



**REGULAR MEETING OF
THE PLANNING AND ZONING BOARD**
<https://us02web.zoom.us/j/84212104267>
MINUTES

Tuesday, April 4, 2023

7:00 p.m.

City of Margate

City Commission Chambers at City Hall

City Commission

Mayor Anthony N. Caggiano

Vice Mayor Tommy Ruzzano

Antonio V. Arserio

Arlene R. Schwartz

Joanne Simone

City Manager

Cale Curtis

Interim City Attorney

David Tolces

City Clerk

Jennifer M. Johnson, MMC

PRESENT:

Shekinah Awofadeju-Major, Board Member

Y. Robert Pierre, Board Member

Sloan Robbins, Board Member

Mohamed M. Sulaman, Board Member

Catherine Yardley, Board Member

STAFF PRESENT:

David Tolces, Interim City Attorney, Weiss, Serota, Helfman, Cole, and Bierman

Elizabeth Taschereau, Director of Development Services

Andrew Pinney, AICP, Senior Planner

Howard Pavillard, Office Manager

The regular meeting of the Margate Planning and Zoning Board (P&Z) having been properly noticed, was called to order at 7:00 p.m. on Tuesday, April 4, 2022, in the City Commission Chambers at City Hall, 5790 Margate Boulevard, Margate, FL 33063.

1) OATHS

City Attorney David Tolces administered the Oath of Office to each of the members of the Planning and Zoning Board.

2) NEW BUSINESS

- A) ID2023-077
ELECTION OF CHAIR

Ms. Yardley made the following motion, seconded by Mr. Sulaman:

MOTION: TO ELECT SLOAN ROBBINS AS CHAIR.

Development Services Department

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ROLL CALL: Ms. Awofadeju-Major – Yes; Mr. Pierre – Yes; Mr. Robbins – Yes; Mr. Sulaman – Yes; Ms. Yardley – Yes. The motion passed with a 5-0 vote.

B) *ID2023-078*
ELECTION OF VICE CHAIR

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

MOTION: TO ELECT CATHERINE YARDLEY AS VICE CHAIR.

ROLL CALL: Ms. Awofadeju-Major – Yes; Mr. Pierre – Yes; Mr. Robbins – Yes; Mr. Sulaman – Yes; Ms. Yardley – Yes. The motion passed with a 5-0 vote.

C) *ID2023-079*
ELECTION OF SECRETARY

Ms. Awofadeju-Ma made the following motion, seconded by Mr. Bourdin:

MOTION: TO ELECT SHEKINAH AWOFADEJU-MAJOR AS SECRETARY.

ROLL CALL: Ms. Awofadeju-Major – Yes; Mr. Pierre – Yes; Mr. Robbins – Yes; Mr. Sulaman – Yes; Ms. Yardley – Yes. The motion passed with a 5-0 vote.

D) *ID2023-080*
FORM 1 – FINANCIAL DISCLOSURE

City Attorney Tolces provided information on the Florida Commission on Ethics and filing details on the Form 1 Financial Disclosure.

E) *ID2023-081*
BOARD MEMBER CONTACT INFORMATION

Elizabeth Taschereau, Director of Development Services asked that Board members assist staff in clear communication. She stated staff would follow up to determine the best forms of contact.

City Attorney Tolces discussed the importance of utilizing City email addresses for Board business due to considerations of records requests.

Ms. Taschereau stated Board members would be provided with a memo from the IT Department outlining details of email access and associated training.

F) *ID2023-084*
BOARD MEETING SCHEDULE

Andrew Pinney, AICP, Senior Planner, reviewed the draft Board meeting schedule and discussed meetings moved to accommodate conflicts.

G) *ID2023-082*
CONSIDERATION OF AN ORDINANCE TO PERMIT RECREATIONAL VEHICLE
AND COMMERCIAL VEHICLE STORAGE WITHIN R-3 MULTIFAMILY ZONING
DISTRICTS.

City Attorney Tolces explained the role of the Planning and Zoning Board to review proposed ordinances and make recommendations to the City Commission.

Mr. Pinney presented the item. He stated the proposed ordinance would amend Article XVI of the Zoning Code, and would also carry over to other zoning districts which reference the R-3. He explained the ordinance would add a specified accessory use of common storage area for commercial vehicles and recreational vehicles. He stated the storage would be for the exclusive use of owners and tenants of a given multi-family development and the storage area would have to be located in a common area under unified control. He provided examples briefly. Mr. Pinney stated the ordinance also proposes design standards for any such common storage area, including not being visible from an arterial roadway and having appropriate setbacks. He noted the storage area would need to be screened by a wall or fence and have parking on approved pavement. He stated the type of vehicles are clearly defined in Section 26 of the Code.

Ms. Yardley stated she did not have any recommendations and liked the changes. She noted people want to be able to park their boats along the side of their house, but that is unsightly and not good for the community.

City Attorney Tolces asked that Mr. Pinney briefly review the zoning districts and the districts this ordinance would apply to for the edification of the new Board members.

Mr. Pinney explained the ordinance was amending the R-3 zoning district, which is multifamily that allows density of seven (7) to 16 units per acre. He stated that is generally townhouses through four (4) story midrise buildings. He noted the screening requirements were included because in those types of communities, everyone lives close together and they want to preserve views and property values.

City Attorney Tolces clarified that this ordinance does not apply to single family zoning districts. He stated the goal was to allow the residents who live in condominiums and similar to have an RV or boat stored in a designated area on site.

Mr. Pinney added that the sentiment of Ms. Yardley's comment was not lost, as they were working to preserve views with the screening requirements.

Mr. Sulaman asked for clarification on the types of residences included. Mr. Pinney explained. He noted single family residences are already allowed within the Code to park these same types of vehicles on the property.

City Attorney Tolces referenced the zoning map and provided additional detail on the residences impacted.

Chair Robbins asked whether this ordinance was just allowing some uniformity, and whether storage had been allowed previously depending upon the community. Mr. Pinney explained the challenge was that the majority of communities already developed in the R-3 zoning district in Margate did not have something like this available when designing and building. He stated they are hearing of residents who want to park an RV, boat, or commercial trailer where they live, and this provides an opportunity for that.

Chair Robbins sought clarification regarding the restriction on the length of the driveway leading to the storage area. Mr. Pinney stated the provision was present because this ordinance would allow vehicles up to 35 feet long, so a driveway long enough to accommodate that without blocking the adjacent road would be necessary.

City Attorney Tolces explained the concern was that if someone was pulling their vehicle into the parking area and have to stop, staff does not want them to be blocking the road.

Chair Robbins opened a public hearing on the proposed ordinance.

Richard Zucchini, 380 Lakewood Circle East, stated Chair Robbins likely recognized the discussion, because the ordinance came because of a request from their community. He noted they have a tennis court in ill repair and a parking problem. He stated his is a community of villas that does not allow for parking of recreational vehicles or work trailers, but the tennis court could be used for overflow parking. He asked that this ordinance be allowed to allow the change. Continuing, Mr. Zucchini asked whether the surface of the tennis court would be considered paved under the requirements of the ordinance to avoid the expense of repaving. He encouraged the Board members to question everything and look at the minute details. He asked why the fence would need to be vinyl coated and asserted the paving should not be required, as schools and churches are allowed parking on lawns. He stated crushed rock should be permitted, as it is private property, and they are trying to solve a problem.

Chair Robbins closed the public hearing.

Mr. Pierre asked how big the tennis court referenced was. Mr. Zucchini stated it was a double set tennis court and was large, in the order of 90 to 100 feet square.

Mr. Pierre asked how many RVs the space would accommodate. Mr. Zucchini responded that residents have boats and work trailers, not just RVs. He noted the Aztec RV Resort parks RVs all over inside their community and is not assessed in the same way as other neighborhoods.

Mr. Sulaman stated as a business owner himself, he likes what Mr. Zucchini is thinking. He noted when he first started his business, he had a truck which led to issues in parking. He asserted if a community could provide this service and it did not cause issues to the City, he is for it.

Ms. Yardley commented that the community is a blue collar one, and as a result people own boats and trailers and similar. She stated the storage space would not necessarily need to be paved, but it should be concealed. She noted that if there was some other material utilized, a lifespan should be placed on it to avoid fences becoming unsightly.

Chair Robbins asked staff whether Ms. Yardley's suggestion was something that could be considered. Mr. Pinney stated the Board was making a recommendation, and if they wanted to make those recommendations they could do so. He explained Development Services had drafted the ordinance after consulting with the Engineering and Building Departments, and the paving had been in response to concerns regarding the surface the vehicles would be parked on, as they can be very heavy and the surface needed to be designed to carry the load. He stated a paved surface would not have the dust or puddling of a rock setup. He noted that the vinyl coated fence recommendation went back to standards of aesthetics and durability.

Mr. Sulaman asked whether storm drains would need to be put into the tennis court if they were to convert it to parking. Mr. Pinney noted he was not a drainage expert, but it was possible. He reiterated that staff had consulted with the Engineering and Building Departments in creating the recommendations.

Mr. Sulaman made the following motion, seconded by Ms. Yardley:

MOTION: TO RECOMMEND APPROVAL OF THE ORDINANCE SUBJECT TO CONSIDERATION OF ALLOWING FOR PAVED OR GRAVEL SURFACES, THAT FENCES NOT REQUIRED TO BE VINYL COATED, AND TO ADD DETAIL REGARDING HOW DRAINAGE WOULD BE ADDRESSED.

Mr. Pinney noted that Margate was not the only permitting agency that would be involved, and a review by Broward County Surface Water Licensing would likely be required. He stated Board members should be aware that even if the gravel option was added, it may not be acceptable to that agency.

Ms. Yardley asked that the fence material be required to be replaced after a certain amount of time, as she did not want it to look bad. She stated it should be subject to the manufacturer's recommendations on the lifespan of the product.

City Attorney Tolces expressed concern with setting a timeline, and noted damage could occur before the end of its normal lifespan. He suggested language regarding maintenance of a damage-free appearance.

Chair Robbins referenced the previously discussed tennis court and stated tennis courts are typically in conspicuous areas. He stated putting a 10-foot wall around boats and trailers was not inconspicuous in the least. He suggested taking existing parking space and converting it rather than creating an entire lot of commercial and recreational vehicles in the center of a development.

Ms. Yardley asked how someone who uses a landscaping truck and trailer for their business would get in and out of a tennis court. Mr. Pinney stated he suspected they would modify the fence enclosure to add a wider gate to accommodate vehicle traffic.

Mr. Pinney explained that while Mr. Zucchini was looking to convert a tennis court, that may not be the typical application of the ordinance. He stated the implementation would vary from community to community and they should maintain a broad view.

Ms. Yardley asked whether the lead up to the enclosure would need to be paved, or if that would be gravel as well.

Ms. Taschereau explained any development project would be reviewed by the Building Department as well, and their concerns are about life safety within the Code. She stated their recommendation for this conversion from a tennis court to storage for commercial and recreational vehicles was the pavement, drainage considerations, and other items included in the draft ordinance. She stated if the Board recommended gravel, the Building Department would evaluate that and come back with its own recommendations.

Mr. Sulaman stated at the end of the day, the Building Department makes the final decision on what material is being used, and the Board is there to vote as to whether they want to allow the process. Ms. Taschereau explained the Board was providing a recommendation to the Commission.

Mr. Sulaman asserted everything is subject to review by the Building Department and the Engineering Department. He stated instead of going around in circles, they should make a recommendation and leave it up to the Building Department to finalize.

Mr. Pinney asked for clarification on the motion. Mr. Sulaman stated he accepted the amendment suggested by Ms. Yardley. City Attorney Tolces restated the motion.

Mr. Zucchini asserted that under Robert's Rules of Order, the public should be given an opportunity to speak prior to a vote on the motion. City Attorney Tolces explained the public hearing had already been opened and closed.

AMENDED MOTION: TO RECOMMEND APPROVAL OF THE ORDINANCE SUBJECT TO CONSIDERATION OF ALLOWING PAVED OR GRAVEL SURFACES, AND TO ADD THAT FENCES ARE NOT REQUIRED TO BE VINYL COATED BUT SHOULD BE WRAPPED AND MAINTAINED IN CLEAN, DAMAGE FREE APPEARANCE.

ROLL CALL: Ms. Awofadeju-Major – Yes; Mr. Pierre – Yes; Mr. Robbins – Yes; Mr. Sulaman – Yes; Ms. Yardley – Yes. The motion passed with a 5-0 vote.

3) GENERAL DISCUSSION

City Attorney Tolces stated the Board members all had his contact information and urged them to reach out to him with any questions regarding items that may be coming before the Board.

There being no further business to discuss, the meeting was adjourned at 7:52 p.m.

Respectfully submitted,

Sloan Robbins, Chair