



City Commission

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REGULAR MEETING OF THE DEVELOPMENT REVIEW COMMITTEE MINUTES

Tuesday, November 27, 2018

10:00 AM

City of Margate
Municipal Building

PRESENT:

Robert Massarelli, Director of Development Services
Andrew Pinney, Senior Planner
Richard Nixon, Director, Building Department
Lt. Ashley McCarthy, Police Department
Kevin Kelleher, Fire Inspector
Dan Topp, Community Development Inspector
Alberto Torres-Soto, Senior Engineer, DEES

ALSO PRESENT:

Jay Huebner, HSQ Group
Steve Wherry

ABSENT:

Diana Scarpetta, CRA Project Specialist

The regular meeting of the Margate Development Review Committee (DRC) having been properly noticed was called to order by Robert Massarelli at 10:07 AM on Tuesday, November 27, 2018, in the City Commission Chambers at City Hall, 5790 Margate Boulevard, Margate, FL 33063.

1) NEW BUSINESS

ID 2018-605

- 1A) **DRC NO. 11-18-05** CONSIDERATION OF A SITE PLAN AMENDMENT FOR PHASE 2 OF CELEBRATION POINTE PUD, IN ORDER TO MODIFY INDIVIDUAL LOT FENCES AND THE OPEN SPACE CALCULATION
LOCATION: 2850 NORTH STATE ROAD 7
ZONING: PUD PLANNED UNIT DEVELOPMENT
LEGAL DESCRIPTION: A PORTION OF TRACT "A", OF "CELEBRATION POINTE PLAT", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 178, PAGE 68, OF THE PUBLIC RECORDS OF BROWARD COUNTY
PETITIONER: JAY HUEBNER, HSQ GROUP, AGENT FOR LENNAR HOMES, LLC

Development Services Department

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Mr. Steve Wherry introduced himself on behalf of Lennar Homes and gave a brief explanation of the application to amend the PUD document to adjust the open space calculations and to allow an extension of fences for the rear lots at the Celebration Point development. He stated that some changes have been made to the site plan and to the PUD text itself, to accommodate those changes.

DRC Comments:

Andrew Pinney, wanted to clarify a couple of items on the PUD document, on page thirty-two (32) letter H, number one (1), substitute the word "or" for "and" when referring to the property owner. Mr. Pinney said that the document stated no screens can be installed beyond the building face, he asked for clarification on the location of the screen enclosure, is it only the front of the unit or will the homeowner be able to screen in the back of the unit? Mr. Huebner from HSQ, responded that this was referring to the front of the unit. Mr. Pinney went on to reference paragraph one (1) where it addresses a six (6) foot fence, should be a strike-thru not an underline. He stated that the intent of this amendment is to allow unit owners to extend a ten (10) foot rear fence to the whole fifteen (15) foot rear lot. He said that this project has a six (6) foot wide concrete sidewalk surrounding the lake, in which a number of those units with the proposed location of the fence would now be right up against the sidewalk. He asked if there was some flexibility to have a two (2) foot relief between the unit owner fence and the six (6) foot walk? Mr. Wherry stated that is not addressed in the language but could add in the flexibility. Mr. Huebner responded that the sidewalk cannot be moved because of the bank. Mr. Pinney discussed the open space calculation, stating that there are inconsistencies with final site plan to what is being presented today. He said the private open space is written as 0.81 acres and should actually be 1.21 acres. Mr. Pinney then commented on the six (6) foot tall masonry wall at the southwest corner of the property, he said that during permitting it was discovered that there is an eight (8) inch asbestos cement pipe in the same location as the wall. He said that the City is looking for a solution on this matter. Mr. Huebner responded that they are looking at possible solutions. Mr. Pinney stated that the solution for this wall will affect the fencing concept. Mr. Huebner asked if the solution for the wall should be incorporated in this amendment? Mr. Pinney responded "absolutely".

Alberto Torres, recommended to the petitioner to set up a meeting with the Engineering Department to discuss the (site plan) solution prior to the next DRC meeting.

Ashley McCarthy, had no comment.

Kevin Kelleher, commented that a six (6) to eight (8) foot clear space is required around the back for emergency access.

Richard Nixon, commented on the individual lot fences need to make sure material being used is specific to that unit and is clear on the permit applications. He then mentioned the buffering wall stating that it was originally agreed at the completion of the cabana and the common areas that they would be done with issuing TCO's and to only issue full CO's. He said that he would like to get this resolved as quickly as possible.

Andrew Pinney, requested to include an updated detail sheet of the yard diagram of the fencing in the final site plan submittal.

Dan Topp, had no comment

Robert Massarelli, asked the petitioner if all lot fencing will be fifteen (15) feet, or will this be an option? Mr. Wherry responded that this will be an option to go to fifteen (15) feet, and if so they will be enclosing the rear yard, he explained the default will be a ten (10) foot lateral rear fence. Discussion ensued.

Mr. Massarelli stated that the reasoning behind his question is for uniformity, explaining that if there is a series of jagged fence lines it will be a blight condition and not look attractive. His other concern is the use of different materials, a mix of wood and vinyl will deteriorate the look of the community. He then asked if the fences will have gates going out to the rear? Mr. Huebner responded that the lake side will. Mr. Massarelli asked for clarification on the others. Mr. Huebner stated that it can be an option. A member of the board responded that fire would need access. Mr. Massarelli stated that the designation of what property the fence is on will be critical for homeowners.

Mr. Massarelli asked Mr. Pinney how the original document on the Amendments to the PUD approved by the City? Mr. Pinney responded that PUD's are approved similar to a rezoning, in which it goes through DRC, Planning & Zoning, and then to City Commission, which is done by ordinance. He believes that for a minor amendment such as this it falls under the purview of the DRC to handle a fence material change. Mr. Massarelli stated that he is going to have to confirm with the City Attorney's office. Mr. Huebner stated that after speaking with staff he was told that this can be done through staff level only. Discussion ensued. Mr. Massarelli said that a PUD gives flexibility to provide for, and to address unique issues. He stated that he would like to speak with the City Attorney to address the fence in the PUD rather than going through the Board of Adjustment. Mr. Wherry agreed that if the PUD amendment could be done administratively it would be in their best interest. Mr. Massarelli said that he would look into it administratively.

Mr. Nixon asked if the current homes sold could be given the option to extend the fence five (5) feet and modify any existing fence. This could be a short term fix for now. Mr. Wherry stated that this was already discussed and would require removing and replacing both the fence and the landscape materials. He stated that this may depend on whether this can be done administratively through the DRC process and can be resolved that way.

Mr. Massarelli recommends proceeding with the amendments to the site plan as discussed and to resolve the wall issue at staff level; at that point it can go to final site plan. In conjunction procedurals will be discussed with the City Attorney. Mr. Pinney commented to turn in a revised landscaping plan once a resolution to the wall issue and/or the fence placement has been made, only if it affects the landscape. Mr. Massarelli then reiterated to make the revisions to the site plan, get the final approval at staff level and move forward.

Mr. Wherry spoke to the board in regards to the property owner's association which will be a moderating force with concerns such as to prevent blight. He said that there is a mechanism in place to prevent that from happening. He stated that Lennar wants to look out for the future benefit of the homeowners as well as to how their projects look overtime, which is a reflection of their quality and market standing. Mr. Massarelli stated that he appreciates this concept from Lennar.

2) GENERAL DISCUSSION

No comments from the board.

There being no further business, the meeting was adjourned at 10:50 AM

Respectfully submitted,

Prepared by Melissa M. Miller

Robert Massarelli
Director of Development Services

Date: _____

DRAFT