

# TOWN OF DAVIE

## TOWN COUNCIL AGENDA REPORT

**TO:** Mayor and Councilmembers

**FROM/PHONE:** Mark A. Kutney, AICP, Development Services Director/(954) 797-1101

Prepared by: Todd Vargo, Planner I

**SUBJECT:** Plat, P 10-3-02 Lovy's Acres, Associated Engineers of South Florida, Inc./Antonio and Mariana Barrientos, 1700 SW 139 Avenue/Generally located on the east side of SW 139 Avenue, approximately 320 feet north of SW 18 Court and 320 feet south of SW 16 Street.

**AFFECTED DISTRICT:** District 4

**TITLE OF AGENDA ITEM:** A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING A BOUNDARY PLAT KNOWN AS LOVY'S ACRES AND AUTHORIZING THE MAYOR AND TOWN CLERK TO ACKNOWLEDGE SUCH APPROVAL BY AFFIXING THE MAYOR'S SIGNATURE AND THE TOWN SEAL TO SUCH PLAT; AND PROVIDING AN EFFECTIVE DATE

**REPORT IN BRIEF:** The applicant requests approval of the resolution for the proposed boundary plat to be known as Lovy's Acres. The subject site consists of approximately 184,574.47 square feet (4.237 acres) for the proposed development of two (2) detached single family units. The plat allows for a dedication of 30,790.62 square feet of right-of-way along the southern limits of the plat, ending in a cul-de-sac.

The plat provides for a single 75 foot access opening along the western limit of the plat providing access to SW 139 Avenue and a non-vehicular access line along the remaining western limit of the plat. The plat also shows a fifty (50) foot road easement extending from the western terminus of the cul-de-sac to the east limits of the plat.

**PREVIOUS ACTIONS:** None

**CONCURRENCES:** At the July 23, 2003, Planning and Zoning Board meeting, Ms. Lee made a motion, seconded by Mr. McLaughlin, to approve. Motion carried 5-0.

**FISCAL IMPACT:** None

**RECOMMENDATION(S):** Staff finds the subject application complete and suitable for transmittal to the Town Council for further consideration.

**Attachment(s):** Plat, Resolution, Future Land Use Map, Zoning and Aerial Map

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING A BOUNDARY PLAT KNOWN AS LOVY'S ACRES AND AUTHORIZING THE MAYOR AND TOWN CLERK TO ACKNOWLEDGE SUCH APPROVAL BY AFFIXING THE MAYOR'S SIGNATURE AND THE TOWN SEAL TO SUCH PLAT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the proposed boundary plat to be known as Lovy's Acres has been approved by the Town Planning and Zoning Board on July 23, 2003.

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

SECTION 1. The boundary plat known as Lovy's Acres is hereby approved subject to staff's recommendations and conditions on the planning report which is attached hereto as Exhibit "A" and made a part hereof.

SECTION 2. The Mayor is authorized to sign such plat on behalf of the Town and the Town Clerk is directed to affix to such plat the Town seal.

SECTION 3. This Resolution shall take effect immediately upon its passage and adoption.

PASSED AND ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2003.

\_\_\_\_\_  
MAYOR/COUNCILMEMBER

Attest:

\_\_\_\_\_  
TOWN CLERK

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2003.

---

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

---

**APPLICANT INFORMATION**

<b><u>Owner:</u></b>		<b><u>Agent/Council:</u></b>	
<b>Name:</b>	Antonio and Mariana Barrientos	<b>Name:</b>	Associated Engineers of South Florida, Inc.
<b>Address:</b>	10319 Quito Street	<b>Address:</b>	5450 Griffin Road
<b>City:</b>	Cooper City, FL 33026	<b>City:</b>	Davie, FL 33073
<b>Phone:</b>	(954) 434-8771	<b>Phone:</b>	(954) 584-6880

---

**BACKGROUND INFORMATION**

**Application History:** Applicant submitted a written request for a two-month extension of the plat as permitted by Section 12-367(B)(2).

**Application Request:** Approval of the resolution for the proposed boundary plat to be known as Lovy's Acres.

**Affected District:** District 4

**Address/Location:** 1700 SW 139 Avenue/Generally located at the east side of SW 139 Avenue approximately 320 feet north of SW 18 Court and 320 feet south of SW 16 Street.

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

**Existing Use:** Vacant

**Existing Zoning:** R-1, Estate Dwelling District

**Proposed Use:** Two single-family detached dwelling units.

**Parcel Size:** 4.237 acres (184,574.47 square feet)

**Surrounding Existing Use:**

**North:** Single Family Residential

**South:** Single Family Residential

**East:** Single Family Residential

**West:** Single Family Residential

**Surrounding Future Land Use Plan Designation:**

**North:** Residential (1 DU/AC)  
**South:** Residential (1 DU/AC)  
**East:** Residential (1 DU/AC)  
**West:** Residential (1 DU/AC)

**Surrounding Zoning:**

**North:** R-1, Estate Dwelling District  
**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 Requests on Same Property:** None.

---

**APPLICATION DETAILS**

The applicant's submission indicates the following:

1. The site area consists of approximately 4.237 acres (184,574.47 square feet) for the proposed development of two single-family detached dwelling units.
2. The plat provides for a single 75 foot access opening along the western limit of the plat providing access to SW 139 Avenue.
3. A non-vehicular access line along the remaining western limit of the plat.
4. The plat provides for the dedication of 30,790.62 square feet of right-of-way along the southern limits of the plat, ending in a cul-de-sac.
5. A fifty (50) foot road easement extending from the western terminus of the cul-de-sac to the east limits of the plat.
6. A twenty (20) foot drainage and flowage easement along the eastern, northern, and western limits of the plat.
7. A ten (10) foot utility easement (within the drainage and flowage easement) along the eastern, northern, and western limits of the plat as well as on the north side of the right-of-way and road easement.

8. Comments received from Town of Davie Public Works Department indicate an existing equestrian trail located along the east side of SW 139 Avenue.

---

### APPLICABLE CODES AND ORDINANCES

Section 12-360(B)(1) of the Land Development Code, platting requirements.

---

### 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:** The proposed plat is generally consistent with the goals, objectives and policies of the Comprehensive Plan.

---

### Staff Analysis/ Findings of Fact

The proposed plat is consistent with the Comprehensive Plan and Land Development Code as it relates to access, use, location and size.

---

### Staff Recommendation

#### **Recommendation:**

Staff finds the subject application complete and suitable for transmittal to the Planning and Zoning Board and Town Council for further consideration. In addition, the following conditions must be met prior to final approval:

1. Approval shall be subject to sufficient capacity of the regional road network as determined by Broward County. In the event sufficient capacity is not met, the plat shall be deemed denied by the Town of Davie.
2. A mylar copy of the plat shall be provided to the Planning and Zoning Division upon recordation.

---

### Planning and Zoning Board Recommendation

At the July 23, 2003, Planning and Zoning Board meeting, Ms. Lee made a motion, seconded by Mr. McLaughlin, to approve. Motion carried 5-0.

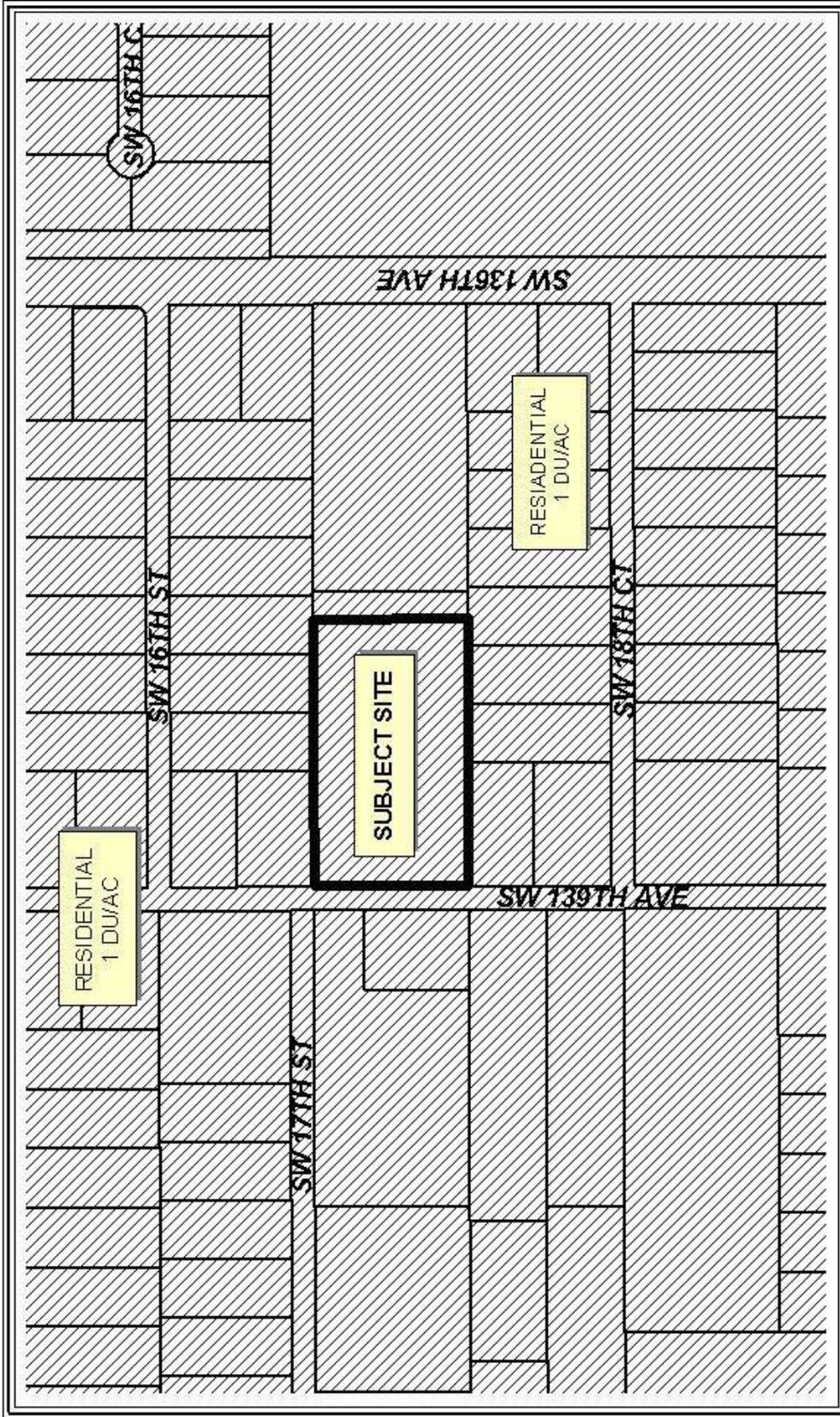
---

## Exhibits

1. Plat
2. Future Land Use Map
3. Zoning and Aerial Map

Prepared by: \_\_\_\_\_

Reviewed by: \_\_\_\_\_



**PLAT  
P 10-3-02  
Future Land Use Map**

Prepared by: ID  
Date Prepared: 10/18/02



Planning & Zoning Division - GIS



Date Flown:  
12/31/01



300 0 300 Feet

Planning & Zoning Division - GIS



**PLAT**  
**P 10-3-02**  
**Zoning and Aerial Map**

Prepared by: ID  
Date Prepared: 10/17/02