



SUMMARY MINUTES (DRAFT)

Resilient Environment Department Local Planning Agency

Public Hearing

Government Center West 2nd Floor Hearing Room

1 North University Drive, Plantation, FL 33324

July 22, 2022 – 3:00pm

Board Members Present In-person

Sue Carrano	Howard Clarke	Sara Forelle, AICP
Janelle Guzman, AICP	Cyril Saiphoo, AICP	

County Staff Present In-person

Heather Cunniff, AICP, UPD	Darby Delsalle, AICP, UPD	Josie P. Sesodia, AICP, UPD
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County Staff Present via Teams

Maite Azcoitia, CAO	Alexis Marrero-Koratich	
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Attendees Present In-person

See Attachment A.

1. Call to Order

Cyril Saiphoo called the Broward County Resilient Environment Department Local Planning Agency (LPA) meeting to order at 3:03pm. Mr. Saiphoo advised that the meeting is open to the public and notice of the meeting was published in the Sun-Sentinel. Proof on notice is on file with the Broward County Resilient Environment Department Urban Planning Division (RED UPD). Mr. Saiphoo further advised attendees that the meeting is being recorded. The Local Planning Agency members and staff introduced themselves.

2. Approval of Minutes: March 16, 2022

Motion: Upon a motion by Sara Forelle, seconded by Sue Carrano, the March 16, 2022 LPA minutes were unanimously approved.

3. Zoning Code Amendment 22-Z3: Accessory Dwellings

Mr. Saiphoo introduced the item and requested a staff presentation. Heather Cunniff introduced herself and stated the item addresses recent amendments to Chapter 163.31771, Florida Statutes that encourage permitting accessory dwelling units in single-family residential areas in order to increase the availability of affordable rental housing. Ms. Cunniff stated that an accessory dwelling unit provides a secondary living unit on a developed residential lot that is subordinate to and subservient to the primary single-family use of the premises. The proposed zoning code amendment defines an accessory dwelling unit and permits accessory dwellings within the Agricultural Estate (A-1), one-acre Estate (E-1), two-acre Estate (E-2), Rural Estate, and Rural Ranches Zoning Districts.

Staff reviewed the proposed zoning code amendment for consistency with the Broward County Comprehensive Plan and finds that accessory dwellings make efficient use of existing land and infrastructure; may provide an affordable housing option for family members, seniors, and on-site caregivers; and, may provide rental income that can offset the cost of a primary dwelling unit. Staff

also finds the proposed zoning code amendment is consistent with the Broward County Comprehensive Plan, including the:

- Broward Municipal Services District Element Objective BMSD 2.1 and BMSD Policy 2.1.28;
- Housing Element goal; and,
- Private Property Rights Element Objective PPR 1.1 and Policy PPR 1.1.1.

Staff recommends the Local Planning Agency find the proposed ordinance consistent with the Broward County Comprehensive Plan.

Chair Saiphoo opened the meeting for public comments. No public comments were offered.

Motion: Upon a motion by Sue Carrano, seconded by Howard Clarke, and unanimously approved, the LPA found the proposed zoning code amendment consistent with the Broward County Comprehensive Plan.

4. Rezoning1-Z-22: Hillsboro Ranches

The Chair introduced the item. Jo Sesodia, AICP, Urban Planning Director, advised a minor error was made in the public hearing advertisement and that staff is advising the LPA to accept public comment today, and then continue the public hearing to August 16, 2022, at 1:00pm in this room. Ms. Sesodia stated that all public testimony will be included in the back-up for the Board of County Commissioners.

Heather Cunniff gave a staff presentation. The applicant, 4211 SP, LLC, is requesting to rezone a site within the Broward Municipal Services District (BMSD) from A-1: Agricultural to, PDD: Planned Development District. The rezoning site is an unincorporated enclave known as Hillsboro Ranches in an area near the City of Coconut Creek. The approximately 5.01 net acre site is located on the north side of NW 74 Street, between NW 44 Terrace and NW 39 Avenue. The rezoning would allow the development of fifteen (15) single-family dwelling units. The 15 dwelling units would include the five dwelling units currently allowed on the site plus 10 residential flexibility units.

Staff reviewed the proposed rezoning based upon the criteria included in Broward County Zoning Code and made the following findings:

- The proposed rezoning is consistent with adjacent and nearby development patterns.
- The proposed rezoning will help meet demand for new single-family houses.
- The proposed rezoning is consistent with the Broward County Comprehensive Plan and Broward County Land Use Plan.
- Due to the potential of the site to contain jurisdictional wetlands, the applicant must request a wetland determination from the Water and Environmental Licensing Section prior to any land clearing or filling.
- The area is predominantly planned for and developed with low density single-family dwellings. The proposed rezoning allows low density single-family residential uses.
- The proposed rezoning site is served by adequate public facilities; is suitable for single-family homes in terms of compatibility with surrounding existing and planned land uses; is suitable for single-family homes served by private passenger vehicles, since Broward County Transit does not provide or plan to provide public transit service; allows urban infill development that discourages urban sprawl and utilizes existing infrastructure; has a negligible impact on the need for affordable housing.

- Based on the available information, including archival documents, maps, the Broward County Land Use Plan, and the Florida Master Site File, the county's archaeological consultant issued the following findings during review of the previously submitted and now withdrawn Broward Municipal Services District Future Land Use Map amendment:
 - The proposed project will not adversely affect any known historical or archaeological resources or areas of archaeological or paleontological sensitivity.
 - The subject property is located within the Broward Municipal Services District and located within the jurisdictional boundaries of Broward County's historic preservation ordinance.
 - In the event that unmarked burials are discovered, Florida State Statutes, Chapter 872.05, requires "all activity that may disturb the unmarked burial shall cease immediately, and the district medical examiner shall be notified. Such activity shall not resume unless specifically authorized by the district medical examiner or State Archaeologist.
- Any proposed development that requires the removal of trees will be required to obtain a Broward County Tree Removal License.
- Due to the potential of the site to contain jurisdictional wetlands, the applicant must request a wetland determination from the Water and Environmental Licensing Section prior to any land clearing or filling.
- The site is served by Tradewinds Elementary, Lyons Creek Middle, and Monarch High schools.
 - Monarch High School is expected to be below the level-of-service standards through the 2025/26 school year.
 - Pursuant to the Third Amended and Restated Interlocal Agreement for Public School Facility Planning, public school concurrency review is conducted at the time a plat or site plan application is submitted. At that time, if permanent student capacity is not available at public schools to serve the proposed amendment site, the developer may be required by the School Board to mitigate impacts related to deficient capacity.
- The supply of local and regional parks is expected to be sufficient to meet the demand through at least 2045.
 - At the time of platting, regional park impact fees are required based on the number of units permitted on the site.
- The proposed rezoning is consistent with the densities, intensities, and general uses set forth on the Broward Municipal Services District Future Land Use Map, as well the Broward County Land Use Plan Future Land Use Map.
- Potential harm to environmentally critical areas and natural resources will be adequately addressed through Broward County's development review processes.
- Staff recommends that before issuance of the first Certificate of Occupancy, a homeowners association be established to maintain common areas and infrastructure, including the 0.70-acre dry retention area located on the southeast corner of the PDD and the access road.

Staff received written correspondence from numerous property owners opposing the proposed amendment, including a petition (See Attachment B).

Staff recommended the Local Planning Agency accept the staff recommendation and forward the proposed amendment to the Board of County Commissioners.

Chair Saiphoo requested the applicant's presentation. Dennis Mele, attorney for the applicant, requested to hold their comments until the public hearing on August 16, 2022.

Chair Saiphoo requested public comments.

John Brody, Commissioner, City of Coconut Creek, stated that the decision is made on the county level but impacts the city, emergency medical services, and quality of life. The proposed development is appropriate for other areas, but not this neighborhood. It does not fit in the neighborhood and takes away from the residents' quality of life. He asked that the application be withdrawn.

Joshua Rydell, Mayor, City of Coconut Creek, objected to the error with the public notice. He stated the proposed amendment is in the middle of Coconut Creek, where there are building standards, design standards, and environmental standards that are above and beyond the County's standards. He submitted a letter objecting to the proposed amendment. Mayor Rydell stated the amendment does not fit the area. He referred to wetlands, pinelands, and the abundant wildlife in the area.

Sandra Welch stated the proposed development is not compatible with the community since there are not any similar developments nearby.

Thomas Gimler stated the amendment is being built next to his property and will impact wildlife such as coyotes and turtles, as well as trees. The 15 townhomes will harm the value of the neighborhood and increase traffic, noise, and impact the environment.

Becky Tooley, Coconut Creek Commissioner, stated the entire Commission believes the density should not be increased.

Christine McIver stated higher density properties are all located along major roads. The City of Coconut Creek has purchased nearby properties for development of a system of connected greenways. People enjoy riding bikes and walking along the street; the additional traffic will create additional congestion on Lyons Road. Ms. McIver submitted comments e-mailed by residents to Broward County. Ms. McIver complained about how the LPA public hearing was noticed and that it was held in the middle of the day.

Caleb Devloe stated he does not support the amendment. He bought the property due to the low density and wildlife.

Stewart Montague stated the neighborhood is not appropriate for the proposed density. The development will increase traffic and cost the city money for infrastructure.

Gary Atkison stated they keep animals, such as horses and peacocks. Wildlife includes coyotes, raccoons, possums, and birds.

Michelle Gridi stated the neighborhood is like old Florida. Higher density is nearby but does not impact them directly.

Chair Saiphoo asked if any member of the public would like to speak who has not signed-up the speak. When no members of the public came forward, Chair Saiphoo closed the public hearing and asked the applicant for comments. Mr. Mele stated they would hold their comments until the August 16, 2022, Local Planning Agency meeting. Chair Saiphoo asked the Urban Planning Director

for comments. Jo Sesodia, , stated that comments received today are part of the public record and it is not necessary for today's attendees to come to the next public hearing, but they may attend. Ms. Sesodia also stated that members of the public may attend the Board of County Commissioners public hearing. She further stated that the Local Planning Agency is an advisory Board, and that the County Commission will consider the item at a public hearing. Ms. Sesodia noted that the error in the public hearing advertising was an honest mistake; there was no collaboration with the developer.

Chair Saiphoo further clarified the Local Planning Agency role is limited to whether the request is consistent with the Broward County Comprehensive Plan. He requested a motion to continue the public hearing to a date certain.

Motion: Sara Forelle made a motion to continue the public hearing to August 16, 2022 at 1:00 pm and enter all oral and written public comments into the record. The motion was seconded by Janelle Guzman and unanimously approved.

Ms. Sesodia advised the Local Planning Agency that they are under the sunshine laws.

5. Public Comments: Non-agenda Items

No comments.

6. Adjourn

Motion: Upon a motion by Sue Carrano, seconded by Janelle Guzman, and unanimously approved, the LPA meeting adjourned at 3:56pm.

Attachments

Attachment A: Sign-in Sheet

Attachment B: Written comments submitted by the public at the public hearing.

#	Name	Address	Phone Number	E-mail	Do you wish to speak
1	DENNIS MELE	200 E. BROWARD BLVD. #1800 FT. LAUD. FL 33301	954-527-2409	DENNIS.MELE@GMLAW.COM	YES
2	Sandra Welch	4800 W. Copans Rd. Coconut Creek FL 33066	954 861 8855	swelch@coconutcreek.net	yes
3	Becky Tooley	4800 W. Copans Rd	954 956 1409	Becky@CoconutCreek.net	yes
4	Thomas Ginter	7455 NW 39 AVE	954-815-1651		Yes
5	Kris Minnery	7501 NW 44 Terr	754-366-7177	kmminnery@gmail.com	No
6	John Brodie	4919 NW 47th Ave	954 501 3585	JBrodie@coconutcreek.net	yes
7	Christine McIvor	4003 Crescent Ck Dr	954-812-0953	cmiciver@comcast.net	yes
8	Joshua Ryck	4800 Copans Blvd Coconut Creek	954 882 8085	JRydell@coconutcreek.net	YES
9	Gary Adherson	7515 NW 44th Terrace	954 554-8918	info@sharventures.com	yes
10	Brenda Adherson	7515 NW 44th Terr.	954 336-0546	" " "	no
11	Sara Montague	3990 NW 74th St. Pompano Beach FL 33073	561 305 7566	SLHenick@gmail.com	No
12	Stewart Montague	3990 NW 74th St. Pompano Beach FL 33073	954 657-3303	montague.stewart@gmail.com	No
13	Sharon Dezenzo	7601 NW 39th Ave COCONUT CRK 33073	954 803 9150	Animallover40@aol.com	No
14	Michelle Gridi	4300 NW 74 St	954 254 0655	mggridio@aol.com	Yes
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July 22, 2022 Environmental Protection and Growth Management Department Local Planning Agency
Attendee Sign-in Sheet

18	Marilyn Blansett				
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Christine McIver

Mr. Bogen,

Attached is a photo showing how our small neighborhood has been scared by our prestigious and beautiful neighborhood school, North Broward Prep. We understand how the school may have been able to succeed in getting the 3 story monster building built in our neighborhood, but this does not make it ok. But to have Leigh Kerr, Leigh Robinson Kerr & Assoc. Inc. take up a cause to change our low density, quiet neighborhood into a even higher traffic, congested area is a Big NO! This proposal does not "fit in" with our area as it was originally designed.

We the residents of the area do not agree with the findings that were presented to the Local Planning Agency, Broward County on March 16, 2022 at 1:00PM at the Government Center West. Which I am sad to say, I did not see your name as an attending Board Member. We, as long time residents of the area , did not receive anything notifying us that something was going on with the property unit until a sign went up on a tree telling us a Petition Number 1-Z-22 and a Rezoning hearing was to take place on July 22, 2022 at the Broward County Government Center West at 3PM. I have attached a photo. Kerr said they placed an ad in the newspaper. What paper and who reads the paper much less subscribes to one anymore? This is very questionable behavior and ethically questionable.

Traffic on Hillsboro Blvd is already too heavy. How much more traffic are we to tolerate? If you are going West on Hillsboro and want to go South on to Lyons Road, be prepared to wait through 2 to 3 light changes. Lyon Road runs North and South. The School causes so much back up, that the right line is at a standstill. If you are trying to get to Lyons Road from 74 Street, you can't get out because of the school traffic.

Please come to our corner of the City and see our unique area. There use to be horses and wild life. Now nothing. The children have a safe area now to ride bikes with family members, walk with no fear of being run down. It's a place we all chose because it is one of the last places in our City that still has a small town feel. You will agree I am sure that 15 units or they say 45 additional residents, crushed into a 5 acre area does not belong on 74 Street.

Please Help us in resolving this issue. Please do not let this go though.

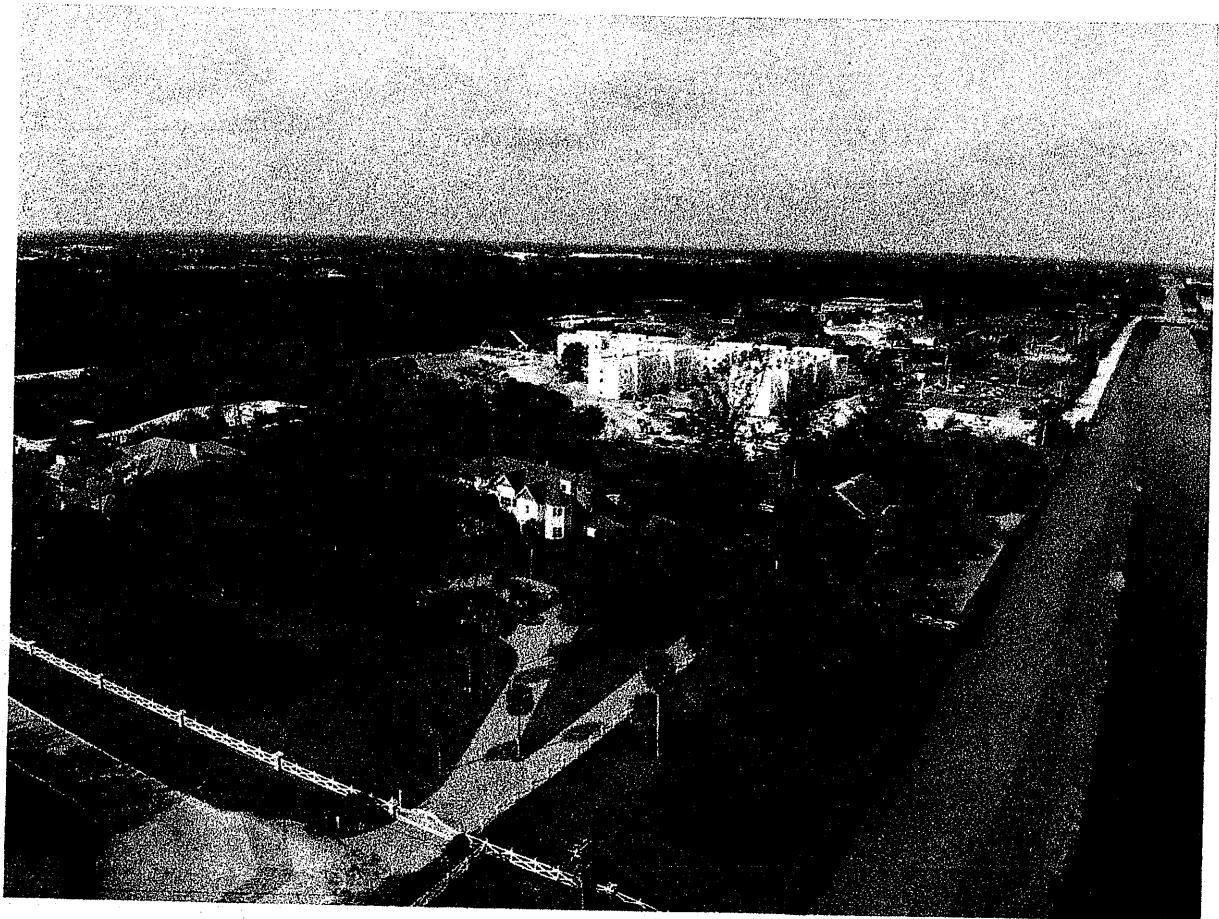
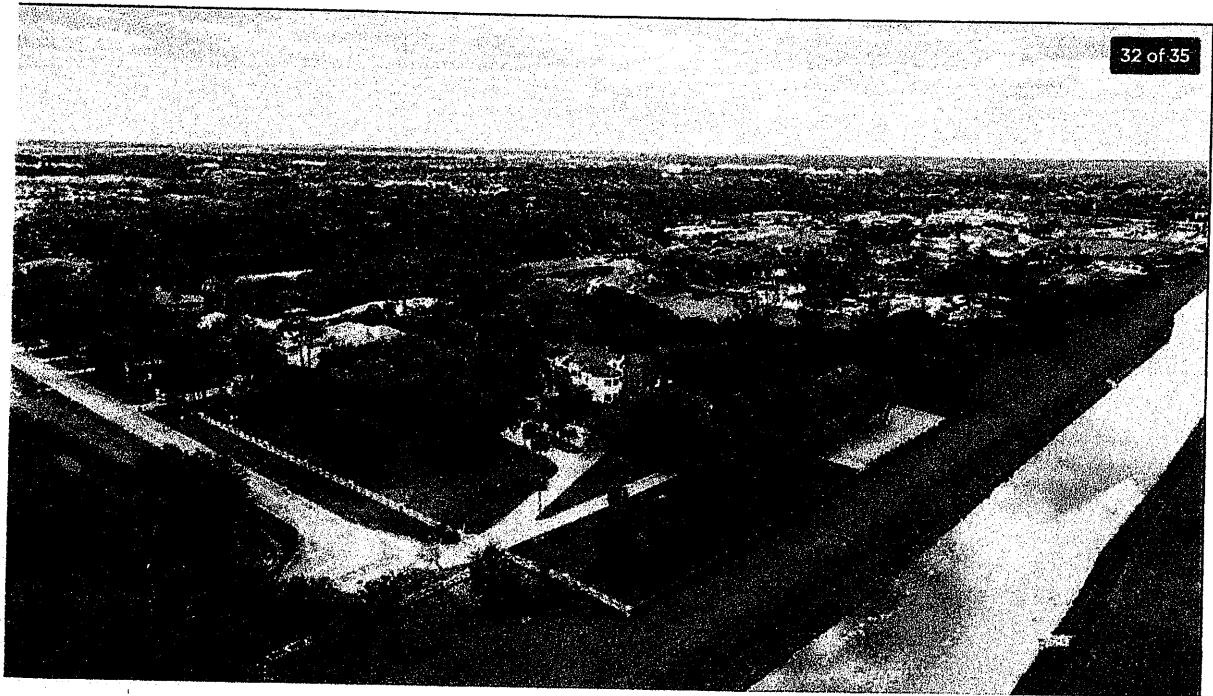
Sincerely,
Christine McIver 954-812-0753

Below are additional questions and comments of our neighborhood.

- This is nothing more than spot zoning, which is illegal. Where rezoning is done to benefit one property owner, courts have deemed that illegal.
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- We were also never properly notified of the previous meeting at the county. This too is illegal. When property owners are deprived of due process, the courts generally rule in their favor. I did not receive a mail notice of this meeting either. An ad in the newspaper is not adequate or fair notice of something that adversely affects our property.
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- How is the sewer system going to be addressed? 15 new septic tanks on 5 acres?
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- Where is the water going to come from? Coconut Creek?
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- Are the new home owners going to be responsible for 74th Street maintenance? I believe it is still a private or county road.
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- What about conservation space on the properties? With that many houses on only 5 acres, where are the trees going to be planted?
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- Are sidewalks required with that many additional homes?
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- This rezoning, just like the school to Community Facility; which the community disapproved of, is in direct conflict with the lifestyle of the nearby residents and the Comprehensive Plan.
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- This rezoning lowers everyone's property values.

Before and After Aerial Photographs of NBPS Dormitory Complex



**NOTICE OF PUBLIC HEARING
REZONING**

. PETITION NUMBER: 1-Z-22 .

Date: Friday, July 22, 2022

Time: 3:00 pm

**Location: Broward County Governmental
Center West**

Address: 1 N. University Dr. Plantation FL 33324

Room: Hearing Room, Second Floor

Urban Planning Division: 954-357-6609

Speaker/Comment Form

Name: Michelle Endi

Address: 4300 NW 74th Coconut Creek FL 33073

Phone Number: 954 254 0655

E-mail Address: mgndi@gmail.com

Who are you representing? neighborhood
(self, civic association, applicant, etc.)

Are you a registered lobbyist?

Yes: ☐ No: ☒

Comments:

If would be nice if we were all notified of
The steps in The proceedings.

As residents in the Northern Corner of Coconut Creek we object to the development/rezoning of the property on NW 74 St. We do not feel it is appropriate fit for our unique part of the City of Coconut Creek.

We are asking that the Broward County Commissioners disapprove the rezoning request that would allow 15 units on a 5-acre parcel.

~~Stewart Montague~~
Stewart Montague

3990 NW 74 ST. Coconut Ck
Hillsboro Ranches

Sara Montague

2 Brooke Gimler

7455 NW 39 Hillsboro Ranches

3 Lawrence Dezenzo

7601 NW 39 Hillsboro Ranches

4 PAUL & DIANNE HALLERAN

4280 NW 74 ST Hillsboro Ranches

TERESA DAVIS

5 Kip Sheehan

7300 NW 43rd Ave Hillsboro Ranches

6 JENNIFER DEVINE

7241 NW 43 Ave
Hillsboro Ranches

7 Trish Carlin

7200 NW 43 Ave

8 Nhan Le

7231 NW 43 Ave, Hillsboro Ranches

9 Monique Frater.

4044 Crescent cl Dr, Coconut Ck 33073

10 Gassanelli Alberto Tassarrelli 7153 Crescent Creek Ln FL 33073
Crescent cl Lane

ADDED 7/19/2022 Dan Grech DANIEL GRECH
7459 NW 44 Terrace Hillsboro Ranches
Coconut Ck

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We are asking that the Broward County Commissioners disapprove the rezoning request that would allow 15 units on a 5-acre parcel.

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|-----|-------------|----------------------------------------------------------------|
| # 1 | | DENNIS HALCOM B 3997 Crescent CK Dr. |
| 2 | | MICHELE CALAMETTA Halcom 6 Coconut CK |
| 3 | | JASON L. NOEN 3994 Crescent CK Dr. Coconut CK |
| 4 | | Elly Namit C. |
| 5 | Muaiying L. | Muaiying LI 3993 Crescent CK Dr. Coconut CK |
| 6 | | IGOR VRHACIC 3973 Crescent CK Dr. Coconut CK |
| 7 | | BRIAN SCOTT 4024 Crescent CK Coconut CK |
| 8 | | Wade & Lisa Gable 3944 Crescent CK Dr. Coconut CK |
| 9 | | JULIO TALPO 3983 Crescent CK Dr. |
| 10 | DAVID SEPE | DAVID SEPE 7107 Crescent CK Lane. |
| 11 | | Consolacion P. Sepe |
| 12. | | Jeffery Kahn & Stefanie Ohlmann 4013 Coconut CK Dr. Coconut CK |
| 13. | | JoAnn G BARONE 4043 Crescentcreek Dr coconutcreek FL 33073 |