

# 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: Todd Vargo, Planner I

**SUBJECT:** Plat, P 3-4-03 A.D. Hiatus, Hager, Palbicki & Associates, Inc./ A&D Builders, Inc., 1535 SW 112 Avenue/Generally located on the west side of Hiatus Road (SW 112 Avenue) approximately 480 feet north of SW 16 Street.

**AFFECTED DISTRICT:** District 3

**TITLE OF AGENDA ITEM:** A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING A SUBDIVISION PLAT KNOWN AS A.D. HIATUS AND AUTHORIZING THE MAYOR AND TOWN CLERK TO ACKNOWLEDGE SUCH APPROVAL BY AFFIXING THE MAYOR'S SIGNATURE AND THE TOWN SEAL TO SUCH PLAT; AND PROVIDING AN EFFECTIVE DATE

**REPORT IN BRIEF:** The applicant requests approval of the resolution for the proposed subdivision plat to be known as the A.D. Hiatus Plat. The subject site consists of approximately 2.453 acres (106,838 square feet) for the proposed development of 2 single-family dwelling units. The plat dedicates fifteen (15) feet of right-of-way along its eastern limits. This right-of-way will be incorporated into the existing right-of-way for Hiatus Road. A 129.95 foot long non-vehicular access line is shown along the western edge of the 15-foot right-of-way dedication and a 35' access easement is provided for the plat along its northern boundary. The plat also provides for a 10-foot utility easement to the west of the previously mentioned 15-foot right-of-way dedication.

A section of the Peaceful Ridge Trail exists outside the eastern boundary of the plat within the right-of-way for Hiatus Road. This section of the Peaceful Ridge Trail runs adjacent to the plat in a north-south direction along the west side of Hiatus Road.

**PREVIOUS ACTIONS:** None

**CONCURRENCES:** At the September 24, 2003, Planning and Zoning Board meeting, Mr. McLaughlin made a motion, seconded by Ms. Lee, to approve based upon the report from Broward County on the right-of-way. (Motion carried 5-0).

*Staff Notes: the amount of existing right-of-way from the centerline of Hiatus Road is 40 feet to both the north and south of the A.D. Hiatus Plat. The 15 feet of right-of-way being dedicated by the Plat, when added to the existing 25 feet of right-of-way, will equal 40 feet of right-of-way, which is consistent with the width of that section of Hiatus Road and in accordance with Broward County Engineering Department.*

**FISCAL IMPACT:** None

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

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

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

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING A SUBDIVISION PLAT KNOWN AS A.D. HIATUS AND AUTHORIZING THE MAYOR AND TOWN CLERK TO ACKNOWLEDGE SUCH APPROVAL BY AFFIXING THE MAYOR'S SIGNATURE AND THE TOWN SEAL TO SUCH PLAT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the proposed plat of the subdivision to be known as A.D. Hiatus has been approved by the Town Planning and Zoning Board on September 24, 2003.

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

SECTION 1. The plat of the subdivision known as A.D. Hiatus is hereby approved subject to staff's recommendations and conditions on the planning report which is attached hereto as Exhibit "A" and made a part hereof.

SECTION 2. The Mayor is authorized to sign such plat on behalf of the Town and the Town Clerk is directed to affix to such plat the Town seal.

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

PASSED AND ADOPTED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2003.

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

Attest:

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

APPROVED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2003.

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

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**APPLICANT INFORMATION**

<b><u>Owner:</u></b>		<b><u>Agent/Council:</u></b>	
<b>Name:</b>	A&D Builders, Inc.	<b>Name:</b>	Hager, Palbicki & Associates, Inc.
<b>Address:</b>	3010 S. Federal Highway	<b>Address:</b>	3850 NW Boca Raton Boulevard Suite 3
<b>City:</b>	Boynton Beach, FL 33435	<b>City:</b>	Boca Raton, FL 33435
<b>Phone:</b>	(561) 733-0965	<b>Phone:</b>	(561) 395-3600

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**BACKGROUND INFORMATION**

**Application History:** This item was automatically tabled at the September 10 Planning and Zoning Board Meeting due to a lack of quorum.

**Application Request:** Approval of the resolution for the proposed subdivision plat to be known as A.D. Hiatus Plat for the development of two single-family detached dwelling units.

**Address/Location:** 1535 SW 112 Avenue/Generally located on the west side of Hiatus Road (SW 112 Avenue) approximately 480 feet north of SW 16 Street.

**Future Land Use Plan Designation:** Residential-1 (1 DU/AC)

**Existing Use:** Vacant

**Existing Zoning:** A-1 (Agricultural District)

**Proposed Use:** 2 single-family dwelling units

**Parcel Size:** 2.453 acres (106,838 square feet)

**Surrounding Existing Use:**

**North:** Nursery  
**South:** Vacant  
**East:** Multi-family Residential (Village at Harmony Lakes)  
**West:** Vacant

**Surrounding Future Land Use Plan Designation:**

**North:** Residential-1 DU/AC  
**South:** Residential-1 DU/AC  
**East:** Residential-5 DU/AC  
**West:** Residential-1 DU/AC

**Surrounding Zoning:**

**North:** A-1, Agricultural District  
**South:** A-1, Agricultural District  
**East:** PRD-5, Planned Residential District  
**West:** A-1, Agricultural District

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**ZONING HISTORY**

**Related Zoning History:** This property was formerly recorded as “Florida Fruit Lands Company Subdivision Number 1” in Plat Book 2, Page 17 of the public records of Broward County. Based on the age of the original Plat, the land must be replatted in order for development to occur.

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**APPLICATION DETAILS**

The applicant’s submission indicates the following:

1. *Site:* The subject site consists of approximately 2.453 acres (106,838 square feet) for two single-family detached dwelling units.
2. *Dedication:* The plat dedicates fifteen (15) feet of right-of-way along the eastern limits of the plat. This right-of-way will be incorporated into the existing right-of-way for Hiatus Road.
3. *Easement:* The plat provides for a 10-foot utility easement to the west of the previously mentioned 15-foot right-of-way dedication.
4. *Access:* A 129.95 foot long non-vehicular access line is shown along the western edge of the 15-foot right-of-way dedication and a 35’ access easement is provided along the northern boundary of the plat.
5. *Trails:* A section of the Peaceful Ridge Trail exists outside the eastern boundary of the plat within the right-of-way for Hiatus Road. This section of the Peaceful Ridge Trail runs in a north-south direction on the west side of Hiatus Road, adjacent to the plat.
6. *Restrictive Note:* The plat contains a note restricting the plat to two single family detached units.

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## APPLICABLE CODES AND ORDINANCES

Section 12-360(B)(1) of the Land Development Code, platting requirements.

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### Comprehensive Plan Considerations

**Planning Area:** The subject property is located within Planning Area 2. Planning Area 2 includes the westernmost section of the Town north of Orange Drive and south of SW 14 Street, and bound on the west by Interstate 75 and on the east by SW 100 Avenue. The predominant existing and planned land use is single family residential at a density of one dwelling per acre.

**Broward County Land Use Plan:** The subject site falls within Flexibility Zone 100.

**Applicable Goals, Objectives & Policies:** The proposed plat is generally consistent with the goals, objectives and policies of the Comprehensive Plan.

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### Staff Analysis/ Findings of Fact

The applicant has already constructed one house on the rear half of the 2.5 acre lot and is proposing a second house on the half of the lot which abuts SW 122 Avenue (Hiatus Road). Section D.2, Chapter IV of the 1989 Broward County Land Use Plan exempts one single family dwelling unit from platting - the addition of the second dwelling unit has triggered the requirement to plat.

The proposed plat is consistent with the Comprehensive Plan and Land Development Code as it relates to access, use, location and size.

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### Staff Recommendation

Staff finds the subject application complete and suitable for transmittal to the Planning and Zoning Board and Town Council for further consideration. In addition, the following conditions must be met prior to final approval:

1. Approval shall be subject to sufficient capacity of the regional road network 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. A Mylar copy of the plat shall be provided to the Planning and Zoning Division upon recordation.
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### Planning and Zoning Board Recommendation

At the September 24, 2003, Planning and Zoning Board meeting, Mr. McLaughlin made a motion, seconded by Ms. Lee, to approve based upon the report from Broward County on the right-of-way. (Motion carried 5-0).

*Staff Notes: the amount of existing right-of-way from the centerline of Hiatus Road is 40 feet to both the north and south of the A.D. Hiatus Plat. The 15 feet of right-of-way being dedicated by the Plat, when added to the existing 25 feet of right-of-way, will equal 40 feet of right-of-way, which is consistent with the width of that section of Hiatus Road and in accordance with Broward County Engineering Department.*

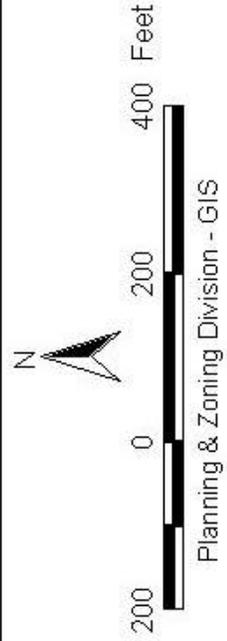
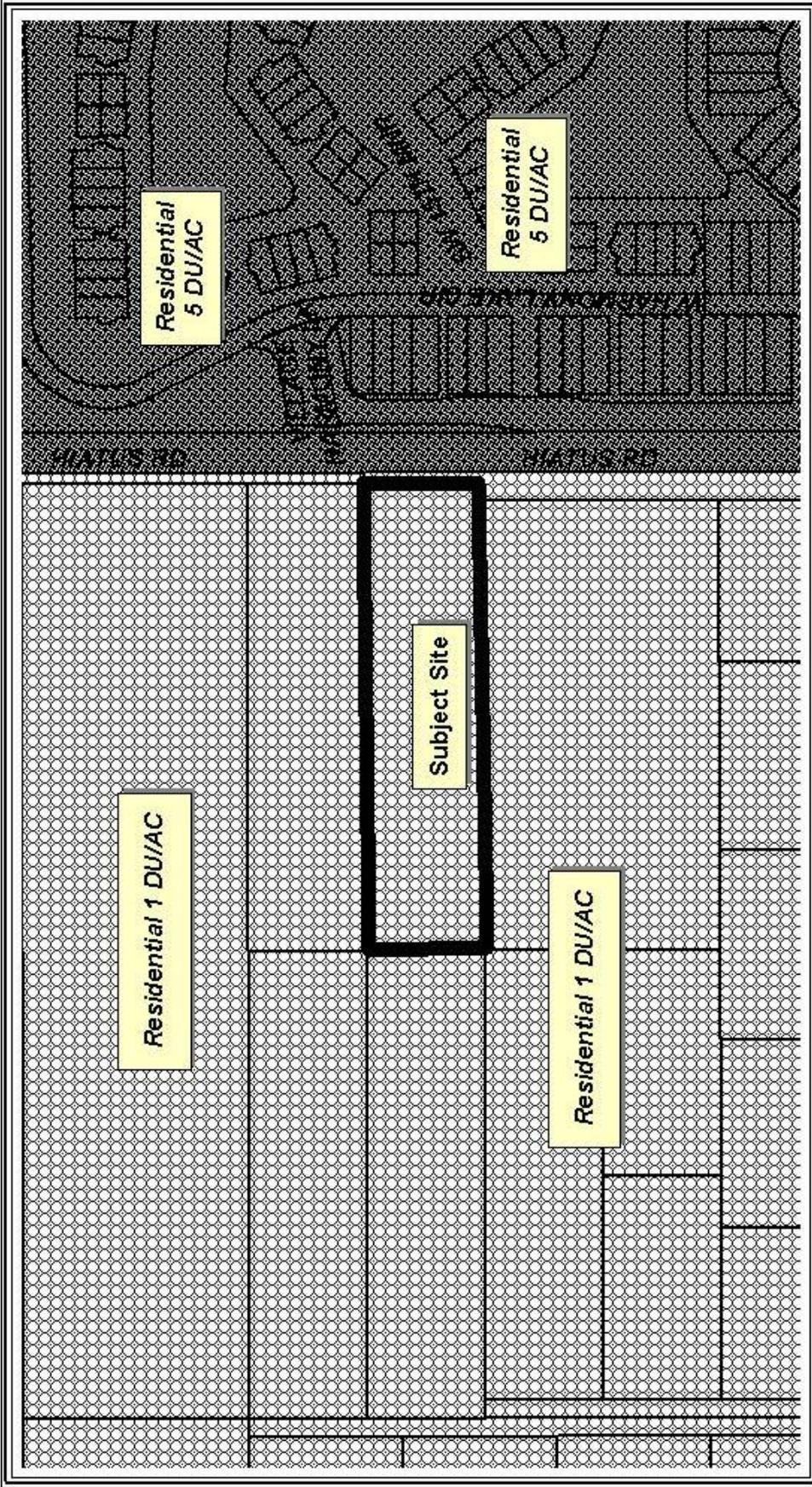
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**Exhibits**

1. Plat
2. Future Land Use Map
3. Zoning and Aerial Map

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

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

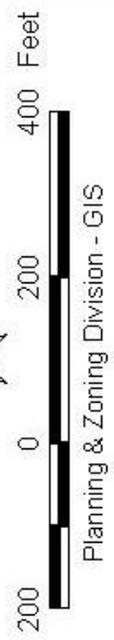


**PLAT  
P 3-4-03  
Future Land Use Map**

Prepared By: TAV  
Date Prepared: 5/16/03



Date Flown:  
12/31/00



Planning & Zoning Division - GIS



**PLAT  
P 3-4-03  
Zoning and Aerial Map**

Prepared By: TAV  
Date Prepared: 5/16/03