

**TOWN OF DAVIE**  
**TOWN COUNCIL AGENDA REPORT**

**TO:** Mayor and Councilmembers

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

**PREPARED BY:** David M. Abramson, Deputy Planning and Zoning Manager

**SUBJECT:** Plat Application, Resolution: P 4-1-05/05-512/Sterling Groves/4621 Southwest 58th Avenue/Generally located between the Florida Turnpike and Southwest 58th Avenue, approximately 1600' south of Griffin Road

**AFFECTED DISTRICT:** District 1

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

**TITLE OF AGENDA ITEM:** PLAT - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING A PLAT KNOWN AS THE "STERLING RANCH" 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. (P 4-1-05, Sterling Groves, 4621 SW 58 Avenue)

**REPORT IN BRIEF:**

The petitioner requests approval of the plat known as the "Sterling Ranch." The proposed plat consists of approximately 94.53 acres (4,117,861 square feet) is restricted to eighty-one (81) single-family detached units. There are two (2) proposed vehicular access points onto the plat. The first is centrally located along the western boundary line off Southwest 58th Avenue, while the other is located in the northeast corner off Southwest 52nd Avenue.

Staff finds that the proposed "Sterling Ranch" plat is in accordance with the Comprehensive Plan and Land Development Code as it relates to access, location, and size. The proposed plat can be considered compatible with the single-family residential uses and properties located along Southwest 58th Avenue.

**PREVIOUS ACTIONS:** n/a

**CONCURRENCES:**

At the March 12, 2008 Planning and Zoning Board meeting, Vice-Chair Stevens made a motion, seconded by Mr. Pignato, to approve item 3.1. In a roll call vote, the vote was as follows: Chair Bender – yes; Vice-Chair Stevens – yes; Mr. Busey – yes; Mr. Pignato – yes; Ms. Turin – yes. (**Motion carried 5-0**)

**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, if approved staff would recommend the following conditions:

1. Shall be subject to sufficient capacity in transit concurrency 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. Provide the Planning and Zoning Division a Mylar copy of the plat upon recordation.

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

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

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING A PLAT KNOWN AS THE "STERLING RANCH" 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 "Sterling Ranch" was considered by the Town of Davie Planning and Zoning Board on March 12, 2008;

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

SECTION 1. The plat known as the "Sterling Ranch" 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 Transit Oriented 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 \_\_\_\_\_, 2008.

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

Attest:

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

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2008.

Exhibit "A"

Application: P 4-1-05/05-512/Sterling Groves

Original Report Date: 3/3/08

Revision(s): 3/14/08

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**TOWN OF DAVIE**

**Development Services Department**

**Planning & Zoning Division**

*Staff Report and Recommendation*

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**Applicant Information**

**Owner**

**Name:** Home Dynamics Corporation  
**Address:** 4788 West Commercial Boulevard  
**City:** Tamarac, Florida 33319  
**Phone:** (954) 484-4000

**Petitioner**

**Name:** Leigh Robinson Kerr & Associates Inc.  
Leigh Kerr  
**Address:** 808 East Las Olas Boulevard, #104  
**City:** Ft. Lauderdale, Florida 33301  
**Phone:** (954) 467-6308  
**Fax:** (954) 467-6309

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**Background Information**

**Application Request:** Approval of the plat known as the "Sterling Ranch"

**Address:** 4621 Southwest 58<sup>th</sup> Avenue

**Location:** Generally located between the Florida Turnpike and Southwest 58<sup>th</sup> Avenue, approximately 1600' south of Griffin Road

**Future Land Use Plan Map:** Residential 1 DU/Acre

**Existing Zoning(s):** R-1, Estate Dwelling District

**Existing Use(s):** Vacant

**Parcel Size:** Approximately 94.53 acres (4,117,861 square feet)

**Proposed Use(s):** Residential Development consisting of eighty-one (81) single-family custom homes

**Proposed Density:** 0.83 DU/Acre

**North:** **Surrounding Uses:**  
Single-Family Residential/Vacant

**Use Plan Designation:**  
Residential 1 DU/AC

<b>South:</b>	FPL Property	Residential 1 DU/AC
<b>East:</b>	Florida's Turnpike	Transportation
<b>West:</b>	Single-Family Residential/Vacant	Residential 1 DU/AC

**Surrounding Zoning:**

**North:** A-1, Agricultural District  
**South:** A-1, Agricultural District  
**East:** T, Transportation District  
**West:** A-1, Agricultural District; R-1, Estate Dwelling District

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**Zoning History**

**Related Zoning History:**

*Rezoning Application (ZB 7-1-04)*, at the December 15, 2004 Town Council meeting this application was approved rezoning the approximately 98.71 acres subject site from A-1, Agricultural to R-1, Estate Dwelling District 1 DU/Acre.

**Concurrent Applications:**

*Master Site Plan Application (MSP 2-1-07, Sterling Groves)*, the petitioner is requesting Town Council approval for residential development consisting of eighty (81) single-family custom homes.

*Variance Application (V 2-1-07, Sterling Groves)*, the petitioner is requesting Town Council approval for a variance from the minimum lot size of 35,000 sq. ft.

*Special Permit Application (SE 10-2-07, Sterling Groves)*, the petitioner is requesting Town Council approval for the placement of a sales trailer on the subject site.

**Previous Requests on same property:**

*Land Use Plan Amendment (LABC 98-3A)*. the Town initiated this Land Use Plan Amendment to change the land use of 148 acres of land, including the subject site, to a land use classification of Employment Center. The application was withdrawn.

*Land Use Plan Amendment (LA 02-1)*, at the February 21, 2002 Town Council meeting, this amendment was denied to change the land use of a portion of the subject site (the 57 acre nursery) to a land use classification of Special Classification 2.3 DU/AC.

*Land Use Plan Amendment (LA 03-7)*, at the March 17, 2004 Town Council meeting, this amendment was denied to change the subject site to Employment Center.

*Site Plan Application (SP 9-4-04)*, This request is for a ninety-eight (98) single-family home development on a 98.78 gross acres and is pending Site Plan Committee and Town Council action. The application was withdrawn.

*Variance Application (V 10-1-04, McCall Nursery)*, at the June 1, 2005 Town Council meeting, this variance request from Section 12-81(A), Conventional Single-Family Development Standards, of the Land Development Code, which requires a minimum lot area of thirty-five thousand (35,000) square feet in the R-1, Estate District to reduce the minimum lot area to twenty thousand (20,000) square feet for a proposed single-family development was approved.

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**Applicable Codes and Ordinances**

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

Article XII Subdivisions and Site Plans.

*Land Development Code (Section 12-360(B)(1))* platting requirements.

*Land Development Code (Section 12-366.1 (A) thru (D))* submission requirements for plats.

*Land Development Code, Article XII of the Land Development Code, Subdivisions and Site Plans.*

*Land Development Code (Section 12-81(A)&(B)), Residential Development Standards, R-1, Estate Dwelling District; 35,000 square feet minimum lot area, 125' minimum lot frontage, and 25% maximum building coverage. The building setbacks shall be; 30'-40' front, 25' side, 30' rear, and 35' maximum height.*

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## **Comprehensive Plan Considerations**

### **Planning Area:**

The proposed project is within the planning area No. 9. This planning area is south of Griffin Road, generally north of Stirling Road, east of SW 76<sup>th</sup> Avenue and west of the Florida Turnpike. This area is predominately 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. Agricultural uses are expected to diminish in the upcoming years, succumbing to increased residential demands given the enhanced accessibility provided by the roadway expansion and easy access to the Florida turnpike.

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

### **Applicable Goals, Objectives & Policies:**

*Future Land Use 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 Use portion of the Implementation Section.

*Future Land Use Plan, Objective 12: Conservation Use, Policy 12-1:* The conservation category shall be used in to preserve and protect lands that have been identified as environmentally sensitive or ecologically significant, and that promote the restoration of the Everglades system.

*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.

*Future Land Use Plan, Objective 17: Land Use Compatibility and Community Appearance, Policy 17-7:* Adopted land development regulations shall continue to set forth setback or separation regulations landscaping requirements, and minimum open space criteria to enhance living and working environments.

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## **Application Details**

The applicant's SUBMISSION indicates the following:

1. *Site:* The subject site consists of approximately 94.53 acres (4,117,861 square feet).
2. *Restrictive Note:* The proposed plat is restricted to eighty-one (81) single-family detached units.
3. *Access:* There are two (2) proposed vehicular access points onto the plat. The first is centrally located along the western boundary line off Southwest 58<sup>th</sup> Avenue, while the other is located in the northeast corner off Southwest 52<sup>nd</sup> Avenue. Both Southwest 58<sup>th</sup> Avenue and Southwest 52<sup>nd</sup> Avenue are local roads.
4. *Trails:* No recreational and equestrian trails are on or adjacent to the proposed plat.
5. *Easements and Reservation:* The following easements are on this plat:
  - a. Twenty (20) foot landscape buffer easement along the western boundary line.
  - b. Ten (10) foot landscape buffer easement along the northern boundary line.
  - c. Ten (10) foot utility easement along the western boundary line.
  - d. Twenty (20) foot landscape buffer easement along the eastern boundary line.
  - e. Fifty (50) foot drainage easement along the eastern boundary line.
  - f. Thirty (30) foot canal easement and twenty (20) foot canal maintenance easement along the eastern boundary line.
6. *Dedications:* The following dedications are on this plat:
  - a. Thirty-five (35) foot public right-of-way along the western boundary line.
  - b. Twenty-five (25) foot right-of-way along the northern boundary line.
  - c. One-hundred (100) foot FPL right-of-way agreement along the eastern boundary line.
7. *Drainage:* The plat lies within Central Broward Water Control District. Approval from Central Broward Water Control District shall be obtained prior to issuance of any site development permit.

8. *Local Concurrency:* As required in the Land Development Code, Section 12-323, Adopted Level of Services, building permits shall not be obtained unless there is sufficient available capacity to sustain the level of service for Potable Water, Sanitary Sewer, Transportation, Drainage System, Solid Waste, Recreation, schools, Police, and Fire. All local roads immediate to the subject site shall be brought up acceptable levels of service.
9. *Compatibility:* The proposed eighty-one (81) single-family detached units are considered compatible with both existing and allowable uses on and adjacent to this plat.

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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.

#### **Engineering Division:**

1. Provide 40 ft road right-of-way for the western portion of the section line in accordance with Town of Davie Land Development Code Section 12-332 (a).

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### **Staff Analysis**

The proposed “Sterling Ranch” plat is required since the petitioner desires to develop eighty-one (81) single-family custom homes on the subject site. The proposed plat is consistent with the Town of Davie Comprehensive Plan.

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### **Staff Findings of Fact**

Staff finds that the proposed “Sterling Ranch” plat is in accordance with the Land Development Code as it relates to access, location, and size. The proposed plat can be considered compatible with the single-family residential uses and properties located along Southwest 58<sup>th</sup> Avenue.

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## **Staff Recommendation**

Staff finds the application complete and suitable for transmittal to the Planning and Zoning Board and Town Council for further consideration, if approved staff would recommend the following conditions:

1. Shall be subject to sufficient capacity in transit concurrency 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. Provide the Planning and Zoning Division a Mylar copy of the plat upon recordation.

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## **Planning and Zoning Board Recommendation**

At the March 12, 2008 Planning and Zoning Board meeting, Vice-Chair Stevens made a motion, seconded by Mr. Pignato, to approve item 3.1. In a roll call vote, the vote was as follows: Chair Bender – yes; Vice-Chair Stevens – yes; Mr. Busey – yes; Mr. Pignato – yes; Ms. Turin – yes. **(Motion carried 5-0)**

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## **Town Council Action**

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## **Exhibits**

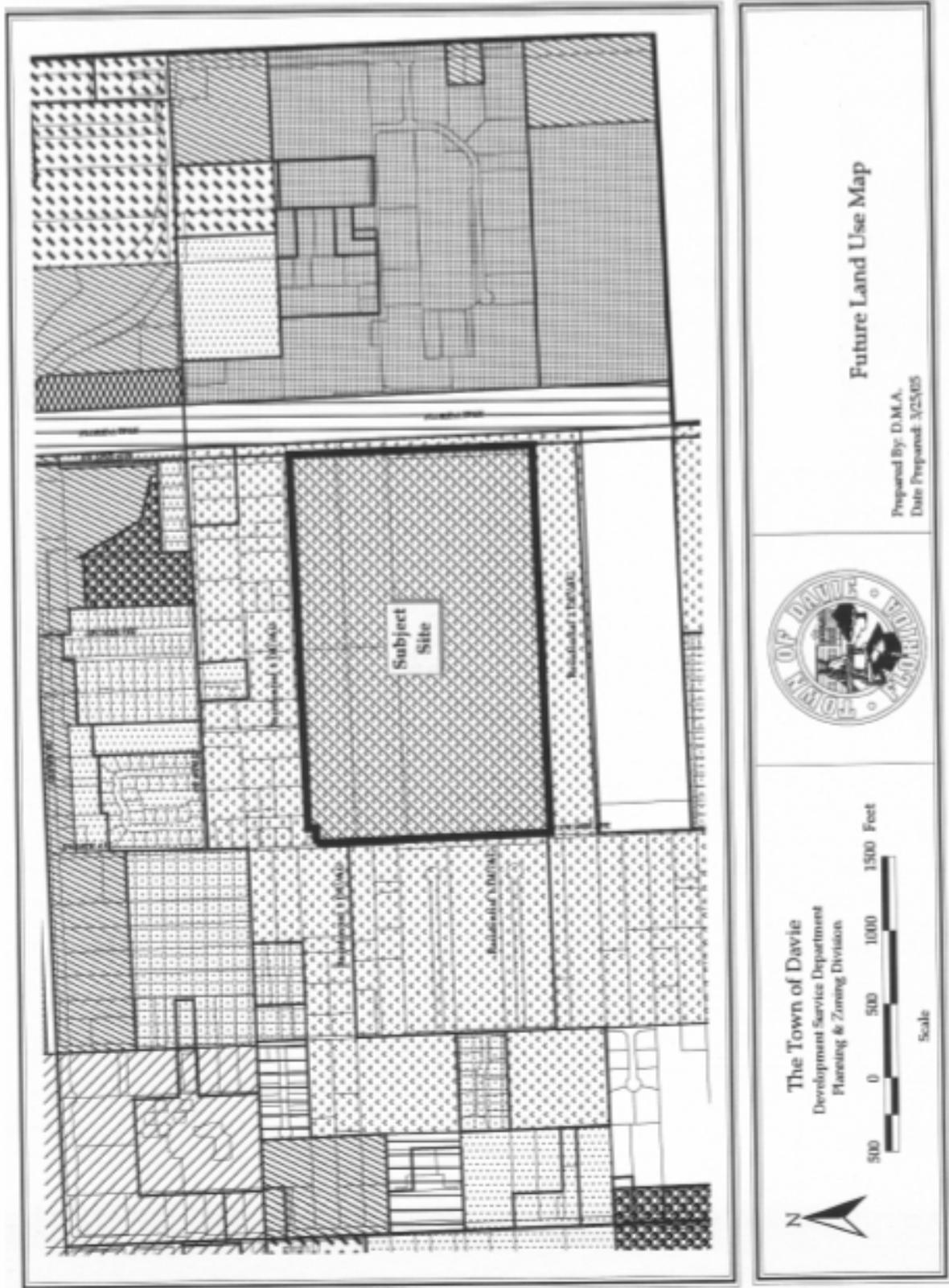
1. Future Land Use Plan Map
2. Zoning and Aerial Map

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

*File Location:\P&Z\Development Applications\Applications\P\_Plat\P\_05\P 4-1-05 Sterling Ranches*

Exhibit 1 (Future Land Use Plan Map)



**Exhibit 2 (Aerial, Zoning, and Subject Map)**



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**Aerial, Zoning, and Subject Site Map**

Prepared By: D.M.A.  
Date Prepared: 3/25/05



**The Town of Davie**  
Development Service Department  
Planning & Zoning Division



Scale



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