

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: Christopher M. Gratz, Planner II

SUBJECT: Quasi Judicial Hearing: Special Permit, SE 11-1-03, Blackhawk Reserve, 15191 SW 15 Place/Generally located on the south side of SW 14 Street, approximately 700' from Shotgun Road.

AFFECTED DISTRICT: District 4

TITLE OF AGENDA ITEM: SE 11-1-03 Blackhawk Reserve (R-1)

REPORT IN BRIEF: The applicant requests to utilize the existing construction trailer as a temporary real estate sales office for a period of time not to exceed eighteen (18) months. This request is associated with the development of the single family subdivision known as Blackhawk Reserve (formerly Belmont Lakes at Davie).

The trailer is located on a corner lot adjacent to the main entrance at SW 14 Street. Its location meets required setbacks, as the structure is over 115' from the front and rear property lines and is over 35' from the east and west property lines. Access to the parcel is via the 20' opening on SW 15 Place. The existing fourteen (14) paved parking spaces, from the previous temporary real estate sales office, exceed parking requirements. Additionally, the applicant's plan shows that the site will be adequately landscaped with six (6) Live Oaks, five (5) Green Buttonwood, two (2) Cassia Surattensis with a bed of Nora Grants at the entrance, continuous Cocoplum hedge around the trailer with four (4) Hibiscus at the front, and continuous Ficus hedge around the parking lot.

Staff finds that the temporary real estate sales trailer is a compatible use on the subject site. The modular building is placed at a proper location within the district setbacks, will be landscaped adequately, and as such will not have an adverse impact on the surrounding area.

PREVIOUS ACTIONS: None

CONCURRENCES: At the January 14, 2004, Planning and Zoning Board meeting, Mr. McLaughlin made a motion, seconded by Mr. Stevens, to approve subject to increasing the height of the landscape material to 14-feet overall (Motion carried 5-0).

FISCAL IMPACT: N/A

RECOMMENDATION(S): Staff finds the subject application complete and suitable for transmittal to Town Council for further consideration. In addition, staff recommends the following condition be met:

1. Provide a bond or other acceptable surety to ensure the removal of the trailer and asphalt paving at the end of the 18 month duration.

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

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



Applicant Information

Owner/Agent

Name: Randy W. Paigo, Vice President of Operations
Blackhawk Reserve/Regency Homes
Address: 2852 University Drive
City: Coral Springs, FL 33065
Phone: (954) 755-1775

Background Information

Date of Notification: January 7, 2004 **Number of Notifications:** 18

Application History: No deferrals have been requested.

Planning and Zoning Board Recommendation: Approval subject to revising the size specifications on the landscape plan.

Application Request: Special Permit pursuant to §12-35 of the Land Development Code, in order to allow a modular building to be used as a temporary real estate sales office. The duration of the request is for eighteen (18) months.

Address/Location: 15191 SW 15 Place/Generally located on the south side of SW 14 Street, approximately 700' from Shotgun Road.

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

Zoning: R-1, Estate Dwelling District

Existing/Proposed Use: Construction trailer/Temporary real estate sales office

Parcel Size: 0.803 acres (35,000 square feet)

	<u>Surrounding Uses:</u>	<u>Surrounding Land Use Plan Map Designations:</u>
North:	Open Space, Single family residential within the City of Sunrise	Residential (1 DU/AC)
South:	Recreation area (tennis courts)	Residential (1 DU/AC)
East:	Single family dwelling	Residential (1 DU/AC)
West:	Entrance drive, Single family dwelling	Residential (1 DU/AC)

Surrounding Zoning:

North:	OS, Open Space District, City of Sunrise
South:	R-1, Estate Dwelling District
East:	R-1, Estate Dwelling District
West:	R-1, Estate Dwelling District

Zoning History

Previous Requests on same property: The site plan, SP 2-7-96 Belmont Lakes at Davie, was approved on June 6, 1996.

The site plan modification for the entrance wall, SP 11-7-99 Belmont Lakes at Davie, was approved on January 5, 2000.

The special permit, SE 6-1-01 Belmont Lakes at Davie, for a temporary real estate sales trailer, was approved August 1, 2001.

The temporary use permit, TU 10-3-03 Blackhawk Reserve, for a construction trailer, was approved on December 3, 2003.

Applicable Codes and Ordinances

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

§12-35 (P) (1) (f) of the Land Development Code. A trailer may be used as a temporary real estate sales office pursuant to a special permit. The office shall be removed upon completion of the development of the subdivision or sooner, as dictated pursuant to the special permit. Sales activity may not be initiated on the development site until final development approval has been granted by the town council pursuant to the site plan approval procedure.

§12-81 of the Land Development Code, Conventional Single Family Development Standards, R-1, Estate Dwelling District, requires the following minimums: lot area of 35,000 square feet, 125' frontage, 30-40' staggered front yard, 25' side yards, 30' rear yard, 2,400 square foot floor area, and the following maximums: 35' building height and 25% lot coverage.

Comprehensive Plan Considerations

Planning Area: The subject property falls 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 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.

Application Details and Staff Analysis

The applicant requests to utilize the existing construction trailer as a temporary real estate sales office for a period of time not to exceed eighteen (18) months. This request is associated with the development of the single family subdivision known as Blackhawk Reserve (formerly Belmont Lakes at Davie).

The trailer is located on a corner lot adjacent to the main entrance at SW 14 Street. Its location meets required setbacks, as the structure is over 115' from the front and rear property lines and is over 35' from the east and west property lines. Access to the parcel is via the 20' opening on SW 15 Place. The existing fourteen (14) paved parking spaces, from the previous temporary real estate sales office, exceed parking requirements. Additionally, the applicant's plan shows that the site will be adequately landscaped with six (6) Live Oaks, five (5) Green Buttonwood, two (2) Cassia Surattensis with a bed of Nora Grants at the entrance, continuous Cocoplum hedge around the trailer with four (4) Hibiscus at the front, and continuous Ficus hedge around the parking lot.

Staff finds that the temporary real estate sales trailer is a compatible use on the subject site. The modular building is placed at a proper location within the district setbacks, will be landscaped adequately, and as such will not have an adverse impact on the surrounding area.

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;

A temporary real estate sales office is permitted on properties with an approved site plan. The request does not represent any permanent change to the property, and therefore is not in conflict with any portion of the comprehensive plan.

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

The temporary real estate sales office poses no incompatibilities with surrounding properties. The use is temporary and the site will be landscape adequately so the trailer does not cause a visual nuisance from the adjacent rights-of-way.

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

The proposed temporary real estate sales office will not have adverse impacts on living conditions in the neighborhood or in the town as it is a temporary use and the site will be landscape adequately so the trailer does not cause a visual nuisance from the adjacent rights-of-way.

- (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 traffic that will be generated by the use of this temporary real estate sales office is less than what would be expected from the single family dwelling that will eventually be built on this site.

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

The proposed real estate sales office will have not impact surrounding property values as this use is temporary and will not cause a visual nuisance from the adjacent rights-of-way.

- (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 real estate sales office would not deter any of the surrounding property owners from developing or improving their properties, as the surrounding properties will not be negatively impacted either visually or by additional traffic issues.

- (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.

This request is for a use that may be permitted it if is determined by the Town Council to be compatible with the surrounding uses. Additionally, it is understood that sales trailers are necessary for the sales of homes for any substantial development

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, staff recommends that the following condition be met:

1. Provide a bond or other acceptable surety to ensure the removal of the trailer and asphalt paving at the end of the 18 month duration.
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Planning and Zoning Board Recommendation

At the January 14, 2004, Planning and Zoning Board meeting, Mr. McLaughlin made a motion, seconded by Mr. Stevens, to approve subject to increasing the height of the landscape material to 14-feet overall (Motion carried 5-0).

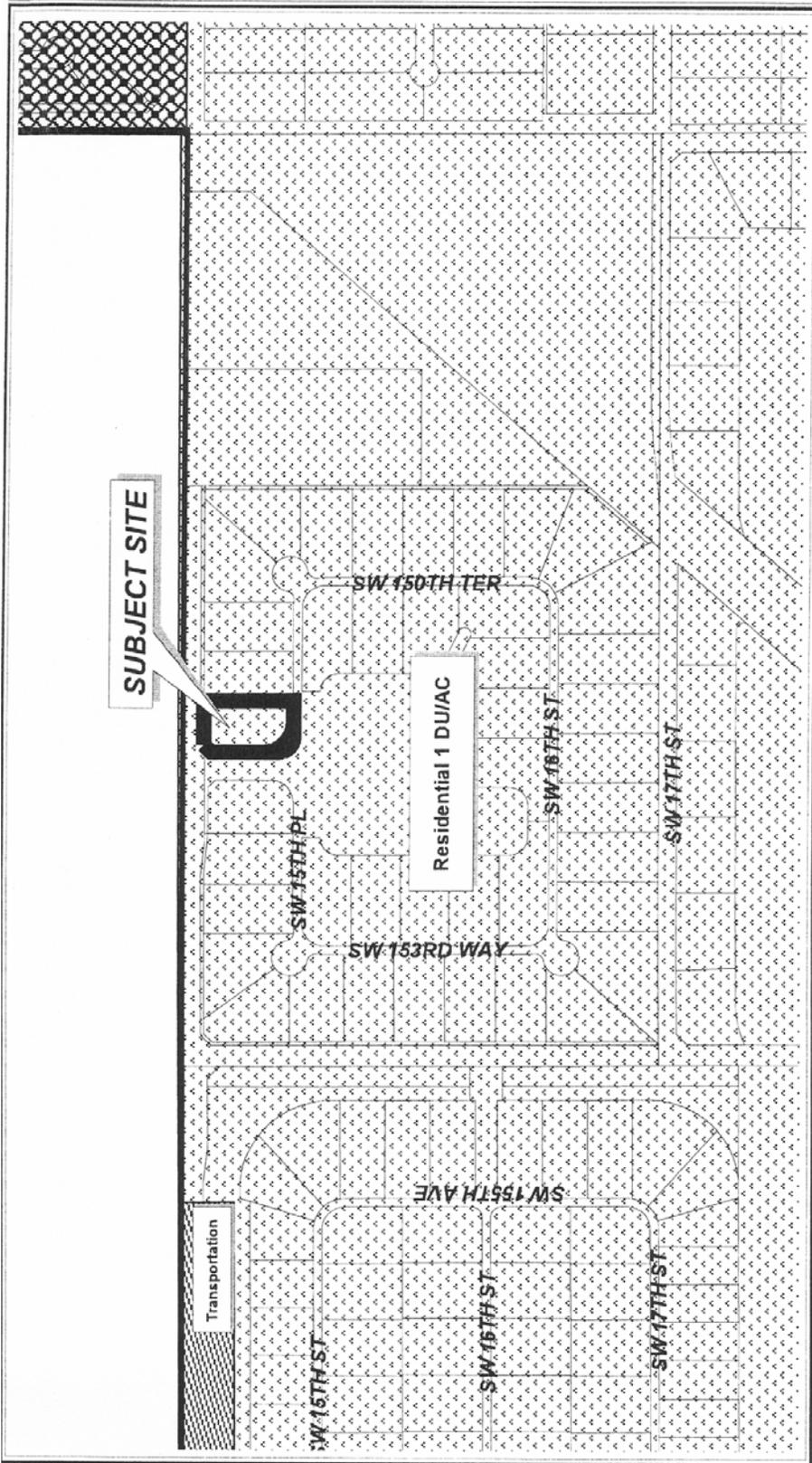
Town Council Action

Exhibits

1. Survey & Landscape Plan
2. Future Land Use Plan Map
3. Zoning and Aerial Map

Prepared by: _____

Reviewed by: _____



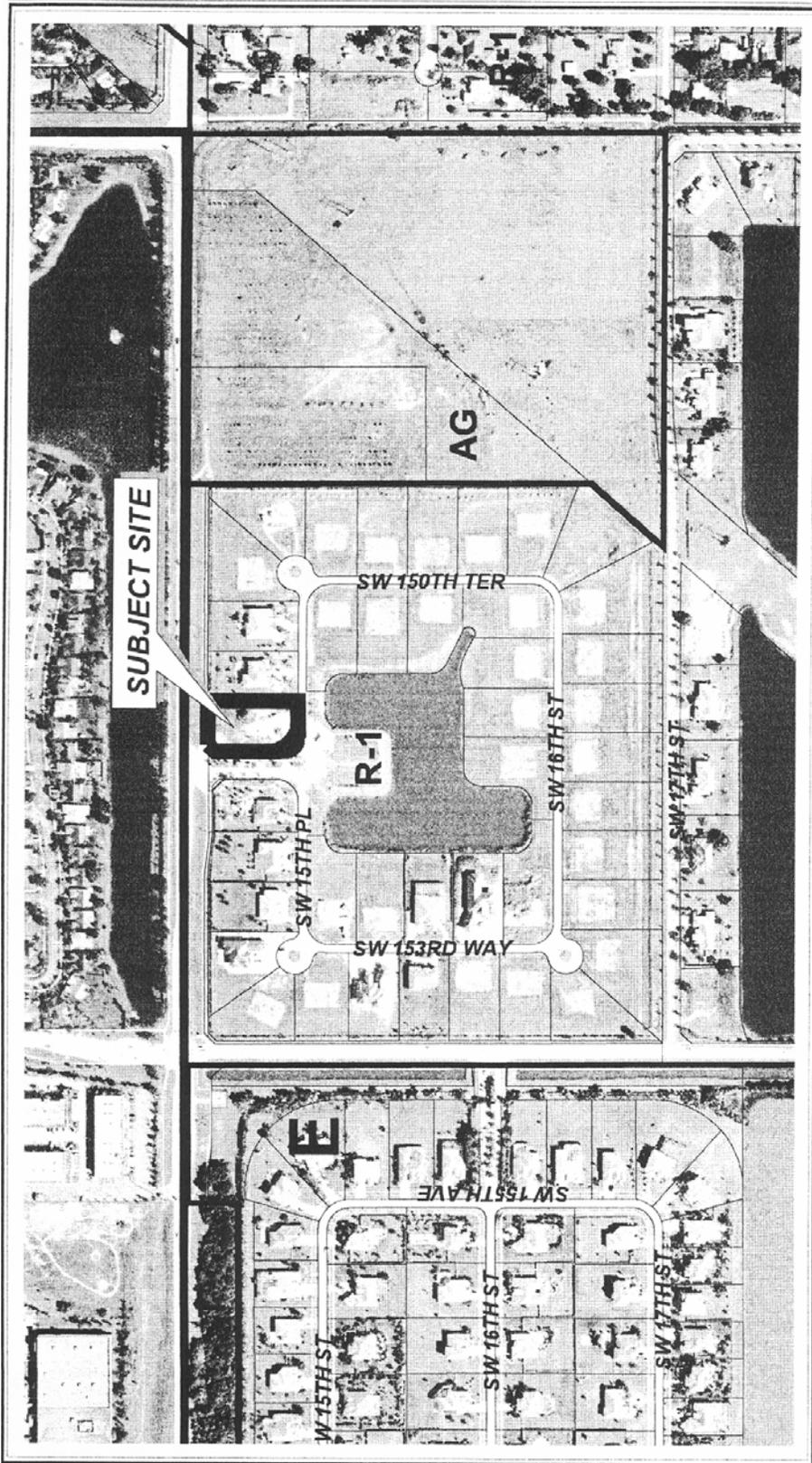
**SPECIAL PERMIT
SE 11-1-03
Future Land Use Map**

Prepared By: ILD
Date Prepared: 12/22/03



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Planning & Zoning Division - GIS



**SPECIAL PERMIT
SE 11-1-03
Zoning and Aerial Map**

Prepared By: ILD
Date Prepared: 12/22/03



Date Flown:
12/29/02



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Planning & Zoning Division - GIS

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