



Development Services Department

BOARD MEMBER ORIENTATION

2024

WELCOME



BOARD CREATION

SECTIONS:

- 40.323(A) – *Board of Adjustment*
- 40.324(A) – *Planning and Zoning Board/Local Planning Agency*

BOTH:

- *5-member board, 1-year terms*
- Officers: *Chair, vice-chair, and secretary*
- Advisors: *City Manager, City Building Inspector, City Attorney, and other such officials*



GENERAL

- Both boards meet on the 1st Tuesday of each month*
 - *BoA starts at 6:30 p.m.*
 - *PZB starts at 7 p.m., or immediately following*

 - Board members may not miss more than 2 **regular** meetings in a calendar year
- 2-74



BOARD SUBSTITUTIONS

- BoA – 40.323(B)
- PZB – 40.324(F)
- Both
 - Chairperson may authorize substitution for any temporary absence or disqualification
 - Must use hierarchy to invite substitute
 - Chair
 - Vice-Chair
 - Secretary
 - Standard board member
 - Substitution limited to 3 months
 - Limited to 1 substitute at a time



BoA PURPOSE

- Variance to the terms of any zoning ordinance
 - Excluding use variances
- Appeal of administrative decision or order in implementing zoning regulations



BoA PURPOSE

- What is a variance?
 - “The procedure where the strict application of the provision of the zoning regulation relating to area, duration, height, setback or setback requirements may be modified in a particular instance when certain criteria based on substantial competent evidence are met. Variances relating to use, are not included in this definition and are prohibited.” 40.201(C)

- 1922 – Standard State Zoning Enabling Act
 - Administrative remedy for inverse condemnation



NATURE OF BoA

- Quasi-Judicial
 - All parties sworn in
 - Must meet criteria
 - Decisions based on competent substantial evidence
 - No precedents for variances
 - Disclose ex parte communication
 - Recuse when there is conflict of interest

- Decisions final, unless appealed



VARIANCE CRITERIA

- Section 40.323(E)2
- 6 criteria
- Staff to provide analysis and recommendation
- Applicant has burden of proof 40.300(D)



PZB PURPOSE

➤ Section 40.324(D)

- *To act in an advisory capacity and make recommendations to the City Commission*
- *To act as the Local Planning Agency (LPA), per 163.3174, F.S.*



➤ 163.3174, F.S. Local Planning Agency

- *Agency responsible for the preparation and the Comprehensive Plan or amendments, and shall make recommendations to the governing body regarding the adoption of such plan or amendment*
- *Prior to any recommendation to the governing body, the local planning agency shall hold at least one public hearing, with public notice, on the proposed plan or amendment*



LPA ROLE

- 163.3174, F.S. Local Planning Agency (continued)
 - *Monitor and oversee the effectiveness and status of the Comprehensive Plan and recommend to the governing body such changes in the Comprehensive Plan as may from time to time be required, including the periodic Evaluation and Appraisal Report (EAR)*
 - *EAR required every 7 years*



LPA ROLE

- 163.3174, F.S. Local Planning Agency (continued)
 - *Review proposed land development regulations, land development codes, or amendments thereto, and make recommendations to the governing body as to the consistency of the proposal with the adopted Comprehensive Plan*



LPA ROLE

- 163.3174, F.S. Local Planning Agency (continued)
 - *School Board rep included as nonvoting member of LPA for rezoning and/or Comprehensive Plan amendment that could result in increased residential density.*
 - *TRILA**



Comprehensive Plan

“The local comprehensive plan ... is the foundational policy document for local governments. It establishes a framework to guide public and private decisions about future growth, preservation, and change within a municipality or county for the next 20 to 30 years.” (APA – PAS Notes 52)



TYPICAL PZB ITEMS

- Zoning/LDR amendments
- Comprehensive Plan amendments
- Plat, subdivision resurveys, and amendments
- Rezoning applications
- Special exception use applications
- Review of grant applications



NATURE OF PZB

- Advisory
 - *City Commission makes final decision*



HELPFUL RESOURCES

- Comprehensive Plan
 - <https://www.margatefl.com/201/Planning>
- Zoning Map
 - <https://www.margatefl.com/202/Zoning>
- Municipal Code
 - https://library.municode.com/fl/margate/codes/code_of_ordinances



AGENDA MATERIALS




➤ <https://www.margatefl.com/>



AGENDA MATERIALS

➤ <https://margatefl.legistar.com/Calendar.aspx>

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Name	Meeting Date	Meeting Time	Meeting Location	Meeting Details	Agenda Summary	Minutes	Audio/Video
Planning and Zoning Board	12/12/2023	7:00 PM	CANCELED	Meeting details	Agenda Summary	Not available	Not available
Planning and Zoning Board	11/9/2023	7:00 PM	Commission Chambers and Zoom.us Webinar ID: 869 9442 2797 https://us02web.zoom.us/j/86994422797	Meeting details	Agenda Summary	Minutes	Audio/Video
Planning and Zoning Board	10/17/2023	7:00 PM	Commission Chambers and Zoom.us Webinar ID: 881 6818 0121 https://us02web.zoom.us/j/88168180121	Meeting details	Agenda Summary	Minutes	Audio/Video
Planning and Zoning Board	9/12/2023	7:00 PM	CANCELED	Meeting details	Agenda Summary	Not available	Not available
Planning and Zoning Board	8/8/2023	7:00 PM	CANCELED	Meeting details	Agenda Summary	Not available	Not available
Planning and Zoning Board	7/11/2023	7:00 PM	CANCELED	Meeting details	Agenda Summary	Not available	Not available
Planning and Zoning Board	6/6/2023	7:00 PM	Commission Chambers and Zoom.us Webinar ID: 844 0841 2918 https://us02web.zoom.us/j/84408412918	Meeting details	Agenda Summary	Minutes	Audio/Video
Planning and Zoning Board	5/2/2023	7:00 PM	CANCELED	Meeting details	Agenda Summary	Not available	Not available
Planning and Zoning Board	4/4/2023	7:00 PM	Commission Chambers and Zoom.us Webinar ID: 842 1210 4267 https://us02web.zoom.us/j/84212104267	Meeting details	Agenda Summary	Minutes	Audio/Video
Planning and Zoning Board	3/7/2023	7:00 PM	CANCELED	Meeting details	Agenda Summary	Not available	Not available
Planning and Zoning Board	2/7/2023	7:00 PM	CANCELED	Meeting details	Agenda Summary	Not available	Not available
Planning and Zoning Board	1/3/2023	7:00 PM	CANCELED	Meeting details	Agenda Summary	Not available	Not available

If you would like the minutes in an alternate format, please contact the City Clerk's Office at (954) 935-5326



AGENDA MATERIALS



City of Margate
Summary Agenda
Planning and Zoning Board

5790 Margate Boulevard
Margate, FL 33063
954-972-6454
www.margatefl.com

Sloan Robbins, Chair
Catherine Yardley, Vice Chair
Shekinah Awofadeju Major, Secretary
Y. Robert Pierre, Board Member
Mohamed M. Sulaman, Board Member

*** PLEASE NOTE THAT THE PLANNING AND ZONING MEETING
WILL BEGIN PROMPTLY AT 7 PM, OR IMMEDIATELY AFTER
THE BOARD OF ADJUSTMENT MEETING. ***

Tuesday, October 17, 2023 7:00 PM Commission Chambers and Zoom.us
Webinar ID: 881 6818 0121

<https://us02web.zoom.us/j/88168180121>

CALL TO ORDER

ROLL CALL

1) APPROVAL OF MINUTES

- A. [ID 2023-324](#) APPROVAL OF BOARD MEETING MINUTES FROM JUNE 6, 2023
PLANNING AND ZONING MEETING

Attachments: [Draft Minutes 2023-0606](#)

2) PUBLIC COMMENTS only for Remote Speakers via ZOOM

Anyone wishing to comment on any matter relating to City business or any agenda item should raise their hand now on ZOOM. Each speaker is limited to three (3) minutes.

3) NEW BUSINESS

- A. [ID 2023-323](#) PHASE II OF THE CODE UPDATE PROJECT: AN ORDINANCE OF THE CITY OF MARGATE, FLORIDA, AMENDING CHAPTER 40 "LAND DEVELOPMENT CODE;" REPEALING CHAPTER 23 "LANDSCAPING;" REPEALING APPENDIX A "ZONING"; REPEALING APPENDIX C "LAND DEVELOPMENT CODE"; PROVIDING FOR NEW DEFINITIONS, NEW DEVELOPMENT STANDARDS, NEW REGULATIONS, AND INCORPORATING THE PROVISIONS FROM CHAPTER 23 "LANDSCAPING" AND APPENDIX "A" ZONING INTO CHAPTER 40 "LAND DEVELOPMENT CODE."

Attachments:

[PRESENTATION](#)
[APPENDIX A AND CHAPTER 23](#)
[ANNOTATED OUTLINE](#)
[ORDINANCE CHAPTER 40](#)

4) GENERAL DISCUSSION

ADJOURNMENT

