



**Village of El Portal
Planning and Zoning Meeting
Date: 4/17/24
Meeting Start: 7:02 PM
Meeting End: 9:48 PM
Meeting Length: 2:46:35**

Councilperson Darian Martin: Evening everyone, calling to order the Planning and Zoning Committee meeting on April 17th, 2024. The time now is 7:02 PM I'm Darian Martin, your chair for the evening. If we can all rise for solid meditation and pledge.

Council Members: Pledge allegiance for the flag of the United States of America and to the Republic, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

Councilperson Darian Martin: Thank you so much. You may all be seated. Madam Clerk, can I have the roll call?

Village Clerk Yenise Jacobi: Roll call. Chair, Martin.

Councilperson Darian Martin: Present.

Village Clerk Yenise Jacobi: Vice Chair, Pirela.

Vice Mayor Luis Pirela: Here.

Village Clerk Yenise Jacobi: Member Urbom.

Councilperson Anders Urbom: Present.

Village Clerk Yenise Jacobi: Member Nickerson.

Mayor Omarr C. Nickerson: : Here.

Village Clerk Yenise Jacobi: Member Lightfoot-Ward.

Councilperson Dr. Anna E. Lightfoot-Ward: Present.

Village Clerk Yenise Jacobi: Also present for the record, Christia Alou, Village manager. Joseph Geller, Village Attorney, Yenise Jacobi, Village Clerk. You have a quorum.

Councilperson Darian Martin: Thank you so much, Madam Clerk. We'll move on to subsection D, approval of the agenda. Do I have a motion to approve the agenda?

Mayor Omarr C. Nickerson: : Madam Chair, if I may?

Councilperson Darian Martin: Sure.

Mayor Omarr C. Nickerson: I wanted to adjust the agenda slightly. I wanted to put G2, which is the launch. I wanted to put that at the end so that all of our residents who came for

Transcription service provided by

10001 NW 50th St Suite # 202 Sunrise, FL 33351
www.fullmooncreative.com
(954) 742-2622



**Village of El Portal
Planning and Zoning Meeting
Date: 4/17/24
Meeting Start: 7:02 PM
Meeting End: 9:48 PM
Meeting Length: 2:46:35**

their properties, they don't have to wait for us to go through that discussion. We can get the resident properties out of the way first.

Councilperson Darian Martin: That makes a tremendous amount of sense. Do I have a second for that motion?

Vice Mayor Luis Pirela: Second.

Councilperson Darian Martin: All right. All in favor say, aye.

Council Members: Aye.

Councilperson Darian Martin: Any opposed say, nay. Awesome. Let it reflect that item G2 has now been moved down and will take the G7 position. I'm assuming let's move on to subsection E, approval of minutes. Do I have a motion to approve the minutes from the February 6th, 2024 Planning and Zoning Committee meeting? Do I have a second?

Mayor Omarr C. Nickerson: : Second, Madam Chair.

Councilperson Darian Martin: Okay. All in favor say aye.

Council Members: Aye.

Councilperson Darian Martin: Any opposed say, nay. All right. Moving on to subsection F. We don't have any visitors or special presentations this evening, so let's head right into the agenda. We have a lengthy agenda tonight so I'll try to get you through as quickly as I can--

Mayor Omarr C. Nickerson: Madam Chair?

Councilperson Darian Martin: Yes, go ahead.

Mayor Omarr C. Nickerson: Madam Chair. Just got some last-minute information.

Councilperson Darian Martin: Sure.

Mayor Omarr C. Nickerson: The individuals that were going to do the launch, they wanted to defer it until the next planning and zoning meeting. They couldn't make it here tonight, so we just got told-

Councilperson Darian Martin: G2.

Mayor Omarr C. Nickerson: -by Corradino Group for that. If we could, I guess scratch G7. Just get rid of G7 for the night then.

Transcription service provided by

10001 NW 50th St Suite # 202 Sunrise, FL 33351
www.fullmooncreative.com
(954) 742-2622



**Village of El Portal
Planning and Zoning Meeting
Date: 4/17/24
Meeting Start: 7:02 PM
Meeting End: 9:48 PM
Meeting Length: 2:46:35**

Councilperson Darian Martin: Okay. Awesome. Let the record reflect that we initially moved item G2 to position G7. That's 8300 NE 4th Place site plan for the launch. We are actually going to defer that to the next planning and zoning committee meeting. Do we know when that will be, Madam Clerk?

Mayor Omarr C. Nickerson: Madam Clerk--

Councilperson Darian Martin: Is it sufficient for us to just say the next planning and zoning meeting or do we have a date?

Village Clerk Yenise Jacobi: Not as of yet, but I'm assuming it's going to be May, June. June. Yes, we'll have to get back to the date.

Councilperson Darian Martin: Okay. We will defer the new item G7 to the next planning and zoning committee meeting, whenever that may be. Let's head right into the agenda with item G1. That's 205 NE 86th Street. Can I have the applicant step up to the podium on the right and can I also have our staff step up to the podium on my left. All right. I'll ask the applicant to state your name and address for the record, please.

?Speaker: Hi--

Councilperson Darian Martin: One second. Hold on one second. For the attorney, do we need to be sworn in, Madam Clerk?

Village Clerk Yenise Jacobi: No.

Councilperson Darian Martin: Okay, great.

?Speaker: What is the--

Councilperson Darian Martin: Thank you so much hearing. Perfect. If you could go ahead and state your name and address for the record. Both of you, please.

Mr. Lima: This is Ricardo Lima, 205 NE 86th Street.

Mr. Pulliam: Thomas Pulliam, 205 NE 86th Street.

Councilperson Darian Martin: Thank you so much. Can I have staff report on this item, please?

Charlotte: Yes. Hello? Yes. This is an application from Tom Pulliam here this evening. He is requesting a variance for a new four-foot high wall and a fence combination that would be

Transcription service provided by

10001 NW 50th St Suite # 202 Sunrise, FL 33351
www.fullmooncreative.com
(954) 742-2622



**Village of El Portal
Planning and Zoning Meeting
Date: 4/17/24
Meeting Start: 7:02 PM
Meeting End: 9:48 PM
Meeting Length: 2:46:35**

in the principal setback at the property located at 205 NE 86th Street. The request is to locate this new wall and fence along the front property line, and then along the side property lines to enclose the front yard. The primary justification is that the wall and fence are needed as a visual buffer to screen the home from nuisance activities occurring on this property that the applicant has listed several incidents in his letter of request, and that's included in your package.

The code does not allow fences in the front setback unless they're limited to four feet in height and made of coral rock and is approved through the variance process. The applicant proposed that the wall be made of coral rock and the fence will be a continuation of the wood that currently exists as a side yard fence. The intent is, again, to fully enclose this front yard area. The granting of the variance approval is in harmony with the general intent and purpose of the comprehensive plan and as proposed, the development is compatible with the existing residential character within the village of El Portal Town.

The requirements for the variance were satisfied by the applicant and the granting of the variance is presented in harmony with the general intent and purpose of the code. Therefore, approval is recommended with a condition that the privacy hedge screen shall be maintained to be no-- Oh, sorry. I'm sorry that I don't have that condition. There's no condition. That, concludes my report.

Councilperson Darian Martin: Thank you so much. I think how I'm going to do it is to open it up for comment for members of the council. Then after that, I'll open it up to the public. Does anyone on the council have a comment about this item? Okay, Councilman Lightfoot-Ward. Then after that, Council Member Urbom.

Councilperson Anders Urbom: [unintelligible 00:06:30] until we fix that.

Councilperson Dr. Anna E. Lightfoot-Ward: Is it appropriate for me to ask how long you've been in the property, attorney? It's okay to ask how long?

Mr. Pulliam: I'm willing to tell you.

Geller: I don't see a reason it's legally objectionable. It's not saying the same. They can be compelled, but you can answer [inaudible 00:07:02].

Councilperson Dr. Anna E. Lightfoot-Ward: That's my question. That's the first question. How long you been in the property?

Mr. Pulliam: December 2021. Less than two and a half years.

Councilperson Dr. Anna E. Lightfoot-Ward: Did you have a problem when you moved

Transcription service provided by

10001 NW 50th ST Suite # 202 Sunrise, FL 33351
www.fullmooncreative.com
(954) 742-2622



**Village of El Portal
Planning and Zoning Meeting
Date: 4/17/24
Meeting Start: 7:02 PM
Meeting End: 9:48 PM
Meeting Length: 2:46:35**

in?

Mr. Pulliam: We've had multiple incidences starting, I believe July 2023, or-- Sorry, when we first moved in. Yes. We had homeless people from 2nd Avenue coming soliciting at our front door.

Councilperson Dr. Anna E. Lightfoot-Ward: This is the one that you told us way back then, right?

Mr. Pulliam: Correct. Yes.

Councilperson Dr. Anna E. Lightfoot-Ward: Same situation.

Mr. Pulliam: Yes.

Councilperson Dr. Anna E. Lightfoot-Ward: Now the nuisance is they're using your yard as a pathway to the next street. Am I getting this?

Mr. Pulliam: No. We've had off-leash dogs come to our property multiple times, kill animals, a cat bit my finger. There's been people coming in looking to steal items as well. Our property, our lot, the backyard is only seven feet. All of our yard is really in the front. We have a unique property here in Sherwood Forest where we can really only enjoy and use our front yard for an outdoor space.

Councilperson Dr. Anna E. Lightfoot-Ward: My questions are very real. When I first moved in, I lived on the corner, had people walking all over my doggone yard, but they stopped doing it, once I was just gentel about it, I guess. I'm asking the questions more so, it's becoming a nuisance. It's called trespassing in your view. It doesn't seem that they respect the fact that it is private property.

Mr. Pulliam: I have signs posted as well, so those are ignored.

Councilperson Dr. Anna E. Lightfoot-Ward: You think the remedy will be-- What's your height that you're looking for?

Mr. Pulliam: Exactly what is allowed by ordinance? A variance for four foot. I'm going to do a coral wall.

Councilperson Dr. Anna E. Lightfoot-Ward: You're going to quarter wall.

Mr. Pulliam: Coral wall. Yes. Which is what's by variance.

Transcription service provided by

10001 NW 50th St Suite # 202 Sunrise, FL 33351
www.fullmooncreative.com
(954) 742-2622



**Village of El Portal
Planning and Zoning Meeting
Date: 4/17/24
Meeting Start: 7:02 PM
Meeting End: 9:48 PM
Meeting Length: 2:46:35**

Councilperson Dr. Anna E. Lightfoot-Ward: Coral wall.

Mr. Pulliam: That's why we're here requesting it.

Councilperson Dr. Anna E. Lightfoot-Ward: Okay. Otherwise you see this continuing to happen?

Mr. Pulliam: Yes. Very much so.

Councilperson Dr. Anna E. Lightfoot-Ward: Weren't you friends with your neighbors?

Mr. Pulliam: No, we are not. We've actually needed to have a restraining order. She's actually here tonight sitting as close to us as possible. Dawn Wellman, our neighbor on the west side of our property.

Wellman: We filed [unintelligible 00:09:26].

Councilperson Darian Martin: We can't scream out, but there will be a time for public comment and you can step up to the podium and say your name and address and say what you would like. Go ahead, Mr. Pulliam.

Mr. Pulliam: The neighbor on the other side has had multiple light trespassing through our windows and onto our property all night, but that's not necessarily relevant to just closing in the front up section of the property, behind the swale at the property line.

Councilperson Dr. Anna E. Lightfoot-Ward: How high you want that?

Mr. Pulliam: Four feet.

Mr. Lima: Four feet.

Mr. Pulliam: Yes.

Councilperson Dr. Anna E. Lightfoot-Ward: Where's four feet on your hip?

Mr. Pulliam: I don't know. Approximately here. I'm six feet tall.

[laughter]

Councilperson Dr. Anna E. Lightfoot-Ward: I'm just thinking about the four feet. I'm five feet, five and a half, so you know why I would say that. Madam Chair, that's all I have.

Councilperson Darian Martin: Thank you so much. Council Member Urbom.

Transcription service provided by

10001 NW 50th St Suite # 202 Sunrise, FL 33351
www.fullmooncreative.com
(954) 742-2622



**Village of El Portal
Planning and Zoning Meeting
Date: 4/17/24
Meeting Start: 7:02 PM
Meeting End: 9:48 PM
Meeting Length: 2:46:35**

Councilperson Anders Urbom: Good evening. I guess my first question is so the reason for the variance is twofold. Is that right? One is that there's going to be a four-foot fence essentially not splitting a property line, but actually going across the face of the property. Is that one reason for the variance, and the other being the 25-foot setback? Is that right?

Charlotte: Correct. The wooden fence, which would run along each side, that would encroach into the 25-foot. You're not permitted right now to have any fences in the front yard. That would be one side of the variance, and the other is the fact that the four-foot coral rock wall goes through the variance process in order to be approved by you.

Councilperson Anders Urbom: Okay, so then in terms of final design, we keep using the phrase fully enclosed front yard. We're talking about a fence coming along the property line on each side, and then crossing the front and joining in the middle and creating an entire boundary, right?

Charlotte: Yes. Correct.

Councilperson Anders Urbom: The fence that would run along the property line really isn't an issue other than the materials, we want to make sure the materials are within the code, correct?

Charlotte: Right. The only type of fence that would be allowed within the front, any part of the front yard would be the coral rock, and there's a couple other materials, but I just mentioned coral rock because that's what he proposes-

Councilperson Anders Urbom: Certainly, fits within them.

Charlotte: -but not wooden fences that wouldn't be permitted.

Councilperson Anders Urbom: Okay, so then at what point is the wooden fence beginning and ending here?

Charlotte: I might need to defer to that.

Councilperson Anders Urbom: Yes, that's fine, yes.

Charlotte: I think it's around--

Mr. Pulliam: Is the first front set back so that how big is the first, 15 feet, 20 feet?

Charlotte: 25.

Transcription service provided by

10001 NW 50th St Suite # 202 Sunrise, FL 33351
www.fullmooncreative.com
(954) 742-2622



**Village of El Portal
Planning and Zoning Meeting
Date: 4/17/24
Meeting Start: 7:02 PM
Meeting End: 9:48 PM
Meeting Length: 2:46:35**

Mr. Pulliam: 25 feet would be four-foot wood, and then I already have on both sides six-foot wood, which is the limit.

Councilperson Anders Urbom: Back at where the house begins, essentially.

Mr. Pulliam: Yes, so just the four-foot wood would connect directly to the six-foot.

Councilperson Anders Urbom: The wood would go up to the 25-foot setback line--

Mr. Pulliam: At four feet. Yes.

Councilperson Anders Urbom: -and then coral would extend beyond that to the--

Mr. Pulliam: The front facade. On the front facade.

Councilperson Anders Urbom: Then coral would cross in the front.

Mr. Pulliam: Yes.

Councilperson Anders Urbom: My question is, so is it a hardship that we're talking about in terms of the variance here? What is the exact reason for approval of this variance that otherwise would not be allowed anywhere within the village?

Charlotte: What I understand is the activities that have been occurring historically that has been brought up to our attention. In addition, the applicant doesn't have much of a backyard. That makes it a unique property for enjoying the little yard that he has that he's not able to enjoy it fully because of the

Councilperson Anders Urbom: Understood. Okay.

Charlotte: -nuisances.

Councilperson Anders Urbom: All right, then my final comment and I'll relinquish the microphone. I've had my car gone through in front of my house. I do feel like that was my fault I did leave it unlocked, but that does tell you that there's people popping locks, right? Trying door handles, right? I have neighbors across the street, just the other day even got porch pirated. As well as similar footage to this in terms of usually a single male on a bicycle, generally speaking, with a backpack is usually the MO of people who are coming through the neighborhood transiently looking for opportunities, right?

If we are to grant this variance under this condition for that reason specifically, then we are going to end up with a village of walled-in properties. They'll be very nice, beautiful

Transcription service provided by

10001 NW 50th St Suite # 202 Sunrise, FL 33351
www.fullmooncreative.com
(954) 742-2622



**Village of El Portal
Planning and Zoning Meeting
Date: 4/17/24
Meeting Start: 7:02 PM
Meeting End: 9:48 PM
Meeting Length: 2:46:35**

properties once you get inside, I'm sure, but we are going to have a village completely full of walls. We already have a backlog of seven-foot walls, walls to the property line, hedges too tall. We have a backlog of trying to already maintain what exists. In fact, in one of these photos across the street, I see a six-foot hedge that runs.

Mr. Pulliam: That's why we're going through the proper variance process.

Councilperson Anders Urbom: I did the Google Streets and went down the street and then also walked it, and I remember seeing that also from looking at those photos as well. I don't take issue with the coral wall extending all the way up. I don't take issue with the wooden fence being extended to mesh with the back fence. It's that crossing the front of the property that for me is a president that I don't know that I'm willing to make tonight.

Mr. Pulliam: What do you mean crossing from the property? Because we have 10 feet of soil that people can walk across.

Councilperson Anders Urbom: Enclosing the property, so you'll go around the neighborhood and you'll see there's a few properties that have a metal fence, right? With an automatic gate even for entrance into the drive, right? Those are all not allowed. As soon as they start to repair or make any change or alteration to any of those setups, they're going to have to revert to the current code. Right before the pandemic, we had a huge effort, town halls, multiple surveys to establish specifically what we're trying to accomplish in the Village when it comes to are we going to allow zero lots?

Are we going to allow six-foot fences? This has been hashed out years ago to a very specific degree, and so in closing the property is the part that I feel like we went through blood, sweat, and tears to come to a conclusion that that is not what we're trying to have within the Village. For me, I feel like we have not potentially exhausted all possibilities and what might be done in terms of mitigation, and there's things within this design that I'm certainly willing to allow without any issue. It's that enclosing of property where I have pause. That's all.

Councilperson Darian Martin: Thank you so much. Does anyone else from the council have a comment on this item? All right, Councilman Lightfoot-Ward.

Councilperson Anders Urbom: I got you. I got you.

Councilperson Dr. Anna E. Lightfoot-Ward: Shall I put that in the garbage?

Councilperson Anders Urbom: No.

Councilperson Dr. Anna E. Lightfoot-Ward: I hear you. Before I even start, I hear you. I'm more concerned about bringing in all these fence enclosures thinking that it's going to

Transcription service provided by

10001 NW 50th St Suite # 202 Sunrise, FL 33351
www.fullmooncreative.com
(954) 742-2622



**Village of El Portal
Planning and Zoning Meeting
Date: 4/17/24
Meeting Start: 7:02 PM
Meeting End: 9:48 PM
Meeting Length: 2:46:35**

solve a problem. I can see the swale line looking at your photos. You did real good with that. For me, I'm having a problem. The village is going to have sidewalks one day. It really is. The village is going to have sidewalks one day. I think about stuff like that, and what I'm hearing now is, you've got nuisances. You did police reports and all that stuff, right? You've got nuisances on your property.

You've engaged the people and asked them not to do that, and they've ignored you. Okay, so you're here today to fence it off. Why we have prohibited fencing things off is because we are a little village, and it looks like a village. We're not trying to engage property so that folks feel like they are their own person on earth. That's not what we're trying to do, but if your neighbors are totally disrespectful and walking through your yard because it goes all the way to the back and over to the next street. Is that what happens? Do you have a fence in the back?

Mr. Pulliam: Yes.

Councilperson Dr. Anna E. Lightfoot-Ward: Okay, so they just decided one day.

Mr. Pulliam: Yes, but it's not just neighbors. It's off-leash dogs. The same one who killed my cat and bit my finger also showed up the next year in my backyard. It's also, as you see in my letter of intent, my right of the setbacks, we have space to put a pool in the front of our house, which we plan to do. That also will require a safety barrier, another reason why we're looking to enclose the front yard. The front facade, besides the four-foot coral rock, is also going to have a pedestrian gate and a driveway gate, so it's not fully enclosed.

People can't enter the exit. It is just closed to my private property. The remaining 10-foot swale in front is fine when sidewalks go in. That's where a possible sidewalk would go, so we have within our ordinances, if you want to put a fence in the front you can do coral. You have to do a variance process. That's why we're here tonight to do everything legally and above board.

Councilperson Darian Martin: Is that the conclusion of your comment?

Councilperson Dr. Anna E. Lightfoot-Ward: No, not really. I think I'm following you now. I'm on the corner. The last thing on my mind is putting a gate around my-- People do come through my yard. They do. The dogs do try to do whatever. One man almost cussed me out because I said, "We got a swale over there. Why you want to come and let your dog poop in my yard?" He said, "Because it's ground." I'm not going to argue with him, but I know I don't want to pick up no poop. He says, "I got my stuff." Then he just got mad because I said what I said. I'm not sympathetic to you.

I'm concerned that the whole village is going to gate in because of some few people that just

Transcription service provided by

10001 NW 50th St Suite # 202 Sunrise, FL 33351
www.fullmooncreative.com
(954) 742-2622



**Village of El Portal
Planning and Zoning Meeting
Date: 4/17/24
Meeting Start: 7:02 PM
Meeting End: 9:48 PM
Meeting Length: 2:46:35**

want to be rude to the owners. That's the only thing in my head right now.

Mr. Pulliam: I guess if that's the case, they could go through the same process and they could be up here talking about their specific issue.

Councilperson Dr. Anna E. Lightfoot-Ward: That's true.

Mr. Pulliam: Which is the process we have. That's why we're here tonight with everything, with our specific issue requesting a variance so we can put a four-foot--

Councilperson Dr. Anna E. Lightfoot-Ward: Let me tell you what happened in the 31 years I've been here. Maybe they'll start throwing the trash over your fence. That's what happens. Maybe they should be rude to you because why? They can. I'm just wondering, is this going to align with what we project the plans for?

Councilperson Darian Martin: I hear you, Councilwoman, for sure.

Councilperson Dr. Anna E. Lightfoot-Ward: Thank you so much.

Councilperson Darian Martin: I definitely hear you. I don't think that anyone else on the council has a comment, so I'm going to just echo what Councilman Urbom just said. I'm concerned about what precedent this sets because I do think that we made a clear statement that we do not want those front yards enclosed. In my mind when I think of a variance, I think is this situation so unique that something has to be done? I'm not seeing the uniqueness. I think that people routinely have incidents with their neighbors where they have them either-- Maybe someone comes up to your door that you don't want to come up to your door.

Or a dog comes onto your property, that you don't want to come onto your property. If we set the precedent that this can make us dovetail or go around what we've initially stated is our intention for what we want the village to look like, then I do think that you will have a tremendous number of people coming to us, and asking for variances because there are dogs on their property or there're people that knock on their door. Which is definitely a nuisance and something that I think, of course, is undesirable. I just don't know if it rises to that level of uniqueness for me that would trigger the approval of a variance on this item.

Mr. Pulliam: Respectfully, I'd like to remind you my finger was bit, my cat was killed and the dog returned after being labeled a dangerous dog.

Councilperson Darian Martin: No.

Mr. Pulliam: Also, besides just the intrusion, whatnot, the uniqueness of our property we don't have space in the back. I don't know when this conversation has been that you guys are

Transcription service provided by

10001 NW 50th St Suite # 202 Sunrise, FL 33351
www.fullmooncreative.com
(954) 742-2622



**Village of El Portal
Planning and Zoning Meeting
Date: 4/17/24
Meeting Start: 7:02 PM
Meeting End: 9:48 PM
Meeting Length: 2:46:35**

saying that it's been said that you don't want it, anything closed in the front. We've never heard that in the two years we've lived here. It was a staff recommendation was approval and in our current ordinances, it allows for this.

Councilperson Darian Martin: No, I completely understand. I'm sure that we would probably be able to get some sort of information to you as far as when that was stated. I do understand why staff's approval in this situation gave you, I suppose, a false sense of security on that issue because I too wonder why staff approved this portion of the item. I do think that there was a clearly stated intention previously. I remember it. Councilman Urbom remembers it. Councilwoman Lightfoot-Ward, that we do not want the front of those yards enclosed.

I understand that your property is unique, and I do believe that there was another property that was unique in that way. I think the person wanted a pool. I think that's what we were talking about [unintelligible 00:24:06] recreation.

Mr. Pulliam: Y'all accepted that variance.

Councilperson Darian Martin: It was about recreation, not about the enclosure of the front of the property. Number two, I do have a question for Charlotte. Can he have this wall in the secondary setback, like a wall of this height?

Charlotte: Yes.

Councilperson Darian Martin: I think that's another alternative.

Mr. Pulliam: With that, I have to give up 20 feet in my front yard, which I don't have elsewhere.

Councilperson Darian Martin: We all have to make really tough decisions.

Mr. Pulliam: It's not in the ordinances.

Councilperson Darian Martin: No, no, no. The fact that you're here seeking a variance means that you're trying to do something other than what is prescribed by the code. Do we agree on that?

Mr. Pulliam: No, because the code says you can have a coral fence in the front if you go through the variance process. That's the language of the code.

Vice Mayor Luis Pirela: It doesn't guarantee that the variance will be granted.

Councilperson Darian Martin: Correct.

Transcription service provided by

10001 NW 50th St Suite # 202 Sunrise, FL 33351
www.fullmooncreative.com
(954) 742-2622



**Village of El Portal
Planning and Zoning Meeting
Date: 4/17/24
Meeting Start: 7:02 PM
Meeting End: 9:48 PM
Meeting Length: 2:46:35**

Councilperson Anders Urbom: [unintelligible 00:25:02] in the property line.

Councilperson Darian Martin: Another point. This is the current variance process. What we're telling you through this variance process is that there is one element that goes completely counter to something that has been our stated intention, but there's a workaround. You can choose to do this in your secondary setback. This is just me proffering a possible solution. I don't know how the vote is going to go today for you because it's not just my decision just giving you an insight on my thought process as to what triggers a variance for me.

The issues that I have in calling this an issue that is so unique that something needs to be done other than what has been the stated intention of the body. That's my thought on it. You're welcome to say something if you would like.

Mr. Pulliam: I would request and ask have all the council people looked at my site map and familiar with the dimensions-

Councilperson Darian Martin: I definitely have.

Mr. Pulliam: -of my property. Councilman Urbom, have you looked at the-- Councilwoman Lightfoot-Ward?

Councilperson Dr. Anna E. Lightfoot-Ward: I haven't seen this. Is this what we're talking about?

Councilperson Darian Martin: This is part of it, but they were also attachments in the actual--

Vice Mayor Luis Pirela: The property survey.

Councilperson Darian Martin: There was a lot of information. You did submit a very thorough application. I definitely reviewed all of your information.

Mr. Pulliam: To be honest, if we had even been aware that it's the policy or position of the council that you don't want the front end closed, we wouldn't have spent \$900 and months to get this meeting here today.

Councilperson Darian Martin: That's a valid complaint.

Mr. Pulliam: We were not told that.

Councilperson Darian Martin: No, that is a valid complaint on your end.

Transcription service provided by



**Village of El Portal
Planning and Zoning Meeting
Date: 4/17/24
Meeting Start: 7:02 PM
Meeting End: 9:48 PM
Meeting Length: 2:46:35**

Mr. Pulliam: In fact, I brought it up last time because I was asking you specifically, "Hey, I want hedges too. Can I combine them or do I need to do two separately and pay 900 for each?" I was told it needs to be handled separately. I said, "Okay, we're just going to go for the fence." That's this meeting here today.

Councilperson Darian Martin: No, I completely understand that's a valid concern and something we need to figure out as far as what information you guys are getting on that front end. I have no desire in having you spend money unnecessarily for something. However, I don't know how this is going to go. I'm just telling you what my personal thought is. The next step in this is for me to ask anyone else on the council if they have a comment. Then after that, if they do not, then I will open it up for residents to comment.

When they do come up to comment, I would ask that you step from the podium so that they are able to access it. I think the mayor has a comment.

Mayor Omarr C. Nickerson: Really quickly, Madam Chair. Thank you. This is one of those type of situations that I think is just really difficult, you all because when you look at-- There's not very many houses in El Portal that are set back this far. Since this house is set back that far, you think about them not having a yard, period, and therefore whatever people usually and normally do in the back of their home, they have that peace of mind in the back of their home, their peace of mind would have to be in the front of their home.

With that being said, and with staff recommendation being approval, I just think it's something that we really have to just look at because if you were in a house that was set back this far, it's almost just having a house with no yard to enjoy any of the amenities. Especially if they're trying to put a pool in their front yard, there's no way that would be possible with that openness that's right there in the front. It's just something to think about.

Councilperson Darian Martin: Thank you so much for that comment. Go ahead.

Vice Mayor Luis Pirela: I do have a comment as well. That was my first impression actually the last time when we actually decided about the new resolution about no fencing and all of that. I remember you being here and asked that question as a matter of fact, and Juan from [unintelligible 00:29:18] answered saying that you could always request a variance and that was it. That was your concern because you were going to try to build the pool in front of the house and all of that. Now Juan when I thought about the 25 feet frontage, I thought exactly about being actually the second setback, which is 45, not 25.

It will not encroach to the next neighbor's fencing or the frontage of the house. That's pretty much the enclosure that I thought we were talking about but it's further up. It is all the way to the property line, which is by the sidewalk. If there were a sidewalk over there, it would be

Transcription service provided by

10001 NW 50th St Suite # 202 Sunrise, FL 33351
www.fullmooncreative.com
(954) 742-2622



**Village of El Portal
Planning and Zoning Meeting
Date: 4/17/24
Meeting Start: 7:02 PM
Meeting End: 9:48 PM
Meeting Length: 2:46:35**

right by the sidewalk.

Mr. Pulliam: It's actually behind the two olive trees, and there's 10 feet in front of there, which is the entirety of the public square.

Vice Mayor Luis Pirela: Right. Exactly.

Mr. Pulliam: There is sidewalk too on R Street, 86th Street. It stops right in the first house, and if that was to continue on, it would go--

Vice Mayor Luis Pirela: Interfere. No, no, I understand, I understand. I'm just saying that 25 feet, actually, if there was an existing sidewalk, it would be behind it, right behind the sidewalk.

Mr. Pulliam: Yes.

Vice Mayor Luis Pirela: Not all the way by where the fence of the neighboring house is. On the side. Which it will still allow you to have your pool in the front yard if that was the case. Yes. The property is unique and most of those properties in the Sherwood Forest, for some reason are all set back.

Mr. Pulliam: Our house was built in 1936, so three years before the village as well, so maybe that has to do with the uniqueness.

Vice Mayor Luis Pirela: Not necessarily. Mine was built in 1925, and I do have a lot of frontage, but I also have a lot of backyard. People walking to my door, which is over 45 feet off the sidewalk. I don't feel that's an intrusion or none of that. I think that's part of living in a metropolitan area. Besides that, we're a little village and maybe we're accustomed to have peace of mind and a few people with it--

Mr. Pulliam: We had a bicycle stolen two weeks ago from our backyard.

Vice Mayor Luis Pirela: Yes. I had a lawn mower taken off.

Mr. Pulliam: It's not just people knocking, it's pets killed.

Vice Mayor Luis Pirela: Yes, so you don't have a side gate next to your property, to the backyard?

Mr. Pulliam: We did, however, the previous owner had installed those and those were not permitted. In our renovation process that we're undergoing, we have removed those. No, there will be none.

Transcription service provided by

10001 NW 50th St Suite # 202 Sunrise, FL 33351
www.fullmooncreative.com
(954) 742-2622



**Village of El Portal
Planning and Zoning Meeting
Date: 4/17/24
Meeting Start: 7:02 PM
Meeting End: 9:48 PM
Meeting Length: 2:46:35**

Vice Mayor Luis Pirela: Okay.

Councilperson Darian Martin: Thank you.

Vice Mayor Luis Pirela: That was my comment.

Councilperson Darian Martin: Thank you, Vice Mayor. I think Councilwoman Lightfoot-Ward has another comment, and then we'll open it up to our guests.

Councilperson Dr. Anna E. Lightfoot-Ward: If the wall does not take the space of what we're projecting as sidewalks in the future, I wouldn't be opposed to this, but if it's going to be right out there where someday a sidewalk's going to be, that's going to be a problem. That's all I'm thinking about right now. I feel you though. I lived in a house without a backyard once upon a time. I feel you. All you had was the front yard. I'm feeling that, but I'm not feeling when we start doing sidewalks in this village, I wouldn't want to hear somebody say, you got to take that down.

If you got a way to make sure the sidewalk, which is what you call that? What's it called when it's not on my property?

Councilperson Darian Martin: The right of way.

Councilperson Dr. Anna E. Lightfoot-Ward: The right of way. It's not messing up the right of way, you got my vote.

Mr. Pulliam: Two comments on that. No, it's not going to be in the right of way. We're even open to a stipulation if there's some measurement of where that sidewalk will be to be sure that we're behind that. I feel like where we're putting it right now, it doesn't have that issue, but we can have that as a stipulation to ensure that it doesn't. Furthermore, the construction of it, it's just coral placed on sand, so it's movable. If I need to move it in the future, it's not concreted to the ground and movable where it's just there forever.

It's a four-by-six-foot piece of coral that will be on the ground with the sand foundation laid by a professional fence person who does that work.

Councilperson Darian Martin: Thank you so much. We're going to open it up to our guests, but I do have a statement. I hope that when we buy houses, we do not do them blindfolded so we know that with every property there are pros and cons that exist when you purchase the property. Yard size is one of those things, and our needs change, but it doesn't necessarily mean that our codes need to change. That might be that that house no longer suits you or fits your needs, but I don't think that it is or should be a driving force on what we decide we want our village to look like.

Transcription service provided by

10001 NW 50th St Suite # 202 Sunrise, FL 33351
www.fullmooncreative.com
(954) 742-2622



**Village of El Portal
Planning and Zoning Meeting
Date: 4/17/24
Meeting Start: 7:02 PM
Meeting End: 9:48 PM
Meeting Length: 2:46:35**

We always have to be careful with every decision that we make about the precedent that it's set. Whatever we vote tonight, I want us to know that there will be tons of people following behind the applicant to get a similar variance and no way to really stand behind not approving those as well. With that being said, I will go ahead and open it up.

Mr. Pulliam: I do have a comment.

Councilperson Darian Martin: Sure, go ahead.

Mr. Pulliam: Just one comment response to that. Again, we purchased this property December 2021. I was aware. I downloaded the PDF design book from the village. We looked at all the ordinances. We saw what setbacks are allowed. What's allowed by ordinance. All of that informed our decision. Hey, we can compromise without having a big backyard. Because look at all this space we have in the front. Oh, the first 10 feet is actually swale, so we keep that public, right? The rest of it, that's our private property.

Councilperson Darian Martin: The secondary setback is not an option for you? Putting that enclosure in the secondary setback.

Mr. Pulliam: Correct, because of the location of the pool, it would infringe where the pool is located.

Councilperson Darian Martin: You don't have a pool currently, this is your future plan for installing a pool.

Mr. Pulliam: No, but I have a right within the setbacks. I have a right to put a pool without process of variance.

Councilperson Darian Martin: No, that's completely correct. I'm just asking if the pool is currently there or just one that you plan on installing.

Mr. Pulliam: No, it's not.

Councilperson Darian Martin: Oh.

Mr. Pulliam: No, and if I'm not able to close in my front, probably we'll need to reconsider getting a pool as well, right?

Councilperson Darian Martin: Okay. Thank you so much with that being said-- Oh, Mr. Mayor. Sure.

Mayor Omarr C. Nickerson: One last one last quick thing. I just want to say I don't want to

Transcription service provided by

10001 NW 50th St Suite # 202 Sunrise, FL 33351
www.fullmooncreative.com
(954) 742-2622



**Village of El Portal
Planning and Zoning Meeting
Date: 4/17/24
Meeting Start: 7:02 PM
Meeting End: 9:48 PM
Meeting Length: 2:46:35**

scare anybody out there, especially Sherwood Forest residents. We do aim to eventually put sidewalks throughout El Portal. It's my personal opinion that Sherwood Forest is a place that should not have sidewalks. Due to the archeological stuff that's in there. Due to the curves and things like that. Especially when you get up by the Native American burial mound, and Sherwood Forest, just the way it just feels, it shouldn't have sidewalks, in my opinion.

Sherwood Forest is one place that shouldn't have sidewalks in El Portal. Thank you, Madam Chair.

Councilperson Darian Martin: That is very true. It's uniquely beautiful.

Mayor Omarr C. Nickerson: Right.

Councilperson Darian Martin: It's an amazing site. Councilman Urbom, after you, then we'll open it up to our guests.

Councilperson Anders Urbom: Okay, so just true, but we will still have bioswales in the future in Sherwood Forest, which will include hard-packed paths and things like that for everything up to and including ADA compliance, so-

Councilperson Darian Martin: Okay, now.

Councilperson Anders Urbom: -there will be something.

Councilperson Darian Martin: Thanks for noting that. All right, is there anyone in our audience that would like to make a comment on item G1? If so, please step up to the podium and state your name and address for the record. One second. I think this young lady was coming up to the podium, and then right after her, then gentleman in the orange.

Wellman: Thank you.

Councilperson Darian Martin: Awesome. Can you state your name and address for the record?

Wellman: Yes.

Councilperson Darian Martin: Good stuff.

Wellman: My name's Dawn Wellman. My address is 203 NE 86th Street. I'm also a real estate broker and have sold a lot of real estate in the village for many, many years. I bought my house in Sherwood Forest because of its uniqueness. I could have lived anywhere. I've been in my house for almost 23 years. I'm sorry. I've never had a problem with any of my

Transcription service provided by

10001 NW 50th ST Suite # 202 Sunrise, FL 33351
www.fullmooncreative.com
(954) 742-2622



**Village of El Portal
Planning and Zoning Meeting
Date: 4/17/24
Meeting Start: 7:02 PM
Meeting End: 9:48 PM
Meeting Length: 2:46:35**

neighbors, ever, in 23 years. We have the new neighbors that moved in. They stated they bought it, what, two years ago. Our street and our neighborhood is not in harmony anymore.

He tried to defame me tonight in front of everybody here that I stalked him. That is a lie. That was fraud. He filed fraud papers with the clerk of the court. It was dismissed. I just want to address that and then I want to move on-

Councilperson Darian Martin: To the item.

Wellman: -to the subject-

Councilperson Darian Martin: Thank you.

Wellman: -but I have a right to defend myself.

Councilperson Darian Martin: For sure. You do but in the context of this meeting, we're going to keep our comments centralized. I think there's a big backstory, but--

Wellman: I would have never brought it up had he not brought it up first, okay.

Councilperson Darian Martin: Yes. Now hopefully, you feel like you've said enough.

Wellman: Absolutely. Absolutely.

Councilperson Darian Martin: Let's centralize the conversation to the hedges.

Wellman: I think it's important to have harmony in the neighborhood. I don't feel a fence erected in the front of the house is going to bring any harmony in this neighborhood. I think maybe they're moving, but that's beside the point. There aren't many houses that have fences in the front, and I like that about our neighborhood. It gives character. It gives continuity. It gives inviting and welcome. I've lived in my house 23 years. I have never but once had an incident where somebody stole a bicycle. There aren't homeless people coming in my yard. I live right next door to him.

Mr. Pulliam: [inaudible 00:39:40].

Councilperson Darian Martin: Please don't call out from the audience. Let's not do that. Okay? Continue.

Wellman: I've never had any nuisances. I've never been afraid. I've lived in my house by myself my whole entire life. Never been married. No boyfriend. Sherwood Forest is a special street and a special neighborhood. All of us neighbors have always been tight. I feel erecting

Transcription service provided by

10001 NW 50th St Suite # 202 Sunrise, FL 33351
www.fullmooncreative.com
(954) 742-2622



**Village of El Portal
Planning and Zoning Meeting
Date: 4/17/24
Meeting Start: 7:02 PM
Meeting End: 9:48 PM
Meeting Length: 2:46:35**

a fence is just going to give off a tone and vibe that's unapproachable. "This is my world. This is my neighborhood. Nobody else's." That's not what we're about here. I hope. Then as far as a four feet fence, I'm not sure how that's going to prevent a lot of nuisances, even if there was nuisances.

As far as dogs getting loose, that's a common element throughout anywhere you go. A dog can get loose. They can run out the front door by accident. You can not put the leash on them. That just happens. That's life. Putting poles in the front yard-- When you're going to buy a house, when I sell a house to somebody, we go over everything. A variance is not a guarantee. I know you can get hooked on hope, but it's not a guarantee. When you buy a property, it's very important for you to be aware of exactly what you're buying.

If you outgrow the space or you outgrow the needs, there's other available properties that could afford a backyard or you can live on North Bay Road and they put up all these high fences and none of the neighbors talk to each other. It's a different vibe. I would hate to lose our special vibe. You can talk to many people about our community and that's what they like about it. I really don't want to lose that. I think it'll also set the tone that everybody else is going to want to piggyback. Then we're going to have all these variance requests for fence and everybody's going to have a fence in their front yard.

There goes our cute, quaint neighborhood.

Councilperson Darian Martin: Thank you so much. All of those things are noted and we'll take that under advisement. Thank you so much.

Wellman: Thank you for your time. I appreciate it.

Councilperson Darian Martin: Anytime.

Councilperson Darian Martin: Gentlemen,-- Sure.

Vice Mayor Luis Pirela: I'm sorry, if I may, to her point, there were actually three houses that were flipped contractors that those three houses had fence in the front yard. The only three houses that I know, they had them and they actually took them down. It just looks more appealing and more beautiful and it raised up the price. Their houses they bought for \$400,000, \$300,000, they sold them for 1.2, \$1.5 million without a fence.

Councilperson Darian Martin: All right, thank you so much. Gentlemen, in the orange shirt, please step up to the mic and state your name and address for the record. Thank you for [crosstalk]

Eric: Hi. Hello. My name is Eric. I live in 311 NE 86th Street, and I happen to be friends

Transcription service provided by

10001 NW 50th St Suite # 202 Sunrise, FL 33351
www.fullmooncreative.com
(954) 742-2622



**Village of El Portal
Planning and Zoning Meeting
Date: 4/17/24
Meeting Start: 7:02 PM
Meeting End: 9:48 PM
Meeting Length: 2:46:35**

with the guys and with many people in this lovely neighborhood. I love our neighborhood. I love our neighbors. I'm aware that it's not the case for everyone. I am aware that the guy has had personal issues with Dawn. What I have to say is that they really care about this community. They are always here. I'm not always here because actually, I don't enjoy getting down to the like you come here and you see how hard it is to communicate in a healthy manner.

They are here, and they are law-abiders. You can say anything about them, but they do respect guidelines in the law, and they based a lot of what they do on that. I'm pretty sure that I've been to the house, it's not true that nothing happens, because I've seen by being friends with the guys, I have cats, and they lost a cat because of a dog attack that actually, it didn't matter because the same dog invaded their house maybe a couple months later, and the cats run, and I'm very terrified of losing one of my cats because of a dog attack.

They have to be leashed. I don't think it's force of nature they're lost for that. I do like and appreciate the guys because they care about the city. I also think that the guidelines, the variances are there because they have to be approved. We shouldn't have that type of control over what people do in the private space, especially in the guys' case, because their house is really built far in the back of the lot, and they don't have a lot of space. They maybe have like from this wall and there is a huge tree. They don't of have a lot of backspace. They don't have backspace at all, actually.

I've seen the videos and I'm pretty sure that they can show you, they have had people come to look at their stuff to see if they could find anything. They had the situation with the dog, and they're also close to NE 82nd Street. This area is rapidly growing to become more urban, especially with the new condos being built on the other side of the river and in this village by the way. I also would like to remember to mention that lots of houses in beautiful neighborhoods, quaint neighborhoods like Coconut Grove, have coral fences.

They're not too tall. They're not uninviting. They're actually very cute. It's a historical material. It could be coral, it could be limestone. It's actually pretty. You can still see the house. It's not a big deal to have that build over there. I think it's actually good for the city. I also don't think it's a great idea for the city to build, what do you say, corridors or sidewalks. Thank you in El Portal in Sherwood Forest because we have so many trees.

Councilperson Darian Martin: I do want to give you a heads-up that you have 30 seconds yet. I may not have said it, but everyone gets three minutes at the mic, and I'm timing you, so I'm just going to give you a heads-up that you have 30 seconds. I really want you to get out, if there's something else of importance. You said amazing things so far, but if there's anything else of importance you want to state, you have 30 seconds to do so.

Transcription service provided by

10001 NW 50th ST Suite # 202 Sunrise, FL 33351
www.fullmooncreative.com
(954) 742-2622



**Village of El Portal
Planning and Zoning Meeting
Date: 4/17/24
Meeting Start: 7:02 PM
Meeting End: 9:48 PM
Meeting Length: 2:46:35**

Eric: Thank you. I'll try to wrap it up. It's just so many things to be said. It's not a good idea because we have historical trees, oak trees, we have nature, and lots of properties on Sherwood Forest actually have lots of hedges, and not the pretty hedges. I mean areca trees and just the most basic forms of hedges everywhere. There are lots of variances in Sherwood Forest. I do think we should strive for a peaceful relationship with our neighbors. I hope that this is a chance to reset that because I do see the good side of guys.

You can either get on the good side of people and the bad side of people, and I think we should strive to be on each other's good side. That's it. Thank you.

Councilperson Darian Martin: Thank you so much. We appreciate your comment this evening. Are there any other guests that are joining us that would like to step up? Please step up to the podium. State your name and address for the record.

Ribeiro: Good evening. J. Ribeiro, 225 NE 86th Street. First item I want to discuss is why previously variance notifications were sent by certified letters. I found out about this variance based on the agenda that the clerk sent out. I came and I asked the front desk, where was my certified letter. They said, "No, it's now published in the *Herald*." First of all, I do not get the paper. I do not go online to get the paper, and I wouldn't know unless the agenda was generated. That needs to be a fix. Second of all, I'm the neighbor to the east side of them.

I'm the neighbor that they complain about excessive lights. My house is three feet tall. I see over the fence, their hedges is growing. That's fine and dandy. I don't care. I don't want to see them. We're not friendly. Based on their complaints on my property that cost over \$5,000. You could pay your 900 for the variance. There's over 27 complaints here that they filed with six different neighbors.

Councilperson Darian Martin: I'm going to give you the same caution that I gave Ms. Wellman. I sense that there is a lot of things that are happening, but we want to centralize our conversation to whether or not you have a thought about the fence going up and the hedges. If you could just centralize your conversation on that, that would be great. I stopped your time. You have about a minute and a half.

Ribeiro: Definitely.

Councilperson Darian Martin: Thank you.

Ribeiro: The fence, I'm totally against it. I have not seen the designs. They've not spoken to me. I don't care. If it's a coral rock fence it's going to hinder the flooding that we're having now on Sherwood Forest. The water from that property, it's going to come back to me. That's one issue. Two, the aesthetics of Sherwood Forest does not call for that property to have a coral rock fence or wood fence or whatever. As you know, it will be a precedent, and they

Transcription service provided by

10001 NW 50th St Suite # 202 Sunrise, FL 33351
www.fullmooncreative.com
(954) 742-2622



**Village of El Portal
Planning and Zoning Meeting
Date: 4/17/24
Meeting Start: 7:02 PM
Meeting End: 9:48 PM
Meeting Length: 2:46:35**

will be back in here. If they get the wall today, they may come back and get the hedges later. Or definitely, they're going to come back and say, get the pool as he mentioned it now. I am totally against it. We need to focus on the aesthetics and the beauty of this community. I've lived here 22 years. I've never had a problem with any neighbor except this two. They could flip the finger all they want. Thank you.

Councilperson Darian Martin: Thank you for the comment. I appreciate that. Are there any other guests who would like to step up? Please step up to the podium and give me your name as well as your address.

Enrique: Enrique, 311 NE 86th Street. Regarding the fencing of Sherwood Forest. I moved here because I love the way it is, but I know that the city is changing and it's going to change very fast. We have the commercial buildings being built over there where it was the church, and we have a lot of more possible people traffic all over this area. Sherwood Forest is special. Everybody agrees. We don't know about metro stations. Maybe not metro, but the railroad they're going to build.

I'm pretty sure that we're going to see here is over the years, we're going to have a way more intense population coming to this area too. I get the idea of living in a very open space, but I think we also have to realize that this is changing. Miami is changing and the whole area is going to change and it's going to become more urban. I have a house that is also sat in the back and at some point, I don't need to close because I have a huge forest close in our house and it's beautiful. At some point, if you want to do a pool, we also going to need to ask for a variation.

My concern here is just are we ready to understand that the neighborhood's going to have to change and adapt it to a new reality of Miami and any reality to NE 2nd Street? I think it's going to happen. Even though we protect the small area that we are Sherwood Forest, the city around will change and the people and the amount of people visiting this area is going to change also over the future rights. That's my only comments. Thank you.

Councilperson Darian Martin: Thank you so much. That's a good perspective to shout out. Are there any other guests who would like to comment on this item? One second. Seeing none, I'll go ahead and ask the applicant to step back up to the podium and open the conversation back up to the council. I also think the applicant has another comment that he would like to make. One second. Let's just sequence it. Vice Mayor?

Vice Mayor Luis Pirela: Madam Chair, yes, I do have a comment. Thank you. To address Mr. Ribeiro's first point and it was about the variance being discussed today that he wasn't aware of it. I remember asking the manager about actually for any variances in any planning and zoning hearing to have a sign, and I think it's in our books. We can do go ahead and post

Transcription service provided by

10001 NW 50th ST Suite # 202 Sunrise, FL 33351
www.fullmooncreative.com
(954) 742-2622



**Village of El Portal
Planning and Zoning Meeting
Date: 4/17/24
Meeting Start: 7:02 PM
Meeting End: 9:48 PM
Meeting Length: 2:46:35**

in front of the property a notification that this property is going to be meeting is going to be discussed about a variance and all of that, or is it something that we can implement?

Anybody that passed by through the neighborhood can actually see that the property is going to come before planning and zoning meeting. My interest to the people around it, to address the neighbor's point.

Village Manager Alou: I hear your point. I have seen that in other municipalities. We don't have that, but that's something we should look into doing because I agree. I think that would give the surrounding neighbors because you're right, if you don't have the Herald or if you're not checking the other publications, you wouldn't know. I'll definitely look into that.

Councilperson Darian Martin: That's an excellent point Vice Mayor.

Village Clerk Yenise Jacobi: It does state courtesy because that's paid by the applicant and no applicant wants to pay extra. That is the point of it all. It does state that we can have one of three and it offers it, but every time what happened, he's right, it used to happen, but then an applicant brought it up and said, "It says courtesy, and I do not wish to pay any further than I've already paid."

Vice Mayor Luis Pirela: I'm sorry Madam Clerk. It says something that we can have the signs and actually borrow that applicant the sign and just because it's written in erase board or whatever?

Village Clerk Yenise Jacobi: It's up to the applicant. For us, what satisfies it is me advertising it and the way that people came today, it's because it's advertised. Once I put up, there's a PNZ, and if you're interested, then that's how most of actually Mr. Pulliam is one that comes because he sees it and he receives it. He knows if there's something that sparks your interest, that's why you come for public comment.

Vice Mayor Luis Pirela: Now, so this is for our lawyer. Is it something that it could actually be included in part of a package or is it for you part of-- not something that is not courtesy but mandatory?

Village Clerk Yenise Jacobi: Then the language would need to be revised and then we would have to budget for it because if the applicant does not want to pay for it, the city has to actually pay for the sign. It would be an individual sign. It's not an erase and paste. No, no, no. That's an individual sign. It's an extra cost.

Vice Mayor Luis Pirela: Perfect. Thanks.

Councilperson Darian Martin: That was a question I had as well. Would the city covering

Transcription service provided by

10001 NW 50th ST Suite # 202 Sunrise, FL 33351
www.fullmooncreative.com
(954) 742-2622



**Village of El Portal
Planning and Zoning Meeting
Date: 4/17/24
Meeting Start: 7:02 PM
Meeting End: 9:48 PM
Meeting Length: 2:46:35**

it be cost-prohibitive? Can we look and see what the cost would be?

Village Clerk Yenise Jacobi: I don't think that it would be prohibited. We can actually go and do that, but that would have to be something that's fiscally budgeted for.

Councilperson Darian Martin: Can the manager look into that and get back to us on historically, just based on last year, how many of these variances or signs would've been posted if we had taken over the cost? What that might have been, or if there's a way that we can project that out how much it might be?

Village Clerk Yenise Jacobi: Mind you, if the person is not driving through, El Portal is not just-- if they're not driving through Sherwood Forest which is very unique and a lot of people don't drive through that, they're not going to see that.

Councilperson Darian Martin: Yes, [crosstalk] neighbors.

Vice Mayor Luis Pirela: Sometimes the people that's directly impact is the people that's surrounding the property.

Village Clerk Yenise Jacobi: For his property in particular, if the sign, where it would be placed at also might not still see it, but I'm just giving-- It's something definitely that you can look into and the word can change.

Councilperson Darian Martin: For sure. I have no idea if this is a good idea because it depends on the numbers and the feasibility. Just something to look into because I do think that your neighbors have a unique interest in what's happening.

Village Clerk Yenise Jacobi: We can offer [crosstalk] Absolutely.[crosstalk] we'll look into how many variances we do.

Councilperson Darian Martin: Mr. Mayor has a comment. Let me defer.

Mayor Omarr C. Nickerson: Yes, really quickly. Thank you very much, Madam Chair. I just wanted to say and just make clear that this discussion that we're having right now, that what El Portal does right now, we're in legal compliance, all right? It's not that we're not doing something that we should be doing or that we have to do. We're currently in legal compliance. Let me also say that there's a lot of things that we do that we just do for courtesy. For example, I'm on every mayor organization all throughout Florida. There's very few municipalities that e-mail their agenda out.

They don't have to. We do a lot of that for courtesy, the way we have our agenda where in the beginning we have a good in welfare, for every agenda item, we let you come up and speak.

Transcription service provided by

10001 NW 50th St Suite # 202 Sunrise, FL 33351
www.fullmooncreative.com
(954) 742-2622



**Village of El Portal
Planning and Zoning Meeting
Date: 4/17/24
Meeting Start: 7:02 PM
Meeting End: 9:48 PM
Meeting Length: 2:46:35**

At the end, we have a good in welfare. Go to the county meetings in Miami-Dade County, they have a good in welfare like one. The reason why we have it like this is because when I came on as a council member, that's the first thing that I passed. That was my first initiative. The reason why I passed it, because I said, "Let's keep the first one."

We only had a first one. I said, "Let's keep the first one." I said, because somebody might come and they can talk about whatever's on the agenda. I said, but then let's allow people to speak for every agenda item because after they hear us speak, they might say, "Oh, you know what? I disagree with what you're saying, Mayor, or you know what, Mayor? Have you thought about this? It might adjust the way I'm going to vote." I said, "So let's put that in and then let's have another one at the end."

There's a lot of things that we have in El Portal that is courtesy and it's not legally binding to us. This is one of the things, I think it's a good thing to change it. My question though is that are we talking about just putting up signs for just variances or are we talking about putting up signs for everything that's on the agenda having to do with somebody's home? Because that means that every planning and zoning, we have a lot of items that are on the agenda. Are we putting up a sign for every property that this is going to be on this agenda for this planning and zoning?

Because we have a lot. That cost, we're going to have to really look in. It might be very high because we have a lot of homes on planning and zoning agendas. Does that mean that when the planning and zoning, when it gets moved to the regular council meeting, then it has to be put up again for the regular council meeting?

Councilperson Darian Martin: Let me just rephrase this. None of that needs to be answered tonight. This is just a thought and that we can look into it and figure out either how to make it work or that it doesn't work. Whenever we throw out these ideas, definitely doesn't mean that the village is doing anything wrong. It's just an effort to perfect. No matter how good you are doing something, when someone brings in an issue, you think, Hey, is there a way that I could solve something from their unique perspective? This is just a little, "Hey, can we?"

The needs assessment might make it obvious that it is not a good idea, but just something to flush out as far as being as responsive and communicative as we can be as a legislative body. With that being said, I'd like to table that part. I'll go back to Mr. Pulliam, I know you had a comment, and then we'll take it back to the council on this item G1.

Mr. Pulliam: Thank you. I just wanted to address a couple of the comments from my neighbors who you saw up here today.

Councilperson Darian Martin: Please centralize those comments-

Transcription service provided by

10001 NW 50th ST Suite # 202 Sunrise, FL 33351
www.fullmooncreative.com
(954) 742-2622



**Village of El Portal
Planning and Zoning Meeting
Date: 4/17/24
Meeting Start: 7:02 PM
Meeting End: 9:48 PM
Meeting Length: 2:46:35**

Mr. Pulliam: I will.

Councilperson Darian Martin: -to the hedge.

Mr. Pulliam: Yes. Totally.

Councilperson Darian Martin: Thank you so much.

Mr. Pulliam: The first point in terms of the aesthetic charm of the village, all that sort of subjective stuff, again, we are paying a five times price premium to do the coral rock, which has been decided, I don't know when, but historically by people in the village, resident's council, et cetera, that that does conform with the desired aesthetic charm, all that sort of stuff, the four feet limit as well. That's my first point.

My second point regarding some fear of coming back requesting hedges. I already, just so everyone is aware, I articulated to our planning and zoning staff people that because of the \$900 cost variance for that, that's cost prohibitive. We're not going to do that. We will do natural plant clusterings or just a bush, something that doesn't require a variance. I will not be coming back requesting a variance for hedges in the front, to be clear.

My third and last comment in regard to one of my neighbors who talked about flooding. First of all, my entire front yard is permeable. Also, this coral rock wall, like I said, is constructed on a foundation of sand. It's not cemented to the floor. It's not creating any water issues. In fact, this neighbor who's complaining about this potentiality has a huge paved driveway in the front that is not permeable and creates, if he's experiencing water issues, I would suspect that's where it's coming from.

Councilperson Darian Martin: Thank you so much for those clarifications. Now I'll bring the conversation back to the council. Does anyone have a motion on this item or additional comments?

Councilperson Anders Urbom: I do have just one additional comment. I just want to reiterate that we went through these years ago in terms of the number of fence variances, specifically that were coming in front of the council that sparked 18 months of town halls, surveys, expensive work with urban planners. It was definitively established that having properties fenced off as a general rule within the village would over time deteriorate the property values and lessen the quality of life in the village. Point blank. Years ago, 20 something years ago, I lived in the Grove, rented a property, we were a border property. On the one side was shantytown, on the other side was multimillion-dollar ownership. Go to a town hall over crime watch, B and Es, and all this stuff.

All the older white people in the audience wanted more police and longer jail sentences as a

Transcription service provided by

10001 NW 50th St Suite # 202 Sunrise, FL 33351
www.fullmooncreative.com
(954) 742-2622



**Village of El Portal
Planning and Zoning Meeting
Date: 4/17/24
Meeting Start: 7:02 PM
Meeting End: 9:48 PM
Meeting Length: 2:46:35**

solution to solve the crime problem that was ravaging Coconut Grove at that time. All of the younger black folks in the audience were very clear in establishing that. There had been afterschool programs in years past that were gone. This resource and that resource that disappeared. For me personally, as I've gone through life outside of that experience, it seems very obvious to me that if we want to get rid of petty crime, we're going to take every dollar that we spend on an aircraft carrier and we're going to match that dollar and educate somebody in this country. Until we do that, we get our cars broken into at 3:00 in the morning.

I will say this, the picture I'm looking at here has a front porch full of construction items. I grew up in Topeka, Kansas, so I have an advantage over everybody in terms of street smarts. I'm looking at a picture of \$2,500 worth of bait sitting on a front porch. That's the issue in this picture, that somebody's on that front porch. We are not going to create a beautiful village by walling off the properties. Coconut Grove is attempting that. Coconut Grove is no longer any fun to drive through. It is disgusting, honestly. Eight-foot fences, zero lots. Coconut Grove is not pretty anymore. I hope we're not headed in that direction.

Councilperson Darian Martin: Thank you so much for that comment. Does anyone else have a motion on this item? Does someone want to move something on this item?
Councilwoman Lightfoot-Ward.

Councilperson Dr. Anna E. Lightfoot-Ward: [inaudible 01:05:07]

Councilperson Darian Martin: Okay. All right.

Councilperson Dr. Anna E. Lightfoot-Ward: [inaudible 01:05:17]

Councilperson Darian Martin: So you move to not accept staff's recommendation on this item and to deny?

Councilperson Dr. Anna E. Lightfoot-Ward: Just see what's going to happen.

Councilperson Darian Martin: Okay, so that's the--

Councilperson Anders Urbom: I will second.

Councilperson Darian Martin: You second. Okay. Madam Clerk, you call the roll.

Village Clerk Yenise Jacobi: Roll call. Member Lightfoot-Ward.

Vice Mayor Luis Pirela: Restate the motion [unintelligible 01:05:38].

Transcription service provided by

10001 NW 50th St Suite # 202 Sunrise, FL 33351
www.fullmooncreative.com
(954) 742-2622



**Village of El Portal
Planning and Zoning Meeting
Date: 4/17/24
Meeting Start: 7:02 PM
Meeting End: 9:48 PM
Meeting Length: 2:46:35**

Village Clerk Yenise Jacobi: Huh?

Councilperson Darian Martin: She's going to restate.

Vice Mayor Luis Pirela: Just restate the motion. She doesn't have to [unintelligible 01:05:43].

Village Clerk Yenise Jacobi: She's motioning to not to pass.

Councilperson Darian Martin: Not to accept.

Village Clerk Yenise Jacobi: Not to accept. [unintelligible 01:05:52] to deny. Member Lightfoot-Ward?

Councilperson Dr. Anna E. Lightfoot-Ward: [unintelligible 01:06:01]

Village Clerk Yenise Jacobi: Okay. Member Urbom?

Councilperson Anders Urbom: Yes.

Village Clerk Yenise Jacobi: Member Nickerson?

Mayor Omarr C. Nickerson: No.

Village Clerk Yenise Jacobi: Vice Chair Pirela?

Vice Mayor Luis Pirela: Yes.

Village Clerk Yenise Jacobi: Chair Martin?

Councilperson Darian Martin: Yes.

Village Clerk Yenise Jacobi: Motion passes 4-1.

Mr. Pulliam: What follow-up-- Is there?

Councilperson Darian Martin: The clerk can give you some secondary steps, correct? Yes. It's been denied.

Mr. Pulliam: May we receive a rationale why this-- Or-

Councilperson Darian Martin: I think the conversation--

Transcription service provided by

10001 NW 50th St Suite # 202 Sunrise, FL 33351
www.fullmooncreative.com
(954) 742-2622



**Village of El Portal
Planning and Zoning Meeting
Date: 4/17/24
Meeting Start: 7:02 PM
Meeting End: 9:48 PM
Meeting Length: 2:46:35**

Mr. Pulliam: -if anyone's willing.

Councilperson Darian Martin: The conversation that occurred previously, everything that was stated, all of those are the reasons why. I think a transcript maybe of this conversation could give you some more clarity, but I think everything was stated, but it has been denied. We're going to move on to item G2, and if you have additional questions, you could step to the back and talk to the clerk about next steps. Okay?

Mr. Pulliam: Okay.

Councilperson Darian Martin: Thank you so much. All right. Now we're going to move on to item G2. G2 is now 301 Northeast 89th Street for demo and new home construction new site plan. Can I have the applicant step up to the podium and state your name and address for the record?

Joshua Rojas: Hi, my name is Joshua Rojas and this is Nestor Rojas.

Councilperson Darian Martin: A little closer to the mic, please.

Joshua Rojas: Okay. Better?

Councilperson Darian Martin: Yes.

Joshua Rojas: Hi, my name is Joshua Rojas and this is Nestor Rojas.

Councilperson Darian Martin: Address, please.

Joshua Rojas: 301 Northeast 89th Street.

Councilperson Darian Martin: Okay, so first I'm going to get the staff report, and then after the staff report, I'll come to you. Okay?

Joshua Rojas: Got you.

Councilperson Darian Martin: Can I have staff to report on this item?

Village Clerk Yenise Jacobi: Yes. This is an applicant from Portal Development Group. They are requesting a site plan approval for a new single-family home at the property located at 301 Northeast 89th Street. The applicant proposes to tear down or demolish the current home that's on the slot to allow for this new construction of a brand new home, which will be two stories 4,840 square feet. And the new home will have four bedrooms and six bathrooms, and a two-car garage and a covered backyard terrace. The property is 7,761 square feet and

Transcription service provided by

10001 NW 50th St Suite # 202 Sunrise, FL 33351
www.fullmooncreative.com
(954) 742-2622



**Village of El Portal
Planning and Zoning Meeting
Date: 4/17/24
Meeting Start: 7:02 PM
Meeting End: 9:48 PM
Meeting Length: 2:46:35**

the single-family homes are permitted in the zoning district and they are not requesting any variances with the site plan approval. They meet the code.

Pursuant to the procedures for site plan review, the applicant does show good cause for the compliance with the land use regulations and development standards. The applicant has stated that the plans will be submitted to the County Fire and Rescue Department for review and approval, and that they are committed to complying with the fire department review regulations and when the full set of plans are ready to be submitted before building permit. Also to address stormwater management and to ensure ongoing retention, the applicant has a preliminary engineering plan for eight-inch pipe system with an exfiltration trench that would be located on the site. Then the final design for that stormwater system will be, again, further hashed out when they get into design drawings for their site.

In granting the site plan approval as presented is in harmony with the general intent and purpose of the comprehensive plan and as the proposed development architecture is compatible with the existing residential architecture in the village, and therefore, approval is recommended for this site plan to allow for the new construction of a two-story residence. There are two conditions that are enumerated in your staff report.

Councilperson Darian Martin: Thank you so much. As I've done before, I'll open this up for comments from members of the council. Does anyone have a comment? Councilman Urbom.

Councilperson Anders Urbom: Just one question. The only reason we're here tonight--
[unintelligible 01:10:02]

Village Clerk Yenise Jacobi: I think it's the train.

Councilperson Anders Urbom: Oh, okay. There we go. The only reason we're here tonight at all on this application is because they are demolishing 51% or more of the original structure and rebuilding it. Is that right?

Village Clerk Yenise Jacobi: Correct. It's a site plan.

Councilperson Anders Urbom: Outside of that, there are zero other issues, no setback issues, no driveway issues, no fence issues?

Village Clerk Yenise Jacobi: Nothing. No. They're complying with the code.

Councilperson Anders Urbom: Very good. I just have one comment for the applicant. As she talks about the flood mitigation, I will humbly ask you to take that incredibly seriously. As we approach our new reality in terms of flooding, within the village, you'll find it's like lot

Transcription service provided by

10001 NW 50th St Suite # 202 Sunrise, FL 33351
www.fullmooncreative.com
(954) 742-2622



**Village of El Portal
Planning and Zoning Meeting
Date: 4/17/24
Meeting Start: 7:02 PM
Meeting End: 9:48 PM
Meeting Length: 2:46:35**

to lot sometimes, right? You're going to find out it's depending on what people built in their swale, et cetera. When we have new construction, it's some of our only opportunity to move in the other direction. I would just humbly ask you to please take that very seriously, and it will benefit you with a selling point at some point in the future whenever you do go to resale.

Village Clerk Yenise Jacobi: I would just add that through the site plan review process when I was reviewing this, they were very cooperative when I requested that they look at this issue from the very beginning, not wait until the end of their whole process. They were cooperative and produced plans for us.

Councilperson Darian Martin: Thank you. That's good to hear. Any other questions from members of the council? Councilwoman Lightfoot-Ward?

Councilperson Dr. Anna E. Lightfoot-Ward: This is father-son deal, right?

Joshua Rojas: Yes.

Nestor Rojas: Yes.

Councilperson Dr. Anna E. Lightfoot-Ward: It was the way you said it, I was like, "That's his dad." I don't know how we got this person. They both got the same names.

Councilperson Darian Martin: They also look a lot alike.

Councilperson Dr. Anna E. Lightfoot-Ward: I know. I'm paying attention. You are asking to build a million-dollar-plus house on a lot that has a house that you're going to totally tear down, regardless to its historical archival history. You're going to think you're in Coconut Grove or you're trying to make us something we're not. I'm seeing a big-- how do you call those expensive houses? A McMansion. I'm seeing a McMansion in my head. Knowing where this house is, I'm seeing a McMansion in my head.

I'm saying, "What you're trying to do? Keep people from moving in here so you're going to go build a palace?" You all got to help me out, man. I've been here. I'm 31 years in this village, and it was nothing like it is today. Thank goodness for a good council, which I've been on several times. Tell me exactly why you want to put this big building. You bought the property, right?

Nestor Rojas: Yes.

Councilperson Dr. Anna E. Lightfoot-Ward: I guess that's why. You got to help me. This sounds like this is going to be one of them, "Oh, wow." This is a little tiny village. We're not trying to change the character of this village so that people can't afford being here, including

Transcription service provided by

10001 NW 50th St Suite # 202 Sunrise, FL 33351
www.fullmooncreative.com
(954) 742-2622



**Village of El Portal
Planning and Zoning Meeting
Date: 4/17/24
Meeting Start: 7:02 PM
Meeting End: 9:48 PM
Meeting Length: 2:46:35**

me who own my property. We're not trying to do that. Why you want to do that? Tell me why. I thought I was asked. I didn't think I would ask that question.

Nestor Rojas: I like the mother house now. Sorry.

Councilperson Dr. Anna E. Lightfoot-Ward: Identify--

Nestor Rojas: The second two floors.

Councilperson Dr. Anna E. Lightfoot-Ward: Identify yourself.

Nestor Rojas: Sorry. Apologize. Nestor Rojas. IGC and architect. Okay. Actuality, I develop in different areas in Miami. Coconut Grove, Bellmead, Golden Beach, a lot of the houses. Actuality, in this particular area, I come in the construction, one big house in Bellmead, four houses. Actually, they increased the area for them, the people move for this area in the north. Particular, I like the no Miami styles, very standard building to house more for increase the neighborhood, increase the neighbor for architectural big landscaping, good face for the houses.

Because this actuality, the house, it's big house. It's one house, the 4,000 AC area only. I adjusted for the regulation, for the AC. Exactly. It's big mansion. It's only two flooring for 4,000 AC area.

Councilperson Dr. Anna E. Lightfoot-Ward: I'm not convinced, but thank you for your comment.

Vice Mayor Luis Pirela: What we're trying to do here is that, unfortunately, we don't have the architectural book where we can actually tell people, "This is the character of the neighborhood, and that's how we're going to keep it." It's just a suggestion that we have. Seeing these big block houses are just disturbing for the people that've been here for many years and moved to the area just because we like the quaint little different houses and not these big block houses that now there's not only one or two.

Now this will be the sixth house. That is, it has the same design. Very modern, square, not appealing to this neighborhood. That's what we're trying. Unfortunately, we cannot regulate that [laughs] only based on the amount of windows you have and the lot coverage. Other than that, if you meet regulations, so unfortunately and painfully, [laughs] we have no other option to approve it.

Councilperson Darian Martin: Any other comments from members of the council?
Councilman Urbom?

Transcription service provided by

10001 NW 50th St Suite # 202 Sunrise, FL 33351
www.fullmooncreative.com
(954) 742-2622



**Village of El Portal
Planning and Zoning Meeting
Date: 4/17/24
Meeting Start: 7:02 PM
Meeting End: 9:48 PM
Meeting Length: 2:46:35**

Councilperson Anders Urbom: The architectural guidebook that we're talking about, there is a place for modern architecture in there. This was a huge discussion that took place over about 18 months as well. After we had sorted out the fence issue, we did a town hall on architectural, the guidebook that you're referencing, right? The primary concerns are that there would not be monolithic block structures. The idea is that there would be some breakup of the lines. There's certainly should be enough windows.

From what I saw, it looks like you have an idea to put light into the house and have plenty of windows for accomplishing that, which, again, makes it aesthetically pleasing from the street to see a house with windows as opposed to just a wall. While I do agree with the other council person's comments here in terms of we wouldn't want to see the neighborhood become a strictly modern architectural neighborhood, there is a place for it as outlined within that guideline.

I just wanted to give you just a little bit of background in how we had that discussion and arrived at those conclusions in terms of just trying to prevent it looking like a store as opposed to a home.

Councilperson Darian Martin: Thank you so much, Councilman Urbom. Are there any other comments from Council members? I actually like your design, so I don't want you to feel like we all hate it. I'll open it up to the guests. Is there anyone that would like to comment on this item? Hearing none, I'll bring it back to the council. Does anyone want to make a motion on this item? Sure. Councilwoman Lightfoot-Ward?

Councilperson Dr. Anna E. Lightfoot-Ward: It's a box.

Councilperson Darian Martin: It's a beautiful box.

Councilperson Dr. Anna E. Lightfoot-Ward: It's a box. It's a box house. Give me a minute. [crosstalk] It's a box. We're a village. Our houses look like a village. It's a box. If it had been anything but just a box, it's a box. It's not-- what's that word?

Councilperson Darian Martin: Cohesive?

Councilperson Dr. Anna E. Lightfoot-Ward: It's not cohesive to the presence of what we've tried very hard to maintain historically. You build a box in here, a two-story box at that, and we going to have boxes all over the place, and everybody's going to say, "What happened to El Portal?" They're going to curse the council. My name is going to be the first one. Why? That Blankety Blank, Lightfoot-Ward, I should have known that she would make things.

No, I'm the one that says common sense. Don't change my village. There's not many that

Transcription service provided by

10001 NW 50th St Suite # 202 Sunrise, FL 33351
www.fullmooncreative.com
(954) 742-2622



**Village of El Portal
Planning and Zoning Meeting
Date: 4/17/24
Meeting Start: 7:02 PM
Meeting End: 9:48 PM
Meeting Length: 2:46:35**

look like this. Don't change the esthetic. If you gave me a thing that looked like a home and not an office, I'd be all right. This is a box. Thank you, Madam Chair.

Councilperson Darian Martin: Thank you so much. Oh yes, you did have a comment. I knew there was something. The applicant would like to make a comment.

Joshua Rojas: Yes, it's just something very small. It's not exactly a box because there's a recessed space in the first floor. It's not meeting the setback exactly. On the front facade, there's a 4 feet-recessed wall. So there's an overhand on the second floor. It's casting a shadow. It's not exactly a box. They have like ins and outs of a rectangle. Not exactly what-- That's my comment. That's it.

Councilperson Darian Martin: I like that. That was a good comment. It's a semi-box. I will say that I think that there is a large amount of variance in what people find aesthetically pleasing. I stop at the point where I say, "Hey, the village looks a certain way, and one house looks this way, and every other house needs to look that way." I do think that Charlotte has told us that barring this requirement for them to come into this body and get this approval, they have complied with all other requirements, correct?

Charlotte: Yes. That's correct.

Councilperson Darian Martin: Also I think they have been accommodating, according to Charlotte as well, so I think that that is the spot. I think that is all I need to know on the item that they are doing what they are allowed to do, and they are doing what they believe is aesthetically pleasing with property that they have purchased. With that being said, does anyone on the council have a motion for this item?

Councilperson Anders Urbom: I'll move to approve.

Councilperson Darian Martin: Do we have a second? Oh, I can second that. I second. Madam Clerk, can I have-- I did open it to the public and then I closed it. I can reopen it. I think I see a hand going up. Hold on one second. I'm going to open it back to the public comment. Mr. Pulliam, if you can step up to the podium, restate your name and address. You, just stand right there. Yes, yes, yes. Sure, sure. Thank you.

Mr. Pulliam: Thomas Pulliam, 205 NE 86th Street. What I just heard from you, Ms. Martin, was that because it complies with the ordinances and aesthetic is subjective, it sounds like you're going to recommend approving this?

Councilperson Darian Martin: Yes.

Mr. Pulliam: That was the same case with my fence, with an ordinance and the aesthetic

Transcription service provided by

10001 NW 50th St Suite # 202 Sunrise, FL 33351
www.fullmooncreative.com
(954) 742-2622



**Village of El Portal
Planning and Zoning Meeting
Date: 4/17/24
Meeting Start: 7:02 PM
Meeting End: 9:48 PM
Meeting Length: 2:46:35**

issue. That's my comment.

Councilperson Darian Martin: I understand that you're not happy with how yours turned out. You're more than welcome to comment on Item G2, but what I'm not going to do-

Mr. Pulliam: That is my comment.

Councilperson Darian Martin: -is engage in a back-and-forth. The body has already spoken.

Mr. Pulliam: That's fine. That is my comment. That is the same rationale that I heard from you in both cases. That is my comment. Thank you.

Councilperson Darian Martin: Sure. Thank you so much. You can have a seat. There is a motion on the table, I believe. Madam Clerk, could you call the roll?

Village Clerk Yenise Jacobi: Yes. Roll call.

Councilperson Dr. Anna E. Lightfoot-Ward: Who seconded it?

Councilperson Darian Martin: I seconded it.

Councilperson Dr. Anna E. Lightfoot-Ward: Oh. Okay.

Mayor Omarr C. Nickerson: Restate the motion.

Councilperson Darian Martin: Okay. Councilman Urbom.

Councilperson Anders Urbom: Officially, which team are we on here?

Charlotte: The G2. It's motion to approve.

Councilperson Anders Urbom: Motion to approve, Item G2.

Charlotte: That's an accept-- Okay. Roll call. Member Lightfoot-Ward.

Councilperson Dr. Anna E. Lightfoot-Ward: No.

Village Clerk Yenise Jacobi: Member Urbom.

Councilperson Anders Urbom: Yes.

Village Clerk Yenise Jacobi: Member Nickerson.

Transcription service provided by



**Village of El Portal
Planning and Zoning Meeting
Date: 4/17/24
Meeting Start: 7:02 PM
Meeting End: 9:48 PM
Meeting Length: 2:46:35**

Mayor Omarr C. Nickerson: No.

Village Clerk Yenise Jacobi: Vice Chair Pirela. Chair Martin.

Councilperson Darian Martin: Yes.

Village Clerk Yenise Jacobi: Motion passes 3-2.

Councilperson Darian Martin: Thank you so much. Now, we'll move on to the new G3.

Joshua Rojas: Thank you.

Councilperson Darian Martin: No, you're welcome. Have a good evening. We'll move on to the new G3, and that will be 256 NE 90th Street, a new garage outbuilding site plan. Can I have the applicant step up to the podium, and state your name and address for the record? See, this new numbering has really got me going here. Is it 256 NE 90th?

Charlotte: Yes, yes, that's correct.

Councilperson Darian Martin: Yes. Is there an applicant here?

Charlotte: I don't see him. I have met him personally, but I don't see him.

Councilperson Darian Martin: What do we do in this case, Madam Clerk? There is no applicant.

Village Clerk Yenise Jacobi: [unintelligible 01:24:10] The applicant is welcome to come to speak on their behalf and introduce it, but she's already-- You've done the 10 days and you've revised it and have your recommendations. You've spoken to the applicant?

Charlotte: Yes.

Village Clerk Yenise Jacobi: They known to be present, which--

Charlotte: They do. They've been told.

Councilperson Darian Martin: Awesome. Let's proceed with 256 NE 90th Street. There is no applicant in attendance, so we'll move along with staff's report on this.

Charlotte: This is an application by Freddie Penna. He is the homeowner, and he's requesting approval for a new garage on this property that is located at 256 NE 90th Street. He proposes a new prefabricated detached garage to be located in the backyard. The garage is 1,600 square feet in size and does not exceed the allowed lot coverage for an outbuilding in

Transcription service provided by

10001 NW 50th St Suite # 202 Sunrise, FL 33351
www.fullmooncreative.com
(954) 742-2622



**Village of El Portal
Planning and Zoning Meeting
Date: 4/17/24
Meeting Start: 7:02 PM
Meeting End: 9:48 PM
Meeting Length: 2:46:35**

the rear yard. There are no variances being requested for this garage.

Pertaining to these requirements and procedures for site plan review, the applicant has shown good cause for compliance with the land development regulations and development standards. The granting of the site plan approval, as presented, is in harmony with the general intent and purpose of the comprehensive plan, and the proposed development is compatible with the existing residential architecture in the village. Therefore, approval is recommended for the site plan to allow a new detached garage to be located in the rear of the property.

Councilperson Darian Martin: Thank you so much. Like I've done before, we can open it up to the council. Does anyone have a comment on this item?

Vice Mayor Luis Pirela: Yes, I do have a comment, Madam Chair.

Councilperson Darian Martin: Sure, Vice Mayor.

Vice Mayor Luis Pirela: This application, it actually came to us as a variance back in 2021, for the same shed and the same reasons, right? This shed, big, larger than the house.

Charlotte: It's a garage. It's a garage.

Vice Mayor Luis Pirela: It was a garage. It was used to store their-

Charlotte: Cars.

Vice Mayor Luis Pirela: -collectible cars or something like that, and it was denied.

Charlotte: This is my understanding. I wasn't you know staff at that time. I believe that that may have been because it was interpreted as an accessory unit, and in the staff report and in staff's review, it's been explained to me that this is strictly a garage. There's no units whatsoever. It's only for storage of cars. He's a large collector, and he explained to me, during our review, that he has a number of cars that he stores in other places right now, but he really would prefer to have them in his yard. He does have a large backyard to accommodate this.

Councilperson Darian Martin: Any other comments from the council? Vice Mayor, were you done on that one?

Councilperson Dr. Anna E. Lightfoot-Ward: Vice Mayor.

Councilperson Darian Martin: Vice Mayor.

Transcription service provided by

10001 NW 50th St Suite # 202 Sunrise, FL 33351
www.fullmooncreative.com
(954) 742-2622



**Village of El Portal
Planning and Zoning Meeting
Date: 4/17/24
Meeting Start: 7:02 PM
Meeting End: 9:48 PM
Meeting Length: 2:46:35**

Vice Mayor Luis Pirela: Oh, yes, I'm sorry. Yes.

Councilperson Darian Martin: Was your comment complete?

Vice Mayor Luis Pirela: No.

Councilperson Darian Martin: I didn't want to step on your comment. Was your comment complete?

Vice Mayor Luis Pirela: Yes, no. That was my comment because I saw it here before us again, and I was like, "I remember that being in front of us, and it was for-

Charlotte: The variance.

Vice Mayor Luis Pirela: -the variance, for the same purpose. Even with a slab that is over 40 feet by 40 feet and the new pool that they're installing still under the low coverage?

Charlotte: Yes. The outbuilding, there's a 30% maximum of the rear yard, and they're in compliance with that.

Vice Mayor Luis Pirela: Now, you don't see it as an accessory unit even though it's a shed?

Charlotte: No, it's not. It's a garage.

Vice Mayor Luis Pirela: It's not a four-wall thing with a roof, it's actually all-metal, pre-constructed piece of a-- Okay. That's my comment.

Councilperson Darian Martin: No. You have an impeccable memory, Vice Mayor, and I know exactly what you're talking about. I remember, but I don't remember as to whether or not staff's recommendation was approval the last time.

Vice Mayor Luis Pirela: It was denied.

Councilperson Darian Martin: Denied? That's the question I have. There just seems to be a lot of approvals-

Vice Mayor Luis Pirela: It exceeds the living living-

Councilperson Darian Martin: -inconsistency--

Vice Mayor Luis Pirela: -footage of the main house. Right.

Charlotte: Right. If there's another requirement if you have an accessory unit then we look

Transcription service provided by

10001 NW 50th St Suite # 202 Sunrise, FL 33351
www.fullmooncreative.com
(954) 742-2622



**Village of El Portal
Planning and Zoning Meeting
Date: 4/17/24
Meeting Start: 7:02 PM
Meeting End: 9:48 PM
Meeting Length: 2:46:35**

at that compared to the main structure, but that doesn't apply to a garage, which is just considered an outbuilding. The only regulations we're looking at is how much of the percentage of the rear yard it covers, and they're within that because they have a very large backyard.

Councilperson Darian Martin: I think it's important that we denied it before. With that being said, is there anyone else on the council that has a comment on this?

Councilperson Dr. Anna E. Lightfoot-Ward: Yes.

Councilperson Darian Martin: Councilwoman Lightford-Ward.

Councilperson Dr. Anna E. Lightfoot-Ward: I remember when this came up, the new garage outbuilding site plan. I hear the positivity that you've expressed. What I'm thinking about, the person moves, and he says, "And I got this big garage that you can turn into a rental house one day." That's what I'm thinking about right now.

Charlotte: There won't be any plumbing or electrical-- Well, possibly electrical for lights, but it's not going to be plumbed or set up for a unit.

Councilperson Dr. Anna E. Lightfoot-Ward: Is this a garage that has a door that closes?

Charlotte: For a person, yes, and a door for vehicles to come in and out.

Councilperson Dr. Anna E. Lightfoot-Ward: Do we know how long the applicant's been in this address, 256 North 90th Street?

Charlotte: I don't.

Vice Mayor Luis Pirela: It's probably since 2021 or 2020.

Councilperson Dr. Anna E. Lightfoot-Ward: Okay, so just a few years. See, see, see, no.

Vice Mayor Luis Pirela: There's now, and if you online, you can actually see ideas in how to convert an accessory building or a shed into a rental.

Councilperson Dr. Anna E. Lightfoot-Ward: That's what I'm talking about.

Vice Mayor Luis Pirela: How to do the plumbing and the electrical and all of that.

Councilperson Dr. Anna E. Lightfoot-Ward: That's right. That's what I'm talking about. See, I have to depend on what you do as a professional but look, my little brain says red

Transcription service provided by

10001 NW 50th St Suite # 202 Sunrise, FL 33351
www.fullmooncreative.com
(954) 742-2622



**Village of El Portal
Planning and Zoning Meeting
Date: 4/17/24
Meeting Start: 7:02 PM
Meeting End: 9:48 PM
Meeting Length: 2:46:35**

flags. It just says red flags. I can't sit on the council. People vote me because I vote my conscious. This is big enough for another house. Forget the fact that it's a garage and I can just see it. 31 years I've seen everything in this village. I can just see it. "Oh, do you know that they're selling a house on 256 North East 90th Street and they're also telling them they got a building in the back that they can make into another house. A rental." That's my only concern.

Vice Mayor Luis Pirela: It was a little, just something I'm going to throw in there. When I was building, actually doing my dag, it was a concrete dag in my backyard, right? I got the contractor, he did everything, he drew. The inspector went, saw the compacted and the framing and all of that and he denied it. I have to come over here and the guy was like, "Why? It's just a slab of concrete." When I came here and spoke to the inspector, the building inspector, he's like, "Well, he's right, the contractor but you're building this next to the house. That's why he recommends you to do the rebarge every foot and a half, six-inch, or about in, half, whatever, down. Only because right now it's a slab, tomorrow you'll put a roof, then walls and then AC and lights and then you have an extension of the house."

Councilperson Dr. Anna E. Lightfoot-Ward: There you go.

Vice Mayor Luis Pirela: Yes, it is. It's a little.

Councilperson Darian Martin: Thank you so much for that comment. I think I'll close it up to the council and open it up to our guests. Does anyone have a comment on item G3? Hearing none, I'll bring it back to the council. Does anyone have a motion on this item?

Councilperson Dr. Anna E. Lightfoot-Ward: Move not to approve.

Councilperson Darian Martin: Okay. Do we have a second?

Vice Mayor Luis Pirela: I will second.

Councilperson Darian Martin: All right. Madam Clerk can have a roll call.

Village Clerk Yenise Jacobi: Motion is to deny, correct?

Councilperson Dr. Anna E. Lightfoot-Ward: Yes.

Councilperson Darian Martin: Correct.

Village Clerk Yenise Jacobi: Okay. Roll call, Member Lightfoot-Ward.

Councilperson Dr. Anna E. Lightfoot-Ward: Yes.

Transcription service provided by

10001 NW 50th St Suite # 202 Sunrise, FL 33351
www.fullmooncreative.com
(954) 742-2622



**Village of El Portal
Planning and Zoning Meeting
Date: 4/17/24
Meeting Start: 7:02 PM
Meeting End: 9:48 PM
Meeting Length: 2:46:35**

Village Clerk Yenise Jacobi: Member Urbom.

Councilperson Anders Urbom: Yes.

Village Clerk Yenise Jacobi: Member Nickerson.

Mayor Omarr C. Nickerson: Yes.

Village Clerk Yenise Jacobi: Vice Chair Pirela.

Vice Mayor Luis Pirela: Yes.

Village Clerk Yenise Jacobi: Chair Martin.

Councilperson Darian Martin: It's a sweep, yes.

Village Clerk Yenise Jacobi: Motion passes five to nothing.

Councilperson Dr. Anna E. Lightfoot-Ward: Thank you.

Councilperson Darian Martin: All righty. Now we're going to move on to item G4. Now I do have a question about this. For G4, G5, I could not see the staff report on that. Did everyone else have that?

Councilperson Dr. Anna E. Lightfoot-Ward: No.

Councilperson Darian Martin: That was missing off of the attachments.

Councilperson Dr. Anna E. Lightfoot-Ward: Let's move it to the next meeting. The next public you're planning and zoning because I didn't see it either.

Councilperson Darian Martin: I didn't.

Charlotte: I didn't open the link. I'm going to make copies of what you want [inaudible 01:33:27].

Councilperson Darian Martin: Okay. Also, there were a tremendous, tremendous amount of misspellings. I'm not a stickler for Scrivener's errors, but it was hard to get through that document. I don't know if in the future we can do something to remedy that. There seems to be some sort of glitch where -INGS would turn to an uppercase J. I don't know if that was the only one that had that, but it was tremendously distracting in trying to consume this material. In the future with those reports, if I'm not sure who in your office is completing them, but if they could just read through that and make sure that those type of glaring repetitive errors are

Transcription service provided by

10001 NW 50th St Suite # 202 Sunrise, FL 33351
www.fullmooncreative.com
(954) 742-2622



**Village of El Portal
Planning and Zoning Meeting
Date: 4/17/24
Meeting Start: 7:02 PM
Meeting End: 9:48 PM
Meeting Length: 2:46:35**

not in there.

Charlotte: No, they're not in there. Not at all. Not in the word document.

Councilperson Darian Martin: Not in yours?

Charlotte: No.

Councilperson Darian Martin: I would suggest that you maybe just to double-check it.

Charlotte: Something is converting.

Councilperson Darian Martin: Maybe when the clerk is sending out that email, I don't know if you want to put yourself on the list or click that link and make sure that it's appearing correctly so you can fix whatever's on your end, but it was almost impossible. It was possible, but it was very annoying to read it like that.

Charlotte: I understand. I think that that definitely should be looked into.

Councilperson Darian Martin: Thank you so much. Okay. I suppose-- Should we take a two-minute break to let the clerk do these copies?

Councilperson Dr. Anna E. Lightfoot-Ward: Otherwise we can't go forward.

Councilperson Darian Martin: Yes, we got to see it at least, right?

Councilperson Anders Urbom: She can verbally talk through it while she's--

Charlotte: They do have a visual. This is the board.

Councilperson Darian Martin: Okay. Perfect. It should be fast enough on that.

Councilperson Anders Urbom: She can verbally talk through her staff report while she's making copies and then we can see it.

Councilperson Darian Martin: Perfect, I just didn't know how much time she needed. The applicant for G4 61 Northeast 86th Street, can you step up to the podium and state your name and address for the record? Right after you state your name and address we will receive a staff's report and then we will speed-read this thing. [inaudible 01:35:25] If you could go to the podium. Thank you. There's two.

Vice Mayor Luis Pirela: [inaudible 01:35:38]

Transcription service provided by

10001 NW 50th St Suite # 202 Sunrise, FL 33351
www.fullmooncreative.com
(954) 742-2622



**Village of El Portal
Planning and Zoning Meeting
Date: 4/17/24
Meeting Start: 7:02 PM
Meeting End: 9:48 PM
Meeting Length: 2:46:35**

Councilperson Darian Martin: Yes.

Councilperson Dr. Anna E. Lightfoot-Ward: Give him.

Miss Almeida: Do you want it a bit higher or is that okay?

Councilperson Darian Martin: I think that's cool. Is it the same thing that you've given us in this one?

Miss Almeida: Yes.

Councilperson Darian Martin: Okay. I think it's good. Don't trouble yourself. Just your name and address for the record.

Miss Carolina Almeida: My name is Carolina Almeida. I represent Metrica, the architects and this is my client.

Mr. Juan Crecimon: My name is Juan Crecimon. I'm the owner of the 61 Northeast Street.

Councilperson Darian Martin: Thank you so much for being here tonight. Can I have staff's report on this item?

Charlotte: Yes. Our applicant here tonight. Carolina Almeida is requesting site plan approval for two things. A home edition of about 855 square feet. There is a variance request as well for the enclosure of an existing garage that they state would be used for storage in the future. This property is 61 Northeast 86 Street. The site itself is 12,875 square feet and the addition to the home would not exceed their allowable lot coverage. The home has an existing driveway to accommodate this enclosure of the garage for parking. I'm persuaded to the requirements and procedures for the site plan review.

The applicant has shown good cause for compliance with the land use regulations and development standards of the code and granting of the variance and site plan approval as presented is in harmony with the general intent and purpose of the comprehensive plan. As the development is architecturally compatible with the existing residential architecture style and as you can see from the photos they're going to maintain this house as a one-story property. Therefore approval is recommended for the variance for the garage enclosure and the site plan for the additional 855 square feet.

Councilperson Darian Martin: All right. Thank you for that report. Does anyone on the council have a comment about this item or feel comfortable enough to comment on this item?

Councilperson Dr. Anna E. Lightfoot-Ward: Yes. You want to go ahead? Which side of

Transcription service provided by

10001 NW 50th St Suite # 202 Sunrise, FL 33351
www.fullmooncreative.com
(954) 742-2622



**Village of El Portal
Planning and Zoning Meeting
Date: 4/17/24
Meeting Start: 7:02 PM
Meeting End: 9:48 PM
Meeting Length: 2:46:35**

this award? Which one of these was the garage because I can't tell?

Miss Almeida: Can I go there?

Councilperson Dr. Anna E. Lightfoot-Ward: You can go right there.

Miss Almeida: Yes. The garage is here. It was. I mean it's still.

Councilperson Dr. Anna E. Lightfoot-Ward: It's right here?

Miss Almeida: Exactly.

Councilperson Dr. Anna E. Lightfoot-Ward: That was the garage.

Miss Almeida: There is a silver garage. We are planning to convert it into this chart.

Councilperson Dr. Anna E. Lightfoot-Ward: Is this a double garage?

Councilperson Darian Martin: We need you at the mic.

Councilperson Dr. Anna E. Lightfoot-Ward: We need you at the mic.

Councilperson Darian Martin: So that the clerk can hear you.

Miss Almeida: I'm sorry.

Speaker 1: No worries.

Miss Almeida: Yes. There is a garage and it is for one car.

Mr. Juan: It is for one car, yes.

Miss Almeida: Yes, for one car now.

Councilperson Dr. Anna E. Lightfoot-Ward: It looks like you're going to widen it.

Miss Almeida: No. We're keeping exactly the same measurements.

Councilperson Dr. Anna E. Lightfoot-Ward: I'm telling you what it looks like.

Miss Almeida: It's probably because of the renderings.

Councilperson Dr. Anna E. Lightfoot-Ward: Okay now. I'm believing in you.

Transcription service provided by

10001 NW 50th St Suite # 202 Sunrise, FL 33351
www.fullmooncreative.com
(954) 742-2622



**Village of El Portal
Planning and Zoning Meeting
Date: 4/17/24
Meeting Start: 7:02 PM
Meeting End: 9:48 PM
Meeting Length: 2:46:35**

Miss Almeida: Believe me.

Councilperson Dr. Anna E. Lightfoot-Ward: The garage is on the left side of the front or in the back always.

Miss Almeida: It is a corner. It is on a corner so there is two streets and then on the--

Mr. Juan: On the left of the front.

Miss Almeida: On the left of the front is actually the garage.

Vice Mayor Luis Pirela: I mean, I'm in favor.

Councilperson Dr. Anna E. Lightfoot-Ward: This room is going to be on the back.

Miss Almeida: The addition will be in the back.

Councilperson Dr. Anna E. Lightfoot-Ward: The addition to the garage.

Miss Almeida: The addition will be in the back. No, no, no.

Vice Mayor Luis Pirela: The garage is an enclosure.

Miss Almeida: Yes.

Vice Mayor Luis Pirela: The enclosure of the garage.

Miss Almeida: Exactly.

Vice Mayor Luis Pirela: [inaudible 01:39:25] out along the back of the house.

Miss Almeida: There is two streets. This here will be the--

Councilperson Dr. Anna E. Lightfoot-Ward: You can turn it the way you need it. No, no, you can turn the mic the way you need it. Okay, and you pull it out if it won't act right.

Miss Almeida: I can pull it out.

Councilperson Dr. Anna E. Lightfoot-Ward: Yes.

Miss Almeida: I'm sorry. It's my first time here. Perfect.

Councilperson Dr. Anna E. Lightfoot-Ward: Now talk to me.

Transcription service provided by

10001 NW 50th St Suite # 202 Sunrise, FL 33351
www.fullmooncreative.com
(954) 742-2622



**Village of El Portal
Planning and Zoning Meeting
Date: 4/17/24
Meeting Start: 7:02 PM
Meeting End: 9:48 PM
Meeting Length: 2:46:35**

Miss Almeida: Perfect. All righty. This will be on the 86th Street and this is still the main entrance, and this here will be the north exactly. This is the garage right now. We are closing the entrance of the garage and converting into a storage. The addition is this here, which is in the back of the house.

Councilperson Dr. Anna E. Lightfoot-Ward: Okay.

Miss Almeida: We're adding a pool. Yes. We have two kids, small ones.

Vice Mayor Luis Pirela: I notice that will be closed a lot. [inaudible 01:40:30]

Mr. Juan: Well, yes, sometimes but the idea is to elevate the floor, and manipulate also.

Miss Almeida: Exactly. We're keeping the mango trees and all the vegetation there because it's so beautiful. Actually, the architectural inspiration was to keep and to touch as little as possible, because we really love, I mean, they really love the neighborhood. They are super happy there and we agreed with it.

Vice Mayor Luis Pirela: Yes, a big lot. It's a corner lot. It's a big [inaudible 01:41:07]

Councilperson Dr. Anna E. Lightfoot-Ward: Thank you. Any other comments from the council? Vice Mayor? Council Lightfoot-Ward said she couldn't hear you.

Vice Mayor Luis Pirela: Oh, no. I was just saying that it's a corner lot and it's a big lot and it allows them to do pretty much what they're intending to do over here.

Councilperson Dr. Anna E. Lightfoot-Ward: Where's your sewer line on this property? Where's your septic tank on this property?

Miss Almeida: The septic tank is here. On the right side of the 86 Street, if facing the house from the 86 Street, the septic tank is here. We're not touching the septic tank.

Councilperson Dr. Anna E. Lightfoot-Ward: I know, but we are. We're going from septic to sewer.

Miss Almeida: I know, but you will have the access there. The extension of the addition of the house, it does not interfere with it.

Councilperson Darian Martin: Thank you so much. Any other comments from the council? I'll close it up to the council. Open it up to our guests. Does anyone want to comment on this item? All right, seeing none, I will bring it back to the council and ask of you lovely folks if anyone has a motion.

Transcription service provided by

10001 NW 50th St Suite # 202 Sunrise, FL 33351
www.fullmooncreative.com
(954) 742-2622



**Village of El Portal
Planning and Zoning Meeting
Date: 4/17/24
Meeting Start: 7:02 PM
Meeting End: 9:48 PM
Meeting Length: 2:46:35**

Vice Mayor Luis Pirela: Motion to approve.

Councilperson Darian Martin: Awesome. Do we have a second?

Councilperson Dr. Anna E. Lightfoot-Ward: Second.

Councilperson Darian Martin: All right, Madam Clerk can add the roll.

Village Clerk Yenise Jacobi: Roll call, Member Lightfoot-Ward.

Councilperson Dr. Anna E. Lightfoot-Ward: Yes.

Village Clerk Yenise Jacobi: Member Urbom.

Councilperson Anders Urbom: Yes.

Village Clerk Yenise Jacobi: Member Nickerson.

Mayor Omarr C. Nickerson: Yes.

Village Clerk Yenise Jacobi: Vice Chair Pirela.

Vice Mayor Luis Pirela: Yes.

Village Clerk Yenise Jacobi: Chair Martin.

Councilperson Darian Martin: Yes.

Village Clerk Yenise Jacobi: Motion passes five to none.

Councilperson Darian Martin: Thank you so much for joining us.

Miss Almeida: Thank you so much.

Councilperson Darian Martin: All right, we will move on to item G5. That is 201 Northwest 86th Street. Can I have the applicant step up to the podium and state your name and address for the record?

Peter Pietzkiewicz: Good evening. My name is Peter Pietzkiewicz. Actually, my parents are the homeowners. I'm appearing on their behalf. 201 Northwest 86th Street.

Councilperson Darian Martin: Nice to have you here this evening. I'll have staff report and then we'll have a discussion.

Transcription service provided by

10001 NW 50th St Suite # 202 Sunrise, FL 33351
www.fullmooncreative.com
(954) 742-2622



**Village of El Portal
Planning and Zoning Meeting
Date: 4/17/24
Meeting Start: 7:02 PM
Meeting End: 9:48 PM
Meeting Length: 2:46:35**

Charlotte: Thank you. The applicants, Mr. and Mrs. Pitchkiewicz are requesting a variance for a new six-foot high fence and or a hedge combination within the side yard setback at the property located at 201 Northwest 86th Street. This request is to locate the new fence/hedge along the side property line, which it would be permitted if it were 15 feet back, but they would like it to be on the side property line. Their justification is primarily that they would like this barrier, some sort of barrier as a buffer to screen the home from some nuisance activities that are occurring on this property. The applicant has listed several instances in their letter of request of what has been happening near the home.

Just to note that this is located very close to the middle school. I think it's about one house away from the middle school. The homeowners have stated that they have observed some altercations occurring in this side yard area and they haven't decided yet whether to do a actual fence or hedge. They're still in the process of seeking quotes from contractors for this final decision. They are also considering the hedge option for not interfering with a mature tree in this area. They have come before you to either have a combination or to have hedges around the site on the property line.

Vice Mayor Luis Pirela: I'm sorry, which side of the house? I didn't follow.

Peter Pietzkiewicz: East side.

Charlotte: Thank you.

Councilperson Dr. Anna E. Lightfoot-Ward: On the east side?

Charlotte: Yes. East side. The granting of this variance is seen to be in approval as in harmony with the general intent and purpose of the comprehensive plan as the proposed development is compatible with residential character. The requirements for variances were reviewed and the applicant has shown good cause for adding some privacy barriers around this home near the middle school where there is a high volume of foot traffic and nuisance activity. The grand scheme of this variance, as presented, is in harmony with the general intent of the zoning code, and therefore, staffs' recommendation is approval.

Councilperson Darian Martin: I don't know if I'm the only one, but I don't have the supporting documents for this one either. I would really like to know what is the nuisance activity.

Peter Pietzkiewicz: There's been a bunch of stuff. Part of it has been a lot of the students after they leave school and they're making their way home. In addition to the swale, the property's currently open to the street. There's a lot of kids hanging out there and just garbage being left and things like that. There's police that come by, and when they particularly park the cars at the little garden at the end of the street by the bridge, it makes it a bit better but

Transcription service provided by

10001 NW 50th St Suite # 202 Sunrise, FL 33351
www.fullmooncreative.com
(954) 742-2622



**Village of El Portal
Planning and Zoning Meeting
Date: 4/17/24
Meeting Start: 7:02 PM
Meeting End: 9:48 PM
Meeting Length: 2:46:35**

there's a lot of that. There was an incident. I'm not sure if you guys saw this or not, but we shared a video of somebody seemingly being attacked by two of the students from the school, this was reported to police, according to the video from our security camera.

In the document, there's photos of cars driving across the property. If you have the picture of the property, literally across the corner of the property, it's crazy. Particularly, my daughter, my parents' granddaughter, she's seven years old, she loves that oak tree that's there. We want to keep it as part of the yard that she can play in. I can't imagine if a car drove through there, or somebody was being attacked, and my daughter was playing. I can't even perceive that, so that was the rationale.

I love the passion here for keeping El Portal beautiful and in character. We believe that particularly a hedge along that side will be in line with what's in the neighborhood and kind of keep it consistent with the look and feel and the vibe of the area and the village.

Councilperson Darian Martin: I think I know your house. Are you proposing to put this hedge on the side that kind of aligns with Horace Mann?

Peter Pietzkiewicz: Yes. There's a beautiful oak tree there and then the property line is just to the east of that. We'd like to just clear the tree basically along the property line to put the hedge there.

Councilperson Darian Martin: I'm so sorry if I'm asking you a million questions. That document would have been helpful in us orienting ourselves in this conversation. The reason why they would need a variance, is it because of the height of the hedge that they're proposing or?

Charlotte: No, the location. It needs to be further into their property 15 feet. That would be allowed.

Councilperson Darian Martin: I suppose, what is the hesitation with moving it further into your property where it's allowed?

Peter Pietzkiewicz: A couple of things. One, the other side, the west side of the house has mature trees. There's really not much of a yard there to really use. The primary yard that they have is on the east side of the house. There is this huge oak tree that my parents would like to include as part of the yard to basically be able to enjoy it.

Councilperson Darian Martin: Charlotte, because of the location that it's in, do we foresee any issues as far as visibility when it comes to cars turning that corner? I actually jog past your house a lot and that corner is actually pretty dangerous as far as being able to see what's coming and turning. Do we think that maybe that is something that should be considered or is

Transcription service provided by

10001 NW 50th St Suite # 202 Sunrise, FL 33351
www.fullmooncreative.com
(954) 742-2622



**Village of El Portal
Planning and Zoning Meeting
Date: 4/17/24
Meeting Start: 7:02 PM
Meeting End: 9:48 PM
Meeting Length: 2:46:35**

that not really--?

Charlotte: No, I think that all safety issues should be considered and that we could-- maybe if we would like to propose as a condition of approval, we could, before they move forward to maybe to the council meeting, they could provide a diagram to show that that wouldn't be an issue if that would be something that could ease your mind on that.

Councilperson Darian Martin: Does anyone else from-- Oh, one second. The applicant [unintelligible 01:50:09].

Peter Pietzkiewicz: May I just add to that?

Councilperson Darian Martin: Oh, yes, sure. Absolutely.

Peter Pietzkiewicz: Just to be clear, the front setback is 25 feet. The proposed hedge would end at the front setback, so it wouldn't be any further than the front of the house, basically. There'll be 25 feet between the end of the hedge and 86th Street. There's that-- I don't know the actual name, the safety triangle thing. It's posted right here. We've reviewed all that, and the hedge would end many feet before the stop bar. I don't know exactly how many, but many feet before the stop bar, and the calculation for the safety triangle thing only starts at the stop bar. I think we did review that.

Councilperson Darian Martin: That's useful to know. Then you're planning on not doing anything with the front portion. You're just going to have that side hedge and then--

Peter Pietzkiewicz: The hedge is going to end at the 25-foot setback and then-- well, on the front along the east and west side of the house, we're planning to put a fence, but again, that doesn't require variance. That's just within the regular setback or requirement.

Councilperson Darian Martin: Any other questions from the council?

Mayor Omarr C. Nickerson: How are you doing, Madam Chair?

Councilperson Darian Martin: Mr. Mayor.

Mayor Omarr C. Nickerson: Yes, thank you very much. I just want to say that-- I know you have other stuff going on with the driveway and stuff like that. I know it's been a long night. You probably can't get into that tonight. I've been to this property in the daytime, in the afternoon. Actually, I was at the property in the afternoon, then Officer Fitzgerald came by. He was at the property with me in the afternoon. It's very unique in that in the afternoon during school days, his property, because it has nothing there, is inundated by students walking home because they have to walk down that street--

Transcription service provided by

10001 NW 50th St Suite # 202 Sunrise, FL 33351
www.fullmooncreative.com
(954) 742-2622



**Village of El Portal
Planning and Zoning Meeting
Date: 4/17/24
Meeting Start: 7:02 PM
Meeting End: 9:48 PM
Meeting Length: 2:46:35**

Peter Pietzkiewicz: For the bridge.

Mayor Omarr C. Nickerson: -to go to the bridge. Because there's nothing there, they can venture off into the property at all times. They can throw trash in the property at all times. Just not only for safety purposes, for the amount of kids that are walking down that street and walking through the property in the afternoon. Like I said, I've been there in an afternoon for this, but he really needs something there because it's just not safe at all. [unintelligible 01:52:23]. Thank you.

Councilperson Darian Martin: Thank you so much, Mr. Mayor. Any other comments from the council? Councilwoman Lighfoot-Ward and then Councilman Urbom.

Councilperson Dr. Anna E. Lightfoot-Ward: If Horace Mann closed down, would you tear down whatever you're trying to put up?

Peter Pietzkiewicz: I don't think so. I think it would be a nice addition to the neighborhood to have more greenery.

Councilperson Dr. Anna E. Lightfoot-Ward: I'm being real. You're saying somebody drove across your yard. Just don't talk about the children. You know children are children. We were all there. Somebody decided to drive across your yard and leave their tire print because it's a big lot. Where were they going? Just going through your-- I know where you are. I'm on 415 Northwest, 88th Terrace. I know where you are. You're saying that this happens too often, or this one time, you don't want to have it happen again?

Peter Pietzkiewicz: This happened at least twice. Somebody mentioned that that particular area is dangerous traffic-wise. I totally agree. If you remember, there was a little wall.

Councilperson Dr. Anna E. Lightfoot-Ward: I do.

Peter Pietzkiewicz: There's a little community garden and everything and then somebody smashed into it. I don't know what's going on in that corner, but there's a lot of drivers driving all over the place, basically.

Councilperson Dr. Anna E. Lightfoot-Ward: When they hit it and break it, then you're going to say what? You want a steel wall or what?

Peter Pietzkiewicz: No.

Councilperson Dr. Anna E. Lightfoot-Ward: I'm just trying to figure out why you want to take-- Is this your property?

Transcription service provided by

10001 NW 50th St Suite # 202 Sunrise, FL 33351
www.fullmooncreative.com
(954) 742-2622



**Village of El Portal
Planning and Zoning Meeting
Date: 4/17/24
Meeting Start: 7:02 PM
Meeting End: 9:48 PM
Meeting Length: 2:46:35**

Peter Pietzkiewicz: It's my parent's property.

Councilperson Dr. Anna E. Lightfoot-Ward: I love it. Y'all outlive my folks, so I love it. They could be my parents. Thank you. I'm just concerned. You've been in this property a long time, yes?

Peter Pietzkiewicz: Two years.

Councilperson Dr. Anna E. Lightfoot-Ward: Why you moved in in something like this-- so big?

Peter Pietzkiewicz: I'm sorry?

Councilperson Dr. Anna E. Lightfoot-Ward: Why you moved in here so big?

Peter Pietzkiewicz: I live in Miami Shores on 93rd Street, and it was what we could find that's close.

Councilperson Dr. Anna E. Lightfoot-Ward: I know. Enough. I got it. I got it real quick when you said that. This never happened before. I've been in the Village 31 years. This never happened before. I think before we go messing up something, law enforcement needs to be on the watch. I know where you are. Like I said, I'm on 88th Terrace. I know where you are, Northwest. That's not a remedy. What it says to me is it's simply locking in the property. It doesn't show me a remedy. These are children, but that's not a child driving that.

Peter Pietzkiewicz: No, hopefully not.

Councilperson Dr. Anna E. Lightfoot-Ward: That's not a child. You didn't mind the children. It was this tire mark that messed you up, right?

Peter Pietzkiewicz: Well, it was the combination of it, and there was also this related to the, I presume, children from the school. There was a video. I don't know if you guys saw it or maybe-

Councilperson Dr. Anna E. Lightfoot-Ward: We didn't.

Peter Pietzkiewicz: -didn't see it, but there's a video from my parents' security camera of two, again, seemingly children from the school, literally chasing a man onto my parents' property, right in front of the camera, and starting to hit him. It's insane. The police were called, but, again, one of the things that freaks me out is I think about my seven-year-old daughter spends time with her grandparents all the time. It's one thing reporting it to the police after it happens. It's another thing if something happens, right? If you understand what

Transcription service provided by

10001 NW 50th St Suite # 202 Sunrise, FL 33351
www.fullmooncreative.com
(954) 742-2622



**Village of El Portal
Planning and Zoning Meeting
Date: 4/17/24
Meeting Start: 7:02 PM
Meeting End: 9:48 PM
Meeting Length: 2:46:35**

I mean. I think the police are involved. The school police or whatever are there, it seems like every day, but still, stuff happens. We think that it's not safe.

Mayor Omarr C. Nickerson: Madam Chair, very quickly, after she gets done, after Councilperson Ward finishes.

Councilperson Darian Martin: Councilwoman Lightfoot-Ward, are you complete with your comments?

Councilperson Dr. Anna E. Lightfoot-Ward: Yes, I'm just trying to melt in what you're saying.

Councilperson Darian Martin: You're trying to process it?

Councilperson Dr. Anna E. Lightfoot-Ward: Yes, I'm trying to process what you're saying.

Councilperson Darian Martin: For sure.

Councilperson Dr. Anna E. Lightfoot-Ward: I'm where they are. I just look like this. I'm right where they are. I just look like this.

Councilperson Darian Martin: Mr. Mayor?

Mayor Omarr C. Nickerson: I just want to say safety is an issue, and that's something that we should really think about moving forward because we have upgraded our police department. We've revamped our police department. They're better than they ever have been before, but we still need more police officers. I understand they're children, but Madam Manager, maybe about six months ago when Cuevas was still with us, we're at the school, the students-- and let me just say this because there's a lot of things that happen throughout the United States, and let me just show you the reserve of our officers.

The students jumped our officer. Jumped our officer. Horace Mann students teamed up and jumped our officer.

Councilperson Dr. Anna E. Lightfoot-Ward: [inaudible 01:57:29]

Mayor Omarr C. Nickerson: Yes, jumped him. He didn't pull out a mace. He didn't pull out a gun. Jumped him. He was able to get them off of him eventually. Not only that, we had a resident, Horace Mann students, and I'm saying they're students, but you were saying they're kids, but I'm trying to let you guys know, kids, what we think about aren't kids like the kids today. We had a resident, Horace Mann student, Madam Manager, hit her in the head with a

Transcription service provided by

10001 NW 50th St Suite # 202 Sunrise, FL 33351
www.fullmooncreative.com
(954) 742-2622



**Village of El Portal
Planning and Zoning Meeting
Date: 4/17/24
Meeting Start: 7:02 PM
Meeting End: 9:48 PM
Meeting Length: 2:46:35**

brick. This is when they're walking home from school. This is when I went to his house and I'm seeing them walking through his yard. They're kids. The kids today, you all, aren't kids.

There's a lot of stuff that happens that we just don't announce that we go through on a weekly basis. You guys can come by, Council President Pirela can tell you, I'm here at Village Hall probably three to five days out of the week. You will find me sitting up here on the dais. I'm usually in Chairperson Martin's chair. If not, I'm in Councilperson Urbom's chair. There's things that happen week in, week out, so I just want to say that safety is an issue and just put that out there as far as a couple of examples of how things have changed in this day and age. Thank you, Madam Chair.

Councilperson Dr. Anna E. Lightfoot-Ward: Madam Chair?

Councilperson Darian Martin: I think I do have to say something just because I do live really close to Horace Mann, and, for sure, some kids are not necessarily acting like kids, and there might be a lot of reasons environmentally and socially and familially that account for that, but there are a lot of kids that are kids. I've jogged around Horace Mann numerous times. I have two small boys, a three-year-old and a five-year-old. My three-year-old is turning four on Sunday. He would be very mad if I didn't say that, but yes, he's turning four, and we go around the school a lot, and a lot of those kids are sweethearts, and they are kids.

Because I have little boys that look just like a lot of those kids that go to Horace Mann, I definitely don't want to make it appear as though the kids at Horace Mann are, by and large, bad or violent or anything like that. I'm sure that those occasions for sure did happen and were scary and there's a lot of conversation that I can engage you guys in as to why some of the kids nowadays are not necessarily acting like kids because we're not really treating them like kids or giving them the opportunity to be kids. In the truest sense of the word, some of them are dealing with very, very, very adult issues. They have kid brains and they react in ways that are unpredictable and definitely not conducive to being treated as what they are, which is kids. I live around Horace Mann as well and I actually went to Horace Mann. I think a lot of the kids there are kids, but I do understand that you've had a couple of incidences that are unfortunate. With that being said, I'll let Councilwoman Lightfoot-Ward make her comment.

Councilperson Dr. Anna E. Lightfoot-Ward: This is your parents' property. They've been here for--

Peter Pietzkiewicz: Two years.

Councilperson Dr. Anna E. Lightfoot-Ward: There was nothing wrong when they moved in, right? You didn't see any of this, right? You didn't see anything like--

Transcription service provided by

10001 NW 50th St Suite # 202 Sunrise, FL 33351
www.fullmooncreative.com
(954) 742-2622



**Village of El Portal
Planning and Zoning Meeting
Date: 4/17/24
Meeting Start: 7:02 PM
Meeting End: 9:48 PM
Meeting Length: 2:46:35**

Peter Pietzkiewicz: No. That started pretty much right after-- Not the tire tracks, but trespass-- There's a related thing where-- I don't know what was going on in that house before for the previous owners, but I think individuals may have been used to the fact that there was no fence of any kind around the property. At the very beginning, there was-- I don't know who these people are, but all kinds of people coming on the property.

We have lots of this on video. There was people going around the back, off the security camera, no idea what they were doing. It's weird. We added security cameras. That seemed to sway the situation from happening, but there are more serious things like those and the attack that I mentioned that continue to happen. This is only within two years. We're hoping that by putting a nice hedge on the side and putting a fence on the front, it'll help them be able to sleep at night.

Councilperson Dr. Anna E. Lightfoot-Ward: I'm between a rock and a hard place because I'm getting there. I'm between a rock and a hard place on this one. I know this property. 31 years, I know this property. Why make this? Because the elderly are living there now? Why make this an issue right now? I'm thinking of your parents in terms of me because I live on a corner. You live on a corner. I'm thinking about your parents. [unintelligible 02:02:37] your parents weren't at that house, years going by, you didn't have anything. Something happened to make this start being a problem. Something happened. I'm between a rock and a hard place right now.

Peter Pietzkiewicz: Again, somebody mentioned, I apologize, I forgot who it was, I do think-- I don't know if it's the weird end of the street or something, but there is also a traffic issue there, which is maybe that car was out of control, I have no idea. I don't know what the city could do to address the intersection, but there is something happening there. There was multiple times cars driving into that wall and stuff like that. I can't speak to why any of that happens. We're just trying to protect--

Councilperson Dr. Anna E. Lightfoot-Ward: The parents.

Peter Pietzkiewicz: And allow them to enjoy their space as much as they can.

Councilperson Darian Martin: Are there any other comments from the council hearing? Council member Urbom and then Vice Mayor?

Councilperson Anders Urbom: As you sat through the meeting tonight, you've heard us reference the fence, town halls and all that from years previous, right? Corner lots were actually the sticking point in all of that discussion because of the uniqueness of the challenges presented by a corner lot, its specific intersections and this one, we're certainly all familiar with. I will say that my primary concern right now beyond figuring out if we

Transcription service provided by

10001 NW 50th ST Suite # 202 Sunrise, FL 33351
www.fullmooncreative.com
(954) 742-2622



**Village of El Portal
Planning and Zoning Meeting
Date: 4/17/24
Meeting Start: 7:02 PM
Meeting End: 9:48 PM
Meeting Length: 2:46:35**

approve this variance or not, is the line of sight.

Councilperson Dr. Anna E. Lightfoot-Ward: That's right.

Councilperson Anders Urbom: I know there's an existing hedge on the corner. When that becomes unmanaged, it dwarfs the stop sign. We're talking eight, nine feet. That's [unintelligible 02:04:34] helps with privacy. It helps with vehicles from certain angles coming onto the property but not from down 2nd Avenue there. More from 86th Street, correct? Do you know how far from the property line, from 2nd Avenue, going to that oak tree, how many feet is it to that oak tree? Do you know?

Peter Pietzkiewicz: From the property line to the oak tree?

Councilperson Anders Urbom: Yes.

Councilperson Darian Martin: Yes.

Peter Pietzkiewicz: Three feet, four feet, something like that. It's not very far. The hedge--

Vice Mayor Luis Pirela: From the front? No, from 86?

Peter Pietzkiewicz: Oh, whatever the setback. [crosstalk]

Councilperson Anders Urbom: No, I'm talking from 2nd Avenue.

Vice Mayor Luis Pirela: Oh, yes.

Councilperson Dr. Anna E. Lightfoot-Ward: 2nd avenue.

Councilperson Anders Urbom: I'm talking from 2nd Avenue from basically-- Okay. You're taking the right of way, subtracting that out and that leaves you with about three feet, is what you're saying?

Peter Pietzkiewicz: Yes. Part of the reason why my parents would most likely do a hedge is we also want to protect the oak tree, and the property line literally runs through the roots. It's a few feet away, but literally runs through the roots of the oak tree, so probably safer for the tree to not to put concrete or whatever in the roots and stuff. I'm not sure if that answered your question.

?Councilperson Anders Urbom: [unintelligible 02:05:51] the fence and not just the hedges?

Transcription service provided by

10001 NW 50th St Suite # 202 Sunrise, FL 33351
www.fullmooncreative.com
(954) 742-2622



**Village of El Portal
Planning and Zoning Meeting
Date: 4/17/24
Meeting Start: 7:02 PM
Meeting End: 9:48 PM
Meeting Length: 2:46:35**

Peter Pietzkiewicz: The fence would be on the front, on the south side along, but that's not part of the variance. That's along the setback.

Councilperson Anders Urbom: I know that we've allowed some fencing on corners and other places in the village. However, those were limited to four feet. I don't know that we've approved any six foot fences on a corner lot. I know that there have been some put up, but I certainly don't know that we've approved any. That's my questions for now.

Councilperson Darian Martin: Thank you so much. Vice Mayor?

Vice Mayor Luis Pirela: Oh. Thank you, Madam Chair. No, my comment was about the side yard. It's 35 feet. As a second setback, it's 45. They just take an extra 10 feet just to include the oak tree in their property, which the property line goes beyond that point, right?

Charlotte: No, I understand that they want to place the barrier that they choose on the property line.

Vice Mayor Luis Pirela: On the property line, which is 35 feet from the second setback?

[silence]

Charlotte: Hold on. [chuckles]

Councilperson Dr. Anna E. Lightfoot-Ward: Where'd you get the 35 from?

Charlotte: It's really small. [chuckles]

Vice Mayor Luis Pirela: It's here. It says 35 feet.

Charlotte: That is 35 feet to the center line of the road, so not quite 35, but we'll say maybe 30-ish. Maybe [unintelligible 02:07:28]

Vice Mayor Luis Pirela: This is the same scenario of where I live, where my house is facing. Let's say, like the back of your house is facing Northeast 2nd and yours is facing 86. The one facing on the other side somehow, years ago, got approved a six-foot fence on the second setback. It looks horrible.

Councilperson Dr. Anna E. Lightfoot-Ward: It does.

Vice Mayor Luis Pirela: It looks horrible, and I'm right next to it.

Councilperson Darian Martin: Vice Mayor, could you repeat that? What looks horrible?

Transcription service provided by

10001 NW 50th St Suite # 202 Sunrise, FL 33351
www.fullmooncreative.com
(954) 742-2622



**Village of El Portal
Planning and Zoning Meeting
Date: 4/17/24
Meeting Start: 7:02 PM
Meeting End: 9:48 PM
Meeting Length: 2:46:35**

Vice Mayor Luis Pirela: The six-foot fence, wood fence on the second setback because it was the corner house, but it [unintelligible 02:08:05] is the only side they have to enjoy, the side house, not a front. It's a side yard. In this case, it's not a 25 feet, it's a 35 feet distance from the middle of the road.

Charlotte: From the center line of the road.

Vice Mayor Luis Pirela: From the center line of the road. Okay.

Peter Pietzkiewicz: Can I just also add, we're not going to do a wooden fence for sure. The north of the property adjacent to the next house already has a Clusia hedge, so this is a continuation of it. Aesthetics-- Beauty's in the eye of the beholder, I guess, but I don't think it would look bad. That's why we're trying to do a Clusia hedge to protect the tree, but also, I think it'll be in line with the greenery of the area.

Councilperson Dr. Anna E. Lightfoot-Ward: With six feet?

Peter Pietzkiewicz: We would like to do six feet. If you guys say only four feet, we'll only do four feet, but--

Councilperson Dr. Anna E. Lightfoot-Ward: That's what we're talking about.

Peter Pietzkiewicz: Okay. That's up to you guys, but we would ask for six feet if we can.

Councilperson Darian Martin: All right. Any other comments from the council? Hearing none, I will open it up to our guests. Does anyone in the audience have additional comments about this item? Step up to the podium, Mr. Pulliam, and state your name and address for the record.

Mr. Pulliam: Hi. Thomas Pulliam, 205 Northeast 86th Street. I'm going to be one who is always going to advocate and support property owners doing things on their property that is not infringing on other people. That said, since a lot of the same rationale in terms of danger, nuisance as well as having foresight beforehand, the dimensions of your property and if you're next to a school or to dangerous people or whatnot, all of that seems to ring true in this case.

It's my opinion since the council appears to have the perspective that hedges and fences are eyesores, and not in character and limiting visibility, all that sort of stuff, totally understand about having a monotonous hedge Clusia, Areca, otherwise, as we know, we have a bunch of those that have been done without variance illegally that are six feet tall up around the village. That said, I understand from aesthetic reason, which hasn't been articulated today, we can do natural clusterings of plants. You can do a natural clustering of trees that are higher

Transcription service provided by

10001 NW 50th St Suite # 202 Sunrise, FL 33351
www.fullmooncreative.com
(954) 742-2622



**Village of El Portal
Planning and Zoning Meeting
Date: 4/17/24
Meeting Start: 7:02 PM
Meeting End: 9:48 PM
Meeting Length: 2:46:35**

than six feet tall. That's allowed without variance.

It feels to me if the council really doesn't want to see more of these monotonous hedges-- which also are not controlled by the village because the only way it gets cut down is if a resident by their own volition reports it to Code Enforcement, and then a process begins. There's no proactive measuring of the hedges, if everything is in compliance or not-- It seems to me that this should not go forward and that the council really should emphasize the natural clustering of trees, other solutions, and provide that information to the residents as part of what the aesthetic vision actually is for this location. That's my comment. Thank you.

Councilperson Darian Martin: Thank you so much for the comment. One second. I'll open it up in a second. Does anyone else have a comment? All right. Let me close it up to our guest and bring it back to the council, but before that, I'll have the applicant state his comment.

Peter Pietzkiewicz: With all due respect to Mr. Pullman, is it?

Mr. Pulliam: Pulliam.

Peter Pietzkiewicz: Pulliam, sorry. I appreciate the frustration you have with your own case and the decision that was reached by the council in respect of your own issue. This is different. In your case, the wall that you were proposing was at the front of the property, this is at the side of the property. There's also a huge oak tree. It's in the pictures, it's not really reflected on the survey because it just shows a little circle. It's all shaded. It's not conducive to growing anything very tall there because there is the canopy of the oak tree that's there, so I appreciate that.

I think we have explored both with the Corradino folks and with our landscaper, and my dad's a green thumb, and all this. It seems like the appropriate solution in our case, because it is on the side, is to have a hedge that would protect the tree, be reasonably easy to grow and maintain, and fit within the spirit and overall look of the neighborhood.

Councilperson Darian Martin: Thank you for the comment. I'll bring it back to the council. Does anyone have an additional comment or would like to make a motion on this item?

Councilperson Anders Urbom: I have just two questions. Without variance, a six-foot fence would be able to be constructed on the west side of the property extending from the garage to the property line and then back into the backyard all along the back until we arrive at the second frontage, is that right?

Charlotte: Right, and that it could go around the side, but it would have to be 15 feet in from the property line.

Transcription service provided by

10001 NW 50th ST Suite # 202 Sunrise, FL 33351
www.fullmooncreative.com
(954) 742-2622



**Village of El Portal
Planning and Zoning Meeting
Date: 4/17/24
Meeting Start: 7:02 PM
Meeting End: 9:48 PM
Meeting Length: 2:46:35**

Councilperson Anders Urbom: 15 feet in from the property line, but not [unintelligible 02:13:38]?

Charlotte: Not on the property line and 15 feet in towards the house.

Councilperson Anders Urbom: Once we arrive at the secondary frontage? Okay. All right. Then, my only comment for the council is, again, line of sight, specifically on this property, needs to be considered seriously.

Councilperson Dr. Anna E. Lightfoot-Ward: Why?

Councilperson Anders Urbom: Because of the intersection. Because vehicles are traveling from three different directions, it becomes-- We know both these streets. That is exactly where I would expect to see a collision occur if the line of sight was interrupted.

Councilperson Dr. Anna E. Lightfoot-Ward: Exactly.

Councilperson Darian Martin: Pedestrians as well, joggers, all of the above.
Councilwoman Lightfoot-Ward, do you have a comment?

Councilperson Dr. Anna E. Lightfoot-Ward: I don't like the six feet. Can you adjust that? Six feet is going off the radar right now.

Peter Pietzkiewicz: Okay.

Councilperson Dr. Anna E. Lightfoot-Ward: Six feet, you're going off the radar. As time goes on, hedges don't just grow up, they grow out. Nobody said anything about a fence, they said about the-- So you know where I'm going with that. If you can modify what you're trying to do in terms of protection of our parents, then I can understand what you want to do, but six feet high, hedges, and a fence?

Peter Pietzkiewicz: The fence would be on the front, on the south side, which I think six feet is the allowed.

Councilperson Dr. Anna E. Lightfoot-Ward: No.

Peter Pietzkiewicz: There will be a gate as well, but I think six feet is allowed, that's the regular height of fences, right?

Councilperson Dr. Anna E. Lightfoot-Ward: No.

Peter Pietzkiewicz: It's not allowed?

Transcription service provided by



**Village of El Portal
Planning and Zoning Meeting
Date: 4/17/24
Meeting Start: 7:02 PM
Meeting End: 9:48 PM
Meeting Length: 2:46:35**

Councilperson Dr. Anna E. Lightfoot-Ward: I'm 5' 5 1/2". You talking about a six-foot?

Councilperson Anders Urbom: The issue is that it's a corner lot. We're normally on the east side where you would start your six-foot fence on the hedge of the house. The problem is there's a secondary frontage, that's the issue. Let's start at your garage and move west. Six feet to the property line, no issue. Now moving north to that property line, no issue.

Now moving east along the back of the house, now we hit that edge of the house on the east side, this is where we're saying that without a variance, that fence has to cut in towards the house, make it 15 feet off the setback, drop down to 4 feet, then continue respecting the setback off of 2nd Avenue, and then, you could move around, or what you're saying is it's level with the plane of the tree, you're moving towards the front of the house again under no variance where four feet still, and then you move back in towards the house at that point.

There's your yard. Six feet most of the way around, and then you got this cut in four feet, and then wrapped around the tree, so it goes like that. Without a variance, that's your understanding as well as far as what would be available, is that correct?

Peter Pietzkiewicz: Yes. Just to be clear, what you said on the part that we're asking for the variance, it would have to be 15 feet away from the property line.

Councilperson Anders Urbom: Once you become flush with the edge of the house, then that's when the fence needs to cut in towards the house. I'm talking about the east side. I'm talking about the east face. You have your six-foot fence, no problem, moving along the back there. Then, as soon as you become flush with the edge of the house, and there's no more house, that's the point where the fence, without a variance, would have to cut 15 feet towards the house and then drop down to 4 feet as it moves towards 2nd Avenue.

Peter Pietzkiewicz: On the north side?

Councilperson Anders Urbom: Yes. On the north side, that six-foot fence along the back would not be able to extend all the way to the setback up on the front. As soon as you become flush with that house, two things have to happen, the fence has to drop to 4 feet, and the setback of 15 feet is now in effect from both sides.

Peter Pietzkiewicz: What you're describing along almost all of the entire back because the neighbors to the north have a metal fence on the west side, but not all the way to 2nd Avenue?

Councilperson Anders Urbom: I got you.

Peter Pietzkiewicz: There's already a Clusia hedge, I don't know--

Transcription service provided by

10001 NW 50th St Suite # 202 Sunrise, FL 33351
www.fullmooncreative.com
(954) 742-2622



**Village of El Portal
Planning and Zoning Meeting
Date: 4/17/24
Meeting Start: 7:02 PM
Meeting End: 9:48 PM
Meeting Length: 2:46:35**

Councilperson Anders Urbom: I've seen the--

Peter Pietzkiewicz: Correct.

Councilperson Anders Urbom: That is obviously not ideal, but is it untenable?

Peter Pietzkiewicz: I'm sorry. I don't understand the question.

Councilperson Anders Urbom: Putting the fence without any type of variance under the existing guidelines to accomplish the same goal--

Peter Pietzkiewicz: The two reasons-- I'm not sure which one is more important, one over the other, but one is what we've observed is-- I don't mean to blame all the kids from the school, but kids coming from the school seem like they have a hangout area-- Right now, it's way open, but because there's so much lawn. If we put the hedge on the west side of the oak tree, it's going to still create a huge area for kids to hang out on the other side of that fence. Particularly, if then, under the current rule, it's only allowed to be four feet high. Four feet is not very high.

Councilperson Anders Urbom: It's not a hard barrier. They could easily traverse that.
[crosstalk]

Peter Pietzkiewicz: Exactly. Again, my daughter playing there, all kinds of things, that's one reason why we want to put it on the other side of the tree. The other reason is my parents would like to include the tree as part of that. If we put the Clusia hedge on the west side of the tree, they effectively lost the tree.

Councilperson Darian Martin: Thank you. Do we have a motion on this item?

Mayor Omarr C. Nickerson: Motion to approve, Madam Chair.

Councilperson Darian Martin: Do we have a second?

[silence]

That means the motion failed. Do we have another motion on the item?

Vice Mayor Luis Pirela: Motion to approve a four-foot hedge on the east side of the property.

Councilperson Darian Martin: Do we have a second?

Transcription service provided by



**Village of El Portal
Planning and Zoning Meeting
Date: 4/17/24
Meeting Start: 7:02 PM
Meeting End: 9:48 PM
Meeting Length: 2:46:35**

Councilperson Dr. Anna E. Lightfoot-Ward: What's the rest of it? That's just the portion of-- What's the rest of it? I don't want him to be confused.

Councilperson Anders Urbom: Are you excluding the fence on the east side of the property?

Vice Mayor Luis Pirela: The frontage of the property, it will also have to be four feet not to interrupt the view of the corner, right? Is that what you were mentioning, Mr. Urbom?

Councilperson Anders Urbom: Yes. Yes. No matter what goes there, a primary concern is line of sight. Yes.

Charlotte: I did mention, if you recall, that we may be able to condition that they produce an exhibit. He verbally explained that he believes that it does comply with the line of sight requirements, but if you'd like to see an exhibit, just to verify and prove that it's in compliance--

Councilperson Dr. Anna E. Lightfoot-Ward: We could postpone this.

Charlotte: Or you could make that a condition before they move to council.

Councilperson Darian Martin: Or you could postpone, if that's what you want to move, to postpone this issue. Somebody needs to make the motion.

Councilperson Dr. Anna E. Lightfoot-Ward: So moved.

Councilperson Anders Urbom: She moved it, I'll second it.

Councilperson Darian Martin: All right.

Vice Mayor Luis Pirela: There was a motion on the table. It needs to be either denied or approved.

Councilperson Anders Urbom: The original motion failed.

Village Clerk Yenise Jacobi: Okay. Hold on. Hold on, hold on. Pirela made a motion. Was there a second?

Councilperson Darian Martin: There wasn't a second.

Village Clerk Yenise Jacobi: Okay.

Councilperson Darian Martin: There was no second.

Transcription service provided by



**Village of El Portal
Planning and Zoning Meeting
Date: 4/17/24
Meeting Start: 7:02 PM
Meeting End: 9:48 PM
Meeting Length: 2:46:35**

Village Clerk Yenise Jacobi: Now, you go back. Now you're motioning to-- Go ahead. State your motion for the record.

Councilperson Darian Martin: Table this item?

Councilperson Dr. Anna E. Lightfoot-Ward: We're talking about four feet [unintelligible 02:22:07]

Village Clerk Yenise Jacobi: You want to table the item until the next Planning and Zoning?

Councilperson Dr. Anna E. Lightfoot-Ward: That's a good thing.

Councilperson Anders Urbom: That's the question.

Councilperson Dr. Anna E. Lightfoot-Ward: We can table the item because obviously, we got--

Village Clerk Yenise Jacobi: You want a motion to table the item--

Councilperson Dr. Anna E. Lightfoot-Ward: Yes, until--

Village Clerk Yenise Jacobi: -until-

Councilperson Darian Martin: The next Planning and Zoning Committee meeting?

Village Clerk Yenise Jacobi: -with the conditions.

Councilperson Dr. Anna E. Lightfoot-Ward: With conditions. In other words, you see where we're going, right?

Peter Pietzkiewicz: Yes, so you'd like to see the diagram indicating the safety, the line of sight.

Councilperson Dr. Anna E. Lightfoot-Ward: Because your six feet is on one end, but that front side and the side is what's giving me the question mark. That's more what's going on right now.

Councilperson Darian Martin: I know we need to have a roll call, but I also want to make sure that when you produce this exhibit, Charlotte, you guys are going to review it to make sure that this stuff is accurate?

Charlotte: Absolutely.

Transcription service provided by

10001 NW 50th St Suite # 202 Sunrise, FL 33351
www.fullmooncreative.com
(954) 742-2622



**Village of El Portal
Planning and Zoning Meeting
Date: 4/17/24
Meeting Start: 7:02 PM
Meeting End: 9:48 PM
Meeting Length: 2:46:35**

Councilperson Darian Martin: Yes.

Charlotte: Yes.

Councilperson Darian Martin: I just want to make sure that we're not relying on ourselves for the triangle.

Charlotte: It's a pretty typical type of review that we do for planning, so yes, no
[unintelligible 02:23:05]

Councilperson Darian Martin: Perfect, perfect. Go ahead. I do need to have the roll call, but go ahead.

Councilperson Dr. Anna E. Lightfoot-Ward: You see where we're going. Six feet ain't working for us all over the place. That's not working. See where we are?

Peter Pietzkiewicz: Yes.

Councilperson Dr. Anna E. Lightfoot-Ward: Hedges for safety purposes. You see where we are? We didn't do anything yet. We're just saying, "Reconsider what you're doing," because right now you're going to [unintelligible 02:23:30] them in, literally. Six feet in the front? Doesn't work in El Portal.

Councilperson Darian Martin: All right, Madam Clerk, can I have the roll call?

Village Clerk Yenise Jacobi: Roll call. Member Lightfoot-Ward?

Councilperson Dr. Anna E. Lightfoot-Ward: What is it [unintelligible 02:23:44]

Councilperson Darian Martin: To postpone, to table this to the next Planning and Zoning Committee meeting. [crosstalk]

Village Clerk Yenise Jacobi: Correct. It's going to be tabled to the next P&Z. That's the motion. To come back with the conditions, Member Lightfoot-Ward?

Councilperson Dr. Anna E. Lightfoot-Ward: Yes.

Village Clerk Yenise Jacobi: Member Urbom?

Councilperson Anders Urbom: Yes.

Village Clerk Yenise Jacobi: Member Nickerson?

Transcription service provided by



**Village of El Portal
Planning and Zoning Meeting
Date: 4/17/24
Meeting Start: 7:02 PM
Meeting End: 9:48 PM
Meeting Length: 2:46:35**

Mayor Omarr C. Nickerson: No.

Village Clerk Yenise Jacobi: Vice Chair Pirela?

Vice Mayor Luis Pirela: Yes.

Village Clerk Yenise Jacobi: Chair Martin?

Councilperson Darian Martin: Yes.

Village Clerk Yenise Jacobi: Four to one, motion passes.

Peter Pietzkiewicz: Thank you.

Councilperson Darian Martin: All right, we'll move on to Item G6, that's 149 Northeast 87th Street. Can I have the applicant step up to the podium and state your name and address for the record? Can I have the applicant for 149 Northeast 87th Street? Hearing none, I'll assume that we don't have the applicant. Charlotte, do you have the staff report on this?

Charlotte: Yes.

Councilperson Darian Martin: Okay.

Councilperson Dr. Anna E. Lightfoot-Ward: What do you got?

Charlotte: Yes. This is an application by Adriana Aranguren, who is the owner of the property, requesting an after-the-fact variance for a fence located in the front yard setback located at the property line at the property located at 149 Northeast 87th Street. The request is to remedy a code violation for this existing fence that is on the front property line across the front of the property.

The statement given by the applicant for their justification is primarily that this barrier is needed to protect the home from some criminal activity that has been occurring at the property. The applicant has listed several incidents in their letter of request. The code does not allow fences on the property in the front yard unless made of certain approved materials that we've talked about earlier today and limited to four feet. This fence is much higher than that and does not comply with the materials that would be permitted via variance.

The granting of this variance approval is at harmony with the general intent and purpose of the comprehensive plan, as the proposed development is compatible with the existing residential character, and the requirements of the variance were reviewed and applicant had shown cause for their request for this barrier due to the recent history of criminal activity as

Transcription service provided by

10001 NW 50th ST Suite # 202 Sunrise, FL 33351
www.fullmooncreative.com
(954) 742-2622



**Village of El Portal
Planning and Zoning Meeting
Date: 4/17/24
Meeting Start: 7:02 PM
Meeting End: 9:48 PM
Meeting Length: 2:46:35**

noted in their request. Therefore, our staff is recommending approval.

Councilperson Darian Martin: Thank you. Does anyone have a comment about this?

Vice Mayor Luis Pirela: No. The only comment I have is actually making a motion to remove the fence and denial.

Councilperson Darian Martin: Do you have a second?

Councilperson Anders Urbom: Yes, I'll second that.

Councilperson Darian Martin: Oh, before we do, I didn't open it to our guests. Does anyone have a comment about item G6, 149 Northeast 87th Street? Seeing none, I'll close it to our guest. I'll bring it back to the council. Vice Mayor made a motion. Does anyone second that motion?

Councilperson Dr. Anna E. Lightfoot-Ward: Not yet.

Mayor Anders Urbom: I do second.

Councilperson Dr. Anna E. Lightfoot-Ward: Urbom, not yet.

Councilperson Darian Martin: There is a second, but there's also a comment. I'll let you have your comment, Councilwoman Lightfoot-Ward.

Councilperson Dr. Anna E. Lightfoot-Ward: Everything was done without proper process.

Vice Mayor Luis Pirela: And on Sunday.

Councilperson Dr. Anna E. Lightfoot-Ward: And on Sunday.

Vice Mayor Luis Pirela: [laughs]

Councilperson Dr. Anna E. Lightfoot-Ward: With that in mind, I move to--

Councilperson Darian Martin: We have a motion and a second, so roll call?

Councilperson Dr. Anna E. Lightfoot-Ward: What was the motion?

Vice Mayor Luis Pirela: To deny and remove the--

Councilperson Dr. Anna E. Lightfoot-Ward: I'll work with that.

Transcription service provided by

10001 NW 50th St Suite # 202 Sunrise, FL 33351
www.fullmooncreative.com
(954) 742-2622



**Village of El Portal
Planning and Zoning Meeting
Date: 4/17/24
Meeting Start: 7:02 PM
Meeting End: 9:48 PM
Meeting Length: 2:46:35**

Councilperson Darian Martin: Madame Clerk, can I have a roll call on this item, please?

Village Clerk Yenise Jacobi: Sure. Roll call. Member Lightfoot-Ward?

Councilperson Dr. Anna E. Lightfoot-Ward: Yes.

Village Clerk Yenise Jacobi: Member Urbom?

Councilperson Anders Urbom: Yes.

Village Clerk Yenise Jacobi: Member Nickerson?

Mayor Omarr C. Nickerson: Yes.

Village Clerk Yenise Jacobi: Vice-Chair Pirela?

Vice Mayor Luis Pirela: Yes.

Village Clerk Yenise Jacobi: Chair Martin?

Councilperson Darian Martin: Yes.

Village Clerk Yenise Jacobi: Motion passes five to none.

Councilperson Darian Martin: Thank you so much. We are now on to subsection H, which is good and welfare. This is an opportunity for anyone who would like to do so to step up to the podium. You have three minutes to speak about what has happened in this meeting, anything that has been on the agenda. I see that there is one guest that would like to step up. Can you please give me your name and your address? Thank you so much.

Scott Kobrick: Yes, Scott Kobrick, 8525 Northeast 4th Avenue Road. I don't know the proper situation here because I had spent a lot of time planning to come here and with several neighbors who actually were here earlier, but the item that I guess last minute got took off the agenda, so it was a very important thing for many of us being the launch. First, I guess, question is when might that be able to be-- I think I heard it might be May or June. Unfortunately, if it is ending up in June, I have plans to be away then, so I just wanted to try to make an important comment about it now.

The first thing is that I was given this by my neighbor, Hugh Gladwin, who essentially is within 250 feet of this new proposed development. As a result of that, of course, we saw the plans that were supposed to be addressed at this meeting. They are proposing an eight-story building that's actually seemingly bigger than eight stories. The actual architectural top of the

Transcription service provided by

10001 NW 50th St Suite # 202 Sunrise, FL 33351
www.fullmooncreative.com
(954) 742-2622



**Village of El Portal
Planning and Zoning Meeting
Date: 4/17/24
Meeting Start: 7:02 PM
Meeting End: 9:48 PM
Meeting Length: 2:46:35**

building is quite higher than that.

I think the clearest point other than several other elements that I think if this were on the agenda would've been discussed tonight or happened, but the biggest one is regarding the 250 feet that it is within of a residential property would mean that the building would only allowed to be four stories high. The code is pretty clear with that and there is this public benefits program that was apparently used as a way of Kavista getting beyond that requirement.

I think there was some sort of a civic or green space that was promised as a result of that. I'm not sure what ended up happening with that, but in this circumstance because this other proposed building would be within the 250 feet, this public benefits program is not supposed to be something that is allowed. It's still supposed to not exceed four stories. Of course, there's a lot of reasons why that is. There was another neighbor here earlier and a few other neighbors as well who were in Sherwood Forest, which of course, has been discussed tonight, is a very historic, pristine, single-family residential neighborhood.

The reason why I think a lot of this stuff is in the code is to protect that. I wanted to just address that. There's several other elements including looking at the plans, and this is more from me than from my neighbor, but just regarding the open space, the environmental aspects that are actually written in the code of environmentally sensitive areas specifically on the banks of the Little River and specifically with respect to the open space requirements and permeable surfaces, et cetera, from the plans that I saw, it appears that there's not really any permeable surface, it's pretty much all concrete and there is some wood decking, but there's supposed to be, according to the code, the natural river bank there.

There is also things said about pedestrians on the Little River, pedestrian access and not blocking the view of the river. There's a lot of different elements that this plan seems to try to get around. Wanted to have the opportunity to address that. I understand, this has been a long meeting and just because I won't be present probably at the next one, unfortunately, I wanted to just use this.

Councilperson Darian Martin: Thank you. For sure. I let you run well over the three minutes just to get those thoughts out because you won't be here for the next meeting. I think the Mayor had something that he would like to say about some of those items.

Mayor Omarr C. Nickerson: Just real quick because I know it's been a long meeting.

Councilperson Darian Martin: No, go ahead.

Mayor Omarr C. Nickerson: For everything you brought up, I have an answer to it and a rebuttal. I think I might save a lot of those or save mostly all of those for when this item

Transcription service provided by

10001 NW 50th St Suite # 202 Sunrise, FL 33351
www.fullmooncreative.com
(954) 742-2622



**Village of El Portal
Planning and Zoning Meeting
Date: 4/17/24
Meeting Start: 7:02 PM
Meeting End: 9:48 PM
Meeting Length: 2:46:35**

comes up so that everybody can hear this, so that everybody can hear the facts. Let me just say, what everybody needs to first look up is Live Local Act. Ron DeSantis put that in place, the Live Local Act.

That is zoned business, business corridor, anything on the Live Local Act. They don't even have to listen to anything we say about density with Ron DeSantis' new law on the Live Local Act. Anything that's in the business corridor, that's zoned business, which that street is zoned business, 83rd Street. Anything that's the business corridor--

Scott: Industrial.

Mayor Omarr C. Nickerson: Industrial, yes. Anything that's business corridor, anything zoned that's not residential, if they wanted to, through Ron DeSantis' Live Local Act, they could go up to 15, 24 floors if they wanted to, because they're in that zone.

?Scott: [unintelligible 02:34:10]

Mayor Omarr C. Nickerson: Absolutely. 100%, and they're part of the rapid transit zone. We're doing a great job by keeping them where they're at. I'm going to stop, Madam Chair, because I'm going to get too deep into it. Secondly, it's shorter than Kavista, which is eight stories. The Kavista's eight stories. This is going to be shorter than eight stories, so it's not more than eight stories. It's actually shorter in the height, it's shorter than eight stories.

There's so much more you mentioned, but we'll just keep it there because I want to address all the residents who have the same concerns so I don't have to repeat everything, but for everything you said, there's a response to that. Public benefits program, there's a response to that. There's so much to it.

Scott: Okay. I will certainly look into the Live Local Act. Am I allowed to respond?

Councilperson Darian Martin: Oh, no, no, no. No reply.

Scott: I definitely will look into that obviously and try to understand that. If that's the case, that's really a shame and pretty terrible for everybody who lives in Florida, but--

Mayor Omarr C. Nickerson: As a matter of fact, it's so bad that-- because Doral is pretty much all-- like a large part of it is business and industrial-- Doral put a moratorium on new businesses and new developments, period, so they didn't have to adhere by the Live Local Act.

Scott: Interesting. Just on that note though, what you're saying is essentially none of our ordinances matter.

Transcription service provided by

10001 NW 50th St Suite # 202 Sunrise, FL 33351
www.fullmooncreative.com
(954) 742-2622



**Village of El Portal
Planning and Zoning Meeting
Date: 4/17/24
Meeting Start: 7:02 PM
Meeting End: 9:48 PM
Meeting Length: 2:46:35**

Mayor Omarr C. Nickerson: No, because Governor DeSantis made it so the Live Local Act, it's like, "We're the state of Florida, who are you, guys?"

Scott: Wow. Okay.

Mayor Omarr C. Nickerson: A lot of people going through it-- As a matter of fact, it was part of the Live Local Act. I don't know if you guys saw this, but a few months ago, there was a whole big thing on the news on South Beach, the Clevelander. Did you guys hear about that? There was an argument about the Clevelander actually probably-- They were trying to fight because they wanted to build so high. That's the Live Local Act. That's because of where Cleveland is, in the business corridor or business district, they basically can't do anything about it. If developers wanted to come in and just put all type of height on it, they can because the great people in Tallahassee made it that way.

Scott: Sure. Okay.

Mayor Omarr C. Nickerson: I appreciate you bringing up all these points, but I hope you can come back. I hope we do have it when you're here so that I can address everybody because I know a lot of times, there'll be rumors and all type of something. I don't want that to happen so I have-- For everything you mentioned, I was like, "Oh, I know the answer to that. I know the answer to that. I know the answer to that." For sure.

Scott: All right. Great.

Mayor Omarr C. Nickerson: Thank you, Madam Chair.

Councilperson Darian Martin: Thank you so much.

Scott: Thank you very much.

Councilperson Darian Martin: We appreciate you. Mr. Pulliam, I know you had a comment. Step up to the podium and state your name and address for the record.

Mr. Pulliam: Thank you. Thomas Pulliam, 205 Northeast 86th Street. First, I have a question. I was told by you, Anders Urbom, at the last meeting that there would be a Code Enforcement meeting directly after this. Is that still taking place tonight?

Councilperson Anders Urbom: No. It's not taking place tonight. That was the original plan, but Councilperson Martin called me out a few months ago. She was correct. I do need just a little more time to work on the noise ordinance, so it most likely will be in June with the next Planning and Zoning meeting.

Transcription service provided by

10001 NW 50th ST Suite # 202 Sunrise, FL 33351
www.fullmooncreative.com
(954) 742-2622



**Village of El Portal
Planning and Zoning Meeting
Date: 4/17/24
Meeting Start: 7:02 PM
Meeting End: 9:48 PM
Meeting Length: 2:46:35**

Mr. Pulliam: Okay, got you. Okay. My next comment is actually follow-up on the last Planning and Zoning meeting about two or three months ago now. I addressed these comments. Councilperson Martin, you told me you would work with me in the interim. You told me to send you an email, which I did more than 10 weeks ago. We have not discussed that. You reached out to me saying that we would have a conference call two weeks before this meeting. You told me last week at the Planning and Zoning workshop I attended that you had been busy personally and that was not going to take place any longer.

I'm using this forum to bring up those comments because they are not just for Councilperson Martin. I'm glad to see the entire council here. I believe, at the last meeting two months ago, there was some absentee as well, so I'd like to just go into-- One of the comments has since been resolved since it has been months and months ongoing and I've been working with the administration and staff to resolve some of it. Three are still outstanding issues that has been occurring for up to a year in some cases.

My first question has to do with the neighboring property directly next to me at 203 Northeast 86th Street. They have in their first front setback, in their swale on the property line, 20-foot Areca palms, which block the visibility of my driveway. We have codes that specifically say for line of sight reasons, it can be most four feet. I reported this to Code Enforcement back in September 28, 2023. I was told by Fitz Simmons that the forest is legally non-conforming trees, so the village can't require the property owner to conform to the new code for removal or have it cut because it harms the health of the trees.

He did not mention at all regarding the driveway line of sight issue, which is my specific issue regarding this because the 20-foot Areca palms are right there. I can't see when I'm backing out who might be crossing. There's no sidewalk there either, and again, my property is extremely deep set back. That is my first issue. I would like to understand what next steps for resolution there might be with us.

Councilperson Darian Martin: Thank you for your comment. I do want to say something. A lot of times you guys come in here and you see us on this dais, and I want to assure you that everyone up here is human. As humans, sometimes, really, really horrible things happen to us that make us divert our attention to other things. To that vein, I would like to appeal to everyone in this audience to look at us as human beings. Sometimes when we intend to do something, something very horrible could've happened to us, and we couldn't do those things, yet we still find time to come back and think about your issues.

I know that you're not happy about what occurred today, but I want to assure you that it's not anything personal. I see you as a human and that you are frustrated and I give you grace and I will still look into your issues diligently, but something did happen in my family that took my attention and quite frankly, prevented me from being able to physically be here, although

Transcription service provided by

10001 NW 50th ST Suite # 202 Sunrise, FL 33351
www.fullmooncreative.com
(954) 742-2622



**Village of El Portal
Planning and Zoning Meeting
Date: 4/17/24
Meeting Start: 7:02 PM
Meeting End: 9:48 PM
Meeting Length: 2:46:35**

I do take my service very seriously. I will say that and I will get back to you within a time that is reasonable and that my personal life allows me to. The other members of the council are also more than welcome to take up some of your issues as well.

For me, my family will always come first and I'll make sure that I handle that before anything else. In that vein, I will get back to you when I can. In your additional question, I will get back to you when I can as well. That's my response. I don't know if anyone else has a comment. As for me, I'm ready to adjourn the meeting. I will get back to you.

Mr. Pulliam: I do have two other additional comments as well.

Councilperson Darian Martin: You also have a three-minute time limit. I'll be gracious to you, and I will allow you to say those two comments, but please try to limit it to the three minutes since I am being so accommodating.

Mr. Pulliam: May I ask a follow-up with that too? Is that specific issue of planning and zoning like this meeting, or is that a code enforcement issue meeting?

Vice Mayor Luis Pirela: I think it's more for the portion.

Mr. Pulliam: Should I be working with Councilperson Urbom, who's the chair of that, rather than Planning and Zoning?

Councilperson Anders Urbom: Potentially, yes. For the issue at the line-- I'm looking at it right now, the line of sight-- [crosstalk]

Councilperson Darian Martin: You have our emails. You can always email us this and we can come back to you. [crosstalk]

Mr. Pulliam: I did per your request and you didn't tell me you had a family emergency to speak with someone else or nothing. [crosstalk]

Councilperson Darian Martin: I don't have to. I'm sorry. I didn't even have to tell you that.

Mr. Pulliam: No, I know, but it's news for me today.

Councilperson Darian Martin: That's okay. I don't have to tell you what it is. I didn't even have to tell you that much. The only thing I can say is that I think I've always been up here and treated people with respect, and I've given everybody the benefit of the doubt and realized that sometimes really horrible things happen to people and they're not able to show up like they plan to.

Transcription service provided by

10001 NW 50th St Suite # 202 Sunrise, FL 33351
www.fullmooncreative.com
(954) 742-2622



**Village of El Portal
Planning and Zoning Meeting
Date: 4/17/24
Meeting Start: 7:02 PM
Meeting End: 9:48 PM
Meeting Length: 2:46:35**

Mr. Pulliam: I would just like to address this as a safety issue, again, line of sight with my driveway. I would just like to be able to work with the council to resolve it.

Councilperson Darian Martin: This is absolutely fine. You can send us an email, you can send the manager an email. I've seen the emails that you sent to the manager, to Fitz, to all of us. Please email us away. Then I'm going to turn back to your issue and figure out some of those items that we initially spoke about.

Mr. Pulliam: When may I look forward to that happening?

Councilperson Darian Martin: As soon as I can. I'm not going to put a date on it because I can't, but as soon as I can. Hopefully, it's in a time that's agreeable to you.

Mr. Pulliam: It has been an ongoing issue since September 28, 2023. I've already worked with the village, that's why I brought it up two months ago, I'm bringing it up again. If anyone else from the council was able to work on this, I would greatly appreciate it. I will reach out to you as well since you are the head of the Code Enforcement with the same email that I sent Ms. Martin three months ago.

Councilperson Darian Martin: Thank you so much.

Mr. Pulliam: My two other comments. This was all part of the same conversation three months ago. What is the time check? How long do I have?

Councilperson Darian Martin: You have three minutes from now to give me your two additional because I think we all want to go home. We have three more minutes and you can give me your two additional, and this is a concession for you.

Mr. Pulliam: Thank you.

Councilperson Darian Martin: I will start the timer and let's go.

Mr. Pulliam: The second point is we have a County Code ordinance that's been around for decades regarding nuisance lights. That has been defined as something that is trespassing onto your property, into your windows, onto the facade of your property, et cetera. I have an ongoing issue with this with my neighbor on the other side of the property. Several of the lights have come into compliance based on our current codes, but our County Code regarding the nuisance lighting, if an adjacent property declares, "Hey, it's a nuisance," because it's shining into my windows all night long, even with curtains, et cetera, then that qualifies for code enforcement. To date, that has not been enforced. That's the second point that I'm looking into.

Transcription service provided by

10001 NW 50th St Suite # 202 Sunrise, FL 33351
www.fullmooncreative.com
(954) 742-2622



**Village of El Portal
Planning and Zoning Meeting
Date: 4/17/24
Meeting Start: 7:02 PM
Meeting End: 9:48 PM
Meeting Length: 2:46:35**

[silence]

That same property at 225 Northeast 86th Street, they have multiple lights that they got permitted for them, but not with the ordinance in consideration with the nuisance lights of it shining in other people's houses, the footcandles, that sort of stuff. There are several lights on this building that are continuously shining onto and into my property, including my windows all night long. That is something has been reported to code enforcement since August 23rd, 2023 as well, and I've been working with the staff village here. They have gotten the footcandle part of the ordinance in compliance, but not this nuisance light if it's bothering an adjacent property, which is my case. That is all. Thank you.

Councilperson Darian Martin: Thank you so much for your comment. Is there anyone else for public comment at this time? All right. Hearing none, I will go ahead and move us to subsection I. Do I have a motion to adjourn?

Councilperson Dr. Anna E. Lightfoot-Ward: So moved.

Councilperson Darian Martin: Second?

Councilperson Anders Urbom: I second, Madam Chair.

Councilperson Darian Martin: Oh, I thought you wanted to stay here. All in favor, say aye.

Members: Aye.

Councilperson Darian Martin: Any opposed, say nay. All right. I show the Planning and Zoning Committee meeting for April 17th, 2024, adjourned at 9:48 PM. Goodnight, everyone, and have a good one.

[02:46:35] [END OF AUDIO]

Transcription service provided by

10001 NW 50th St Suite # 202 Sunrise, FL 33351
www.fullmooncreative.com
(954) 742-2622