

DRAFT
PLANNING AND ZONING BOARD (PZB) PUBLIC HEARING SUMMARY
TUESDAY, APRIL 24, 2013
CITY COMMISSION CHAMBERS,
HALLANDALE BEACH, FLORIDA

ATTENDANCE ROLL CALL:

2013 PZB Attendance

Board Members	1/30	2/27	3/27	4/24	5/22	6/26	7/24	8/28	9/25	10/23	11/22	12/19
Arnold Cooper- Chairman	P	P	P	P	CANCELLED							
Eudyce Steinberg- Vice Chairman	P	P	P	P								
Terri Dillard	P	P	P	P								
Seymour Fendell	P	A	P	P								
Leo Grachow	P	P	P	P								
Csaba Kulin		P	P	P								
Sheryl Natelson			A	P								
Sherea Atkins-Alternate				A								
Total Members Present	5	5	6	7								
Total Members Absent	0	1	1	1								

Present (P)
 Absent: (A)
 Unappointed

Staff in Attendance:

Althea P. Jefferson, AICP
 Lynn Whitfield, Esq., City Attorney
 Christy Dominguez
 Vanessa Leroy
 Cindy Bardales

APPROVAL OF MINUTES

Mr. Cooper: asked for a motion to approve the Planning and Zoning Board meeting minutes of March 27, 2013.

MOTION: MR. GRACHOW MOVED TO APPROVE THE MINUTES OF THE MARCH 27, 2013 PLANNING AND ZONING BOARD HEARING.

MS. STEINBERG: SECONDED THE MOTION.

MOTION CARRIED BY ROLL CALL VOTE (7-0)

Disclosure of ex-parte communication was given by the secretary of the board due to the item being quasi-judicial.

The City Attorney asked anyone in the audience giving a testimony on the application to take an oath.

1. Application #109-12-CU by Faith Williams requesting a Conditional Use Permit to operate an assisted living facility located at 905 NE 10th Street. The Conditional Use request is pursuant to Section 32-524 of the City's Code of Ordinances (*Quasi-Judicial Hearing*).

Ms. Jefferson gave an overview of the application through a presentation.

Mr. Cooper: opened the public hearing.

Ms. Faith Williams (905 NE 10 Street Hallandale Beach, FL 33009): introduced herself and stated she is requesting approval for conditional use to operate an Assistant Living Facility (ALF) for seniors. She added she is licensed by the State and has been volunteering in the past 2 years in similar facilities. She is now opening her own establishment.

Mr. Frank Strauth (910 NE 10 Street Hallandale Beach, FL 33009): stated he had concerns that approving this application will draw additional businesses into their residential area.

Mr. Cooper closed the public hearing.

Ms. Whitfield: clarified there is a distance separation for these types of facilities to operate within a 1,000 feet of each other. She added if the Board approves the application today, it does not necessarily mean they can begin operating the facility. They next have to contact the state, which will determine if this location will work to operate an ALF.

Mr. Fendell: asked for clarification on the proposal of eight people to be living in three bedrooms and how the applicant would split the females from males?

Ms. Williams: stated by ALF state law, if a woman wants to be sleeping in the same room with a man it is permitted. If the woman, however, does not want to be in a room with a male, she would make available a female room in where only women will be permitted.

Mr. Cooper: followed by asking why the site plan shows the applicant will be using parking on the swale which is City property?

Ms. Dominguez: stated the Code was amended recently to permit parking on the swales if there is sufficient right-of-way to accommodate the parking without encroaching into the road. There is sufficient right-of-way on NE10 Street to meet the Code requirement.

Discussion ensued.

MOTION: MS.NATELSON MOVED TO APPROVE APPLICATION #109-12-CU REQUESTING APPROVAL OF THE CONDITIONAL USE APPLICATION WITH THE STIPULATION THAT A MAXIMUM OF EIGHT (8) RESIDENTS ARE TO BE LIVING IN THE FACILITY AT ANY GIVEN TIME. THIS MOTION IS BASED UPON THE TESTIMONY PRESENTED ALONG WITH THE APPLICATION SUBMITTED, WHICH CONSTITUTES COMPETENT, SUBSTANTIAL EVIDENCE THAT THE STANDARDS IN SECTIONS 32-521 THROUGH 32-525 AND 32-964 HAVE BEEN MET. THE BOARD ADDED RECOMMENDATION FOR APPROVAL THAT INCLUDE THE FACILITY IS REQUIRED TO MEET ALL CONDITIONS SET BY THE CITY.

MS. DILLARD: SECONDED THE MOTION.

MOTION CARRIED BY ROLL CALL VOTE (5-2) FOR APPROVAL (MR. COOPER & MR. FENDELL –NO).

WORKSHOP PRESENTATION

Ms. Whitefield gave a brief presentation on Gifts and Voting Conflicts, which provided detailed information to the Board for future reference.

Ms. Jefferson also informed the Board the upcoming meeting scheduled for May 22, 2013 has been cancelled and the regular scheduled meeting for June 26, 2013 is still confirmed. Should there be any changes staff will to notify the Planning and Zoning Board.

SCHEDULING NEXT MEETING

June 26, 2013

ADJOURNMENT

MOTION: MS. STEINBERG MOVED TO ADJOURN THE MEETING.

MS. DILLARD SECONDED THE MOTION.

MOTION CARRIED 7-0 FOR APPROVAL.

Meeting adjourned at 3:00 P.M.

A Recording of this meeting can be made available to any member of the public upon request. Requests to hear a taping of the Planning and Zoning Board meeting, summarized above, should be submitted to the

Planning & Zoning Division at ajefferon@hallandalebeachfl.gov or can be mailed to 400 South Federal Highway, attn.: Althea P. Jefferson, Hallandale Beach, Florida 33009.

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