



### City Commission

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

### City Manager

Cale Curtis

### Interim City Attorney

Weiss Serota Helfman  
Cole & Bierman

### City Clerk

Jennifer Johnson

**REGULAR MEETING OF  
THE BOARD OF ADJUSTMENT  
HYBRID VIRTUAL MEETING  
<https://us02web.zoom.us/j/89625555047>  
MINUTES**

**Tuesday, May 3, 2022**

**5:00 p.m.**

City of Margate  
City Commission Chambers at City Hall

### **PRESENT:**

Joao D. Brandao, Board Member  
Victoria Dawkins, Board Member  
Erin Enwright, Board Member  
Charles Presser, Board Member  
Joey Ruiz Jr., Board Member

### **ALSO PRESENT:**

David Tolces, Weiss, Serota, Helfman, Cole, & Bierman, Interim City Attorney  
Andrew Pinney, AICP, Senior Planner  
Howard Pavillard, Office Manager  
Elizabeth Taschereau, Director of Development Services  
Bob Meehan, Associate Planner  
Kristen Lindenboom, Chief Operating Officer, Northwest Medical Center

The regular meeting of the Board of Adjustment (BOA) of the City of Margate, having been properly noticed, was called to order at 5:12 p.m. on Tuesday, May 3, 2022, in the City Commission Chambers at City Hall, 5790 Margate Boulevard, Margate, FL 33063. The Pledge of Allegiance was recited.

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### **1) OATHS**

Interim City Attorney David Tolces administered the Oath of Office to the members of the Board of Adjustment. He invited the Board members to conduct self-introductions briefly.

### **Development Services Department**

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**2) NEW BUSINESS**

- A) *ID2022-214*  
ELECTION OF CHAIR

Mr. Ruiz made the following motion, seconded by Ms. Dawkins:

**MOTION:** TO NOMINATE JOAO D. BRANDAO AS CHAIR.

**ROLL CALL:** Mr. Brandao – Yes; Ms. Dawkins – Yes; Ms. Enwright – Yes; Mr. Presser – Yes; Mr. Ruiz – Yes. The motion passed with a 5-0 vote.

- B) *ID2022-215*  
ELECTION OF VICE CHAIR

Ms. Brandao made the following motion, seconded by Ms. Dawkins:

**MOTION:** TO NOMINATE JOEY RUIZ JR. AS VICE CHAIR

**ROLL CALL:** Mr. Brandao – Yes; Ms. Dawkins – Yes; Ms. Enwright – Yes; Mr. Presser – Yes; Mr. Ruiz – Yes. The motion passed with a 5-0 vote.

- C) *ID2022-216*  
ELECTION OF SECRETARY

Ms. Enwright asked for clarification on the role of Secretary. Mr. Tolces explained the role.

Ms. Ruiz made the following motion, seconded by Mr. Brandao:

**MOTION:** TO NOMINATE VICTORIA DAWKINS AS SECRETARY.

**ROLL CALL:** Mr. Brandao – Yes; Ms. Dawkins – Yes; Ms. Enwright – Yes; Mr. Presser – Yes; Mr. Ruiz – Yes. The motion passed with a 5-0 vote.

**3) BOARD MEMBER ORIENTATION**

- A) *ID2022-217*  
BOARD MEMBER ORIENTATION

Interim City Attorney David Tolces provided an overview of what it means to be a board member and gave a thorough presentation on the following topics:

- Sunshine Law – Article I, Section 24 Florida Constitution and Section 286.011 Florida Statutes;
- Public Records Law – Chapter 119, Florida Statutes;

- Code of Ethics for Public Officers and Employees – Article II, Section 8 Florida Constitution and Section 112.313, Florida Statutes;
- Voting Conflicts of Interest – Section 112.3143, Florida Statutes;
- and Financial Disclosure

Mr. Tolces encouraged the Board members to contact their staff liaison or the legal department with any questions.

Andrew Pinney, AICP, Senior Planner, introduced the Development Services Department team and thanked the Board members for their service. He provided a thorough presentation on the following topics:

- Board of Adjustment legislation in City Code
- Items heard by the Board of Adjustment
- Variance definition
- Quasi-Judicial procedures
- Hardship definition, criteria and case law
- Board rules, including attendance and substitutions
- Accessing meeting materials
- Meeting procedures

The presentations are attached to the public record for this meeting.

#### 4) APPROVAL OF MINUTES

B) *ID2021-489*

APPROVAL OF THE MINUTES FROM THE SEPTEMBER 1, 2020 AND DECEMBER 7, 2021 BOARD OF ADJUSTMENT MEETINGS.

Mr. Ruiz made the following motion, seconded by Ms. Dawkins:

**MOTION:** TO APPROVE THE MINUTES FROM THE SEPTEMBER 1, 2020 MEETING AS PRINTED.

**ROLL CALL:** Mr. Brandao – Yes; Ms. Dawkins – Yes; Ms. Enwright – Yes; Mr. Presser – Yes; Mr. Ruiz – Yes. The motion passed with a 5-0 vote.

Mr. Presser made the following motion, seconded by Ms. Enright:

**MOTION:** TO APPROVE THE MINUTES FROM DECEMBER 7, 2021 MEETING AS PRINTED.

**ROLL CALL:** Mr. Brandao – Yes; Ms. Dawkins – Yes; Ms. Enwright – Yes; Mr. Presser – Yes; Mr. Ruiz – Yes. The motion passed with a 5-0 vote.

*Chair Brandao recessed the meeting at 6:15 p.m. due to a time certain on Item 5D.*

*Chair Brandao called the meeting to order at 6:30 p.m.*

## **5) NEW BUSINESS CONTINUED**

D) ID2021-206

BA-01-2022 SIGN WAIVER REQUEST FOR APPROVAL OF ADDITIONAL  
SECONDARY WALL SIGN FOR NORTHWEST MEDICAL CENTER

Mr. Tolces introduced the item and outlined the Quasi-Judicial procedures to be followed. He swore in those giving testimony on the item.

Bob Meehan, Associate Planner, presented on behalf of staff. He provided a background on the subject property, as follows:

- NW Corner of Colonial Drive and North State Road 7
- 250 bed Medical Center
- Activity Center Land Use
- Community Facility CF-1
- Located within CRA
- Portion of Parcel A Colonial Park Plat (1983)

Mr. Meehan explained the item before the Board was a proposed secondary identification wall sign along the east frontage of North State Road 7. He noted existing signs were the result of waivers in the past and discussed the unique position of the hospital within the Code. Mr. Meehan showed images of the new Maternity Center and the proposed location for the sign, which would state "Maternity Entrance" and be approximately 19 square feet in size. He reviewed the Margate Zoning Code sign waiver criteria, and explained the sign was to identify a new entrance for a different service and is a health and safety issue in emergency and non-emergency situations. He stated staff recommends approval as presented.

Mr. Ruiz asked whether the sign would be lit. Mr. Meehan explained the proposal was for channel letters which were backlit that would appear blue during the day and white at night. He noted the blue was consistent with the color pallet.

Kristen Lindenboom, Chief Operating Officer, Northwest Medical Center, stated Mr. Meehan had explained the maternity services had been relocated, and the hospital wanted to create a distinct entrance to that area. She noted it was a patient safety initiative specific to that patient population.

Chair Brandao asked for clarification on the signage colors. Ms. Lindenboom reiterated that the signage would be blue during the day and white and night. She explained the facility had recently changed its name and was in the process of updating all existing signage. She noted the sign would be in line with that new branding.

Chair Brandao opened the public hearing on the item. There being none to speak, he closed the public hearing.

Elizabeth Taschereau, Director of Development Services, clarified the sign was directional for the entrance, and was not promotional. She stated she wanted to make the distinction that while the facility was updating its signage, this sign would remain directional and not promotional.

Mr. Presser made the following motion, seconded by Mr. Ruiz:

**MOTION:** TO RECOMMEND APPROVAL OF THE SIGN WAIVER REQUEST AS PRESENTED.

**ROLL CALL:** Mr. Brandao – Yes; Ms. Dawkins – Yes; Ms. Enwright – Yes; Mr. Presser – Yes; Mr. Ruiz – Yes. The motion passed with a 5-0 vote.

### GENERAL DISCUSSION

Chair Brandao thanked staff for their diligence in helping the Board and stated he looked forward to the opportunity to serve in the role.

There being no further business to discuss, the meeting was adjourned at 6:44 p.m.

Respectfully submitted,

Meeting minutes prepared by Prototype, Inc.

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Joao D. Brandao, Chair