

# 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: Ingrid Allen, Planner II

**SUBJECT:** Plat, P 1-2-06 / Doyon Plat / 5399 SW 42<sup>nd</sup> Avenue / Generally located at the northeast corner of SW 54<sup>th</sup> Avenue and SW 42 Street.

**AFFECTED DISTRICT:** District 1

**TITLE OF AGENDA ITEM:**

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

**REPORT IN BRIEF:**

The petitioner requests approval of the plat known as "Doyon." The plat consists of .688 acres (30,006 square feet) and restricted to two (2) detached single-family homes. Access onto the site is provided along SW 42<sup>nd</sup> Street which is a local road with 50 feet of right-of-way.

The proposed plat is consistent with the Comprehensive Plan and Land Development Code as it relates to access, location, and size. Development of this site as proposed does not exceed what was anticipated by the Future Land Use Plan Map designation. A portion of this parcel, Lot 2 (proposed), was sold without subdividing the parcel thereby initiating the platting requirement. Lot 1 of the plat contains an existing garage which does not meet Town setback requirements. A variance will be required if the applicant intends to conduct modifications that would create a residential unit.

**PREVIOUS ACTIONS:** None

**CONCURRENCES:**

At the September 27, 2006 Planning and Zoning Board meeting, Mr. Busey made a motion, seconded by Vice-Chair McLaughlin, to approve as long as the Town had a survey of the entire property. (Motion carried 5-0).

**FISCAL IMPACT:** N/A

**RECOMMENDATION(S):**

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 shall be met:

1. Sufficient capacity of the regional road network, as determined by Broward County. In the event that sufficient capacity is not met, the plat shall be deemed denied by the Town of Davie.
2. Provide the Planning and Zoning Division a mylar copy of the plat upon recordation.
3. If applicant wishes to conduct/modifications to the existing structure that would create a residential dwelling unit on Lot 1, they must successfully complete the variance process.

**Attachment(s):** Resolution, Planning Report, Plat

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

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

WHEREAS, the proposed plat to be known as the "Doyon" was considered by the Town of Davie Planning and Zoning Board on September 27, 2006;

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

SECTION 1. The plat known as the "Doyon" is hereby approved subject to the conditions stated on the planning report which is attached hereto as Exhibit "A" and made a part hereof.

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

SECTION 3. Any improvements required to satisfy Traffic Concurrency should be located within the Town of Davie.

SECTION 4. This Resolution shall take effect immediately upon its passage and adoption.

PASSED AND ADOPTED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2006.

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

Attest:

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

APPROVED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2006.

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

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**Applicant Information**

**Petitioner:**

**Name:** Mikki Ulrich / Deni Land Surveyors  
**Address:** 1991 NW 35 Avenue  
**City:** Coconut Creek, FL 33066  
**Phone:** 954-973-7966

**Owner:**

**Name:** Peter Doyon  
**Address:** 8530 SW 28 Street  
**City:** Davie, FL 33328  
**Phone:** 954-410-8939

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**Background Information**

**Application History:** No deferrals have been requested

**Application Request:** Approval of plat known as "Doyon"

**Address:** 5399 SW 42 Avenue, Davie

**Location:** Northeast corner of SW 54<sup>th</sup> Avenue and SW 42 Street

**Future Land Use**

**Plan Map Designation:** Regional Activity Center

**Existing Zoning:** R-3, Low Density Dwelling District

**Existing Use:** Single Family Dwelling / Accessory Garage

**Proposed Use:** 2 detached single family homes

**Net Parcel Size:** .688 acres (30,006 square feet)

**Gross Parcel Size:** .80 acres (35,006 square feet)

**Surrounding Uses:**

**North:** Vacant, Community Center  
**South:** Vacant, Single-Family  
**East:** Vacant  
**West:** Single-Family

**Surrounding Land**

**Use Plan Map Designations:**

**North:** Regional Activity Center  
**South:** Regional Activity Center  
**East:** Regional Activity Center  
**West:** Regional Activity Center

**Surrounding Zoning:**

**North:** CF, Community Facilities District  
**South:** R-3, Low Density Dwelling District  
**East:** R-3, Low Density Dwelling District  
**West:** R-3, Low Density Dwelling District

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**Zoning History**

**Related Zoning History:** No record of any zoning changes

**Previous Requests on same property:** Not applicable.

**Concurrent requests on same property:** Not applicable.

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**Application Details**

The applicant's SUBMISSION indicates the following:

1. *Site:* The subject sites consists of .688 net (30,006 square feet).
2. *Restrictive Note:* The plat is restricted to two detached single-family homes.
3. *Access:* S.W. 42 Street which is a local road with 50 feet of right-of-way.
4. *Trails:* There are no existing or proposed trails adjacent to the site.
5. *Easements and Reservation:* A 6-foot utility easement exists along the eastern boundary (Plat Book 21, Page 28, Broward County Records).
6. *Dedications:* There is a 12-foot utility easement proposed along the south boundary of the plat,
7. *Drainage:* The subject property lies within Central Broward Water Control District, and approval from this agency has been obtained.
8. *Local Road Concurrency:* The proposed use is consistent with local road concurrency. The parcel will also need to comply with Broward County's Transit Oriented Concurrency Standards.

9. *Compatibility:* The proposed plat for residential use can be considered compatible with both existing and allowable uses on the adjacent properties. To the north is a community center and vacant land; to the south is a single-family dwelling and vacant land; to the west is a single-family dwelling; and to the east is a vacant parcel.

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## Applicable Codes and Ordinances

The effective Code of Ordinances governing this project is the Town of Davie Land Development Code.

Section 12-81 of the Land Development Code, Table of Conventional Single Family Development Standards, R-3 zoning districts are required to provide a minimum lot area of 12,000 square feet and a minimum lot frontage of 100 feet.

Article XII Subdivisions and Site Plans.

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

Section 12-366.1 (A) thru (D) Submission requirements for plats.

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## Comprehensive Plan Considerations

**Planning Area:** The subject property falls within Planning Area 8. This planning area is in the “heart” of Davie, and is the most diverse, characterized by older, small-scale commercial development; older single-family residential neighborhoods; and newer, large-scale multi-family residential developments that serve the rapidly growing South Florida Education Center (SFEC).

**Broward County Land Use Plan:** The subject site falls within Flexibility Zone 98

**Applicable Goals, Objectives & Policies:**

*Future Land Use Plan, Objective 5: Consistency of Development with Comprehensive Plan, Policy 5-2:* The (re)zoning, (re)platting, and site planning of land shall be in compliance with the density ranges shown on the Davie Future Land Use Plan map and the applicable Future Land Use Designation provisions as contained in the Permitted Uses portion of the Implementation Section.

*Future Land Use Plan, Objective 17: Land Use Compatibility and Community Appearance, Policy 17-3:* Each development proposal shall be reviewed with respect to its compatibility with adjacent existing and planned uses.

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## Significant Development Review Committee (DRC) Comments

These following comments represent significant comments made by the Development Review Committee as part of the review process. All comments have been addressed unless otherwise indicated.

**Utilities Department:**

1. Enter into Water & Sewer Service Agreement (must be executed prior to water and sewer plan approval.)

**Engineering:**

1. Provide 12-foot utility agreement on south limits of plat. (this has been completed).

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**Staff Analysis**

The proposed plat is consistent with the Comprehensive Plan and Land Development Code as it relates to access, location, size, and use. Development as this site as proposed does not exceed what was anticipated by the Future Land Use Map designation. Broward County requires that the owner pay Transit Oriented Concurrency Fees to mitigate the peak hour traffic impact of the plat.

Lot 1 of the plat contains an existing garage which does not meet Town setback requirements. If the applicant intends to conduct internal changes/modifications which would create a residential unit, then they would have to successfully complete the variance process through the Town of Davie.

Previously, a portion of this parcel was sold without subdividing the parcel. That sale initiated the requirement for this plat.

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**Findings of Fact**

Staff finds that the plat is in conformance with all applicable Codes and Ordinances. The proposed use can be considered compatible with the surrounding properties.

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**Staff 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 shall be met:

1. Sufficient capacity of the regional road network, as determined by Broward County. In the event that sufficient capacity is not met, the plat shall be deemed denied by the Town of Davie.
  2. Provide the Planning and Zoning Division a mylar copy of the plat upon recordation.
  3. If applicant wishes to conduct/modifications to the existing structure that would create a residential dwelling unit on Lot 1, they must successfully complete the variance process.
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## **Planning and Zoning Board Recommendation**

At the September 27, 2006 Planning and Zoning Board meeting, Mr. Busey made a motion, seconded by Vice-Chair McLaughlin, to approve as long as the Town had a survey of the entire property. (Motion carried 5-0).

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### **Town Council Action**

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#### **Exhibits**

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

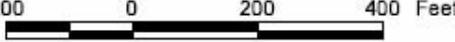
Prepared by: \_\_\_\_\_

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



<p>200 0 200 400 Feet Prepared by the Town of Davie GIS Division</p>		<p><b>PLAT P 1-2-06 Future Land Use Map</b></p> <p>Prepared By: ID Date Prepared: 3/20/06</p>
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<p>Date Flown: 12/31/04</p>   <p>200 0 200 400 Feet</p> <p>Prepared by the Town of Davie GIS Division</p>		<p><b>PLAT P 1-2-06 Zoning and Aerial Map</b></p> <p><small>Prepared By: ED Date Prepared: 3/20/06</small></p>
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