



PLANNING & ZONING ADVISORY BOARD

Minutes of June 17, 2019

Meeting Called to order at 6:55 p.m.

1. ROLL CALL

P&Z Board Members

MEMBERS	06/17/19	05/20/19	05/06/19	03/18/19	12/03/18	09/05/18	08/06/18	06/18/18	05/07/18
Jimmy Goulet	P	P	P	P	P	P	P	P	A
Craig Konhauzer	P	P	P	P	P	P	A	A	P
David Rouse	P	P	P	P	P	P	P	P	P
Jim Federici	P	P	P	P	P	P	P	P	P
Lisa Dodge	P	P	A	P					
Kelly Vanbuskirk	P	P	P	P					
Bob Sands	P	P	P	P					
Jeremy Katzman	P	P	P	P					
Alex Weisberg	P	P	P	P					

*Reappointed ** Resigned *** New appointment*

STAFF PRESENT: *Matt Wood, Director of Growth Management
 Jason Chockley, Planner
 Jeanette Wofford, City Arborist
 Carlos Vega, Administrative Specialist
 Mark, Reale, Broward Sheriff's Office - Code Enforcement*

2. **P&Z BOARD - MINUTES - WAIVE/APPROVE MINUTES OF 05/20/19:** Motion to waive the reading of the minutes made by Lisa Dodge and seconded by Jim Federici. All ayes on voice vote. **MOTION WAS APPROVED.** Motion to approve the minutes made by Craig Konhauzer and seconded by Lisa Dodge. There were all ayes on voice vote. **MOTION WAS APPROVED**

3. **PUBLIC COMMENTS:** None

4. **NEW BUSINESS:**

- A) Swale Trees – Chapter 25-48/49 & Tree Preservation Chapter 18
- B) Sidewalk/A-Frame Signs – Chapter 25-22(b) & 25-24(m)
- C) Change “trailer” language – Chapter 25-10
- D) Increase boat/RV height to 15 ft – Chapter 25-10(a)1c
- E) Eliminate required cover for boat/RV – Chapter 25-10(a)1c
- F) Eliminate required annual registration for boat/RV – Chapter 25-10(a)1c1
- G) No proposed changes to Commercial Vehicles – Chapter 25-10
- H) Eliminate the outdated variance fee – Chapter 25-10(c)1

Mr. Federici requested from the board to move item 4A Swale Trees – Chapter 25-48/49 & Tree Preservation Chapter 18 to the end of item 4.

Board had no objection.

Chairman Rouse turned the item 4B Sidewalk/A-Frame Signs – Chapter 25-22(b) & 25-24(m) is in response to a request from the City Commission to bring forward a code change to allow sidewalk or sandwich board signs to be permitted for businesses to have additional signage exposures in front of their businesses. There is Anna's Closet and Vienna Café, two particular businesses out in Countryside Shops that were recently sited by Code Compliance department for displaying such signs that are currently not permitted. These sidewalks or sandwich board signs were at one time back in 2012, they were permitted for a trial period under a moratorium on enforcement. Now there appears to be some support for allowing these signs to be a permitted use. The proposed code change as written has been modeled after the parameters that were adopted under previous sunsetted moratorium and include the following parameters: Placement is to be within 6ft of the front entry door of the business, it needs to be a freestanding sign not attached to the building or floor, sign is proposed to be 4ft high by 2ft wide, displayed only during open hours of the business and must be removed when the business closed or inclement weather. There is a 40 inch clearance on the sidewalk and it is to meet ADA clearance requirements. It is subject to removal by the City if they are left out and not in conformance with any of these parameters.

Chairman Rouse opened up the item for discussion from the Board.

Mr. Katzman said that you stated there was a ban then they didn't enforce the ban and then they put the ban back in. Is there a reason that they put the ban back in? Were there injuries?

Mr. Wood said no when they adopted the moratorium on enforcement it was for a particular period of time and it just sunsetted and the Commission at the time decided not to renew that moratorium or to pass the ordinance at that time.

Chairman Rouse asked if there is a mechanism for example if you are a business owner who had their sign removed for one reason or another such as maybe they forgot to remove their sign at the end of the day and it was removed by Code Enforcement, is there a mechanism for that business owner to get their sign back.

Mr. Wood said he would defer to Code Enforcement on that.

Chairman Rouse said these signs are pretty expensive and there should be a vehicle available to them.

Mr. Reale said he hasn't read these proposed changes but he would say that as Code Enforcement, they can't go onto private property and remove signs without the owners permissions. He's not sure why that was put in there.

Mr. Wood said what the question is that under previous moratorium on enforcement as written back then and as it is proposed now it gives Code Enforcement or the City the opportunity to remove an illegal sign if it is not displayed during business hours.

Mr. Reale said maybe as a final procedure they could do that but they don't go onto private property and remove anybody's signs.

Mrs. Dodge asked isn't this public property? What they are saying for example at her salon if she has a sandwich sign on there and she closes the salon and forgets to take it and Code Enforcement comes and takes it, is there a provision that she can go pick it up or do you trash them then and there.

Mr. Reale said they don't take signs from private property. Countryside Shops is not owned by the City it is not public. If it was out on the swale then they can remove it out on the right-of-away but if it's on private property on a sidewalk or in the median inside the plaza they don't remove signs. If it is an illegal sign they request the owner of the property to remove it.

Mr. Konhauzer asked if anyone knows the original reason for the ban was it the aesthetic, was it a certain number of signs lets say the entire strip center was putting out signs was that something that was a nuisance.

Mr. Wood said originally it was a moratorium on enforcement so it was an allowable period of time. I believe it was for one year and at the end of the one year it just sunsetted. I don't believe that the Commission at the time gave any reason for not continuing the moratorium but it was a moratorium on enforcement in other words it was just a trial period.

Mrs. Dodge asked if we know when it sunsetted?

Mr. Wood said it was 2012 he believes.

Mrs. Dodge said so 2012 and it's been like this and now all of sudden now we are enforcing it in 2019.

Mr. Wood said no it has not been an allowed sign since 2012. The proposed ordinance would allow sandwich board signs as an allowed sign.

Mr. Reale said one of the business was brought to the City Magistrate which was Lisa's Closet a few times because of the sign, so it is an enforceable ordinance.

Mr. Katzman asked if there has ever been any instances of injuries that you know of?

Mr. Reale said not that he is aware of. You'd have to check with the plaza owners if they made any police reports or anything like that as far as anybody tripping on the signs.

Mr. Katzman asked if they would be liable if there was, not the City?

Mr. Reale said that he can't answer that. It's private property so I guess the owner would be.

Mrs. Dodge said so we say ok you can do this and then everybody does it. It is kind of like those banner flag signs, one of the Commissioners like them or something like that and then they had them up and it became all over the place. Her only concern is there is a certain amount per plaza. She doesn't have a problem putting them out but she doesn't want every single business putting them out and then be overrun with sandwich board signs.

Mr. Konhauzer said he doesn't think if they approve it that there is something they can do to stop that. That was the point of his question if he was a business owner and if was allowed to put signs up he would put a sign out and wonders if this is really going to impede traffic and how it would look aesthetically.

Mr. Federici said you do have 6ft from the entry and so many feet and he'll use a term of an easement so to speak. It is something to think about. He had one of his locations that was not easily accessible and the sandwich sign helped him. He does get though that if you have 15 stores and everyone of them has it he's not sure how they would handle that. It is something to talk about.

Mr. Konhauzer said he feels that they should clarify before we take this vote that if they do allow it that everybody will be allowed to do so. We need to discuss that now if all the stores do it or 90% of the stores do it then it is what it is if that is what we want.

MOTION: TO APPROVE FOR PROPOSED CODE CHANGES IN CHAPTER 25 SECTION 22(b) & CHAPTER 25 SECTION 24(m) RELATED TO SIDEWALK/A-FRAME SIGNS – MADE JIM

FEDERICI AND SECONDED BY JIMMY GOULET. THERE WERE 7 AYES AND 2 NAYES ON THE ROLL CALL VOTE WITH CRAIG KONHAUZER, LISA DODGE DISSENTING. MOTION WAS APPROVED.

Mrs. Dodge asked now that this is approved the two stores that were cited what happens to them.

Mr. Wood said ultimately if the ordinance gets approved by the City Commission, then the code compliance issue would basically go away.

Chairman Rouse turned item 4C Change “trailer” language – Chapter 25-10 over to Mr. Wood.

Mr. Wood said that items 4C-4G on the agenda are recommendations from the BSO Code Compliance department. Item C is the trailer language. In your backup material, the proposed language has been colored coded to correspond with the different items on the agenda. The trailer language is color coded in red and in your backup it simply adds the word “any type of” to the regulations as they relate to trailers. Mr. Wood turned it over to Mr. Reale from Code to answer any questions.

Mr. Katzman said he wants to understand why and he’s sure it’s a valid reason but he doesn’t understand why “any type of” makes a difference.

Mr. Reale said under the commercial vehicle ordinance everything is kind of lumped together whether it is a commercial vehicles, RV’s and trailers. They wanted to separate it due to the fact that sometimes we given notice to the owner and they’ll say this is not a commercial vehicle. They don’t want to change anything as far as the hours or allowing them if they are actively loading what they want to do is create a separate section for any type of trailer.

Mrs. Dodge said that this means that the guy with the pool trailer with the homemade trailer, that is what this is talking about.

Mr. Reale said yes, they still have to go with the guidelines of the ordinance whether they store it in the garage or behind a 6ft fence. None of the guidelines would change its just to have a different section.

MOTION: TO APPROVE FOR PROPOSED CODE CHANGES IN CHAPTER 25 SECTION 10 RELATED TO CHANGE “TRAILER” LANGUAGE – MADE BY CRAIG KONHAUZER AND SECONDED BY LISA DODGE. THERE WERE ALL AYES ON THE ROLL CALL VOTE. MOTION WAS APPROVED.

Chairman Rouse turned item 4D Increase boat/RV height to 15 ft – Chapter 25-10(a)1c to Mr. Wood.

Mr. Wood said that is color coded in green in your backup material and it is simply a recommendation from code to increase the allowed boat, RV height and commercial vehicle height from 10ft as it currently stands to 15ft.

Mr. Konhauzer asked if the height of the trailer being raised, he knows we’re going to vote later on about having a canopy over a trailer but does that affect it if they still wanted to have a canopy if they raise the height?

Mr. Reale said the canopies aren’t allowed unless there is a permit they were talking about the covers.

Mr. Konhauzer said that the covers are just a flap that goes over it.

Mr. Reale said right now the code says you have to have a cover that is made for that RV or boat. They are proposing to do a change in height which would be to 15ft and not require the cover. Everyone knows if it is a boat or RV, the cover is just an aesthetic thing. The problem is that they deteriorate and its very costly. An RV cover can be \$500 to \$1000 and they have brought cases to the magistrate before because if they are deteriorated people take them down, during storms they take them off and don't put them back. These are reasons they are bringing this up.

Mrs. Dodge said it has to be behind a 6ft privacy fence. Before it was only 4ft of the boat or RV that we were seeing now were going to see 9ft.

Mr. Reale said correct including the 6ft fence.

Mr. Konhauzer said he understands the point as well that it is so expensive and it's a hardship for the residents. We live in Florida with the humidity, the rain and those covers don't last long.

Mr. Reale said they are not recommending any changes in the hours or anything like that, just the way the RV's and the boats are stored.

Mr. Goulet said this is in lieu of the citizens parking their boats and RV in these parking lots and where the boats and RV's are stored. Are they overpopulated that they can't get another RV in there?

Mr. Reale said he knows that there is a waiting list. To his knowledge, there is at least a 2 year waiting list for both the City lots. There are some areas that won't allow any boats or RV's at all. The ones that have their HOA's bylaws.

Mr. Goulet said the lot around the corner from here is it packed?

Mr. Reale said you'd have to check with the City to see how far along the list is. He knows that there is a waiting list.

Mr. Goulet said we don't have enough storage for all the boats and motor homes therefore they have to store them at the house.

Mr. Reale said yes or find another place outside the City which is also costly.

Mr. Goulet said this is a revenue maker right here.

Mr. Federici said he's having a hard time grasping this. Mrs. Dodge had a good point. You have a 6ft fence and now the height right now could be 10ft. You want to increase the height 15ft? If I was a neighbor and my friend here parks his 15ft trailer next to my house, do I want to look at that. Some of us won't have that problem because of where we live but it's a discussion we should have.

Mr. Goulet said that maybe moving forward they have some vacant land that the City owns, that is just sitting out there, it could be a revenue maker or assist the citizens of our city to be able to park their RV's and boats somewhere else if we are sold out all over. It is not fair to a guy that wants to own a boat or an RV.

MOTION: TO APPROVE FOR PROPOSED CODE CHANGES IN CHAPTER 25 SECTION 10(a)1c RELATED TO INCREASE BOAT/RV HEIGHT TO 15FT – MADE BY KELLY VANBUSKIRK AND SECONDED BY JIMMY GOULET. THERE WERE ALL NAYES ON THE ROLL CALL VOTE WITH CRAIG KONHAUZER, JIM FEDERICI, LISA DODGE, KELLY VANBUSKIRK, BOB

SANDS, JEREMY KATZMAN, JIMMY GOULET, ALEX WEISBERG AND CHAIRMAN ROUSE DISSENTING. MOTION WAS DISAPPROVED.

Chairman Rouse said item 4E Eliminate required cover for boat/RV – Chapter 25-10(a)1c which we have already addressed and turned it over to board for any discussion.

Mr. Weisberg said that the boats and the RV's are now going to be uncovered are there any regulations governing maintenance and upkeep of the boats or is it possible that there are going to be dirty broken down boats that aren't covered all over the place now. Is there anything regulating that.

Mr. Reale said no sir.

MOTION: TO APPROVE FOR PROPOSED CODE CHANGES IN CHAPTER 25 SECTION 10(a)1c RELATED TO ELIMINATE REQUIRED COVER FOR BOAT/RV – MADE BY LISA DODGE AND SECONDED BY JIM FEDERICI. THERE WERE 6 AYES 3 NAYES ON THE ROLL CALL VOTE WITH CRAIG KONHAUZER, JEREMY KATZMAN, ALEX WEISBERG DISSENTING. MOTION WAS APPROVED.

Chairman Rouse turned item 4f Eliminate required annual registration for boat/RV – Chapter 25-10(a)1c1 to the board for questions.

Mrs. Dodge asked why we would eliminate revenue? We don't have any money or so they say why eliminate it.

Mr. Reale said they haven't been collecting that fee once it wasn't in the City, the fee was taken out. Originally the fee was being collected by the City itself for the annual inspection but people were complaining about the fee and they eliminated the fee. It was never changed.

Mrs. Dodge said if we had a fee that would deal with the boat cover issue. They could come and they can say ok we got rid of your boat covers here's your fee. We are going to come check once a year to make sure that your boat is not in terrible conditions or an eye sore. What was the fee?

Mr. Reale said it was \$30 from what he recalls.

Mrs. Dodge said the cover is more than \$30 to put on a boat or RV and so if we charged \$30 and somebody goes out and checks then it shows that we are really checking and were doing what we are supposed to be doing.

Mr. Goulet said he agrees, if they enforce it the \$30 is nothing. It has to be enforce obviously and if its not going to be enforce than there is no reason to have it.

Ms. Vanbuskirk said they just struck the language requiring the covers and this item 4F is an annual fee and she had the same thought why would we eliminate revenue arbitrarily. This seems to be a check to make sure that the cover is there for the height exceeding the certain amount and also to verify the validity of the state license. Without the requirement for the cover this is a fee to verify that a fee has been paid.

Mrs. Dodge said we could possibly rewrite and have it say for the maintenance of and height as well.

Mr. Goulet said it has to be registered obviously, so that \$30 fee is going to be part of the registration fee.

Mrs. Dodge suggested a motion to rewrite this to include the fee and include the language that changes the cover to make sure it says height and I guess maintenance.

Mr. Chockley said the original intent of the way the code was put in place was designed that if somebody did bring an RV home or a boat that it would be registered with BSO and an inspection would be done so that if 4 other homeowners call and say hey my neighbor has a boat, it would be searchable in the database and say yes that boat has been registered and verified. Instead of every time somebody complains about the same boat, 4 times somebody doesn't have to go out for the same boat.

Mr. Konhauzer said therefore it makes sense to have a fee to get a permit or license for these things so that we check the height, also make sure it is not dilapidated. What if has been in an accident? What if someone is holding 3 RV's in their yards is there a number of RV's allowed?

Mr. Chockley it's limited to 1.

Mr. Konhauzer said what about the conditions of it can it be dilapidated, can it not be working, can it sit there for 10 years rusting.

Chairman Rouse said at this point if there is no motion to approve then the code change would stay as it is.

Mr. Konhauzer said I would make an amendment to update it and enforce the ordinance.

Mr. Goulet said to add to collect the fee.

Mr. Chockley said this one itself would carry forward as a non-recommendation to eliminate the registration requirement. If you want to change the language then what you would do would be to work with Code on proposing new language and then that language would then come back to you at a later date.

Mr. Konhauzer said that they were just educated that it is not being enforced. He wants it in there that it is being enforced otherwise why do it.

Mr. Chockley said enforcement of it is a whole other side subject of it.

MOTION: TO NOT APPROVE AND HAVE IT REWRITTEN FOR PROPOSED CODE CHANGES IN CHAPTER 25 SECTION 10(a)1c1 RELATED TO ELIMINATE REQUIRED ANNUAL REGISTRATION FOR BOAT/RV – MADE BY LISA DODGE AND SECONDED BY JEREMY KATZMAN. THERE WERE ALL AYES ON THE ROLL CALL VOTE. MOTION WAS APPROVED.

Chairman Rouse turned item 4G No proposed changes to Commercial Vehicles – Chapter 25-10 to Mr. Wood.

Mr. Wood said this really isn't a code change other than just a report from Code Compliance that they are not recommending a code change to the commercial vehicle standards as they now exist.

Mr. Konhauzer asked what does the code state now about commercial vehicles, size, amount, signage not being on them that sort of thing?

Mr. Wood said yes.

MOTION: TO APPROVE FOR NO PROPOSED CODE CHANGES IN CHAPTER 25 SECTION 10 RELATED TO COMMERCIAL VEHICLES – MADE BY KELLY VANBUSKIRK AND SECONDED BY LISA DODGE. THERE WERE ALL AYES ON THE ROLL CALL VOTE. MOTION WAS APPROVED.

Chairman Rouse turned item 4H Eliminate the outdated variance fee – Chapter 25-10(c)1 to Mr. Wood.

Mr. Wood said that this is simply eliminating the reference to an outdated variance fee which currently references \$50.00.

Mr. Chockley said this is not an elimination of the fee.

Mr. Konhauzer said your just updating it.

Mr. Chockley said that there are going to be a lot of these throughout code. Years ago when codes were written they all had a fee. Now yearly our fees all change by the CPI index. Some years they go up some years they go down. This is just getting rid of what was written as just a static \$50.00 fee and it would be subject to the fluctuating fee schedule which is based off the CPI.

Mrs. Dodge asked if people will know that there still is a fee?

Mr. Chockley said correct. Every time someone is going to apply for a variance we always refer them to the calendar and the fee schedule. There will be more of these as we go through these code sections that have old fees that use to be static where now they change every year.

Mrs. Dodge said you want to put the wording in about what you just said about the CPI.

Mr. Wood said that it is already incorporated into our fee study and the fee is referenced in our application.

MOTION: TO APPROVE FOR PROPOSED CODE CHANGES IN CHAPTER 25 SECTION 10(c)1 RELATED TO ELIMINATE THE OUTDATED VARIANCE FEE – MADE BY CRAIG KONHAUZER AND SECONDED BY LISA DODGE. THERE WERE ALL AYES ON THE ROLL CALL VOTE. MOTION WAS APPROVED.

Chairman Rouse turned item 4A Swale Trees – Chapter 25-48/49 & Tree Preservation Chapter 18 Mr. Wood and asked if staff had any additions they would like to add on this item.

Mr. Wood said no.

Chairman Rouse turned it over to the board for comments.

Mr. Goulet said he read through this and he doesn't believe he is qualified to decide what and where a tree is planted. He truly believes it is up to you (referring to the City Arborist Jeanette Wofford) a professional that knows what she's doing. A comment he wanted to make was about the live oak in the swales. He lives off of 90th Terrace where there's maybe a 6ft swale with beautiful live oaks that rip his sidewalks up many times and in this you mentioned a 10ft area between the sidewalk and the street. This is the only tree he has a problem with, he loves the oak trees but if they are not putting them in the right spots where its not ripping up our sidewalks and our streets we have to know where to plant them and shouldn't be put on 6ft swales as mentioned in here.

Mrs. Wofford said that's why it says 10ft or greater.

Mr. Konhauzer said not to be redundant but he as well is not knowledgeable and we have a City Arborist who he thinks is amazing and he would personally go by what she says. He knows that there is debate, this was brought and he's not sure for what reason but he doesn't think that we can sit here as a group of people and state that they are privy as to what should go where.

Mr. Weisberg said that he agrees with everyone and that he doesn't know anything about these trees but when reading the description of these and he believes in about 3 or 4 of the descriptions it says that the root might cause problems with sidewalks. His question is why are those included and what is going to be done to counteract that?

Mrs. Wofford said that right now the practice is to do root pruning when we have root intrusion and sidewalk lifting when residents call we can do the root pruning on them. It is when people don't call soon enough and they wait for damages to get significant where it becomes more of a costly repair.

Mr. Weisberg said so basically there is nothing that can be done as a preventative measure it's basically when a damage starts happening you have to contact the City?

Mrs. Wofford said if they were in more of a development stage it would be nice to get larger swales but she thinks that ship has sailed on a lot of that so it is a matter of just trying to work with the conditions that we have right now and try to go ahead and do the root pruning at the appropriate times and then do sidewalk repairs when needed.

Mrs. Dodge said she also doesn't know anything about trees other than they are pretty but she has the same concern as she read this as well and if some of the trees are going to cause root damage is it possible even though they are pretty maybe use them less often. She gets the preventative but walking she's fallen over sidewalks with the trees but people don't even realize sometimes because they are City sidewalks that it's the trees that have done it.

Mrs. Wofford said they did start limiting where they plant specific trees and they try to make sure that they only get installed in swales that are at least a minimum of 10ft wide.

Mr. Goulet said he wanted to make a comment regarding cactuses and trees like that. It can hurt people. You go down 90th and there are people with these crazy cactuses in their front before the sidewalk. God forbid these kids ever fall onto them not that this has ever happened but what do you do in the case where somebody plants these crazy cactus plants with spikes all over the place.

Mrs. Wofford said she believes that there is something in their ordinance that would address a safety concern like that.

Mr. Goulet said would that be a complaint or would that be something you'd be proactive on.

Mrs. Wofford said could be both. Sometimes complaints are the way to go with specific locations.

Mr. Federici said he doesn't see a Sylvester Palm on here.

Mrs. Wofford said correct.

Mr. Federici said remember with consistency. Last meeting and to be honest I am a little annoyed about it because you made the statement that they had 4 inch.

Mrs. Wofford answered larger than 4 inch thorns.

Mr. Federici said something like that yeah. He went out of his way and this all started with one house and he's not beating on you because you're doing your job. He has a picture of the palm and made everyone a copy. (A photocopy picture of the palm tree was handed out to the board). When he drives around town and he sees some robballinis and he has them at his house and right at 52nd St coming off of Palm there some he doesn't see difference between that and since Mr. Goulet said something about cactuses (he handed out a photocopy of a picture of a cactus tree), he wants to hear the part about code. If you are talking about that Sylvester Palm with those spike thorns, he went to the guys home with a tape measure and it is 7ft from the first frond in the air. He's having a problem with this because if you look at this other cactus (referring to the cactus in the photocopy that he handed out to the board), he says its on 90th Ave it's the first house on the right side coming in from Griffin Rd and he doesn't care if it is an Ex-Commissioners house or what this is a fact if a child was driving their bicycle on that sidewalk where is our consistency here. By the way if you look at this guys palm it is absolutely magnificent, he has two of them.

Chairman Rouse asked Mr. Federici if there was a question in this.

Mr. Federici said he wants to know why this is not on here because it is going to come before the council and he thinks that they can eliminate some BS to be honest with you if we can talk about this right now. Anybody can really look at this thing here and by the way how many of you have driven around and actually notice some of these things. I bet you all have and I don't know if you agree with me or not but I think we ought to discuss this. This cactus by the way is horrendous, it's an embarrassment.

Chairman Rouse said let's circle back and look at the actual language because a lot of these issues don't pertain to particular species but can re wrap up some of the language changes.

Mr. Konhauzer asked is their specific language that speaks against cactuses in being a certain distance from the sidewalks.

Mrs. Wofford said sure that cactus is on private property and she believes they have an ordinance that says anything within close proximity to the pedestrian sidewalk that poses a safety hazard is something that can be dealt with.

Mr. Konhauzer said his suggestion is that most of the time everybody is so busy doing so many things in this City that are professionals, when you see something like that if it bothers you call and make a complaint and Code will go out.

Mr. Federici said wait a second you can't miss that house. If you're going into Cooper City that's a joke you can't miss the house.

Mr. Goulet said that is a City issue.

Mr. Konhauzer said the point that you made Mrs. Wofford or Mr. Wood or Mr. Chockley, if there is something that isn't being taken care of, it is our responsibility to if they believe that it is a nuisance or a danger to point it out to zoning and then they will go out and take a look at it.

Mr. Goulet said he believes that Mr. Federici just did.

Mrs. Dodge said can we make sure that this is noted and someone goes and looks at it tomorrow.

Mr. Reale said he will have someone go out and look at it.

Mr. Goulet said they are good with everything that is in this packet is that correct?

Mrs. Dodge said (referencing the palms tree picture in the photocopy that was handed out to the board by Mr. Federici) its beautiful, it's pretty is it not good that now we have to pull it out or what happens here?

Mrs. Wofford said that is a whole other issue right there as far as where we are at with what is already in our swale versus what we want to allow going in the future. You are asking me for a recommendation, I can't put that on as a recommendation. If you guys as a board send to the Commission that you want to see that palm tree on the approved list than that is the Commission's decision to make that on there. She believes because it is a public right-of-way, we need to be fairly restrictive as to what we put in there. That palm can fall down in a hurricane, its newly planted you can see its staked and perhaps put in some height requirement. Where we find their biggest problems is when this nice gentleman moves out and the next residents move in and doesn't believe that is their responsibility, you can find a completely different scenario in another couple of years. They are not maintaining it, the fronds are hanging down, they start to fall off, there are thorns laying in the swale areas and so why I have built in a lot of that language as to the residents responsibility in perpetuity to whoever the resident is even if they didn't install it.

Mrs. Dodge asked if there is such a thing as grandfathering things in for this. Only asking because any tree can fall down. The live oaks can fall down just as well as anything else. Since it's there and we approve whatever is in here tonight, I just would feel bad if we now tell this resident now you need to because I am sure that it is not cheap to put this tree in.

Mrs. Wofford said it is interesting in the fact that people want certain things but they plant it in the right away they don't plant it on their yard.

Mrs. Dodge asked aren't they supposed to ask permission before they plant something.

Mrs. Wofford that is why we have the approval list and that is why we are here as we are trying to update the approved list so that we have that better ability to monitor what is in our swale areas.

Mr. Federici said that is a good point but how about driving around town and see how many houses do not have anything in the swale area. If you drive around this gentleman's house and it just so happens that he took this to heart because he said look at this guy, he looked at his grass it was great and he looked at a couple of his neighbors and he's going really.

Mrs. Wofford said she doesn't disagree they are beautiful palms. She wishes they would of planted them on his own property though. That is her only issue.

Mr. Konhauzer said you are right that is why we have rules.

Mr. Goulet said you made a great point about them moving out and people move in and as far as they are concerned it is not their property it is City property. Their responsibility to their swale putting grass down, sprinklers in that is not our property but we do it.

Mr. Konhauzer said at least in his community they are bound to and legally responsible to maintain it.

Mr. Goulet said that at that point if somebody moved in it would be a code enforcement issue.

Mr. Weisberg said he can't get past the trees that have the roots that cause problems with the sidewalks. You said that there is regulations that the total swale has to be 10ft wide to have those trees in there correct?

Mrs. Wofford said correct.

Mr. Weisberg said are there also regulations regarding how many feet away from the sidewalk these trees have to be planted.

Mrs. Wofford said right now the ordinance says it should be planted at midpoint between the edge of the road and the sidewalk.

Mrs. Wofford said she wanted to point out because last time Ms. Vanbuskirk brought up a nice suggestion as far as taking the list out of chapter 18 and just referencing the list in chapter 25 but that became a little problematic in the fact that the County certifies our ordinance and they are not going to want to reference a separate ordinance to be able to see the list of the trees. I just kept that in there even though it was a great idea on your part. If we need to change that list in the future we'll just change it in both of the ordinances.

MOTION: TO APPROVE BOTH AS STATED FOR PROPOSED CODE CHANGES IN CHAPTER 25 SECTION 48/49 AND TO TREE PRESERVATION CHAPTER 18 –MADE BY CRAIG KONHAUZER AND SECONDED BY LISA DODGE. THERE WERE 8 AYES AND 1 NAYE ON THE ROLL CALL VOTE WITH JIM FEDERICI DISSENTING. MOTION WAS APPROVED.

5. GROWTH MANAGEMENT DIRECTOR'S REPORT:

Mr. Wood said that he can report that the next P&Z meeting is proposed for July 15, the third Monday of the month. On that agenda we intend to have one variance petition for the Embassy Lakes Shopping Center which is a parking variance to allow greater percentage of assembly uses within the center. We also will plan to have additional code changes for you at that time.

6. BOARD MEMBER CONCERNS:

Mr. Katzman said thank you to Mrs. Wofford for bringing in the pictures it was very helpful. You mentioned the root pruning as something that we can call as a resident, is there any education being done in the community.

Mrs. Wofford specific to root pruning she thinks that when people just like anything else when you plant new trees neighbors see that and then they oh nice and call the City and same thing with the root pruning. Most people will just call because of an observation and then we will provide that information to them.

Mr. Katzman said he has two suggestions on that if possible. Perhaps you can notify the major HOA's to tell their residents and also put into the Cooper City newsletters and Facebook, just to say if you see overgrown roots stop it now because it will end up costing the City more money.

Mrs. Wofford said in the individual HOA's they would be responsible for that on their own.

Ms. Vanbuskirk said she has a general question. She couldn't help but notice that we killed a lot of trees to talk about trees with all these printouts. She doesn't know if it's possible to have the option for our meeting packets to be transmitted electronically or does that create a public record issue or if that is something the board is even interested in doing.

Mr. Wood said the backup material that is 8x11 can certainly be transmitted electronically. With the petitions that we review, typically a lot of the times we are looking at big plan sheets that are 24"x36". Otherwise we could do it electronically.

Mr. Chockley said it is up to you guys. This has come up to the board in the past and they have elected to keep it paper. When items go to Commission, the applicants do submit in CD's so we can go to the applicants when they go to make the P&Z submittal that we request CD's in lieu of hard copies or split and we can provide you a CD with a large format plan on that in lieu of paper if you so wish.

Chairman Rouse asked if for the meeting in July 15th would that be a meeting with blueprints because of the parking variance.

Mr. Wood said yes.

Chairman Rouse said maybe we can pick a meeting and do like a trial run.

Mr. Chockley said that submittal is already in to meet the deadline requirements for advertising.

Chairman Rouse asked the board if there were any objections in going with the digital format.

Mrs. Dodge said she personally doesn't like it.

Mr. Goulet said he likes paper.

Mrs. Dodge said he agrees with you tonight may be an exception because every Planning and Zoning meeting she's been to it's the minutes, the agenda and then all these big plans. Maybe if we had to do something like again that might be an option.

Chairman Rouse said to Mr. Chockley maybe before you sent out packet information just pole the board to see.

Mr. Goulet said we could have an option.

Mr. Chockley said we could we just need to know what the consensus is because it will be then transpired to the applicant of ok now we need to turn 8 sets of hard copies and 5 sets of CD's.

Chairman Rouse said he thinks that is where it gets a little cumbersome, its either all or nothing. We'll table this for now.

Mr. Federici said he's mentioned this before and he doesn't know how anyone else feels and he doesn't want to beat on Growth Management but the Mayor is here, when you guys get your agenda packet how much time do you get. I am bringing this up because I believe we got our packets at 4:15pm Wednesday afternoon and if you don't pick it up Wednesday some people will pick it up Thursday. It just so happens that this was fathers day weekend and since we are getting such outrageous salaries for this board that this all has to do for the few days. Can't we come up with something like a week before the meeting that we have to get our packets.

Mr. Chockley said absolutely you guys can come set whatever deadline you want just know that we have Commission directive too that we need to get things quick for example the Embassy Lake. There is a lot of pressure to get that in because we have an applicant that wants to sign a lease. When they come in they have to be organized they have to be deemed sufficient they have to be gone through the last set of DRC comments ready to move forward. So just like Commission we can tell them you guys want them two weeks in advance of the meeting but that is going to push back the deadline to applicants who are right now can come in two weeks before a meeting. We have our time and usually you get them the Wednesday before.

Mr. Federici said he gets it but with that said, this meeting from what he is looking at he doesn't know how he come he got it for Thursday when this thing with the Arborist stuff was in the works some time ago.

Mr. Chockley said Mrs. Wofford was out of town leading up to this, we got her information the day the packets were distributed.

Mr. Federici said he will give her a pass on that.

Mr. Chockley said we can set whatever deadline you want but know it will cause more time on the applicant's part.

Mr. Federici said they have to know a week before.

Mr. Chockley said he gets it but they get pressure from certain sides that we need to streamline the process.

Mr. Federici said Mr. Chockley a lot of us take this very seriously and if he gets two days or whatever it is and honestly he could of bust Mrs. Wofford a little more on some of this stuff but he didn't by going a little more in depth on it but he wanted more time.

Mr. Chockley said we can elect whatever deadline but right now we try to do Wednesday which gives you 5 days.

Mr. Sands said he had a really busy weekend and he came in on Wednesday and asked about it and they were not clear of when they were coming out at that point.

Mr. Chockley said almost always they come out on Wednesday, at what time varies.

Mr. Sands said why didn't we know that. Why couldn't I get a straight answer on that Wednesday. They magically appeared at 4:15pm Wednesday afternoon when he came in Wednesday morning.

Mr. Chockley said Mrs. Wofford information came over at 11:30am prior to us having a DRC. As soon as we had the time to compile all that information they went out. There was no down time where we were just sitting on plans on our desk.

Mr. Sands nobody told me that. We weren't clear. If you knew that she didn't have her stuff and she was on vacation that wasn't told. That wasn't said to me when I came in.

Mr. Chockley said you didn't talk to me.

Mr. Sands he spoke to Carlos. I came in and asked if we were having a meeting. My understanding is he went back and asked about this.

Mr. Chockley said and I instructed him that packets would be out today.

Mr. Sands said but he wasn't clear on that and then all of a sudden they magically appeared. Are you saying they were already scheduled to come out on Wednesday.

Mr. Chockley said yes they always are.

Mr. Wood said we had a DRC that afternoon.

Mr. Sands said alright well I would agree that we probably need them earlier.

Mr. Chockley said ok. We can take action a week earlier or two weeks earlier whatever you guys want just know that it will add time to the applicants and their processing time. If we add time that's fine but it does change things.

Mr. Sands said it adds time to the applicants if we as a volunteer board ask for something. In other words it is not something that you guys can speed up within the department?

Mr. Chockley in many cases no.

Mr. Sands asked why?

Mr. Chockley said Embassy Lakes for example is coming in tomorrow to meet the bare minimum of us having to rush and get the ad memos published to meet the state statutes of 15 days so a lot of times we work with applicants where we are getting the plans the week of or the week leading into when these packets would go out and they still have to address outstanding DRC comments from all of the disciplines plus meet sufficiency.

Mrs. Dodge said is it possible that we can back it up to Monday so we have a full week to be fair instead of Wednesday at 4:15pm. Monday by noon or will that cause them from everything your saying is that going to cause them that big of a deal.

Mr. Chockley said it can it depends on the applicant circumstances.

Mrs. Dodge said if Embassy is such in a hurry, why are we waiting a whole other month to meet with them.

Mr. Chockley said because they have to meet 15 days. The residents all have to have notifications in their hands 15 days prior to a meeting.

Mrs. Dodge said ok.

Chairman Rouse wanted to thank Code Enforcement officer for showing up tonight. Second meeting in a row.

7. **ADJOURNMENT:**

The Meeting adjourned at 7:56 p.m.