

# 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: Annie Feng, Planner II

**SUBJECT:** Special Permit/Quasi-judicial, SE 9-1-03, Keith & Ballbe, Inc./Southern Homes of Davie II, Inc., 12901 Orange Drive, Generally located at the northwest corner of Orange Drive and Flamingo Road

**AFFECTED DISTRICT:** District 4

**TITLE OF AGENDA ITEM:** SE 9-1-03/Grove Creek Sales Trailer, 12901 Orange Drive (A-1)

**DURATION OF REQUEST:** 18 months (Section 12-308 of the Land Development Code)

**REPORT IN BRIEF:** The applicant is requesting a special permit to allow a 3,200 square feet temporary trailer to be utilized as a sales office for the approved single-family development known as Grove Creek (Flamingo Plat) for a maximum of 18 months. The master site plan (MSP 2-3-02) for the construction of 79 single-family homes on the 97-acre site at the northwest corner of Orange Drive and Flamingo Road was approved by the Town Council on June 18, 2003.

The proposed modular building is to be located on a corner lot adjacent to the main entrance on Orange Drive, set back approximately 250' from Orange Drive and outside the scenic corridor. The access to the sales office is via the 25-foot opening on the main street within the development. Seventeen (17) paved parking spaces are provided to support the sales trailer. A covered front porch with three towers, metal roof, decorative cornices, and columns is proposed in front of the modular building. It provides the single-family home characteristics in compliance with the Rural Lifestyle Regulations and substantially improves the appearance of the pre-manufactured modular building. The modular building is surrounded by continuous red-tip Cocoplum hedges with the combination of different layers of landscaping material including shade trees, palms, under-canopy trees, shrubs, and ground covers. Cocoplum hedges and Mahogany trees are provided as a buffer for the parking lot.

The Rural Lifestyle Regulations require a minimum of 40' to 50' front setback, 30' side setback and 35' rear setback and the proposed trailer meets these setbacks. The proposed use has minimum impact to the adjacent areas for the regulated 18-month time period as it is located approximately 250' from Orange Drive, and 300' to 400' from the east and west property lines. It is outside of the scenic corridor and buffered by landscaping.

**PREVIOUS ACTIONS:** None

**CONCURRENCES:** At the November 12, 2003 Planning and Zoning Board meeting, Ms. Lee made a motion, seconded by Vice-Chair Turin, to approve (Motion carried 4-0 with Mr. Stevens absent).

**FISCAL IMPACT:** N/A

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

**Attachment(s):** Planning Report, Conceptual Site Plan, Land Use Map, Zoning and Aerial Map

---

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

---

**Applicant Information**

<b>Owner:</b>		<b>Petitioner:</b>	
<b>Name:</b>	Southern Homes of Davie II, Inc.	<b>Name:</b>	Keith & Ballbe, Inc.
<b>Address:</b>	12900 SW 128 Street, Suite 100	<b>Address:</b>	2201 W Prospect Rd., #100
<b>City:</b>	Miami, FL 33186	<b>City:</b>	Ft. Lauderdale, FL
		<b>Phone:</b>	(954) 489-9801

---

**Background Information**

**Date of Notification:** November 5, 2003      **Number of Notifications:** 89

**Planning and Zoning Board Recommendation:** Approved

**Application History:** No deferrals have been requested.

**Application Request:** Special Permit pursuant to Section 12-35 of the Land Development Code, in order to allow a modular building to be used as a sales office for the approved single family development known as Grove Creek (Flamingo Plat) on the subject site. The duration of the special permit is 18 months.

**Address/Location:** 12901 Orange Drive/Generally located at the northwest corner of Orange Drive and Flamingo Road

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

**Zoning:** A-1, Agricultural District

**Existing Use:** Vacant

**Proposed Use:** Temporary trailer used as a sales office

**Parcel Size:** 97.12 acres

	<b>Surrounding Uses:</b>	<b>Surrounding Land Use Plan Designation:</b>
<b>North:</b>	Horse farm & Flamingo ESL	Residential (1 DU/AC)
<b>South:</b>	Flamingo Commons & Orange Drive	Commercial and Right-of-way

**East:** Flamingo Commons & Flamingo Road Commercial and Right-of-way  
**West:** Single Family (Imagination Farms) Residential (1 DU/AC)

**Surrounding Zoning:**

**North:** A-1, Agricultural District  
**South:** B-3, Planned Business Center & Orange Drive  
**East:** B-3. Planned Business Center & Flamingo Road  
**West:** E, Estate District

---

## **Zoning History**

**Previous Requests on same property:**

On October 2, 2002, the Town of Davie adopted Ordinance No. 2002-35 approving rural lifestyle regulations including the Scenic Corridors Overlay District.

On November 20, 2001, the Town Council approved the plat, Flamingo Plat.

On June 18, 2003, the Town Council approved the site plan (MSP 2-3-02) for the construction of 79 single family homes on the subject site.

---

## **APPLICABLE CODES AND ORDINANCES**

Section 12-308 of the Land Development Code, review for special permits.

Section 12-35 of the Land Development Code. Special uses are those uses which have some special impact or uniqueness such that their effect on the surrounding environment cannot be determined in advance of the use being proposed for a particular location. A request for such use shall take the form of an application for special permit, processed in accordance with the regulations contained in Article X.

Section 12-287 (B) of the Land Development Code requires a minimum of 40' to 50' front setback, 30' side setback and 35' rear setback in A-1 zoning district.

---

## **COMPREHENSIVE PLAN CONSIDERATIONS**

**Planning Area:** The subject site is located in 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 113.

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

The subject application complies with the goals, objectives, and policies of the comprehensive plan.

---

## **Application Details and Staff Analysis**

The intent of a special permit application is to allow review for uses that cannot be determined in advance and may have an unknown affect upon the surrounding environment. The applicant is requesting a special permit to allow a 3,200 square feet temporary trailer to be utilized as a sales office for the approved single-family development known as Grove Creek (Flamingo Plat) for a maximum of 18 months. The master site plan (MSP 2-3-02) for the construction of 79 single-family homes on the 97-acre site at the northwest corner of Orange Drive and Flamingo Road was approved by the Town Council on June 18, 2003.

The proposed modular building is to be located on a corner lot adjacent to the main entrance on Orange Drive. It sets back approximately 350' from the east and west property lines, and 250' from Orange Drive and outside the scenic corridor. The access to the sales office is via the 25-foot opening on the main street within the development. The 50-foot rights-of-way within the development will be constructed in compliance with the approved master site plan. Seventeen (17) paved parking spaces are provided to support the sales trailer.

A covered front porch with three towers, metal roof, decorative cornices, and columns is proposed in front of the modular building. It provides the single-family home characteristics in compliance with the Rural Lifestyle Regulations and substantially improves the appearance of the pre-manufactured modular building. The continuous red-tip Cocoplum hedges with the combination of different layers of landscaping material including shade trees, palms, under-canopy trees, shrubs, and ground covers around the modular building further enhance the elevations. Cocoplum hedges and Mahogany trees are provided as a buffer for the parking lot.

The Rural Lifestyle Regulations require a minimum of 40' to 50' front setback, 30' side setback and 35' rear setback and the proposed trailer meets these setbacks. The proposed use has minimum impact to the adjacent areas for the regulated 18-month time period as it is located approximately 250' from Orange Drive, and 350' from the east and west property lines. It is outside of the scenic corridor and buffered by landscaping. Staff has no objections to the use of the trailer as a sales office at a temporary base.

---

## **Findings of Fact**

### **Review for Special Permits:**

#### **Section 12-308(A) (1) (a):**

**The following findings of facts apply to the special permit request:**

- (i) The proposed change is not contrary to the adopted comprehensive plan, as amended, or any element or portion thereof;

*The Future Land Use Map designation for the subject site is residential (1DU/AC) and the temporary sales office is permitted through a special permit for projects with approved site plans. The master site plan for this site, Flamingo Plat (Grove Creek), was approved by the Town Council on June 18, 2003. Therefore, it is consistent with the comprehensive plan.*

- (ii) The proposed change will not create an unrelated and incompatible use;

*The proposed temporary trailer is a temporary sales office for the proposed single-family development of Flamingo Plat (Grove Creek) for a maximum of 18 months on the subject site and creates no incompatibilities with surrounding properties.*

- (iii) The proposed change will not adversely affect living conditions in the neighborhood or the town;

*The proposed temporary trailer will have no adverse impacts on living conditions in the neighborhood or in the town as it is for a maximum of 18 months and only during the period of construction of the single-family homes for Flamingo Plat (Grove Creek).*

- (iv) 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;

*The access to the sales office is via the proposed 50-foot right-of-way for the single family development. The road will be constructed in compliance with the approved master site plan. The anticipated trips for the sales office is well below the approved single-family development and will not create or excessively increase automobile and vehicular traffic congestion around the immediate areas. In addition, the use is temporary and considered accessory to the primary use of approved single-family homes.*

- (v) The proposed change will not adversely affect surrounding property values;

*The proposed temporary trailer will have no impact on surrounding property values as it is at a temporary base during the construction of single-family homes of Flamingo Plat (Grove Creek).*

- (vi) The proposed change will not be a deterrent to the improvement or development of other property in accord with existing regulations;

*The proposed temporary trailer is on a vacant lot within the development. It will not deter the site from building other single-family houses on the remaining lots as it serves the proposed development.*

- (vii) The proposed change does not constitute a grant of special privilege to an individual owner as contrasted with the welfare of the general public.

*A temporary sales trailer has been previously granted for other single-family developments. The requested special permit will not constitute a grant of special privilege as it is understood that sales trailers are necessary for sales of homes for any new substantial development.*

---

### **Staff Recommendation**

Since the trailer is limited to 18 months during construction of the proposed development and located within the required setbacks, it meets the criteria established by the Land Development Code. In addition, the design of the modular building and proposed landscaping reflect the intent of the Rural Lifestyle Regulations.

Staff finds the subject application complete and suitable for transmittal to the Planning and Zoning Board and Town Council for further consideration.

---

### **Planning and Zoning Recommendation**

At the November 12, 2003 Planning and Zoning Board meeting, Ms. Lee made a motion, seconded by Vice-Chair Turin, to approve (Motion carried 4-0 with Mr. Stevens absent).

---

### **Town Council Action**

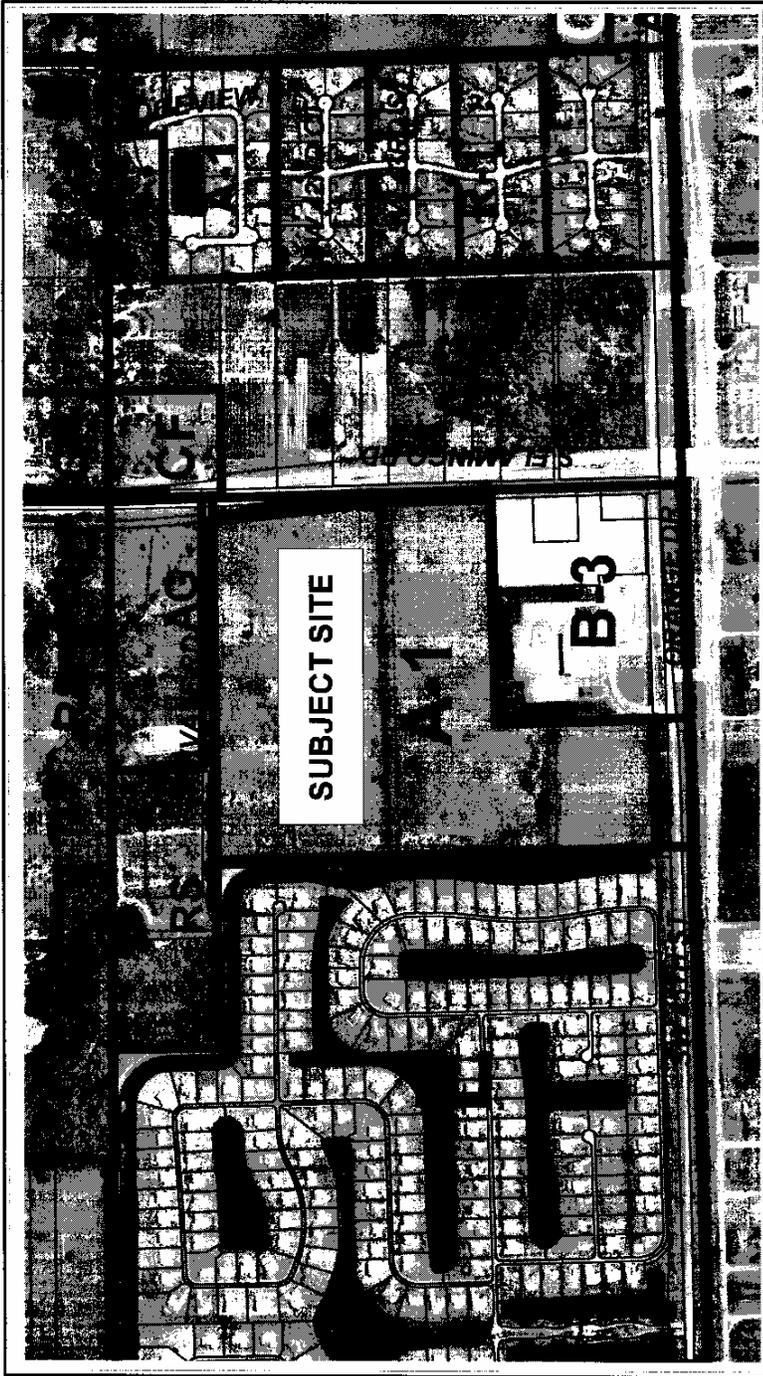
---

#### **Exhibits**

1. Conceptual Site Plan
2. Future Land Use Map
3. Zoning and Aerial Map

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

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



Date Flown:  
12/31/00



600 0 600 1200 Feet

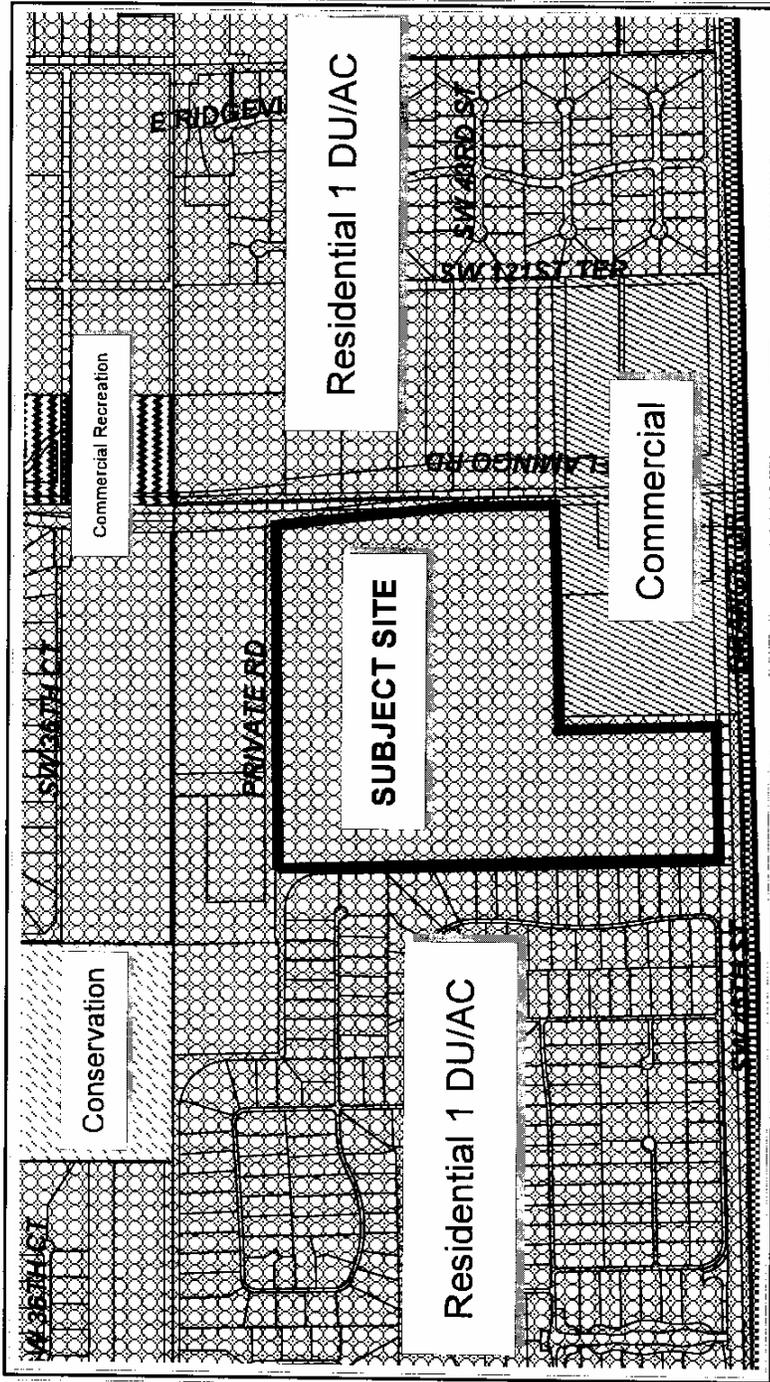


Planning & Zoning Division - GIS



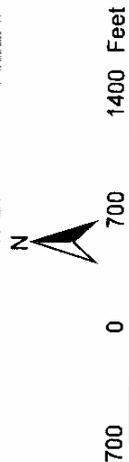
**SPECIAL PERMIT  
SE 9-1-03  
Zoning and Aerial Map**

Prepared By: AYF  
Date Prepared: 10/20/03



**SPECIAL PERMIT  
SE 9-1-03  
Future Land Use Map**

Prepared By:  
Date Prepared:



Planning & Zoning Division - GIS

\* \* \* \* \*

THIS PAGE  
INTENTIONALLY  
LEFT BLANK

\* \* \* \* \*