

TOWN OF DAVIE TOWN COUNCIL AGENDA REPORT

TO: Mayor and Councilmembers

FROM/PHONE: Mark Kutney, AICP/(954) 797-1101

SUBJECT: Quasi Judicial Hearing: Rezoning
ZB 4-2-01, Struc.Tech Engineering, Inc./St Philips Orthodox Church,
4870 Griffin Road/Generally located at the end of the cul-de-sac on the
south side of Old Griffin Road between Florida's Turnpike and State
Road 7.

TITLE OF AGENDA ITEM:

ZB 4-2-01, Struc.Tech Engineering, Inc./St Philips Orthodox Church

REPORT IN BRIEF: This request is associated with the expansion of St. Philip Orthodox Church. The applicant is proposing to utilize this land for parking, landscaping and dry retention. The subject site is a 0.96 acre parcel zoned B-3, Planned Business Center District with an Industrial land use classification. It is also the back piece of a reverse "L" shaped parcel that was platted for commercial use as the "Ken Plaza Plat" and was entirely zoned B-3, Planned Business Center District. The zoning designation for the front 2.27 acres of the "Ken Plaza Plat" was changed to Griffin Corridor District, Commerce Zone 4. Due to the site's Industrial land use classification the Griffin Corridor District was not applied. This request will change the subject site's inconsistent B-3, Planned Business Center District designation to a consistent CF, Community Facilities District designation. The existing zoning district boundaries are illogically drawn, and staff finds the request reasonable and the use will be in harmony with the surrounding area.

PREVIOUS ACTIONS: None

CONCURRENCES: The Planning and Zoning Board recommended approval at its October 10, 2001 meeting (4-0, Mr. Waitkus absent).

FISCAL IMPACT: None

RECOMMENDATION(S): Motion to approve

Attachment(s): Planning Report, Justification letter, Land use map, Subject site map, Aerial

Application #: ZB 4-2-01
Exhibit "A"

Revisions:
Original Report Date: 11/2/01

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

APPLICANT INFORMATION

Owner:		Agent:	
Name:	St. Philip Orthodox Church	Name:	Struc. Tech Engineering, Inc.
Address:	4870 Griffin Road	Address:	801 McNab Road
City:	Davie, FL 33314	City:	Pompano Beach, FL 33306
Phone:	(954)584-4030	Phone:	(954)783-0260

BACKGROUND INFORMATION

Date of Notification: October 3, 2001 **Number of Notifications:** 19

Application History: No deferrals have been requested.

Application Request: Rezone the 0.96 acre subject site **FROM:** B-3, Planned Business Center District; **TO:** CF, Community Facilities District.

Address/Location: 4870 Griffin Road/Generally located at the end of the cul-de-sac on the south side of Old Griffin Road between Florida's Turnpike and State Road 7.

Future Land Use Plan Designation: Industrial

Zoning: B-3, Planned Business Center District

Existing Use: Vacant land

Proposed Use: Parking, landscaping, and dry retention

Parcel Size: 0.96 acres (42,194 square feet)

	<u>Surrounding Uses:</u>	<u>Surrounding Land Use Plan Designation:</u>
North:	St. Philip Orthodox Church, Vacant land	Community Facilities and Residential 10 DU/AC
South:	Nursery	Industrial
East:	Driftwood Acres Mobile Home Park	Residential 10 DU/AC
West:	Temple Beth El Memorial Gardens	Community Facilities

Surrounding Zoning:

North:	CF, Community Facilities District, Griffin Corridor District, Commerce Zone 4
South:	A-1, Agricultural District
East:	Griffin Corridor District, Commerce Zone 4, M-3, Planned Industrial Park
West:	A-1, Agricultural District

ZONING HISTORY

Related Zoning History: Town Council adopted Ordinance No. 2000-7 on February 2, 2000, establishing the Griffin Corridor District with the intent of shaping urban form and land use along the Griffin Road corridor.

Previous Request on same property: Town Council approved plat request P 10-1-98, Ken Plaza Plat, on December 16, 1998.

APPLICATION DETAILS

This request is associated with the expansion of St. Philip Orthodox Church. The applicant is proposing to utilize this land for parking, landscaping and dry retention. The subject site is a 0.96 acre parcel zoned B-3, Planned Business Center District with an Industrial land use classification. It is also the back piece of a reverse "L" shaped parcel that was platted for commercial use as the "Ken Plaza Plat" and was entirely zoned B-3, Planned Business Center District. The zoning designation for the front 2.27 acres of the "Ken Plaza Plat" was changed to Griffin Corridor District, Commerce Zone 4. Due to the site's Industrial land use classification the Griffin Corridor District was not applied.

Applicable Codes and Ordinances

Section 12-32.300 of the Land Development Code, Griffin Corridor District.

Section 12-307 of the Land Development Code, review for rezonings.

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 and the applicant is required to satisfy Broward County platting requirements.

Applicable Goals, Objectives & Policies: Policy 13-2: Community Facilities may be permitted in land use categories other than Community Facilities category, provided such development is compatible with and does not adversely affect the development of surrounding land for designated purposes.

Staff Analysis

This request will change the subject site's inconsistent B-3, Planned Business Center District designation to a consistent CF, Community Facilities District designation. The existing zoning district boundaries are illogically drawn, and staff finds the request

reasonable and the use will be in harmony with the surrounding area.

Findings of Fact

Rezoning:

Section 12-307(A)(1):

The following findings of facts apply to the rezoning request.

- (a) The proposed change is not contrary to the adopted comprehensive plan, as amended, or any element or portion thereof;
- (b) The proposed change will not create an isolated zoning district unrelated and incompatible with adjacent and nearby districts;
- (c) Existing zoning district boundaries are not logically drawn in relation to existing conditions on the property proposed for change;
- (d) The proposed change will not adversely affect living conditions in the neighborhood;
- (e) The proposed change will 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;
- (f) The proposed change will not adversely affect other property values;
- (g) The proposed change will not be a deterrent to the improvement or development of other property in accord with existing regulations;
- (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;
- (i) There are substantial reasons why the property cannot be used in accord with existing zoning.
- (j) The proposed zoning designation may be 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.

Staff Recommendation

Recommendation: Based upon the above and the finding of facts in the positive, staff recommends **approval**, of petition ZB 4-2-01.

Planning & Zoning Board Recommendation

The Planning and Zoning Board recommended approval at its October 10, 2001 meeting (4-0, Mr. Waitkus absent).

Exhibits

1. Justification letter
2. Land use map
3. Subject site map
4. Aerial

Prepared by: _____

Reviewed by: _____



ST PHILIP ORTHODOX CHURCH

4870 Griffin Road • Davie, Florida 33314 • Phone/Fax (954) 584-4030 • Mailing PO Box 292516 • Davie, Florida 33329

September 10, 2001

Planning & Zoning Division
Davie, Florida

Re: St. Philip Orthodox Church - Rezoning from B-3 to CF

Dear Sirs:

We are writing to request a change of zoning on the back portion of property owned by St. Philip Orthodox Church at 4870 Griffin Road in Davie. Current zoning on this parcel is B-3 (Planned Business Center District). The Church wishes to change this designation to CF (Community Facilities District). In conversations with representatives of the Development Services Department of the Planning & Zoning Division, it is clear that this change is necessary to help "clean up" the zoning map for this area.

The subject property is part of a 3.5 acre parcel which the Church acquired in the Spring of 2000 adjacent to land on which the Church building presently sits. The Church now owns approximately six contiguous acres and proposes to build a new parish hall on part of its newly acquired land (but not on that portion which is presently zoned B-3). That project is the subject of a separate application for a use change which is being submitted simultaneously with this request.

The Church's property sits at the end of a cul-de-sac off Griffin Road that was created by recently completed construction on the street. The existing zoning restrictions on the back portion of this property, which preclude community service facilities, are illogical in relation to the existing conditions of the area. (To the property's immediate west is a cemetery, and a plant nursery is to the south.) While the Church has no present intention of developing this back parcel, it is making this request for a zoning change so that its property, taken as a whole, is subject to the same zoning designation. Any other situation would invariably pose problems for both the Town and the Church at some later date.

Please advise us if you have any questions or comments concerning this request.

Very truly yours,
ST. PHILIP ORTHODOX CHURCH

By 

• Very Reverend Father Alexis Kouri •
Antiochian Orthodox Christian Archdiocese — "... disciples were called Christians first in Antioch!" Acts 11:26



Scott A. Guzzi & Associates, Inc.

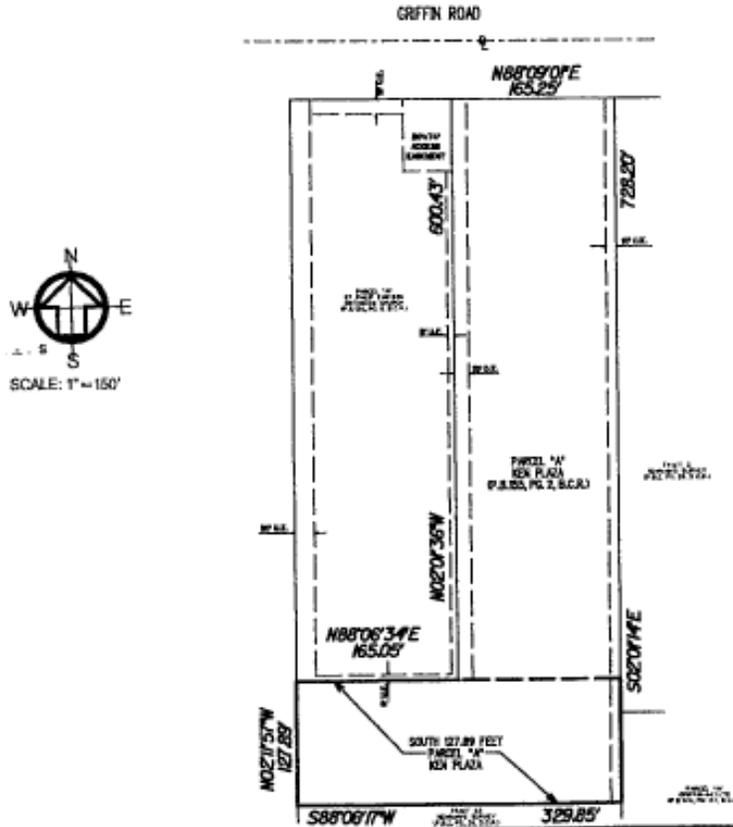
Land Surveyors - Mappers

6041 Kimberly Boulevard, Suite H
North Lauderdale, Florida 33068
(954) 973-0095

SKETCH AND LEGAL DESCRIPTION (NOT A SURVEY)

LEGAL DESCRIPTION:

THE SOUTH 127.89 FEET OF PARCEL "A", KEN PLAZA, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 155, PAGE 2, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.



SURVEYOR'S CERTIFICATION:

I HEREBY CERTIFY THAT THE SKETCH AND LEGAL DESCRIPTION SHOWN HEREON COMPLIES WITH MINIMUM TECHNICAL STANDARDS FOR SURVEYS AS CONTAINED IN CHAPTER 61017-6, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES, AND THAT SAID SKETCH AND LEGAL DESCRIPTION IS TRUE TO THE BEST OF MY KNOWLEDGE AND BELIEF.

(NOT A SURVEY)

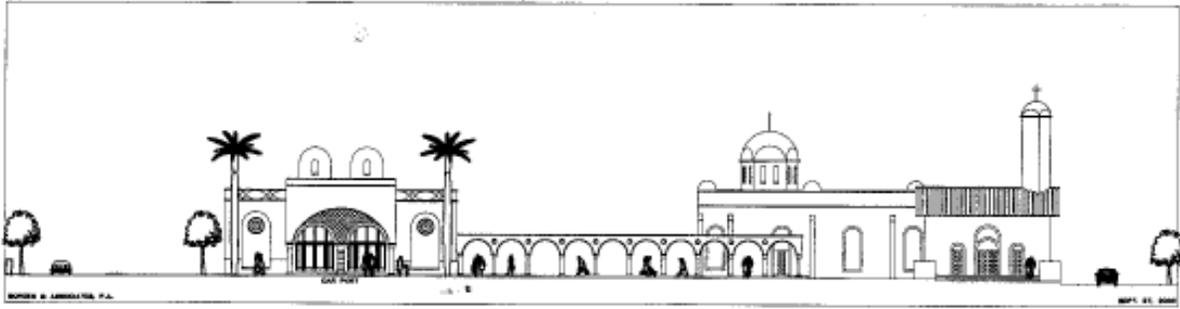

SCOTT A. GUZZI, PSM
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA REGISTRATION NUMBER 5108

KEN PLAZA

PROJ. NO.: 00-561

DATE: 9-7-01

SHEET 1 OF 1



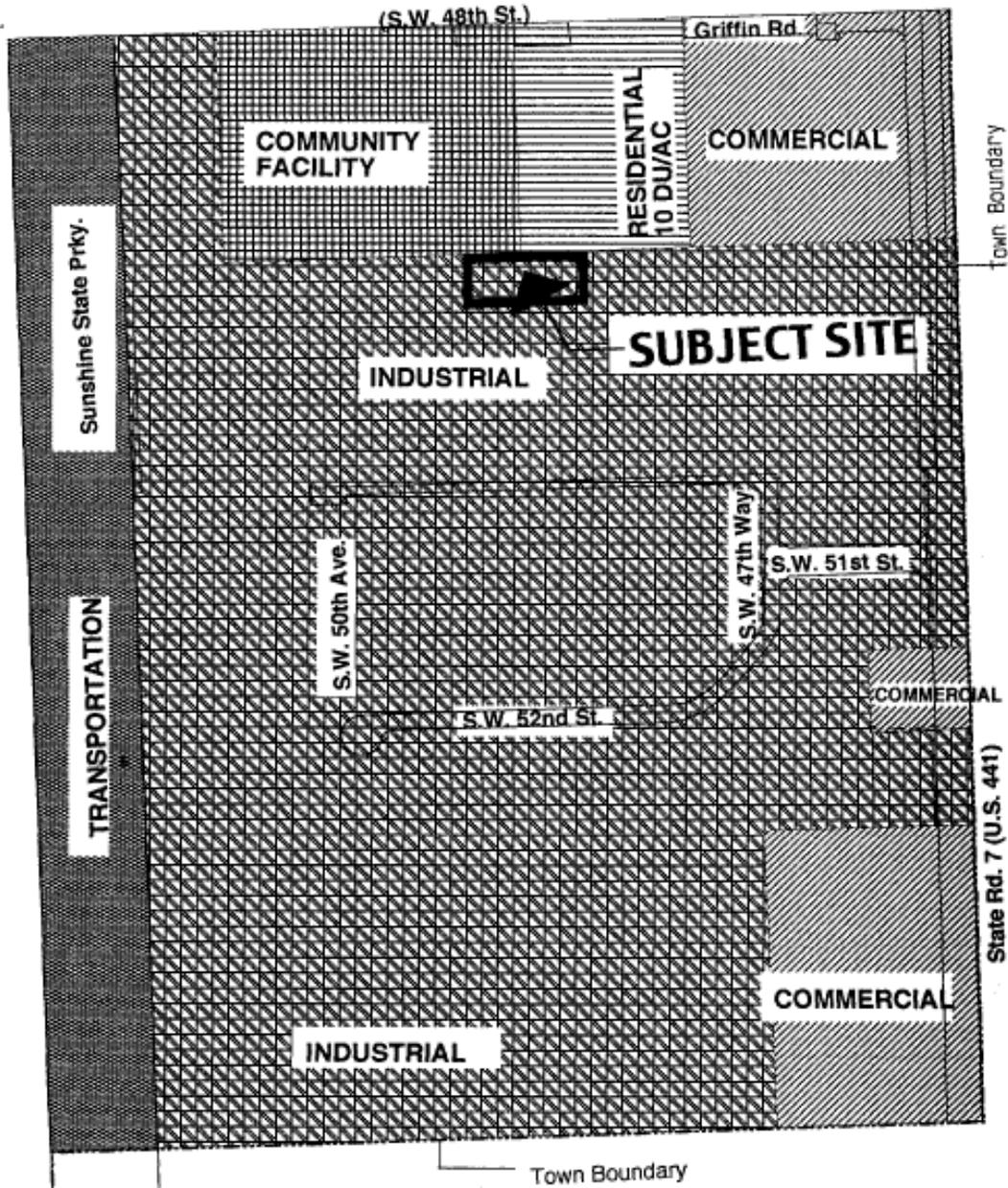
BORGES & ASSOCIATES, P.A.

MCLELLAN HALL NORTH - ELEVATION

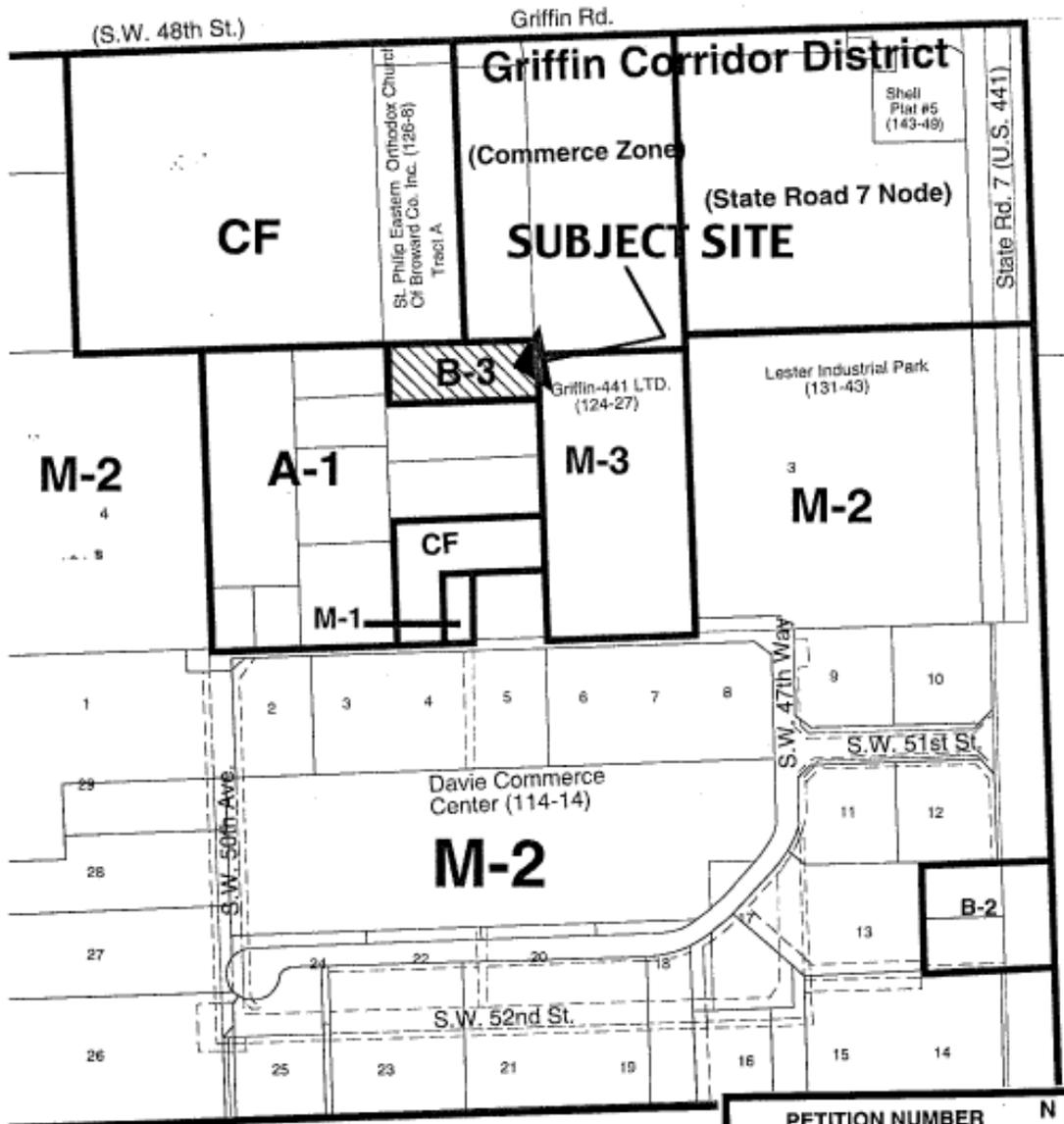
DESIGN CHURCH - ELEVATION

NOV. 21, 2000





PETITION NUMBER ZB 4-2-01 <i>Subject Site Area</i> <i>Future Land Use Plan</i>		N 4
PREPARED 8/29/01 Scale: 1"=300' BY THE PLANNING & ZONING DIVISION		



PETITION NUMBER
 ZB 4-2-01
Subject Site Area Zoning Map

PREPARED 8/29/01 Scale: 1"=300'
 BY THE PLANNING &
 ZONING DIVISION

