

TOWN OF DAVIE
TOWN COUNCIL AGENDA REPORT

TO: Mayor and Councilmembers

FROM/PHONE: Marcie O. Nolan, AICP, Acting Development Services Director/
(954) 797-1101

PREPARED BY: Lise Bazinet, Planner II

SUBJECT: Resolution: Delegation Application, DG 12-1-06/07-33/Tuscan Villas/1380 South Flamingo Road/Generally located on the Northeast corner of Southwest 14th Street and Flamingo Road

AFFECTED DISTRICT: District 3

ITEM REQUEST: **Schedule for Council Meeting**

TITLE OF AGENDA ITEM: DELEGATION REQUEST - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING A DELEGATION REQUEST TO CHANGE THE RESTRICTIVE NOTE ON THE PLAT KNOWN AS "CHRISTIAN FELLOWSHIP CHURCH", AND PROVIDING AN EFFECTIVE DATE. (DG 12-1-06, Tuscan Villas, 1380 South Flamingo Road)

REPORT IN BRIEF: The petitioner requests approval to amend the restrictive note to allow the subject site be developed for nine (9) single-family dwelling units. Currently the note on the Plat restricts the property to 8,800 square feet of church use and one existing single family residence and barn. Other church related uses such as day care and/or pre-school are not permitted without the approval of the Board of Commissioners who shall review and address these uses for impacts. Pursuant to this request, the Delegation request is to amend the restrictive note on the plat:

FROM: "This plat is restricted to 8,800 square feet of church use and one existing single family residence and barn, other church related uses such as day care and/or pre-school are not permitted without the approval of the board of Commissioners who shall review and address these uses for impacts. This note is required by Chapter 5, Article IX, Broward County Code of Ordinances, and may be amended by approval of the Broward County Board of County Commissioners.

The notation and any amendments thereto are solely indicating the approved development level for property located within the plat and do not operate as a restriction in favor of any property owner including an owner or owners of property within this plat who took title to the property with reference to this plat."

TO: "This plat is restricted to nine (9) single family dwelling units."

Staff finds that the proposed change to the plat known as "Christian Fellowship Church" consistent with the proposed site plan application Tuscan Villas (SP 12-8-06).

PREVIOUS ACTIONS: n/a

CONCURRENCES: n/a

FISCAL IMPACT: not applicable

Has request been budgeted? n/a

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

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

RESOLUTION _____

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING A DELEGATION REQUEST TO CHANGE THE RESTRICTIVE NOTE ON THE PLAT KNOWN AS "CHRISTIAN FELLOWSHIP CHURCH", AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the boundary plat known as the "Christian Fellowship Church" was recorded in the public records of Broward County in Plat Book 165, Page 47; and

WHEREAS, the owners desire to revise the restrictive note associated with said plat; and

WHEREAS, Broward County requires that the Town of Davie concur with this revision prior to a review of the proposed revision 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 of the proposed revision to the restrictive note shown on the "Christian Fellowship Church" plat. The proposed revision is being specifically described in the Attached "Justification letter".

SECTION 2. Any improvements required to satisfy Traffic Concurrency should be located within the Town of Davie on the local road network.

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

PASSED AND ADOPTED THIS _____ DAY OF _____, 2008.

MAYOR/COUNCILMEMBER

ATTEST:

TOWN CLERK

APPROVED THIS _____ DAY OF _____, 2008.

Justification Letter

Delegation Request Existing and Proposed Restriction Notes

Project: Tuscan Villas

Existing Note on Plat:

4. This Plat is Restricted to 8,800 square feet of church use and one existing single family residence and barn. Other church related uses such as day care and/or pre-school are not permitted without the approval of the board of commissioners who shall review and address these uses for impacts. This note is required by chapter 5. Article IX. Broward County Code of Ordinances, and may be amended by approval of the Broward County Board of County Commissioners.

The notation and any amendments thereto are solely indicating the approved development level for property located within the plat and do not operate as a restriction in favor of any property owner including and owner or owners of property within this plat who took title to the property with reference to this plat.

Proposed Note :

This plat is restricted to 9 single family dwelling units.

CHRISTIAN FELLOWSHIP CHURCH

A PORTION OF THE SOUTHWEST ONE-QUARTER (SW 1/4) OF SECTION 10, TOWNSHIP 50 SOUTH, RANGE 40 EAST LYING IN THE TOWN OF DAVID, BROWARD COUNTY, FLORIDA

DEDICATION STATE OF FLORIDA COUNTY OF BROWARD TO HAVE ALL MEASURES THESE PRESENTS THAT CHRISTIAN FELLOWSHIP, INC. A CORPORATION ORGANIZED UNDER THE LAWS OF THE STATE OF FLORIDA, HAS CAUSED TO BE SURVEYED AND PLATTED THE SEVERAL LOTS AND PARCELS OF LAND HEREIN SHOWN AND THE TITLE THEREUNTO HEREBY IS HEREBY DEDICATED TO THE PUBLIC FOR PUBLIC USE.

ACKNOWLEDGEMENT I, PRESIDENT AND CHAIRMAN OF THE BOARD OF DIRECTORS OF CHRISTIAN FELLOWSHIP, INC. DO HEREBY ACKNOWLEDGE AND CERTIFY THAT THE ABOVE DESCRIBED LANDS HAVE BEEN OFFICIALLY DEDICATED TO THE PUBLIC FOR PUBLIC USE AND THAT THE SAME ARE NOT SUBJECT TO ANY OTHER CLAIM OR INTEREST.

WITNESSED BY ME AND MY OFFICERS AND THE COMMISSIONERS OF BROWARD COUNTY, FLORIDA, THIS 10th DAY OF SEPTEMBER, 1998.

Signature of Robert L. Goff, President and Chairman of the Board of Directors of Christian Fellowship, Inc.

ATTEST: I, COUNTY CLERK OF BROWARD COUNTY, FLORIDA, DO HEREBY CERTIFY THAT THE ABOVE DESCRIBED LANDS HAVE BEEN OFFICIALLY DEDICATED TO THE PUBLIC FOR PUBLIC USE AND THAT THE SAME ARE NOT SUBJECT TO ANY OTHER CLAIM OR INTEREST.

Signature of County Clerk, Broward County, Florida

DESCRIPTION A PORTION OF THE SOUTH 1/4 AND PART OF THE WEST 1/4 OF SECTION 10, TOWNSHIP 50 SOUTH, RANGE 40 EAST, BROWARD COUNTY, FLORIDA, MORE FULLY DESCRIBED AS FOLLOWS: ...

TO HAVE ALL MEASURES THESE PRESENTS THAT CHRISTIAN FELLOWSHIP, INC. A CORPORATION ORGANIZED UNDER THE LAWS OF THE STATE OF FLORIDA, HAS CAUSED TO BE SURVEYED AND PLATTED THE SEVERAL LOTS AND PARCELS OF LAND HEREIN SHOWN AND THE TITLE THEREUNTO HEREBY IS HEREBY DEDICATED TO THE PUBLIC FOR PUBLIC USE.

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Signature of County Clerk, Broward County, Florida

BROWARD COUNTY PLANNING COUNCIL THIS PLAT COMPLETES WITH THE APPROVAL OF THE BROWARD COUNTY PLANNING COUNCIL, THE PLAT SUBJECT TO THE APPROVAL OF THE BOARD OF COUNTY COMMISSIONERS. APPROVED: [Signature]

BROWARD COUNTY FINANCE AND ADMINISTRATIVE SERVICES DEPARTMENT APPROVED: [Signature]

BROWARD COUNTY FINANCE AND ADMINISTRATIVE SERVICES DEPARTMENT APPROVED: [Signature]

BROWARD COUNTY ENGINEERING DIVISION APPROVED: [Signature]

BROWARD COUNTY DEPARTMENT OF STRATEGIC PLANNING AND GROWTH MANAGEMENT APPROVED: [Signature]

CENTRAL BROWARD WATER CONTROL DISTRICT APPROVED: [Signature]

TOWN PLANNING AND ZONING BOARD APPROVED: [Signature]

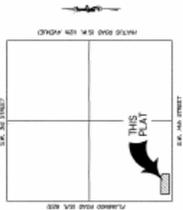
TOWN COUNCIL APPROVED: [Signature]

DEVELOPMENT SERVICES DEPARTMENT APPROVED: [Signature]

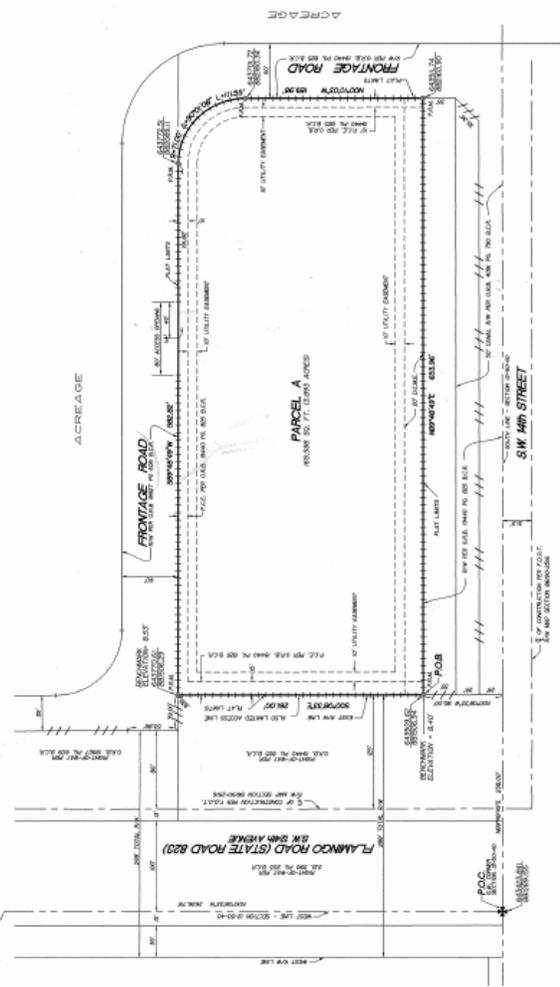
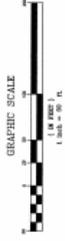
Notary Public Seal for Robert L. Goff, Broward County, Florida. Includes fields for Notary, County Surveyor, County Engineer, and Surveyor.

CHRISTIAN FELLOWSHIP CHURCH

A PORTION OF THE SOUTHWEST ONE-QUARTER (SW 1/4) OF SECTION 34, TOWNSHIP 31N, RANGE 16W, LYING IN THE TOWN OF DADE, BROWARD COUNTY, FLORIDA



LOCATION MAP
NOT TO SCALE



LEGEND

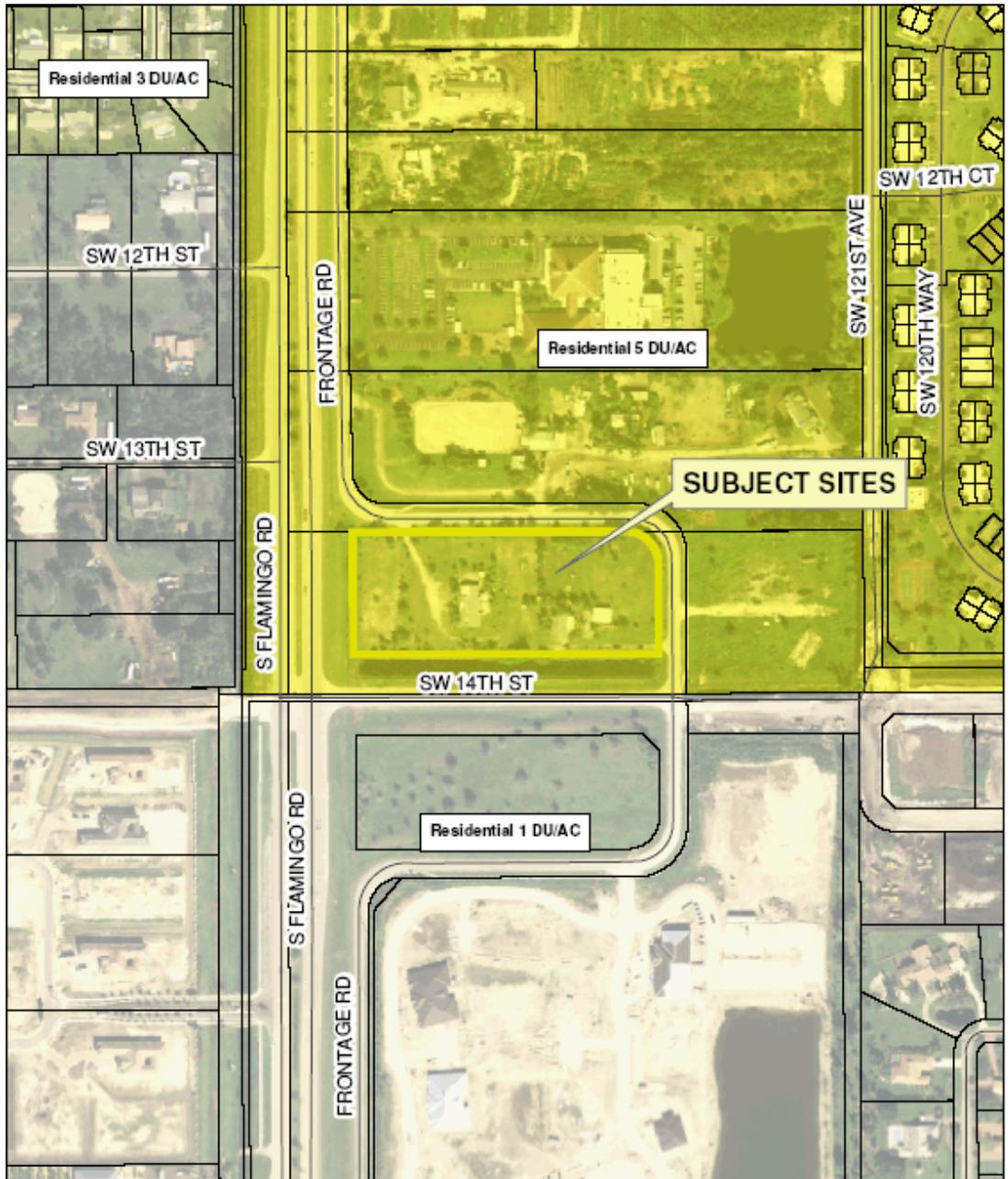
- # PERM - PERMANENT EVIDENCE MARKING
- POB - POINT OF BEGINNING
- PC - POINT OF COMMENCEMENT
- EA - EASEMENT
- ST - STATE ROAD
- SEC. - SECTION
- CE - CENTERLINE
- RT - RIGHT-OF-WAY
- PERM - PERMANENT CONSTRUCTION EVIDENT
- DC - DRAINAGE CANAL MAINTENANCE EVIDENT
- BL - BOUNDARY LINE RECEIVED
- DA - DEDICATED ACCESS ROAD
- NS - NON-REGULAR ACCESS LINE
- AAA - LIMITED ACCESS R/W LINE PER FOOT

NOTES

1. ALL DIMENSIONS ARE TO BE TAKEN AS SHOWN ON THIS PLAT UNLESS OTHERWISE SPECIFIED.
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4. ALL DIMENSIONS ARE TO BE TAKEN AS SHOWN ON THIS PLAT UNLESS OTHERWISE SPECIFIED.

1000 N. Douglas Road
 Fort Lauderdale, Florida 33304
MILLER
 ENGINEERS & ARCHITECTS
 P.A.
 BRANKE, 2020
 BRANKE & PARTNERS
 BRANKE & PARTNERS

Future Land Use Map



Zoning and Aerial Map

