



**OFFICIAL MINUTES**  
**CITY OF GREENACRES, FLORIDA**  
**ZONING BOARD OF ADJUSTMENTS AND APPEALS MEETING**  
**TUESDAY, June 6, 2017**

**1. Call to Order and Roll Call.**

The Zoning Board of Adjustments and Appeals Meeting was called to order at 7:00 p.m. on Tuesday, June 6, 2017 with Chairwoman Dannette Fitzgerald presiding. Melody Larson, Assistant to the City Clerk, called the roll.

**ROLL CALL:**

Present

Dannette Fitzgerald, Chairwoman  
Arthur Harrell, Vice Chairman  
Betty Anne Litowsky  
James Paglialungo  
Walter Buist

Staff Present

James D. Stokes, City Attorney  
Kara L. Irwin-Ferris, Director of Planning & Engineering  
Osniel Leon, Senior Planner  
Melody Larson, Assistant to the City Clerk

Public Attendance: 3

Press Attendance: 0

**2. Pledge of Allegiance to the Flag**

Chairwoman Fitzgerald led the Pledge of Allegiance to the Flag.

**3. Agenda Approval - Additions, Deletions, Substitutions to the Agenda.**

Chairwoman Fitzgerald called for additions, deletions, or substitutions to the agenda; hearing none, she called for a motion.

**MOTION:** Vice Chairman Harrell made a motion to approve the Agenda as presented. Ms. Litowsky seconded the motion.

**VOTE ON**      **In Favor:** Chairwoman Fitzgerald, Vice Chairman Harrell, Ms.  
**THE MOTION:** Litowsky, Mr. Paglialungo, and Mr. Buist.

**Motion carried: 5 - 0.**

**4. Approval of Minutes – March 7, 2017**

Chairwoman Fitzgerald asked for any corrections, deletions or substitutions to the minutes of March 7, 2017; hearing none, she called for a motion.

**MOTION:** Vice Chairman Harrell made a motion to approve the minutes of March 7, 2017 as presented. Mr. Paglialungo seconded the motion.

**VOTE ON**      **In Favor:** Chairwoman Fitzgerald, Vice Chairman Harrell, Ms. Litowsky,  
**THE MOTION:** Mr. Paglialungo, and Mr. Buist.

**Motion carried: 5 - 0.**

**5. Cases:**

Chairwoman Fitzgerald provided a brief synopsis on the duties of the Board and the process of a quasi-judicial hearing. Those present who would provide testimony were sworn in by the Board Attorney. Chairwoman Fitzgerald asked board members if they had any ex-parte communications. Ms. Litowsky disclosed that she drove by the subject site.

**A. BA-17-05      Target (Outparcel -Zaxby's) - A request by the owner for a variance to allow a second menu board sign. The site is located at 5900 Lake Worth Road.**

Planning and Engineering Director Kara Irwin-Ferris described the variance request from Art. VI, Division 4, Section 16-994 to allow a second menu board sign for the northeastern outparcel of the Target site.

The subject site recently received special exception approval to build a fast food drive-in restaurant (Zaxby's). The Code allows one (1) menu board sign per fast food use. The copy area for both signs would be cumulatively less square footage than what the Code requires.

Director Ferris noted that the Zaxby's site will utilize the existing two cut-ins from Lake Worth Road and the buffer will be maintained. There will be a one-way circulation pattern for the restaurant drive-thru and queuing will be in front of the building. The applicant has requested to place one menu board in front of the building and a second one near the order window. The total proposed copy area for both menu boards is 23.582 sq. ft., less than the maximum allowed square footage of 38 sq. ft. allowed by Code. A second menu board gives customers the opportunity to look at the menu prior to ordering and helps improve traffic flow efficiency.

Director Ferris noted that the proposal meets the six (6) variance criteria and a special circumstance exists. Proper public notice was provided; therefore, staff recommends approval of BA-17-05 subject to staff's two (2) conditions of approval.

Chairwoman Fitzgerald called on the applicant for comment.

Ryan Thomas of Thomas Engineering, agent for the owners, agreed with staff's two (2) conditions of approval and had no further comments to add to the City's presentation.

Chairwoman Fitzgerald called on board members for comments.

Mr. Buist asked if traffic flow had been studied.

Mr. Thomas explained traffic circulation patterns for fast food establishments today are engineered for operations efficiency.

Chairwoman Fitzgerald opened the meeting to the public. She asked if anyone was in favor of, or opposed to BA-17-05 to come forward. Seeing no one come forward, she closed the meeting to the public and called for a motion.

**MOTION:** Vice Chairman Harrell moved to grant approval of BA-17-05 subject to staff's two (2) conditions of approval. Ms. Litowsky seconded the motion.

**VOTE ON THE MOTION:** **In Favor:** Chairwoman Fitzgerald, Vice Chairman Harrell, Ms. Litowsky, Mr. Paglialungo, and Mr. Buist.

**Motion carried: 5 - 0.**

- B. BA-17-06 Whitney Park (fka Bowman Pines)** - A request by the owner for a variance (BA-17-06) to increase the maximum individual lot coverage for seven (7) of 24 single-family home lots from 35% to 36.5% (1.5%).

Senior Planner Osniel Leon described the variance request to increase the maximum lot coverage for Lots 1, 4, 8, 10, 16, 21 and 23 of the Whitney Park development located on the north side of Bowman Street, approximately 300 ft. east of South Haverhill Road. The variance request is from Art. III, Division 5, Section 16-338(1)(b) to increase the lot coverage of seven (7) individual single-family lots from 35% to 36.5% in a Residential Medium-2 (RM-2) zoning district to allow for single-story model homes.

The developer could not meet the minimum lot acreage required for a Planning Unit Development. Special circumstances exist for the site. The additional open space reduces the area available for buildable lot space affecting the available lot coverage. Based on the six (6) variance criteria, staff recommends approval of BA-17-06 subject to staff's two (2) conditions of approval.

Chairwoman Fitzgerald called on board members for comments.

Vice Chairman Harrell questioned the size of each lot.



Director Ferris noted that each lot is 0.12 acre in size or 51.1 ft. x 110 ft. (5,511 sq. ft.)

Ms. Litowsky asked why those specific 7 lots?

Director Ferris explained that the lot coverage was “space under roof” or the footprint of the home in square footage. The developer was trying to introduce a single-story model that offers 2,012 sq. ft. Other models are 2-story models with less square footage.

Chairwoman Fitzgerald called on the applicant.

Sharon Cino of DR Horton stated she was in agreement with staff’s two (2) conditions of approval.

Chairwoman Fitzgerald opened the meeting to the public. She asked if anyone was in favor of, or opposed to BA-17-06 to come forward. Seeing no one come forward, she closed the meeting to the public and called for a motion.

**MOTION:** Vice Chairman Harrell moved to grant approval of BA-17-06 subject to staff’s two (2) conditions of approval. Ms. Litowsky seconded the motion.

**VOTE ON THE MOTION:** **In Favor:** Chairwoman Fitzgerald, Vice Chairman Harrell, Ms. Litowsky, Mr. Paglialungo, and Mr. Buist.

**Motion carried: 5 - 0.**

**6. Department Report.**

Board Attorney James Stokes called for a consensus to change future ZBAA meeting dates from the 4th Tuesday of the month, to the 4<sup>th</sup> Monday of each month. All board members accepted the proposed change and Board Attorney Stokes said he would notify the City Manager of the change.

Director Ferris then called for a quorum check for a future ZBAA meeting for July 11<sup>th</sup> or 25<sup>th</sup>. Board members preferred July 11<sup>th</sup> and would receive confirmation by phone that the meeting was changed.

**7. ZBAA Members' Comments. – None.**

**8. Adjournment.**

Vice Chairman Harrell moved to adjourn the meeting, seconded by Ms. Litowsky. The meeting adjourned the meeting at 7:27 p.m.




**ZONING BOARD OF ADJUSTMENTS  
AND APPEALS**

  
Dannette Fitzgerald, Chairwoman

Respectfully submitted,

  
Kara L. Irwin-Ferris, Zoning Administrator

  
Joanna Cunningham, MMC, City Clerk

Date of Approval: 7/11/17

/mel

