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: Lise Bazinet, Planner II

SUBJECT: Quasi Judicial Hearing: Ordinance 1st Reading, ZB 7-1-06/06-90/Easy Home of Davie / 5655 Southwest 64 Avenue / Generally located on the northeast corner of Davie Road and SW 57th Street.

AFFECTED DISTRICT: .District 2

ITEM REQUEST: **Schedule for Council Meeting**

TITLE OF AGENDA ITEM: AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, APPROVING REZONING PETITION ZB 7-1-06, CHANGING THE CLASSIFICATION OF CERTAIN LANDS WITHIN THE TOWN OF DAVIE FROM A-1, AGRICULTURAL DICTRICT TO RO, RESIDENTIAL OFFICE DISTRICT; AMENDING THE TOWN ZONING MAP TO COMPLY THEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

REPORT IN BRIEF: The petitioner (Miler Legg and Associates) requests to rezone the subject site from A-1, Agricultural District, to RO, Residential/Office District. Approval of this request will allow office use thin the subject property. The subject site is located on the northeast corner of Davie Road and SW 57th Street Adjacent future land use plan map designations consist of Residential/Office to the north, south and east and Residential 1 DU/Acre to the west. Additionally, the subject site is adjacent to the zoning designations of A-1, Agricultural District, to the south and west, and RO, Residential/Office District to the north and east.

PREVIOUS ACTIONS: At the July 26, 2007 Town Council meeting this Item was tabled at the applicant's request. **(Motion carried 5-0).**
Planner's Note: The attached conceptual site plan (Staff Report, Exhibit 3) is a revised version presented to the neighbors after the June 7, 2007 Planning & Zoning Board meeting.

CONCURRENCES:

At the June 7, 2007 Planning & Zoning Board meeting, Mr. Busey made a motion, seconded by Chair Bender, to deny. **(Motion carried 3-2, Vice-Chair Stevens and Ms. Turin dissenting).**

FISCAL IMPACT: not applicable

Has request been budgeted? n/a

RECOMMENDATION(S):
Staff finds the application complete and suitable for transmittal to the Planning and Zoning Board and Town Council for further consideration.
Attachment(s): Ordinance, Staff Report

ORDINANCE _____

AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, APPROVING REZONING PETITION ZB 7-1-06, CHANGING THE CLASSIFICATION OF CERTAIN LANDS WITHIN THE TOWN OF DAVIE FROM A-1, AGRICULTURAL DICTRICT TO RO, RESIDENTIAL OFFICE DISTRICT; AMENDING THE TOWN ZONING MAP TO COMPLY THEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the Town Council of the Town of Davie authorized the publication of a notice of a public hearing as required by law, that the classification of certain lands within the Town be changed **FROM:** A-1, Agricultural District **TO:** RO, Residential/Office District

WHEREAS, said notice was given and publication made as required by law, and a public hearing there under was held on the date of the adoption of this ordinance

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

SECTION 1. That the property herein after described is hereby rezoned and changed **FROM:** A-1, Agricultural District **TO:** RO, Residential/Office District,

a. The subject property is described in Exhibit "A," which is attached hereto and made a part hereof;

SECTION 2. That the zoning map heretofore adopted by the Town Council is hereby amended to show the property described in Section 1, herein, as RO, Residential/Office District;

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. This Ordinance shall take effect immediately upon its passage and adoption.

PASSED ON FIRST READING THIS _____ DAY OF _____, 2007.

PASSED ON SECOND READING THIS _____ DAY OF_____, 2007.

ATTEST:

_____
MAYOR/COUNCILMEMBER

_____
TOWN CLERK

Exhibit "A"
Application: ZB 7-1-06/06-90/Easy Home of Davie
Original Report Date: 6/18/07
Revision(s):07/11/2007, 09/02/2007

TOWN OF DAVIE

Development Services Department
Planning & Zoning Division
Staff Report and Recommendation

Applicant Information

Owner:
Name: Easy Home of Davie, LLC/Francisco Fernandez
Address: 14011 Northwest 13 Street
City: Pembroke Pines, Florida 33028
Phone: (786) 920-4741

Petitioner:
Name: Miler Legg and Associates/Toni Fandrey
Address: 1800 N. Douglas Road,
City: Pembroke Pines, Florida 33024
Phone: (954) 438-8664

Background Information

Date of Notification: June 20, 2007 **Number of Notifications:** 88

Petitioner's Request: Rezone the approx. 0.98 acre subject site **FROM:** A-1, Agricultural District **TO:** RO, Residential/Office District

Address: 5655 Southwest 64 Avenue

Location: Generally located on the northeast corner of Davie Road and SW 57th Street

Future Land Use Plan Map: Residential / Office

Existing Zoning(s): A-1, Agricultural District

Proposed Zoning: RO, Residential/Office District

Existing Use(s): Vacant lot

Parcel Size: 0.98 net acre (42,649 sq. ft.)

Proposed Use(s): Two-story office building

Proposed Density: n/a

Surrounding Use(s):		Surrounding Land Use Plan Map Designation(s):
North:	Dentist Office	Residential / Office
South:	Vacant Lot	Residential / Office
East:	Residential Development	Residential / Office
West:	Single Family dwelling	Residential 1 DU/Acre

Surrounding Zoning(s):

North:	RO, Residential/Office District
South:	A-1, Agricultural District
East:	A-1, Agricultural District
West:	RO, Residential/Office District

Zoning History

Related zoning history:
Records indicate that the existing Future Land Use Plan Map designation and Zoning classification were in place at the time of annexation.

Previous requests on same property: n/a

Concurrent Request(s) on same property: Requires a Site Plan application. At this time, the petitioner has not submitted a site plan application.

Applicable Codes and Ordinances

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

Land Development Code (Section 12-305), Rezoning, Special Permits, Variances, and Vacations or Abandonment's of Rights-of-Way, the purpose of this division is to guide the processing and granting of rezoning, special permits, variances and vacations or abandonment's of rights-of-way in a manner consistent with the Town of Davie Comprehensive Plan, existing development and in a manner which protects the public health, safety and welfare.

Land Development Code (Section 12-24 (J)(1)), the RO, Residential/Office District is intended to implement the residential/office classification of the Town of Davie Comprehensive Plan by providing a buffer of professional offices and mixed residential and office development to surrounding residential areas. The intent of this district is to maintain the residential character of the neighborhood while permitting the development of professional offices.

Comprehensive Plan Considerations

Planning Area:

The subject property falls within Planning Area 9. This Planning Area is south of Griffin Road, generally north of Stirling Road, east of SW 76 Avenue and west of the Florida Turnpike. This area is predominantly agricultural in nature with scattered low-density single-family residential development. Low profile commercial development lines the Griffin Road, Davie Road, and Stirling Road corridors.

Broward County Land Use Plan:
The subject site falls within Flexibility Zone 102.

Applicable Goals, Objectives & Policies:
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.

Policy 17-2: No property within the Town shall be rezoned to a zoning district that is not in compliance with the Davie Future Land Use Plan.

Application Details

The petitioner (Miler Legg and Associates) requests to rezone the subject site from A-1, Agricultural District, to RO, Residential/Office District. Approval of this request will allow office use thin the subject property.

The subject site is located on the northeast corner of Davie Road and SW 57th Street Adjacent future land use plan map designations consist of Residential/Office to the north, south and east and Residential 1 DU/Acre to the west. Additionally, the subject site is adjacent to the zoning designations of A-1, Agricultural District, to the south and west, and RO, Residential/Office District to the north and east.

Public Participation

The public participation process provides the ability for citizens of the Town of Davie to actively participate in the Town's development procedures. The petitioner conducted meetings with the public at the Town of Davie Community Room on September 21, 2006 and September 28, 2006. Attached is the petitioner's Citizen Participation Report.

Staff Analysis

The purpose of this request is to rezone the subject site from A-1, Agricultural District, to RO, Residential/Office District. According to the Land Development Code, the subject site meets the minimum technical requirements for the RO, Residential/Office District zoning classification, as the minimum lot size required is 17,500 square feet (approximately 0.40 acres), and a minimum lot frontage of 100'.

The following information is staff's analysis based on the criteria established in the Town of Davie's, Land Development Code, Section 12-307(A)(1) for rezoning applications:

(a) The proposed change is not contrary to the adopted comprehensive plan, as amended, or any element or portion thereof;

The proposed rezoning to RO, Residential/Office District will be consistent with the existing Residential/Office land use designation. Residential /Office Land Use designation requires professional and business offices to be constructed and maintained to resemble a residential structure.

(b) The proposed change will not create an isolated zoning district unrelated and incompatible with adjacent and nearby districts;

Rezoning the subject site to RO, Residential/Office District is related to the adjacent zoning designations of A-1, Agricultural District, to the south and west, and RO, Residential/Office District to the north and east.

(c) Existing zoning district boundaries are logically drawn in relation to existing conditions on the property proposed for change;

The subject site's boundary lines precisely correspond to the boundaries of the proposed office use and the rezoning request is logical since the property meets the requirements to gain the zoning designation.

(d) The proposed change is not expected to adversely affect living conditions in the neighborhood;

Rezoning the subject site to RO, Residential/Office District is required in order to develop the proposed office building. The intent of this district is to maintain the residential character of the neighborhood while permitting the development of professional offices. *In addition, the Land Development Code requires that the subject site be designed to account for the adjacent single-family home development by limiting building height to 25', requiring a minimum 20' setback, at the sides and rear, and an eight (8) foot masonry wall and 10' landscape buffers.*

(e) The proposed change may 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;

The traffic generated by the proposed office use is what the existing future land use plan anticipated. Prior to final approval of the plat by Broward County and the Town of Davie, traffic impacts are assessed.

(f) The proposed change is not expected to adversely affect other property values;

The subject site is adjacent to office and residential uses and should not have a negative impact on the value of the adjacent properties. The proposed office building is consistent with future and existing office uses along Davie Road.

(g) The proposed change will not be a deterrent to the improvement or development of other property in accord with existing regulations;

The vacant parcel to the south can be developed with residential uses while allowing the subject site to be developed as proposed. Additionally,

rezoning the subject site will not deter improvements to the surrounding developed properties, since all properties are required to meet existing Land Development Code development regulations such as setbacks and landscape buffers.

(h) The proposed change does not constitute a grant of special privilege to an individual owner as contrasted with the welfare of the general public;

The proposed rezoning will not give the owner a unique benefit that harms the welfare of the general public. The rezoning will be consistent with the existing land use designation and adjacent properties to the north and east, along Davie Road.

(i) There are not substantial reasons why the property cannot be used in accord with existing zoning.

The existing A-1, Agricultural District does not allow office use. However, the Future Land Use Plan designates the subject site as Residential/Office. *The subject site must be rezoned consistent with its land use designation to allow office use. Additionally, the property is located fronting Davie Road, an intense traffic road, which makes the site unattractive to residential single-family use. In addition, Davie Road is a scenic Corridor, requiring a 50 foot scenic corridor landscape buffer limiting the use of the property as residential.*

(j) The proposed zoning may be the most appropriate designation to enhance the Town's tax base given the site's location relative to the pattern of land use designations established on the future land use plan map, appropriate land use planning practice, and comprehensive plan policies directing land use location.

The proposed office use is consistent with the land use designation of Residential/Office and will provide a higher tax base than residential uses.

Staff finds that the rezoning request complies with the general purpose of the proposed RO, Residential/Office District. The rezoning request is in conformance with all applicable Codes and Ordinances and is consistent with the other surrounding Zoning Districts. Furthermore, the rezoning request can be considered compatible with the office uses and properties located along Davie Road.

Staff Recommendation

Staff finds the application complete and suitable for transmittal to the Planning and Zoning Board and Town Council for further consideration.

Planning and Zoning Board Recommendation

At the June 7, 2007 Planning & Zoning Board meeting, Mr. Busey made a motion, seconded by Chair Bender, to deny. **(Motion carried 3-2, Vice-Chair Stevens and Ms. Turin dissenting).**

Town Council Action

At the July 26, 2007 Town Council meeting this Item was tabled at the applicant's request. **(Motion carried 5-0).**

Planner's Note: The attached conceptual site plan (Staff Report, Exhibit 3) is a revised version presented to the neighbors after the June 7, 2007 Planning & Zoning Board meeting.

Exhibits

1. Petitioner's Justification Letter
2. Survey
3. Proposed Conceptual Site Plan
4. 1,000' Mail out Radius Map
5. Property Owners within 1,000' of the Subject Site
6. Public Participation Notice
7. Public Participation Sign-in Sheet
8. Public Participation Summaries
9. Future Land Use Plan Map
10. Aerial, Zoning, and Subject Site Map

Prepared by: _____

Reviewed by: _____

File Location: P&Z\Development Applications\Applications\ZB_Rezoning\ZB_06\ZB 7-1-06 Easy Home of Davie

Exhibit 1 (Petitioner's *Justification Letter*)

Chapter 12 of the Town of Davie Land Development Code
Section 12-307: Review for Rezonings

(a) The proposed change is contrary to the adopted comprehensive plan, as amended or any element or portion thereof:

COMMENT(S): The proposed rezoning from A-1 to RO will not require a subsequent change of land use, as the subject site has a future land use designation of "Residential/Office" on the Town of Davie Future Land Use Map.

(b) The proposed change <u>will not</u> create an isolated zoning district unrelated and incompatible with adjacent and nearby districts:

COMMENT(S): This rezoning change will not create an isolated zoning district unrelated and incompatible with adjacent and nearby districts. Immediately north of the proposed rezoning site is a developed office site zoned "RO;" to the east are vacant lands zoned "RO;" to the south of the amendment site is vacant lands zoned "A-1". In addition, there are single-family residential west of the property, is zoned "A-1." The proposed "RO" zoning classification is consistent with the future character of the surrounding sites, as a residential/office zoning classification is specifically for professional and business offices such as a doctor's office, child care facility, and art studios, etc.

(c) Existing zoning district boundaries <u>are</u> logically drawn in relation to existing conditions on the property proposed for change:

COMMENT(S): The subject site is designated "Residential/Office" on the Town of Davie's Future Land Use Map, while the existing zoning maintains a low density residential zoning classification, as well as agricultural uses. According to the Comprehensive Plan, this area is foreseen to have a decline in agricultural activities and the Comprehensive Plan identifies this Planning Area as having the potential for redevelopment. As a result, the existing district boundaries are not illogically drawn, however, inconsistent with the future goals and objectives of the Town's Comprehensive Plan.

(d) The proposed change <u>will not</u> adversely affect living conditions in the neighborhood:

COMMENT(S): The proposed "RO" zoning district should not adversely affect living conditions in the neighborhood, as the proposed change is not a higher intensity then the future land use, nor higher than the surrounding lands which lie to the north and

east. In addition, the site will be developed within the parameters of the conventional non-residential development standards, in addition to landscaping and buffering requirements.

(e) The proposed change <u>will not</u> 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 other wise affect public safety:

COMMENT(S): Currently, the site is an agricultural use, however, could potentially be re-developed as one single-family dwelling unit. We note that any change of zoning which is a permitted use of the land use designation (Residential/Office) which is included in the projected level of service of Broward County (based on the highest intense use). Therefore, the anticipated trips from the proposed office development would be accounted for in the Long-Range planning horizons for the regional roadway network.

(f) The proposed change <u>will not</u> adversely affect other property values:

COMMENT(S): It is believed that the rezoning will enhance the area which is predominately zoned and planned as office and higher residential densities. Professional offices, may offer a smoother transition to the lower-density residential to the west of the properties as for example a commercially zoned property. In addition this area was identified through the Town of Davie's Comprehensive Plan as an area of potential redevelopment due to the dwindling agriculture base.

(g) The proposed change <u>will not</u> be a deterrent to the improvement or development of other property in accord with existing regulations:

COMMENT(S): This site is in Planning Area 9, of the Town of Davie's within the Future Land Use Element. Planning Area 9 is anticipated diminish in the functionality of agricultural uses along corridors such as Davie Road, which is adjacent to the proposed site. In addition, the area to the north is an existing professional office building, while sites to the east and south can still be developed as appropriate. The proposed development should enhance the viability of the area which currently identified as having redevelopment potential.

(h) **The proposed change <u>does not</u> constitute a grant of special privilege to an individual owner as contrasted with the welfare of the general public:**

COMMENT(S): This site does not constitute a grant of special privilege to an individual owner as the site is being developed consistent with the Town of Davie's Future Land Use Plan Map.

(i) **There <u>are</u> substantial reasons why the property cannot be used in accord with existing zoning:**

COMMENT(S): The property currently is being used for a single-family residential dwelling unit; however, as demand for redevelopment along arterial roadways increase, the existing "A-1" zoning may not compatible with an area already designated on the future land use map as "Residential/Office" (i.e., professional office to the north, south and east). The applicant's request for rezoning is consistent with the Town of Davie's Future Land Use Map.

(j) **The proposed zoning designation <u>is</u> the most appropriate designation to enhance the Town's tax base given the site location relative to the pattern of land use designations established on the future land use plan map, appropriate land use planning practice and comprehensive plan policies directing land use location:**

COMMENT(S): Designating this site as "RO" will allow for the parcel to be developed in a manner consistent with the underlying land use plan. In addition, rezoning the site will allow for the enhancement of a diminishing agricultural area in the Town's predefined corridor of redevelopment.

Exhibit 2 (*Survey*)

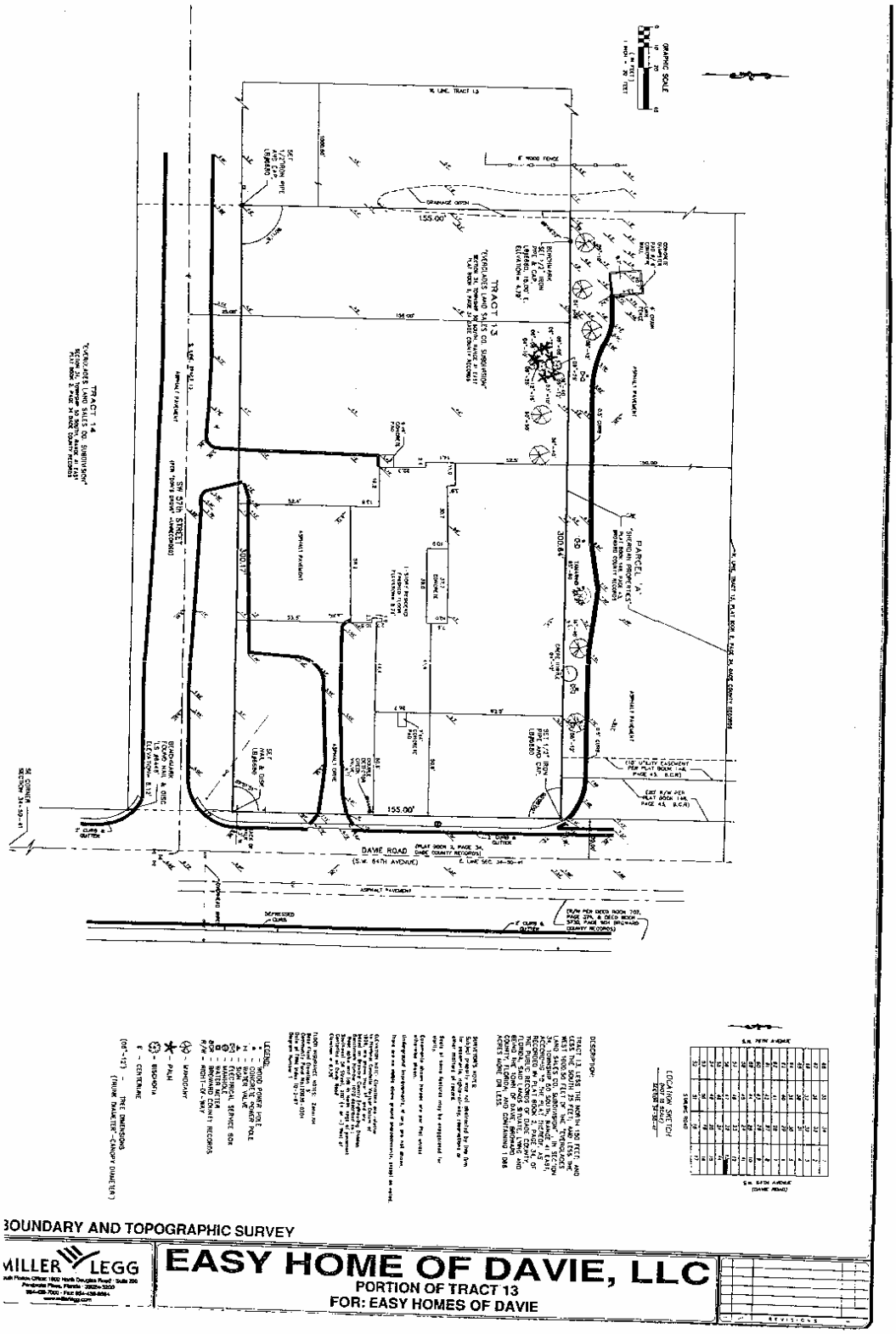
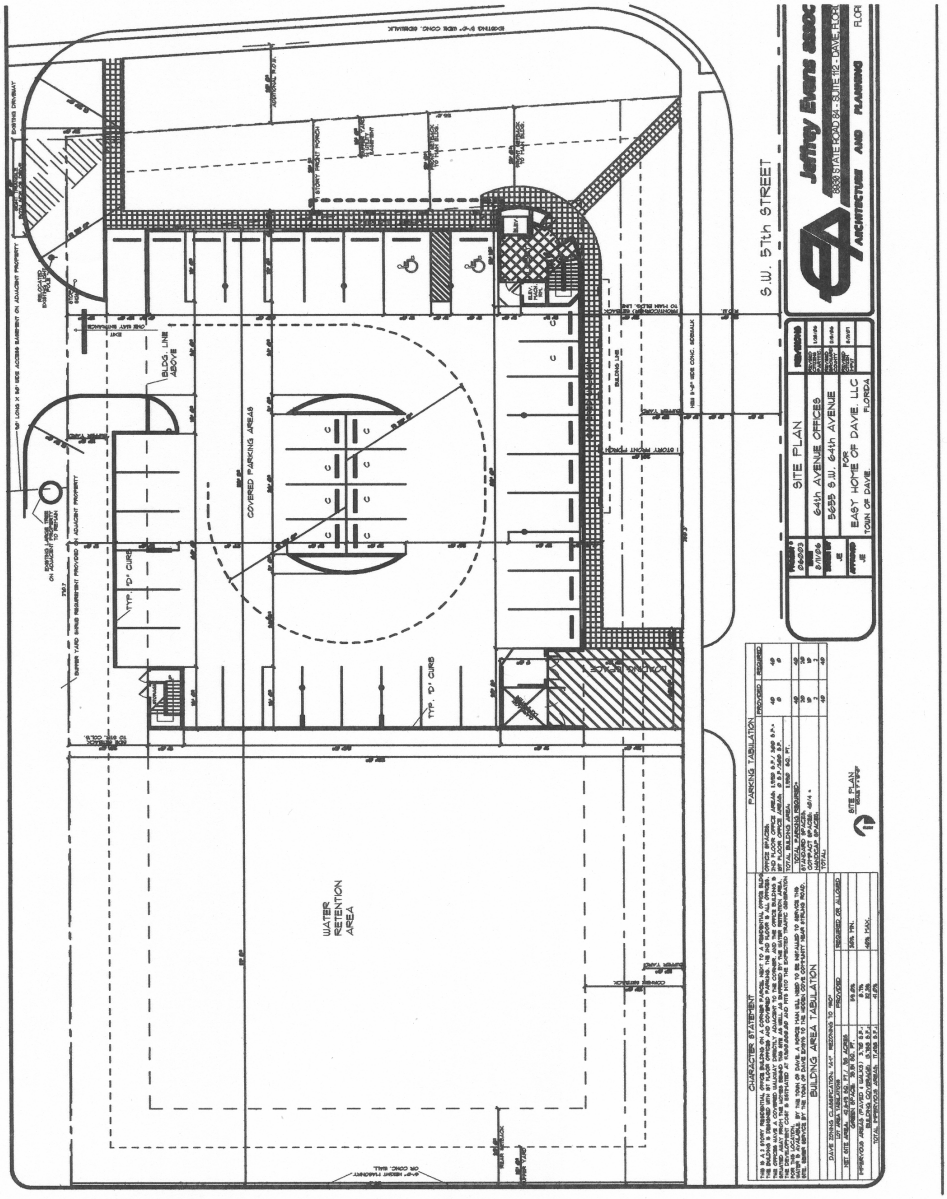
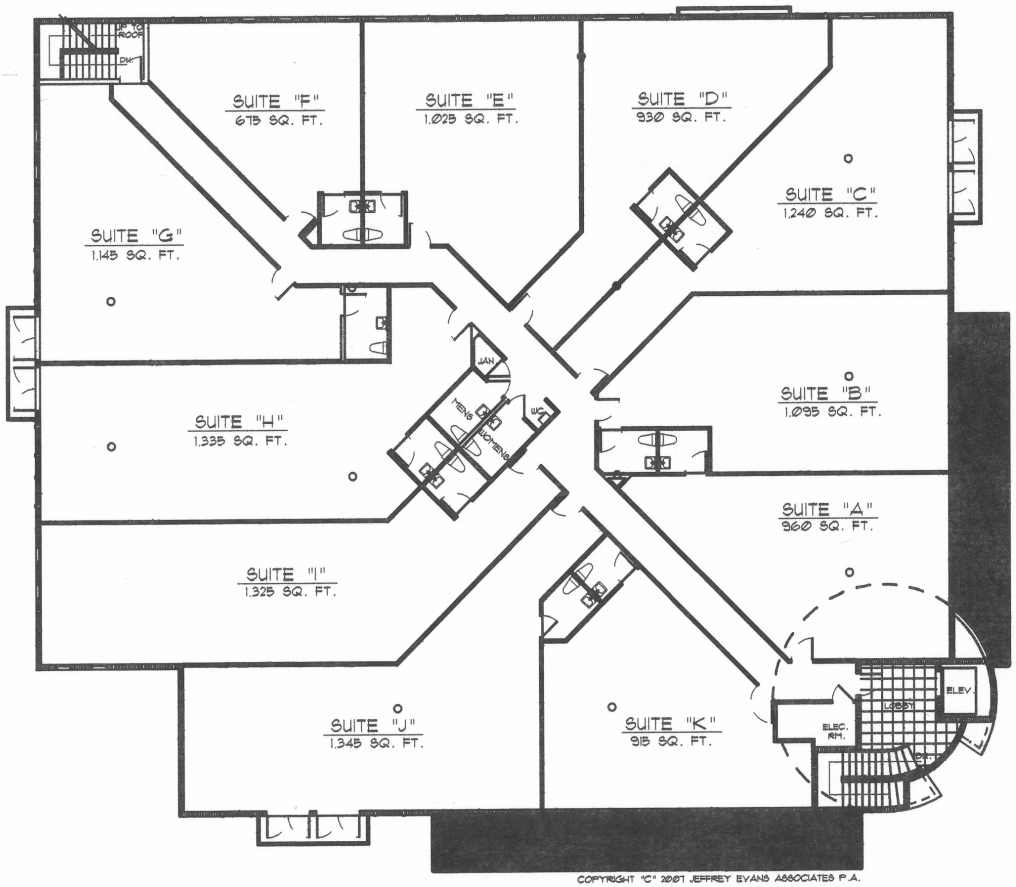


Exhibit 3 ***(Proposed Conceptual Site Plan)***





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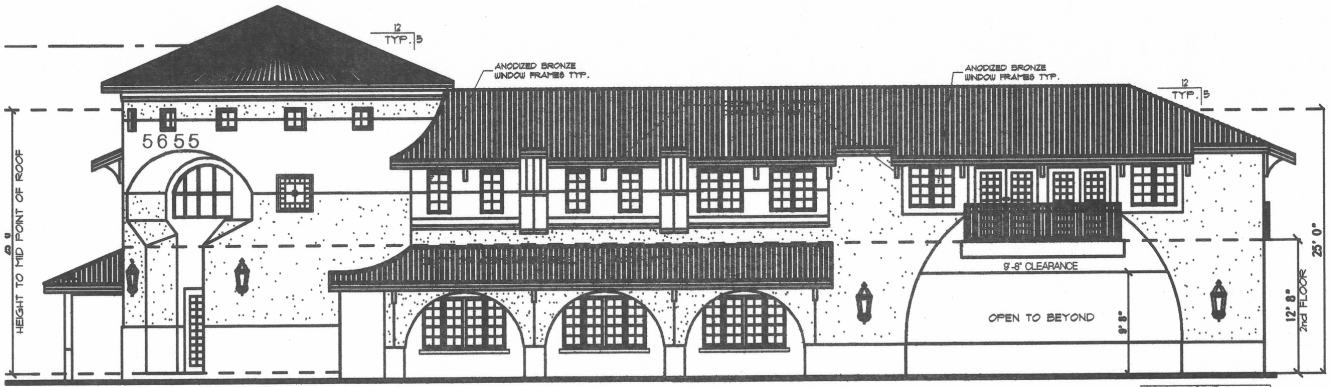
SECOND FLOOR PLAN

11,990 SQ. FT. LEASABLE AREAS SCALE: 1/8" = 1'-0"



ELEVATION AT S.W. 64TH AVENUE

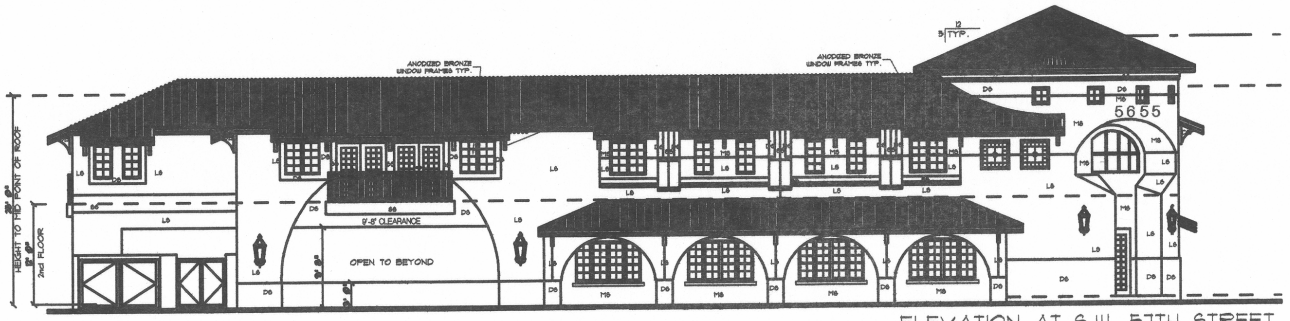
EAST ELEVATION SCALE: 1/8" =1'-0"

COLOR LEGEND
SS = SMOOTH STUCCO-CREME COLOR
LS = TEXTURED STUCCO-LIGHT SAND
MS = TEXTURED STUCCO-MEDIUM SAND
DS = TEXTURED STUCCO-DARK SAND
DB = DARK BROWN FASCIAS

Jeffrey Evans associates p.a.
8330 STATE ROAD 84 - SUITE 112 - DAVIE, FLORIDA 33324 954-474-6974
ARCHITECTURE AND PLANNING FLORIDA REGISTRATION # 8350

REVISIONS		BUILDING ELEVATIONS	PROJECT NUMBER 06003
SHEET REVISIONS	▲	64th AVENUE OFFICES 5655 S.W. 64th AVENUE FOR EASY HOME OF DAVIE, LLC FLORIDA TOWN OF DAVIE.	DATE 1/28/06 DRAWN BY APPROVED BY

SHEET NUMBER

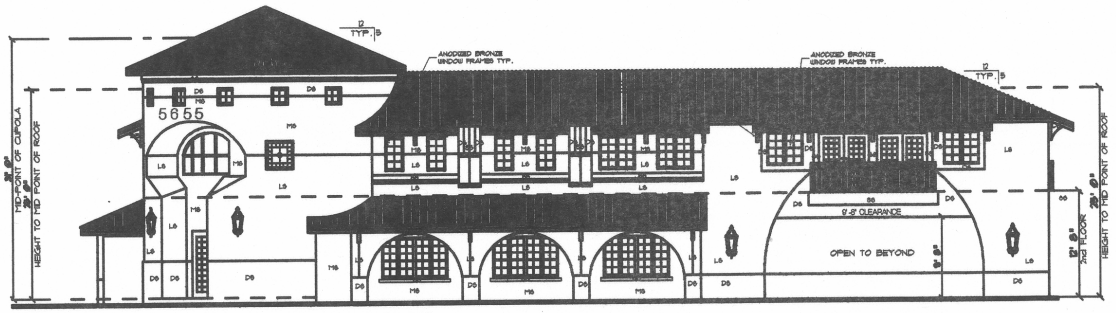


ELEVATION AT S.W. 57TH STREET

SCALE: 1/8" =1'-0" EAST ELEVATION

COLOR LEGEND

SS = SMOOTH STUCCO-CREME COLOR
LS = TEXTURED STUCCO-LIGHT SAND
MS = TEXTURED STUCCO-MEDIUM SAND
DS = TEXTURED STUCCO-DARK SAND
DB = DARK BROWN FASCIAS



ELEVATION AT S.W. 64TH AVENUE

EAST ELEVATION SCALE: 1/8" =1'-0"

Exhibit 4 ***(1,000' Mail out Radius Map)***

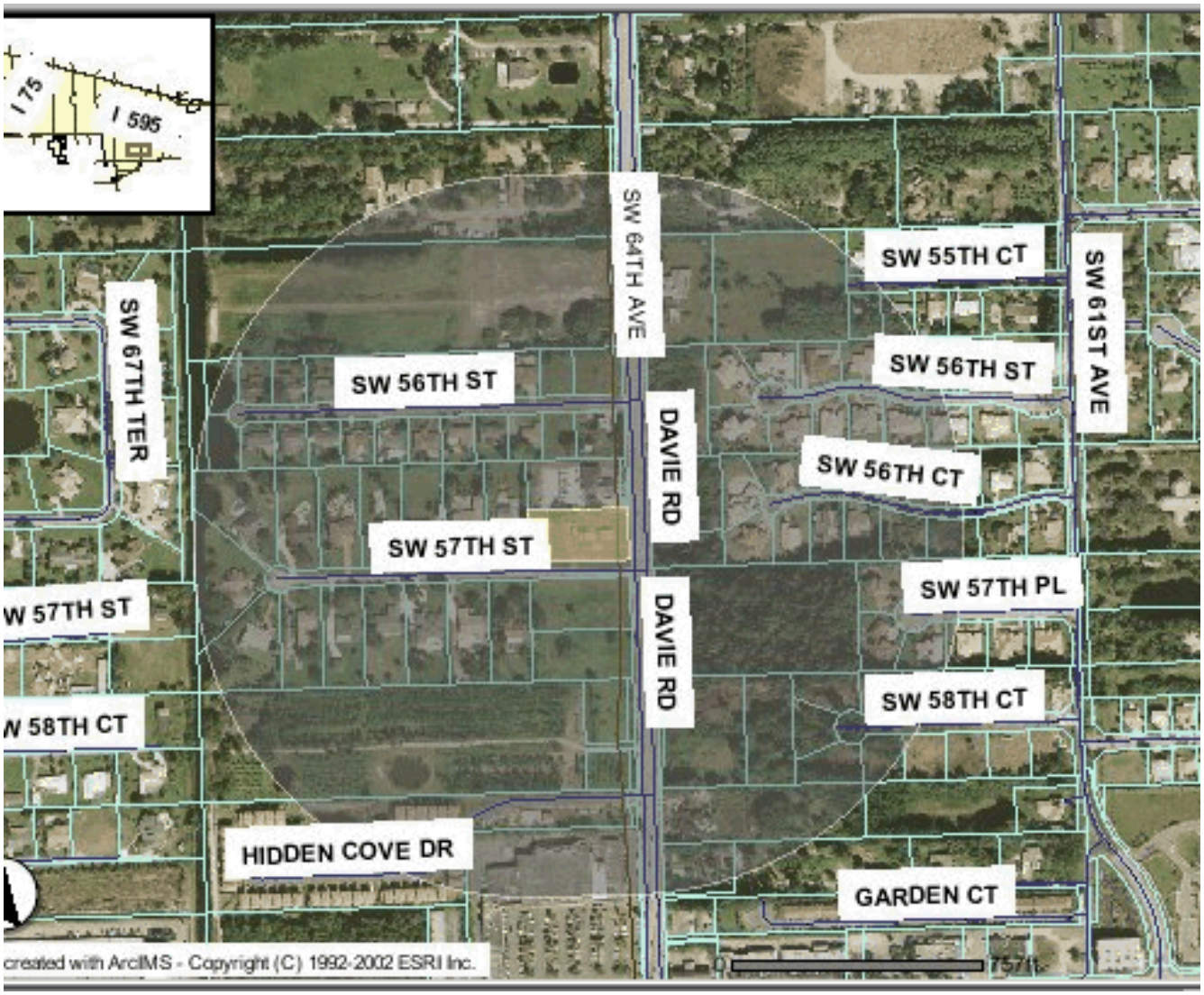


Exhibit 5 ***(Property Owners within 1,000' of Subject Site)***

ZB 7-1-06
ALLEN,GEORGE
1120 N DOUGLAS RD
PEMBROKE PINES FL 33024-4761

ZB 7-1-06
BARTLETT,GEORGE & PATRICIA M
6611 SW 57TH ST
DAVIE FL 33314-7134

ZB 7-1-06
CAMPBELL,JOANNE 1/2 INT
CAMPBELL,RANDOLPH L
6471 SW 56 ST
DAVIE FL 33314-7132

ZB 7-1-06
CHANCE,DENNIS & MARLENE C
6610 SW 57TH ST
DAVIE FL 33314-7133

ZB 7-1-06
CLAY,BRIAN STEVEN &
GRIFFIN,SHANNON ANDREA
1507 NW 113 WAY
PEMBROKE PINES FL 33026

ZB 7-1-06
CONRAD,NEAL A & CLARA NELL
6620 SW 57TH ST
DAVIE FL 33314-7133

ZB 7-1-06
DOSTER,GREGORY & S B
DOSTER,CYNTHIA J
6160 SW 56 ST
DAVIE FL 33314

ZB 7-1-06
FRAGA,MARIA L
6215 SW 56 ST
DAVIE FL 33314

ZB 7-1-06
GILL,HULLY R
GILL,SHARON J
4900 SW 64 AVE
DAVIE FL 33314-5203

ZB 7-1-06
GOLDEN,GARY L & LEILA O
6521 SW 57TH ST
DAVIE FL 33314-7107

ZB 7-1-06
ANCATEU,IOAN & MARIOARA
6280 SW 56 ST
DAVIE FL 33314

ZB 7-1-06
BOHL,MELISSA
6190 SW 56 ST
DAVIE FL 33314

ZB 7-1-06
CARRIER,LEO D & VALENTINE P
6450 SW 56TH ST
DAVIE FL 33314-7131

ZB 7-1-06
CHERRY,JOHN ANTHONY
6221 SW 57 PL
DAVIE FL 33314

ZB 7-1-06
CLAYTON,WILLIAM HARRISON TR
6651 SW 57 ST
DAVIE FL 33314-7134

ZB 7-1-06
COTTON,PATRICIA F
6190 SW 56TH CT
DAVIE FL 33314-7213

ZB 7-1-06
DUNMORE PROPERTIES LTD
1850 SE 17 ST STE 300
FT LAUDERDALE 33316

ZB 7-1-06
GARTHWAIT,MERRILL
6203 SW 55 CT
DAVIE FL 33314-6106

ZB 7-1-06
GINARTE,MIRIAM
6300 SW 56 CT
DAVIE FL 33328

ZB 7-1-06
HASSETT,KENNETH P & NELLIE
5870 SW 37 AVE
DANIA FL 33312

ZB 7-1-06
BALMA,JACQUELINE
6590 SW 56TH ST
DAVIE FL 33314-7102

ZB 7-1-06
BRADDY,JONATHAN G &
BRADDY,ROBERT M
13350 LURAY ROAD
SOUTHWEST RANCHES FL 33330

ZB 7-1-06
CENTRAL BROWARD WATER
CONTROL DISTRICT
8220 STIRLING RD
HOLLYWOOD FL 33024-8202

ZB 7-1-06
CLAUSS,ROBERT & CINDY
5800 SW 110 AVE
FT LAUDERDALE FL 33328-6308

ZB 7-1-06
CLEMENZA,MICHAEL & LOUISA
6451 SW 56TH ST
DAVIE FL 33314-7132

ZB 7-1-06
DICK,RICHARD L &
MAHER,PATSY A
6531 SW 56 ST
DAVIE FL 33314-7101

ZB 7-1-06
FOREMAN,PETER R
713 NE 17 ROAD
FT LAUDERDALE FL 33304

ZB 7-1-06
GATOR CARRIAGE PARTNERS LTD
% GATOR INVESTMENTS
1595 NE 163 ST
N MIAMI BEACH FL 33162-4717

ZB 7-1-06
GLICKMAN,MARC
6180 SW 56TH CT
DAVIE FL 33314-7213

ZB 7-1-06
HAYES,N J & BETTY J
6470 SW 56TH ST
DAVIE FL 33314-7131

ZB 7-1-06
HEYDER,KENNETH & SUSAN A
6510 SW 57TH ST
DAVIE FL 33314-7108

ZB 7-1-06
JULIAN,THERESA M
6501 SW 56TH ST
DAVIE FL 33314-7101

ZB 7-1-06
KOLASSA,JOHANN & DIVYA
6305 SW 56 ST
DAVIE FL 33314

ZB 7-1-06
LA SALA,DAVID J
6204 SW 55TH CT
DAVIE FL 33314-6103

ZB 7-1-06
LYONS,MICHELLE D
6550 SW 56 ST
DAVIE FL 33314

ZB 7-1-06
MASSARO,JOSEPH A & JILL
6621 SW 57TH ST
DAVIE FL 33314-7134

ZB 7-1-06
MIER,PAULINE M
1955 NW 108 LANE
CORAL SPRINGS FL 33071

ZB 7-1-06
NAGIB,MUYASSAR
6421 SW 57 ST
DAVIE FL 33314-7105

ZB 7-1-06
NORTH,WARREN J & PATRICIA R TRS
5575 SW 64TH AVE
FORT LAUDERDALE FL 33314-6005

ZB 7-1-06
RADUCHA,HENRY & CHRISTINE
6600 SW 56TH ST
DAVIE FL 33314-7104

ZB 7-1-06
HOLMES,ANDREW
6511 SW 57TH ST
DAVIE FL 33314-7107

ZB 7-1-06
KELLY,ROBERT B JR
6570 SW 56 ST
DAVIE FL 33314-7102

ZB 7-1-06
KULLMAN,JARED & LINNIE
6411 SW 57TH ST
DAVIE FL 33314-7105

ZB 7-1-06
LANE,BERNY TR
BERNY LANE DECL OF TRUST
6105 SW 55TH CT
DAVIE FL 33314-6104

ZB 7-1-06
MARTA,FLORIAN & MONICA D
6275 SW 56 ST
DAVIE FL 33314

ZB 7-1-06
MASTALERZ,WALTER S
6551 SW 56TH ST
DAVIE FL 33314-7101

ZB 7-1-06
MILLER,CHARLES DAVIS & DIANE A
6601 SW 56TH ST
DAVIE FL 33314-7104

ZB 7-1-06
NAZARI,KAMRAN &
NAZARI,KOUROSH
3890 N 39 AVE
HOLLYWOOD FL 33021

ZB 7-1-06
OKUN,VLADIMIR & ASYA
6250 SW 56 ST
DAVIE FL 33314

ZB 7-1-06
RIF,MARCEL & GABRIELA
6280 SW 56 CT
DAVIE FL 33314-7215

ZB 7-1-06
JOSEPH HARTIGAN & ASSOC
17021 W DIXIE HWY
NORTH MIAMI BEACH FL 33160-376

ZB 7-1-06
KHAN,MOONEER &
MOHAMED-KHAN,ZALEEMA
3801 EASTLAKE ESTATES DR
DAVIE FL 33328

ZB 7-1-06
L & J RETIREMENT HOME INC
5540 SW 64 AVE
FT LAUDERDALE FL 33308

ZB 7-1-06
LIU,YEN LING
5555 SW 61 AVE
DAVIE FL 33314

ZB 7-1-06
MARTINEZ,RAUL
MARTINEZ,DAMARYS
6301 SW 56 CT
DAVIE FL 33328

ZB 7-1-06
MAURICE,MARLENE
2881 SW 84 AVE
DAVIE FL 33314

ZB 7-1-06
MINKOFF,RONALD &
KUHN,KRISTYN
6201 SW 56 CT
DAVIE FL 33314-7214

ZB 7-1-06
NORTH,PATRICIA R TRS
5575 SW 64TH AVE
FORT LAUDERDALE FL 33314-6005

ZB 7-1-06
PALED CONSTRUCTION &
DEVELOPMENT
6120 SW 58 PL
DAVIE FL 33314

ZB 7-1-06
RUEBLINGER,GREGORY L
DIXON,CHARLES F JR
6200 SW 57 PL
DAVIE FL 33314

ZB 7-1-06
SAFFRAN,JAMIE & FATIMA
6410 SW 57 ST
DAVIE FL 33314-7106

ZB 7-1-06
SHANNON,INGRID
6281 SW 56 CT
DAVIE FL 33314-7214

ZB 7-1-06
SIEDEL,ELIZABETH M
5655 SW 64 AVE
DAVIE FL 33314

ZB 7-1-06
SLAUGHTER,CHRISTOPHER V
SLAUGHTER,STEPHANIE S
6500 SW 56 ST
DAVIE FL 33314-7102

ZB 7-1-06
TABAK,JASON &
LIBERATORE,DIANE
6220 SW 57 PL
DAVIE FL 33314

ZB 7-1-06
THOMAS,MARIAMMA
THOMAS,MINI & THOMAS,THOMAS
6530 SW 56 ST
DAVIE FL 33314-7102

ZB 7-1-06
TRAVIS,LYNN J &
TRAVIS,BARBARA J
184 TIMBER DR
DAYTON TN 37321

ZB 7-1-06
VINCENT,JOHN & JUDY
6185 SW 56 ST
DAVIE FL 33314

ZB 7-1-06
WASSERMAN,ROBERT & CARRIE
6241 SW 56 CT
DAVIE FL 33314

ZB 7-1-06
ZARBAFI,MOHAMMAD & MARY
ANNE
6310 SW 56 ST
DAVIE FL 33314

ZB 7-1-06
SANDS,JAMES DAVID & CAROLYN
6420 SW 57TH ST
DAVIE FL 33314-7106

ZB 7-1-06
SHEEHAN,DANIEL & KATHLEEN
8021 SW 21ST PL
DAVIE FL 33324-5524

ZB 7-1-06
SIGARS,E K & WINIFRED
5500 SW 64TH AVE
DAVIE FL 33314-6006

ZB 7-1-06
SMITH,RICHARD F &
SMITH,BARBARA A
6571 SW 56TH ST
DAVIE FL 33314-7101

ZB 7-1-06
TAYLOR AUSTIN LLC
6420 SW 57 ST
DAVIE FL 33314

ZB 7-1-06
THURLING,JOHN H & RAJDEI
6220 SW 56 ST
DAVIE FL 33314

ZB 7-1-06
TZIKAS,GEORGE
6140 SW 57 PL
DAVIE FL 33314

ZB 7-1-06
VRENNA,SHAWN &
FERRIERA,ENRIQUE
6200 SW 58 CT
DAVIE FL 33314

ZB 7-1-06
WIEBE,PHILIP J & CAROLINA
522 SW 14 CT
FT LAUDERDALE FL 33315

ZB 7-1-06
SARNER,STEPHEN O
6181 SW 56 CT
DAVIE FL 33314-7212

ZB 7-1-06
SHERMAN,PAUL D & DONNA L
6520 SW 57TH ST
DAVIE FL 33314-7108

ZB 7-1-06
SINGER,LAUREN ELIZABETH
1301 SE 2 CT
FT LAUDERDALE FL 33301

ZB 7-1-06
SUNSHINE STATE BUILDERS INC
6310 SW 56 ST
DAVIE FL 33314

ZB 7-1-06
THOMAS,JOHN M & MOLLY M
6640 SW 57TH ST
DAVIE FL 33314-7133

ZB 7-1-06
TRAVERT,CHRISTIAN & NICOLE
6245 SW 56 ST
DAVIE FL 33314

ZB 7-1-06
VERNET,JACQUES
6240 SW 56 CT
DAVIE FL 33314-7215

ZB 7-1-06
WALSKI,WILLIAM W & BARBARA B
6202 SW 55TH CT
DAVIE FL 33314-6103

ZB 7-1-06
WOLFF,F LOUIS TR
4720 NE 27TH AVE
FORT LAUDERDALE FL 33308-4819

Exhibit 6 *(Public Participation Notice)*

MILLER LEGG

September 6, 2006

NOTICE OF PUBLIC HEARING

RE: 64th Avenue Offices for Easy Home of Davie, LLC
Located at 5655 SW 64th Avenue
Rezoning Application No.: ZB-7-1-06

Dear Property Owner:

This letter is to invite you to a Citizen Participation meeting relating to a rezoning application for an approximate 1.068 acre parcel located at 5655 SW 64th Avenue. The request is to change the zoning from its current Agricultural (A-1) Zoning District to the Town's Residential Office (RO) Zoning District.

Under a new Town of Davie ordinance, we are required to hold two (2) Citizen Participation meetings and send notice to all property owners within 1,000 feet of the site before the Town will initiate their review of the rezoning application. We have scheduled the following meetings.

First Meeting:
Date: September 21, 2006
Time: 6:00 PM
Location: East Side Community Hall Room
4300 SW 55th Avenue, Davie, Florida 33314

Second Meeting:
Date: September 28, 2006
Time: 6:00 PM
Location: East Side Community Hall Room
4300 SW 55th Avenue, Davie, Florida 33314

We will be ready to answer any questions you may have, and will listen to any suggestions. Also, please be advised that there will be additional opportunities for public input at the Planning and Zoning Board and Town Council public hearings.

Sincerely,

Toni Fandrey
Planning

cc: Town of Davie Council Members
Town of Davie Planning Division
Enclosure

South Florida Office: 1800 N Douglas Road • Suite 200 • Pembroke Pines, Florida • 33024-3200
(954) 436-7000 • Fax: (954) 436-8664
www.millerlegg.com

Exhibit 7 ***(Public Participation Sign-in Sheet)***

SIGN IN SHEET
PUBLIC PARTICIPATION MEETING I.

(Date) 9/21/06

NAME	ADDRESS	PHONE
Cindy Bertschinger	817 SW 7 St	527-6266
Toni Fondrey	Miller Legg	954.436.7000
Donna Shuman	6520 SW 57	954.581.6274
Randy Holmes	6511 SW 57 St	954 600 8916
Marlene Chance	6610 SW 57th ST	954-581-8137
James Sands	6420 S.W. 57th St	954-587-2547
Dennis Chance	6610 SW 57th St	954-581-8137

9/28/06

SIGN IN SHEET
PUBLIC PARTICIPATION MEETING II.

(Date)

NAME	ADDRESS	PHONE
Gladys Sands	6420 SW 57 St Davie	(954) 587-2547
Dental Bldg	5650 Davie Rd Davie	" "
JAMIE SAFFRAN	6410 S.W. 57th ST	954-651-5537
JEAN COURAD	6620 SW 57TH ST	954-587-5226
Pinky Chavez	6610 SW 57th ST	
Dennis Chavez	6610 SW 57th ST	954-581-8133
Jared Mullen	6411 SW 57 St	609 9319
Jill Colon	Miller Legg	954 436 7000

Exhibit 8 ***(Public Participation Report)***

Exhibit 'B'

Summary of Discussion of September 21, 2006
Citizen Participation Meeting for
Easy Home of Davie – 64th Avenue Offices

The first of two (2) Citizen Participation meetings was held on September 21, 2006 at 6:00 pm at the East Side Community Hall Room and was attended by five (5) neighbors. The sign-in sheet is attached as Exhibit 'A'.

Jeff Evans of Jeffrey Evans Associates, P.A. opened the meeting and explained the Town's Citizen Participation Ordinance, which requires an applicant to hold two (2) meetings with neighbors who live within 1,000 feet of the subject property. Jeff explained that the outcome of these two meetings will be summarized in a "Citizen Participation Report" and submitted to Town Staff.

Mr. Evans explained that a rezoning application was filed with the Town of Davie for the approximate one-acre parcel located at 5655 SW 64th Avenue. The applicant is requesting to change the current zoning from Agricultural to the Town's Residential Office (RO) Zoning District. It was explained that this project is for a proposed two (2) story Residential Office building on the corner parcel next to a residential office building. Mr. Evans explained that the proposed building was designed with a Mediterranean theme consisting of offices and covered parking on the first floor and offices on the second floor. It was explained that retention areas were placed on the end of the site to provide buffers to the existing neighborhood and the covered parking was utilized to screen the parking from street view in an effort to reduce the appearance of a parking lot.

A discussion with the neighbors ensued. Below are some of the major points of discussion:

- Property Owners were aware that the site would be commercial, but were surprised at the size of the building and thought that it's Mediterranean design "looked like a resort". Mr. Evans explained that the size of the building was required since the Owner had a lot of infrastructure costs and needed to bring sewer service from Stirling Road to the site which would also benefit the residents.

- Concerns were discussed regarding the level of traffic flow generated due to the proposed ingress/egress onto SW 57th Avenue. The possibility of providing an entrance to the site off of SW 57th Street with an exit off of Davie Road was discussed as a way to reduce any potential traffic flow onto SW 57th Street.

- The location of the dumpster was also discussed. The homeowners felt that the proposed location of the dumpster would possibly entice the public to use the garbage area as a public dumpsite. They inquired if the dumpster could be pushed back to the north corner.

The meeting was finalized at approximately 7 PM and everyone was invited back to the second meeting being held on September 28, 2006 from 6 to 7 PM to continue the discussion and to allow any other neighbors an opportunity to provide their input.

Exhibit 'B'

Summary of Discussion of September 28, 2006
Citizen Participation Meeting for
Easy Home of Davie – 64th Avenue Offices

The second of two (2) Citizen Participation meetings was held on September 28, 2006 at 6:00 PM at the East Side Community Hall Room and was attended by six (6) neighbors. The sign-in sheet is attached as Exhibit 'A'.

Mr. Dwayne Dickerson, of Ruden McCloskey, attorney for the applicant/owner, opened the meeting and explained the Town's Citizen Participation Ordinance, which requires the applicant/owner to hold two (2) meetings with neighbors who live within 1,000 feet of the subject property. The outcome of these two meetings will be summarized in a "Citizen Participation Report" and submitted to Town Staff.

Mr. Dickerson explained for the residents that were not present at the previous meeting, that the applicant/owner was requesting to change the current zoning from Agricultural to the Town's Residential Office (RO) Zoning District. It was explained that this project was for a proposed two (2) story Residential Office building on a corner parcel next to an existing residential office building.

Mr. Dickerson presented a color rendering prepared by architect Jeff Evans depicting the proposed building with a first floor office design, covered parking and second floor office space. In addition, the adjacent homeowners were informed that the proposed retention areas were placed on the end of the site to provide buffers to the existing neighborhood and covered parking is proposed to be utilized in order to screen the parking from street view in an effort to reduce the appearance of a parking lot.

In response to the homeowners concerns from the previous September 21, 2006, the site plan was modified as follows:

- The size of the building was reduced by approximately 5,000 square feet.
- The length of the building has been adjusted further back into the site so that there was less structure directly abutting 57th Street and therefore eliminating a portion of the building closest to the nearest resident.
- The dumpster has been relocated to the northwest corner of the property.
- Due to resident's traffic concerns, the entrance off of 57th Street is now proposed as entrance only with no exiting allowed.

A discussion with the neighbors ensued and the major points of discussion are listed below:

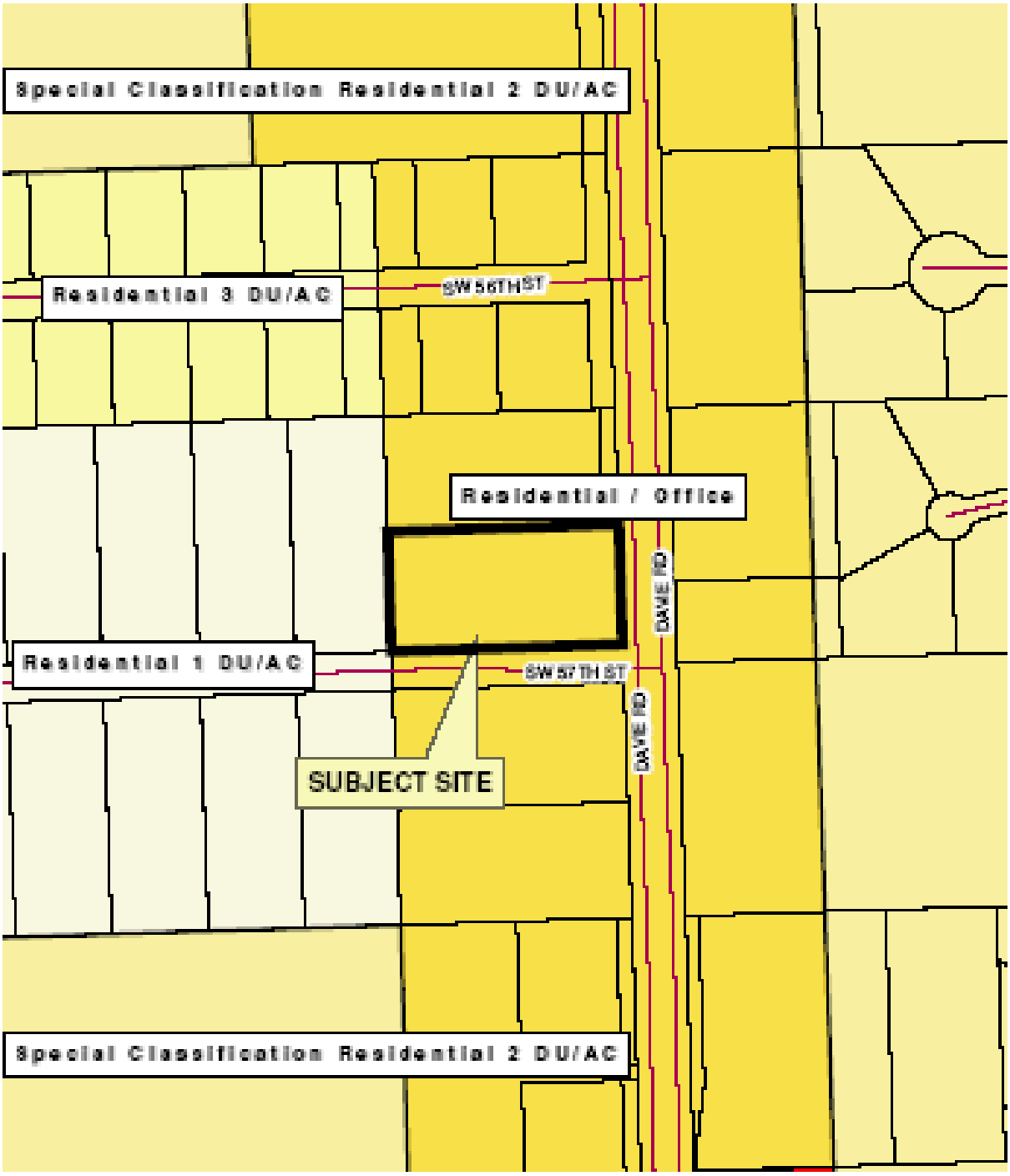
- The adjacent homeowners were concerned about the size of the proposed building and suggested that the design was too large. Mr. Dickerson explained that since the owner is proposing to bring sewer service from Stirling Road, the size of the building is a conforming requirement.

- The homeowners suggested that although the Mediterranean design is attractive, they felt that it was not an appropriate design for the Town of Davie and would be "better suited in a City such as Weston".

- The homeowners were assured that the property owner is sensitive to the concerns of the neighbors and is open to considering viable solutions/suggestions from the neighbors with regard to the building design.

The meeting was finalized at approximately 7 PM and everyone was asked if they would be available to continue discussion of the proposed project at a later date.

Exhibit 9 (*Future Land Use Map*)



N
W E
S

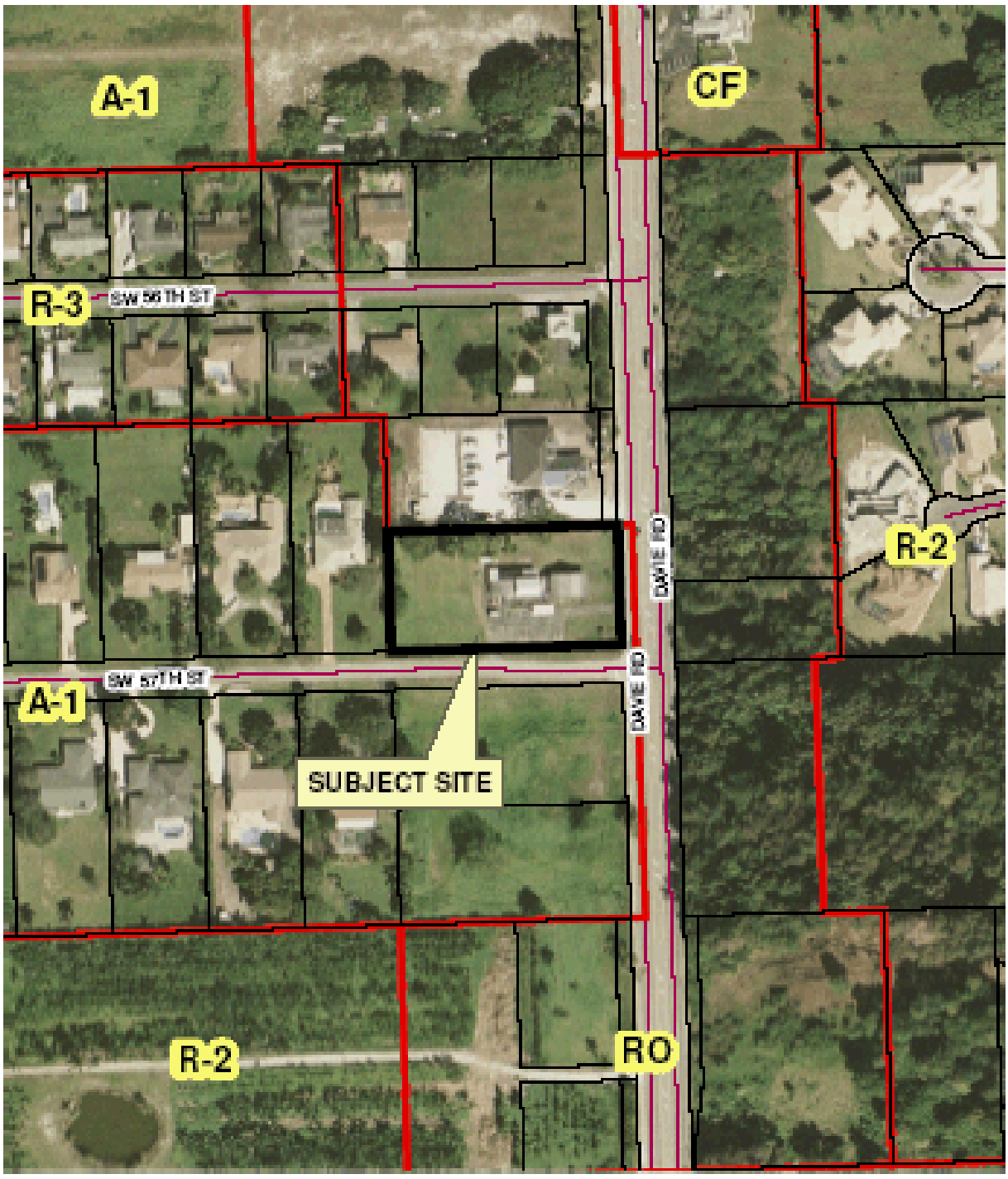
0 100 200 400 Feet

Prepared by the Town of Davie GIS Division

REZONING
ZB 7-1-06
Future Land Use Map

Prepared by: ID
Date Prepared: 9/1/06

Exhibit 10 (*Aerial, Zoning, and Subject Site Map*)



Date Flown:
1/23/2004

N
W E
S

0 100 200 400
Feet

Prepared by the Town of Davie GIS Division

REZONING
ZB 7-1-06
Zoning and Aerial Map

Prepared by: ID
Date Prepared: 6/1/06