



City Commission

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City Attorney

David Tolces

City Clerk

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MEETING OF THE PLANNING AND ZONING BOARD REGULAR MEETING <https://us02web.zoom.us/j/87268894523> MINUTES

Tuesday, July 1, 2025

6:30 p.m.

City of Margate

City Commission Chambers at City Hall

PRESENT:

Joao D. Brandao, Chair
Sloan Robbins, Board Member
Anderson Russell, Board of Adjustment Chair (Substitute Board Member)

ABSENT:

Shekinah Awofadeju-Major, Vice Chair
Joseph F. Eppy, Board Member
Elsa J. Sanchez, Board Member

ALSO PRESENT:

David Tolces, City Attorney
Elizabeth Taschereau, Director of Development Services
Andrew Pinney, AICP, Senior Planner
Paul Ojeda, Associate Planner

The regular meeting of the Planning and Zoning Board (PZ) of the City of Margate, having been properly noticed, was called to order at 6:33 p.m. on Tuesday, July 1, 2025, in the City Commission Chambers at City Hall, 5790 Margate Boulevard, Margate, FL 33063. The Pledge of Allegiance was recited.

City Attorney David Tolces explained that Anderson Russell, Chair of the Board of Adjustment (BOA), was appearing under the Code provision that allows temporary appointment of a member of the BOA to sit on the PZ in order to make a quorum.

1) NEW BUSINESS

- A) ID2025-173
APPROVAL OF MINUTES

Mr. Russell made the following motion, seconded by Mr. Robbins:

Development Services Department

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

MOTION: TO APPROVE THE MINUTES OF THE APRIL 9, 2024, PLANNING AND ZONING BOARD MEETING AS PRESENTED.

ROLL CALL: Mr. Brandao – Yes; Mr. Robbins – Yes; Mr. Russell – Yes. The motion passed with a 3-0 vote.

Chair Brandao made the following motion, seconded by Mr. Robbins:

MOTION: TO APPROVE THE MINUTES OF THE AUGUST 13, 2024, PLANNING AND ZONING BOARD MEETING AS PRESENTED.

ROLL CALL: Mr. Brandao – Yes; Mr. Robbins – Yes; Mr. Russell – Yes. The motion passed with a 3-0 vote.

Mr. Russell made the following motion, seconded by Mr. Robbins:

MOTION: TO APPROVE THE MINUTES OF THE OCTOBER 1, 2024, PLANNING AND ZONING BOARD MEETING AS PRESENTED.

ROLL CALL: Mr. Brandao – Yes; Mr. Robbins – Yes; Mr. Russell – Yes. The motion passed with a 3-0 vote.

Mr. Russell made the following motion, seconded by Mr. Robbins:

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

ROLL CALL: Mr. Brandao – Yes; Mr. Robbins – Yes; Mr. Russell – Yes. The motion passed with a 3-0 vote.

2) NEW BUSINESS

B) *ID2025-170*

CONSIDERATION OF AN ORDINANCE TO PROHIBIT THE PARKING OF VEHICLES ON GRASS AND LANDSCAPE AREAS IN THE FRONT YARDS OF RESIDENTIAL STRUCTURES.

City Attorney Tolces read the ordinance by title only.

Andrew Pinney, Senior Planner, made a presentation of an ordinance for consideration and recommendation to the City Commission. He explained the ordinance would amend Section 40.705(A) of the City's Land Development Code as it relates to parking in the front yards of residential structures from the current language as follows:

6. *Areas where parking is permitted.*

- a. *Vehicles may only be parked in parking spaces meeting the design standard of this Code. Parking in drive aisles and loading zones is prohibited.*
- b. *Exception. Single-family and two-family dwellings.*

To read as follows:

6. *Areas where parking is permitted.*

- a. *Vehicles may only be parked in parking spaces meeting the design standard of this Code. The parking of vehicles on grass, in landscaped areas, in drive aisles, and/or loading zones is prohibited.*
- b. *Exception. Vehicles may be parked in the back yard and or side yard of single-family and two-family dwellings and where permitted in the swales of local roads where there are no curbs.*

Mr. Pinney explained the exception was written to be consistent with other sections of Code to preserve those rights. He noted the definition of vehicle could be found in Section 40.201(C), and reads as follows:

Vehicle. Any automobile, truck, bus, boat or trailer, motorcycle, motor scooter or similar type vehicle, full track, half-track, recreational vehicle, swamp buggy or any apparatus self-propelled that is used for the transportation of any person or persons.

Mr. Pinney shared images of homes in Margate with vehicles parked in various locations and indicated areas that would not allow parking should the ordinance be adopted.

Mr. Russell asked for clarification on inclusion of buses. Mr. Pinney advised that there were existing Code sections which addressed commercial vehicles, including buses, as well as non-commercial recreational vehicles.

Mr. Robbins inquired as to the definition of the swale. Mr. Pinney provided a general definition and advised that it was defined within the Code. Mr. Robbins clarified that parking would continue to be permitted between the street and house in instances where there was not a curb. Mr. Pinney confirmed. City Attorney Tolces read the definition of swale from the Land Development Code.

Chair Brandao opened the item to public comment.

Richard Zucchini, Lakewood Circle, stated the photos shared in the staff presentation were egregious examples which did not represent all of the possibilities. He asked if there would be a zoning definition in the Code or if R-3 would be included. He posited what would happen in instances where a person had a single car driveway and asserted most families need more than

one (1) car. He asked if the City would be forcing everyone to expand their driveways and stated the City Commissioner who would benefit from that should recuse themselves when the item is before that body. He stated the Building Department does not accept gravel or pavers for expansion of a driveway and asserted this was not a successful solution.

Chair Brandao closed public comment.

Mr. Robbins questioned whether the City would start ticketing or towing vehicles on the basis of the ordinance.

Chair Brandao stated he agreed with Mr. Zucchini's comment that most people do not have one (1) car. He commented that this ordinance may or may not cause problems for people.

Mr. Robbins stated in his experience in other cities, it is acceptable to have two (2) vehicles on the grass if it does not impede the flow of traffic. He noted in the photos he did not love parking on the swale. Chair Brandao agreed swale parking does not look right.

City Attorney Tolces advised that violations would be addressed through the Code Enforcement process, and the City would not be sending out tow trucks, arresting people, or booting cars. He explained there would be a process where a notice of violation was given, followed by an opportunity to cure before being fined or required to appear before the Special Magistrate.

Mr. Zucchini suggested the Board recommend a condition that alternate paved surfaces be added for parking without having to go to the City for a permit. He noted parking regulations on his private street and stated there should be a solution that does not require a building permit.

Mr. Robbins highlighted that the process to expand a driveway had been streamlined the previous year, but the cost was still thousands of dollars, which was not feasible for a lot of families.

Mr. Russell asked whether the Commission would have an opportunity to modify the language to allow for the use of pavers to accommodate people without expanding their driveways. City Attorney Tolces advised that the PZ's role was to advise the Commission on this matter. He stated that if the Board wanted additional considerations, they could recommend the ordinance with conditions and the Commission could amend it based on their discussions.

Elizabeth Taschereau, Director of Development Services, commented that at some point in time, the City of Margate needs to determine a way to beautify the City. She stated she has taken pictures of conditions that included cars parked property line to property line all the way across the front yard and in all kinds of designs. She reiterated that if she were a resident, she would want attempts to be made to beautify the City.

Mr. Russell stated cars parked straight in, parallel with the driveway should not be allowed, but he was not sure of other verbiage. Chair Brandao asked if staff had any suggestions. Mr. Pinney displayed the example images of cars parked on grass. Discussion continued.

Mr. Pinney responded to the suggestion for alternative materials such as gravel and pavers. He noted the long-term ramifications and maintenance should be considered, including the south Florida climate and weeds, as well as environmental impacts of associated increased herbicide use. He reiterated that the Board had the option to recommend conditions for consideration.

Mr. Zucchini suggested the Board recommend a definition of paved service which would solve the problem, allowing a resident to utilize gravel or pavers. He stated Florida Building Code allows for paving surfaces that are not for parking without a permit and stated parking on the grass and swale was not acceptable, but the Building Department getting involved was also not acceptable.

Ms. Taschereau stated that Development Services and the Building Department both have to go by Code, and they are looking at health and safety, not their desires or opinions.

City Attorney Tolces added that the Code does include definitions for pervious surface and impervious surfaces and paved versus unpaved surfaces would be implicated in relation to the ability for water to percolate.

Mr. Robbins stated he was unsure how to proceed with a motion as he wanted to recommend an amendment to the language. City Attorney Tolces provided counsel regarding the process.

Mr. Russell commented that whether the Board recommended approval or not, the ordinance would move forward to the City Commission and Mr. Zucchini and others would have the opportunity to attend the meeting and make their comments. He agreed the pictures shown were egregious, but it was not the role of the PZ to change the Code.

Mr. Russell offered a motion to recommend approval to the City Commission. Chair Brandao offered a friendly amendment to include alternate surfaces and Mr. Russell agreed.

Mr. Robbins asserted that he also did not like back yard or side parking, so he did not like the language grouped together. He suggested that parking perpendicular to the house should be the only direction allowed. Discussion ensued regarding the example photos as well as provisions for back yard and side yard parking. Mr. Pinney noted the Board should consider circular driveways and other situations.

Mr. Robbins asked if a back yard was required to have a fence to keep people from seeing a recreational vehicle (RV) parked there. Mr. Pinney stated the Code does not require a privacy fence. City Attorney Tolces clarified that would be a separate issue within the Code. Discussion continued regarding side and back yard parking.

Mr. Robbins asked if the ordinance would include R-3 zoning as Mr. Zucchini had mentioned. Mr. Pinney explained the language specified single-family and two-family residential due to the structure of the City Zoning Code. He stated R-3 neighborhoods would be included if they were made up of single-family and two-family residences.

Ms. Taschereau commented that allowing for side and back yard parking was included to provide opportunities to those residents unable to enlarge their driveways. She stated that a recommendation to the Commission could include a request to review things like privacy fencing. Discussion continued. Chair Brandao stated he thought it would benefit residents to have options.

Mr. Russell commented that he did not believe a lot of people would start parking their RV in the back yard, but it would provide residents with options.

Mr. Robbins stated he was less concerned with the RV parking and more concerned with the fact that the cars parked in front yards would move to the back yard to set up a parking lot behind the house, affecting the quality of life of the neighbors. He asserted he did not think this was necessarily a better option.

Mr. Russell made the following motion, seconded by Chair Brandao:

MOTION: TO RECOMMEND THE CITY COMMISSION APPROVE AN ORDINANCE TO PROHIBIT THE PARKING OF VEHICLES ON GRASS AND LANDSCAPE AREAS AND THE CONSIDERATION OF ALTERNATE SURFACES FOR PARKING SUCH AS PAVERS.

ROLL CALL: Mr. Brandao – Yes; Mr. Robbins – No; Mr. Russell – Yes. The motion passed with a 2-1 vote.

3) GENERAL DISCUSSION

Mr. Robbins asserted there were different circumstances in different neighborhoods, with varying looks, and stated more in-depth review of that was needed. He stated telling people they can now park the four (4) vehicles they have in front of their house in the back yard, that was not viable.

Mr. Zucchini thanked the Board for the work they are doing and encouraged them to always look outside the box, as there are many types of circumstances to consider.

4) ADJOURNMENT

There being no further business to discuss, the meeting was adjourned at 7:14 p.m.

Respectfully submitted,

Joao D. Brandao, Chair