



Town Council Agenda Report

SUBJECT: Ordinance

CONTACT PERSON/NUMBER

Name: Mark Kutney, AICP, Development Services Director
Phone: (954) 797-1101

TITLE OF AGENDA ITEM:

AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, APPROVING APPLICATION LABC (SS) 99-4A, AMENDING THE TOWN OF DAVIE COMPREHENSIVE PLAN BY CHANGING THE FUTURE LAND USE PLAN MAP DESIGNATION OF CERTAIN LANDS FROM COMMUNITY FACILITY TO RESIDENTIAL (3 DU/AC); PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

LABC (SS) 99-4A - Barbara Hall, Esq., petitioner/ Alpha Baptist Church, owner - 5230 Pine Island Road - Generally located between Pine Island Road and SW 82nd Avenue, approximately 3/4 of a mile north of Stirling Road.

REPORT IN BRIEF:

The petitioner is proposing to develop a detached single family subdivision comprised of 63 units on 21.5 gross acres. The target site is currently made up of several parcels under separate ownership. The petitioner plans to purchase these parcels and combine them as a unified site. The petitioner plans to rezone the unified site area to the R-3, Low Medium Dwelling District. The majority of the site is currently zoned A-1, Agricultural District. However, a small portion of this property is zoned CF, Community Facilities District, owned by Alpha Baptist Church. In order to allow the proposed development to be made up of contiguous parcels, the church has agreed to give the petitioner their land in return for land just south of the proposed development. This portion of the site is the subject of said small scale land use plan amendment to change the current Community Facility designation to Residential (3 du/ac).

PREVIOUS ACTIONS:

- On August 4, 1999, the Town Council approved application LABC (SS) 99-4A, (motion carried 3-1, Councilmember Paul dissenting, Vice-mayor Bush absent).
- On September 1, 1999, the Town Council approved application ZB 7-1-99, (motion carried 3-2, Councilmembers Cox and Paul dissenting).
- On September 1, 1999, the Town Council approved application V 7-2-99, (motion carried 3-2, Councilmembers Cox and Paul dissenting).

CONCURRENCES:

- Staff believes the proposed land use plan amendment is consistent with the goal policies and objectives of the Town Comprehensive Plan.

FISCAL IMPACT: Not Applicable.

RECOMMENDATION(S): Motion to approve.

Attachment(s): Ordinance with back-up, land use map, subject site map, and aerial.

ORDINANCE _____

AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, APPROVING APPLICATION LABC (SS) 99-4A, AMENDING THE TOWN OF DAVIE COMPREHENSIVE PLAN BY CHANGING THE FUTURE LAND USE PLAN MAP DESIGNATION OF CERTAIN LANDS FROM COMMUNITY FACILITY TO RESIDENTIAL (3 DU/AC); PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town Council of the Town of Davie desires to amend the future land use designation of the property described below; and

WHEREAS, the Local Planning Agency of the Town of Davie held a public hearing on July 14, 1999, and the Town Council held public hearings on July 21, 1999 and on the date of adoption of this Ordinance; and

WHEREAS, the required public hearings were notice in accordance with the requirements of the Code of the Town of Davie and Chapters 163 and 166 Florida Statutes; and

WHEREAS, the proposed amendment is in conformance with the Town of Davie Comprehensive Plan and the Broward County Land Use Plan.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF DAVIE FLORIDA:

SECTION 1. That the future land use plan map designation for the property described and illustrated on Exhibit "A", attached hereto, be and the same is hereby amended and changed from Community Facilities to Residential (3 du/ac).

SECTION 2. That the future land use plan map heretofore adopted by the Town Council be and the same is hereby amended to show the property described in Section 1, herein, as Residential (3 du/ac).

SECTION 3. All Ordinances or parts of Ordinances in conflict herewith are to the extent of such conflict hereby repealed.

SECTION 4. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is, for any reason, held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portion of this Ordinance.

SECTION 5. The effective date of this plan amendment shall be the date a final order is issued by the Department of Community Affairs or Administration Commission finding the amendment in compliance in accordance with Section 163.3184,F.S.

PASSED ON FIRST READING THIS _____ DAY OF _____, 2000.

PASSED ON SECOND READING THIS _____ DAY OF _____, 2000.

ATTEST:

MAYOR/COUNCILMEMBER

TOWN CLERK

APPROVED THIS _____ DAY OF _____, 2000.

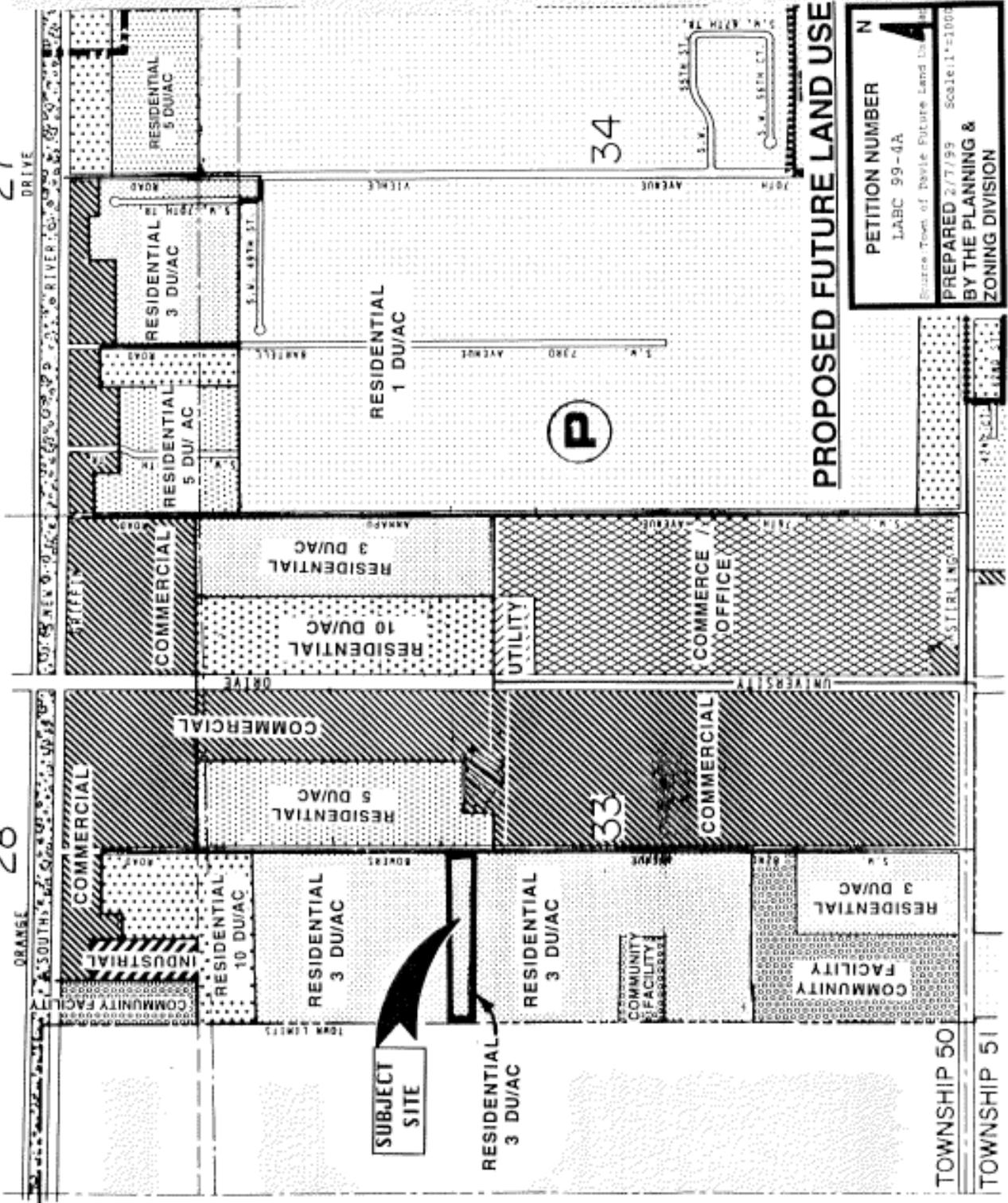
EXHIBIT "A"

LEGAL DESCRIPTION:

THE NORTH ONE-HALF OF TRACT 26 OF "EVERGLADES SUGAR AND LAND COMPANY SUBDIVISION" OF SECTION 33, TOWNSHIP 50 SOUTH, RANGE 41 EAST, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 3 AT PAGE 67 OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA. LESS THEREFROM THAT PART OF SAID TRACT 26 LYING WEST OF A LINE LYING 67.00 FEET EAST OF, AND PARALLEL WITH THE WEST LINE OF THE EAST ONE-HALF OF THE NORTHWEST ONE-QUARTER OF SAID SECTION 33, AND ALSO LESS THEREFROM THAT PORTION OF SAID TRACT 26 LYING EAST OF A LINE LYING 20.00 FEET WEST OF, AND PARALLEL WITH THE EAST LINE OF THE NORTHWEST ONE-QUARTER OF SAID SECTION 33. SAID TRACT OF LAND LYING AND BEING IN THE TOWN OF DAVE, BROWARD COUNTY, FLORIDA, AND CONTAINS 4.6705 ACRES, MORE OR LESS.

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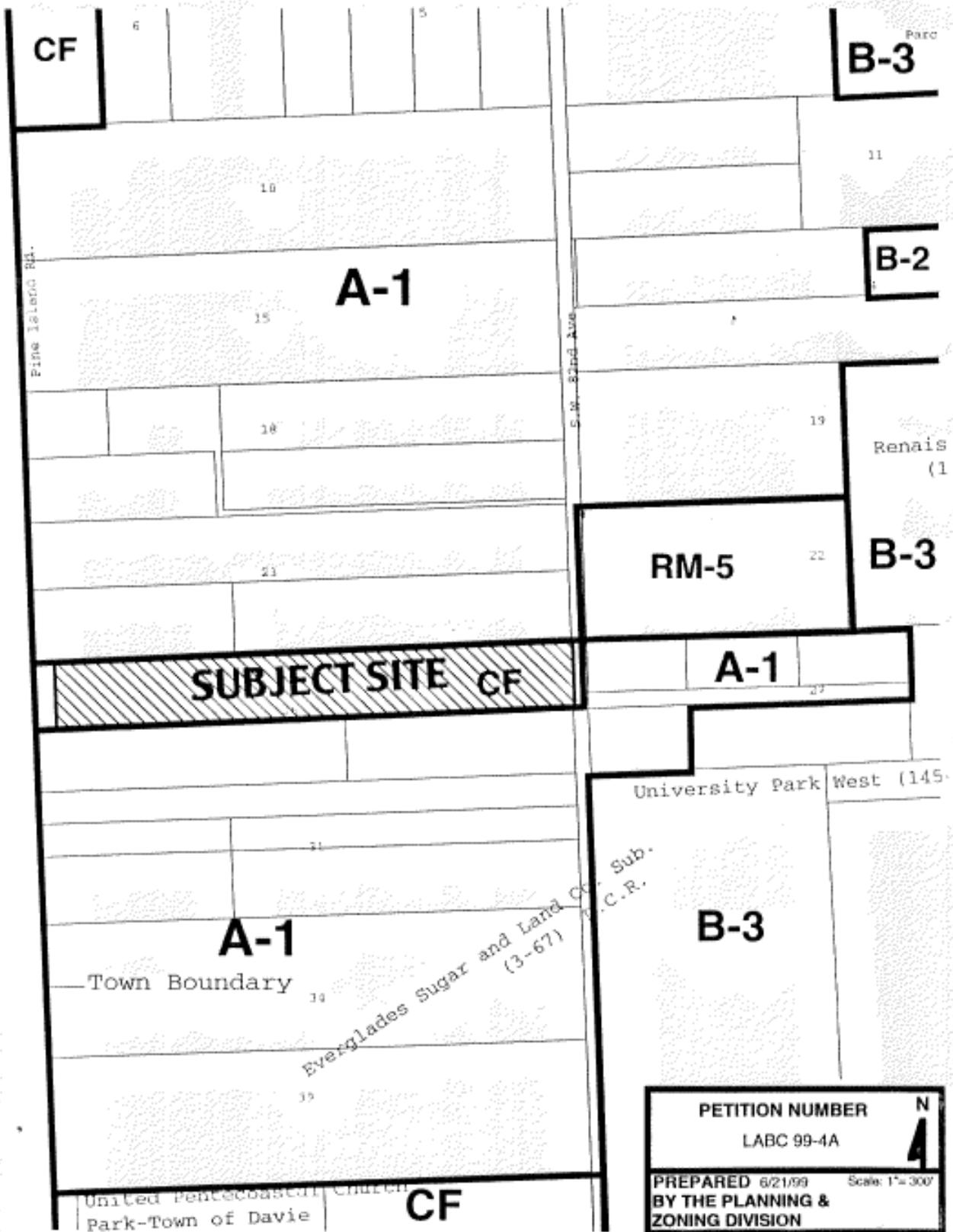
PROPOSED FUTURE LAND USE

PETITION NUMBER
LABC 99-4A

Source: Town of Maple Future Land Use

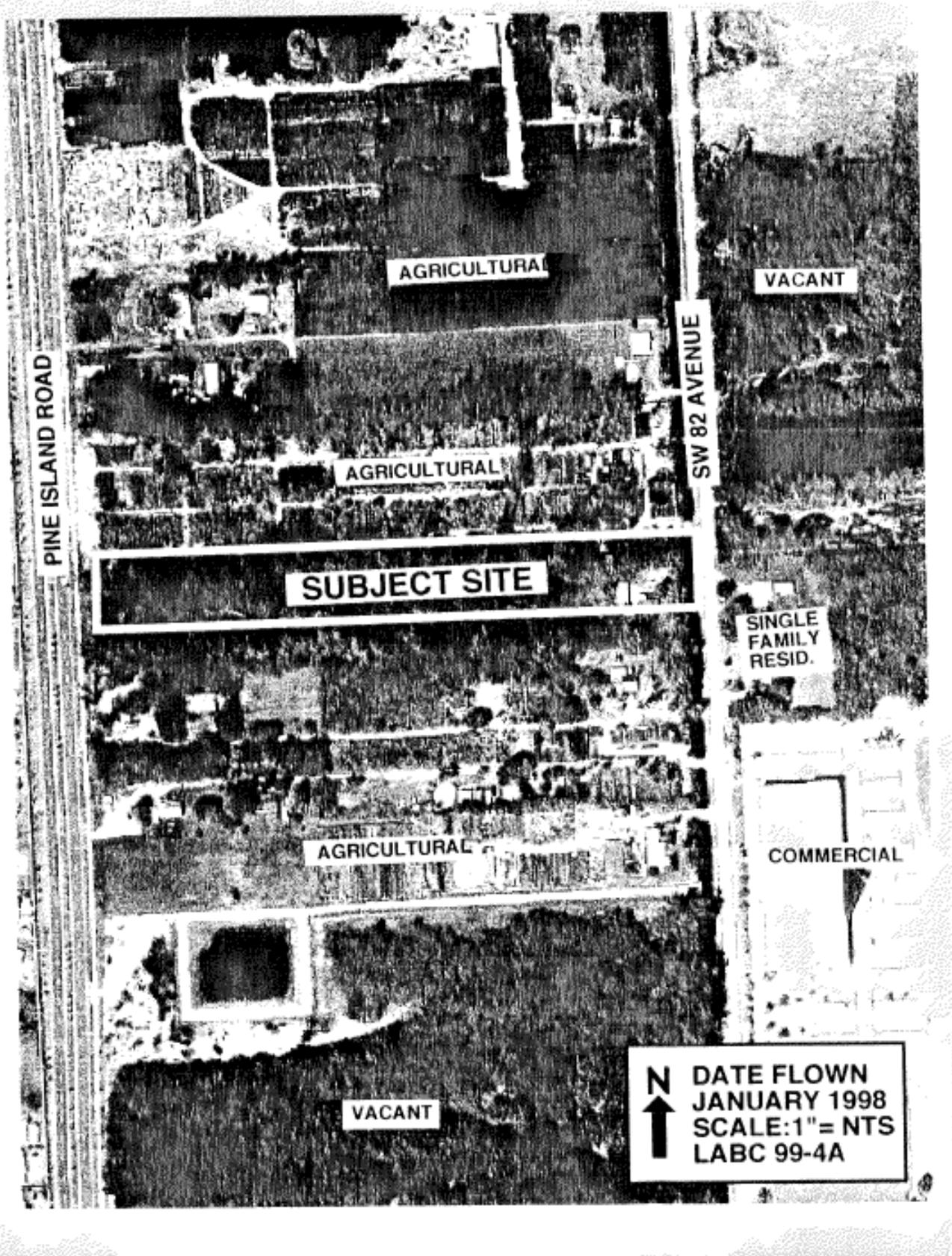
PREPARED 2/7/99 Scale: 1"=100'

BY THE PLANNING & ZONING DIVISION



PETITION NUMBER
 LABC 99-4A **N 4**

PREPARED 6/21/99 Scale: 1"=300'
 BY THE PLANNING & ZONING DIVISION



AGRICULTURAL

VACANT

PINE ISLAND ROAD

SW 82 AVENUE

AGRICULTURAL

SUBJECT SITE

SINGLE FAMILY RESID.

AGRICULTURAL

COMMERCIAL

VACANT

N
↑
DATE FLOWN
JANUARY 1998
SCALE: 1" = NTS
LABC 99-4A