

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: David M. Abramson, Planner III

SUBJECT: Delegation Request: DG 7-3-06/05-537/Three Oaks Business Center/5951 Orange Drive/Generally located between Orange Drive and Southwest 44th Court, and between Southwest 60th Avenue and Southwest 59th Avenue.

AFFECTED DISTRICT: District 1

TITLE OF AGENDA ITEM:

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, VACATING A 60' INGRESS/EGRESS EASEMENT FROM THE "DAVIE TROPICANA REPLAT," AND PROVIDING AN EFFECTIVE DATE.

REPORT IN BRIEF:

The petitioner requests to vacate an existing 60' ingress/egress easement recorded across a portion of Parcels "A" and "B" on the "Davie Tropicana Replat." This easement was a condition of approval by the County in accordance with the deletion of turn lanes associated to the plat.

This delegation request is needed to ensure that the "Davie Tropicana Replat" is consistent with the proposed "Three Oaks Business Center" site plan. Staff finds that the proposed amendment is consistent with the existing and proposed use of the subject site.

PREVIOUS ACTIONS: n/a

CONCURRENCES: n/a

FISCAL IMPACT: n/a

Has request been budgeted? n/a

RECOMMENDATION(S):

Staff finds the application complete and suitable for transmittal to Town Council for further consideration.

Attachment(s): Resolution, Justification letter, Sketch and Description, "Davie Tropicana Replat," Future Land Use Map, Aerial, Zoning, & Subject Site Map

RESOLUTION _____

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, VACATING A 60' INGRESS/EGRESS EASEMENT FROM THE "DAVIE TROPICANA REPLAT," AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the boundary plats known as "Davie Tropicana Replat" recorded in Plat Book 165 of plats at page 12 of the public records of Broward County; and,

WHEREAS, the petitioner has a site plan application known as "SP 5-2-05/Three Oaks Business Center" to develop the subject site with commercial use; and,

WHEREAS, the petitioner desires to amend the said plats in accordance with the approved site plan; and,

WHEREAS, the petitioner requests to vacate a 60' ingress/egress easement recorded across a portion of Parcels "A" and "B" on "Davie Tropicana Replat.

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

SECTION 1. The Town Council of the Town of Davie does hereby approve the delegation request to vacate a 60' ingress/egress easement recorded across a portion of Parcels "A" and "B" on "Davie Tropicana Replat." The proposed revisions being specifically described in the planning exhibits attached hereto.

SECTION 2. This resolution shall be recorded in the Broward County public records.

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

PASSED AND ADOPTED THIS _____ DAY OF _____, 2007.

MAYOR/COUNCILMEMBER

ATTEST:

TOWN CLERK

APPROVED THIS _____ DAY OF _____, 2007.

Exhibit (*Justification Letter*)

**Three Oaks Business Center
Delegation Request For
Modifications to "Davie Tropicana Replat"
ACCESS EASEMENT
JUSTIFICATION STATEMENT**

The petitioner is requesting to vacate the 60-foot wide ingress/egress easement recorded across a portion of Parcels "A" and "B" at Orange Drive and relocate it consistent with the proposed right-of-way vacation and site plan.

In 2000 the Town of Davie (Resolution R-2000-78) and Broward County approved a modification to "Davie Tropicana Replat" establishing an access opening on Orange Drive centered approximately 231 feet west of the eastern plat limits and deleting turn lanes associated with the plat. As a condition of approval of the modification, the Broward County Commission required the dedication of a 60-foot wide x 65 foot-deep access easement at the approved opening. This easement was recorded in OR Bk 32033 Pg 1103 on the southern perimeter adjacent to the right-of-way dedicated for Orange Drive.

The proposed vacation of Orange Drive right-of-way necessitates the relocation of the easement to the relocated southern property line. The proposed site design includes a right turn lane at the project entrance on Orange Drive. In order to provide adequate storage in the turn lane, it is necessary to also relocate the centerline of the access easement approximately ~~10 feet~~ to the west.

After approval of the site plan and vacation, a replacement easement will be recorded.

(DESCRIPTION OF INGRESS/EGRESS EASEMENT TO BE VACATED)

NOTE: FOR THE GRAPHICS
CORRESPONDING TO THIS
DESCRIPTION, SEE SHEET 1
OF 2

DESCRIPTION OF INGRESS/EGRESS EASEMENT TO BE VACATED:

A PORTION OF LAND BEING AN INGRESS EGRESS EASEMENT, AS SHOWN WITHIN THAT CERTAIN DOCUMENT RECORDED IN OFFICAL RECORDS BOOK 32033, AT PAGE 1107 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA. SAID PORTION OF LAND BEING SITUATED WITHIN PARCELS "A" AND "B" OF "DAVIE TROPICANA REPLAT" ACCORDING TO PLAT BOOK 165, PAGE 12, AS RECORDED IN THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA. SAID PORTION OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST (NW) CORNER OF SAID PARCEL "A" OF "DAVIE TROPICANA REPLAT"; THENCE SOUTH 01° 44' 34" EAST ALONG THE WEST LINE OF SAID PARCEL "A", SAID LINE ALSO BEING THE WEST PLAT LIMIT OF SAID "DAVIE TROPICANA REPLAT" FOR A DISTANCE OF 102.98 FEET; THENCE SOUTH 46° 45' 49" EAST ALONG A SOUTHTERLY LINE OF SAID PARCEL "A", FOR A DISTANCE OF 42.44 FEET, THENCE NORTH 88° 12' 56" EAST ALONG A SOUTHERLY LINE OF PARCEL "A", FOR A DISTANCE OF 201.46 FEET; THENCE SOUTH 84° 53' 32" EAST ALONG A SOUTHERLY LINE OF PARCEL "A", FOR A DISTANCE OF 21.62 FEET TO A POINT ON THE WESTERLY LINE OF THE INGRESS EGRESS EASEMENT TO BE VACATED, SAID POINT BEING THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE NORTH 01° 43' 19" WEST ALONG SAID WESTERLY LINE, FOR A DISTANCE OF 65.00 FEET; THENCE PROCEED NORTH 88° 16' 41" EAST ALONG THE NORTH (N) LINE OF SAID EASEMENT, FOR A DISTANCE OF 30.00 FEET TO A POINT OF INTERSECTION WITH THE EAST LINE OF SAID PARCEL "A", SAID LINE ALSO BEING THE WEST (W) LINE OF PARCEL "B" OF "DAVIE TROPICANA REPLAT"; THENCE CONTINUE ALONG THE LAST DESCRIBED COURSE OF NORTH 88° 16' 41" EAST INTO SAID PARCEL "B", FOR A DISTANCE OF 30.00 FEET; THENCE PROCEED SOUTH 01° 43' 19" EAST ALONG THE EAST (E) LINE OF SAID EASEMENT, FOR A DISTANCE OF 72.19 FEET TO A POINT OF INTERSECTION WITH A SOUTHERLY LINE OF SAID PARCEL "B"; THENCE NORTH 84° 53' 32" WEST ALONG SAID SOUTHERLY LINE, FOR A DISTANCE OF 30.21 FEET TO THE SOUTHWEST CORNER OF SAID PARCEL "B"; SAID POINT ALSO BEING THE SOUTHEAST CORNER OF PARCEL "A"; THENCE CONTINUE ALONG THE LAST DESCRIBED COURSE OF NORTH 84° 53' 32" WEST, FOR A DISTANCE OF 30.22 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PORTION OF LAND.

SAID PORTION OF LAND SITUATE, LYING AND BEING IN THE TOWN OF DAVIE, BROWARD COUNTY, FLORIDA, CONTAINING APPROXIMATELY 4116 SQUARE FEET OR 0.09 ACRES.

LEGEND:

- P.O.B. = POINT OF BEGINNING
- P.O.C. = POINT OF COMMENCEMENT
- P.O.T. = POINT OF TERMINATION
- P.B. = PLAT BOOK
- PG. = PAGE
- BCR = BROWARD COUNTY
- ORB = OFFICIAL RECORDS BOOK

Francisco A. Aguirre
 FRANCISCO A. AGUIRRE P.E., P.L.S.
 REGISTERED LAND SURVEYOR No. 3354
 STATE OF FLORIDA

REVISIONS/UPDATES:

DATED: 06/12/06 PROJECT No.: 05-047

SCALE: N/A DRAWN BY: XFA CHECKED BY: XFA & FAA REFERENCE PROJECT No.: 03-569

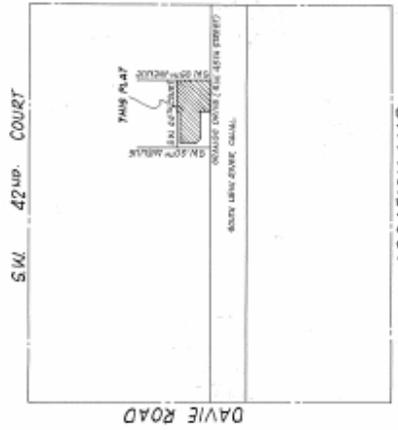

 ASSOCIATED ENGINEERS and SURVEYORS DESIGN GROUP, INC.
 CIVIL ENGINEERS, ARCHITECTS, STRUCTURAL ENGINEERS,
 SURVEYORS, MAPPERS and PLANNERS
 SOUTH FLORIDA and TREASURE COAST
 Main Office: 7261 NW 4th STREET, SUITE 2128
 PLANTATION, FLORIDA, 33317
 PHONE: (354) 316-8770 FAX: (772) 380-8368 (654) 316-8720

FOR:
**THREE OAKS
 BUSINESS PARK**
 DAVE BROWARD COUNTY FLORIDA

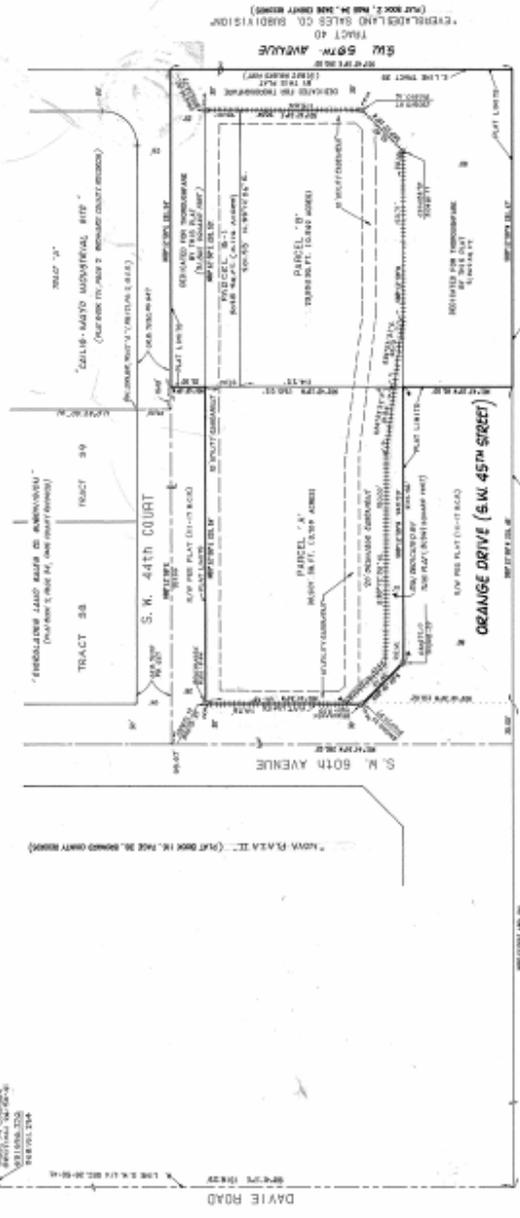
PROJECT: VACATION OF:
**INGRESS/EGRESS
 EASEMENT**

"DAVIE TROPICANA REPLAT"

A REPLAT OF PARCEL "A" OF "DAVIE TROPICANA" (P.B. 111, P.S. 17 & C.R. 1),
SECTION 16, TOWNSHIP 30, SOUTH
RANGE 31, EAST, OF "DAVIE TROPICANA" (P.B. 111, P.S. 17 & C.R. 1),
SECTION 16, TOWNSHIP 30, SOUTH
RANGE 31, EAST, IN THE TOWN OF DAVIE, BROWARD COUNTY, FLORIDA



LOCATION MAP
S.W. 58th AVENUE
S.W. 56th AVENUE
DAVIE ROAD
S.W. 42nd COURT

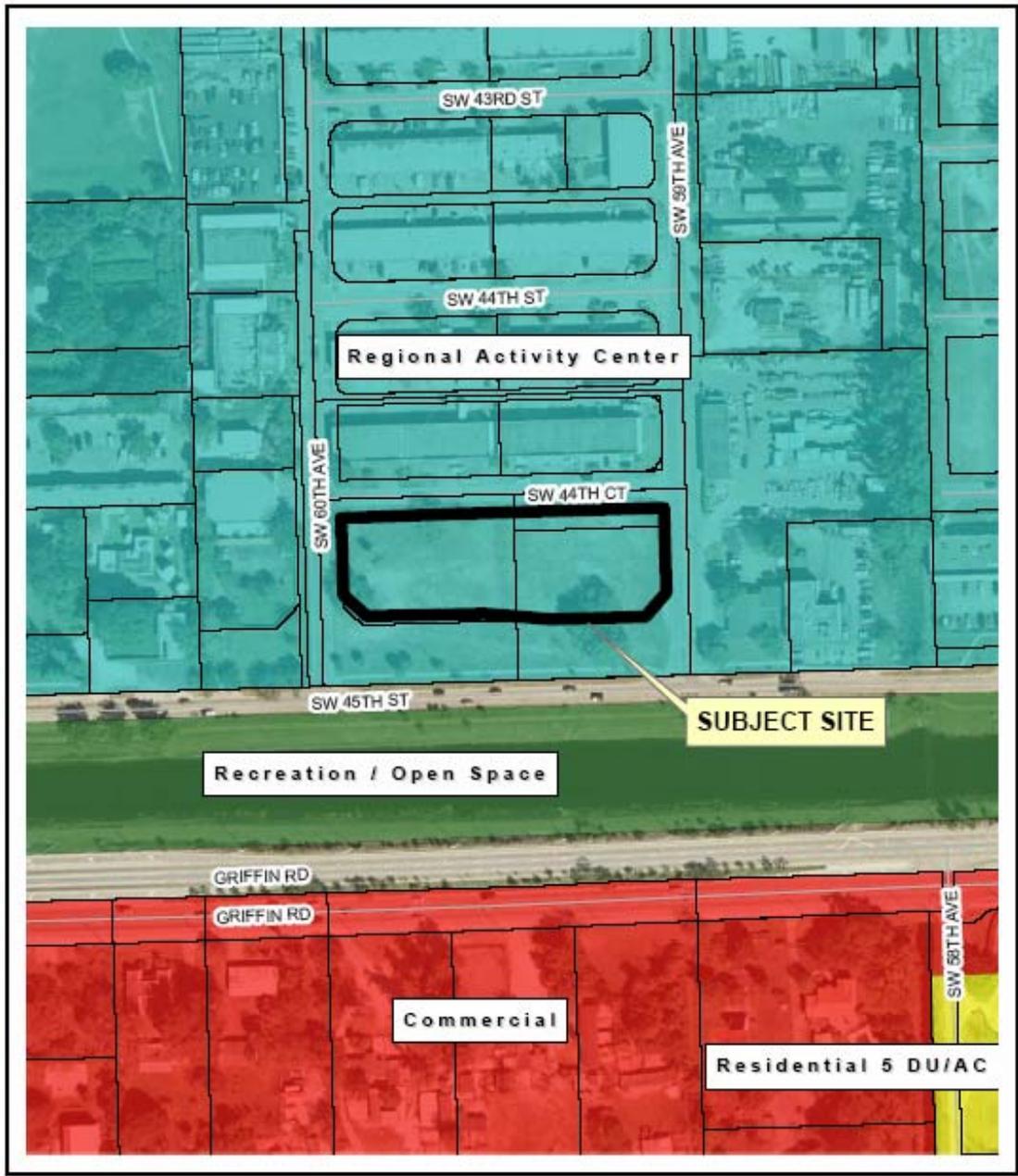


- PLAT NOTES:
1. S.D.S. 1012000 Parcelment Reference Worksheet
 2. S.C. 1012000 Parcelment Reference Worksheet
 3. S.D.S. 1012000 Parcelment Reference Worksheet
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 49. S.D.S. 1012000 Parcelment Reference Worksheet
 50. S.D.S. 1012000 Parcelment Reference Worksheet

Prepared By:
MILLER & COMPANY, INC.
3000 NORTH WINDY HILL ROAD
DAVIE, FLORIDA 33317

SOUTH NEW RIVER CANAL
100' WIDE

Exhibit (Future Land Use Map)



Date Flown:
12/2004

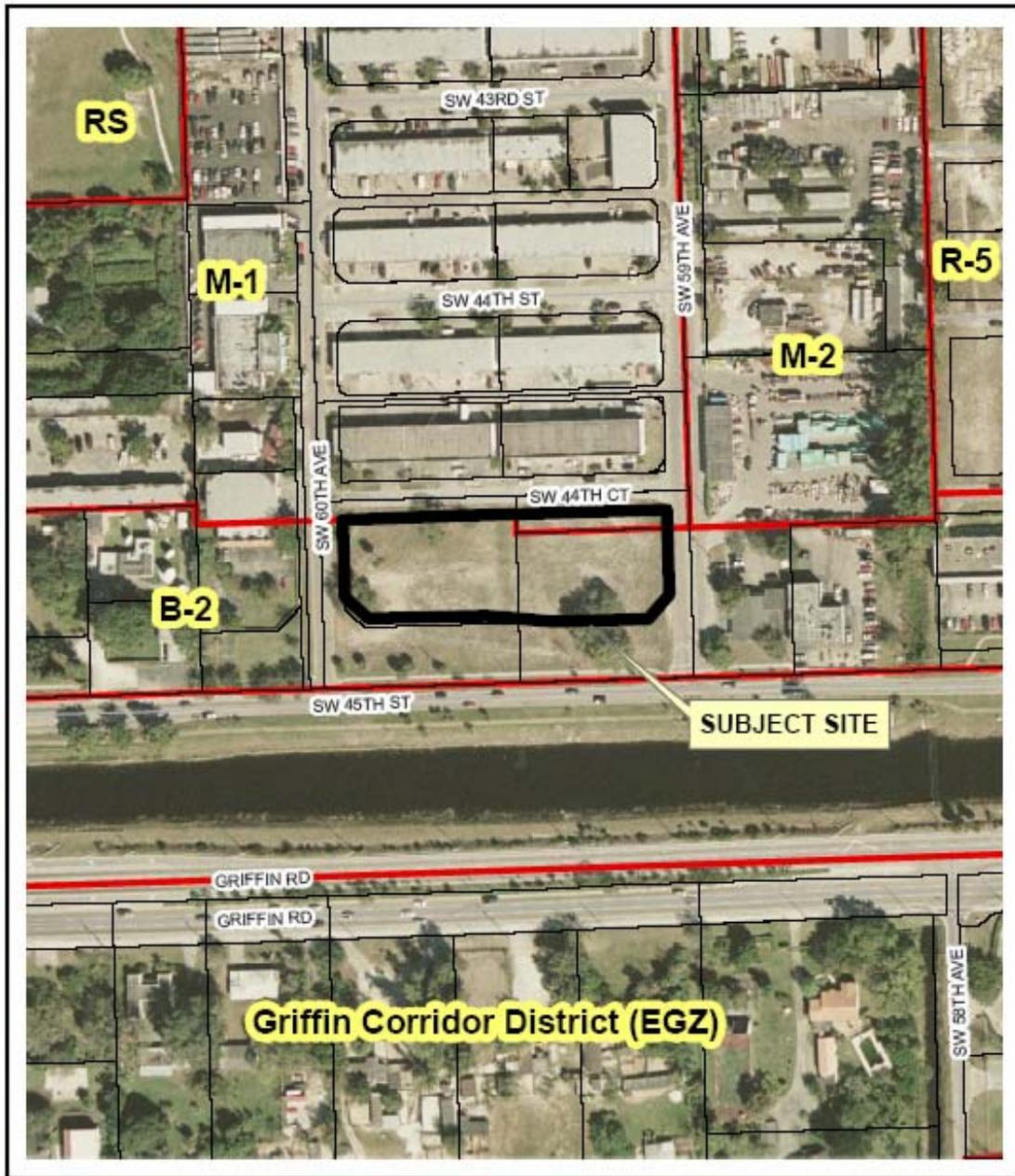


Prepared by the Town of Davie GIS Division

Future Land Use Map

Prepared by: ID
Date Prepared: 12/13/06

Exhibit (Aerial, Zoning, and Subject Site Map)



Date Flown:
12/2004



Prepared by the Town of Davie GIS Division

Zoning and Aerial Map

Prepared by: ID
Date Prepared: 12/13/06

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