



SM

CITY OF

POMPANO BEACH

FLORIDA

CITY HALL OFFICES:

100 W. Atlantic Boulevard
Pompano Beach, Florida
PHONE: (954) 786-4662

Visit Our Website At:
http://www.mypompanobeach.org

MAILING ADDRESS:

City of Pompano Beach
P.O. Box 1300
Pompano Beach, FL 33061

PLANNING AND ZONING BOARD/LOCAL
PLANNING AGENCY

January 28, 2009
Wednesday

City Commission Chambers

7:00 P.M.

AGENDA

A. Call to order by the Chairman of the Board, Mr. George Fivek.

B. ROLL CALL:

George Fivek
Michael Horan
Jim Beeson
Ben Miller
Dean Bowman
Fred Stacer
Jerry Mills

C. APPROVAL OF THE MINUTES:

Workshop Meeting of December 17, 008
Regular Meeting of December 17, 2008

D. INDIVIDUALS TESTIFYING PLACED UNDER OATH

E. SITE PLAN REVIEW

1. RUND, INC - Planning and Zoning No. 08-1200022

Consideration of the plans submitted by **JALAL MAHD** on behalf of **RUND, INC.** for the construction of a 1,300 square foot drive-through restaurant, and a two-story 10,000 square foot building consisting of 6,000 square feet of first floor retail and a 2,120 gross square foot second floor coffee shop with accessory retail and approximately 2,100 additional square feet of outdoor seating area.

When combined with an existing 6,411 square foot oil change facility with upstairs offices, and the existing 6,078 square foot convenience store with car wash, there is a lot coverage of 21.5% (not including the gas station canopy).

The property in question is as follows:

Parcel 1

Tract A, ADAM HOSEIN PLAT. according to the plat thereof as recorded in Plat Book 116, Page 45 of the public records of Broward County, Florida, containing 25.766 square feet more or less; together with:

Parcel 2

Tract B, MARION HOSEIN PLAT, according to the plat thereof as recorded in Plat Book 118, Page 4, of the public records of Broward County, Florida, containing 38,555 square feet, more or

less; together with:

Parcel 3

Tract 19, COLLIER CITY LOTS; the West one-half of the North one-half of the South two-fifths of the Southeast one-quarter of the Southeast one-quarter of the Southwest one-quarter of Section 33, Township 48 South, Range 42 East, less the West 25.00 feet and the North 25.00 feet thereof, being dedicated to Broward County for public road purposes, said parcel containing 31.696 square feet, more or less.

AKA: 2751 West Atlantic Boulevard (Oasis Plaza)

ZONED: B-3

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F. PUBLIC HEARINGS

2. PUBLIC HEARING #08-23-A

Consideration of the request by **VERTICAL YACHT CLUB DEVELOPMENT** to rezone the following described property:

Parcel 1A: All of Parcel "A", JERICHO BOATS ENTERPRISES, according to the plat thereof as recorded in Plat Book 146, Page 3, of the public records of Broward County, Florida.

Parcel 1B: Lots 1 and 2, Block 2, SEA BARGE YACHT CENTER, according to the plat thereof as recorded in Plat Book 38, Page 27, of the

public records of Broward County, Florida, LESS a portion of Lot 1, more particularly described as follows: Begin at the Northwest corner of said Lot 1; thence run North 88^ 29' 09" East, along the North line of said Lot 1 for a distance of 17.28 feet; thence run South 47^ 39' 21" West, for a distance of 26.15 feet; thence run North 06^ 49' 35" East, along the West line of said Lot 1 for a distance of 17.28 feet to the Point of Beginning, plus the South one-half of the vacated N.E. 15th Street, lying North of Lot 1, Block 2, SEA BARGE YACHT CENTER, according to the plat thereof as recorded in Plat Book 38, Page 27, of the public records of Broward County, Florida.

Parcel 1C: All of Block 3, less the South 265.00 feet thereof, SEA BARGE YACHT CENTER, according to the plat thereof as recorded in Plat Book 38, Page 27, of the public records of Broward County, Florida, plus the South one-half of the vacated N.E. 15th Street, lying North of Block 3, SEA BARGE YACHT CENTER, according to the plat thereof as recorded in Plat Book 38, Page 27, of the public records of Broward County, Florida.

Parcel 1D: Lots 1, 2, 6, 7 and 8 in Block 1 and all of Tracts "A", "B", "C" and "D" of SEA BARGE YACHT CENTER, according to the plat thereof recorded in Plat Book 38, Page 27, of the public records of Broward County, Florida, less that portion of Lot 8, Block 1 of SEA BARGE YACHT CENTER according to the plat thereof recorded in Plat Book 38, Page 27, of the public records of Broward County, Florida, in Section 30, Township 48 South, Range 43 East, being more particularly described as follows: Commencing at the Southeast corner of said Lot 8; thence run South 88^ 29' 09" West along the South line of said Lot 8, for a distance of 117.71 feet to the Point of Beginning; thence continue to run South 88^ 29' 09" West, a distance of 13.00 feet to the Southwest corner of said Lot 8; thence run North 06^ 49' 35" East along the West line of said Lot 8, a distance of 13.00 feet; thence run South 42^ 20' 38" East, a distance of 17.00 feet to the Point of Beginning, plus the North one-half of the vacated N.E. 15th Street, lying South of Lot 8, Block 1, SEA BARGE YACHT CENTER according to the plat thereof, recorded in Plat Book 38, Page 7, of the public records of Broward County, Florida, plus the North one-half of the vacated N.E. 15th Street, lying South of Tract "D" of SEA

BARGE YACHT CENTER according to the plat thereof recorded in Plat Book 38, Page 27, of the public records of Broward County, Florida.

Parcel 1E: That portion of the SEA BARGE YACHT BASIN as shown on the plat of SEA BARGE YACHT CENTER, as recorded in Plat Book 38, Page 27, of the public records of Broward County, Florida, described as follows: That property lying West of the East line of the West three-quarters of the Northwest one-quarter of the Southwest one-quarter of Section 30, Township 48 South, Range 43 East and bounded on the South by the Northerly boundary of Tract "D" of said SEA BARGE YACHT CENTER, according to the plat thereof recorded in Plat Book 38, Page 27, of the public records of Broward County, Florida, bounded on the West by the Easterly boundary of Tract "C" of said SEA BARGE YACHT CENTER and bounded on the North by the Southerly boundary of Tract "B" of said SEA BARGE YACHT CENTER; together with that portion of said SEA BARGE YACHT BASIN described as follows: That portion of Lots 30 and 31 of CALIBAN according to the plat thereof as recorded in Plat Book 27, Page 12 of the public records of Broward County, Florida, as bounded on the North by the Southerly boundary of Tract "B", SEA BARGE YACHT CENTER, according to the plat thereof as recorded in Plat Book 38, Page 27 of the public records of Broward County, Florida, bounded on the West by the East line of the West three-quarters of the Northwest one-quarter of the Southwest one-quarter of said Section 30, bounded on the East by a line 10.00 feet West of and parallel to the East line of said Tract "B" of said SEA BARGE YACHT CENTER.

Parcel 1F: Lot 4 of CALIBAN according to the plat thereof as recorded in Plat Book 27, Page 12, of the public records of Broward County, Florida.

Parcel 2: Lots 3, 4 and 5, Block 1, of SEA BARGE YACHT CENTER, according to the plat thereof as recorded in Plat Book 38, Page 27, of the public records of Broward County Florida.

Parcel 3: A portion of the CARIBBEAN YACHT BASIN, CALIBAN, according to the plat thereof as recorded in Plat Book 27, Page 12, of the public records of Broward County, Florida, lying North of and adjacent to Parcel "A", JERICHO BOATS ENTERPRISES, according to the plat thereof as recorded in Plat Book 146, Page 3, of the public records of Broward County, Florida and being more fully described as follows:

Beginning at the Northeast corner of said Parcel "A", JERICHO BOATS ENTERPRISES; thence South 88° 14' 47" West on the North line of said Parcel "A" and also on the South line of CARIBBEAN YACHT BASIN, a distance of 327.60 feet to the Northwest corner of said Parcel "A", JERICHO BOATS ENTERPRISES; thence North 00° 57' 15" West, on the Northerly extension of the West line of said Parcel "A", JERICHO BOATS ENTERPRISES, a distance of 15.00 feet; thence North 88° 14' 47" East on a line 20.00 feet North of and parallel with the North line of said Parcel "A", JERICHO BOATS ENTERPRISES, a distance of 327.60 feet; thence South 00° 57' 23" East, a distance of 15.00 feet to the Point of Beginning.

Parcel 4: A portion of Lot 1, Block 2, SEA BARGE YACHT CENTER according to the plat thereof as recorded in Plat Book 38, Page 27, of the public records of Broward County, Florida, being more particularly described as follows:

Begin at the Northwest corner of said Lot 1; thence run North 88° 29' 09" East, along the North line of said Lot 1 for a distance of 17.28 feet; thence run South 47° 39' 21" West, for a distance of 26.15 feet; thence run North 06° 49' 35" East along the West line of said Lot 1 for a distance of 17.28 feet to the Point of Beginning.

Said lands situate, lying and being in the City of Pompano Beach, Broward County, Florida, and containing 6.90 acres, more or less.

AKA: 2371 N.E. 15th Street

FROM: B-3, M-1/PCD (General Business, Marina

TO: B-3, M-1/PCD (Modified)

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3. **PUBLIC HEARING #09-01-A**

Consideration of the request by **POMPANO CENTER OF COMMERCE, LLC.** to rezone the following described properties:

Parcels A, B and C, POMPANO CENTER EXCHANGE, according to the plat thereof as recorded in Plat Book 175, Page 169, of the public records of Broward County, Florida, containing 40.72 acres, more or less.

AKA: 1700-1800 N.W. 15th Avenue

FROM: O-IP and I-1 (Office-Industrial Park and General Industrial)

TO: O-IP/PCD (Office-Industrial Park/Planned Commercial Development)

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4. **PUBLIC HEARING #09-03**

Consideration of the request by **PALM AIRE RESORTS LTD. PARTNERSHIP** to amend the Land Use Plan Map designation for the subject property from "Recreation and Open Space" to "Residential-Medium Density" (10 to 16 units per acre), with a maximum of 1,405 dwelling units.

The subject property contains 90.423 gross acres and is located north of Atlantic Boulevard between N.W. 31st Avenue and the Florida Turnpike, being a portion of the Palm Aire community. This parcel was formerly part of the Pines and Sabals Golf Courses.

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5. **PUBLIC HEARING #09-06**

Consideration of the request by **PROLOGIS** to rezone the following described property:

LAKE TRACT

A portion of Parcel "D", ROCK LAKE PLAT, according to the plat thereof as recorded in Plat Book 172, at Pages 129 through 131 inclusive, of the public records of Broward County, Florida, described as follows:

Beginning at the Northeast corner of said Parcel "D"; thence South 01^ 11' 26" East along the Easterly boundary of said Parcel "D", a distance of 242.02 feet; thence South 88^ 57' 45" West, a distance of 470.95 feet to a point of curvature with a curve concave to the North, having a radius of 36.50 feet and a central angle of 44^ 26' 47"; thence Westerly along the arc of said curve a distance of 28.31 feet to a point of reverse curvature with a curve concave to the Southwest, having a radius of 68.50 feet and a central angle of 30^ 31' 30"; thence Northwesterly along the arc of said curve a distance of 36.49 feet to a point of reverse curvature with a curve concave to the Northeast, having a radius of 36.50 feet and a central angle of 23^ 36' 06"; thence Northwesterly along the arc of said curve a distance of 15.04 feet; thence South 88^ 52' 30" West along a non-tangent line, a distance of 23.75 feet, the following three (3) courses being along the Westerly boundary of said Parcel "D"; thence North 01^ 07' 30" West a distance of 147.82 feet; thence South 88^ 52' 30" West a distance of 12.00 feet; thence North 01^ 07' 30" West, a distance

of 56.53 feet; thence North 88° 38' 33" East along the Northerly boundary of said Parcel "D" a distance of 576.87 feet to the Point of Beginning, containing 3.089 acres, more or less; together with:

TRACT 1

A portion of Parcel "D", ROCK LAKE PLAT, according to the plat thereof as recorded in Plat Book 172, at Pages 129 through 131 inclusive, of the public records of Broward County, Florida, described as follows:

Beginning at the Southeast corner of said Parcel "D"; thence South 88° 52' 30" West along the Southerly boundary of said Parcel "D", a distance of 563.53 feet, the following three (3) courses being along the Westerly boundary of said Parcel "D"; thence North 01° 07' 30" West, a distance of 163.42 feet; thence South 88° 52' 30" West a distance of 2.00 feet; thence North 01° 07' 30" West a distance of 210.33 feet; thence North 88° 52' 30" East, a distance of 23.75 feet to a point at the beginning of a non-tangent curve concave to the Northeast having a radius of 36.50 feet and whose radius point bears North 36° 29' 07" East; thence Southeasterly along the arc of said curve through a central angle of 23° 36' 06" a distance of 15.04 feet to a point of reverse curvature with a curve concave to the Southwest, having a radius of 68.50 feet and a central angle of 30° 31' 30"; thence Southeasterly along the arc of said curve a distance of 36.49 feet to a point of reverse curvature with a curve concave to the North having a radius of 36.50 feet and a central angle of 44° 26' 47"; thence Easterly along the arc of said curve a distance of 28.31 feet to a point of tangency; thence North 88° 57' 45" East, a distance of 470.95 feet; thence South 01° 11' 26" East along the Easterly boundary of said Parcel "D" a distance of 338.41 feet to the Point of Beginning, containing 4.436 acres, more or less; together with:

TRACT 2

A portion of Parcel "C", ROCK LAKE PLAT, according to the plat thereof as recorded in Plat Book 172, at Pages 129 through 131 inclusive, of the public records of Broward County, Florida, described as follows:

Beginning at the Northeast corner of said Parcel "C"; thence South 01° 11' 26" East along the Easterly boundary of said Parcel "C" a distance of 333.72 feet; thence South 88° 48' 36" West, a distance of 584.32 feet to a point at the beginning of a non-tangent curve concave to the West having a radius of 981.50 feet, whose radius point bears North 84° 34' 28" West, the following three (3) courses being along the Westerly boundary of said Parcel "C"; thence Northerly along the arc of said curve, through a central angle of 00° 28' 36" a distance of 8.17 feet; thence North 08° 24' 31" East along a non-tangent line a distance of 105.72 feet; thence North 01° 07' 30" West a distance of 222.00 feet; thence North 88° 52' 30" East, a distance of 565.53 feet to the Point of Beginning, containing 4.363 acres, more or less, together with:

TRACT 3

A portion of Parcel "C", ROCK LAKE PLAT, according to the plat thereof as recorded in Plat Book 172, at Pages 129 through 131 inclusive, of the public records of Broward County, Florida, described as follows:

Beginning at the Southeast corner of said Parcel "C"; thence South 88° 27' 20" West along the Southerly boundary of said Parcel "C", a distance of 719.25 feet to a point at the beginning of a non-tangent curve concave to the Northwest having a radius of 981.50 feet, and whose radius point bears North 60° 02' 53" West, the following five (5) courses being along the Westerly boundary of said Parcel "C"; thence Northeasterly along the arc of said curve, through a central angle of 00° 22' 16", a distance of 6.36 feet; thence North 33° 02' 15" East a distance of 105.75 feet to a point at the beginning of a non-tangent curve concave to the West having a radius of 993.50 feet and whose radius point bears North 66° 31' 06" West; thence Northerly along the arc of said curve through a central angle of 16° 13' 08" a distance of 281.23 feet; thence North 82° 44' 14" West, a distance of 12.00 feet to a point at the beginning of a non-

tangent curve concave to the West having a radius of 981.50 feet and whose radius point bears North 82^ 44' 14" West; thence Northerly along the arc of said curve, through a central angle of 01^ 50' 14" a distance of 31.47 feet; thence North 88^ 48' 36" East, a distance of 584.33 feet; thence South 01^ 11' 26" East along the Easterly boundary of said Parcel "C" a distance of 390.07 feet to the Point of Beginning, containing 5.634 acres, more or less.

AKA: 2900 and 3200 N.W. 27th Avenue

FROM: I-1 (General Industrial)

TO: PCD and I-1 (Planned Commercial Development and General Industrial)

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G. ABANDONMENTS

6. ROYAL PALM COMMERCE PARK, LLC.

Consideration of the request by **ROYAL PALM COMMERCE PARK, LLC.** to abandon that portion of the right of way for N.W. 3rd Street lying north of Lots 4 through 8, Block 4, SEABOARD HIGHLANDS ADDITION according to the plat thereof as recorded in Plat Book 19, Page 13, of the public records of Broward County, Florida, as described in full on the survey submitted with this application.

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7. PAUL N. GARDNER COMPANY, INC., MBPFF HOLDING COMPANY, INC. AND ELIZABETH KEITH

Consideration of the request by **PAUL N. GARDNER COMPANY, INC., MBPFF HOLDING COMPANY, INC. AND ELIZABETH KEITH** to abandon that certain 14 foot alleyway lying between Lots 1 through 10 of Block 8, CAMPBELL AND SAXON ADDITION, according to the plat thereof as recorded in Plat Book 1, Page 125, of the public records of Palm Beach County, as described in full on the survey submitted with this application.

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H. PROPOSED PLATS

8. POMPANO PARK RACINO PLAT

Consideration of the proposed **POMPANO PARK RACINO PLAT**, submitted by **JERALD MC LAUGHLIN**, located on the following described property:

A portion of the North one-half of Section 3, Township 49 South, Range 42 East, Broward County, Florida, more fully described as follows:

Commencing at the Southeast corner of Tract "B", ARVIDA POMPANO PARK, according to the plat thereof as recorded in Plat Book 137, Page 33, of the public records of Broward County, Florida; thence South 13^ 03' 47" West, on the West right of way line of the Seaboard Coast Line Railroad (100 foot right of way), a distance of 656.16 feet to the Point of Beginning; thence continuing South 13^ 03' 47" West, on the said West right of way line a distance of 16.37.77 feet; thence North 86^ 02' 56" West, on the South line of the Northeast one-quarter of said Section 3 and on the South line of the Northwest one-quarter of said Section 3, a distance of 3078.76 feet; thence North 00^ 00' 00" East on a line 33.00 feet East of and parallel with the West line of said Section 3, being the East right of way line of Powerline Road (Pompano Parkway) a distance of 1007.53 feet; thence North 90^ 00' 00" East, on said East right of way line a distance of 3.50 feet; thence North 00^ 59' 01" East on said East right of way line a distance of 494.13 feet; thence North 14^ 25' 04" East, on said East right of way line a distance of 64.33 feet; thence North 00^ 00' 00" East, on said East right of way line a distance of 283.29 feet; thence North 45^ 00' 00" East, on said East right of way line a distance of

57.98 feet; thence North 00° 13' 22" West, on said East right of way line a distance of 84.24 feet; thence North 89° 46' 38" East on the South line of Tract "A" of said ARVIDA POMPANO PARK, a distance of 1023.67 feet; thence North 44° 48' 39" East, on a boundary of said Tract "A" a distance of 49.47 feet; thence North 00° 09' 21" West, a distance of 685.69 feet; thence North 88° 01' 37" West, on a boundary of said Tract "A", a distance of 50.25 feet; thence North 00° 09' 21" West, on a boundary of said Tract "A" a distance of 71.60 feet to the most Northerly Northeast corner of said Tract "A"; thence South 88° 01' 37" East, on the South right of way line of Pompano Park Place (S.W. 3rd Street/Race Track Road), as shown on said ARVIDA POMPANO PARK, a distance of 220.20 feet to the most Northerly Northwest corner of said Tract "B", ARVIDA POMPANO PARK; thence South 00° 09' 21" East, on a boundary of said Tract "B", a distance of 71.60 feet; thence North 88° 01' 37" West, on a boundary of said Tract "B" a distance of 49.86 feet; thence South 00° 09' 21" East, on the West line of said Tract "B" a distance of 681.01 feet; thence South 45° 11' 22" East, on a boundary of said Tract "B" a distance of 49.53 feet; thence North 89° 46' 38" East on a South line of said Tract "B", a distance of 1347.69 feet; thence South 00° 12' 26" East, a distance of 602.61 feet; thence North 89° 45' 15" East, a distance of 809.43 feet to the Point of Beginning, containing 149.5312 acres, more or less.

AKA: 1800 Racetrack Road (S.W. 3rd Street)

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9. **BONSAL AMERICAN PLAT**

Consideration of the proposed **BONSAL AMERICAN PLAT**, submitted by **DANIEL A. FEE**, located on the following described property:

A portion of the Southeast one-quarter of Section 27, Township 48 South, Range 42 East, Broward County, Florida, lying West of the C.S.X. Railroad, being more particularly described as follows:

Commencing at the Northeast corner of Parcel "A", GOLD COAST PLAT, according to the plat thereof as recorded in Plat Book 134, Page 8, of the public records of Broward County Florida; thence North 12° 14' 07" East, on the Northerly extension of the East line of said Parcel "A" and the West right of way line of the said C.S.X. Railroad a distance of 114.57 feet; thence North 12° 14' 53" East, a distance of 6.43 feet to the Point of Beginning; thence South 89° 55' 09" West, a distance of 777.67 feet to a point on the Easterly right of way line of Andrews Avenue Extension, pursuant to a Stipulated Final Judgment as to Parcels 135 and 717, as recorded in Official Records Book 33680, Page 1774, of the public records of Broward County, Florida, said point being 55.00 feet East of the centerline of said Andrews Avenue Extension, as defined by the Florida Department of Transportation Right of Way Map of Andrews Avenue Extension, Section 86000-2600, Sheets 5 through 10; thence North 39° 22' 34" East, on said Easterly right of way line of Andrews Avenue Extension a distance of 450.87 feet to a point of curve; thence Northeasterly on said Easterly right of way line and on said curve to the left with a radius of 1,554,23 feet, a central angle of 22° 44' 09", an arc distance of 616.74 feet to the South line of the Northwest one-quarter of the Northeast one-quarter of the Northwest one-quarter of the Southeast one-quarter of said Section 27; thence North 89° 51' 42" East, on said South line a distance of 64.83 feet; thence North 00° 15' 15" East, on the East line of the said Northwest one-quarter of the Northeast one-quarter of the Northwest one-quarter of the Southeast one-quarter of said Section 27, a distance of 277.28 feet to the Southernmost corner of Parcel 134A as in said Official Records Book 33680, Page 1774, of the public records of Broward County, Florida, and the said Easterly right of way line of Andrews Avenue Extension; thence North 56° 42' 13" East on said Easterly right of way line, a distance of 50.23 feet; thence North 00° 09' 26" West on the said Easterly right of way line a distance of 5.91 feet to the South line of N.W. 18th Street pursuant to Official Records Book 1609, Page 95, of the public records of Broward County, Florida, being a point on a line 25.00 feet South of and parallel with the North line of the

Southeast one-quarter of said Section 27; thence North 89° 50' 34" East on said South right of way line and on said parallel line a distance of

356.44 feet to the West right of way line of said C.S.X. Railroad; thence South 12° 14' 53" West, on said West right of way line a distance of 1228.22 feet to the Point of Beginning, containing 13.6571 acres, more or less.

AKA: Parcel of land lying immediately south of N.W. 18th Street, immediately east of Andrews Avenue Extension and immediately west of the C.S.X. Railroad.

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I. OTHER BUSINESS

- 10. Consideration of setting three (3) special meetings for review of the Comprehensive Plan Update.

Proposed Meeting Dates are as follows:

Wednesday **March 18, 2009**
Alternate Date: March 11, 2009

Wednesday **April 15, 2009**
Alternate Date: April 8, 2009

Wednesday **May 20, 2009**
Alternate Date: May 13, 2009

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J. AUDIENCE TO BE HEARD

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K. BOARD MEMBERS DISCUSSION

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L. REPORTS BY STAFF

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M. ADJOURNMENT

Linda R. Hora
Advisory Board Secretary
1.22.09

Any person who decides to appeal any decision of the **PLANNING AND ZONING BOARD/LOCAL PLANNING AGENCY** with respect to any matter considered at this meeting will need a record of the proceedings and for such purpose may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.