



**City Commission**  
Mayor Arlene R. Schwartz  
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 PLANNING AND ZONING BOARD  
MINUTES**

**Tuesday, February 6, 2018**

**7:00 PM**

City of Margate  
Municipal Building

**PRESENT:**

Todd E. Angier, Chair  
Richard Zucchini  
August Mangeney  
Antonio Arserio  
James O'Neill

**ALSO PRESENT:**

Julie F. Klahr, Interim City Attorney, Goren, Cherof, Doody & Erzol, P.A.  
Reddy Chitepu, Acting Director of Economic Development and Director of D.E.E.S  
Andrew Pinney, Senior Planner

The regular meeting of the Planning and Zoning Board of the City of Margate, having been properly noticed, was called to order by Chair Todd Angier at 7:00 p.m. on Tuesday, February 6, 2018. A roll call of the Board members was done followed by the Pledge of Allegiance.

- 1A) **APPROVAL OF THE MINUTES FROM THE PLANNING AND ZONING BOARD MEETING ON DECEMBER 5, 2017.**

Mr. Arserio made the following motion, seconded by Mr. Mangeney:

**MOTION:** SO MOVE TO APPROVE

**ROLL CALL:** Mr. O'Neill, Yes; Mr. Arserio, Yes; Mr. Mangeney, Yes; Mr. Zucchini, Yes; Mr. Angier, Yes. The motion passed with a 5-0 vote.

- 2) **NEW BUSINESS**

*ID 2018-019*

- 2A) **PZ-01-18** CONSIDERATION OF AN ORDINANCE TO BAN MEDICAL MARIJUANA TREATMENT CENTERS AND DISPENSARIES  
**PETITIONER:** CITY OF MARGATE

**Economic Development Department**

5790 Margate Boulevard, Margate, FL 33063 • Phone: (954) 935-5330 • Fax: (954) 935-5304  
[www.margatefl.com](http://www.margatefl.com) • [edevdirector@margatefl.com](mailto:edevdirector@margatefl.com)

Mr. Angier deferred to City Attorney Julie Klahr as to how to approach this item. Ms. Klahr stated that this matter was considered by the City Commission, in which they adopted a resolution back in December, and directed a drafting of an ordinance on this issue, a decision was made to ban any medical marijuana dispensaries in the city. She said that this issue has already been addressed by the City Commission and a decision has been made. Therefore, there is no reason for this board to consider this item.

Mr. Zucchini asked if this decision was a permanent ban or if it was a temporary ban. Ms. Klahr responded that the decision was to ban, and if the Commission chooses to take future action, they can make that decision later. She stated that the Commission passed a resolution directing the drafting of an ordinance, and that this ordinance is up for consideration by the City Commission, in which it expresses their intent and desire. She went on to state that this can only be done by ordinance under the statute.

Discussion ensued as to what the Planning and Zoning Board's authority encompasses under the code. Attorney Klahr then determined that this board's recommendation is not needed on this item. Chair Angier agreed that this board does not have any reason for input on this item and recommends that this item be stricken from the agenda. Mr. Mangeney suggested the board opens the floor to the public to speak on this matter. Mr. Angier stated that since the Commission already voted on this and it has now been determined that this is a non-issue with this board and the public should be discussing this with the City Commission.

Mr. Arserio made the following motion, seconded by Mr. Mangeney:

**MOTION:** to strike item 2A - Consideration of an Ordinance to Ban Medical Marijuana Treatment Centers and Dispensaries from the agenda.

**ROLL CALL:** Mr. O'Neill, Yes; Mr. Arserio, Yes; Mr. Mangeney, Yes; Mr. Zucchini, No; Mr. Angier, Yes. The motion passed with 4-1 vote.

Mr. Arserio made the following motion, seconded by Mr. Zucchini:

**MOTION:** to add open forum to the agenda so that the public may speak.

**ROLL CALL:** Mr. O'Neill, Yes; Mr. Arserio, Yes; Mr. Mangeney, Yes; Mr. Zucchini, Yes; Mr. Angier, Yes. The motion passed with 5-0 vote.

### Public Comment

Michael Sirjue, 6811 N.W. 4<sup>th</sup> Street, shared his support for marijuana dispensaries in shopping centers.

Attorney Klahr advised the member of the public that this issue will be coming in front of the City Commission for an ordinance. Mr. Pinney gave the date that the ordinance will be in front of the City Commission, first reading on March 7<sup>th</sup> and second reading on March 21<sup>st</sup>, 2018.