

**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:** Delegation Application: DG 10-1-06/06-54/Lovy's Acres/Generally located between at the Southeast corner of Southwest 139th Avenue & Southwest 17th Street.

**AFFECTED DISTRICT:** District 4

**ITEM REQUEST:** **Schedule for Council Meeting**

**TITLE OF AGENDA ITEM:** A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING A DELEGATION REQUEST TO AMEND THE NOTE ON THE PLAT KNOWN AS "LOVY'S ACRES"; AND PROVIDING AN EFFECTIVE DATE.

**REPORT IN BRIEF:** The petitioner is requesting the Town of Davie to change the note of the plat from: " This plat is restricted to 2 single family detached units", to: "This plat is restricted to 4 single family detached units". The original application for this plat included the development of four single family detached units, however, before the plat was recorded, it was reduced to two single family detached units to avoid road concurrency issues. Broward County staff has informed the petitioner that there will be no regional road concurrency issues if granted the development of four units.

The petitioner has conducted a traffic study to determine level of service. The proposed addition of two single family homes will add another 2 trips per peak hour to the already approved 2 single family homes for a total of 4 trips per peak hour for the entire project, with no significant traffic impact.

The petitioner has furthermore processed a paving, grading and drainage for the four units with Central Broward Water Control district, and has been granted an approval.

**PREVIOUS ACTIONS:** n/a

**CONCURRENCES:** n/a

**FISCAL IMPACT:** not applicable

Has request been budgeted? n/a

**RECOMMENDATION(S):**

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

**Attachment(s):**

Resolution, Justification letter, Future Land Use Map, Aerial, Zoning, & Subject Site Map

RESOLUTION \_\_\_\_\_

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING A DELEGATION REQUEST TO AMEND THE NOTE ON THE PLAT KNOWN AS "LOVY'S ACRES"; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the plat known as the Lovy's Acres was approved by the Town Council of the Town of Davie on August 6, 2003; and

WHEREAS, the Lovy's Acres plat was recorded in the official records of Broward County in Plat Book 174, Page 15; and

WHEREAS, Lovy's Acres requests that the plat note be amended from: two (2) single family detached units to: four (4) single family detached units; and

WHEREAS, Broward County requires that the Town of Davie concur with this revision prior to a review of the proposed by Broward County Commission.

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

SECTION 1. The Town Council of the Town of Davie does hereby approve the delegation request to change the restrictive note on the Lovy's Acres Plat. The proposed revision being specifically described attached hereto.

SECTION 2. This resolution shall be recorded in the Broward County public records.

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

PASSED AND ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2007.

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

ATTEST:

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

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2007.



Attachment (*Justification Letter*)

ATTACHMENT "B"



**ASSOCIATED ENGINEERS OF SOUTH FLORIDA, INC.**

PLANNING • DESIGN • STUDIES • INSPECTION SERVICES

5450 GRIFFIN ROAD,

DAVIE, FL. 33314

September 21, 2006

**Town of Davie Planning & Zoning Division**  
6591 S.W. 45<sup>th</sup> St.  
Davie, FL 33314

**ATT: Mr. Phillip Bacher, Planner I**

RE: Lovy's Acres  
Delegation Request  
Our Project No. 05-119

Dear Philip:

Enclosed for your review and recommendations, please find a Delegation Request package for the referenced project. At this time we are requesting a change to the note of the plat as follows: The existing note reads "This plat is restricted to 2 single family detached units", the proposed note will read "This plat is restricted to 4 single family detached units". Our justification for this request is as follows: Our original application for this plat included the development of 4 single family detached units, however, before the plat was recorded, it was reduced to 2 single family detached units to avoid road concurrency issues. At the present time we have been informed by Broward County staff that there will be no regional road concurrency issues if granted the development of four units.

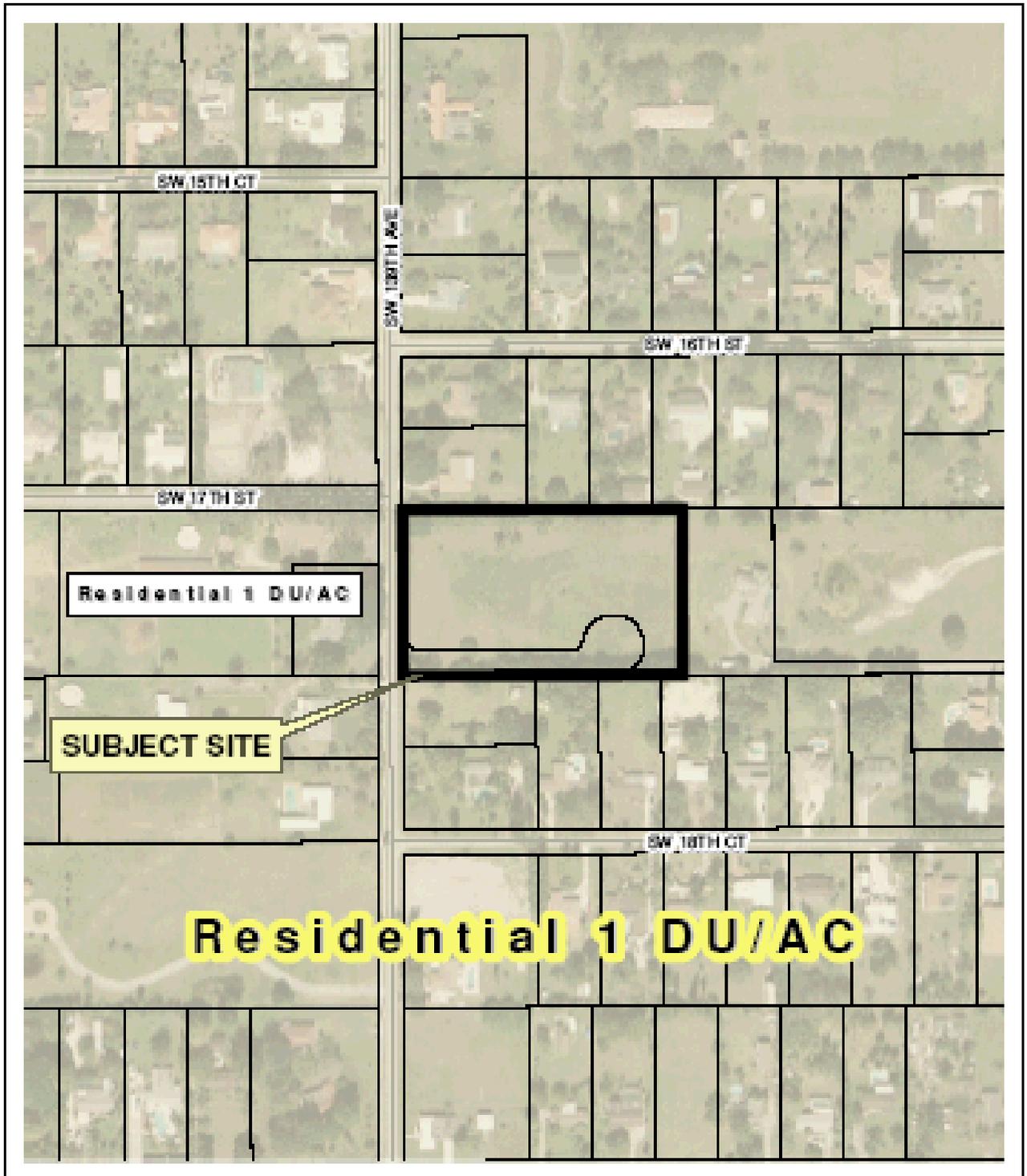
To check the impact our request on 139<sup>th</sup> Ave., local road which fronts this project, we did a traffic count to determine the level of service, that this 2 lane road with a 30 m.p.h. speed limit is presently operating. Our 3 days count determined that the peak hour volume occurred on Tuesday 10/10/06 between 7:00 a.m. and 8:00 a.m. with a two way peak volume of 67 trips peak hour which in accordance with the 2002 Quality/Level of Service F.D.O.T. handbook it indicates that this segment of road is operating at a very low level of service (Level of Service "C" allows a peak hour two-way volume of 430 vehicles). The proposed addition of two single family homes will add another 2 trips per peak hour to the already approved 2 single family homes for a total of 4 trips per peak hour for the entire project, which means that S.W. 139<sup>th</sup> Avenue will continue operating below a Level of Service "C", with no significant impact created by the approval of our request.

Please be advised that we have already processed a paving, grading and drainage for the 4 units with Central Broward Water Control District, and approval has been granted.

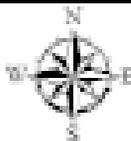
Phone: (954) 584-6880

Fax: (954) 584-2862

**Attachment** (*Future Land Use Map*)



Date Filed:  
12/20/04



0 150 300 600  
Feet

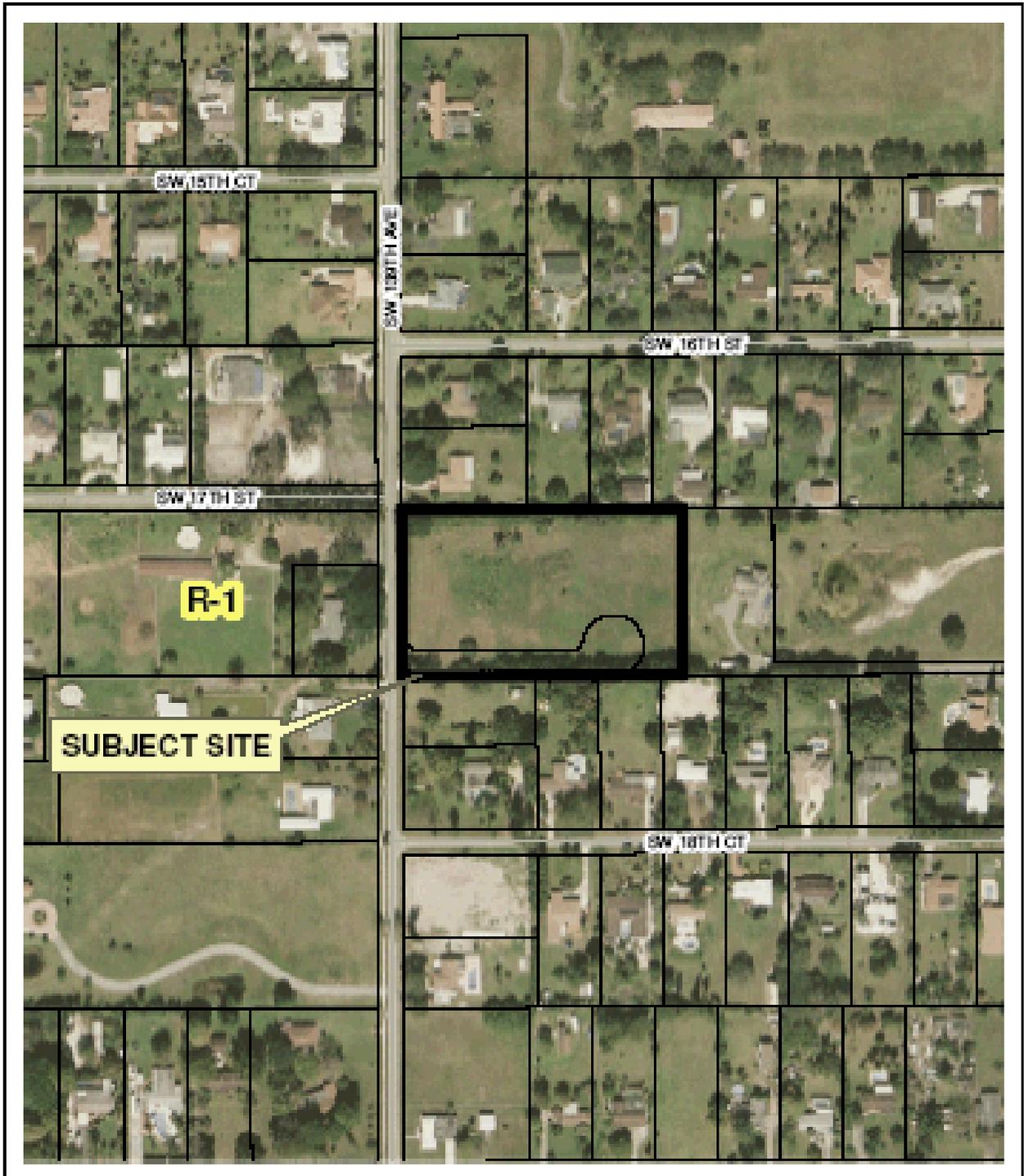
Prepared by the Town of Davie GIS Division

**Delegation Request  
Lovy's Acres  
Future Land Use Map**

Prepared by: JD  
Date Prepared: 11/19/08



**Attachment** (*Aerial, Zoning, and Subject Site Map*)



Date Flown:  
12/20/04



0 150 300 600 Feet

Prepared by the Town of Davie GIS Division

## Delegation Request Lovy's Acres Zoning and Aerial Map

Prepared by: JG  
Date Prepared: 11/19/08

