

TOWN OF DAVIE TOWN COUNCIL AGENDA REPORT

TO: Mayor and Councilmembers

FROM/PHONE: Mark Kutney, AICP/(954) 797-1101

SUBJECT: Quasi Judicial Hearing: Special Permit

SE 6-1-01 Shams Rayani/Aftab Cumber and Shams Rayani, 15191 SW 15 Place, Generally located at the southeast corner of SW 14 Street and SW 15 Place.

TITLE OF AGENDA ITEM:

SE 6-1-01 Shams Rayani/Aftab Cumber and Shams Rayani (R-1)

REPORT IN BRIEF:

The applicant requests to use the existing construction trailer as a temporary real estates sales office for the Belmont Lakes at Davie single family residential development. The trailer is already on site appropriately within the district setbacks and the petitioner will be improving its appearance by adding asphalt paving and landscape material. The applicant states that the trailer will be removed and the office will be relocated to a model home once a unit is completed. Staff finds that the proposed real estate sales trailer poses minimal negative impacts on the surrounding area due its temporary nature and location on the subject site and is consistent with the intent of the Land Development Code.

PREVIOUS ACTIONS: None

CONCURRENCES: The Planning and Zoning Board recommended approval of the request at its July 25, 2001 meeting (Motion carried 5-0).

FISCAL IMPACT: None

RECOMMENDATION(S): Motion to approve

Attachment(s): Justification letter, Landscape plan, Land use map, Subject site map, Aerial

Application #: SE 6-1-01
Exhibit "A"

Revisions:
Original Report Date: 7/26/01

TOWN OF DAVIE
Development Services Department
Planning & Zoning Division Staff
Report and Recommendation

APPLICANT INFORMATION

<u>Owner:</u>	<u>Agent:</u>
Name: Aftab Cumber and Shams Rayani	Name: Shams Rayani
Address: 10100 W. Sample Road, Suite 205	Address: 10100 W. Sample Road, Suite 205
City: Coral Springs, FL 33065	City: Coral Springs, FL 33065
Phone: (954)753-4242	Phone: (954)753-4242

BACKGROUND INFORMATION

Date of Notification: July 18, 2001 **Number of Notifications:** 1

Application History: No deferrals have been requested.

Application Request: Special permit for a trailer to be used as a temporary real estate sales office pursuant to Section 12-34(P)(1)(b)(3)(f) of the Land Development Code.

Address/Location: 15191 SW 15 Place. Generally located at the southeast corner of SW 14 Street and and SW 15 Place.

Future Land Use Plan Designation: Residential (1 DU/Acre)

Zoning: R-1, Estate Dwelling District

Existing Use: Construction trailer

Proposed Use: Temporary real estate sales office trailer

Parcel Size: 0.803 acres (35,000 square feet)

	<u>Surrounding Uses:</u>	<u>Surrounding Land Use Plan Designation:</u>
North:	Open Space, Single Family Residential within the City of Sunrise	Residential (1 DU/AC)
South:	Vacant	Residential (1 DU/AC)
East:	Vacant	Residential (1 DU/AC)
West:	Vacant	Residential (1 DU/AC)

Surrounding Zoning:

North:	OS, Open Space District, City of Sunrise
South:	R-1, Estate Dwelling District
East:	R-1, Estate Dwelling District
West:	R-1, Estate Dwelling District

ZONING HISTORY

Related Zoning History: None.

Previous Request on same property: Town Council approved the site plan for the subject site, SP 2-7-96 Belmont Lakes at Davie, on June 6, 1996.

Town Council approved a site plan modification to the entrance wall for the subject site, SP 11-7-99 Belmont Lakes at Davie, on January 5, 2000.

APPLICATION DETAILS

The applicant is proposing to utilize the existing construction trailer as a temporary real estate office for a duration not to exceed twelve (12) months. This request is associated with a proposed development of 42 single family dwelling units called Belmont Lakes at Davie. Building permits have been applied for, and the office will be moved into one of the models when construction is completed. The trailer is located at the southeast corner of the subject site within the district setbacks. There will be an asphalt parking lot installed with 18 parking spaces (including 2 handicapped), 3 washingtonia and 6 coconut palms 14'-16' in height, and 2' on center philodendrum selloum will surround the trailer.

Applicable Codes and Ordinances

Section 12-34(P)(1)(b)(3)(f) of the Land Development Code permits trailers to be used as a temporary real estate sales office pursuant to a special permit; requiring removal upon completion of the development of the subdivision or sooner, as dictated by the special permit; and prohibits sales activity on the development site until final development approval has been granted by Town Council pursuant to the site plan application procedure.

Comprehensive Plan Considerations

Planning Area: The subject property falls within Planning Area 2. Planning area 2 includes the westernmost section of the Town north of Orange Drive and south of SW 14 Street, and bound on the west by Interstate 75 and on the east by SW 100 Avenue. The predominant existing and planned land use is single family residential at a density of one dwelling per acre.

Broward County Land Use Plan: The subject site falls within Flexibility Zone 113.

Applicable Goals, Objectives & Policies: None.

Staff Analysis

The intent of Land Development Code's requirement for special permits is for the Town to consider external impacts of uses that require special permits. Staff finds that the proposed real estate sales trailer poses minimal negative impacts on the surrounding area due its temporary nature and location on the subject site and is consistent with the intent of the Land Development Code. The trailer is already on site and the petitioner will be improving its appearance by adding asphalt paving and landscape material.

Findings of Fact

Review for Special Permits:

Section 12-308(A)(1)(a):

- (i) The proposed change is not contrary to the adopted comprehensive plan, as amended, or any element or portion thereof;
- (ii) The proposed change will not create an unrelated an incompatible use;
- (iii) The proposed change will not adversely affect living conditions in the neighborhood or the town;
- (iv) The proposed change will not create or excessively increase automobile and vehicular traffic congestion above that which would be anticipated with permitted intensities or densities of the underlying land use plan designation, or otherwise affect public safety;
- (v) The proposed change will not adversely affect surrounding property values;
- (vi) The proposed change will not be a deterrent to the improvement or development of other property in accord with existing regulations;
- (vii) The proposed change will not constitute a grant of special privilege to an individual owner as contrasted with the welfare of the general public.

Staff Recommendation

Recommendation: Based upon the above and the finding of facts in the positive, staff recommends **approval**, of petition SE 6-1-01 subject to the landscape plan submitted by the applicant and removal of the trailer upon issuance of the last certificate of occupancy.

Planning & Zoning Board Recommendation

The Planning and Zoning Board recommended approval of the request at its July 25, 2001 meeting (Motion carried 5-0).

Exhibits

- 1. Justification letter
- 2. Landscape plan
- 3. Land use map
- 4. Subject site map
- 5. Aerial

Prepared by: _____

Reviewed by: _____

**Belmont Lakes Properties, Inc.
10100 West Sample Road, Suite 205
Coral Springs, FL 33065**

June 11, 2001

JUN 15 2001

Christopher M. Gratz
Planning & Zoning Division
Town of Davie, FL 33314-3399

Dear Sir

Re: Conversion of Existing Construction Trailer to Construction/Sales Trailer

I am enclosing herewith the following documents for your kind perusal, in order to convert our existing construction trailer to construction/sales trailer. The trailer is located on Lot #30 at 'Belmont Lakes at Davie', 15191 SW 15 Place, Davie, FL 33330.

1. Special Permit Application, signed and notarized
2. 2 copies of the Vacant Survey of the property
3. 2 copies of the Site Plan, showing the location of the existing trailer
4. Site Plan of the Sub-Division, 'Belmont Lakes at Davie', 50 acre parcel fully developed to build 42 one acre single family homes.
5. Copy of the lease for the trailer from G. E. Gelco Modular Space.
6. A check for \$930 payable to Town of Davie.

The trailer shall be in use for less than one year. We have also applied to obtain 2 building permits to build 2 Model Homes on lots 28 and 29. As soon as these models are completed, we are going to move our construction/sales office to one of these model homes.

If you need to reach me, my cell # is (954) 439-2916.

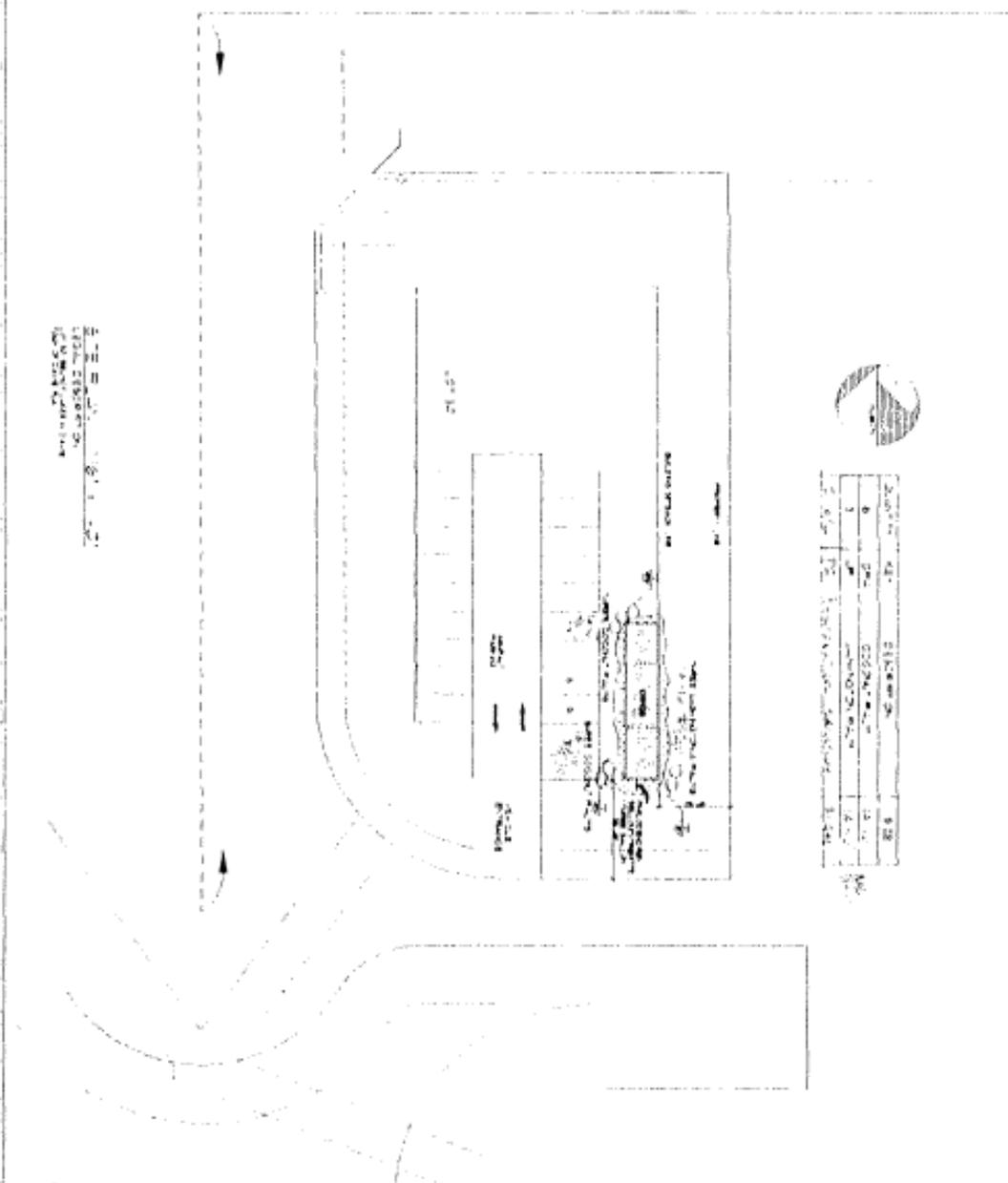
Thanking you

Yours truly



Shams Rayani - VP

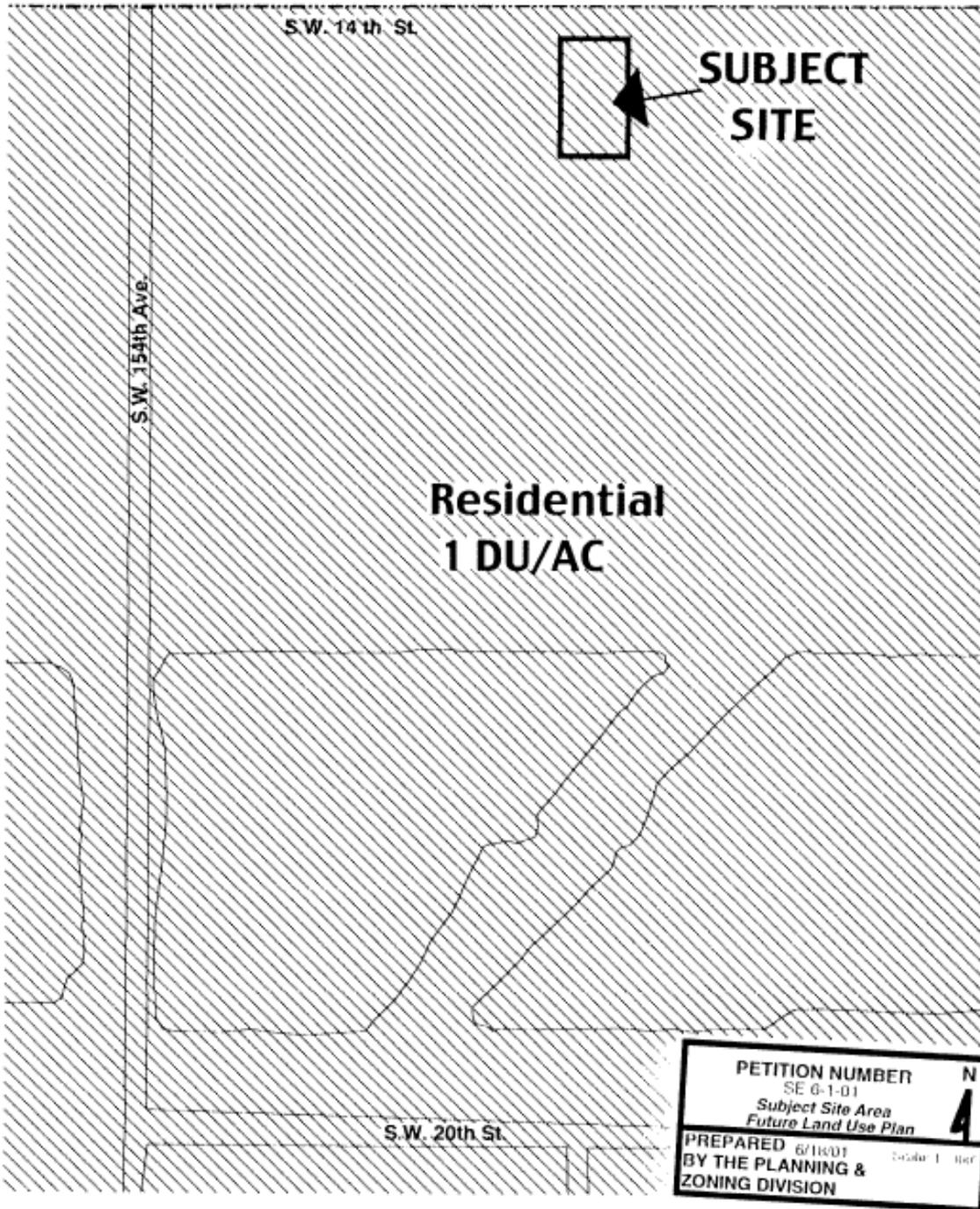
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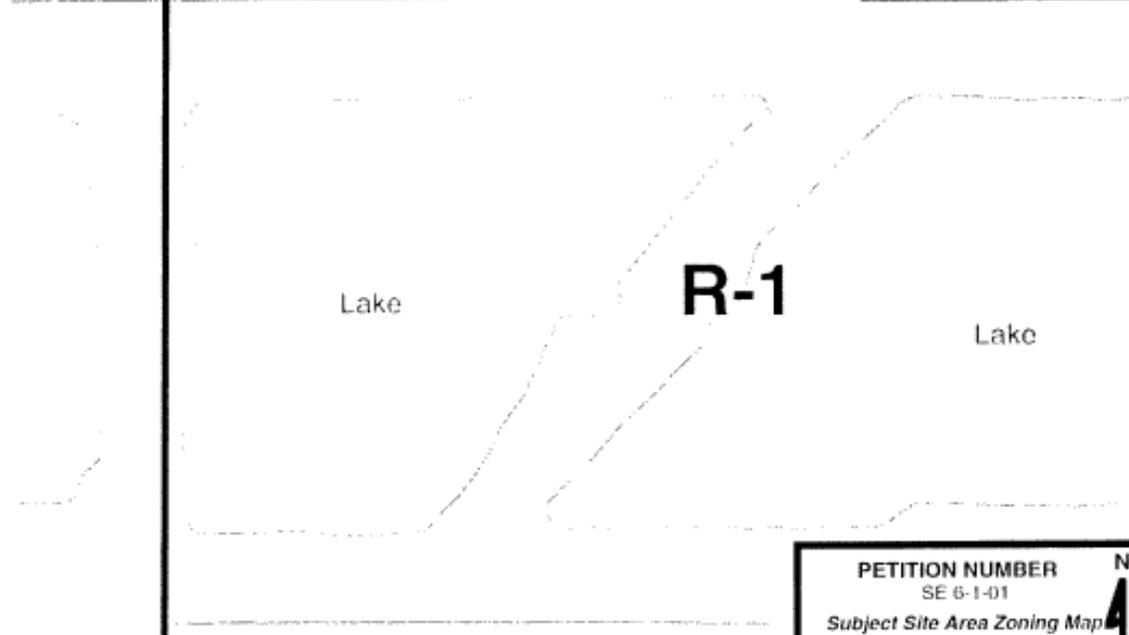
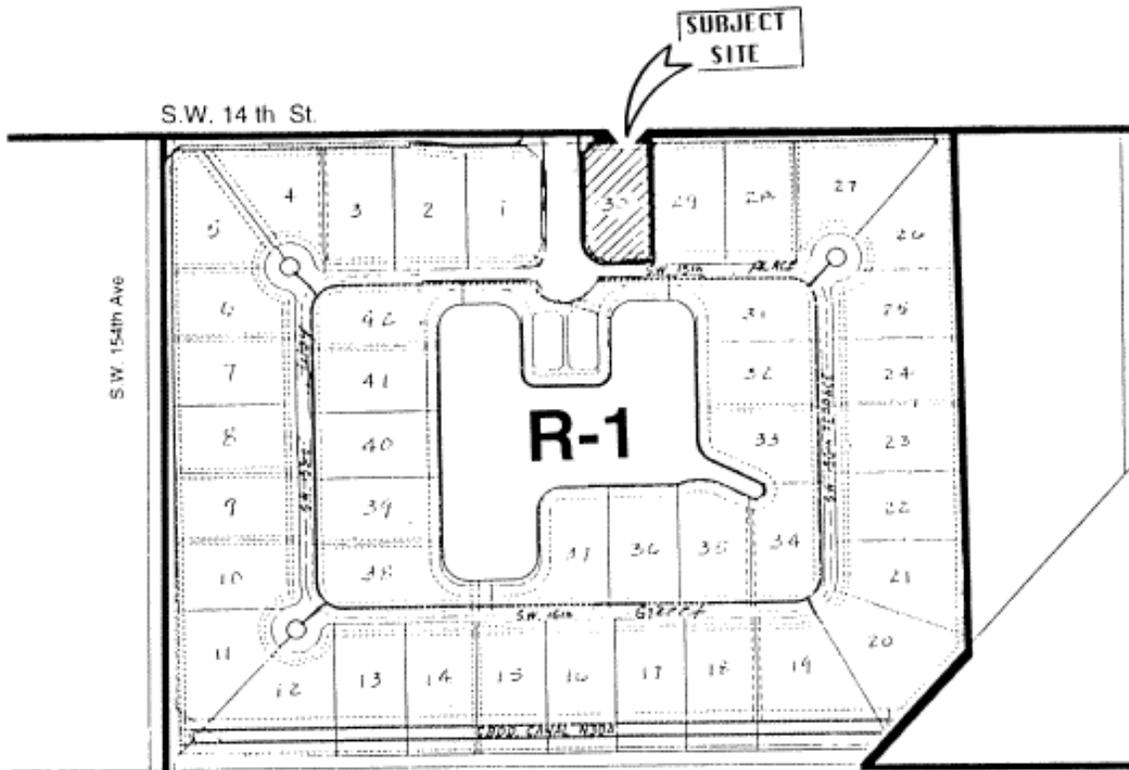


NO.	DESCRIPTION	DATE
1	PRELIMINARY	10/10/08
2	REVISED	10/10/08
3	REVISED	10/10/08
4	REVISED	10/10/08
5	REVISED	10/10/08
6	REVISED	10/10/08
7	REVISED	10/10/08
8	REVISED	10/10/08
9	REVISED	10/10/08
10	REVISED	10/10/08

	CONST ENGINEERING OFFICE LOT 30 BELMONT LAKES AT DAVID TOWN OF DAVID FLA	BRABLEC ARCHITECT & ASSOC. INC 2284 NORTH BIRDALE FOOT BLVD	
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Town Boundary





PETITION NUMBER
SE 6-1-01

Subject Site Area Zoning Map

PREPARED 6/18/01
BY THE PLANNING &
ZONING DIVISION

N

CITY OF SUNRISE

SW 14 St.

SUBJECT SITE

SW 15 Pl.

SINGLE FAMILY RESID.
(UNDER CONSTRUCTION)

N 150 Terr.

VACANT

SW 16 St.

SW 17 Cl.

SINGLE FAMILY RESID.
(UNDER CONSTRUCTION)

SW 154 Ave.

SW 153 Way.

N
↑
DATE FLOWN
JANUARY 1998
SCALE: nts
SE 6-1-01

SW 20 St.