



**Cooper City Commission Meeting  
Agenda Item Request Form**

**Commission Meeting/Workshop Date:** July 17, 2018

**Requesting Department:** Growth Management

**Subject:** Code Change on Shadowbox Fences

**Section:**

*Presentation*

*Consent*

*Regular*

*Discussion*

**Background and Recommendation (attach backup material to Item Request Form):**

First Reading of Ordinance for Text Changes to Section 23-90(e)(2) of the Code of Ordinances relative to allowing options to requiring shadowbox fences along street frontages.

The first change requires shadowbox fence design on the exterior street-side view only.

The second change allows an alternative fence material to be substituted for shadowbox fence design where adjacent roadway or sidewalk construction or improvements have modified the uninterrupted shadowbox fence design criteria.

**General Ledger Account Number(s) and Amount(s):**

\_\_\_\_\_

**Approvals:**

Finance Director \_\_\_\_\_

City Manager

*spk*

City Clerk \_\_\_\_\_

**ORDINANCE NO. 18-7-1**

**AN ORDINANCE OF THE CITY OF COOPER CITY, FLORIDA, AMENDING THE CODE OF ORDINANCES BY AMENDING CHAPTER 23 “ZONING DISTRICTS,” ARTICLE V “SUPPLEMENTARY REGULATIONS,” SECTION 23-90 “FENCES, WALLS AND HEDGES”; AT PARAGRAPH (E) “ ORIENTATION”, CONCERNING SHADOWBOX FENCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR PENALTY; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City Commission desires to update and amend the City Code, as provided herein; and

**WHEREAS**, following proper notice to the public and after having received input and participation by interested members of the public and staff, the City Commission finds that this Ordinance is in the best interest of the citizens, residents, and business establishments in the City; and

**WHEREAS**, the City Commission has held a public hearing in accordance with Florida law.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF COOPER CITY, FLORIDA:<sup>1</sup>**

**Section 1. RECITALS ADOPTED.** That each of the above-stated recitals is hereby adopted and confirmed.

**Section 2. CHAPTER 23 OF CITY CODE AMENDED.** That paragraph ( e) “ Orientation” of Section 23-90 “Fences, walls and hedges” of Article V “Supplementary Regulations” of Chapter 23 “Zoning Districts” of the City Code of the City of Cooper City, Florida, is hereby amended to read, as follows:

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<sup>1</sup> Additions to existing City Code text are shown in underline; deletions to existing text are shown in ~~strikethrough~~.

**ARTICLE V. SUPPLEMENTARY REGULATIONS.**

**Sec. 23-90. Fences, walls and hedges.**

\* \* \*

*(e) Orientation:*

(1) Fences and walls shall be oriented so that the side of the fence or wall facing or viewable from a street right-of-way or an adjoining property is the finished side, with all support posts and stringers facing inward toward the property upon which the fence or wall is located. However, as determined by the building official or designee, if access to a portion of a fence is wholly or partially blocked by a building, fence, wall or other structure or by foliage which conceals the fence proposed to be constructed, located upon adjoining property and adjacent to, but not necessarily abutting, the property line, the support posts for that portion of the fence, but not the stringers, may be installed on the outside of the fence, facing away from the property upon which the fence is located.

(2) All fences constructed on residential lots in yards which abut a public or private road right-of-way and are along an uninterrupted line of fencing of double frontage lots (i.e., double frontage lot rear fences and street side yard fences associated with those double frontage lot rear fences), subsequent to the effective date of this section (July 25, 2006), shall be shadowbox design on the exterior street-side view with a natural wood appearance in order to maintain visual continuity along the streetscape of the double frontage lots. Where adjacent roadway or sidewalk construction or improvements have modified the uninterrupted shadowbox fence adherence criteria, an alternative fencing material may be substituted for the shadowbox design where it is of compatible color and design to the modified condition or where it will blend with the adjacent fence material to maintain visual continuity along the streetscape. Any duly-recorded covenants and restrictions or Homeowners' Association regulations otherwise filed with the city governing the uniform and perpetual maintenance of fences as a specific design shall prevail with regard to this provision. Fences of other construction which were legally constructed prior to the effective date of this section shall comply with the non-conforming use provisions contained within Section 23-156 of this code. Provisions of this section shall supersede fence requirements of Section 25-72(d), provided such fences shall match finish/color to that which exists in the existing fence line directly to each side of that which is to be installed.

\* \* \*

**Section 3. REPEAL.** That all sections or parts of the Code of Ordinances, all ordinances or parts of ordinances and all resolutions or parts of resolutions in conflict herewith, be and the same, are hereby repealed to the extent of such conflict.

**Section 4. SEVERABILITY.** That should any section or provision of this Ordinance, or any portion thereof, or any paragraph, sentence or word, be declared by a Court of

competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder hereof, as a whole or a part thereof, other than the part declared to be invalid.

**Section 5.**     **INCLUSION IN THE CODE.**     That it is the intention of the City Commission, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of the City of Cooper City; that the sections of this Ordinance may be renumbered or relettered to accomplish such intentions; and that the word “Ordinance” shall be changed to “Section” or other appropriate word.

**Section 6.**     **PENALTY.**     That any person who violates any provisions of this Ordinance shall, upon conviction, be punished by a fine not to exceed \$500.00 or imprisonment in the County jail not to exceed sixty (60) days, or by both such fine and imprisonment. Each day that a violation continues shall be deemed a separate violation. This Ordinance shall also be subject to enforcement under the Local Government Code Enforcement Act, Chapter 162, F.S., as amended, and City Code Chapter 13, Article VI., as amended. Enforcement may also be by suit for declaratory, injunctive, or other appropriate relief in a court of competent jurisdiction or as authorized by Section 162.22, F.S.

**Section 7.**     **EFFECTIVE DATE.**     That this Ordinance shall be in force and take full effect immediately upon its passage and final adoption.

**PASSED AND ADOPTED on First Reading this \_\_\_\_\_ day of \_\_\_\_\_, 2018.**

**PASSED AND FINAL ADOPTION on Second Reading this \_\_ day of \_\_\_\_\_, 2018.**

\_\_\_\_\_  
GREG ROSS  
Mayor

ATTEST:

\_\_\_\_\_  
Kathryn Sims  
City Clerk

Approved As To Form:

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DAVID M. WOLPIN  
City Attorney

**ROLL CALL**

Mayor Ross \_\_\_\_\_  
Commissioner Sims \_\_\_\_\_  
Commissioner Mallozzi \_\_\_\_\_  
Commissioner Curran \_\_\_\_\_  
Commissioner Green \_\_\_\_\_

**Sec. 23-90. Fences, walls and hedges.**

(a) **Applicability:** All fences, walls and hedges shall be regulated by the provisions contained in this section.

(b) **Permit:** All fences and walls shall require a building permit prior to the installation or erection and, prior to the issuance of such permit, plans for the fences, or walls shall be determined to be in compliance with the requirements of this section and all applicable requirements of the city's code, and the South Florida building code. Application for such permit shall accurately identify the property upon which the fence, wall or hedge is to be placed, and the actual location on the property of the fence, wall or hedge which shall be clearly inside of the property line.

(c) **Materials:** All fences and walls shall be constructed of materials appropriate to their purpose and location. Treated wood, concrete/masonry, chain link, or similar materials as approved by the building department are permitted. Provided, however, that barbed wire, oriented in toward the property on which the fence is located, shall be permitted in U-1 (utility) district, CS (community services) district, and on any other municipally-owned property, regardless of the zoning district designation, such fence to be shielded by hedge material and/or landscaping; and further providing that barbed wire shall not be installed on fences of less than eight (8) feet in height nor on fences surrounding swimming pools. Applicants are encouraged to use recycled plastic and/or other attractive, non-deteriorating materials. All walls shall have, at minimum, a "drip edge" detail at the top of the wall to prevent water damage. The chief building official or his designee shall make all final decisions as to the design and materials for fences or walls.

(1) Rear or side yard concrete masonry walls on double frontage residential lots shall be maintained by the property owner, as specified herein.

a. The property owner shall maintain said wall in a clean condition, free from cracks greater than 1/16 of an inch in width, graffiti, peeling paint and missing materials.

b. When repainting is needed, the wall shall be repainted with "Sherwin Williams Creamy White" (No. SW2445) and the trim shall be repainted with "Glidden The Hunt" (No. 03884), or a product identical in color, shade and hue.

(d) **Easements and rights-of-way:** No fence, wall or hedge may be located within any easement or right-of-way or enclose any water meter box, manhole, fire hydrant and/or utility pole except as follows:

(1) No fence, wall or hedge shall be located within any public or private right-of-way, right-of-way easement, utility or drainage easement, unless specifically authorized by the city engineer and public works director, and/or the holder of the easement.

(2) No fence, wall or hedge shall enclose a water meter box, manhole, fire hydrant, and/or utility pole unless specifically authorized by the city engineer.

(3) Fences, walls and hedges may be permitted within utility and drainage easements subject to:

a. A suitable gate or opening being provided which enables access to any utilities, meters or like facilities;

b. The right of the city to remove, without cost or obligation to replace or restore, any such fence or wall and landscaping as may be necessary to maintain the utilities located in the easement;

c. Easement agreement from easement holders — Florida Power and Light, Central Broward Water Control District, the authorized franchise phone company, the authorized franchise cable company, the city's utility department, etc.; and  
(Ord. No. 06-07-03, § 1, 07-25-06)

d. Approval of plans showing that fence, wall or hedge will not interfere with or cause damage to any utilities located in said easement.

(e) *Orientation:*

(1) Fences and walls shall be oriented so that the side of the fence or wall facing or viewable from a street right-of-way or an adjoining property is the finished side, with all support posts and stringers facing inward toward the property upon which the fence or wall is located. However, as determined by the building official or designee, if access to a portion of a fence is wholly or partially blocked by a building, fence, wall or other structure or by foliage which conceals the fence proposed to be constructed, located upon adjoining property and adjacent to, but not necessarily abutting, the property line, the support posts for that portion of the fence, but not the stringers, may be installed on the outside of the fence, facing away from the property upon which the fence is located.

(2) All fences constructed on residential lots in yards which abut a public or private road right-of-way and are along an uninterrupted line of fencing of double frontage lots (i.e., double frontage lot rear fences and street side yard fences associated with those double frontage lot rear fences), subsequent to the effective date of this section (July 25, 2006), shall be shadowbox design on the exterior street-side view with a natural wood appearance in order to maintain visual continuity along the streetscape of the double frontage lots. Where adjacent roadway or sidewalk construction or improvements have modified the uninterrupted shadowbox fence adherence criteria, an alternative fencing material may be substituted for the shadowbox design where it is of compatible color and design to the modified condition or where it will blend with the adjacent fence material to maintain visual continuity along the streetscape.

Any duly-recorded covenants and restrictions or Homeowners' Association regulations otherwise filed with the city governing the uniform and perpetual maintenance of fences as a specific design shall prevail with regard to this provision. Fences of other construction which were legally constructed prior to the effective date of this section shall comply with the non-conforming use provisions contained within Section 23-156 of this code. Provisions of this section shall supersede fence requirements of Section 25-72(d), provided such fences shall match finish/color to that which exists in the existing fence line directly to each side of that which is to be installed.

(f) *Height and location on lot.* Fence and wall heights shall be measured from the existing finished first floor level and the top of the fence or wall shall not exceed six (6) feet above the said first floor level nor exceed seven (7) feet above grade when abutting a residential lot. For double frontage lots along SW 100th Avenue between SW 49th Street on the north to SW 53rd Street on the south, fence and wall heights along rear property lines may not exceed six (6) feet as measured from the finished elevation of the abutting sidewalk. For the safety of the adjacent roadways and neighborhood:

(Ord. No. 14-4-2, §2, 4-22-14)



Minutes of June 18, 2018

Meeting Called to order at 7:00 p.m.

1. ROLL CALL

P&Z Board Members

MEMBERS	06/18/18	05/07/18	04/16/18	03/19/18	01/08/18	09/18/17	08/07/17	07/10/17	06/05/17
Jimmy Goulet	P	A	P	P	P	P	P	P	A
Craig Konhauzer	A	P	A	P	P	A	P	P	P
David Rouse	P	P	P	P	P	P	P	P	P
Jim Federici	P	P	P	P	P	P	P	P	P
Howard Meltzer	P	P	P	P	P	A	P	P	P
Matt Williamson	A	P	A	P	P	P	A	P	A
Bobby Jenkins	P	A	A	A	P	P	P	A	A
Michael de Miranda	P	A	P	A	P	P	A	P	A
Michelle Stern	P	P	P	P	P	P	P	P	P
Mark Aronson, Chair	P	P	P	P	P	P	P	P	P

\* Reappointed \*\* Resigned \*\*\* New appointment

STAFF PRESENT: Matt Wood, Director of Growth Management  
Jason Chockley, Planner

2. **P&Z BOARD - MINUTES - WAIVE/APPROVE MINUTES OF 05/07/18:** Motion to waive the reading of the minutes made by Michelle Stern and seconded by Howard Meltzer. All ayes on voice vote. **MOTION WAS APPROVED.** Motion to approve the minutes made by Howard Meltzer and seconded by Bobby Jenkins. There were all ayes on voice vote. **MOTION WAS APPROVED.**

3. **PUBLIC COMMENTS:** None

4. **CORRESPONDENCE:** None

5. **NEW BUSINESS:**

**A. Proposed Sign Code Changes**

- 1) Code Section 23-90(e)(2)
- 2) Code Section 25-23(1)(d)
- 3) Code Section 6-9(C)
- 4) Code Section 24-67(d)

Chairman Aronson turned the item over to Mr. Wood and he proceeded to read the Staff report for item 5A (1-4) Proposed Code Changes, hereby summarized as follows: Item 5A are four proposed Code Changes which staff has prepared draft language to address a few additional amendments to the City Code of Ordinances which include:

1. Providing for alternative fencing material to shadowbox design along double frontage lots under certain circumstances.
2. Providing for secondary wall signage for corner businesses.
3. Allowing applicants for Portable Storage Units (Pods), requesting placement for multiple consecutive weeks, to pay only one permit review fee.
4. Allowing administrative approval of new architectural elevations for previously approved floor plans.

Chairman Aronson asked the board if they had any questions for staff.

Ms. Stern said the language is vaguely written and wanted to know who determines the criteria.

Mr. Wood read the item 5A1 back up material for the exterior street-side view for double frontage lots which now requires the shadow box fence design. He stated that this code change originated from the City Commission as one of the Commissioners had heard from the Homeowners Association President from Countryside West, located on the east side of 100<sup>th</sup> Ave at the bend where 100<sup>th</sup> Ave was widened a few years ago. They have a 5ft wall and the HOA proceeded to construct a fence behind that wall of compatible fence material but it did not meet the shadowbox design. Commission directive was to modify the Code to provide for alternative fence materials that will blend with the adjacent fence material to maintain that visual continuity along the streetscape in those situations where it wasn't the doing of the neighborhood association. As an example, in this case it was the Broward County Traffic Engineering Division that redesigned that section of 100<sup>th</sup> Ave and created that modified condition.

They can't address a code change for one particular situation so what they have attempted to do is develop language that is generic. The key wording in this change is "where the adjacent roadway or sidewalk construction or improvements have modified the uninterrupted shadow box fence adherence criteria". Then in that case an alternative material would be allowable.

Ms. Stern's concern is that the continuity they have tried to create by mandating the shadow box fence throughout so that everything looks the same, would be totally defeated and now there will be a break in continuity because who determines whether somebody has to abide by that or not.

Mr. Chockley said there are two changes to the code. The first of which highlighted in red is the exterior side view. That has to do with the shadowbox design itself. If you are part of a double frontage lot and in connection with that run you still will have to do the shadowbox design on the exterior side view. How this came about was that people started to complain about the privacy and how if you're walking down the sidewalk you could see at an angle through the slats. The first requirement is that now you can do double boards on the inside and basically create a stockade or a board on board fence on their interior yard side but the outside will still have to have the spacing. The uniform look driving down the road will still be shadowbox. That is change one. The second change which is the longer one that Mr. Wood read is roadway alterations that have broken up that line. The Countryside West is the example given. It used to be a continuous line of shadow box fencing but per the widening right off the bend, the County put in a 5 ½ foot tall concrete wall that now has broken up what used to be a continuous line. Where the wall slopes down right next to the park, they put in a 6FT gray PVC fence but that is no longer in a run of shadow box because of the DOT wall. This is where the code is changed so that a unique circumstance if the road or sidewalk was altered and it didn't create a run, they could put something in other than a shadow box. By definition that park is still double frontage, there is a road on the front and Palm Ave on the back but it is no longer part of a continuous line and they wanted to keep the gray PVC that matched with the wall.

Ms. Stern said that she believes that changing the whole code for one instance is digging a hole for anyone else to come in and say they widen the road and now I don't have to have a shadow box fence.

Mr. Chockley said there would have to be a change that meets the criteria where if something has been modified.

Ms. Stern asked why they didn't just ask for a variance.

Mr. Chockley said this was the direction that City Commission put forth for the change.

Chairman Aronson believes that the code should read where adjacent roadway or sidewalk construction or improvements have interrupted the shadow-box. The improvements haven't modified it because the roadways would have been there, something interrupts it.

Mr. Chockley said in this case it would have been the wall.

Chairman Aronson said in this case you've written it for the wall. It should be written if a roadway or sidewalk construction or other improvements have interrupted the shadowbox fence.

Mr. Wood said what they are attempting to do is to recognize that as in a variance, the language says it can't be self-created. This is a recognition that there is something beyond the homeowner just selfishly wanting to interrupt the line of shadowbox fence design. In this subject case if they were to adhere to the code and they didn't get a variance, the shadow box fence behind that wall would look worse than what they are proposing to do. There is a recognition that in these unique circumstances, whether there has been a modification to the roadway or sidewalk that wasn't done by the owner himself then that's what they are trying to do is give that as an option.

Ms. Stern said her concern is not so much this particular development but more so the houses from like Cooper Village further down towards Publix. All those houses that had to replace the fencing to be compliant with code, I think those are the people that are going to use this code change.

Chairman Aronson said those houses are the backyards which to the extent there's a continuous runs and one of the entrances break it up theoretically they can have a different fence on the north side than the south side of the entrance.

Mr. Chockley said only as long as they are not still double frontage. If north of the entrance and south of the entrance is still double frontage lots they would still have to be all shadowbox.

Chairman Aronson said these developments have an entry way and you have fences on each side with this amendment the north side can have different fences than the south side.

Mr. Chockley said there would have to be a roadway alteration or something that modifies that before they could do that.

Chairman Aronson said so the way this reads now they couldn't do that.

Mr. Chockley said correct.

Chairman Aronson asked why couldn't they do that?

Mr. Chockley said because there wouldn't be a modification of construction or sidewalk or roadway improvements.

Mr. Meltzer said he believes that they should take that term modification as Ms. Stern said and tightened it up a little bit. How was it modified, why was it modified and tighten it up a little bit.

Mr. Chockley said that there could be a variety of circumstances like the one off of Palm. The county required a 5ft concrete wall to be part of the road way bend.

Mr. Meltzer said what if language is put in that sites the Palm Ave and 57<sup>th</sup> Ave case.

Mr. Chockley said you couldn't because then it would become site specific.

Chairman Aronson said let's keep in mind we don't have to vote on this if we don't want to. They would like us to but this is going to the Commission either way, and they are going to read these minutes.

Mr. Wood said to Chairman Aronson that he knows that he doesn't like to tweak language "on the fly" but he thinks that he had a valid recommendation.

Mr. Federici said he's noticed the 5ft wall and he thinks it looks great but heading north on 100<sup>th</sup> Ave, a lot of those fences look horrendous. They are different colors and it looks like something and maybe I shouldn't use the term but like some places in North Dade. He believes they should address something else and he would have never noticed that and he gets what Ms. Stern is saying.

Chairman Aronson said the problem is that the fences are put up at different times.

Chairman Aronson said we can vote to not take the suggested amendment to move forward.

Mr. De Miranda said from his perspective he believes that somewhere in the near future if something like this happens again, they are more than welcome to come before us and ask for a variance. It is much easier for them to ask for a variance than it is for us to make code change for one specific instance where somebody could potentially fall into a loop hole.

Chairman Aronson said to not put words in anyone's mouths, it is not a particular objection to modifying the code to deal with certain unusual situations but this language doesn't seem to accomplish what the sense that this board thinks is appropriate.

Mr. Chockley said to clarify the motion, are they going for no change for both elements because there is two parts. There is one for allowing people to do extra wood on the inside of their current shadow box for privacy and there is the roadway modification for a different fence type material all together.

Chairman Aronson asked if the first change continues the required uniformity on the exterior it just allows them to put the board on board on the inside.

Mr. Chockley said correct.

Chairman Aronson said he thought the reason they went to shadow box amendment several years ago was hurricane related.

Mr. Chockley said the shadow box fences do fair better in hurricanes.

**MOTION: TO LEAVE THE EXISTING LANGUAGE AS IS AND NOT CHANGE THE CODE FOR PROPOSED CODE CHANGE # 1 CODE SECTION 23-90(e)(2) MADE BY MICHAEL DE**

**MIRANDA AND SECONDED BY MICHELLE STERN. THERE WERE 7 AYES 1 NAYE ON THE ROLL CALL VOTE WITH JIM FEDERICI DISSENTING. MOTION WAS APPROVED.**

Chairman Aronson said the message here is not that they are opposed to change on this situation but that this particular suggestion doesn't accomplish what this board thought it should accomplish.

Mr. De Miranda said that it seemed very oddly specific to that one situation that was created on Palm Ave as a result of widening the road.

Mr. Chockley said that was what drove the issue.

Mr. Federici said that we turned down if someone wanted to do something on the inside of the fence. How is that bothering somebody on the outside if it's privacy?

Ms. Stern said that they discussed that the shadow box for hurricane purposes was actually preferred for hurricane situations than the board on board.

Chairman Aronson moved on to agenda item number 5A2 proposed code change for code section 25-23(1)(d). He stated that this there are two separate changes to this code and the first one is to make the wall or canopy signs apply to inline stores as presently it only applies to out parcels. The second change talks about corner spaces permitting a second sign but only at 2/3 of the size of the primary size. He turned it over to the board for discussion.

Chairman Aronson said he believes if you are on a corner then both signs should be the same size. Whether that be both signs be full size or that if you opt for the second sign that both signs be 2/3 but there is a symmetry there that would look bad.

Ms. Stern said if staff could explain why the difference between the two signs.

Mr. Chockley said they just carried forward the language that currently exists on an out-parcel if they choose to have more than one sign. An out-parcel currently has two scenarios, a business owner can have a primary sign per full code size and if they want a second size it would be at 2/3 size or the business can choose to have signage on 3 sides but all at 2/3 of what the max sign could be.

Ms. Stern said she agrees with Chairman Aronson that the continuity should be the same size.

Mr. Chockley said that the only thing that is going to throw it off is if you have 5 business that is part of a building that one corner is going to have a 2/3 on the face where all the other signs are going to be at full size.

Chairman Aronson said they could just have it both full size. In the retail centers you could see both signs when you are driving around the corner very easily, it's not on the side of a building like an out parcel.

Mr. Chockley said they are just carrying over the language from the out parcel they didn't create the 2/3 dimension out of nowhere.

Chairman Aronson said he thinks they should go with two full size signs.

Mr. Chockley asked if the board recommends that they go back and change the outparcel code to allow two signs at full size.

Mr. De Miranda recommends that they change the out parcels as well.

Chairman Aronson said we need to vote on this language and they we can talk about the others.

**MOTION: TO APPROVE THE AMENDMENTS DELETING THE WORDS TWO-THIRDS (2/3) FROM PROPOSED CODE CHANGE # 2 CODE SECTION 25-23(1)(d) MADE BY MICHELLE STERN AND SECONDED BY BOBBY JENKINS. THERE WERE ALL AYES ON THE ROLL. MOTION WAS APPROVED.**

Chairman Aronson asked the board if they want to ask staff to investigate amending the out-parcel signage language such that it have more uniformity.

Mr. Wood said don't forget that an out-parcel potentially you could see all four sides of the building unlike an inline store, unless you are on a corner. If you want to make the out-parcels full size you have to concern yourself that you have four sides.

Chairman Aronson asked if it would be possible for staff to look into it and come back with some examples so that they could see maybe some pictures of what might be good or bad.

Staff said yes than can be done.

Chairman Aronson introduced the next code change is regarding the POD permits.

Chairman Aronson asked the board if there was any discussion.

Board had none.

**MOTION: TO APPROVE AS STATED FOR PROPOSED CODE CHANGES # 3 CODE SECTION 6-9(C) RELATED TO PODS MADE BY HOWARD MELTZER AND SECONDED BY JIMMY GOULET. THERE WERE ALL AYES ON THE ROLL. MOTION WAS APPROVED.**

Chairman Aronson said the last items relates to site plans and he turned it over to Mr. Wood to read item 5A4 proposed code change.

Mr. Wood read "where a site plan has be previously approved by the city commission and is proposed by the applicant to be revised only to include new architectural elevation(s) for an approved floor plan, the revised elevation(s) may be approved administratively by the Growth Management Director or his/her designee. In the event of an administrative denial of such revised elevation(s), the applicant may appeal pursuant to the procedures described in sections (a) through (c) above".

Mr. Chockley said for example if you have a development where let say the Bella model is the hot seller and we've had this happen, well when it went through to Commission there were only two Bella elevations. So now if they want to come in and say ok let's switch the garage, lets add some shutters, change the windows and do a steel ornament, there's no change to the foot print, no changes to interior layout they just made some changes to the exterior to create an elevation C. Instead of having to go all the way back to commission this would come in as an administrative model and we'd still go through code to make sure it all meets the similar design criteria but it wouldn't have to go all the way through back to Commission.

Chairman Aronson asked if other cities administratively approved these.

Mr. Chockley said usually for simple things.

**MOTION: TO APPROVE AS STATED FOR PROPOSED CODE CHANGES # 5 CODE SECTION 24-67(d) MADE BY MICHELLE STERN AND SECONDED BY MICHAEL DE MIRANDA. THERE WERE ALL AYES ON THE ROLL. MOTION WAS APPROVED.**

**6. GROWTH MANAGEMENT DIRECTOR'S REPORT:**

Mr. Wood said they don't have any petitions coming up for the next meeting as far as site plans or petitions. They have one that is going to Commission which is Primrose School who has finally gotten past the Central Broward Water Control District and have made some slight modifications to that.

Mr. Wood turned it over to Mr. Chockley for any updates on upcoming petitions.

Mr. Chockley said the only new petitions they have is the Monterra Commercial piece. They just came in for their second DRC.

Chairman Aronson asked if it was Lucky's

Mr. Chockley said yes. He stated they still have a few more DRCs before it will come to the zoning board. It is an advertised petition so there is going to be a longer lead time. Everything that they have coming to the board soon is more code changes which we were running them once a month for the code changes.

Chairman Aronson asked if they don't expect a meeting the 2<sup>nd</sup> of July.

Mr. Wood said no.

Mr. Chockley said it's up to the board to see if they want to meet for the second meeting in July for some additional code changes or take July off and come back in office.

Chairman Aronson said sure to take July off.

**7. BOARD MEMBER CONCERNS:**

Mr. Goulet said he's been complaining for years as far as the monthly pick up trash. They used to have it quarterly but having it every month is having more garbage on the swales on the streets. People are leaving them out a week and a half before its being picked up.

Ms. Stern asked who do you complain to.

Mr. Goulet said he complains to BSO.

Ms. Stern said they are not proactive and are very complaint based. She's noticed being on her second agency that's how most of them work. They are very complaint based.

Mr. Federici asked Mr. Wood if they put a wooden fence up in the City, it's not only just a shadow box type fence allowed correct? You could put a board on board correct?

Mr. Wood said if it's not along a street frontage.

Mr. Federici said he just wasn't sure if it was straight across the board now that if you wanted to put up a wooden fence they had to all be shadowbox fence or just exterior lots.

Mr. Chockley said shadow box is only if you're a double frontage or part of a line of double frontage.

Ms. Stern said she did a board on board fence and she had to get permission from the people behind her to have board on board on their side. It was required.

Mr. Goulet asked Ms. Stern if she put the good side facing the neighbor side or her side.

Ms. Stern said no she had the good sides put on both sides.

**8. ADJOURNMENT:**

The Meeting adjourned at 7:43 p.m.