



Planning and Zoning Board of Appeals

City of Greenacres, Florida

Thursday, May 11, 2023 at 6:00 PM

City Hall Council Chambers | 5800 Melaleuca Lane

Minutes

Any person requesting the appeal of a decision will require a verbatim record of the proceedings and for that purpose will need to ensure that such verbatim record is made. Pursuant to FS. 286.0105, the record must include the testimony and evidence upon which the appeal is to be based. The City of Greenacres does not prepare or provide such verbatim record.

CALL TO ORDER AND ROLL CALL

Chair Fitzgerald called to order the Planning and Zoning Board of Appeals Meeting Thursday, May 11, 2023, at 6:00 PM and Assistant City Clerk Tapia called the roll.

Board Members Present:

Emily Jacob-Robarts
Danette Fitzgerald
Betty Ann Litowsky
Sydelle Neustein
Joan Hayes

Board Members Absent:

Sydelle Neustein
Ann Edmundson

PLEDGE OF ALLEGIANCE

AGENDA APPROVAL - Additions, deletions, or other revisions to the agenda.

Motion made by Board Member Edmundson and Seconded by Board Member Hayes to approve the agenda.

Motion passed 5-0.

APPROVAL OF MINUTES

Vice Chair Fitzgerald mentioned there was an error on the December 8, 2023 minutes. Assistant City Clerk Tapia stated she would fix the error.

Motion made by Board Member Hayes and Seconded by Board Member Litowsky to approve the minutes for February 16, 2023.

Motion passed 5-0.

1. December 8, 2022 - LPA
2. February 16, 2023 - LPA
3. February 16, 2023 - PZBA

PRESENTATION

4. Presentation by City Attorney on the Responsibilities and Duties of the Planning and Zoning Board of Appeals

City Attorney Christy Goddeau postponed the presentation for the next meeting.

PUBLIC HEARING (ACTING AS LOCAL PLANNING AGENCY (LPA))**5. PUBLIC HEARING: CPA-23-02- Ordinance 2023-06**

A request by Jeanne Ducharme of Cotleur & Hearing for a land use change from Medium Residential (RS-MD) to Residential High (RS-HD). The site is located at 6645 Chickasaw Road.

Vice Chair Robarts read CPA 23-02 - Ordinance 2023-06 by title.

Director of Development and Neighborhood Services Denise Malone stated a request from Cotleur and Hearing for MF Associates Greenacres LLC, requested a small-scale Future Land Use Amendment to change from Residential Medium Density to Residential High Density on Chickasaw Road.

George Missimer and Jeanne Ducharme, of Cotleur and Hearing representing the applicant regarding Ordinance 2023-06 and Ordinance 2023-07 requested to amend the land use map to a Residential high density. She said the land use was compatible and comprehensive to the surrounding area.

Ms. Malone provided some background information on the site plan. She said the surrounding was compatibility to the plan and consistent with the City's comprehensive plan. Staff and the Planning Board of Adjustments recommended approval of Ordinance 2023-06.

Resident Edna Keenan stated she was opposed to the land use change.

Resident Raymond Noeth was concerned the neighborhood surrounding the site was a community of senior citizens and headlights of vehicles would disturb the residents.

Motion made by Board Member Litowsky and Seconded by Vice Chair Fitzgerald to approve Ordinance 2023-06. Motion passed 5-0.

6. PUBLIC HEARING: ZC-23-01 - Ordinance 2023-07

A request by Jeanne Ducharme of Cotleur & Hearing for a zoning change from Residential Medium (RM-2) to Residential High (RH). The site is located at 6645 Chickasaw Road.

Chair Robarts read ZC-23-01 - Ordinance 2023-07 by title.

Ms. Malone stated a request for a change in the zoning designation for a 4.993 acre parcel from City Residential Medium 2 to City Residential High. The parcel fronting Chickasaw Road currently was vacant. She also mentioned the request was to move to a Residential High Density which was comparable, with no safety issues, and met criteria for development.

Motion made by Board Member Litowsky and Seconded by Vice Chair Fitzgerald to approve Ordinance 2023-07. Motion passed 5-0.

7. PUBLIC HEARING: CPA-23-01 - Ordinance 2023-08

A request to adopt a newly created Multiple Future Land Use Designation.

Chair Roberts read CPA 23-01 - Ordinance 2023-08 by title.

Ms. Malone stated the ordinance created a multiple future land use designation within the Future Land Use Element of the City's Comprehensive Plan. She stated it allowed for increase in land density and would require approval. The idea would be to create emphasis on obtainable housing and require incentives for performance measures.

Ken Tuma from Urban Design Studios stated this project would create affordable housing around the City.

Motion made by Board Member Hayes and Seconded by Vice Chair Fitzgerald to approve Ordinance 2023-08. Motion passed 5-0.

QUASI JUDICIAL PUBLIC HEARING

8. QUASI-JUDICIAL PUBLIC HEARING- SE-21-03 – Chick-Fil-A Fast Food Restaurant

The petitioner is requesting Special Exception approval to allow a fast food/drive thru restaurant in a Commercial Intensive zoning district. The site is located in the River Bridge Centre on the southwest corner of Forest Hill Blvd and S. Jog Road.

Chair Roberts read SE-21-03 - Resolution 2023-16 by title.

Ms. Malone stated the Quasi-Judicial procedure. Ms. Tapia read the oath and swore in 1 person.

Ms. Malone requested Special Exception for a Chick-Fil-A fast food restaurant drive thru facility within the River Bridge Master Site Plan. The applicant would have a management plan in place for the utilization of the by-pass lane as a drive-thru during busy hours, site and development plan and variance approval would be required prior to issuance of development permits. The Special Exception would be limited to a 4,997 square foot drive-in fast food restaurant. The criteria for the Comprehensive Plan had been met.

Andrew Savage, agent for Real Sub, LLC was present.

Motion made by Vice Chair Fitzgerald and Seconded by Board Member Hayes to approve Resolution 2023-16. Motion passed 5-0.

9. QUASI JUDICIAL - PUBLIC HEARING: BA-23-01 – Chick-Fil-A Fast Food Restaurant-WITHDRAWN

The petitioner is requesting variances from the following Code provisions: Chapter 16, Article VII, Division 3, Section 16-1286, Table 16-1286(1), which requires a twenty-five (25') landscape buffer requirement between a non-residential property greater than 15 acres and a major roadway. The applicant is proposing to construct a seven-foot (7') foot landscaping buffer which requires an eighteen-foot (18') variance. Chapter 16, Article VII, Division 3, Sec.16-1286, Table 16-1286(1), which requires a ten (10) feet landscape buffer between two non-residential properties. The applicant is proposing to allow a three-foot (3') west and east landscaping buffer which requires a seven-foot (7') variance for each buffer; and Chapter 16, Article III, Sec.16-499(14), which requires a by-pass lane to be provided. The applicant is proposing to eliminate the by-pass lane.

Item BA-23-01 was removed from the agenda.

DISCUSSION ITEM

None.

CONCLUDING REMARKS

None.

ADJOURNMENT

7:33 PM.

Emily Jacob-Robarts, Chair

Denise Malone
Director of Development &
Neighborhood Services

Quintella Moorer, CMC, City Clerk