Board Member

ALSO PRESENT:

Judelande Jeune, City Attorney Associate
Elizabeth Taschereau, Development Services Director
Andrew Pinney, AICP, Senior Planner
Paul Ojeda, Development Services Office Manager
Matthew H. Scott, Greenspoon Marder, LLP
Douglas Brawn, Margate Acquisitions LLC

The regular meeting of the Board of Adjustment (BOA) of the City of Margate, having been properly noticed, was called to order at 6:30 p.m. on Tuesday, October 14, 2025, in the City Commission Chambers at City Hall, 5790 Margate Boulevard, Margate, FL 33063. The Pledge of Allegiance was recited.

1) APPROVAL OF MINUTES

- A) *ID2025-283*
APPROVAL OF BOARD OF ADJUSTMENT MEETING MINUTES

Ms. Harris made the following motion, seconded by Mr. Uribe:

MOTION: TO APPROVE THE MINUTES OF THE JUNE 3, 2025, PLANNING AND ZONING BOARD MEETING AS PRESENTED.

Development Services Department

901 NW 66th Avenue, Suite C, Margate, FL 33063 • Phone: (954) 979-6213
www.margatefl.com • dsd@margatefl.com

ROLL CALL: Ms. Farias – Yes; Ms. Harris – Yes; Mr. Uribe – Yes. The motion passed with a 3-0 vote.

2) NEW BUSINESS

B) *ID2025-284*

VARIANCE APPLICATION 25-400057 – For permission to reduce required parking by 131 parking spaces, waive perimeter landscape requirements, waive interior land islands, and make a nonconforming structure less conforming. Matthew H. Scott, Esq., Greenspoon Marder, LLP, agent for Douglas Brawn, Margate Acquisitions, LLC, 5600 Lakeside Drive.

City Attorney Associate Judelande Jeune advised the Board, applicant, and public of the rules and process for quasi-judicial hearings. She asked if there were any ex-parte disclosures from the Board, and there were none to disclose.

City Attorney Jeune swore in the witnesses.

Acting Chair Farias read the title for the record.

Staff Presentation

Mr. Pinney presented the application on behalf of staff. He shared photos of the existing conditions at 5600 Lakeside Drive and stated the property was roughly 7.25 acres. He noted the site does not directly front a street on its own, and access is through the adjoining property to the north, an apartment complex under separate ownership. The subject property has water on three (3) sides. Mr. Pinney advised the zoning is City Center, and the site is not in the Community Redevelopment Agency (CRA) or the Central Business District (CBD). He shared a brief overview of the history of the property, including Special Exception approval in 1985 as an adult congregate living facility with 177 units. It was developed concurrently with the property to the north with a cross-access agreement to access Coconut Creek Parkway to the north and a conditionally approved parking variance to reduce the dimensions of the parking space onsite. In 1991, an amendment allowed 67 of the units to be converted from adult congregate living to assisted living facility.

Mr. Pinney explained the applicant's request consisted of four (4) relief items from Code with the intent of converting an existing long-term care facility to multi-family residential at open market rate. He reviewed the requests, including to reduce required parking by 131 spaces, representing 34 percent, which would result in approximately 1.46 parking spaces per unit. He advised that for 174 two (2) bedroom apartments, the Code would require 381 parking spaces, which is substantially higher than the requirement for a long-term care facility. He stated the applicant also sought permission to waive perimeter landscape requirements and interior landscape requirements, as well as to make an existing nonconforming parking lot more nonconforming.

Continuing, Mr. Pinney shared the site plan and aerial photograph showing plans to accommodate the new use of a retrofitted building. He advised that this was the first application submitted and there were no previous approvals. He reviewed the five criteria for granting a variance briefly, highlighting the definition of a hardship and alternate uses in the zoning district, owner's preference, and the potential negative impacts on adjacent properties. He stated staff found none of the criteria were met and recommended denial.

Mr. Uribe asked if there was a reasonable amount of parking space reduction that staff would find more acceptable. Mr. Pinney responded briefly. He advised there were other alternatives to what was being proposed, including modifications of the building to have fewer units and other options which would not require a variance.

Ms. Harris inquired as to whether the building would be modified. Mr. Pinney stated his understanding was that there would be minimal modifications to change from long-term care to apartments. He noted the applicant presentation would have more details on the proposed concept.

Applicant Presentation

Matthew H. Scott, Esq., Greenspoon Marder, LLP, presented on behalf of the property owner and applicant, Douglas Brawn, Margate Acquisitions, LLC. He provided an overview of the site and stated it sits directly east of the City's planned City center redevelopment project. He noted activation of the lake would be considered by many to be a good thing, but the challenge was that there was an old, dilapidated assisted living facility sitting in the way. He shared images of the existing conditions and provided a brief history of the site and investment made before exploring the conversion to multi-family. He noted there have been very few multi-family developments in the City recently and there is a shortage of that type of product.

Attorney Scott explained the applications before the Board at this time were the first step in a longer redevelopment process. He stated if the variances were granted for the reduction in parking and associated items, this would allow the team to pursue the other required applications, including a site plan and special exception to make the transition from assisted living to multi-family. He noted the special exception would be reviewed by the Planning and Zoning Board and the City Commission. Attorney Scott advised that drastic improvements to the site are planned, including the roof, interiors, removal of invasive species, and addition of a lake feature, as well as considering working with the City and CRA to create a pedestrian or vehicular connection to the CRA area.

Continuing, Attorney Scott stated there are 217 existing parking spaces on site, and the proposal was a conceptual idea. He noted the variances would create a template to allow for the larger redevelopment process. He explained the proposal for 250 parking spaces would allow for one (1) space per one (1) bedroom unit, two (2) spaces per two (2) bedroom unit, and a minimum of 35 additional spaces for overflow. He stated relief from landscape islands and landscape buffers

may allow for additional parking spaces to be added in the site plan process. He shared a conceptual site plan and stated the details would need to be worked out with staff.

Attorney Scott reviewed a substantive analysis of parking and advised that Margate has the highest parking requirements of any city in Broward County. He stated the applicant had hired an expert to conduct traffic and parking analysis and shared the methodology and recommendations based on data, noting the proposal met these recommendations. He reviewed the variance criteria and addressed ways in which the applicant disagrees with staff findings, including that a practical difficulty was present which made it unreasonably difficult to convert the site and not owner preference. He highlighted the desirability of the long-term use of the site as multi-family housing to support the City's new downtown area directly to the west.

Ms. Harris confirmed there would be 35 guest parking spaces for 173 units. Attorney Scott reviewed the parking breakdown in the proposal and stated the more likely scenario was that all parking would be shared among users rather than being assigned.

Ms. Harris asked about current occupancy. Attorney Scott advised the facility is closed.

Ms. Harris asked if the lake feature mentioned would be for residents only. Attorney Scott stated the vision was that the feature would be open to the public. He shared images of the existing lake and discussed potential plans.

Ms. Harris inquired as to whether these would be luxury apartments that would be above average cost for apartments in the area. Attorney Scott commented that it was too soon to say. He stated the process of converting them formally with the City would likely require significant upgrades, but the goal would be that they were market rate.

Mr. Uribe stated his household has two (2) vehicles and asserted the City Code is quite reasonable when it says that two (2) spaces are required. He noted that he works as a Property Manager and parking issues take up a substantial amount of time each week. He posited that these units would likely be young couples. Attorney Scott stated that part of the marketing for this type of community would be to share with residents that a one (1) bedroom unit cannot have two (2) cars. Mr. Uribe asserted this was unrealistic. Discussion continued.

Mr. Uribe stated the landscaping and redesigning the space to try to fit more parking spaces was a more interesting topic to consider, but he did not see how the current proposal would not become a burden to the neighborhood. Attorney Scott noted it would be illegal to park in the lot to the north, as it was not publicly available parking. He acknowledged that he understood the concern and stated there are many communities with similar parking, and redevelopment of a problem site needed certain compromises. He added that if a variance was not granted, the issue was a dilapidated and rundown long-term care facility that was not a productive part of the community.

Mr. Pinney asked for clarification on whether the facility was closed and if so, when it was closed. Douglas Brawn, Margate Acquisitions, LLC, stated the facility had closed on March 31, 2025.

Mr. Pinney commented that during his presentation he had mentioned this property was in the City Center zoning district. He asked if he was correct in understanding the applicant's presentation had stated if the variance was not approved, the facility would reopen. Attorney Scott confirmed this was correct.

Mr. Pinney called the Board's attention to the fact that long-term care facility is not a permitted use in the City Center zoning district, so the facility was legally nonconforming. He referenced Section 40.308 of the Unified Land Development Code (ULDC), as follows:

(G) Discontinuance or abandonment of a nonconforming use.

2. If for any reason the nonconforming use of a building or structure, or any portion of a building or structure ceases or is discontinued for a period of one hundred eighty (180) calendar days or more, the said building or structure shall not thereafter be used for a nonconforming use.

Mr. Pinney noted it was October 14, which was outside of the 180-day window. He stated he would argue it was not a viable use to reopen as a long-term care facility, and if the variances were not approved, the Code would require redevelopment of the entire property.

Attorney Scott responded that there were a number of factors the City and the City Attorney would consider in determining whether nonconforming use was expired.

Mr. Pinney inquired as to whether, if the application was approved and the applicant moved forward with reopening as an apartment complex, the project would be bank financed. Attorney Scott stated he did not know.

Mr. Pinney stated when the City went from single-use districts to the Transit-Oriented Corridor, there were new land development regulations including a marked reduction in required parking. He explained the requirement at that time averaged out to approximately 1.6 spaces per unit. He discussed a bank-financed housing development project that had been approved at that time which exceeded Code requirements and advised that he was told the bank had its own requirements for minimum parking.

Public Comment

Acting Chair Farias opened a public hearing on the item.

Shelly Stein, Viewpoint, Margate, expressed concern with the vegetation, both aesthetically and for wildlife. She stated she understood the desire to redevelop to bring in income and make better use of the property, but there was so much new development in the area and roads are already

clogged. She commented that there is a beautiful area leading into Lemon Lake and it was aesthetically appealing. She noted concern with impact on property values.

Mark Boyer, Property Manager at 1100 Banks Road, Margate, asked the applicant to share more about their expertise and what they were trying to accomplish for the City. He asserted that any time someone wants to invest money into a City, he thinks that is a great thing.

Douglas Brawn shared that he is Owner/Operator of Senior Housing Assets, which operates assisted living communities and memory care communities throughout the country. He advised the building had major financial problems and closed down under the largest operator in the country, leading to his group coming in to purchase the building. He noted due to factors related to the economy, the facility was closed down, and they were now trying to get highest and best use out of the property, as well as the best use for the City and the owners. He stated a \$7 million renovation had been completed.

Acting Chair Farias closed the public hearing.

There was no further discussion by the Board.

Mr. Uribe made the following motion, seconded by Acting Chair Farias:

MOTION: TO DENY VARIANCE APPLICATION 25-400057 AS SUBMITTED.

ROLL CALL: Ms. Farias – Yes; Ms. Harris – Yes; Mr. Uribe – Yes. The motion passed with a 3-0 vote.

3) GENERAL DISCUSSION

None.

4) ADJOURNMENT

There being no further business to discuss, the meeting was adjourned at 7:32 p.m.

Respectfully submitted,

Russell W. Anderson, Chair