



### City Commission

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Vice Mayor Anthony N. Caggiano  
Lesa Peerman  
Tommy Ruzzano  
Joanne Simone

### City Manager

Samuel A. May

### Interim City Attorney

Goren, Cherof,  
Doody & Ezrol, P.A.

### City Clerk

Joseph J. Kavanagh

## REGULAR MEETING OF THE DEVELOPMENT REVIEW COMMITTEE MINUTES

**Tuesday, December 12, 2017**

**10:00 AM**

City of Margate  
Municipal Building

### PRESENT:

Andrew Pinney, Senior Planner  
Richard Nixon, Director, Building Department  
Kevin Wilson, Fire Inspector  
Jeanine Athias, Engineer  
Abidemi Ajayi (A.J.), Engineer, DEES  
Lt. Paul Fix, Police Department

### ALSO PRESENT:

Dennis Nelson, The Nelson Group, agent for Christ the Living Banner Deliverance Ministry, Inc.

### ABSENT:

Reddy Chitepu, Acting Director of Economic Development/Director of DEES  
Lt. Joe Galaska, Police Department  
Ronald Eyma, Assistant Director of DEES  
Abraham Stubbins, Utilities Inspector  
Michael Jones, Director, Parks and Recreation  
Director of Public Works  
Dan Topp, Community Development Inspector  
Margate Community Redevelopment Agency

The regular meeting of the Margate Development Review Committee (DRC) having been properly noticed was called to order by Andrew Pinney at 10:00 AM on Tuesday, December 12, 2017, in the City Commission Chambers at City Hall, 5790 Margate Boulevard, Margate, FL 33063.

*ID 2017-742*

- 1A) APPROVAL OF THE MINUTES FROM THE DEVELOPMENT REVIEW COMMITTEE MEETING ON SEPTEMBER 26, 2017.

The minutes for the September 26, 2017 meeting were approved as written.

- 2) **NEW BUSINESS**

*ID 2017-766*

- 2A) **DRC NO. 12-17-01** CONSIDERATION OF A CHANGE OF OCCUPANCY FOR A CHURCH  
**LOCATION:** 5609 N.W. 29<sup>th</sup> Street

### Economic Development Department

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**ZONING:** TRANSIT ORIENTED CORRIDOR-CORRIDOR (TOC-C)**LEGAL DESCRIPTION:** CORAL GATE PROFESSIONAL PLAZA III CONDO UNIT A**PETITIONER:** DENNIS NELSON, THE NELSON GROUP, FOR CHRIST THE LIVING BANNER DELIVERANCE MINISTRY, INC.

Dennis Nelson, The Nelson Group, Re/Max Prestige, representing Christ the Living Banner Church said they were looking to do a change of occupancy from the current 50 to 180-200 parishioners. He said there was no previous documentation created so they hired architects and professionals to get the design, photometric, landscaping, and life safety plans completed.

**DRC Comments:**

Andrew Pinney explained that the site was built for professional medical offices and now they were looking to locate a church inside one of the buildings.

Richard Nixon said he had no issue with the change of use; however, modifications would be needed to accommodate the new occupancy. He said the Building Department would need plans and permits from a registered design professional for the new use of the space.

Kevin Wilson said the plans submitted for the Development Review Committee (DRC) were not a clear life safety plan. He said he would need a life safety plan drawn to scale when they submit their building plans in order to determine the exact occupancy. He said the plan they submitted was based on 247 people which would require modifications such as adding bathrooms, etc. Mr. Nelson said they were not planning to have occupancy as high as 247. Mr. Wilson said it would be based on the square footage, and 247 was the number based on what he submitted.

Abidemi Ajayi said that once they submitted for building permits, a review would be done to determine whether impact fees would apply.

Mr. Nelson asked Mr. Nixon for clarity on what was needed because he said it was already an open space and the owners were not looking to make any structural modifications to the inside. He said the previous occupants said the space was utilized as a church for 50 people but his understanding was that it had been used for more than 50 people, and that was why they were going through the motions now because it currently had their banner on the door as a church.

Mr. Nixon said he did not know whether the current occupant was operating a church with permission. Mr. Nelson said they had vacated the space. Mr. Nixon said the change of occupancy required that the new church would need to make internal structural modifications such as additional bathrooms. Mr. Nelson asked for clarification on the swing of the door. He said Mr. Wilson had indicated that the double doors leading into the chapel could either be removed or changed to swing outward. Mr. Wilson said it also needed to be included on the life safety plan that he submits. He said he would also need a permit to change the door swing and to create another opening on the west side so people could exit. Mr. Nelson said his architect said that it might not be needed because it was drywall and that it was not necessary per Code. Mr. Wilson said that it was necessary based on the amount of people that could be legally allowed there.

Paul Fix had no comment.

Andrew Pinney said he had several minor issues with the site and floor plans that were turned in by the architect. He specifically noted the following:

- an incorrect parking calculation was used for the church space and no parking calculation was provided for the rest of the office. He said he used the gross square footages to determine that the required parking for the entire site would be 113 spaces.
- the parking count of 141 spaces was incorrect. Mr. Pinney said the plan submitted showed 160 spaces. He said the parking was sufficient based on the numbers.
- the photometric plan showed location of the light fixtures and the pattern of the light but it did not show light values. He said the Code required the photometric plan show the number of foot candles at grade. He commented that since it was an existing site, he could have a design professional submit a certification. He explained that the design professional would use a light meter to test the light output to see if it met City Code and, if it did, they would write a letter stating that they visited the site, and used a light meter to test the lighting and that it met the provisions of the City Code.
- the landscaping plan did not show any landscaping on the northern and eastern buffers. He said these were considered "other" buffers in the landscape code which required a shade tree every 75 feet.
- the landscaping plan did not include the calculations that showed what was required by Code. He asked that the measurements and calculations be added to the landscaping plan.
- A visit that day by the Community Development Inspector revealed that the dumpster enclosure had a broken gate.

Mr. Pinney explained the next steps. He said the Development Review Committee has provided their comments and the application would be approved. However, the comments would need to be addressed and corrected when they go for a building permit. Mr. Nelson asked for a detailed list of the City's requirements. Mr. Pinney said a draft copy of the meeting minutes could be provided. He asked Mr. Nelson to provide the lighting plan or certification, the updated landscaping plan, and to repair the dumpster gate at the time they went for the building permit. Mr. Nixon suggested they include the repair of the dumpster gate in the permit. He also suggested that Mr. Nelson speak with their design professional about the fact that at the end of December there would be a new Code cycle and everything would have to be based on the 2017 Florida Building Code 6<sup>th</sup> Edition which would go into effect December 31, 2017. He said they would be eligible to comply with the current Code if their plans, permits, and permit applications were submitted prior to December 31, 2017.

Mr. Pinney asked that they clarify whether the worship area would be an open area or have fixed seating when they came in for the building permit. Mr. Nelson responded that it would remain an open area. Mr. Pinney said that the architect had calculated it based on fixed seating.

Mr. Nelson asked if it were possible to get the minutes early as he did not want to miss any of the requirements. Mr. Pinney said he could have a recording of the meeting that day.

Mr. Pinney said the application was approved and his next step was to file for a building permit to make the necessary changes. Mr. Nelson asked the length of that process. Mr. Nixon said it would depend on the extent of the modifications that would be made. Mr. Nixon said he would need to have all the necessary construction documents at the time he applied for the permit.

The accuracy and completeness of the construction documents would dictate the length of the review process he said.

3) **GENERAL DISCUSSION**

There were no comments.

There being no further business, the meeting was adjourned at 10:14 a.m.

Respectfully submitted,

Prepared by Rita Rodi

Andrew Pinney, Senior Planner

DRAFT