



TOWN OF DAVIE

Davie Town Hall: 6591 Orange Drive, Davie, Florida 33314 Phone: (954) 797-1000

**REGULAR MEETING
JULY 18, 2007
7:00 PM**

1. PLEDGE OF ALLEGIANCE

2. ROLL CALL

3. OPEN PUBLIC MEETING

4. APPROVAL OF CONSENT AGENDA

Minutes

- 4.1 May 15, 2007 (Goal Setting Session)
- 4.2 May 16, 2007 (Workshop Meeting)
- 4.3 May 16, 2007 (Regular Meeting)
- 4.4 June 4, 2007 (Workshop Meeting)
- 4.5 June 18, 2007 (Workshop Meeting)

Home Business Tax Receipts

- 4.6 Absolute Rehabilitation Corp., 13163 SW 16 Street
- 4.7 Bella Mujer Swimwear, 11501 SW 9 Street
- 4.8 South Florida Staffing Solutions, Inc., 13163 SW 16 Street

Resolutions

- 4.9 **FIRE MANAGEMENT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, SETTING FORTH CERTAIN BENEFITS FOR FIRE MANAGEMENT BATTALION CHIEF, FIRE INSPECTOR SUPERVISOR, FIRE MARSHAL, ASSISTANT FIRE CHIEF AND DEPUTY FIRE CHIEF; PROVIDING FOR IMPLEMENTATION AND AN EFFECTIVE DATE. (tabled from June 20, 2007)
- 4.10 **AIRPORT OPPOSITION** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, OPPOSING THE RATIFICATION OF ITEM NUMBER 1A, THE EXPANSION OF THE SOUTH RUNWAY TO 8,000 FEET AT THE FT LAUDERDALE-HOLLYWOOD INTERNATIONAL AIRPORT, ON JUNE 5, 2007, BY THE BROWARD COUNTY BOARD OF COMMISSIONERS.
- 4.11 **CONTRACT EXTENSION** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING AN EXTENSION TO THE CONTRACT BETWEEN THE TOWN AND ASHBRIIT ENVIRONMENTAL SERVICES, INC. FOR DISASTER RECOVERY DEBRIS REMOVAL SERVICES. (not budgeted - FEMA reimbursement)

- 4.12 **CONTRACT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH BERGERON EMERGENCY SERVICES, INC. FOR DISASTER RECOVERY SERVICES. (not budgeted - FEMA reimbursement)
- 4.13 **AGREEMENT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT BETWEEN THE ARCHDIOCESE OF MIAMI ST. BERNADETTE'S CHURCH AND THE TOWN OF DAVIE POLICE DEPARTMENT FOR TRAFFIC CONTROL.
- 4.14 **BID** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AWARDING THE BID FOR FILTER MEDIA REPLACEMENT TO ACCU TEC SYSTEMS, INC. (\$128,700)
- 4.15 **BID** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ACCEPTING THE BIDS FROM WEEKLEY ASPHALT PAVING, INC. AND GENERAL ASPHALT CO., INC. FOR ASPHALT OVERLAY. (cost dependent upon projects)
- 4.16 **SELECTION OF FIRM** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, SELECTING THE FIRM OF PROFESSIONAL CONCESSIONS, INC. TO PROVIDE CONCESSIONAIRE SERVICES AT THE BERGERON RODEO GROUNDS AND AUTHORIZING THE TOWN ADMINISTRATOR OR HIS DESIGNEE TO NEGOTIATE AN AGREEMENT FOR SUCH SERVICES.
- 4.17 **SELECTION OF FIRM** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, SELECTING THE FIRM OF BOCA SWIM ACADEMY, INC. TO PROVIDE AQUATIC PROGRAMMING SERVICES AT PINE ISLAND PARK POOL AND BETTY BOOTH ROBERTS PARK POOL AND AUTHORIZING THE TOWN ADMINISTRATOR OR HIS DESIGNEE TO NEGOTIATE AN AGREEMENT FOR SUCH SERVICES.
- 4.18 **ASSESSMENT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, RELATING TO THE COLLECTION AND DISPOSAL OF SOLID WASTE IN THE TOWN OF DAVIE, FLORIDA; ESTABLISHING THE ESTIMATED ASSESSMENT RATE FOR SOLID WASTE SERVICE ASSESSMENTS AGAINST ASSESSED PROPERTY LOCATED WITHIN THE TOWN OF DAVIE, FLORIDA FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2007 DIRECTING THE PREPARATION OF AN ASSESSMENT ROLL; AUTHORIZING A PUBLIC HEARING AND DIRECTING THE PROVISION OF NOTICE THEREOF; AND PROVIDING AN EFFECTIVE DATE.
- 4.19 **ASSESSMENT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, RELATING TO THE PROVISION OF FIRE RESCUE SERVICES, FACILITIES AND PROGRAMS IN THE TOWN OF DAVIE, FLORIDA; ESTABLISHING THE ESTIMATED ASSESSMENT RATE FOR FIRE RESCUE ASSESSMENTS FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2007; DIRECTING THE PREPARATION OF AN ASSESSMENT ROLL; AUTHORIZING A PUBLIC HEARING AND DIRECTING THE PROVISION OF NOTICE THEREOF; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

- 4.20 **GREEN BUILDING** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ENCOURAGING CONSTRUCTING, AND OPERATING FACILITIES TO MINIMIZE ENVIRONMENTAL IMPACTS BY INCORPORATING THE USE OF RESOURCES AND ENERGY EFFICIENT MATERIALS, RENEWABLE RESOURCES, ALTERNATIVE ENERGY SOURCES, WATER CONSERVATION, WASTE REDUCTION, POLLUTION PREVENTION AND OTHER STRATEGIC ACTIONS TO PROMOTE SUSTAINABILITY AND GREEN BUILDING DESIGN.
- 4.21 **MEMBERSHIP** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, REQUESTING APPROVAL FOR THE TOWN TO JOIN AND BECOME MEMBERS OF THE U.S. GREEN BUILDING COUNCIL (USGBC), THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY'S ENERGY STAR PROGRAM AND THE FLORIDA GREEN BUILDING COALITION. (\$3,600; not budgeted)
- 4.22 **EASEMENT AGREEMENT** - A A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA AUTHORIZING THE TOWN ADMINISTRATOR TO ENTER INTO A BRIDLE PATH EASEMENT AGREEMENT BETWEEN THE TOWN OF DAVIE, AND WEST CITY POINTE WEST COMMERCE I L.P., FOR THE GRANTING OF AN EASEMENT FOR BRIDLE PATH PURPOSES RELATING TO PARCEL E OF THE ICW NORTH PLAT; TO ACKNOWLEDGE SUCH APPROVAL BY AFFIXING HIS SIGNATURE TO SAID AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE. (DA 4-1-07, ICW North Plat - Bridle Path Easement Agreement, generally located on the north side of Point West Drive, between Weston Road and I-75)
- 4.23 **EASEMENT AGREEMENT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA AUTHORIZING THE TOWN ADMINISTRATOR TO ENTER INTO A BRIDLE PATH EASEMENT AGREEMENT BETWEEN THE TOWN OF DAVIE, AND POINTE WEST PROPERTY OWNERS ASSOCIATION, INC., FOR THE GRANTING OF AN EASEMENT FOR BRIDLE PATH PURPOSES LYING WITHIN TRACTS 5 AND 6 OF THE ICW NORTH PLAT; TO ACKNOWLEDGE SUCH APPROVAL BY AFFIXING HIS SIGNATURE TO SAID AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE (DA 4-2-07, ICW North Plat - Bridle Path Easement Agreement, generally located on the north side of Point West Drive, between Weston Road and I-75)
- 4.24 **PLAT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING A PLAT KNOWN AS "DWELL" AND AUTHORIZING THE MAYOR AND TOWN CLERK TO ACKNOWLEDGE THE APPROVAL BY AFFIXING THE MAYOR'S SIGNATURE AND THE TOWN SEAL TO SAID PLAT; AND PROVIDING AN EFFECTIVE DATE. (P-1-3-06, Dwell, 2340 SW 130th Avenue) *Planning and Zoning Board recommended approval*

- 4.25 **PLAT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING A PLAT KNOWN AS THE “GREAT FLORIDA BANK CENTER” AND AUTHORIZING THE MAYOR AND TOWN CLERK TO ACKNOWLEDGE THE APPROVAL BY AFFIXING THE MAYOR’S SIGNATURE AND THE TOWN SEAL TO SAID PLAT; AND PROVIDING AN EFFECTIVE DATE. (P 7-1-06, Great Florida Bank Center, 4700-4900 SW 78 Avenue) [see related items 4.29, 6.3, 6.6 and 6.11] *Planning and Zoning Board recommended approval*
- 4.26 **AMENDMENT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING A DELEGATION REQUEST TO AMEND THE NOTE ON THE PLAT KNOWN AS “YOUNG WORLD”; AND PROVIDING AN EFFECTIVE DATE.

Temporary Use Permit

- 4.27 TU 6-1-07, Miami Dolphins Modular Buildings, generally located on SW 30 Street between University Drive and College Avenue

Quasi-Judicial Consent Agenda

- 4.28 SP 12-05-06, Forest Lawn Funeral Home, 6530 State Road 84 (B-2) *Site Plan Committee recommended approval subject to staff’s recommendations*
- 4.29 SP 7-4-06, Great Florida Bank Center, 4700-4900 SW 78 Avenue (B-2) (tabled from June 20, 2007) [see related items 4.25, 6.3, 6.6, 6.10 and 6.11] *Site Plan Committee recommended approval subject to the staff report and the following provisions: 1) place crosswalks at the main entrance, the east and west ends of SW 48 Street and curve the sidewalk at the southeast entrance into the site; 2) delineate the zoning areas on the site plan prior to going before Town Council; and 3) change the east elevation to match the floor plan*

5. DISCUSSION OF CONSENT AGENDA ITEMS

6. PUBLIC HEARING

Resolutions

- 6.1 **CAPITAL PROJECTS** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ADOPTING THE 5-YEAR CAPITAL PROJECTS PROGRAM FOR THE TOWN OF DAVIE FOR FISCAL YEARS 2008-2012. (tabled from June 6, 2007)
- 6.2 **DUE DILIGENCE** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE INITIATION OF DUE DILIGENCE PROCEDURES FOR THE LAUDERDALE PROPERTY.
- 6.3 **FLEX UNITS** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE ALLOCATION OF RESIDENTIAL TO COMMERCIAL FLEXIBILITY TO THE “GREAT FLORIDA BANK CENTER” PLAT UNDER THE FIVE (5) PERCENT RESIDENTIAL TO COMMERCIAL FLEXIBILITY RULE IN ACCORDANCE WITH THE BROWARD COUNTY LAND USE PLAN AND THE ADMINISTRATIVE RULES DOCUMENT: BROWARD COUNTY LAND USE PLAN; AND PROVIDING FOR AN EFFECTIVE DATE. (FX 7-1-06, Great Florida Bank Center, 4700-4900 SW 78 Avenue) [see related items 4.25, 4.29, 6.6, 6.10 and 6.11]

Ordinances - Second and Final Reading

- 6.4 **CODE AMENDMENT** - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, AMENDING GARBAGE AND REFUSE, CHAPTER 9, ARTICLE II., COLLECTION AND REMOVAL, SECTION 9-25 RECEPTACLE REQUIREMENTS; THE LAND DEVELOPMENT CODE, CHAPTER 12, ARTICLE III, USE REGULATIONS, DIVISION 2, GENERAL REGULATIONS, SECTION 12-33, GENERAL REGULATIONS ADDING SUBTITLE (JJ) DUMPSTER ENCLOSURES; ARTICLE VI, SITE LANDSCAPING, SECTION 12-111, MINIMUM LANDSCAPING REQUIREMENTS FOR OUTDOOR EQUIPMENT OR FACILITIES; PROVIDING FOR INCLUSION IN THE TOWN CODE; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. {**Approved on First Reading June 20, 2007. The vote was as follows: Mayor Truex - yes; Vice-Mayor Caletka - yes; Councilmember Crowley - yes; Councilmember Luis - yes; Councilmember Starkey - out of room**}

Ordinances - First Reading (Second and Final Reading to be held August 1, 2007)

- 6.5 **REGIONAL ACTIVITY CENTER** - AN AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, DESIGNATING THE TOWN OF DAVIE “REGIONAL ACTIVITY CENTER,” ENCOMPASSING THE LAND LYING BETWEEN UNIVERSITY DRIVE AND THE FLORIDA TURNPIKE AND BETWEEN STATE ROAD 84 AND GRIFFIN ROAD, AS AN AREA SUITABLE FOR APPLICATION OF INCREASED DEVELOPMENT OF REGIONAL IMPACT THRESHOLDS PURSUANT TO CHAPTER 380, FLORIDA STATUTES; APPROVING THE SUBMITTAL OF THE PROPOSED ORDINANCE TO THE FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS FOR CONSISTENCY; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.
- 6.6 **VACATION** - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, APPROVING VACATION APPLICATION VA 7-2-06 “GREAT FLORIDA BANK CENTER” VACATING A PORTION OF RIGHT-OF-WAY (O.R.B. 3326, PG 750, B.C.R.) LYING IN TRACT 2, EVERGLADES SUGAR AND LAND COMPANY SUBDIVISION, AS RECORDED IN PLAT BOOK 3, PAGE 67 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (VA 7-2-06, Great Florida Bank Center, 4700-4900 SW 78 Avenue) [**see related items 4.25, 4.29 6.3, 6.10 and 6.11**] *Planning and Zoning Board recommended approval*

Ordinances - First Reading (Second and Final Reading to be held at a later date)

- 6.7 **TEXT AMENDMENT** - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, APPROVING FOR TRANSMITTAL TO THE DEPARTMENT OF COMMUNITY AFFAIRS, APPLICATION LA(TXT) 4-1-07 AMENDING THE TEXT OF THE TOWN OF DAVIE COMPREHENSIVE PLAN BY AMENDING THE TRANSPORTATION ELEMENT TO ESTABLISH A POLICY RESTRICTING ACCESS FROM INTERSTATE 75 (I-75) PART OF THE FLORIDA INTRASTATE HIGHWAY SYSTEM (FIHS) ONTO LOCAL ROADS; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

- 6.8 **TEXT AMENDMENT** - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, APPROVING FOR TRANSMITTAL TO THE DEPARTMENT OF COMMUNITY AFFAIRS, APPLICATION LA(TXT) 4-2-07, AMENDING THE TOWN OF DAVIE COMPREHENSIVE PLAN BY ADDING A POLICY TO THE FUTURE LAND USE ELEMENT (POLICY GROUP 10: REGIONAL ACTIVITY CENTER USE) TO INCREASE THE THRESHOLDS AT WHICH PROJECTS WOULD HAVE TO GO UNDER REVIEW AS A DEVELOPMENT OF REGIONAL IMPACT PURSUANT TO CHAPTER 380, FLORIDA STATUTES; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.
- 6.9 **TEXT AMENDMENT** - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, APPROVING FOR ADOPTION TO THE DEPARTMENT OF COMMUNITY AFFAIRS, APPLICATION LA(TXT) 4-3-07, AMENDING THE TOWN OF DAVIE COMPREHENSIVE PLAN BY UPDATING THE CAPITAL IMPROVEMENTS ELEMENT WITH THE ADOPTED 5-YEAR CAPITAL PROJECTS PROGRAM PURSUANT TO CHAPTER 163, FLORIDA STATUTES; PROVIDING FOR FILING WITH THE DEPARTMENT OF COMMUNITY AFFAIRS; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Ordinance - First Reading/Quasi-Judicial Item (Second and Final Reading to be held August 1, 2007)

- 6.10 **REZONING** - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, APPROVING REZONING PETITION ZB 7-3-06, CHANGING THE CLASSIFICATION OF CERTAIN LANDS WITHIN THE TOWN OF DAVIE FROM A-1, AGRICULTURAL DISTRICT TO B-2, COMMUNITY BUSINESS DISTRICT; AMENDING THE TOWN ZONING MAP TO COMPLY THEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (ZB 7-3-06, Great Florida Bank Center, 4700-4900 SW 78 Avenue) [**see related items 4.25, 4.29, 6.3, 6.6 and 6.10**] *Planning and Zoning Board recommended approval*

Quasi-Judicial Items

- 6.11 **VARIANCE** - V 11-1-06, Great Florida Bank Center, 4700-4900 SW 78 Avenue (B-2 and A-1) (to reduce the required landscape buffer from 30 feet to 10 feet along University Drive that runs adjacent to the western boundary line of the property) [**see related items 4.25, 4.29, 6.3, 6.6 and 6.11**] *Planning and Zoning Board recommended approval*
- 6.12 **VARIANCE** - V 4-1-07, Camacho, 14190 SW 20 Street (R-1) (allow a shadow box fence outside the building envelope - at the property line) *Planning and Zoning Board recommended approval subject to the condition that should 50% or more of the fence be damaged or destroyed, and if they so choose to reconstruct a fence, they shall be required to reconstruct the entire fence up to the current Code standards*

Items to be Withdrawn

- 6.13 **PROPERTY OWNER REQUESTING A WITHDRAWAL**
V 7-2-06, Davis, 6070 Griffin Road (Griffin Corridor District, EGZ) (tabled from January 3, 2007)

- 6.14 **ITEM WITHDRAWN AT THE JUNE 20, 2007 COUNCIL MEETING**
AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, CREATING ARTICLE IV COST RECOVERY, SECTION 24-100 USER FEES FOR DEPLOYMENT OF PUBLIC SERVICES OF THE TOWN OF DAVIE CODE OF ORDINANCES; ESTABLISHING AND IMPLEMENTING A PROGRAM TO IMPOSE AND COLLECT USER FEES FOR THE DEPLOYMENT OF PUBLIC SAFETY SERVICES RENDERED BY THE TOWN OF DAVIE FOR MOTOR VEHICLE ACCIDENT SERVICES; PROVIDING DIRECTIONS TO THE CODIFIER; AND PROVIDING AN EFFECTIVE DATE.

7. APPOINTMENTS

- 7.1 Mayor Truex
- 7.1.1 Senior Citizen Advisory Committee (one exclusive appointment - term expires April 2008) (members shall be a minimum 60 years of age)
 - 7.1.2 Youth Education and Safety Advisory Board (one exclusive appointment - term expires April 2008) (members shall, whenever possible, have interest and expertise in law enforcement, elementary school instruction, education matters, child psychology, pediatric medicine, parenthood and grandparenthood)
- 7.2 Councilmember Starkey
- 7.2.1 Airport Advisory Board (one exclusive appointment - terms expire December 2007)
- 7.3 Councilmember Luis
- 7.3.1 Airport Advisory Board (two exclusive appointments; terms expire December 2007)
- 7.4 Unsafe Structures Board (two non-exclusive appointments; terms expire April 2009) (members shall be permanent resident or have their principal place of business within the Town's jurisdiction) (one appointment shall be a plumbing contractor and one appointment shall be a real estate property manager)

8. OLD BUSINESS

- 8.1 Town Administrator Evaluation
- 8.2 Audio/Video Surveillance - Mayor Truex
- 8.3 Outstanding Airport Issues

9. NEW BUSINESS

- 9.1 Legislative Update - Representative Martin Kiar
- 9.2 2005 Comprehensive Annual Finance Report

10. MAYOR/COUNCILMEMBER'S COMMENTS

11. TOWN ADMINISTRATOR'S COMMENTS

12. TOWN ATTORNEY'S COMMENTS

13. ADJOURNMENT

ANY PERSON WISHING TO APPEAL ANY DECISION MADE BY THIS BOARD OR COMMITTEE WITH RESPECT TO ANY MATTER CONSIDERED AT SUCH MEETING OR HEARING WILL NEED A RECORD OF THE PROCEEDINGS, AND, FOR SUCH PURPOSES, MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDING IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS MADE.

Persons with disabilities requiring accommodations in order to participate should contact the Town Clerk at 954-797-1023 at least five business days prior to the meeting to request such accommodations. If you are hearing or speech impaired, please contact the Florida Relay Service by using the following numbers: 1-800-955-8700 (voice) or 1-800-955-8771 (TDD).

**TOWN OF DAVIE
TOWN COUNCIL AGENDA REPORT**

TO: Mayor and Councilmembers

FROM/PHONE: Barbara McDaniel, MMC, Assisatnt Town Clerk/(954) 797-1023

PREPARED BY: Barbara McDaniel, MMC, Assisatnt Town Clerk

SUBJECT: May 15, 2007 Minutes

AFFECTED DISTRICT: not applicable

ITEM REQUEST: **Schedule for Council Meeting**

TITLE OF AGENDA ITEM: May 15, 2007 (Goal Setting Session)

REPORT IN BRIEF: Council minutes from the May 15, 2007 Council meeting.

PREVIOUS ACTIONS: n/a

CONCURRENCES: n/a

FISCAL IMPACT: not applicable

Has request been budgeted? n/a

RECOMMENDATION(S): Motion to approve

Attachment(s): Minutes

TOWN OF DAVIE
GOAL SETTING SESSION
MAY 15, 2007

The meeting was called to order at 9:06 a.m. and was followed by the Pledge of Allegiance.

Present at the meeting were Mayor Truex, Vice-Mayor Caletka, and Councilmembers Crowley, Luis and Starkey. Also present were Town Administrator Gary Shimun and Town Clerk Muniz recording the meeting.

Herb Marlowe, Strategic Plan Facilitator, explained that an action agenda would be created and items requiring further discussion would be identified. He outlined the agenda for the session in the form of a Power Point presentation.

Mr. Marlowe asked each Councilmember to identify two critical topics the Town must address. Council listed the following topics: public safety; finding water; making current finance and budget data available; economic sustainability; environmental concerns; balancing development; infrastructure repair; the Seminole Indian corridor; the airport expansion; and facilities expansion needs.

Regarding the public safety issue, Mayor Truex felt this had been a priority, but pointed out that police and fire rescue had become a bigger part of the Town's budget. While Mayor Truex did not favor joining a County system, he felt that options must be discussed with the public.

Councilmember Starkey felt that Council must discuss the possible effects of the impending property tax reform on municipal governments' ability to provide many services to residents. She also wanted to be sure that the Community Emergency Response Teams were adequately staffed and funded.

Councilmember Luis agreed with Mayor Truex that Council must consider other options for public safety, and noted that Public Works had a role in public safety as well.

Vice-Mayor Caletka thought that Council must have an emergency plan in case property taxes were significantly reduced. He agreed that residents did not want to rely on the County system and preferred town-based police and fire services.

Councilmember Crowley indicated that negotiating with the unions was one of the most time-consuming and difficult jobs Council performed. He felt a Charter Review Board should be created and one of the items they might want to discuss is asking residents if they wanted to use the County system based on the budget restraints. He indicated he was not personally in favor of this but the decision should be made by the voters.

Regarding the water and environmental issues, Councilmember Crowley felt the Town should enact year-round Phase I water restrictions, and that any new Town facilities should be built to green building standards. The Town should also encourage environmentally sound private development. To conserve water, Councilmember Crowley thought the Town could retrofit its existing system to stop water loss that might be occurring. Vice-Mayor Caletka pointed out that half of their water use was directed to landscaping, and suggested that all new development be required to have rain-sensing equipment. Councilmember Crowley thought the Town could start with their own facilities and parks. Councilmember Starkey wanted to encourage more Xeriscape landscaping. She also wanted to increase the Town's tree canopy by 15%. To help maintain their rural, country lifestyle, Councilmember Starkey suggested creating a rural ranch designation for property of 2.5 or more acres. Councilmember Crowley felt they must develop the Van Kirk wetlands parcel for additional water storage. Mayor Truex thought they were nearing a water crisis and the Town must expand their water facilities. Vice-Mayor Caletka was concerned about the quality of their water.

Councilmember Luis felt Council should consider a joint venture with Nova Southeastern University (NSU) and the Seminole Tribe to address water needs.

Regarding finance issues, Councilmember Luis said that someone he wanted to appoint to the Budget Advisory Board had sent him a lengthy email describing problems, including a lack of current data and disorganized records in the Finance Department. Vice-Mayor Caletka remarked on the need for a strong leader in the Finance Director position. Councilmember Starkey thought this was a facility and an efficiency issue. She wanted to ensure that things were done in a timely manner, that reserves were maintained in preparation for a crisis, and that capital projects were monitored for timeliness and cost. Mayor Truex agreed that the facilities were lacking, but felt part of the problem was just the nature of government work. Councilmember Crowley wanted to begin the budget workshops as soon as possible. He also wanted the Comprehensive Annual Finance Report to be completed on time.

In preparation for when the legislature reduced funding, Vice-Mayor Caletka wished to see the reserves doubled. Councilmember Starkey agreed that reserves should be sufficient to provide three months' revenue to operate the Town in the event of a disaster. Councilmember Luis asked what the Town's reserve should be, and if the Town's current reserves were reasonable. Assistant Town Administrator Ken Cohen explained that there was no set ratio. He thought three months was reasonable, but this represented \$27 to \$30 million, which would take some time to amass.

Regarding economic sustainability, Councilmember Starkey felt they should develop the tax base in the Transit-Oriented Corridor (TOC) and the Regional Activity Center (RAC). Councilmember Crowley was concerned about having infrastructure in place before allowing additional development. Mayor Truex mentioned the possible impact on the tax base of property tax revisions, and pointed out that this demonstrated the need to balance commercial development with Davie's lifestyle.

Vice-Mayor Caletka said developers complained about delays in moving projects through the Planning and Zoning Division and wanted to be able to offer fast-tracking for projects. He favored additional development along 441 as a means to maintain their tax base.

Councilmember Starkey said developers sometimes claimed they must build to maximums to make their projects economically feasible, and she felt Council should not give in to this in any areas where they were not specifically trying to encourage development.

Councilmember Luis said when Council discussed affordable housing, they would be forced to consider higher density than they had in the past.

Mr. Marlowe asked if the Town had a development master plan. Mayor Truex said there was a land use plan.

Mayor Truex said he did not favor dictating what a property owner could do with his land. He also did not want to "sacrifice" one area of Town in order to preserve another. Councilmember Crowley wanted to be sure that any new development incorporated green building concepts.

Regarding affordable housing, Councilmember Luis thought the Town should work with the County and be flexible regarding density and impact fees to encourage affordable housing.

Vice-Mayor Caletka described his idea to have the Town purchase homes in foreclosure and sell them to qualified buyers without making a profit. Councilmember Starkey did not want the Town to become a "low income landlord" and suggested instead other incentives and programs be provided.

Regarding infrastructure, Council noted several components: water, sewer, drainage, schools, roads, parks, and trails.

Councilmember Luis knew that the first cuts to be made if state funds were reduced would be to parks, and said he did not object to corporate sponsorship for parks and trails.

Vice-Mayor Caletka wanted to improve the Town's relationship with County and State representatives, and suggested that office space be included for representatives in any new administrative facilities. Councilmember Starkey said she favored a new Town Hall, but also wanted the historical area preserved to retain their identity. Councilmember Luis agreed they must preserve historic areas. Mayor Truex wanted to be sure they stayed on track with the new fire facilities.

The meeting recessed at 10:51 a.m. and resumed at 11:05 a.m.

Mr. Marlowe asked Mr. Cohen what he felt the Town's most critical issue was. Mr. Cohen felt the utility infrastructure was most important and believed that utility regionalization was probably the way to go because it offered cost savings.

Other department heads stated what they felt the Town's critical issues were: economic sustainability that would allow them to provide the needed services; inter-departmental cooperation; adequate administrative infrastructure; a vision for the future; expansion of the commercial tax base; affordable housing; adequate utility infrastructure; preservation of historical areas; and creation of a new utility rate structure.

Mr. Shimun felt the Town needed a vision and a focus that all departments shared. He wanted Council to design this vision, and recommended creating a strategic plan that the entire community participated in developing. Once Council designed the vision, staff could implement it.

Mr. Marlowe asked Council to summarize two key ideas brought up by staff. Councilmember Crowley agreed that a strategic or master plan was needed. He did not feel that the comprehensive land use plan was strong enough.

Mayor Truex agreed with Mr. Shimun that a meeting of the community should take place, but he felt this would demonstrate the "impossibility of coming up with some cohesive community plan." He noted that the Town was a very diverse community and one cohesive vision would never be possible.

Councilmember Starkey said that everyone acknowledged the need for a master plan, but staff often became sidetracked with other issues. She felt the community was not conflicted regarding their perception of the Town because "they like embracing the past and respecting and preserving the past, and embracing the future... and how we can do both."

Vice-Mayor Caletka thought they must increase professionalism and cohesiveness in Town Hall, and pointed out that this would cost nothing.

Councilmember Luis felt Davie was "in a period of flux" with "the rural roots... the cowboy image, even if it's not realistic to what it was years ago." He was excited about the TOC, the RAC and the hospital that NSU wanted to build because these were good for the Town.

Town Clerk Muniz explained that a strategic planning process took months to develop and involved many segments of the community. He agreed with Mayor Truex that this would not result in identifying one unifying theme, but many. The strategic plan would help identify what these themes were, and would increase buy-in from the community.

Mr. Marlowe asked Council if they felt it feasible to continue open space investments given the possible future property tax changes. Councilmember Starkey said that the Town had a newly-approved \$25 million bond issue for open space and water body preservation. She felt open spaces added value to properties, and open spaces must be well planned in key locations for maximum utilization. Councilmember Luis felt open space was a long-term investment for future generations. He acknowledged that there must be a balance where Council must determine what they could afford. Councilmember Luis felt the bond issue showed great foresight on the part of the Council. Mayor Truex felt they could not develop parks at the same rate they previously had.

Vice-Mayor Caletka thought parks services might be the first reductions as a result of future budget restrictions. He stated that in his district, there were only two pieces of available land being acquired. Vice-Mayor Caletka noted that it was not mandatory that each district spend its entire allocation of funds, and suggested that any leftover funds be applied toward the debt millage.

Mr. Marlowe asked staff to describe how Council could operate that would be helpful to staff in their jobs. Some suggestions from staff were: provide clear directions that were the result of Council consensus; donate 20 acres of land and \$75 million to construct a new water and sewer plant; maintain consistency from meeting to meeting; shorten meetings and designate special meetings for potentially contentious issues; prioritize budget items; recognize land use decisions; realize and appreciate the

efforts that must be expended to accomplish goals that Council sets; recognize residents as citizens, part of an overall community, rather than as customers, who demand services at will; and respect staff's professional opinions.

Mr. Marlowe then asked Council what staff could do that would be helpful with Council doing their jobs. Some suggestions from Council were: recognize that one resident's input might represent many others; provide more open communication; foster mutual respect and "team spirit" among Town employees and Council; limit late meeting hours and/or reschedule contentious items; improve follow-through on Council directions; and request clarification or additional information when needed.

Mayor Truex apologized to staff and acknowledged that Council must put additional effort into accepting staff's professional opinions, and realize that staff was not trying to arbitrarily undermine Council's authority.

Mr. Marlowe suggested that the process for directing staff be formalized because staff should only follow directions agreed upon by a majority of Council. Councilmember Starkey thought that a tracking system needed to be created for Council ideas, suggestions and directions.

Council then responded to a series of questions using a keypad system to prioritize their suggestions.

Councilmember Crowley thanked Mr. Marlowe for facilitating the meeting and staff for their comments. Councilmember Starkey thanked staff for their candor and their efforts. Vice-Mayor Caletka thought staff was working better together which reflected positively to the residents, and invited them to be candid with Council. Councilmember Luis thanked staff for their efforts. Mayor Truex remarked that this had been a productive session and thanked staff for their efforts.

There being no further business to discuss and no objections, the meeting was adjourned at 12:56 p.m.

Approved _____

Mayor/Councilmember

Town Clerk

* * * * *

THIS PAGE
INTENTIONALLY
LEFT BLANK

* * * * *

**TOWN OF DAVIE
TOWN COUNCIL AGENDA REPORT**

TO: Mayor and Councilmembers

FROM/PHONE: Barbara McDaniel, MMC, Assisatnt Town Clerk/(954) 797-1023

PREPARED BY: Barbara McDaniel, MMC, Assisatnt Town Clerk

SUBJECT: May 16, 2007 Minutes

AFFECTED DISTRICT: not applicable

ITEM REQUEST: **Schedule for Council Meeting**

TITLE OF AGENDA ITEM: May 16, 2007 (Workshop Meeting)

REPORT IN BRIEF: Council minutes from the May 16, 2007 Council meeting.

PREVIOUS ACTIONS: n/a

CONCURRENCES: n/a

FISCAL IMPACT: not applicable

Has request been budgeted? n/a

RECOMMENDATION(S): Motion to approve

Attachment(s): Minutes

TOWN OF DAVIE
WORKSHOP MEETING
MAY 16, 2007

The meeting was called to order at 5:40 p.m. and was followed by the Pledge of Allegiance.

Present at the meeting were Mayor Truex, Councilmembers Crowley, Luis and Starkey. Also present were Town Attorney Cherof, Town Administrator Shimun, and Town Clerk Muniz recording the meeting. Vice-Mayor Caletka was absent.

Acting Planning and Zoning Manager Marcie Nolan explained that the interlocal agreement was required by State Statute and the agreement already in place required modification. She introduced representatives from the Broward County School Board in attendance: Alan Gabriel, Chris Akabuso, and Lisa White. Ms. Nolan informed Council that the State had mandated school concurrency, meaning that Council could not approve development until there were school seats either existing or in the pipeline for the residential units. She provided a PowerPoint presentation describing school concurrency.

Councilmember Crowley asked if the League of Cities had reviewed this. Councilmember Starkey said it had adopted a preliminary version of the interlocal agreement last year. Mr. Akabuso stated that five members of the League of Cities sat on the Interlocal Agreement Oversight Committee and their comments were incorporated into the final document.

Councilmember Starkey asked if the School Board was using the current level of service or a projected level of service. Mr. Akabuso said there had been concern because special programs affected actual student numbers and capacity. They had recommended a change to 110% of permanent Florida Inventory of School Houses (FISH) capacity. Councilmember Starkey asked if portable classrooms and extended programs would count. Mr. Akabuso replied that the State required them to prove they were maximizing utilization of capacity of the school. Portables could be used for emergencies, such as during expansion or for special programs. Councilmember Starkey was concerned that a developer could claim there were program options to avoid overcrowding. She thought program options were now left up to the individual schools. Mr. Akabuso explained that developers could not tell the School Board how to provide additional capacity.

Councilmember Starkey asked Mr. Cherof if he had reviewed the agreement. Mr. Cherof said he had, and had provided an opinion through staff to Council indicating the interlocal agreement was acceptable so far. Ms. Nolan confirmed that the agreement applied only to residential development. Councilmember Starkey asked about municipalities' fiscal responsibility to create school sites, specifically in the Transit Oriented Corridor. Ms. Nolan explained that and use plan amendments would not affect this.

Alan Gabriel, the School Board's attorney, explained that the school concurrency would only apply to site plan and platting reviews. A developer could perform a voluntary review when undergoing land use or another zoning change, and could enter into voluntary mitigation to deal with concurrency then. Mr. Gabriel explained that they were only allowed to apply the mitigation to that concurrency service area or the adjacent concurrency service area. In their case, the concurrency area applied to each school.

Councilmember Crowley asked how they would address water and streets. Ms. Nolan stated that the other capacity requirements were dealt with at the County level.

There being no further business to discuss and no objections, the meeting was adjourned at 6:10 p.m.

Approved _____

Mayor/Councilmember

Town Clerk

**TOWN OF DAVIE
TOWN COUNCIL AGENDA REPORT**

TO: Mayor and Councilmembers

FROM/PHONE: Barbara McDaniel, MMC, Assistant Town Clerk/954-797-1023

PREPARED BY: Barbara McDaniel, MMC, Assistant Town Clerk

SUBJECT: May 16, 2007 minutes

AFFECTED DISTRICT: n/a

ITEM REQUEST: **Schedule for Council Meeting**

TITLE OF AGENDA ITEM: May 16, 2007 (Regular Meeting)

REPORT IN BRIEF: Council minutes from the May 16, 2007 Council meeting.

PREVIOUS ACTIONS: n/a

CONCURRENCES: n/a

FISCAL IMPACT: not applicable

Has request been budgeted? n/a

If yes, expected cost: \$

Account Name:

If no, amount needed: \$

What account will funds be appropriated from:

Additional Comments:

RECOMMENDATION(S): Motion to approve

Attachment(s): Minutes

REGULAR MEETING

MAY 16, 2007

7:00 PM

1. PLEDGE OF ALLEGIANCE

The meeting was called to order at 7:01 p.m. and was followed by the Pledge of Allegiance.

2. ROLL CALL

Present at the meeting were Mayor Truex, Vice-Mayor Caletka, and Councilmembers Crowley, Luis and Starkey. Also present were Town Administrator Shimun, Town Attorney Cherof, and Town Clerk Muniz recording the meeting.

Mayor Truex stated a request had been made to take item 8.1 out of order, and he wanted to take item 7.1 out of order. He felt they should handle these immediately after the approval of the Consent Agenda.

3. APPROVAL OF CONSENT AGENDA

Minutes

3.1 March 22, 2007 (Regular Meeting)

3.2 April 4, 2007 (Regular Meeting)

Proclamation

3.3 Emergency Medical Services Week (May 20-26, 2007)

Resolutions

3.4 **ASSET VALUATION SERVICES - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, SELECTING THE FIRM OF AMERICAN APPRAISAL ASSOCIATES, INC. TO PROVIDE ASSET VALUATION SERVICES FOR GASB 34 COMPLIANCE AND AUTHORIZING THE TOWN ADMINISTRATOR OR HIS DESIGNEE TO NEGOTIATE AN AGREEMENT FOR SUCH SERVICES.**
R-2007-131

3.5 **ELECTRICAL ENGINEERING SERVICES - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, SELECTING THE FIRM OF GLE ASSOCIATES, INC. TO PROVIDE ELECTRICAL ENGINEERING SERVICES FOR THE GENERATORS, PHASE II PROJECT AND AUTHORIZING THE TOWN ADMINISTRATOR OR HIS DESIGNEE TO NEGOTIATE AN AGREEMENT FOR SUCH SERVICES.**
R-2007-132

3.6 **AGREEMENT - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT BETWEEN LONG LAKE RANCHES WEST HOMEOWNERS ASSOCIATION, INC. AND THE TOWN OF DAVIE POLICE DEPARTMENT FOR TRAFFIC CONTROL.**
R-2007-133

3.7 **AGREEMENT - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AFFIRMING ITS INTENT TO ENTER INTO AN AGREEMENT WITH THE FRIENDS OF THE FARM PARK, INC. FOR THE PURPOSE OF COOPERATIVE JOINT EFFORT IN THE DEVELOPMENT AND OPERATION OF THE DAVIE FARM PARK.**
R-2007-134

- 3.8
R-2007-135 **AGREEMENT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING AND EXECUTING THE 2007 AMENDMENT TO INTERLOCAL AGREEMENT BETWEEN BROWARD COUNTY AND THE TOWN OF DAVIE, PROVIDING FOR DIVISION AND DISTRIBUTION OF THE PROCEEDS FROM BROWARD COUNTY FIFTH CENT ADDITIONAL LOCAL OPTION GAS TAX ON MOTOR FUEL FOR TRANSIT, AND PROVIDING FOR AN EFFECTIVE DATE.
- 3.9
R-2007-136 **AGREEMENT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING AND EXECUTING THE 2007 AMENDMENT TO INTERLOCAL AGREEMENT BETWEEN BROWARD COUNTY AND THE TOWN OF DAVIE, PROVIDING FOR DIVISION AND DISTRIBUTION OF THE PROCEEDS OF THE LOCAL OPTION GAS TAX IMPOSED BY THE BROWARD COUNTY LOCAL OPTION GAS TAX ORDINANCE, AND PROVIDING FOR AN EFFECTIVE DATE.
- 3.10
R-2007-137 **AGREEMENT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING AND EXECUTING THE 2007 AMENDMENT TO THE INTERLOCAL AGREEMENT BETWEEN BROWARD COUNTY AND THE TOWN OF DAVIE, PROVIDING FOR DIVISION AND DISTRIBUTION OF THE PROCEEDS FROM THE BROWARD COUNTY “ADDITIONAL” LOCAL OPTION GAS TAX ON MOTOR FUEL ORDINANCE, AND PROVIDING FOR AN EFFECTIVE DATE.
- 3.11
R-2007-138 **AGREEMENT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE TOWN OF DAVIE TO ENTER INTO AN AGREEMENT WITH SAPOZNIK INSURANCE & ASSOCIATES, INC. FOR HEALTH INSURANCE CONSULTANT SERVICES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.
- 3.12
R-2007-139 **AGREEMENT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT BETWEEN THE TOWN OF DAVIE AND NOVA SOUTHEASTERN UNIVERSITY FOR COMMUNITY ORIENTED POLICE OFFICERS.
- 3.13
R-2007-139 **GRANT APPLICATION** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA AUTHORIZING THE SUBMISSION OF AN APPLICATION TO THE FDOT INTERMODAL DEVELOPMENT PROGRAM ON BEHALF OF NOVA SOUTHEASTERN UNIVERSITY FOR SIGNAGE AND KIOSKS AND AUTHORIZING THE TOWN TO ACT AS THE GOVERNMENTAL SPONSOR FOR SUCH APPLICATION.
- 3.14
R-2007-140 **PLAT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING A PLAT KNOWN AS THE “M & U PROPERTIES” AND AUTHORIZING THE MAYOR AND TOWN CLERK TO ACKNOWLEDGE THE APPROVAL BY AFFIXING THE MAYOR’S SIGNATURE AND THE TOWN SEAL TO SAID PLAT; AND PROVIDING AN EFFECTIVE DATE. (P 11-1-05, M & U Properties Plat, 8280 Griffin Road) (B-2) *Planning and Zoning Board recommended approval*

3.15 **PLAT - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING A**
R-2007-141 **PLAT KNOWN AS THE “ROUNTREE PLAT” AND AUTHORIZING THE MAYOR**
AND TOWN CLERK TO ACKNOWLEDGE THE APPROVAL BY AFFIXING THE
MAYOR’S SIGNATURE AND THE TOWN SEAL TO SAID PLAT; AND PROVIDING
AN EFFECTIVE DATE. (P 6-3-06, Rountree Plat, Linda Strutt Consulting, Inc./200
Harvard Corp., 4561, 4575, and 4595 Oakes Road and 3520 and 3540 Burriss Road) (B-2
Planning and Zoning Board recommended approval [see related item 5.6]

Councilmember Starkey pulled items 3.11 and 3.13 from the Consent Agenda. Mayor Truex pulled item 3.3.

Councilmember Crowley made a motion, seconded by Mayor Truex, to approve the Consent Agenda minus items 3.3, 3.11, 3.13. In a voice vote, all voted in favor. (Motion carried 5-0)

4. DISCUSSION OF CONSENT AGENDA ITEMS

3.3 Councilmember Starkey made a motion, seconded by Mayor Truex, to approve. In a voice vote, all voted in favor. (Motion carried 5-0)

Mayor Truex read the proclamation and noted that the Town consistently emphasized the importance of public safety.

Deputy Fire Chief Steve Eggnatz thanked Council for the acknowledgement. He informed them of the upcoming County-wide EMS competition in Pembroke Pines on May 22nd and the EMS Conference on May 24th in Hollywood. Chief Eggnatz invited residents to come by any station for a wellness check and encouraged interested residents to make an appointment at Station 65 for a child car seat check by calling 954-797-1213.

3.11 Councilmember Starkey remarked that the new contract was significantly higher. She pointed out that Council had directed staff to negotiate the contract and if the consultant could not meet that price, they would go with AON, the first bidder. Mr. Cohen reminded Council that their direction had been to negotiate a contract, but no dollar limit was provided, so they had returned with the contract Ms. Sapoznik was requesting. The amount had increased from \$75,000 to \$102,000 on the base contract. Mr. Cohen explained that Ms. Sapoznik could only collect the additional \$1.50 per employee per month for other items if she could generate a savings of at least that amount. Councilmember Starkey said that staff had been directed to negotiate a contract for \$95,000, and if that amount could not be met, they would go back to the first bidder. Mr. Cohen said he had not understood that the contract must be for \$95,000.

Councilmember Starkey asked if the consultant or the Town had filed a Section 11208, per State Statute. Mr. Shimun said to his knowledge, this had not been done, but Ms. Sapoznik was researching this issue. Councilmember Starkey said this was a requirement to ensure they had sufficient reserves, and without this check, they could be in a situation where they did not have sufficient reserves. Human Resources Director Mark Alan said that Ms. Sapoznik had not provided information that it had been filed. He noted that they would include a clause in any future contract regarding compliance issues and filings. Griselle Farbish, representing Sapoznik Insurance & Associates, said she could not answer that question this evening. Regarding the reserves, Ms. Farbish said she had been told that “there’s more than enough in there” but she did not know the exact figure.

Councilmember Crowley suggested that the item be tabled to allow staff to meet with the consultants to get answers to Councilmember Starkey’s question and negotiate further with the firm.

Vice-Mayor Caletka agreed and stated that he had “never seen so much lobbying for firms in my life, and it’s to the point where I actually, genuinely feel harassed.” He stated that “inappropriate comments were made to our assistant at Town Hall.” Vice-Mayor Caletka said this had become a political issue, with the unions getting involved, and it therefore ceased to be a sound business decision. He could not believe this was being delayed again because “now all of a sudden there’s more information that wants to come across the line at the last minute.”

Mayor Truex opposed tabling the item and retaining the current consultant. He said he did not see a political component, but felt “something’s fishy about the whole thing, I don’t like it.” Regarding the possible add-on items, Mayor Truex thought the reason they were paying almost \$100,000 was for a consultant to advocate for the Town and there was not supposed to be a contingency.

Councilmember Starkey described the process used to bring the firms to Council for selection, and noted that AON had been ranked first, Capretta had been second, and Sapoznik had been third. Sapoznik had then been given the opportunity to match the AON bid. Councilmember Starkey was uncomfortable with the contract, the price, the terms, and the additional compensation charges. She thought clear direction had been given to staff. Councilmember Starkey remembered that Council had agreed to stop any vendor increases as well. She wanted to bring back the first two top-ranking firms to present again to Council in a transparent public process.

Mayor Truex asked why Councilmember Luis and Councilmember Crowley favored the highest-priced firm. Vice-Mayor Caletka remembered staff’s comment that the incumbent firm was doing an “excellent” job, so he felt it made sense to choose the first-ranked firm or the incumbent. Councilmember Crowley said his intent was to save the employees money, and he thought they had directed staff to negotiate a lower rate.

Ms. Farbish informed Council that her firm would be willing to cap the contract at \$95,000. The additional \$1.50 would only come in if they reduced the rate on the current plans.

The AON representative indicated that the original RFP was for medical, and they had quoted \$95,000. There was no request for ancillary products at that time such as life, disability, dental, vision, etc. If long-term care was written, it would be another 15%.

Mr. Shimun recommended Council begin the process again and indicated that the incumbent firm could remain until this issue was resolved.

Councilmember Crowley made a motion to table the item to the next meeting.

Mr. Cherof reminded Council that their last official action had been to designate a number one firm with which to negotiate. Tabling the item this evening would not change the ranking, but would direct staff to continue the negotiations. Mr. Cherof advised that a motion to rescind the designation of the number one firm would require a supermajority because it had not been noticed on the agenda as a motion to rescind. He explained that a Councilmember who had voted on the prevailing side could also move to reconsider their previous vote to rank Sapoznik as the number one firm. If Council voted to reject this contract, they would move to the second-ranked firm.

Mr. Alan confirmed that the Town would continue to have insurance under the existing fees. The plan year expired January 1, 2008.

Councilmember Crowley made a motion, seconded by Vice-Mayor Caletka, to reject all proposals and re-advertise.

Mr. Cherof confirmed for Mayor Truex that Council could reconsider, then have presentations and then re-rank the firms at the next meeting. Councilmember Crowley said he was unhappy with the entire process and did not favor this. Councilmember Starkey felt hearing the proposals again and re-ranking the firms would be more transparent. She also wanted all questions answered by then.

In a roll call vote, the vote was as follows: Mayor Truex - no; Vice-Mayor Caletka - yes; Councilmember Crowley - yes; Councilmember Luis - yes; Councilmember Starkey - no. (Motion failed - see following statement from Mr. Cherof for explanation)

Mr. Cherof said this motion was considered a motion to rescind and therefore required a supermajority to pass. The vote had been three to two, so the motion failed. He advised Council to make a motion to reconsider the ranking of the firms.

Councilmember Crowley made a motion, seconded by Councilmember Luis, to reconsider. In a voice vote the vote was as follows: Mayor Truex - yes; Vice-Mayor Caletka - no; Councilmember Crowley - yes; Councilmember Luis - yes; Councilmember Starkey - yes. (Motion carried 4-1)

Vice-Mayor Caletka made a motion, seconded by Councilmember Crowley, to negotiate with the number one ranked firm, Sapoznik, and if the negotiation failed to meet the \$95,000 cap, to negotiate with the second-ranked firm, Capretta.

Vice-Mayor Caletka confirmed that the price was a flat \$95,000 with no add-ons or incentives. Mr. Alan said Sapoznik's fee structure was based upon census, which could fluctuate. Vice-Mayor Caletka said, "If they get 95 after six months, then it's free for the rest of the year."

In a roll call vote, the vote was as follows: Mayor Truex - no; Vice-Mayor Caletka - yes; Councilmember Crowley - yes; Councilmember Luis - yes; Councilmember Starkey - no. (Motion carried 3-2)

3.13 Councilmember Starkey suggested changes to the resolution language. She wanted a second "Whereas", which would indicate, "subject to all approvals, the project will also need to go through all appropriate local review processes, such as master signage plan review, building permit review and permitting, subject to approval of the Town Council." In the third "Whereas," Councilmember Starkey wanted to add, "Whereas, Nova Southeastern University agrees to supply the remaining match, with no expense to the Town." In Section 2, Councilmember Starkey wanted to add "the same thing, where it would say subject to the approval of the Town Council."

Mayor Truex stated he seconded the motion.

Pete Witschen, Nova Southeastern University (NSU), explained that the way this was structured, NSU would fund the grant match; they also agreed to reimburse the Town for any out-of-pocket expenses for staff time due to grant administration. He did not object to the additional language suggested by Councilmember Starkey.

Councilmember Starkey said her motion would include these amendments as well as any administrative expenses for administering the grant and so forth would be paid for by Nova.

In a voice vote, all voted in favor. (Motion carried 5-0)

5. PUBLIC HEARING

Ordinances - Second and Final Reading

2007-7 5.1 **CODE AMENDMENT - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA AMENDING THE TOWN CODE OF ORDINANCES TO REPLACE THE TERM "OCCUPATIONAL LICENSE" WITH "BUSINESS TAX"; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE. {Approved on First Reading on May 2, 2007. The vote was as follows: Mayor Truex - yes; Vice-Mayor Caletka - yes; Councilmember Crowley - out of room; Councilmember Luis - yes; Councilmember Starkey - yes}**

Mr. Cherof read the ordinance by title.

Mayor Truex opened the public hearing portion of the meeting. As no one spoke, Mayor Truex closed the public hearing.

Councilmember Starkey made a motion, seconded by Mayor Truex, to approve. In a roll call vote, the vote was as follows: Mayor Truex - yes; Vice-Mayor Caletka - yes; Councilmember Crowley - yes; Councilmember Luis - yes; Councilmember Starkey - yes. (Motion carried 5-0)

2007-8 5.2 **CODE AMENDMENT - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, AMENDING CHAPTER 2, ARTICLE V, BOARDS AND COMMITTEES OF THE CODE OF ORDINANCES, ADDING A NEW SECTION 2-77 TO AUTHORIZE CANCELLATION OF BOARDS/COMMITTEES MEETINGS WHEN NO ITEMS ARE ON THE BOARDS/COMMITTEES' CURRENT AGENDA OR WHERE THE BOARDS/COMMITTEES MEETING'S START TIME IS DELAYED MORE THAN THIRTY (30) MINUTES DUE TO A LACK OF QUORUM; PROVIDING FOR INCLUSION IN THE TOWN CODE; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. {Approved on First Reading on May 2, 2007. All voted in favor.}**

Mr. Cherof read the ordinance by title.

Mayor Truex opened the public hearing portion of the meeting. As no one spoke, Mayor Truex closed the public hearing.

Councilmember Luis made a motion, seconded by Councilmember Starkey, to approve. In a roll call vote, the vote was as follows: Mayor Truex - yes; Vice-Mayor Caletka - yes; Councilmember Crowley - yes; Councilmember Luis - yes; Councilmember Starkey - yes. (Motion carried 5-0)

Ordinances – First Reading (Second and Final Reading to be held June 6, 2007)

5.3 **CODE AMENDMENT** - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, AMENDING THE LAND DEVELOPMENT CODE, CHAPTER 12, ARTICLE II, SECTION 12-24, STATEMENT OF PURPOSE AND INTENT OF ZONING DISTRICTS; ARTICLE III, SECTION 12-32, TABLE OF PERMITTED USES; SECTION 12-33 GENERAL REGULATIONS; SECTION 12-34, DETAILED USE REGULATIONS – STANDARDS ENUMERATED; ARTICLE V, SECTION 12-83, COMMERCIAL CONSERVATION STANDARDS; ARTICLE VI, SECTION 12-107, LANDSCAPING STANDARDS FOR LOTS AND SITES; ARTICLE VII, SECTION 12-208, REQUIREMENTS FOR OFF STREET PARKING; ARTICLE XI, ADDING SECTION 12-349 REVIEW OF APPLICATIONS FOR DEVELOPMENT OF LAND FORMERLY IN HACIENDA VILLAGE OR UNINCORPORATED BROWARD COUNTY CURRENTLY USED FOR RECYCLING, SCRAP METAL PROCESSING, AND AUTOMOBILE WRECKING YARD; AND AMENDING ARTICLE XIV, SECTION 12-503, DEFINITIONS; AMENDING RECYCLING, SCRAP METAL PROCESSING, AND AUTOMOBILE WRECKING YARDS AS EXISTING LEGAL USES IN THE M-3 ZONING DISTRICT WHEN THE PROPERTY WAS DESIGNATED FOR JUNKYARD USE UNDER HACIENDA VILLAGE OR BROWARD COUNTY CODES AND THE EXISTING USE IS LEGALLY PERMITTED; PROVIDING FOR INCLUSION IN THE TOWN CODE; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (tabled from April 4, 2007) *Local Planning Agency recommended approval subject to the amendments previously set forth which were: 1) an amendment to Subsection (U), page 4, four lines up from the bottom of the page, it should read “...practices otherwise conform to generally accepted Recycling, Scrap Metal Processing and Automobile Wrecking Yard business practices, the operation does not emit noxious odors, is in conformance with all applicable environmental regulations, and otherwise conforms with the nuisance standards as defined by the Town code.”; 2) page 5, with (HH), add to the end of the last sentence: “...which shall not be deemed to include the permanent storage of said inventory or material.”; and 3) in the same definition as (HH) after the previously added wording, add the sentence: “This definition shall not be deemed to include the reduction of concrete to a powder like form.”* (Motion carried 5-0)

Mr. Cherof read the ordinance by title. He announced that the second and final reading would be held on June 6, 2007. Mayor Truex reiterated that a public hearing on this item would be held at the June 6, 2007 meeting.

Mayor Truex opened the public hearing portion of the meeting.

Acting Planning and Zoning Manager Marcie Nolan summarized the planning report.

Councilmember Crowley asked why staff was proposing a Code change now. Ms. Nolan explained that staff had been directed to create an amendment that satisfied the needs of the Town. She reported that the Planning and Zoning Board would review this next week.

Sam Poole, attorney for Larry Danielle, provided a copy of the legislation that incorporated Hacienda Village into Davie, and drew Council’s attention to one phrase, indicating that Hacienda Villages’s zoning would be preserved. Mr. Poole explained that his client had purchased the adjacent facilities, including a recycling business. He submitted an aerial photo depicting his client’s property, and a copy of the permits on the property.

Mr. Poole said as his client's business evolved, differences in the Hacienda Village code and Davie's Industrial District Code had become an issue. When Mr. Danielle applied for a building permit for a storage structure, he had been denied and advised to request a zoning change. Mr. Poole indicated that he had prepared the proposed amendment to the Code to allow Mr. Danielle's business to come into a conforming use under Town code.

Mr. Poole advised that the hours of operation were now normal business hours. Mr. Danielle explained that the business now operated sometimes 24 hours per day.

Mr. Poole referred to language in the amendment that meant that over time, as the property was redeveloped, it would come up to Code. He explained that requiring the property to come into compliance at this time, especially regarding landscaping and open space, would be cost-prohibitive.

Lloyd Berger, representing Berger Marshall Realty, announced that there was pending litigation against Mr. Danielle regarding the grinding of concrete, which Mr. Danielle had stopped doing, and for which there was a settlement in the works.

Karen Stenzel-Nowicki discussed problems with another property involved in the Transit Oriented Corridor [TOC]: the Old Joney/Browner property, that had turned into a junkyard, with no landscaping to shield its view from the TOC. She cautioned Council that nothing had been done to protect the community from that type of use.

Mayor Truex closed the public hearing.

Ms. Nolan explained that staff had created a farm-based code to help implement the TOC. She stated staff had also reviewed existing codes in other municipalities already dealing with industrial uses adjacent to residential or other developments. Ms. Nolan noted that the goal was to ensure a transitional buffer from surrounding uses.

Mr. Cherof asked Mr. Poole how he felt Senate Bill 1149 affected the changes he was proposing. Mr. Poole said he had included a reference to Senate Bill 1149 to explain the genesis of where they were today. He agreed that interpretation of what rights might exist under that code were debatable. Mr. Poole said if this change were approved, he would agree to stipulate that the 1984 Hacienda Village Code no longer applied.

Mayor Truex asked Ms. Nolan to explain the paragraph on page 154 regarding threshold for compliance. Ms. Nolan advised that this allowed existing uses five years to conform to the Land Development Code, unless granted special exception by Council.

Ms. Nolan explained to Councilmember Crowley that staff's goal was not to have this use go away, as this type of facility was a necessary component of society. The goal was to make it all work together in the community. This is what she felt the State Road 7 plan did, and this was why she felt this was a win-win situation for the property owner and the Town.

Vice-Mayor Caletka asked how much it would cost the applicant to conform to staff's proposal. Mr. Poole said it would cost \$25 million. He added that it would not be possible to make that kind of investment and operate this type of business. Mr. Danielle explained to Vice-Mayor Caletka that he currently paid \$280,000 per year in property taxes. The assessed value of the property was approximately \$20 million.

Vice-Mayor Caletka asked if Mr. Danielle's main objection was the need to enclose everything, or if he had other objections. Mr. Poole stated that if everything were enclosed, air conditioning very large spaces would be required and he added that Mr. Danielle had wanted to build a structure with open sides. Mr. Poole thought that staff's statement that monolithic structures should be discouraged and that facades should have vertical and horizontal articulation, was inappropriate for this type of facility. He also objected to the building material specifications, stating these were appropriate to a Class A office park, and this was an expense issue.

Councilmember Crowley said he would approve staff's proposal for a vacant parcel, but felt it was not practical to ask this property owner to comply. Mayor Truex agreed and said no one knew for sure if the TOC would happen.

Vice-Mayor Caletka remarked on the delays in getting the TOC and agreed that forcing the owner to spend \$25 million was excessive. He pointed out how well-kept this property was and indicated that he favored the applicant's proposal.

Councilmember Luis agreed they should not tell the owner he must spend \$25 million.

Councilmember Starkey agreed, but was still concerned that there would be an increase in marine salvage. Ms. Nolan stated this was a difference in Broward County code under which the property was annexed, and in the applicant's proposal, the property could be a "junkyard." Staff's proposed ordinance definition was for auto wrecking.

Mr. Shimun pointed out that Council had three choices, one of which was to leave it alone, which would allow Mr. Danielle to continue without intensifying the use. Staff's proposal would allow the use to intensify, but in a regulated area. With Mr. Danielle's proposal, he could intensify the use with no incentive to conform with the TOC in the future.

Councilmember Crowley made a motion, seconded by Councilmember Luis, to approve the applicant's proposal on the text amendment as written.

Mayor Truex asked about the hours of operation. Mr. Danielle explained that the main reason he needed to stay open late was to cycle inventory in and out after retail business hours.

In a roll call vote, the vote was as follows: Mayor Truex - yes; Vice-Mayor Caletka - yes; Councilmember Crowley - yes; Councilmember Luis - yes; Councilmember Starkey - yes. (Motion carried 5-0)

5.4 **CODE AMENDMENT - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, AMENDING CHAPTER 25 OF THE TOWN CODE ENTITLED "UTILITIES", BY AMENDING SECTION 32 ENTITLED "WATER CONSERVATION" BY REVISING THE MONTHLY WATER RATE CHARGES AND BLOCK ADJUSTMENTS AND PROVIDING FOR YEAR ROUND WATER CONSERVATION, PROVIDING FOR CONFLICTS, PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

Mr. Cherof read the ordinance by title. Mayor Truex announced that a public hearing on this item would be held at the June 6, 2007 meeting.

Mayor Truex opened the public hearing portion of the meeting. As no one spoke, Mayor Truex closed the public hearing.

Councilmember Crowley asked how this ordinance would be enforced. Utilities Director Bruce Taylor explained that Code Compliance would enforce this through a Special Magistrate and the Police Department would assist with enforcement. He explained that information was being provided through the water bills, on Davie TV and on the Town's website. Mr. Shimun added that enforcement would be town-wide, whether a residence used Davie water or Sunrise water.

Councilmember Crowley made a motion, seconded by Mayor Truex, to approve. In a roll call vote, the vote was as follows: Mayor Truex - yes; Vice-Mayor Caletka - yes; Councilmember Crowley - yes; Councilmember Luis - yes; Councilmember Starkey - yes. (Motion carried 5-0)

Ordinances - First Reading/Quasi-Judicial Items (Second and Final Reading to be held June 6, 2007)

5.5 **REZONING - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, APPROVING REZONING PETITION ZB 1-2-06, CHANGING THE CLASSIFICATION OF CERTAIN LANDS WITHIN THE TOWN OF DAVIE FROM MH-1, MOBILE HOME RESIDENTIAL DISTRICT TO R-1, ESTATE DWELLING DISTRICT; AMENDING THE TOWN ZONING MAP TO COMPLY THEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (ZB 1-2-06, Brennand, 12700 SW 14 Place) *Planning and Zoning Board recommended approval***

Mr. Cherof read the ordinance by title. Mayor Truex announced that a public hearing on this item would be held at the June 6, 2007 meeting.

Mr. Cheroff swore in the witnesses. Ms. Nolan summarized the planning report.

Tripp Harper, representing the applicant, invited Council's questions.

Mr. Cherof opened the public hearing portion of the meeting.

Louis Mazzoli said he did not to object to what Mr. Brennan wanted to do, but objected to the construction of berms. Mr. Mazzoli indicated that he did not want Garden Grove Estates to become “the next New Orleans” because water would flow there, as the lowest point. He wanted a lift station built and was also concerned about the drowning danger caused by unsecured drainage canals.

Mr. Cherof closed the public hearing.

Mr. Cherof informed Councilmember Starkey that this would not compromise the Town’s existing mobile home ordinance.

Councilmember Crowley asked if approval would allow others to come in, or if they should look at this as a master plan on this block. Ms. Nolan explained that the owners of the half-acre lots would be required to seek rezoning, but one-acre lots were already compatible.

Councilmember Starkey made a motion, seconded by Mayor Truex, to approve. In a roll call vote, the vote was as follows: Mayor Truex - yes; Vice-Mayor Caletka - yes; Councilmember Crowley - yes; Councilmember Luis - yes; Councilmember Starkey - yes. (Motion carried 5-0)

5.6 **REZONING - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, APPROVING REZONING PETITION ZB 6-1-06, CHANGING THE CLASSIFICATION OF CERTAIN LANDS WITHIN THE TOWN OF DAVIE FROM M-3 HACIENDA VILLAGE TO M-3, PLANNED INDUSTRIAL PARK DISTRICT; AMENDING THE TOWN ZONING MAP TO COMPLY THEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (ZB 6-1-06, Linda Strutt Consulting, Inc./200 Harvard Corp., 4561, 4575, and 4595 Oakes Road and 3520 and 3540 Burris Road) *Planning and Zoning Board recommended approval [see related item 3.15]***

Mr. Cherof read the ordinance by title.

Mayor Truex announced that a public hearing on this item would be held at the June 6, 2007 meeting. Acting Deputy Planning and Zoning Manager David Abramson summarized the planning report.

Linda Conners, representing Linda Strutt Consulting, invited Council’s questions.

Mr. Cherof opened the public hearing portion of the meeting. As no one spoke, Mr. Cherof closed the public hearing.

Councilmember Crowley asked if there was sufficient right-of-way on 46th Street to allow trucks to turn onto Twelve Oaks Road. Town Engineer Larry Peters said they had not requested additional right-of-way and they had added five feet when the easement was converted to a right-of-way. He said they would have the opportunity to request more right-of-way when the site plan was submitted.

Councilmember Crowley made a motion, seconded by Councilmember Starkey, to approve, subject to the Town Engineer’s review of the site plan when it came in and possibly requesting additional right-of-way. In a roll call vote, the vote was as follows: Mayor Truex - yes; Vice-Mayor Caletka - yes; Councilmember Crowley - yes; Councilmember Luis - yes; Councilmember Starkey - yes. (Motion carried 5-0)

Quasi-Judicial Item

5.7 V 12-02-06, Pico, 15031 Brighton Lane (PUD, County) (reduce the required west side setback from 15 feet to 10 feet in order to install a dock in the rear of the yard) *Planning and Zoning Board recommended approval subject to compliance with all of staff’s comments including the engineering requirements of obtaining a marine engineer that would provide marine engineering plans to the Town of Davie for approval*

George Pico, the applicant, drew Council’s attention to Exhibit 8, depicting a wall collapse, which resulted in his need for a variance. To regain the use of this section of his property lost to the lake, Mr. Pico wanted to build a deck/dock structure. Docks required a 15-foot side setback, and Mr. Pico was requesting a variance to reduce this to 10 feet.

Councilmember Starkey asked if erosion was an issue at this lake. Mr. Pico said his was the only washout on this lake of which he was aware. Mr. Pico had contacted contractors regarding fill to repair the washout, and only one had indicated they would do the work, and it would cost over \$40,000.

Mr. Cherof opened the public hearing portion of the meeting. As no one spoke, Mr. Cherof closed the public hearing.

Mr. Abramson advised that staff had determined there was an economic hardship, but the variance was not required for reasonable use of the land or building. Mr. Pico said there was a physical hardship, as he had lost the use of part of his yard. sHe indicated that he also had a property appraiser's report stating his property was now worth \$28,000 less.

Councilmember Luis made a motion seconded by Councilmember Crowley, to approve, subject to approval from the Drainage District. In a roll call vote, the vote was as follows: Mayor Truex - yes; Vice-Mayor Caletka - yes; Councilmember Crowley - yes; Councilmember Luis - yes; Councilmember Starkey - yes. (Motion carried 5-0)

6. APPOINTMENTS

6.1 Mayor Truex

- 6.1.1 Mobile Home Task Force (one exclusive appointment - representing a mobile home park owner/manager)

No appointment was made.

- 6.1.2 Parks and Recreation Advisory Board (one exclusive appointment - term expires April 2008) (members should have a concern with or an interest in the park facilities and recreational needs of the citizens of the Town)

No appointment was made.

- 6.1.3 Senior Citizen Advisory Committee (one exclusive appointment - term expires April 2008) (members shall be a minimum 60 years of age)

No appointment was made.

- 6.1.4 Water and Environmental Advisory Board (one exclusive appointment; term expires April 2008) (insofar as possible, one member shall be a licensed engineer)

Mayor Truex appointed Jeffrey Rubinoff.

- 6.1.5 Youth Education and Safety Advisory Board (one exclusive appointment - term expires April 2008) (members shall, whenever possible, have interest and expertise in law enforcement, elementary school instruction, education matters, child psychology, pediatric medicine, parenthood and grandparenthood)

No appointment was made.

6.2 Vice-Mayor Caletka

- 6.2.1 Senior Citizen Advisory Committee (one exclusive appointment - term expires April 2008) (members shall be a minimum 60 years of age)

Vice-Mayor Caletka appointed Jim Thomas.

6.3 Councilmember Luis

- 6.3.1 Airport Advisory Board (two exclusive appointments; terms expire December 2007)

No appointments were made.

6.4 Councilmember Starkey

- 6.4.1 Airport Advisory Board (one exclusive appointment - terms expire December 2007)

No appointment was made.

Councilmember Starkey said that she was trying to find another Mobile Home Task Force appointee. Mr. Cherof indicated that Mr. Baron needed a more specific consent from Council to waive a potential

conflict. Mr. Baron had already submitted the disclosure form regarding his legal representation for Silver Oaks Mobile Home Park.

Councilmember Crowley made a motion, seconded by Mayor Truex, to waive the conflict, “recognizing that he’s a mobile home park representative.” In a voice vote, all voted in favor. (Motion carried 5-0)

6.5 Unsafe Structures Board (two non-exclusive appointments; terms expire April 2009) (members shall be permanent resident or have their principal place of business within the Town's jurisdiction) (one appointment shall be a plumbing contractor and one appointment shall be a real estate property manager)

No appointments were made.

7. OLD BUSINESS

7.1 Response to FAA's and Broward County's Draft EIS

Earlier in the meeting, John Herin, attorney with Stearns Weaver Miller law firm, provided a draft of the Town's comments in response to the FAA's Environmental Impact Statement [EIS] regarding the Fort Lauderdale/Hollywood International Airport expansion. Mr. Herin asked Council to advise him of any specific questions they wanted to include to the FAA. He explained that the comments noted several problems with the draft EIS, which he felt was premature and there was relevant information that had been omitted, such as the results of the Part 150 Study. Mr. Herin noted that the noise contours in the draft EIS did not match those in the Part 150 Study. He also did not believe reasonable alternatives had been analyzed. Mr. Herin thought the baseline data used to create the EIS was flawed.

Mr. Herin explained that there was a specific requirement for the FAA to perform outreach to the mobile home owners and dwellers, and he believed they had “utterly failed in that respect.”

Rich Richards, attorney with Stearns Weaver Miller law firm, felt Runway 1331 was “missing from the equation.” He believed that if the airport was expanded, they must “spread the pain” of the expansion among communities. Most of the alternatives being considered involved stopping the use of Runway 1331, supposedly because of the affects of the noise on residents, but stopping its use would result in additional noise impacts on other residents.

Amy Kimble-Merley, consultant, said there were many land-use planning issues that had not been adequately addressed, particularly environmental justice issues. She explained that under federal law, they were required to ensure that minority and/or disadvantaged communities were not disproportionately affected. Ms. Kimble-Merley said they also stressed the semi-rural nature of the Davie community, and that made this type of impact particularly obnoxious.

Mr. Herin asked Council to review the draft and return their comments as soon as possible, as the draft was due the following Monday.

Mayor Truex asked how significant the Dania Beach decision was. Mr. Herin responded that this result helped substantiate their contention that the EIS was premature and not broad enough in scope. Mr. Richards explained that the lawsuit had resulted from the FAA's desire to utilize Runway 1331 more, and Dania Beach's contention was that this would require an EIS. The court had sided with Dania Beach, stating that the change in use of the runway would require an EIS.

Mr. Herin explained to Councilmember Starkey that all of the Town's previous comments had been incorporated into the letter. Councilmember Starkey said she appreciated this, especially regarding the noise and environmental issues over Town parks and residential communities, and their particular concern about the mobile home communities.

7.2 Bid Specifications for Legal Services

Mayor Truex wanted the firm to have substantial practice within Broward County and indicated that he did not care if the firm practiced in Miami-Dade or Palm Beach counties. He also wanted resumes to include all courts in which the attorney was admitted to practice. Under item 5, Councilmember Crowley wanted to add “State government” to the requirement for contact information, remove “at least three,” regarding references and eliminate the “past three-years” timeframe.

7.3 Naming of Basketball Court (Mayor Truex)

Michael Davenport informed Council about Daniel Cantor Wultz, a Weston teen who died last year as a result of an Israeli suicide bomb attack. Daniel had been an avid Miami Heat fan, attending every game and all the players knew him. His parents had created a foundation in his name, and lectured about combating hatred. They had addressed the United States Congress and several meetings at the U.N.

Mr. Davenport wished to name a basketball court after Daniel, any costs for which would be borne by private donors and the foundation.

Mayor Truex noted that Daniel was a resident of Weston and he felt this would be a nice gesture.

Councilmember Starkey said she sympathized with the family, but she could not support a example of naming basketball courts or anything in public parks for someone who was not a resident, "or had a significant as pioneers to the Town or influence to the Town in that regard."

Councilmember Luis questioned what the City of Weston had done. Mr. Davenport responded that the City has an ordinance that no public place could be named after a person.

Vice-Mayor Caletka agreed that this was not appropriate for a non-Davie resident. Mr. Davenport indicated that it was not a matter of being a resident, but Daniel was a County resident and was a child. He added that this was something that we wanted to teach people hate, indifference and ignorance could kill and had nothing to do with location.

Councilmember Crowley said he had no objection, but wanted to know the location prior to final approval and as long as the Councilmember in that district had no objection.

Mr. Davenport informed Council that there were places in Davie named for people who had made no contribution to the Town.

Councilmember Luis questioned if this dedication would include monument. Mr. Davenport explained that it was a plaque which would be paid for [by private donors]. Councilmember Starkey suggested the tree legacy program where a tree could be planted in one the Town's parks.

Mayor Truex asked staff to propose a specific court and bring it back to Council for approval. He volunteered to work with Mr. Davenport and staff.

Councilmember Luis made a motion, seconded by Councilmember Crowley, that this move forward, and for Mayor Truex to work with staff on this. In a voice vote, the vote was as follows: Mayor Truex - yes; Vice-Mayor Caletka - no; Councilmember Crowley - yes; Councilmember Luis - yes; Councilmember Starkey - no. (Motion carried 3-2)

8. NEW BUSINESS

8.1 Selection of Auditing Service

Early in the meeting, Acting Budget and Finance Director Carol Menke advised that two firms would make presentations, Council would then rank the applicants and one would be selected based upon this ranking. Staff would then negotiate with the selected firm and return at the next Council meeting with an engagement letter.

McCullough & Company

Bill Benson explained that because their firm had a higher ratio of partners to total employees, a partner would oversee fieldwork and work directly with Town staff. He pointed out that his firm represented 9 of Broward County's 32 cities, and several of these had been clients of his company for many years.

Cindy Calvert explained that they currently provided services to over 125 not-for-profits and governmental entities, and this concentration gave them significant knowledge and expertise in compliance auditing. Ms. Calvert noted that Davie would probably need single audits for their Community Development Block and Mass Transit grants, and for Hurricane Wilma. She stated that her firm had performed FEMA single audits for 10 municipalities in the past year. She pointed out that the average length of their audit firm client was over 10 years, compared to an industry average of 3.9 years. Ms. Calvert said they currently represented over 70 governmental entities, including 12 municipalities and numerous special taxing districts.

Mr. Benson stated their entire office staff was governmental-qualified. He felt Davie would be a very important client for his firm, and he assured Council they would be treated as such. Mr. Benson advised that in almost every city in which they worked, they were hired by, worked for, and reported to the City

Commission. He added that his firm had never worked for Davie and his firm was not a member of the Association of Special Districts.

Grau & Associates

Tony Grau stated that his firm was the Town's current auditor, and invited questions from Council. He explained that he had split from Grau & Company specifically to concentrate on governmental clients, and his practice was almost 100% government, non-profits, and yellow book single audits. Mr. Grau reported that in 2005, his firm had conducted 173 audits to government auditing standards. He estimated for 2006, they would audit 220 government entities in the State of Florida. His firm currently had five municipal clients.

Mr. Grau said he felt it was important that Davie have their audit completed by September 30th and get back on schedule. Councilmember Crowley said his biggest concern had been to get the audit completed on time. He asked Mr. Grau how they could get back on schedule for reporting to the State. Mr. Grau noted that last year, the fraud and hurricane issues had held up the audit. He felt that there was no reason this year that the audit could not be completed on time. Mr. Shimun said that Mr. Grau had assured him that they could have the 2006 audit within 90 days, and they would be back on schedule for 2007.

Ms. Menke distributed the ranking forms and reminded Council that the highest rank was "1" so the lowest score would win. After collecting and totaling the forms, Ms. Menke announced that Grau & Associates had been ranked highest with 7 points and Keefe, McCullough & Company had received 8 points.

Councilmember Crowley made a motion, seconded by Councilmember Starkey, to approve the first ranked firm, Grau & Associates, subject to the administrator performing the negotiation and if the first negotiation failed, they would go to the second choice. In a roll call vote, the vote was as follows: Mayor Truex - yes; Vice-Mayor Caletka - yes; Councilmember Crowley - yes; Councilmember Luis - yes; Councilmember Starkey - yes. (Motion carried 5-0)

8.2 Increase in Police Off-Duty Detail Fee (Vice-Mayor Caletka)

Vice-Mayor Caletka said he wanted to withdraw this issue. He had seen a letter from the Police union indicating that they disagreed with the process, and he did not want to "make them do anything they don't want to do."

8.3 Downtown Davie Project - Request for Assistance

Bill Laystrom stated that his client needed Davie to act as applicant and request an interpretation of one of Broward County's Code definitions from the Broward County Planning Council. He agreed to reimburse the Town for the cost of Mr. Cherof's assistance.

Mark Schmidt, representing the developer, explained that they were not seeking a variance in density. He stated that they had built a lake on viable land with entitlements and this land had never been counted in their density entitlements. Mr. Schmidt stated that in order to make the project viable, they must pick up the additional density in additional floor[s] to existing building plans instead of an additional building.

Mayor Truex said he had been a big supporter of this project, but he did not agree to this request. Councilmember Crowley said he would not support additional units either.

Mr. Schmidt said, "We can't build condominiums in a market that doesn't sell condominiums. It is simple; the other choice we have is not to do it, is to wait and see what happens with the marketplace and delay it two or three years. If that is what Downtown Davie wants to do and that is what the Council directs us, then that's what we'll do. Economically, there is no way in the world we can go ahead and build something for fifty-some-odd million of seventy million dollars that is only worth sixty million dollars."

Councilmember Starkey did not want more height than they had anticipated. She remarked that developers were always insisting they could not make a project work unless they were permitted additional density and/or height.

Mr. Schmidt provided a description of the project to Councilmember Luis and Councilmember Luis asked if the project would go forward if Council did not allow the additional units. Mr. Schmidt stated that he could not borrow the money to make the project go forward under those conditions.

9. MAYOR/COUNCILMEMBER'S COMMENTS

COUNCILMEMBER CROWLEY

MASTER ASSOCIATION MEETING. Councilmember Crowley gave a copy of the meeting announcement to Mr. Shimun and asked that it be posted so two or more members of Council could attend.

PINE TREE COMPLAINTS. Councilmember Crowley said residents had complained to him about dead wood in the pine tree stand in the right-of-way adjacent to Town Hall. He asked that the Public Works Director get back to him on this.

COUNCILMEMBER STARKEY

VAN KIRK PARCEL UPDATE. Councilmember Starkey asked for an update on the Van Kirk parcel.

GOAL SETTING SESSION. Councilmember Starkey thanked staff for attending the goal setting session and said she looked forward to working on all of their projects.

AIRPORT NOTIFICATION. Councilmember Starkey said the Town must ensure residents knew about the June 5th meeting. She wanted to supply transportation to the meeting as well and asked if Council would support allocating funds for this. Assistant Town Administrator Ken Cohen recalled that the last time they had used one bus. Council agreed to provide a bus to service the Everglades Mobile Home Community and Pine Island Ridge and to provide notification of this service to residents.

COUNCILMEMBER LUIS

AUTOMATED EXTERNAL DEFIBRILLATORS (AED). Councilmember Luis said he would like to require AED's for all new businesses that met certain requirements, and to require a phase-in for existing businesses to purchase them. Councilmember Luis advised that he had spoken to Fire Chief Don DiPetrillo, who felt that this could save many lives.

MAYOR TRUEX

WATER RESTRICTIONS ENFORCEMENT. Mayor Truex questioned if different Town employees could be deputized to enforce the water restrictions. Mr. Cherof was not sure this was possible. He explained that the process with which the Town was already proceeding with allowed local law enforcement to issue citations to appear in County Court for violation of the ordinance, and this should be sufficient.

LIMITING COUNCILMEMBERS ITEM DISCUSSION TIME. Mayor Truex suggested that Councilmembers limit their discussion time to five minutes, and if time ran out, an extension was possible pending agreement of all members. He indicated that he would be bringing this issue up at a future Council meeting.

VIDEO AND AUDIO TAPING AT TOWN HALL AND TOWN PROPERTIES. Mayor Truex asked about a memo regarding this. Mr. Cherof said there was a request for an opinion regarding this, and his opinion was that there was no expectation of privacy on public property when video cameras were set up, but there were some limitations with respect to audio tapes, so the recommendation was not to use audio tapes, only video tapes.

Councilmember Starkey said she did not think it was appropriate to tape conversations and she wanted to know where the cameras were. She had sought the legal opinion questioning under what circumstances recordings could be made.

Town Clerk Muniz said they currently had audio and video surveillance in two locations: in the Human Resources Department and in the Town Clerk's lobby. This was for security, and was in response to specific past incidents. Mr. Muniz said there was clear notice that the monitors were in use. Town Clerk Muniz stated that the opinion from Mr. Cherof was that it was not illegal to audio record, provided people were advised it was occurring. Mr. Cherof said this was an issue of sufficient notice so there was no expectation of privacy.

Mayor Truex said he would like to ban this. Councilmember Starkey stated that she did not mind a security camera but asked who monitored this. Town Clerk Muniz said the Town Clerk's Office did not actively monitor the camera, but the recordings were for security and training purposes. Councilmember Starkey said she did not like the audio recording. Vice-Mayor Caletka felt it was acceptable, provided there was adequate notice. Councilmember Luis indicated that he did not have a problem with it as long as it was a security issue.

10. TOWN ADMINISTRATOR'S COMMENTS

No comments were provided.

11. TOWN ATTORNEY'S COMMENTS

No comments were provided.

12. ADJOURNMENT

There being no further business to discuss and no objections, the meeting was adjourned at 12:08 a.m.

Approved _____

Mayor/Councilmember

Town Clerk

**TOWN OF DAVIE
TOWN COUNCIL AGENDA REPORT**

TO: Mayor and Councilmembers

FROM/PHONE: Barbara McDaniel, MMC, Assisatnt Town Clerk/(954) 797-1023

PREPARED BY: Barbara McDaniel, MMC, Assisatnt Town Clerk

SUBJECT: June 4, 2007 Minutes

AFFECTED DISTRICT: not applicable

ITEM REQUEST: **Schedule for Council Meeting**

TITLE OF AGENDA ITEM: June 4, 2007 (Workshop Meeting)

REPORT IN BRIEF: Council minutes from the June 4, 2007 Council meeting.

PREVIOUS ACTIONS: n/a

CONCURRENCES: n/a

FISCAL IMPACT: not applicable

Has request been budgeted? n/a

RECOMMENDATION(S): Motion to approve

Attachment(s): Minutes

TOWN OF DAVIE
WORKSHOP MEETING
JUNE 4, 2007

The meeting was called to order at 6:01 p.m. and was followed by the Pledge of Allegiance.

Present at the meeting were Mayor Truex, Vice-Mayor Caletka, and Councilmembers Crowley and Starkey. Also present were Town Administrator Shimun and Assistant Town Clerk McDaniel recording the meeting. Councilmember Luis was absent.

Also present were members of the Airport/Transportation Advisory Board: Duncan Bossle, Jorge Egues, Ernest Siegrist and Ellis Traub.

Councilmember Starkey made a motion, seconded by Mayor Truex, to excuse Councilmember Luis. In a voice vote, all voted in favor. (Motion carried 4-0)

Councilmember Starkey explained that Councilmember Luis had been present earlier, but had taken ill.

Public Information Officer Braulio Rosa advised that consultants had been brought in to determine how the Town would communicate with the Broward County Commission and the public.

John Herin, attorney with Stearns Weaver Miller Law Firm, said their comments regarding the draft Environmental Impact Statement [EIS] which had been forwarded to the FAA and the County Commissioners. This evening, it should be decided who would make the Town's presentation the next day, and what that presentation would be.

Mr. Herin noted that other agencies performing the same review process had identified some of the same concerns about the draft EIS, confirming the fact that it was flawed. He felt this would result in taxpayers' money being spent on something that was not valid, and they should remind the County Commissioners of this. Mr. Herin did not know what the format for public input would be at this meeting.

Councilmember Starkey said she would prefer that Mayor Truex be introduced to represent the Town, Mayor Truex would then introduce the consultants to make their presentation, and then other Councilmembers could speak on behalf of the residents. Mr. Herin pointed out that they did not want the presentation to be redundant. He felt the consultants should speak last to ensure all points were touched upon. Mr. Herin said they could also cover the technical aspects of the EIS.

Mr. Herin said the consultants had informed the FAA that the crosswind runway may be underutilized, which logically lead to questioning the necessity of building another runway. He noted that this idea would not sit well with the Cities of Dania Beach or Fort Lauderdale. Mr. Herin asked Council how forcefully this point should be made. Mayor Truex said he did not like this argument, and did not want to pit municipalities against each other.

Councilmember Starkey said a design was put in place years ago that would have included using the crosswind runway to relieve crowding, but Dania Beach and Hollywood had subsequently pursued decommissioning that runway. As the airport grew, the burden had shifted to Davie as its population grew, and plans were proposed to "build dual everything over Davie." Councilmember Starkey thought it unlikely that the FAA would decommission a runway, and she wanted to retain this runway as an option to provide relief. Mr. Herin explained that the "no action" alternatives would leave the crosswind runway in its current configuration and current use, unless the FAA performed an EIS for its increased use. This was different from pointing out that the crosswind runway was being under

utilized in an action plan. Mayor Truex did not want to make that argument, because they were working with Dania Beach. Councilmember Starkey said Dania Beach was “trying to throw a north runway on us, and now Fort Lauderdale is trying to throw the south runway.” She felt they should state that 1331 should not be decommissioned and the impacts should be studied before proceeding. Councilmember Starkey felt the airport master plan should be examined as well.

Mr. Herin said the “piecemeal approach” was one of the strongest issues that had led them to conclude that the draft EIS was fatally flawed. He stated that the EIS must include an evaluation of the impacts of the action being considered.

Vice-Mayor Caletka felt Mayor Truex, Councilmember Starkey and he should divide up their talking points to ensure as many of their concerns as possible were put into the record in the time they were allowed. Mr. Herin suggested someone indicate that there were other things that caused delays, rather than suggesting increasing the use of the crosswind runway. The crosswind runway issue could also come under a discussion of “more efficient use of existing facilities” instead of underutilization. He recommended they use the press release as a starting point and integrate talking points into that as a basis for their remarks.

Mayor Truex invited comments and questions from the Airport/Transportation Advisory Board.

Duncan Bossle, Chair of the Board, said that the forecasting models the FAA used were provided by public companies, whose stock value was tied to positive growth; therefore, these models were not realistic. He indicated that the County had been in a negative growth pattern for two years and the expansion issue was backed by the Broward Workshop, a group comprising Broward businesses development interests, funded through the County Commission and Broward taxpayers. Mr. Bossle noted that this was a tri-county area with three major airports travelers could utilize and the congestion issue at the airport was minor, taking up only four to five hours per day.

Jorge Egues said he did not support increased use of the crosswind runway because he was sensitive to the impacts this would have on southwest Fort Lauderdale. He did not want the crosswind runway decommissioned either, as this would open up land for additional terminal development.

Ernest Siegrist reported that County Commissioners would visit remote site #1 the following day at a time of day when it experienced very few loud noise events. He said that the Everglades Lakes Mobile Home Park was concerned about the mitigation options, since the provisions for relocating a mobile home were inadequate.

Mr. Herin advised that the FAA had used flawed baseline data and a program that resulted in the smallest possible noise contour footprints. Without a Part 150 study, he said they could not know what the problems would be, and the impacts could not be properly evaluated. Within Davie, three to five mobile home parks were located within the 65 DNL contour, and even more were included within the 60 DNL, which was the responsibility of the County. Mr. Herin noted the impact this would have on the affordable housing crisis, since mobile homes could not be adequately mitigated. He stated that the EIS never properly examined the human factor or the fact that this would have the greatest impact on those who could least afford it.

Councilmember Crowley felt the airport would get the needed votes and Davie would then be considering what their next steps should be.

Mr. Herin thought the best option would be that no action was taken. The next best option was that the County Commission would agree that the EIS was flawed, and any action should be postponed until all deficiencies were corrected. Mr. Herin noted that as costs escalated, the County would be more inclined to consider additional ways to reduce delays.

Vice-Mayor Caletka felt airlines should be encouraged to use less noisy planes. Councilmember Starkey thought the airport should require noisier planes to install “hush kits” to ensure quieter flying, as well as other noise abatement measures.

Councilmember Starkey wanted to create the list of talking points. Mr. Herin said the quality of life and affordable housing issues could be combined. Mayor Truex felt these were 90% of the argument. He agreed to address the quality of life issue. Vice-Mayor Caletka agreed to address the mobile home/land use issue. Councilmember Starkey agreed to address the delay issue. Mr. Herin suggested that Councilmember Starkey discuss the need to identify all of the projects, perform a Part 150 study, and then create a draft EIS encompassing all of the improvements.

Mr. Herin pointed out that anyone who addressed the County Commission should prepare a cogent statement, not just an opinion. Councilmember Starkey said that staff could create a list of points to distribute to speakers.

Mr. Siegrist suggested that the County Commission meeting be advertised on Channel 78.

There being no further business to discuss and no objections, the meeting was adjourned at 7:23 p.m.

Approved _____

Mayor/Councilmember

Town Clerk

**TOWN OF DAVIE
TOWN COUNCIL AGENDA REPORT**

TO: Mayor and Councilmembers

FROM/PHONE: Barbara McDaniel, MMC, Assistant Town Clerk/954-797-1023

PREPARED BY: Barbara McDaniel, MMC, Assistant Town Clerk

SUBJECT: June 18, 2007 minutes

AFFECTED DISTRICT: n/a

ITEM REQUEST: **Schedule for Council Meeting**

TITLE OF AGENDA ITEM: June 18, 2007 (Workshop Meeting)

REPORT IN BRIEF: Council minutes from the May 16, 2007 Council meeting.

PREVIOUS ACTIONS: n/a

CONCURRENCES: n/a

FISCAL IMPACT: not applicable

Has request been budgeted? n/a

If yes, expected cost: \$

Account Name:

If no, amount needed: \$

What account will funds be appropriated from:

Additional Comments:

RECOMMENDATION(S): Motion to approve

Attachment(s): Minutes

TOWN OF DAVIE
BUDGET WORKSHOP
JUNE 18, 2007

The meeting was called to order at 12:12 p.m. and was followed by the Pledge of Allegiance.

Present at the meeting were Mayor Truex, Vice-Mayor Caletka, Councilmembers Crowley, Luis and Starkey. Also present were Town Administrator Shimun, Town Attorney Cherof, and Town Clerk Muniz recording the meeting.

Mr. Shimun explained that since Tallahassee had given staff an idea what their budget cuts would be, Council could consider where to trim the budget. He said that around July 1st, the numbers should be in from the Property Appraiser's Office informing what the figures would be for the year. Mr. Shimun recommended setting a mid-July date for the next budget workshop to review those figures. Council tentatively decided to meet on July 19th at 6:30 p.m.

Mr. Shimun described how the tax rollback would be affected by the property tax changes. He said that the departments were asked to look at rolling back 17%, in the event the voters passed the proposed changes in January 2008. Mr. Shimun said they had "taken that route which will have the least impact on services to get us to where we need to be this upcoming fiscal year."

Mr. Shimun described specific reductions in the administrative and legislative areas, and Councilmember Crowley questioned what reductions would be made in the "Davie Update" and "Davie TV." Mr. Shimun responded that reductions were planned in the capital outlays.

Councilmember Starkey felt Council could do more on local lobbying efforts such as the School Board, so additional cuts could be made there. Mayor Truex suggested Council reduce the number of lobbyists to one, and Vice-Mayor Caletka agreed. Councilmember Starkey recommended they cut \$40,000 from the lobbyist total, without specifying which lobbyist would be removed.

Councilmember Luis pointed out that between 2005 and 2007, expenses had increased 50%. He suggested that a consultant be hired to analyze each department's growth in the past few years, and find areas where there might be duplication of work. Vice-Mayor Caletka said he and Councilmember Starkey had already suggested this. Councilmember Luis estimated this might cost \$50,000, but felt this was a small percentage of the total budget of over \$100 million. Mayor Truex agreed with the concept, but felt that "that's what we're hired for, is to do this budget." He did not believe there was time for an outside analysis prior to approving this budget.

Councilmember Starkey felt it was Council's responsibility to review the budget proposed by Mr. Shimun and determine the areas they felt could be cut. Mr. Shimun suggested Council take the materials presented this evening and review them for a more detailed discussion at their next meeting. He advised that he was having lunch the following day with an individual who was experienced with efficiency reviews, with whom he would discuss costs and timelines for such an analysis.

Vice-Mayor Caletka suggested considering outsourcing the Technology and Information Management Department. Councilmember Starkey suggested consolidating the office equipment maintenance programs. Mr. Shimun explained to Councilmember Crowley that individual departments determined how cuts in education and training memberships could be made.

Acting Budget and Finance Director Carol Menke outlined the proposed reductions in her department.

Town Clerk Muniz described the proposed cuts for the Town Clerk's Office. Vice-Mayor Caletka was strongly opposed to all department directors having a Town vehicle. Town Clerk Muniz explained that not every department director had a Town vehicle. He advised that he was a member of

the Emergency Management Team and each member had a vehicle for that purpose. Councilmember Starkey asked for an analysis of the Town's cars and Mayor Truex and Vice-Mayor Caletka agreed. Councilmember Crowley felt Council must set a policy regarding vehicle use. Mayor Truex stated that he wanted "a report of where we are and a policy of how those were awarded." Ms. Menke suggested that car allowances be added to this report.

Development Services Director Mark Kutney described proposed cuts in his department. He explained that in order to meet the 17% reduction, 18 positions needed to be eliminated. Mr. Kutney informed Councilmember Crowley that 15 of these positions were currently vacant, so at least one employee would be laid off. Councilmembers were concerned about reductions in Code Compliance. Councilmember Crowley felt the Code Compliance process was already slow. Mayor Truex agreed.

Police Chief John George felt that a 17% reduction was "totally unrealistic," noting that the department's staffing was still at the 2003-2004 level. Councilmember Starkey was uncomfortable with the internal crime lab because of the additional expenditures and personnel required. She thought tasks such as these should be given to the Broward Sheriff's Office, and the Town should concentrate on providing additional road patrol officers.

Chief George explained the loss of experienced personnel due to retirement, and his difficulty in keeping fully staffed. He stated they were increasing road officer patrol staff. Regarding the crime lab, Chief George informed Councilmember Starkey that they had civilianized those positions, and pointed out that "the Sheriff's Office is not going to come out to your house to fingerprint your house for burglaries." Crime scene technicians performed these tasks to allow police officers to get back on the street.

Chief George informed Vice-Mayor Caletka that the department was required to make a 15% contribution to the trust fund, and he estimated that they had made a 17- 20% contribution. Vice-Mayor Caletka suggested that as well as eliminating a major's position, Chief George should consider eliminating a captain's position and use those funds to hire patrol officers. Chief George said that the department was already at a minimum operational level for supervisory officers.

Mayor Truex suggesting reducing school resource officers in elementary schools. Councilmember Starkey explained the advantages of having local resource officers rather than Broward Sheriff's Office deputies. Chief George said he was awaiting a legal opinion from another city's attorney regarding whether the Town should be responsible for funding crossing guards.

Councilmember Luis asked about the possible cost savings if the Police Department went to 12-hour shifts. Chief George explained that this was a negotiation item, not something he had control over. He pointed out that the current schedule included an overlap that provided double staffing at key times. In preparation for contract discussions, Councilmember Starkey wanted information on how many additional patrol officers they could have if they changed shift lengths. Mayor Truex suggested Mr. Shimun explore the possibility of transferring some of the school resource officers to patrol positions.

Fire Chief Don DiPetrillo described proposed cuts in the Fire Department. He explained that 86% of his budget comprised personnel costs. Half of the remaining budget was for operating expenses he did not control, so most of the reductions must come from vacant or projected positions. At the 8% reduction level, five firefighter/paramedic positions and four lieutenant positions would have to be eliminated. Vice-Mayor Caletka said reducing firefighter positions without reducing more management positions or any other costs seemed "reckless." Chief DiPetrillo explained that he did not have the ability to cut operating expenses without closing a fire station and described why the current management staff was required.

Vice-Mayor Caletka recommended "cutting your management staff by half and using that money to save as many firefighters on the line as possible." He added that, "if I vote against the budget when it comes time, for one reason, one reason only, I think it's because you have too many managers and not

enough actual firefighters on the street.” Councilmember Starkey cautioned Vice-Mayor Caletka against voting against the entire budget based on a single issue. Chief DiPetrillo explained that 128 people were required to staff the existing fire stations and he currently had 130.5. He pointed out that he had identified \$1.9 million for reductions.

Mayor Truex agreed that most people would prefer more firefighters and fewer administrators, but admitted that both he and Vice-Mayor Caletka had no experience in firefighting administration. He suggested that Vice-Mayor Caletka discuss his concerns with Chief DiPetrillo.

Public Works Director Manny Diez explained the proposed cuts in the Public Works Department. He stated that there were seven vacant positions, which they would leave unfilled. He added that the amount of contracted janitorial services and mowing would be reduced by 40% and perform those activities in-house. Additionally, tree trimming and sidewalk repair would also be done in-house. Mayor Truex asked if they could direct the contractors to perform services less often, since it was less expensive for contractors to do the work. Mr. Diez felt they could manage this better in-house, and noted that in-house scheduling could be more flexible as well. He explained they would bid the entire project so they could compare the contractor/in-house costs.

Parks & Recreation Director Dennis Andresky explained the proposed cuts for his department based on 5%, 15% and 17% decreases. Councilmember Starkey asked if an increase in fees had been factored into Mr. Andresky’s figures. Mr. Andresky responded that an increase had not been incorporated into the 5% decrease figures, but was in the 15% and 17% figures.

Special Projects Director Bonnie Stafiej described proposed cuts to her department. She stated they were increasing fees for event participation and parking to generate additional revenue. Council agreed to continue to allow non-profit organizations to handle the Spring Festival parking.

Human Resources Director Mark Alan explained the proposed cuts for his department at 8.5% and 17%. To achieve the 8.5% reduction, he proposed eliminating two high school intern positions and all departmental education and training. To achieve the 17% reduction, he would also eliminate the Human Resource Assistant position. Mayor Truex asked about the elimination of random drug testing. Mr. Alan explained they would still maintain the ability to perform post-accident and probable cause drug testing.

Housing and Community Development Director Shirley Taylor-Prakelt described proposed cuts to her department. Since hers was the smallest department, she stated that there was not a lot of room to cut. To attain a 12% cut, she recommended cutting the position of the unfilled recreation leader position. Her staff would also give up all education, travel and tuition reimbursement. Councilmembers agreed they did not want to see the at-risk youth program eliminated.

Mr. Shimun asked Council to review the information and present any questions at the July 19th meeting. He agreed to coordinate meetings that Council requested with the department directors. Council requested organizational charts for all departments.

Vice-Mayor Caletka requested information on possible cost savings for outsourcing the Technology and Information Management, Budget and Finance and Human Resources departments.

There being no further business to discuss and no objections, the meeting was adjourned at 3:08 p.m.

Approved _____

Mayor/Councilmember

Town Clerk

**TOWN OF DAVIE
TOWN COUNCIL AGENDA REPORT**

TO: Mark kutney Development Services Director

FROM/PHONE: 954 797-1201

PREPARED BY: Sandy Saikley, Office Supervisor

SUBJECT: Home Business Tax Receipt

AFFECTED DISTRICT: 4

ITEM REQUEST: **Schedule for Council Meeting**

TITLE OF AGENDA ITEM: Absolute Rehabilitation Corp., 13163 SW 16 Street

REPORT IN BRIEF: Per Land Development Code 12-34 (N) Home occupations (Business Tax) are permitted for telephone and mail communication only and are subject to the regulations contained in the Town Code. In the AG, A-1, and R-1 districts, Town Council approval is required.

PREVIOUS ACTIONS: n/a

CONCURRENCES: n/a

FISCAL IMPACT: not applicable

Has request been budgeted? n/a

If yes, expected cost: \$

Account Name:

If no, amount needed: \$

What account will funds be appropriated from:

Additional Comments:

RECOMMENDATION(S): Staff finds this application complete and suitable for transmittal to Town Council.

Attachment(s):



DEVELOPMENT SERVICES DEPARTMENT
BUSINESS TAX RECEIPT DIVISION

6591 ORANGE DRIVE • DAVIE, FLORIDA 33314-3399
PHONE: 954.797.1112 • FAX: 954.797.1086 • WWW.DAVIE-FL.GOV

HOME BUSINESS TAX RECEIPT APPLICATION

APPLICANTS: COMPLETE BOTH SIDE OF APPLICATION

BUSINESS NAME: Absolute Rehabilitation Corp.

BUSINESS ADDRESS: 13163 SW 16th Street ZIP: 33325

BUSINESS MAILING: 13163 SW 16th Street ZIP: 33325

BUSINESS PHONE: 954-474-1146 CELL: _____

DESCRIBE TYPE OF BUSINESS: Home Health Physical Therapy

BUSINESS IS: CORPORATION SOLE PROPRIETOR _____ PARTNERSHIP _____ LLC _____

OWNER/OFFICER (S) HOME ADDRESS CITY/ZIP PHONE

1. Dominic Aloma 13163 SW 16th Street Davie 33325 9544742304

2. _____

FEDERAL ID NUMBER _____ OR SOCIAL SECURITY _____

I understand this is an application for a Business Tax Receipt in the Town of Davie. Until I have received the Business Tax Receipt, I will not conduct any business at this location. The Business Tax, upon receipt, is valid until September 30, 07 and must be renewed before each October 1st. Initial DA

This application for Business Tax Receipt allows mail and telephone use only, no signs or exterior storage, no on-site employees are permitted.

Dominic Aloma, President
Print owner or officer's name and title

[Signature]
Signature of owner or officer

OFFICE USE ONLY:			
Date <u>6/12/07</u>	Category <u>09650</u>	Fee <u>12.76</u>	Exempt _____ per Sec 13-3
New _____	Transfer <input checked="" type="checkbox"/>	Name _____	Address <input checked="" type="checkbox"/> Owner _____
Transferred from <u>14024 N Cypress Cove Cir</u>			
Tax Number <u>07 26788</u>	Control Number <u>19474</u>	Location ID Number <u>67944</u>	
Folio <u>58-40-14-12-0090</u>	Zoning <u>A-1</u>		
Council Approval Required <input checked="" type="checkbox"/> Yes _____ No _____	Zoning Approval <u>P. Barkers</u>	Date <u>6-19-07</u>	
Town Council Date _____	Approved _____	Denied _____	Tabled _____

HOME BUSINESS TAX RECEIPT APPLICATION

SECTION 12-34 (N)-DEFINITION:

Home Business Tax Receipt shall mean any use conducted entirely within a dwelling and carried on by persons residing in the dwelling unit, which is clearly incidental and secondary to the use of the dwelling for residential purposes and does not change the character thereof and in connection with which there is no display or stock in trade. The Home Business Tax Receipt shall involve phone and mail use only and shall not involve the use of any accessory building or yard space or activity outside of the main building not normally associated with residential use.

SECTION 13-23 - LOCATION OF BUSINESS TAX RECEIPT; ZONING REGULATION

(a) Each application for the Business Tax Receipt shall definitely state and set out the exact location at which business shall be operated. Before issuance of a Business Tax Receipt, verification of applicable zoning will be made. If the applicable zoning regulations do not permit the practice of such business, occupation or profession, the Business Tax Receipt will be denied. All Business Tax Receipts granted by council action by special exception, variance or by vested rights for nonconforming use, shall be so stated on the face of the license.

(b) Notwithstanding any provision to the contrary herein contained, certain businesses, professions or occupations may be conducted within a residentially zoned area (not to include R-1 or A-1, which require council approval) on a restricted basis for which a restricted Business Tax Receipt may be issued by the town. The owner of such business will secure a restricted Business Tax Receipt from the town subject to the provisions and limitations contained herein.

(c) Any person engaged in a personal profession or occupation which requires the use of his own personal residence may apply for a restricted Business Tax Receipt. Such application may list his home address as the place of business for the purpose of complying with the following conditions.

(1) No sign of any type may be posted or displayed on the premises which might serve to indicate that the premises are being used as a restricted home business use, except as required in accordance with all governmental bodies. No vehicles with any signs painted on them, which might serve to indicate that the premises are being used for restricted Business Tax Receipt use, shall be parked within the view of public right-of-way.

(2) The applicant shall not use the premises or any improvements thereon for the creation, storage, distribution, repair or sale of any of any merchandise or goods which would be visible from any location off the premises.

(3) No noise, odors, smoke or nuisance of any type shall arise from the conduct of the business here permitted or authorized.

(4) The applicant shall not cause or permit in connection with the business authorized herein any traffic that shall interfere or disrupt the flow for street use in the neighborhood.

(5) Any restricted Business Tax Receipt issued pursuant hereto may be revoked by the town council at any time upon notice and hearing for the violation of any provisions herein contained or for the violation of any ordinance of the town or law of the state pertaining to regulating or tax such business or for any other good and sufficient reason; provided, however, that this provision shall not effect the power of the court to revoke certain tax receipt where such revocation specifically provided for by ordinance. (Code 1964 8-6)

I understand the description of Home Business Tax Receipt as stated in Section 13-23, regarding Home Business Tax Receipt and the definition (12-34 N)


Applicant's Signature

6/6/2007
Date



DEVELOPMENT SERVICES DEPARTMENT
BUSINESS TAX RECEIPT DIVISION

6591 ORANGE DRIVE • DAVIE, FLORIDA 33314-3399
PHONE: 954.797.1112 • FAX: 954.797.1204 • WWW.DAVIE-FL.GOV

HOME BUSINESS TAX RECEIPT AFFIDAVIT

Town of Davie, Planning & Zoning, & Business Tax Division,
6591 Orange Drive, Davie, FL 33314

I understand that this is an application for a home business tax receipt in the Town of Davie and I may not conduct any business at this location until I have received the tax receipt document. I further understand that this business tax receipt upon issuance, is valid until September 30, 07, and must be renewed before October 1st.

I understand that as long as I conduct business in the Town of Davie I must keep an active business tax receipt.

This application for home business tax receipt allows mail and telephone use only, no signs or storage, or on-site employees or clients are permitted.

All contractors must provide a copy of a lease at an alternate site for storage of equipment.

I Dominic Aloma certify that, to the best of my knowledge, all of my statements are true, correct, complete and made in good faith.

Print Owner or Officer's Name and Title Dominic Aloma, President

Signature of owner or officer: [Signature] Date: 6/6/2007

The foregoing was acknowledged before me this 12 day of June, 2007
By, Dominic Alexis Aloma Who is personally known to me or who has produced

F.L.-D.L. → A450714-75255-C as identification and whom did/did not take an oath

NOTARY PUBLIC [Signature]
COMMISSION EXPIRES [Signature]

A FALSE STATEMENT ON ANY PART OF BUSINESS TAX RECEIPT MAYBE GROUND FOR REVOKING SAID DOCUMENT OR SUSPENDING THE RECEIPT AFTER IT HAS BEEN ISSUED.

[Signature] Residency verified

**TOWN OF DAVIE
TOWN COUNCIL AGENDA REPORT**

TO: Mark Kutney, Development Services Director

FROM/PHONE: 954 797-1201

PREPARED BY: Sandy Saikley, Office Supervisor

SUBJECT: Home Business Tax Receipt

AFFECTED DISTRICT: 3

ITEM REQUEST: Schedule for Council Meeting

TITLE OF AGENDA ITEM: Bella Mujer Swimwear, 11501 SW 9 Street

REPORT IN BRIEF: Per Land Development Code 12-34 (N) Home occupations (Business Tax) are permitted for telephone and mail communication only and are subject to the regulations contained in the Town Code. In the AG, A-1, and R-1 districts, Town Council approval is required.

PREVIOUS ACTIONS: n/a

CONCURRENCES: n/a

FISCAL IMPACT: not applicable

Has request been budgeted? n/a

If yes, expected cost: \$

Account Name:

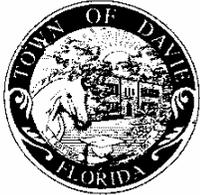
If no, amount needed: \$

What account will funds be appropriated from:

Additional Comments:

RECOMMENDATION(S): Staff finds this application complete and suitable for transmittal to Town Council.

Attachment(s):



DEVELOPMENT SERVICES DEPARTMENT
BUSINESS TAX RECEIPT DIVISION

6591 ORANGE DRIVE • DAVIE, FLORIDA 33314-3399
PHONE: 954.797.1112 • FAX: 954.797.1086 • WWW.DAVIE-FL.GOV

HOME BUSINESS TAX RECEIPT APPLICATION

APPLICANTS: COMPLETE BOTH SIDE OF APPLICATION

BUSINESS NAME: Bella Mujer Swimwear Inc

BUSINESS ADDRESS: 11501 SW 9 Street, Davie ZIP: 33325

BUSINESS MAILING: same ZIP: _____

BUSINESS PHONE: 954 226 2585 CELL: _____

DESCRIBE TYPE OF BUSINESS: swimwear sales

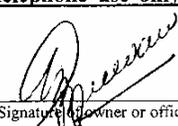
BUSINESS IS: CORPORATION SOLE PROPRIETOR _____ PARTNERSHIP _____ LLC _____

OWNER/OFFICER (S)	HOME ADDRESS	CITY/ZIP	PHONE
1. <u>Maryan Gallagher</u>	<u>1984-47th NE</u>	<u>Naples FL</u>	<u>34120</u>
2. <u>Maria Guevara</u>	<u>11501 SW 9th St</u>	<u>Davie FL</u>	<u>33325 954 6877062</u>

FEDERAL ID NUMBER _____ OR SOCIAL SECURITY _____

I understand this is an application for a Business Tax Receipt in the Town of Davie. Until I have received the Business Tax Receipt, I will not conduct any business at this location. The Business Tax, upon receipt, is valid until September 30, ~~07~~ and must be renewed before each October 1st. MB
Initial

This application for Business Tax Receipt allows mail and telephone use only, no signs or exterior storage, no on-site employees are permitted.

Maria Guevara Vice-President
Print owner or officer's name and title
36-48  Signature of owner or officer

OFFICE USE ONLY:			
Date <u>6/27/07</u>	Category <u>05062</u>	Fee <u>78.46</u>	Exempt _____ per Sec 13-3
New _____	Transfer _____	Name _____	Address _____
Owner _____	Transferred from _____		
Tax Number <u>0726948</u>	Control Number <u>19543</u>	Location ID Number <u>100208</u>	
Folio <u>50-40-12-02-0010</u>	Zoning <u>R-1T</u>		
Council Approval Required _____	Yes _____	No _____	Zoning Approval <u>P. Buleen</u> Date <u>6-27-07</u>
Town Council Date _____	Approved _____	Denied _____	Tabled _____

HOME BUSINESS TAX RECEIPT APPLICATION

SECTION 12-34 (N)-DEFINITION:

Home Business Tax Receipt shall mean any use conducted entirely within a dwelling and carried on by persons residing in the dwelling unit, which is clearly incidental and secondary to the use of the dwelling for residential purposes and does not change the character thereof and in connection with which there is no display or stock in trade. The Home Business Tax Receipt shall involve phone and mail use only and shall not involve the use of any accessory building or yard space or activity outside of the main building not normally associated with residential use.

SECTION 13-23 - LOCATION OF BUSINESS TAX RECEIPT; ZONING REGULATION

(a) Each application for the Business Tax Receipt shall definitely state and set out the exact location at which business shall be operated. Before issuance of a Business Tax Receipt, verification of applicable zoning will be made. If the applicable zoning regulations do not permit the practice of such business, occupation or profession, the Business Tax Receipt will be denied. All Business Tax Receipts granted by council action by special exception, variance or by vested rights for nonconforming use, shall be so stated on the face of the license.

(b) Notwithstanding any provision to the contrary herein contained, certain businesses, professions or occupations may be conducted within a residentially zoned area (not to include R-1 or A-1, which require council approval) on a restricted basis for which a restricted Business Tax Receipt may be issued by the town. The owner of such business will secure a restricted Business Tax Receipt from the town subject to the provisions and limitations contained herein.

(c) Any person engaged in a personal profession or occupation which requires the use of his own personal residence may apply for a restricted Business Tax Receipt. Such application may list his home address as the place of business for the purpose of complying with the following conditions.

(1) No sign of any type may be posted or displayed on the premises which might serve to indicate that the premises are being used as a restricted home business use, except as required in accordance with all governmental bodies, No vehicles with any signs painted on them, which might serve to indicate that the premises are being used for restricted Business Tax Receipt use, shall be parked within the view of public right-of-way.

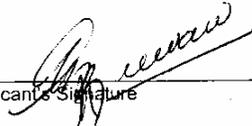
(2) The applicant shall not use the premises or any improvements thereon for the creation, storage, distribution, repair or sale of any of any merchandise or goods which would be visible from any location off the premises.

(3) No noise, odors, smoke or nuisance of any type shall arise from the conduct of the business here permitted or authorized.

(4) The applicant shall not cause or permit in connection with the business authorized herein any traffic that shall interfere or disrupt the flow for street use in the neighborhood.

(5) Any restricted Business Tax Receipt issued pursuant hereto may be revoked by the town council at any time upon notice and hearing for the violation of any provisions herein contained or for the violation of any ordinance of the town or law of the state pertaining to regulating or tax such business or for any other good and sufficient reason; provided, however, that this provision shall not effect the power of the court to revoke certain tax receipt where such revocation specifically provided for by ordinance. (Code 1964 8-6)

I understand the description of Home Business Tax Receipt as stated in Section 13-23, regarding Home Business Tax Receipt and the definition (12-34 N)

Applicant's Signature 

Date 6-20-07



DEVELOPMENT SERVICES DEPARTMENT
BUSINESS TAX RECEIPT DIVISION

6591 ORANGE DRIVE • DAVIE, FLORIDA 33314-3399
PHONE: 954.797.1112 • FAX: 954.797.1204 • WWW.DAVIE-FL.GOV

HOME BUSINESS TAX RECEIPT AFFIDAVIT

Town of Davie, Planning & Zoning, & Business Tax Division,
6591 Orange Drive, Davie, FL 33314

I understand that this is an application for a home business tax receipt in the Town of Davie and I may not conduct any business at this location until I have received the tax receipt document. I further understand that this business tax receipt upon issuance, is valid until September 30, 07, and must be renewed before October 1st.

I understand that as long as I conduct business in the Town of Davie I must keep an active business tax receipt.

This application for home business tax receipt allows mail and telephone use only, no signs or storage, or on-site employees or clients are permitted.

All contractors must provide a copy of a lease at an alternate site for storage of equipment.

I Maria A. Guerra certify that, to the best of my knowledge, all of my statements are true, correct, complete and made in good faith.

Print Owner or Officer's Name and Title Maria A. Guerra

Signature of owner or officer: [Signature] Date: 6/26/07

The foregoing was acknowledged before me this 26 day of June 2007
By, Maria A. Guerra Who is personally known to me or who has produced

F.L.D.L. #G11054110640 as identification and whom did/did not take an oath

NOTARY PUBLIC [Signature]

COMMISSION EXPIRES: _____

A FALSE STATEMENT ON ANY PART OF BUSINESS TAX RECEIPT MAY BE GROUND FOR REVOKING SAID DOCUMENT OR SUSPENDING THE RECEIPT AFTER IT HAS BEEN ISSUED.

[Signature] Residency verified

**TOWN OF DAVIE
TOWN COUNCIL AGENDA REPORT**

TO: Mark kutney Development Services Director

FROM/PHONE: 954 797-1201

PREPARED BY: Sandy Saikley, Office Supervisor

SUBJECT: Home Business Tax Receipt

AFFECTED DISTRICT: 4

ITEM REQUEST: **Schedule for Council Meeting**

TITLE OF AGENDA ITEM: South Florida Staffing Solutions, Inc., 13163 SW 16 Street

REPORT IN BRIEF: Per Land Development Code 12-34 (N) Home occupations (Business Tax) are permitted for telephone and mail communication only and are subject to the regulations contained in the Town Code. In the AG, A-1, and R-1 districts, Town Council approval is required.

PREVIOUS ACTIONS: n/a

CONCURRENCES: n/a

FISCAL IMPACT: not applicable

Has request been budgeted? n/a

If yes, expected cost: \$

Account Name:

If no, amount needed: \$

What account will funds be appropriated from:

Additional Comments:

RECOMMENDATION(S): Staff finds this application complete and suitable for transmittal to Town Council.

Attachment(s):



DEVELOPMENT SERVICES DEPARTMENT
 BUSINESS TAX RECEIPT DIVISION
 6591 ORANGE DRIVE • DAVIE, FLORIDA 33314-3399
 PHONE: 954.797.1112 • FAX: 954.797.1086 • WWW.DAVIE-FL.GOV

HOME BUSINESS TAX RECEIPT APPLICATION

APPLICANTS: COMPLETE BOTH SIDE OF APPLICATION

BUSINESS NAME: South Florida Staffing Solutions LLC

BUSINESS ADDRESS: 13163 SW 16th st. Davie, FL ZIP: 33325

BUSINESS MAILING: same as above ZIP: same as above

BUSINESS PHONE: (9) 588-1453 CELL: _____

DESCRIBE TYPE OF BUSINESS: Therapy staffing company for Home Health *(PT's homes only; Business office strictly for paper work and no patient care)*

BUSINESS IS: CORPORATION _____ SOLE PROPRIETOR _____ PARTNERSHIP _____ LLC

OWNER/OFFICER (S)	HOME ADDRESS	CITY/ZIP	PHONE
1. <u>Dominic A. Alena</u>	<u>13163 SW 16th st. Davie FL</u>	<u>33325</u>	
2. <u>Sanjaimon Neduparambil</u>	<u>4022 Turquoise Trail, Weston FL</u>	<u>33331</u>	

FEDERAL ID NUMBER _____ OR SOCIAL SECURITY _____

I understand this is an application for a Business Tax Receipt in the Town of Davie. Until I have received the Business Tax Receipt, I will not conduct any business at this location. The Business Tax, upon receipt, is valid until September 30, 07 and must be renewed before each October 1st. Initial DA

This application for Business Tax Receipt allows mail and telephone use only, no signs or exterior storage, no on-site employees are permitted.

Dominic Alena, managing member [Signature] managing member
 Print owner or officer's name and title Signature of owner or officer

OFFICE USE ONLY:			
Date <u>6/12/07</u>	Category <u>13500</u>	Fee <u>63.82</u>	Exempt _____ per Sec 13-3
New <input checked="" type="checkbox"/>	Transfer _____	Name _____	Address _____
Tax Number <u>19503</u>		Control Number <u>07 26 789</u>	Location ID Number _____
Folio <u>56-40-14-12-0090</u>		Zoning <u>A-1</u>	
Council Approval Required _____	Yes _____ No _____	Zoning Approval <u>P. Berles</u>	Date <u>6-20-07</u>
Town Council Date _____	Approved _____	Denied _____	Tabled _____

HOME BUSINESS TAX RECEIPT APPLICATION

SECTION 12-34 (N)-DEFINITION:

Home Business Tax Receipt shall mean any use conducted entirely within a dwelling and carried on by persons residing in the dwelling unit, which is clearly incidental and secondary to the use of the dwelling for residential purposes and does not change the character thereof and in connection with which there is no display or stock in trade. The Home Business Tax Receipt shall involve phone and mail use only and shall not involve the use of any accessory building or yard space or activity outside of the main building not normally associated with residential use.

SECTION 13-23 - LOCATION OF BUSINESS TAX RECEIPT; ZONING REGULATION

(a) Each application for the Business Tax Receipt shall definitely state and set out the exact location at which business shall be operated. Before issuance of a Business Tax Receipt, verification of applicable zoning will be made. If the applicable zoning regulations do not permit the practice of such business, occupation or profession, the Business Tax Receipt will be denied. All Business Tax Receipts granted by council action by special exception, variance or by vested rights for nonconforming use, shall be so stated on the face of the license.

(b) Notwithstanding any provision to the contrary herein contained, certain businesses, professions or occupations may be conducted within a residentially zoned area (not to include R-1 or A-1, which require council approval) on a restricted basis for which a restricted Business Tax Receipt may be issued by the town. The owner of such business will secure a restricted Business Tax Receipt from the town subject to the provisions and limitations contained herein.

(c) Any person engaged in a personal profession or occupation which requires the use of his own personal residence may apply for a restricted Business Tax Receipt. Such application may list his home address as the place of business for the purpose of complying with the following conditions.

(1) No sign of any type may be posted or displayed on the premises which might serve to indicate that the premises are being used as a restricted home business use, except as required in accordance with all governmental bodies. No vehicles with any signs painted on them, which might serve to indicate that the premises are being used for restricted Business Tax Receipt use, shall be parked within the view of public right-of-way.

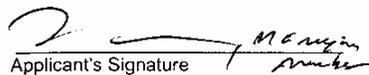
(2) The applicant shall not use the premises or any improvements thereon for the creation, storage, distribution, repair or sale of any of any merchandise or goods which would be visible from any location off the premises.

(3) No noise, odors, smoke or nuisance of any type shall arise from the conduct of the business here permitted or authorized.

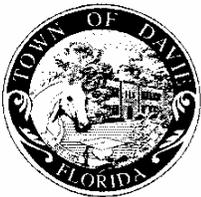
(4) The applicant shall not cause or permit in connection with the business authorized herein any traffic that shall interfere or disrupt the flow for street use in the neighborhood.

(5) Any restricted Business Tax Receipt issued pursuant hereto may be revoked by the town council at any time upon notice and hearing for the violation of any provisions herein contained or for the violation of any ordinance of the town or law of the state pertaining to regulating or tax such business or for any other good and sufficient reason; provided, however, that this provision shall not effect the power of the court to revoke certain tax receipt where such revocation specifically provided for by ordinance. (Code 1964 8-6)

I understand the description of Home Business Tax Receipt as stated in Section 13-23, regarding Home Business Tax Receipt and the definition (12-34 N)


Applicant's Signature

6/12/07
Date



DEVELOPMENT SERVICES DEPARTMENT
BUSINESS TAX RECEIPT DIVISION

6591 ORANGE DRIVE • DAVIE, FLORIDA 33314-3399
PHONE: 954.797.1112 • FAX: 954.797.1204 • WWW.DAVIE-FL.GOV

HOME BUSINESS TAX RECEIPT AFFIDAVIT

Town of Davie, Planning & Zoning, & Business Tax Division,
6591 Orange Drive, Davie, FL 33314

I understand that this is an application for a home business tax receipt in the Town of Davie and I may not conduct any business at this location until I have received the tax receipt document. I further understand that this business tax receipt upon issuance, is valid until September 30, 07, and must be renewed before October 1st.

I understand that as long as I conduct business in the Town of Davie I must keep an active business tax receipt.

This application for home business tax receipt allows mail and telephone use only, no signs or storage, or on-site employees or clients are permitted.

All contractors must provide a copy of a lease at an alternate site for storage of equipment.

I Dominic Aloma certify that, to the best of my knowledge, all of my statements are true, correct, complete and made in good faith.

Print Owner or Officer's Name and Title Dominic Aloma, Managing member

Signature of owner or officer: [Signature] Date: 6/12/07

The foregoing was acknowledged before me this 12 day of June 2007
By, Dominic Alexis Aloma Who is personally known to me or who has produced

FL-DL-A450161-752550 as identification and whom did/did not take an oath

NOTARY PUBLIC [Signature]
COMMISSION EXPIRES: _____

A FALSE STATEMENT ON ANY PART OF BUSINESS TAX RECEIPT MAYBE GROUND FOR REVOKING SAID DOCUMENT OR SUSPENDING THE RECEIPT AFTER IT HAS BEEN ISSUED.

[Signature] Residency verified

**TOWN OF DAVIE
TOWN COUNCIL AGENDA REPORT**

TO: Mayor and Council Members
FROM/PHONE: Don DiPetrillo, Fire Chief/EMC, 797-1213
PREPARED BY: Prepared by Steve Eggnatz, Deputy Fire Chief, 797-1858
SUBJECT: Resolution
AFFECTED DISTRICT: All Districts
ITEM REQUEST: **Schedule for Council Meeting**

TITLE OF AGENDA ITEM: A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, SETTING FORTH CERTAIN BENEFITS FOR FIRE MANAGEMENT BATTALION CHIEF, FIRE INSPECTOR SUPERVISOR, FIRE MARSHAL, ASSISTANT FIRE CHIEF AND DEPUTY FIRE CHIEF; PROVIDING FOR IMPLEMENTATION AND AN EFFECTIVE DATE.

REPORT IN BRIEF: This resolution will address present and future salary and benefit compression issues that exist between bargaining unit personnel and the Town's management staff in the Fire Rescue Department. In addition, it provides a fair compensation and equitable career path for advancement of bargaining personnel who are promoted into non-represented management positions.

Town of Davie policies generally afford for a minimum level of salary and benefits separation for supervisory positions, which acknowledge this distinction due to additional job responsibilities and/or education. Ratification of the pending IAFF collective bargaining agreement will unavoidably cause an inversion of salary compensation between bargaining unit personnel and non-represented management personnel. This resolution will alleviate the inversion of salary and benefits which inhibits career upward mobility. It will encourage retention and internal advancement. Salary compression presently exists in all fire non-represented classifications except for the rank of Fire Chief. No other non-fire rescue job classifications within the Town of Davie are currently affected by this problem. A similar resolution to prevent compression issues was authorized by Council for the Police Department non-represented management staff in October 2000.

PREVIOUS ACTIONS: None

CONCURRENCES: Town Administrator and Human Resource Management Dept.

FISCAL IMPACT: Yes

Has request been budgeted? No

What account will funds be appropriated from?: Fire Rescue Department Salaries Acct. (Varies)
Expense to be funded using 2006-07 fiscal year salary savings.

RECOMMENDATION(S): Motion to approve the resolution.

Attachment: Resolution

RESOLUTION NO. _____

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, SETTING FORTH CERTAIN BENEFITS FOR FIRE MANAGEMENT BATTALION CHIEF, FIRE INSPECTOR SUPERVISOR, FIRE MARSHAL, ASSISTANT FIRE CHIEF AND DEPUTY FIRE CHIEF; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, upon being promoted/hired, the non-represented fire management Battalion Chief, Fire Inspector Supervisor, Fire Marshal, Assistant Fire Chief, and Deputy Fire Chief, lose a substantial number of benefits previously afforded to them by the collective bargaining unit; and

WHEREAS, the Town recognizes that employees who choose to increase their responsibilities and education to take on additional challenges in non-represented positions to improve service to our citizens should not suffer a loss in minimum benefits or compensation; and

WHEREAS, the Town wishes to establish a fair and equitable policy of specific benefits to be afforded to non-represented fire management Battalion Chief, Fire Inspector Supervisor, Fire Marshal, Assistant Fire Chief, and Deputy Fire Chief by the Town.

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

SECTION 1. In addition to the current benefits afforded to non-represented fire management personnel, the provisional benefits of the fire collective bargaining unit with the Town shall apply to the Battalion Chief, Fire Inspector Supervisor, Fire Marshal, Assistant Fire Chief, and Deputy Fire Chief, who shall be the recipients of the benefits provided for therein.

SECTION 2. To correct current and future salary compression between bargaining unit members and the non-represented fire management Battalion Chief, Fire Inspector Supervisor, Fire Marshal, Assistant Fire Chief, and Deputy Fire Chief, the following plan shall be adopted:

A. Following any salary increase in the fire bargaining unit, Battalion Chief and Fire Inspector Supervisor will receive and maintain a minimum salary increase that is 10% greater than the highest ranking member of the bargaining unit of the equivalent work schedule.

B. Fire Marshal and Assistant Fire Chief will receive and maintain a minimum 5% increase over Battalion Chief of the equivalent work schedule.

C. Deputy Fire Chief will receive and maintain a minimum 5% increase over Assistant Fire Chief of the equivalent work schedule.

SECTION 3. All other Town compensation policies for Battalion Chief, Fire Inspector Supervisor, Fire Marshal, Assistant Fire Chief, and Deputy Fire Chief, shall be continued.

SECTION 4. This resolution shall take effect immediately upon its passage and adoption.

PASSED AND ADOPTED THIS _____ DAY OF _____, 2007.

Mayor

ATTEST:

Town Clerk

APPROVED THIS _____ DAY OF _____, 2007.

**TOWN OF DAVIE
TOWN COUNCIL AGENDA REPORT**

TO: Mayor and Councilmembers
FROM/PHONE: Gary Shimun, Town Administrator, 954-797-1035
PREPARED BY: Braulio Rosa, Public Information Officer, 954-797-1027
SUBJECT: Opposition to South Runway Expansion
AFFECTED DISTRICT: Townwide
ITEM REQUEST: **Schedule for Council Meeting**

TITLE OF AGENDA ITEM: A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, OPPOSING THE RATIFICATION OF ITEM NUMBER 1A, THE EXPANSION OF THE SOUTH RUNWAY TO 8,000 FEET AT THE FT LAUDERDALE-HOLLYWOOD INTERNATIONAL AIRPORT, ON JUNE 5, 2007, BY THE BROWARD COUNTY BOARD OF COMMISSIONERS.

REPORT IN BRIEF: On June 5, 2007, the Broward County Board of Commissioners voted 6-3 (Commissioners Gunzburger, Rodstrom, and Vice Mayor Wexler in dissent) approving agenda item 1A, the preferred runway alternative (a.k.a option B1C or extending the South Runway to 8,000 feet) and forwarding said approval to the FAA.

The Town has followed the proposed expansion for a number of years. The Town believes that a Master Plan must be completed first as well as a Part 150 Noise and Air Quality Study before any decision can be made on a Draft Environmental Impact Statement (DEIS). Further, the Town believes that there are many issues, including quality of life, affordable housing, capacity and delays, and noise and environmental impacts which need to be carefully evaluated before any decisions can be made.

PREVIOUS ACTIONS:

CONCURRENCES:

FISCAL IMPACT: not applicable

Has request been budgeted? n/a

RECOMMENDATION(S): Motion to approve the resolution.

Attachment(s):

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, OPPOSING THE RATIFICATION OF ITEM NUMBER 1A, THE EXPANSION OF THE SOUTH RUNWAY TO 8,000 FEET AT THE FT LAUDERDALE-HOLLYWOOD INTERNATIONAL AIRPORT, ON JUNE 5, 2007, BY THE BROWARD COUNTY BOARD OF COMMISSIONERS.

WHEREAS, the Town is a family-oriented community that values its quality of life for its residents; and

WHEREAS, the Town traditionally supports open spaces, trails, parks, and green areas; and

WHEREAS, the Town believes in "leaving no resident behind"; and

WHEREAS, the Town of Davie lies directly in the flight path of aircraft arriving and landing at the Ft. Lauderdale-Hollywood International Airport (FLL); and

WHEREAS, the Broward County Board of Commissioners have approved option B1C, the expansion of the South Runway to 8,000 for the Draft Environmental Impact Statement; and

WHEREAS, Broward County has not updated its Master Plan and has not completed a Part 150 Noise and Air Quality Study; and

WHEREAS, the Town believes that the data is incomplete and that any decision is premature; and

WHEREAS, the Town believes that many issues have not been carefully studied, such as affordable housing, noise and air quality, environmental impacts, current delay and capacity issues, and quality of life;

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

SECTION 1. The Town Council is opposed to Broward County's approval of option B1C for the expansion of the South Runway

SECTION 2 The Town Council is opposed to any expansion until all the data has been carefully compiled and analyzed and demonstrates a real need.

SECTION 3. The Town Council is opposed to any expansion that impacts its residents and which does not properly mitigate for impacts

SECTION 5. 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

**TOWN OF DAVIE
TOWN COUNCIL AGENDA REPORT**

TO: Mayor and Councilmembers

FROM/PHONE: Manny Diez/797-1240

PREPARED BY: Herb Hyman/797-1016

SUBJECT: Resolution

AFFECTED DISTRICT: All

ITEM REQUEST: **Schedule for Council Meeting**

TITLE OF AGENDA ITEM: A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING AN EXTENSION TO THE CONTRACT BETWEEN THE TOWN AND ASHBRIIT ENVIRONMENTAL SERVICES, INC. FOR DISASTER RECOVERY DEBRIS REMOVAL SERVICES.

REPORT IN BRIEF: The Town Council awarded a contract to Ashbriit Environmental Services, Inc. for disaster recovery debris removal services by Resolution R-2005-223. The initial contract period was two (2) years with options to extend the contract for two (2) additional two (2) year periods. The current contract period is scheduled to expire on August 17, 2007. This is the first of the two year renewal options. The Town and the vendor would like to extend the contract for a period of twenty-eight (28) months so that the expiration date of the contract is at the end of hurricane season. If approved, the extension would cover the period of August 18, 2007 through January 14, 2010.

PREVIOUS ACTIONS: R-2005-223.

CONCURRENCES: The Public Works/Capital Projects Manager concurs with the contract extension.

FISCAL IMPACT: Yes

Has request been budgeted? No

If yes, expected cost: dependent on number of storms.

Account Name: Public Works-Trash Removal Account

Additional Comments: Expenditures subject to FEMA reimbursement.

RECOMMENDATION(S): Motion to approve the resolution.

Attachment(s):

Letter from vendor dated June 26, 2007

Memo from Public Works dated June 29, 2007

Vendor Incorporation information

RESOLUTION NO. _____

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING AN EXTENSION TO THE CONTRACT BETWEEN THE TOWN AND ASHBRIIT ENVIRONMENTAL SERVICES, INC. FOR DISASTER RECOVERY DEBRIS REMOVAL SERVICES.

WHEREAS, the Town awarded a contract for miscellaneous planning services to Ashbriit Environmental Services, Inc. by Resolution R-2005-223; and

WHEREAS, the contract is scheduled to expire on August 17, 2007; and

WHEREAS, the terms and conditions of the contract allow for a two year extension by mutual agreement of the parties; and

WHEREAS, the Town and the contractor desire to extend the contract for an additional twenty-eight (28) months so that the contract period extends through the entire hurricane season.

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

SECTION 1. The Town Council approves the twenty-eight (28) month extension of the contract with Ashbriit Environmental Services, Inc. for disaster recovery debris removal services covering the period of August 18, 2007 through January 14, 2010.

SECTION 2. 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

**PUBLIC WORKS
MEMORANDUM**

To: Herb Hyman, Procurement Manager
From: Dan Oyler, Assistant Public Works Manager 
Through: Manny Diez, Public Works / Capital Projects Manager
Date: June 29, 2007
Re: Contract Extension for Ashbritt Environmental. Debris Removal Services.

The Public Works Department wishes to extend the existing contract with Ashbritt Environmental for Debris Removal Services for a period of (2) two years and (4) four months. There will be no cost increase associated with this extension.

Attached please find the letter of extension from Ashbritt.



June 26, 2007

Town of Davie, Public Works
Daniel J. Oylar
6901 Orange Dr
Davie, FL 33314

Re: Contract Renewal for Debris Management Services

Dan,

Thank you for continuing to use AshBritt as your debris contractor.

Please contact me should you need anything further.

A handwritten signature in black ink, appearing to be "Randi Miner", is written over the word "Regards,".

Randi Miner
Marketing Coordinator

480 South Andrews Avenue Suite 103
Pompano Beach, FL 33069
Tel: 954 545-3535
Fax: 954 545-3585
www.ashbritt.com



June 28, 2007

Town of Davie, Public Works
Daniel J. Oyler
6901 Orange Drive,
Davie, FL 33314

Re: Contract Renewal, Town of Davie agreement for Disaster Recovery Services

Dear Mr. Oyler

AshBritt agrees to renew our Disaster Recovery Services contract with the Town of Davie for an additional twenty eight (28) months; August 17, 2007 through January 14, 2010.

Please accept this letter as confirmation that Ashbritt will renew and abide by all terms, conditions, and prices of this agreement; noting that this extension does not require a cost increase.

Please do not hesitate to contact me if I can assist you further.

Sincerely,

A handwritten signature in black ink, appearing to read 'Terry Jackson', written over a horizontal line.

Terry Jackson
Chief Marketing Officer

480 South Andrews Avenue Suite 103
Pompano Beach, FL 33069
Tel: 954 545-3535
Fax: 954 545-3585
www.ashbritt.com

FLORIDA DEPARTMENT OF STATE
DIVISION OF CORPORATIONS



Home Contact Us E-Filing Services Document Searches Forms Help

[Previous on List](#) [Next on List](#) [Return To List](#)

[No Events](#) [No Name History](#)

Detail by Entity Name

Florida Profit Corporation

ASHBRITT ENVIRONMENTAL SERVICES, INC.

Filing Information

Document Number P03000104541
FEI Number 200247755
Date Filed 09/23/2003
State FL
Status ACTIVE
Effective Date NONE

Principal Address

480 S. ANDREWS AVE., SUITE 103
POMPANO BCH FL 33069

Mailing Address

480 S. ANDREWS AVE., SUITE 103
POMPANO BCH FL 33069

Registered Agent Name & Address

CFRA, LLC
CORPORATE CENTER THREE AT INT'L PLAZA
4221 W. BOY SCOUT BLVD, 10TH FLOOR
TAMPA FL 33607-5736 US

Address Changed: 06/28/2004

Officer/Director Detail

Name & Address

Title VPST

PERKINS, RANDAL
480 SOUTH ANDREWS AVE SUITE 103
POMPANO BEACH FL 33069

Title VP

NOBLE, JOHN JR
480 SOUTH ANDREWS SUITE 103

http://www.sunbiz.org/scripts/cordet.exe?action=DETFIL&inq_doc_number=P0300010454... 7/2/2007

POMPANO BEACH FL 33068

Title VP

JACKSON, TERRY
480 SOUTH ANDREWS SUITE 103
POMPANO BEACH FL 33068

Annual Reports

Report Year Filed Date

2005 01/07/2005

2006 05/09/2006

2007 04/23/2007

Document Images

[04/23/2007 -- ANNUAL REPORT](#)

[05/09/2006 -- ANNUAL REPORT](#)

[01/07/2005 -- ANNUAL REPORT](#)

[07/15/2004 -- ANNUAL REPORT](#)

[09/23/2003 -- Domestic Profit](#)

Note: This is not official record. See documents if question or conflict.

[Home](#) [Contact us](#) [Document Searches](#) [E-Filing Services](#) [Forms](#) [Help](#)
[Copyright and Privacy Policies](#)
Copyright © 2007 State of Florida, Department of State.

**TOWN OF DAVIE
TOWN COUNCIL AGENDA REPORT**

TO: Mayor and Councilmembers

FROM/PHONE: Manny Diez/797-1240

PREPARED BY: Herb Hyman/797-1016

SUBJECT: Resolution

AFFECTED DISTRICT: All

ITEM REQUEST: **Schedule for Council Meeting**

TITLE OF AGENDA ITEM: A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH BERGERON EMERGENCY SERVICES, INC. FOR DISASTER RECOVERY SERVICES.

REPORT IN BRIEF: The Town Council approved the selection of Bergeron Emergency Services, Inc. for disaster recovery services by Resolution R-2007-162 and authorized staff to negotiate a contract for these services. The attached contract is a result of negotiations authorized by R-2007-162 and is identical to the contract between the Town and Ashbritt Environmental Services, Inc.

PREVIOUS ACTIONS: R-2005-223.

CONCURRENCES: The contract was negotiated by the Assistant Town Administrator.

FISCAL IMPACT: Yes

Has request been budgeted? No

If yes, expected cost: dependent on number of storms.

Account Name: Public Works-Trash Removal Account

Additional Comments: Expenditures subject to FEMA reimbursement.

RECOMMENDATION(S): Motion to approve the resolution.

Attachment(s):
Contract Document

RESOLUTION NO. _____

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH BERGERON EMERGENCY SERVICES, INC. FOR DISASTER RECOVERY SERVICES.

WHEREAS, the Town Council approved Bergeron Emergency Services, Inc. as the highest ranking firm to perform disaster recovery services by Resolution R-2007-162; and

WHEREAS, staff negotiated a contract pursuant to Resolution R-2007-162; and

WHEREAS, after review, the Town Council authorizes the Mayor to execute a contract with Bergeron Emergency Services, Inc.

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

SECTION 1. The Town Council authorizes the Mayor to execute a contract with Bergeron Emergency Services, Inc. for disaster recovery services which is attached hereto and identified as Attachment "A".

SECTION 2. 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

**AGREEMENT FOR PROFESSIONAL SERVICES
BETWEEN TOWN OF DAVIE AND BERGERON EMERGENCY SERVICES, INC.**

THIS AGREEMENT made and entered into this 18th day of July, 2007, by and between the Town of Davie, a municipal corporation of the State of Florida, hereinafter referred to as TOWN, and Bergeron Emergency Services, Inc. hereinafter referred to as CONTRACTOR:

WHEREAS, the TOWN intends to enter into a non-exclusive agreement for the provision of professional services by the CONTRACTOR to the TOWN; and

WHEREAS, the TOWN requires certain professional services in connection with Bergeron Emergency Services Inc.; and, WHEREAS, the CONTRACTOR represents that it is capable and prepared to provide such Services:

NOW THEREFORE, in consideration of the promises contained herein, the parties hereto agree as follows:

ARTICLE 1 - EFFECTIVE DATE

The term of this Agreement shall commence on the effective date of the resolution approving this agreement and expire on January 14, 2010. Thereafter, the contract may be renewed for an additional two (2) year term. The renewal of the contract shall be by mutual agreement of the parties and approval by the Town Council.

ARTICLE 2 - SERVICE TO BE PERFORMED BY CONTRACTOR

The CONTRACTOR shall perform the services as specifically stated in the Scope of Work attached as Exhibit A and as may be specifically designated and additionally authorized by the TOWN. Such additional authorizations will be in the form of a Work Order. Each Work Order will set forth a specific Scope of Services, amount of compensation and completion date and shall be approved by resolution of the TOWN Council.

ARTICLE 3 - COMPENSATION

The TOWN shall pay CONTRACTOR in accordance with Attachment B, Fee Schedule, which is attached hereto and incorporated by reference as part of this Agreement.

ARTICLE 4 - STANDARD OF CARE

CONTRACTOR shall exercise the same degree of care, skill, and diligence in the performance of the Services as is ordinarily provided by a professional engineering CONTRACTOR, under similar circumstances and CONTRACTOR shall, at no additional cost to the TOWN, re-perform services which fail to satisfy the foregoing standard of care.

ARTICLE 5 - INDEMNIFICATION

Contractor shall indemnify and hold harmless the Town of Davie, its officers, and employees from liabilities, damages, losses and costs, including, but not limited to reasonable attorney's fees, to the extent caused by the negligence, recklessness or intentional wrongful misconduct of Contractor and persons employed or utilized by Contractor in the performance of this agreement. Except as specifically provided herein, this agreement shall not require the Contractor to indemnify the Town of Davie, its officers, and employees from any liability, damage, loss, claim, action, or proceeding. Any costs and expenses, including attorney's fees, appellate, bankruptcy or defense counsel fees incurred by the Town of Davie to enforce this Indemnification Clause shall be borne by the Contractor. This Indemnification Clause shall continue indefinitely and survive the cancellation, termination, expiration, lapse or suspension of this agreement. No provision within the Agreement shall be construed as a waiver of the Town's sovereign immunity nor grant any rights to third parties.

ARTICLE 6 - INDEPENDENT CONTRACTOR

CONTRACTOR undertakes performance of the Services as an independent contractor and shall be wholly responsible for the methods of performance. The TOWN shall have no right to supervise the methods used, but the TOWN shall have the right to observe such performance. CONTRACTOR shall work closely with the TOWN in performing Services under this Agreement. The CONTRACTOR shall not receive any TOWN benefits, stipend or privileges afforded by TOWN employees.

ARTICLE 7 - COMPLIANCE WITH LAWS

In performance of the Services, CONTRACTOR will comply with applicable regulatory and other applicable requirements including federal, state, and local laws, rules regulations, orders, codes, criteria and standards.

ARTICLE 8 - INSURANCE

During the performance of the Services under this Agreement, CONTRACTOR shall maintain the following insurance policies, and provide originals or certified copies of all policies, and such coverages shall be written by an insurance company authorized to do business in Florida.

WORKER'S COMPENSATION

The Contractor shall procure and maintain, for the life of this Contract/Agreement, Worker's Compensation Insurance covering all its employees with limits meeting all applicable state and federal laws. This coverage shall include Employers' Liability with limits meeting all applicable state and federal laws. This coverage shall include Employer's Liability with limits meeting all applicable state and federal laws. This coverage shall extend to any agent of Contractor that does not have their own Workers' Compensation and Employer's Liability Insurance. Thirty (30) days notice of cancellation, lapse or material modification is required and must be provided to the Town of Davie via Certified Mail.

COMMERCIAL GENERAL LIABILITY

The Contractor shall procure and maintain, for the life of this Contract/Agreement, Commercial General Liability Insurance. This coverage shall be on an "Occurrence" basis. Coverage shall include Premises and Operations; Independent Contractors' Products and Completed Operations and Contractual Liability. This policy shall provide coverage for death, personal injury or property damage that could arise directly or indirectly from the performance of this Agreement.

The Minimum Limits of Coverage shall be \$1,000,000 per occurrence, Combined Single Limit for Bodily Injury Liability and Property Damage Liability with a \$10,000 deductible.

The Town of Davie must be named as an additional insured. The additional insured requirement is waived if Owners and Contractors' Protective Coverage is also provided, or required. Thirty (30) days written notice must be provided to the Town of Davie via Certified Mail in the event of cancellation.

BUSINESS AUTOMOBILE LIABILITY

The Contractor shall procure and maintain, for the life of the Contract/Agreement, Business Automobile Liability Insurance. The minimum limits of coverage shall be \$500,000 per occurrence, Combined Single Limit for Bodily Injury Liability and Property Damage Liability. This coverage shall be an "Any Auto" or "Comprehensive Form" type policy. In the event that the Contractor does not own any vehicles, we will accept hired and non-owned coverage in the amounts listed above. In addition, we will require an affidavit signed by the Contractor indicating the following:

_____ does not own any vehicles.
"Name of Contractor"

In the event we acquire any vehicles throughout the term of his Contract/Agreement,
_____ agrees to purchase "Any Auto" or

"Name of Contractor"
Comprehensive Form coverage as of the date of acquisition.

3.2.1.1 Contractor's Signature: _____

Thirty (30) days written notice must be provided to the Town of Davie via Certified Mail in the event of cancellation, lapse or material modification of any coverage required by this agreement.

SUPPLEMENTAL PROVISIONS

1. The insurance coverage and conditions afforded by this policy(s) shall not be suspended, voided, canceled or modified, except after thirty (30) days prior written notice by Certified Mail, Return Receipt Requested, has been given to the Town of Davie's department that originated this contract.
2. Certificates of Insurance meeting the specific required provision specified within this Contract/Agreement shall be forwarded to the Town of Davie Department that originated the contract, and approved prior to the start of any work or the possession of any TOWN property or the commencement of services, as application.
3. Contractor shall obtain a performance and payment bond in the amount of \$1,000,000 and shall be maintained at the time "Notice to Proceed" document is enacted by the Town.

SUBCONTRACTOR'S INSURANCE

The Contractor shall require each of his subcontractors to take out and maintain during the life of his subcontract the same insurance coverage's required of the successful Contractor. Each subcontractor shall furnish to the successful Contractor two copies of the Certificate of Insurance, and successful Contractor shall furnish one copy of the Certificate to the Town of Davie.

ARTICLE 9 - TOWN'S RESPONSIBILITIES

The TOWN shall be responsible for all providing reasonably required access to all project sites, and providing information on hand including any outstanding issues or correspondence, and other data that are available in the files of the TOWN.

ARTICLE 10 - TERMINATION OF AGREEMENT

The obligation to continue services under this Agreement may be terminated for cause by either party upon seven (7) days written notice of substantial failure by the other party to perform in accordance with the terms hereof through no fault of the terminating party.

TOWN shall have the right to terminate this Agreement or suspend performance thereof without cause for the Town's convenience upon fourteen (14) days written notice to Contractor, and Contractor shall terminate or suspend performance of services on a schedule acceptable to TOWN or at the end of this fourteen (14) day period, at the option of the Town. In the event of termination or suspension for Town's convenience, TOWN shall pay Contractor for all services performed through the date of notice of termination or suspension.

ARTICLE 11 - NONDISCLOSURE OF PROPRIETARY INFORMATION

CONTRACTOR shall consider all information provided by TOWN and all reports, studies, calculations, and other documentation resulting from the CONTRACTOR's performance of the Services to be proprietary unless such information is available from public sources or is a public record under Florida law. CONTRACTOR shall not publish or disclose proprietary information for any purpose other than the performance of the Services without the prior written authorization of TOWN or in response to legal process.

ARTICLE 12 - UNCONTROLLABLE FORCES

Neither the TOWN nor CONTRACTOR shall be considered to be in default of this Agreement if delays in or failure of performance shall be due to Uncontrollable Forces, the effect of which, by the exercise of reasonable diligence, the non-performing party could not avoid. The term "Uncontrollable Forces" shall mean any event which results in the prevention or delay of performance by a party of its obligations under this Agreement and which is beyond the reasonable control of the non-performing party. It includes, but is not limited to fire, flood, earthquakes, storms, lightning, epidemic, war, riot, civil disturbance, sabotage, Acts of God and governmental actions.

Neither party shall, however, be excused from performance if nonperformance is due to forces which are preventable, removable, or remediable and which the non-performing party could have, with the exercise of reasonable diligence, prevented, removed, or remedied with reasonable dispatch. The non-performing party shall, within a reasonable time of being prevented or delayed from performance by an uncontrollable force, give written notice to the other party describing the circumstances and uncontrollable forces preventing continued performance of the obligations of this Agreement.

ARTICLE 13 - GOVERNING LAW AND VENUE

This Agreement shall be governed by the laws of the State of Florida. Any and all legal action necessary to enforce the Agreement will be held in Broward County and the Agreement will be interpreted according to the laws of Florida.

ARTICLE 14 - MISCELLANEOUS

14.1 Non-waiver

A waiver by either TOWN or CONTRACTOR of any breach of this Agreement shall not be binding upon the waiving party unless such waiver is in writing and duly signed by both parties to this agreement. In the event of a written waiver, such a waiver shall not affect the waiving party's rights with respect to any other or further breach. The making or acceptance of a payment by either party with knowledge of the existence of a default or breach shall not operate or be construed to operate as a waiver of any subsequent default or breach.

14.2 Severability

The invalidity, illegality, or unenforceability of any provision of this Agreement, or the occurrence of any event rendering any portion or provision of this Agreement void or voidable, shall in no way affect the validity or enforceability of any other portion or provision of the Agreement. Any void or voidable provision shall be deemed severed from the Agreement and the balance of the Agreement shall be construed and enforced as if the Agreement did not contain the particular portion or provision held to be void. The parties further agree to reform the Agreement to replace any stricken provision with a valid provision that comes as close as possible to the intent of the stricken provision.

The provisions of this section shall not prevent the entire Agreement from being held void should a provision which is of the essence of the Agreement be determined to be void by a court of competent jurisdiction.

14.3 Political Campaigns

During the term of this Agreement, the CONTRACTOR or any employee or associate, shall not be involved in any political campaign for TOWN elective office nor make financial contribution to any such campaign.

ARTICLE 15 - INTEGRATION AND MODIFICATION

This Agreement is adopted by the TOWN and CONTRACTOR as a final, complete and exclusive statement of the terms of the Agreement between the TOWN and CONTRACTOR. This Agreement supersedes all prior agreements, contracts, proposals, representations, negotiations, letters or other communications between the TOWN and CONTRACTOR pertaining to the Services, whether written or oral.

The Agreement may not be modified unless such modifications are evidenced by an amendment in writing signed by both the TOWN and CONTRACTOR.

ARTICLE 16 - SUCCESSORS AND ASSIGNS

The TOWN and CONTRACTOR each binds itself and its director, officers, partners, successors, executors, administrators, assigns and legal representatives to the other party to this Agreement and to the partners, successors, executors, administrators, assigns, and legal representatives. Any assignment, sale, pledge or conveyance of this contract by Contractor must be previously approved by the Town, whose consent may be reasonably withheld.

ARTICLE 17 - CONTINGENT FEES

The CONTRACTOR warrants that it has not employed or retained any company or person, other than a bona fide employee working solely for the CONTRACTOR to solicit or secure this Agreement and that it has not paid or agreed to pay any person, company, corporation, individual or firm, other than a bona fide employee working solely for the CONTRACTOR, any fee, commission, percentage, gift or any other consideration contingent upon or resulting from the award or making of this Agreement.

ARTICLE 18 - TRUTH-IN-NEGOTIATION CERTIFICATE

Execution of this Agreement by the CONTRACTOR shall act as the execution of a truth-in-negotiation certificate certifying that the wage rates and costs used to determine the compensation provided for in this Agreement are accurate, complete and current as of the date of the Agreement and no higher than those charged the CONTRACTORS most favored customer for the same or substantially similar service.

The said rates and cost shall be adjusted to exclude any significant sums should the TOWN determine that the rates ad costs were increased due to inaccurate, incomplete or non-current wage rates or due to inaccurate representations of fees paid to outside Contractors. The TOWN shall exercise its rights under this "Certificate" within one (1) year following payment.

ARTICLE 19 - OWNERSHIP OF DOCUMENTS

CONTRACTOR shall be required to work in harmony with other Contractors relative to providing information requested in a timely manner and in the specified form. Any and all documents, records, disks, original drawings, or other information shall become the property of the TOWN upon completion for its use and distribution as may be deemed appropriate by the TOWN.

ARTICLE 20 - NOTICE

Any notice, demand, communication, or request required or permitted hereunder shall be in writing and delivered in person or sent by certified mail, postage prepaid as follows:

As To TOWN
Town of Davie
Town Hall
6591 SW 45 Street
Davie, Florida 33314

Attention:

As to CONTRACTOR:

Bergeron Emergency Services, Inc.
19612 SW 69 Place
Ft. Lauderdale, Florida 33332

Notices shall be effective when received at the address specified above. Changes in the respective addresses to which such notice may be directed may be made from time to time by any party by written notice to the other party. Facsimile is acceptable notice effective when received, however, facsimiles received (i.e.: printed) after 5:00 p.m. or on weekends or holidays, will be deemed received on the next business day. The original of the notice must additionally be mailed as required herein.

Nothing contained in this Article shall be construed to restrict the transmission of routine communications between representatives of CONTRACTOR and TOWN.

ARTICLE 21 - PROJECT TEAM

The Project Team shall consist of

Project Team members may be changed only with the prior written approval of the Town.

IN WITNESS WHEREOF, the Town of Davie, at a regular meeting thereof, by action of the TOWN Council and directing the foregoing be adopted, has caused these presents to be signed by the Mayor, and it's seal to be hereunto affixed, and has executed this contract.

TOWN OF DAVIE

Witness:

By: _____

Approved as to Form and Legal Sufficiency:

By: _____
TOWN Attorney

Tom Truex
Mayor

BERGERON EMERGENCY SERVICES, INC.

CONTRACTOR

Attest:

By: _____

Corporate Secretary
(Affirm Corporate Seal)

Witness:

Jessica Alicronli

Signature _____

Title: PRESIDENT

President (or other duly authorized Officer)
(Attach Resolution/Bylaw of authorization if no President)

Approved by TOWN Council on _____, 2005, Item # _____

EXHIBIT A-- SCOPE OF WORK

1. Debris Management. Remove all hazards to life and property resulting from the disaster. Clean-up, demolition, and removal shall be work authorization approved by the TOWN Project Manager by individual work authorizations. Clean-up, demolition, and removal shall be limited to eligible debris. Eligible debris is that which after its clean-up, demolition, and removal: 1) eliminates immediate threats to life, public health, and safety; 2) eliminates threats of significant damage to improved public or private property; and 3) is essential by its absence of ensuring economic recovery. Scope of Services shall include items such as emergency road clearance, debris removal from public rights-of-way removal of hazardous stumps, leaning trees/limbs, temporary debris staging areas and reduction sites, debris disposal, hazardous waste abatement, and sand screening, etc.
2. Technical Disaster Recovery Assistance. Provide disaster recovery technical assistance to elected and appointed officials of the TOWN. This assistance shall include documentation and management for the public assistance program, planning, training, and exercise development, as well as attendance at the Town of Davie Emergency Operations Center (EOC) during activation of the EOC for exercise and actual emergency events as requested by the Town Administrator, or his designee.
3. Temporary Satellite Communications. Provide temporary satellite communications equipment and "on-air" talk time to the TOWN to facilitate emergency communications within the TOWN and with outside agencies because of the loss of communications capability. Specifically, provide the satellite communications equipment and space time as listed in the work authorizations and the notice to proceed.
4. Emergency Power Generators. Provide temporary emergency power generators to TOWN to supply temporary electric to critical facilities because of power failures.
5. Emergency Delivery of Ice. Provide an emergency supply of ice to TOWN to facilitate food storage and other life sustaining measures. Specifically, provide the ice within the specifications and quantities as listed in the work authorizations and the notice to proceed.
6. Emergency Delivery of Potable Water. Provide an emergency supply of potable water to TOWN to facilitate a safe supply of water for human consumption, cooking of food, and other life sustaining measures. Specifically, provide the potable water within the specifications and quantities as listed in the work authorizations and the notice to proceed.
7. Emergency Equipment Rental, Labor, Materials and Supplies. Provide emergency rental of light, medium and heavy equipment; trucks and other vehicles; labor; materials; and supplies as requested by TOWN. Specifically, provide the rental of light, medium, and heavy equipment; trucks and other vehicles; labor; materials; and supplies as listed in the work authorizations and the notice to proceed.
8. Logistical Staging Areas. Provide for the operation and management of logistical staging areas to facilitate disaster recovery operations. Specifically, provide for the supplies and labor for the operations and management needed to establish and operate logistical staging areas within the specifications and quantities as listed in the work authorizations and the notice to proceed.
9. Services and Facilities. Provide and pay for all labor, tools, equipment transportation, supervision, and all other services and facilities of any nature whatsoever necessary to execute, complete and deliver the services within the term specified in the work authorization. All work authorizations involving a time and materials portion of this Agreement shall have a not-to-exceed amount placed within them.
10. Permits and Licenses. Obtain, with the assistance of TOWN, permits and licenses of a temporary nature necessary for the prosecution of services. Not responsible to obtain permits or licenses where the requirement for which has or will be waived because of a declaration of emergency or disaster.
11. Supervision. Under the general oversight of the TOWN, contractor shall supervise and direct all work, workers, and equipment. Contractor is solely responsible for the means, methods, techniques, sequences, safety program, and procedures utilized. Contractor shall employ and maintain on the work site a qualified supervisor(s) who shall have full authority to act on behalf of contractor, and all communications given to the supervisor in writing by the TOWN'S authorized representative shall be as binding as if given to contractor.
12. Other Related Work. Perform other related work as directed by the Town Administrator.

Exhibit B

Disaster Recovery Services

All prices noted in this attachment are considered a baseline estimate. Actual prices that will be charged will be justified at the time a work authorization is approved. All costs must be based upon reasonable expenses for labor, equipment, material, and overhead/profit. Under no circumstances will costs that exceed reimbursable limits acceptable to the Federal Emergency Management Agency (FEMA) be proposed or approved in a work authorization.

Emergency Road Clearance

Contractor shall accomplish the cutting, tossing, and/or pushing of debris, hanging limbs, or leaning trees from primary roads as identified and directed by Town of Davie. The debris shall be stacked on the right-of-way to allow passage of vehicles along the primary transportation routes.

Compensation per attached hourly rate schedule.

Debris Removal from Public Right-of-Way

As directed by Town of Davie, Contractor shall load and haul all eligible debris to a Town designated Temporary Debris Storage and Reduction Site (TDSRS) or other disposal destination.

0 to 15 miles
16 to 30 miles

Debris Separation/Reduction and TDSRS Management

Contractor shall operate and manage the TDSRS to accept and process all event debris. Contractor shall perform any site preparation, to include but not limited to: (1) building and/or maintaining roads; (2) construction of a roofed inspection tower sufficient for a minimum of three inspectors; (3) any environmental requirements necessary to include wind control fencing, silt fencing, hazardous materials containment area, and/or water retention berms. All debris will be processed in accordance with all local, state and federal rules, standards and regulations. Processing may include, but is not limited to, reduction by tub grinding, incineration when approved, or other alternate methods of reduction such as compaction. Prior to reduction all debris will be segregated between vegetative debris, C&D, recyclable debris, white goods, and hazardous waste. Upon the closure of the TDSRS the site will be restored to its Pre-Use Condition.

Operation of TSDRS

Hazardous Stumps

Contractor shall remove hazardous stumps as identified and directed by Town of Davie. Stump removal shall include backfilling the void with appropriate fill material and hauling the stump to the TDSRS.

Stumps up to 6 inches in diameter

Stumps greater than 12 inches, less than 24 inches
Stumps greater than 24 inches, less than 48 inches
Stumps equal to or greater than 48 inches

Sand Screening

Town of Davie shall direct contractor to screen sand to remove all eligible debris deposited by the event. This process includes the collection of debris laden sand, transporting the sand to the processing screen located on the beach, processing the debris laden sand through the screen and returning the sand to the approximate original location. Debris removed from the sand will be collected, hauled, and processed as ROW debris.

Final Disposal

Contractor shall load and transport processed debris to from the TDSRS to a final disposal site as directed by Town of Davie.
0 to 15 miles
15 to 30 miles

Technical Assistance

Contractor shall provide disaster recovery technical assistance to elected and appointed officials of Town of Davie. This service shall include documentation and management for the public assistance program, planning, training, and exercise development.

Service provided at no additional charge

Permits and Licensing

Contractor shall obtain, with the assistance of Town of Davie, permits and licenses of a temporary nature necessary for the execution of the scope of services.
Service provided at no additional charge

Quality Assurance and Supervision

Contractor shall provide sufficient supervision and programmatic controls to ensure compliance with procedural and regulatory standards established by FEMA, State of Florida, and Town of Davie.
Service provided at no additional charge

Temporary Satellite Communications

Contractor shall provide temporary satellite communications equipment and service as directed by Town of Davie to facilitate emergency communications within Town of Davie and with state and federal agencies supporting Town of Davie's recovery effort.

Satellite Communications provided at actual equipment lease and airtime cost plus 15%

Emergency Delivery of Ice

As directed by Town of Davie, Contractor shall provide an emergency supply of ice to facilitate food storage and other life sustaining measures. Ice is delivered by refrigerated trucks in 40,000 lb increments, with 20 pallets of bagged ice to each delivery.

Emergency Ice

Additional Charge for storage
Additional Charge for final distribution
Additional Charge for standby (waiting to unload) past 4 hours

Emergency Delivery of Potable Water

As directed by Town of Davie, Contractor shall provide an emergency supply of water to facilitate a safe water supply for human consumption, cooking of food, and other life sustaining measures. Water is delivered by truck with 20 pallets per trailer.

Emergency Water

\$0.15 per gallon to unload
Additional Charge for storage
Additional Charge for final distribution
Additional Charge for standby (waiting to unload) past 4 hours

Emergency Power Generators

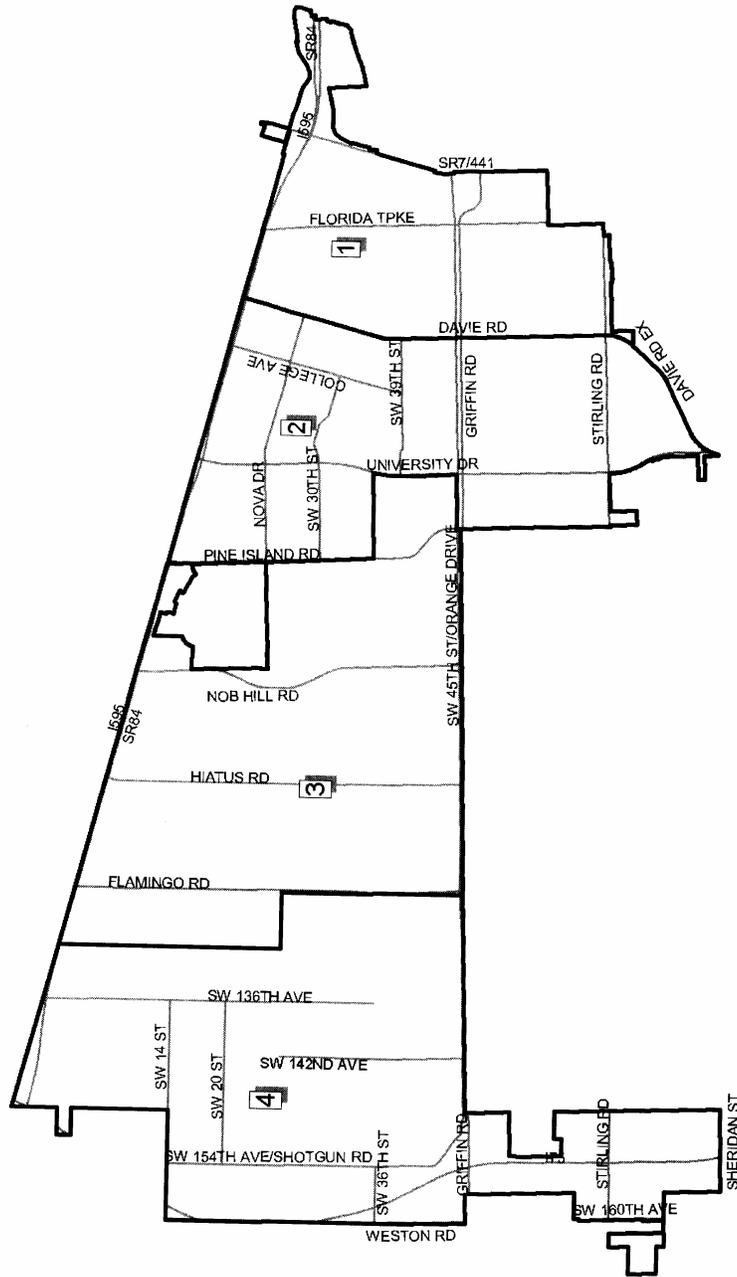
As directed by Town of Davie, Contractor has the capability to provide emergency power generators to supply temporary electric to the Town to critical Village facilities. Prior to establishing pricing for temporary generators it is necessary to collect technical information regarding the potential type and use of power at each facility indicated by the Town. It is also necessary to determine the Town's needs for technicians and the availability of emergency fuel supply. Unlike other emergency commodities power generators must be tailored to the specific need.
Emergency Power Generators

Demolition of Structures, Debris Removal from Private Property (ROE)

As directed by Town of Davie, Contractor shall demolish unsafe structures and remove debris that has been determined by the Town to be a threat to the health and safety of the public. Examples of enabling elected body resolutions and other necessary documentation for the right-of-entry (ROE) process are provided by the technical assistance experts working with Contractor and Town of Davie. Debris generated through the ROE program will be placed on the right-of-way and collected as part of the ROW debris program.
Compensation per attached hourly rate schedule

*Hourly Equipment Schedule
With Operators for Emergency Road Clearance, Leaning Trees,
Hanging Limbs, and Debris Removal From Private Property (ROE)*

<u>Equipment</u>	<u>Hourly</u>
210 Prentice Loader	
Self Loading Prentice truck - 25 to 40 yard dump body	
Wheel Loader, John Deere 544 or equivalent – 2 /12 to 3 yard bucket	
Tandem Dump Truck – 16 to 20 yards	
Wheel Loader, John Deere 644 or equivalent – 3 to 5 yard bucket	
Chainsaw Operator with gear	
Supervisor with pick-up truck	
Safety Manager with pick-up truck	
Mechanic's Truck with tools	
Flagmen for traffic control	
Trash Transfer Trailers - 110 yard with Tractor	
Bucket Truck - 50 cubic yard bed	
Equipment Transports	
Clerical	
Laborers	
Mobilization and Demobilization	



Price Proposal for the Town of Davie

Item	Task Description	U/M	Price
1.	First Response (Emergency Road Clearance)	Hourly	Hourly Schedule
2.	Debris Collection from Public rights-of-way, stump removal, aerial hazard mitigation, TDSR site management, separate and reduce debris by grinding, load and transport processed/ground debris and compacted C&D to final disposal (0-25 miles)	Cubic Yard	\$ 20.95
3.	Transporting processed debris to final disposal (>25 miles) Disposal tipping fee is a pass thru cost.	Cubic Yard/Mile	\$ 0.029
4.	Technical Assistance	N/A	N/C
5.	Project Management	N/A	N/C
6.	Hazard and Debris Removal from Canals and Waterways (Removed debris staged for collection as ROW debris)		
6 (a).	Barge with Winch (Crew of 2)	Day	\$ 4,795.00
6 (b).	Shallow Draft Landing Craft (Crew of 2)	Day	\$ 7,895.00
6 (c).	After review of waterways AshBritt will prepare a lump sum price to remove storm generated debris	Lump Sum	Incident Specific
7.	Sand collection, screening, and transport to beach	Cubic Yard	\$ 8.50
8.	Beach Restoration	Lump Sum	Incident Specific
9.	Demolition of Unsafe Structures (wood)	Square Foot	\$ 2.00
10.	Demolition of Unsafe Structures (concrete)	Square Foot	\$ 3.00
11.	Hazardous Waste Collection		
11 (a).	Hazardous Waste Collection (flamable solids)	55 gallon drum	\$ 595.00
11 (b).	Hazardous Waste Collection (flamable liquids)	55 gallon drum	\$ 475.00
11 (c).	Hazardous Waste Collection (pesticides)	55 gallon drum	\$ 475.00
11 (d).	Hazardous Waste Collection (paint related materials)	55 gallon drum	\$ 475.00
11 (e).	Hazardous Waste Collection (oxidizer liquids or solids)	55 gallon drum	\$ 725.00
11 (f).	Hazardous Waste Collection (corrosives-acids/bases)	55 gallon drum	\$ 525.00
12.	White Goods Collection	Each	\$ 45.00
13.	Freon Removal from cooling motors	Each	\$ 65.00
14.	Fire Suppression Support	Hourly	Hourly Schedule

Price Proposal for the Town of Davie

Item	Task Description	U/M	Price
------	------------------	-----	-------

The following items are available through State and Federal government resources. However, in the event that timely delivery of these items by the government does not meet the needs of our Client, AshBritt will arrange for delivery through our teaming partners. Pricing for these items will not exceed the pricing charged to State and Federal government by their suppliers

15.	Emergency Delivery of Potable Water	Various	Cost + 15%
16.	Emergency Delivery of Ice	Various	Cost + 15%
17.	Temporary Sanitation, Showers, Kitchens	Each	Cost + 15%
18.	Temporary Satellite Communication (satellite phones)	Each	Cost + 15%

EXHIBIT B

Hourly Rate Schedule for the Town of Davie, Florida

Heavy Equipment	Size or Type	U/M	Unit Price
12-Foot Tub Grinder	Morbark 1200	Hour	395.00
13-Foot Tub Grinder	Morbark 1300	Hour	455.00
14 Foot Tub Grinder	Diamond Z 1463	Hour	490.00
Backhoe	Cat 416	Hour	95.00
Bucket Truck	Up to 50' reach	Hour	130.00
Bucket Truck	50' to 75' reach	Hour	150.00
Chipper w/ 2 man crew	Morbark Storm	Hour	125.00
Crane	30 Ton	Hour	170.00
Dozer	Cat D4	Hour	95.00
Dozer	Cat D5	Hour	105.00
Dozer	Cat D6	Hour	125.00
Dozer	Cat D7	Hour	135.00
Dozer	Cat D8	Hour	150.00
Equipment Transport w/ Tractor	50 Ton	Hour	90.00
Excavators	Cat 320	Hour	90.00
Excavators	Cat 325	Hour	115.00
Excavators	Cat 330	Hour	130.00
Mechanized Broom	Street Sweeper	Hour	75.00
Motor Grader	Cat 120G	Hour	120.00
Self Loading Knuckle boom Truck	25-35 CY Body	Hour	125.00
Self Loading Knuckle boom Truck	35-45 CY Body	Hour	140.00
Skid Steer Loader	Bobcat	Hour	55.00
Stump Grinder	Vermeer 252	Hour	85.00
Towed Loader w/ Tractor	Prentice 210	Hour	140.00
Tracked Loader	Cat 955	Hour	125.00
Tractor w/ Box Blade	80 Hp	Hour	35.00
Trash Transfer Trailer w/ Tractor	110 Yard	Hour	125.00
Truck Mounted Winch	Tow Truck	Hour	90.00
Vacuum Trucks	Jet Vac	Hour	155.00
Water Truck	2000 Gallon	Hour	65.00
Wheel Loaders	Cat 950	Hour	115.00
Wheel Loaders	Cat 966	Hour	125.00
Wheel Loaders	Cat 980	Hour	135.00

Emergency Life Support	Size or Type	U/M	Unit Price
Emergency Ice Delivery	Determined by availability	Each	incident specific
Emergency Water Delivery	Determined by availability	Each	incident specific
Emergency Power Generators	Determined thru site survey	Each	incident specific

EXHIBIT B

Haul Vehicles	Size or Type	U/M	Unit Price
<i>Operators Included</i>			
Dump Truck	10 to 15 CY	Hour	40.00
Trailer Dump w/ Tractor	16 to 20 CY	Hour	50.00
Trailer Dump w/ Tractor	30 to 40 CY	Hour	60.00
Trailer Dump w/ Tractor	41 to 50 CY	Hour	70.00
Trailer Dump w/ Tractor	51 to 60 CY	Hour	80.00
Trailer Dump w/ Tractor	61 to 70 CY	Hour	90.00
Walking Floor Trailer w/ Tractor	100 CY	Hour	95.00

Transportation Vehicles	Size or Type	U/M	Unit Price
<i>Operators Not Included</i>			
Box Truck	3/4 Ton	Day	165.00
Passenger Car	Full size	Day	95.00
Passenger Van	9 Passenger	Day	145.00
Pickup Truck	1/2 Ton	Day	125.00
Pickup Truck	3/4 Ton	Day	145.00
Pickup Truck	1 Ton	Day	175.00
Utility Van	3/4 Ton	Day	115.00

Personnel	Size or Type	U/M	Unit Price
Administrative Assistant	Individual	Hour	45.00
Clerical	Individual	Hour	35.00
Climber w/ Gear	Individual	Hour	85.00
Laborer w/ Tools	Individual	Hour	30.00
Mechanic w/ Truck and Tools	Individual	Hour	60.00
Operator w/ Chainsaw	Individual	Hour	55.00
Safety or QC Manager w/ Pickup Truck	Individual	Hour	60.00
Superintendent w/ Pickup Truck	Individual	Hour	75.00
Supervisor w/ Pickup Truck	Individual	Hour	60.00
Ticket Writers	Individual	Hour	35.00
Traffic Control Personnel	Individual	Hour	30.00

Marine Resources	Size or Type	U/M	Unit Price
14' Utility Boat w/ Motor	Crew of 1	Day	545.00
33' Fast Barge w/ Winch	Crew of 2	Day	4,725.00
56' Shallow Draft Landing Craft w/ Cranc	Crew of 2	Day	7,850.00
Air Pump w/ multi breathing lines	Brownie Lung	Day	450.00
Hardhat Diver w/ Gear	Individual	Hour	<i>incident specific</i>
Scuba Bottle Refill (air)	80	Each	21.00
Tank Diver w/ Gear	Individual	Hour	<i>incident specific</i>
Water Discharge Hose	6 Inch	Ft/Day	1.00
Water Discharge Hose	12 Inch	Ft/Day	1.50
Water Pump	6 Inch	Day	1,295.00
Water Pump	12 Inch	Day	2,095.00

EXHIBIT B

Misc. Equipment	Size or Type	U/M	Unit Price
First Aid Station			
Light Tower	OSHA Spec	Day	65.00
Observation Tower	w/ generator	Day	65.00
Office Trailer	USACE Spec	Each	3,500.00
Portable Toilet	40 foot	Day	85.00
Storage Container	Single	Week	55.00
	40 foot	Day	55.00

BERGERON

LAND DEVELOPMENT, INC.

19612 SW 69TH Place
Fort Lauderdale, FL 33332
Office (954) 680-6100

Fax Numbers
Accounting Dept. (954) 680-3737
Engineering Dept. (954) 680-0666

March 09, 2006

The Town of Davie
6591 SW 45TH Street
Davie, Florida 33314

ATTN: Bruce Bernard

REFERENCE: **Hauling of Storm Generated Debris**

Dear Mr. Bernard:

Bergeron Land Development, Inc will collect and haul storm generated debris from Public and Right of Way property to a City or County designated landfill for \$12.75 per cubic yard.

The Town of Davie

By: _____

Printed Name _____

Title: _____

Badge No.: _____

Date: _____

Notary Public: _____

My Commission Expires: _____

Bergeron Land Development, Inc.

By: _____

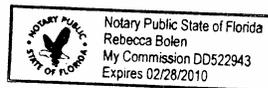
Printed Name Ronald M. Bergeron, Jr.

Title: vice president.

Date: 3.17.06

Notary Public: Rebecca Bolen

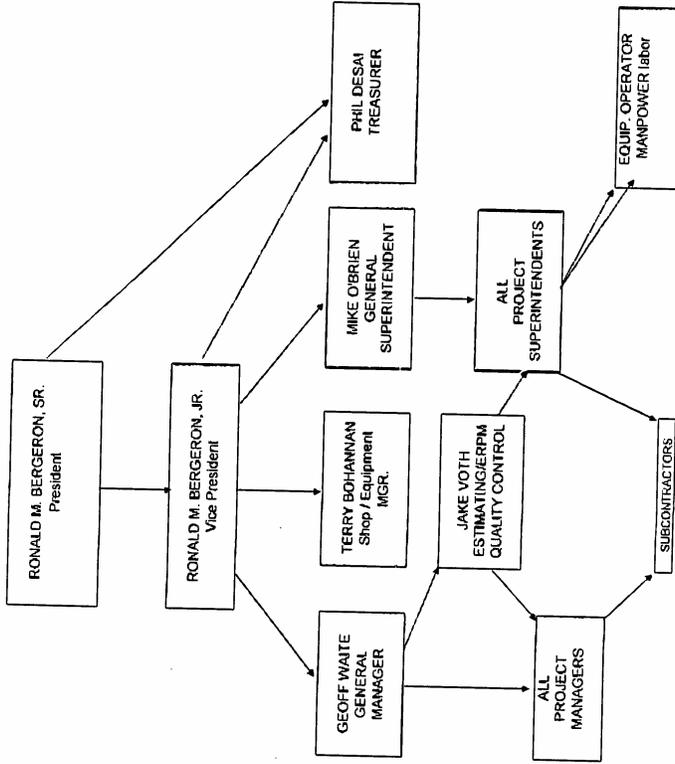
My Commission Expires: _____





EMERGENCY SERVICES, INC.
 14612 S.W. 65th Place
 Fort Lauderdale, FL 33337
 Office (954) 381-0330
 Fax Number:
 Engineering Dept. (954) 381-0365
 www.bergeronhills.com

Article 21
Town of Davie
Project Team
Organizational Chart



BERGERON EMERGENCY SERVICES, INC. is a subsidiary of BERGERON LAND DEVELOPMENT INC.

This certificate is executed by Liberty Mutual Insurance Group as respects such insurance as is afforded by those companies.

BM0068

Certificate of Insurance
 This certificate is issued as a matter of information only and confers no rights upon you the certificate holder. This certificate is not an insurance policy and does not amend, extend, or alter the coverage afforded by the policies listed below.

This is to certify that (Name and address of Insured)

Bergeron Emergency Services, Inc.
 19612 SW 69 PLACE
 FT. LAUDERDALE, FL 33332



is, at the issue date of this certificate, insured by the Company under the policy(ies) listed below. The insurance afforded by the listed policy(ies) is subject to all their terms, exclusions and conditions and is not altered by any requirement, term or condition of any contract or other document with respect to which this certificate may be issued.

Expiration Type	Eff./Exp. Date(s)	Policy Number(s)	Limits of Liability	
			Coverage afforded under WC law of the following states:	Employers Liability
<input type="checkbox"/> Continuous* <input type="checkbox"/> Extended <input checked="" type="checkbox"/> Policy Term				Bodily Injury By Accident Each Accident Bodily Injury By Disease Policy Limit Bodily Injury By Disease Each Person
Workers Compensation				
General Liability <input type="checkbox"/> Claims Made <input checked="" type="checkbox"/> Occurrence Retro Date	03/01/2007 / 03/01/2008	TB7-151-280332-017	General Aggregate-Other than Prod/Completed Operations \$2,000,000 Products/Completed Operations Aggregate \$2,000,000 Bodily Injury and Property Damage Liability \$1,000,000 Personal and Advertising Injury \$1,000,000 Other Liability \$10,000 Med Pay	Per Occurrence Per Person / Organization \$300,000 dmg to prem rtd to yo
Automobile Liability <input checked="" type="checkbox"/> Owned <input checked="" type="checkbox"/> Non-Owned <input checked="" type="checkbox"/> Hired	03/01/2007 / 03/01/2008	AS1-151-280332-027	Each Accident - Single Limit - B. I. and P. D. Combined \$1,000,000 Each Person Each Accident or Occurrence Each Accident or Occurrence	
Town of Davie is listed as Additional Insured with respects to General Liability Coverage.				

Notice of cancellation: (not applicable unless a number of days is entered below). Before the stated expiration date the company will not cancel or reduce the insurance afforded under the above policies until at least 30 days notice of such cancellation has been mailed to:

Office: FT. LAUDERDALE, FL Phone: 800-542-0055

Certificate Holder:
 Town of Davie
 6591 Orange Drive
 Davie, FL 33314

Felice Vinarub
FELICE VINARUB
 Authorized Representative

Date Issued: 07/11/2007 Prepared By: DB

**TOWN OF DAVIE
TOWN COUNCIL AGENDA REPORT**

TO: Mayor and Councilmembers
FROM/PHONE: Chief John George/(954) 693-8320
PREPARED BY: Nina B. Valdez
SUBJECT: Resolution
AFFECTED DISTRICT: District 2

ITEM REQUEST: **Schedule for Council Meeting**

TITLE OF AGENDA ITEM: A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT BETWEEN THE ARCHDIOCESE OF MIAMI ST. BERNADETTE'S CHURCH AND THE TOWN OF DAVIE POLICE DEPARTMENT FOR TRAFFIC CONTROL.

REPORT IN BRIEF: Archdioces of Miami St. Bernadette's Church would like to enter into an agreement with the Town of Davie Police Department, wherein the owner/association specifically grants the Town power and authority to enforce traffic control on the property of the owner/association, which is required by law to enable enforcement of traffic laws on private roadways and streets within this community.

PREVIOUS ACTIONS:

CONCURRENCES:

FISCAL IMPACT: not applicable

Has request been budgeted? n/a

RECOMMENDATION(S): Motion to approve the resolution

Attachment(s): Resolution and agreement

RESOLUTION _____

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT BETWEEN ARCHDIOCESE OF MIAMI ST. BERNADETTE’S CHURCH AND THE TOWN OF DAVIE POLICE DEPARTMENT FOR TRAFFIC CONTROL.

WHEREAS, Archdiocese of Miami St. Bernadette’s Church and the Davie Police Department would like to enter into an “Agreement for Traffic Control” and

WHEREAS, Archdiocese of Miami St. Bernadette’s Church has the authority to sign said agreements, and have done so; and

WHEREAS, the Davie Police Department requests the Town Council to authorize the Mayor to execute said Agreement;

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 hereby authorizes the Mayor to execute the “Agreements for Traffic Control,” attached hereto as Exhibit A.

SECTION 2. This resolution shall take effect immediately upon its passage and adoption.

PASSED AND ADOPTED THIS _____ day of _____, 2007

MAYOR/COUNCIL MEMBER

ATTEST:

TOWN CLERK

APPROVED THIS _____ DAY OF _____ 2007



DAVIE POLICE DEPARTMENT
 1230 South Nob Hill Road
 Davie, FL 33324
 (954) 693-8200
 FAX: (954) 693-8399 (Road Patrol)



AGREEMENT FOR TRAFFIC CONTROL

The Town of Davie, Florida, a municipal corporation of the State of Florida, (hereinafter referred to as the "Town"), and Archdiocese of Miami, St. Bernadette's Church (hereinafter referred to as the "Owner"), agree on this 29 day of June, 2007, to enter into the following Traffic Jurisdiction Agreement.

WHEREAS, the Owner currently holds legal title to that parcel of real property which is the subject of this Agreement, as more particularly described on Exhibit "A" attached hereto (the "Property" or "Common Areas"); and

WHEREAS, the Town, its duly appointed officers, employees and agents, recognizes that it has full power and jurisdiction to enforce all laws of the nation, state, county and city, duly enacted, excluding those traffic control and enforcement of same on the private property of Owner; and

WHEREAS, the Owner wishes to specifically grant the Town the power and authority to enforce traffic control on the Property and to grant an easement for ingress and egress for said purpose; and

WHEREAS, pursuant to Florida Statutes §316.006(2)(b), Owner wishes to have the Town exercise jurisdiction for traffic regulation over a private or limited access road or roads (the "Roads"), owned or maintained by Owner upon the property.

WITNESSETH

NOW, THEREFORE, for and in consideration of the mutual covenants and undertakings of the parties hereto, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereto covenant and agree as follows:

1. The foregoing recitals are true and correct and are incorporated herein by reference.
2. The Owner agrees that the Town shall have jurisdiction to enforce state, county and city traffic regulations over any Roads within the private property.
3. The Town hereby agrees to exercise jurisdiction for traffic control purposes over any Roads within the private property.
4. Either party may terminate this Agreement upon sixty (60) days written notice to the other party.
5. The Owner, in further consideration for the above stated commitments of the Town, does hereby declare, establish, provide, give and grant to the Town, its successors, administrators and assigns, a non-exclusive easement for ingress and egress over the private property for the purpose of providing traffic control.

6. The Owner agrees to indemnify and hold the Town of Davie, its officers and elected officials, its employees, assigns and agents, the Town of Davie Police Department, its employees, agents and assigns, and the Police Chief, his heirs and assigns, harmless from and against any and all claims or causes of action resulting from personal injury or damage to property caused by or arising from any lawful action(s) effectuated by members of the Town of Davie authorized by this Agreement. Nothing in this Agreement shall be construed to effect in any way the Town's rights, privileges and immunities as set forth in Florida Statute §768.28.
7. The Owner agrees to reimburse the Town of Davie for any actual costs of traffic control and enforcement necessitated by this Agreement over and above the normal costs of traffic control and enforcement typically incurred by the Town of Davie in exercising such control over all streets and highways located within its boundaries, such as additional costs related to signage conforming with state law.
8. Any notices required under this Agreement shall be deemed to have been duly given on the date said notice was mailed by United States Certified Mail, Return Receipt Requested, postage prepaid, and addressed to the Town or the Owner, as the case may be, at the address set below for each such party, or to such other address as any party may, from time to time, specify by written notice to all other parties.
9. No change or modification of this Agreement shall be valid unless in writing and signed by all parties hereto.
10. The Owner expressly understands and agrees that nothing contained herein is intended or should be construed as creating or establishing a duty or obligation of the Town to provide traffic jurisdiction to the private property. The Town's presence on, or use of the premises, does not in any way create or establish in favor of Owner a level of prevention or the enforcement of traffic laws greater than the Town owes to the general public.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals for the purposes herein expressed on the day and year first above written.

WITNESSES:

THE TOWN OF DAVIE, FLORIDA

Signature _____ BY: _____ Signature

Print Name _____ TITLE: _____ ADDRESS: _____

Signature _____

Print Name _____ ATTESTED BY _____

TOWN ATTORNEY

Approved as to form and legality for the use and reliance of the Town of Davie, Florida, only

STATE OF FLORIDA
COUNTY OF BROWARD

The foregoing instrument was acknowledged before me this ____ day of _____, 200__, by _____, of the Town of Davie, Florida, a municipal corporation of the State of Florida, who is _____ personally known to me, or who has produced _____ as identification, and who did/did not take an oath.

NOTARY PUBLIC, State of Florida

Type, Stamp, Print Name

MY COMMISSION EXPIRES:

3.

WITNESSES:

[Signature]
Signature

Off. Michael McGee
Print

Signature

Print

OWNER:

BY: Rev. Brendan Dalton
Signature

Rev. Brendan Dalton
Print

ADDRESS: 7450 Stirling Rd.

Davie, FL 33024
(954) 432-5313
Phone Number

THE FOREGOING INSTRUMENT MUST BE NOTARIZED OR ATTESTED TO BY A CERTIFIED POLICE OFFICER (F.S. 117.10)

The foregoing instrument was sworn and Subscribed before me:

STATE OF FLORIDA
COUNTY OF BROWARD
(AFFIX SEAL)

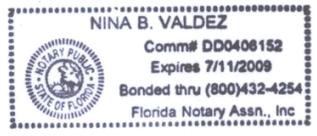
Signature of Attesting Officer, I.D. #

Print Name

Date: _____

The foregoing instrument was acknowledged before me this 29 day of June, 2007 by Rev. Brendan Dalton, who is personally known to me, or _____ who has produced _____ as identification.

Notary Public: [Signature]





DAVIE POLICE DEPARTMENT
 1230 South Nob Hill Road
 Davie, FL 33324
 (954) 693-8200
 FAX: (954) 693-8399 (Road Patrol)



AUTHORITY TO ENTER PREMISES AGREEMENT

Archdiocese of Miami (AOMSBC)
St. Bernadette's Church, a Corporation/ Owner,
 (Name of Corporation/Name of Owner)

located at 7450 Stirling Road hereby
 (Corporate/Owner Mailing Address & Phone Number)

authorizes the Town of Davie Police to enter the below described property, located in the Town of Davie, Broward County, Florida, without limitations or restrictions and at their discretion to enforce municipal traffic laws, criminal state statutes and municipal ordinances and perform any and all police-related activity.

1. Please Give Physical Address Below and Attach a copy of the Legal Description of the Property (See example of Legal Description – "Exhibit A" attached).
2. Please Give a Copy of the Corporation Documents showing Active Status. (See example —"Exhibit B" attached).

DBA: St. Bernadette's Church, Davie, FL
 (Address of Property)

(AOMSBC), expressly understands
 (Name of Corporation/Owner)

and agrees that since the above-described property is privately owned, the Town of Davie Police Department may choose not to conduct routine patrol upon said property nor accepts the obligation to conduct routine police-related activities on said property.

The Town of Davie Police may arrest, at its discretion, those person(s) believed to be trespassing or committing other criminal violations on said property.

1.

Upon an arrest for a criminal violation, AOMSBC agrees to
(Name of Corporation/Owner)

assist in the criminal prosecution of said offender.

AOMSBC hereby agrees to communicate the terms
(Name of Corporation/Owner)

and conditions of this agreement to any and all parties present on the above described property by reason of lease, rental, assignment, contract, invitation, employments, etc.

AOMSBC further agrees to notify the Town of Davie
(Name of Corporation/Owner)

through the Chief of Police for the Town of Davie Police Department ninety (90) days prior to the sale, transfer or assignment of the property or any portion thereof. This notification must be accomplished through the United States Mail, certified, return receipt requested.

AOMSBC agrees to indemnify and hold the Town of
(Name of Corporation/Owner)

Davie, its employees, assigns and agents, the Town of Davie Police Department, its officers, employees, agents and assigns, and Police Chief John A. George, his heirs and assigns, harmless from and against any and all claims or causes of action resulting from personal injury or loss to property caused by or arising from an arrest(s) or other lawful action(s) effectuated by members of the Town of Davie Police Department.

Nothing in this agreement shall be construed to effect in any way the Town's rights, privileges and immunities as set forth in Florida Statutes 768.28.

AOMSBC expressly understands and agrees that
(Name of Corporation/Owner)

nothing contained herein is intended or should be construed in any way as creating or establishing the duty or obligation of the Town of Davie to provide security or protection to the above-described property. AOMSBC

(Name of Corporation/Owner)

further understands and agrees that nothing contained herein is intended or should be

construed in any way to obligate the Town of Davie Police Department to perform routine patrol or other police-related functions on or about the above-described property.

The Town of Davie's presence on, or use of the premises, does not in any way create or establish in favor of AOMS BC a level of
(Name of Corporation/Owner)

prevention and detection of crime or the enforcement of the penal, criminal, traffic, or highway laws of the State greater than the Town of Davie owes to the general public.

Either party to this agreement may terminate this agreement at will providing that sixty (60) days written notice establishing such intent is served upon the other party by certified mail, return receipt requested.

WITNESSES
[Signature]
Signature

JOSEPH SQUARINI
Print

Signature

Print

OWNER:

BY: Rev. Brendan Dalton
Signature

Rev. Brendan Dalton
Print

ADDRESS: 7450 Stirling Road

Davie, FL 33024
(954) 432-5313
Phone Number

THE FOREGOING INSTRUMENT MUST BE NOTARIZED OR ATTESTED TO BY A CERTIFIED POLICE OFFICER (F.S. 117.10)

The foregoing instrument was sworn and Subscribed before me:

Signature of Attesting Officer, I.D. #

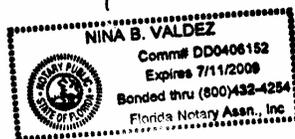
Print Name

Date: _____

STATE OF FLORIDA
COUNTY OF BROWARD
(AFFIX SEAL)

The foregoing instrument was acknowledged before me this 29 day of June, 2007 by Rev. Brendan Dalton, who is 1 personally known to me, or _____ who has produced _____ as identification.

Notary Public: [Signature]



Does this property conduct business under any other names? If yes, please list below the DBAs:

St. Bernadette's Church

Print Names and List Phone Numbers of EMERGENCY CONTACTS:

Denny Gambino

954 432 5313

954 431 9254

[Home](#) | [It's Catholic](#) | [Celebrate](#) | [Our Life](#) | [Interactive](#) | [Links](#) | [Connections](#) | [More](#)

[spiritandsong.com](#) | [DN Recommends](#)



- ❖ [Find by Diocese](#)
- ❖ [Find by State](#)
- ❖ [Find by Name](#)
- ❖ [Zip Code](#)
- ❖ [About: My Home](#)
- ❖ [Go to My Home](#)



St. Bernadette Catholic Church (ID: 56899)

[Website](#) | [E-mail](#) | [Mass Schedule](#) | [Weather](#) | [Map](#)
[Sponsor Directory](#) | [Local Yellow Pages](#) | [Local Classifieds](#) | [Update Listing](#)

7450 Stirling Road
 Hollywood, FL 33024
 Phone: 954-432-5313
 Fax: 954-432-5344
 United States - [Archdiocese of Miami](#)

A brief description goes here (Step 1 - Directory Info)

Parish Secretary Penny Gambino

Sponsor Directory

[Local Yellow Pages](#) | [Local Classifieds](#) | [Advertising Info](#)

Mass Schedule

Sunday: 7:30, 9:00, 10:45 am & 6:00 pm
Monday: 8:00 am
Tuesday: 8:00 am
Wednesday: 8:00 am
Thursday: 8:00 am
Friday: 8:00 am
Saturday: 8:00 am, / Vigil Mass at 4:00 pm

❖ [This is my Hometown Parish or School](#)

powered by [CatholicWeb.com](#)

© 1999-2007 Disciples Now Ministries, Inc.

[Home](#) | [Channels](#) | [It's Catholic](#) | [Celebrate](#) | [Our Life](#) | [Interactive](#) | [Links](#) | [Connections](#) | [Membership](#) | [Help](#) | [About](#)

**TOWN OF DAVIE
TOWN COUNCIL AGENDA REPORT**

TO: Mayor and Councilmembers

FROM/PHONE: Bruce Taylor/327-3741

PREPARED BY: Heidi Cavicchia

SUBJECT: Filter Media Replacement

AFFECTED DISTRICT: Townwide

ITEM REQUEST: **Schedule for Council Meeting**

TITLE OF AGENDA ITEM: A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA,
AWARDING THE BID FOR FILTER MEDIA REPLACEMENT TO ACCU TEC SYSTEMS, INC.

REPORT IN BRIEF: A competitive bid was conducted to replace the Filter Media at the System III Water Treatment Plant. The Town sent out bid specifications to nine (9) prospective bidders. The Town received two (2) responses. The recommendation is for Accu Tec Systems, Inc. who was the lowest bidder with a price of \$128,700.

PREVIOUS ACTIONS: None

CONCURRENCES: The recommended award has been reviewed by the Utilities Director and the Bid Specification Committee who all concur with the decision to award to Accu Tec Systems, Inc.

FISCAL IMPACT: Yes

Has request been budgeted? Yes

If yes, expected cost: \$128,700

Account Name: Capital Outlay – Equipment Replacement

RECOMMENDATION(S): Motion to approve the resolution

Attachment(s): Resolution, Procurement Authorization, Bid Opening Report, Utilities Department Recommendation, State of Florida Public Inquiry, Town of Davie Vendor/Bidder Disclosure Form, W-9 Form

RESOLUTION NO. R-2007-

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AWARDING THE BID FOR A FILTER MEDIA REPLACEMENT TO ACCU TEC SYSTEMS, INC.

WHEREAS, the Town is in need filter media replacement at the System III Water Treatment Plant; and

WHEREAS, the Town solicited sealed bids for this work; and

WHEREAS, after review, the Town Council wishes to accept the bid from Accu Tec Systems, Inc.

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

SECTION 1. The Town Council hereby accepts the bid from Accu Tec Systems, Inc. for filter media replacement at the System III Water Treatment Plant in the amount of \$128,700.

SECTION 2. The Town Council hereby authorizes the expenditure from the Utilities Department Capital Outlay - Equipment Replacement Account.

SECTION 4. 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.

TOWN OF DAVIE PROCUREMENT AUTHORIZATION

ACCOUNT NUMBER	BUDGET ITEM & DESCRIPTION	APPROXIMATE COST
040-1058-536-6405	Filter Media Replacement System III WTP	\$125,000

METHOD OF PROCUREMENT (check the one that applies)

- Open Competitive Bidding
 Piggyback on Contract Number _____
 Sole Source
 Request for Qualifications

SPECIFICATIONS & LIST OF VENDORS MUST BE ATTACHED

Signed Bruce Taylor
Department Head

Have Funds been Reserved Per. 35713

Date 3/23/07 Signed GA

Signed Gary Shinn
Town Administrator

VENDOR	BIDS SUBMITTED	COST
<u>Accu TEC SYSTEMS INC.</u>		<u>\$128,700.00</u>
<u>CARDINAL CONTRACTORS</u>		<u>268,000.00</u>

Signed Hub Hyman
Procurement Manager

BID SPECIFICATION COMMITTEE'S RECOMMENDATION	
Vendor	Cost
<u>Accu TEC Systems, Inc.</u>	<u>\$128,700.00</u>

BID OPENING REPORT

BID NAME: Filter Media Replacement

TIME: 2:09 PM

BID NUMBER: B-07-63

DATE: 5-17-07

ESTIMATED COST: *125,000.00

NO.	CONTRACTOR'S NAME	BID AMOUNT	COMMERCIAL RANKING
1.	<u>Acan Tech Systems, Inc.</u>	<u>*128,700.00</u>	<u>1</u>
2.	<u>Cardinal Contractors</u>	<u>*268,000.00</u>	<u>2</u>
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			

REMARKS

SPECS SENT TO NINE (9) PROSPECTIVE BIDDERS
TOWN RECD TWO (2) BIDS

NOTE: THE ABOVE BID AMOUNTS HAVE NOT BEEN CHECKED, AND BID TOTALS ARE SUBJECT TO CORRECTION AFTER THE BIDS HAVE BEEN COMPLETELY REVIEWED.

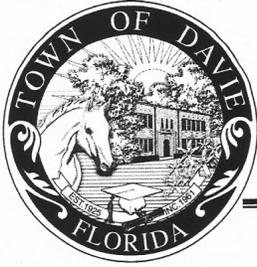
THIS IS ONLY A FINANCIAL RANKING OF ALL THE BIDS RECEIVED. THE USING DEPARTMENT IS RESPONSIBLE FOR REVIEWING THE BIDS FOR COMPLIANCE WITH ALL THE BID SPECIFICATIONS PRIOR TO SUBMITTAL OF LETTER OF RECOMMENDATION.

PURCHASING OFFICIAL: [Signature]

DATE: 5/17/07

WITNESS: Augie Salinas

DATE: 05-17-07



Administration	797-1030	Parks & Recreation	797-1145
Budget & Finance	797-1050	Police Department	693-8200
Development Services	797-1111	Public Works	797-1240
Engineering	797-1113	Town Clerk's Office	797-1023
Fire Department	797-1090	Utilities	327-3742
Human Resources	797-1010		

TOWN OF DAVIE UTILITIES 6591 Orange Drive, Davie, Florida 33314-3399 (954) 327-3742

MEMORANDUM

TO: Herb Hyman, Procurement Manager

FROM: William Peele, Superintendent of Operations

THRU: Bruce Taylor, Utilities Director

DATE: May 23, 2007

RE: Bid Recommendation – Filter Media Replacement Bid #B-07-63

The Utilities Department would like to recommend accepting the bid from Accu Tec Systems, Inc. for the Filter Media Replacement Project in the amount of \$128,700.

Accu Tec Systems, Inc. has performed work for our department in the past and has always done an excellent job. We do not foresee anything but an excellent job this time.

If you need additional information, please contact me.

:hkc

**FLORIDA DEPARTMENT OF STATE
DIVISION OF CORPORATIONS**




[Home](#) [Contact Us](#) [E-Filing Services](#) [Document Searches](#) [Forms](#) [Help](#)

[Previous on List](#) [Next on List](#) [Return To List](#)
[No Events](#) [No Name History](#)

Detail by Entity Name

Florida Profit Corporation

ACCU TEC SYSTEMS, INC.

Filing Information

Document Number P04000170146
FEI Number 202094090
Date Filed 12/20/2004
State FL
Status ACTIVE
Effective Date NONE

Principal Address

4785 SW 61 AVE
DAVIE FL 33314

Mailing Address

4785 SW 61 AVE
DAVIE FL 33314

Registered Agent Name & Address

VIOLA, LAURIE
1353 SE 7TH COURT
DEERFIELD BEACH FL 33441 US

Name Changed: 02/01/2007

Address Changed: 02/01/2007

Officer/Director Detail

Name & Address

Title P

HARKER, WAYNE
4785 SW 61 AVE
DAVIE FL 33314

Annual Reports

Report Year Filed Date

2005 04/13/2005
2006 05/04/2006
2007 02/01/2007

Document Images

02/01/2007 -- ANNUAL REPORT

05/04/2006 -- ANNUAL REPORT

04/13/2005 -- ANNUAL REPORT

12/20/2004 -- Domestic Profit

Note: This is not official record. See documents if question or conflict.

[Home](#) [Contact us](#) [Document Searches](#) [E-Filing Services](#) [Forms](#) [Help](#)
Copyright and Privacy Policies
Copyright © 2007 State of Florida, Department of State.

TOWN OF DAVIE
Vendor/Bidder Disclosure

I, WAYNE DAVID HARKER, being first duly sworn state that:
The full legal name and business address of the person(s) or entity contracting with the
Town of Davie ("Town") are as follows (Post Office addresses are not acceptable):

Name of Individual, Firm, or Organization: ALCO TEC SYSTEMS INC.
Address: 4785 SW 61 AVE
DAVIE FL 33314
FEIN 20-2094090
State and date of incorporation FL 12/20/04

OWNERSHIP DISCLOSURE AFFIDAVIT

1. If the contract or business transaction is with a corporation, the full legal name and business address shall be provided for each officer and director and each stockholder who directly or indirectly holds five percent (5%) or more of the corporation's stock. If the contract or business transaction is with a trust, the full name and address shall be provided for each trustee and each beneficiary. All such names and address are as follows (Post Office addresses are not acceptable):

Full Legal Name	Address	Ownership
<u>WAYNE DAVID HARKER</u>	<u>4785 SW 61 AVE DAVIE FL</u>	<u>100%</u>
_____	_____	_____ %
_____	_____	_____ %
_____	_____	_____ %

2. The full legal names and business addresses of any other individual (other than subcontractors, materialmen, suppliers, laborers, and lenders) who have, or will have, any legal, equitable, or beneficial interest in the contract or business transaction with the Town are as follows (Post Office addresses are not acceptable):

Full Legal Name	Address
_____	_____
_____	_____
_____	_____
_____	_____

By: Wayne D. Harker
Signature of Affiant

Date: 5-16-07

WAYNE D. HARKER
Print Name

SUBSCRIBED AND SWORN TO or affirmed before me this 16TH day of
MAY 2007, by WAYNE D. HARKER, he/~~she~~ is
personally known to me or has presented _____ as
identification.

JoAnn Rankin
Notary Public, State of Florida at Large
JoAnn Rankin
Print or Stamp of Notary

NOTARY PUBLIC **JoAnn Rankin**
Serial Number 16 Commission # DD468385
STATE OF FLORIDA Expires September 11, 2009
Bonded Troy Fair Insurance, Inc. 800-385-7019
My Commission Expires: 9-11-09

Form **W-9**
Rev. November 2005
Department of the Treasury
Internal Revenue Service

**Request for Taxpayer
Identification Number and Certification**

Give form to the
requester. Do not
send to the IRS.

Print or type
See Specific instructions on page 2.

Name (as shown on your income tax return)
ACCU TEC SYSTEMS INC

Business name, if different from above

Check appropriate box Individual sole proprietor Corporation Partnership Other Exempt from backup withholding

Address (number, street, and apt. or suite no.)
4785 SW 61 AVE

City, state and ZIP code
DAVIE FL 33314

Requester's name and address (optional)

List account number(s), here (optional)

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on Line 1 to avoid backup withholding. For individuals, this is your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the Part I instructions on page 3. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN* on page 3.

Note. If the account is in more than one name, see the chart on page 4 for guidelines on whose number to enter.

Social security number

--	--	--	--	--	--	--	--	--	--

OR

Employer identification number
2122994090

Part II Certification

Under penalties of perjury, I certify that:

- The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me), and
- I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
- I am a U.S. person (including a U.S. resident alien).

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the Certification, but you must provide your correct TIN. (See the instructions on page 4.)

Sign Here Signature of U.S. person Way DeHoff Date 6/7/07

Purpose of Form

A person who is required to file an information return with the IRS, must obtain your correct taxpayer identification number (TIN) to report, for example, income paid to you, real estate transactions, mortgage interest you paid, acquisition or abandonment of secured property, cancellation of debt, or contributions you made to an IRA.

U.S. person. Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN to the person requesting it (the requester) and, when applicable, to:

- Certify that the TIN you are giving is correct (or you are waiting for a number to be issued).
- Certify that you are not subject to backup withholding on
- Claim exemption from backup withholding if you are a U.S. exempt payee.

In 3 above, if applicable, you are also certifying that as a U.S. person, your allocable share of any partnership income from a U.S. trade or business is not subject to the withholding tax on foreign partners' share of effectively connected income.

Note. If a requester gives you a form other than Form W-9 to request your TIN, you must use the requester's form if it is substantially similar to this Form W-9.

For federal tax purposes, you are considered a partner if you are:

- An individual who is a citizen or resident of the United States,
 - A partnership, corporation, company, or association created or organized in the United States or under the laws of the United States, or
 - Any estate (other than a foreign estate) or trust. See Regulations sections 301.7701-6(a) and 7(a) for additional information.
- Special rules for partnerships.** Partnerships that conduct a trade or business in the United States are generally required to pay a withholding tax on any foreign partners' share of income from such business. Further, in certain cases where a Form W-9 has not been received, a partnership is required to presume that a partner is a foreign person, and pay the withholding tax. Therefore, if you are a U.S. person that is a partner in a partnership conducting a trade or business in the United States, provide Form W-9 to the partnership to establish your U.S. status and avoid withholding on your share of partnership income.
- The person who gives Form W-9 to the partnership for purposes of establishing its U.S. status and avoiding withholding on its allocable share of net income from the partnership conducting a trade or business in the United States is in the following cases:
- The U.S. owner of a disregarded entity and not the entity.

**TOWN OF DAVIE
TOWN COUNCIL AGENDA REPORT**

TO: Mayor and Councilmembers

FROM/PHONE: Herb Hyman/797-1016

PREPARED BY: Herb Hyman/797-1016

SUBJECT: Resolution

AFFECTED DISTRICT: All

ITEM REQUEST: **Schedule for Council Meeting**

TITLE OF AGENDA ITEM: A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ACCEPTING THE BIDS FROM WEEKLEY ASPHALT PAVING, INC. AND GENERAL ASPHALT CO., INC. FOR ASPHALT OVERLAY.

REPORT IN BRIEF: A competitive bid was conducted for asphalt overlay needed by the Public Works Department for various roadway projects. The Town acted as lead agency for the Southeast Florida Cooperative Purchasing Group for this bid. The Town sent out specifications to nineteen (19) prospective bidders. Additionally, the bid was advertised state-wide in Florida Bid Reporting and nationally in BidNet and also posted on the Town's web site. The Town received four (4) bids. The recommendation is for Weekley Asphalt Paving, Inc. as the lowest responsive and responsible bidder for Group I (North of Broward Blvd.) and General Asphalt Co., Inc. as the lowest responsive and responsible bidder for Group II (South of Broward Blvd.). The initial contract is a one (1) year term with an option to renew for an additional one (1) year term by mutual agreement of the parties. Extensions, if appropriate, will be submitted to the Town Council for approval.

PREVIOUS ACTIONS: n/a

CONCURRENCES: The recommended award has been reviewed by the Bid Specification Committee who concur with the decision to award to Weekley Asphalt Paving, Inc. for Group I and General Asphalt Co., Inc. for Group II.

FISCAL IMPACT: Yes

Has request been budgeted? Yes

If yes, expected cost: Dependent on number of projects authorized
Account Name: Operating budget of the using dept.

RECOMMENDATION(S): Motion to approve the resolution.

Attachment(s): Procurement Authorization, Bid Tabulation, Recommendation memo, Incorporation information

RESOLUTION NO. _____

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ACCEPTING THE BIDS FROM WEEKLEY ASPHALT PAVING, INC. AND GENERAL ASPHALT CO., INC. FOR ASPHALT OVERLAY.

WHEREAS, the Town is in need of asphalt overlay to repair streets throughout the Town; and

WHEREAS, the Town, acting as lead agency for the Southeast Florida Cooperative Purchasing Group, solicited sealed bids for such asphalt overlay; and

WHEREAS, after review, the Town Council wishes to accept the bids from Weekley Asphalt Paving, Inc. for Group I and General Asphalt Co., Inc. for Group II.

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

SECTION 1. The Town Council hereby accepts the bids from Weekley Asphalt Paving, Inc. for Group I (North of Broward Blvd.) and General Asphalt Co., Inc. for Group II (South of Broward Blvd.) in accordance with unit prices identified in Attachment "A".

SECTION 2. The Town Council hereby authorizes the expenditure from the operating budget of each using department.

SECTION 3. The initial contract term is one (1) year with an option to extend the contract for one (1) additional year by mutual agreement of the parties. Contract extensions, if appropriate, will be submitted to the Town Council for approval.

SECTION 4. 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

TOWN OF DAVIE PROCUREMENT AUTHORIZATION

ACCOUNT NUMBER. OPERATING BUDGET OF USING DEPTS. **BUDGET ITEM & DESCRIPTION** ASPHALT OVERLAY **APPROXIMATE COST** Commodity

METHOD OF PROCUREMENT (check the one that applies)

- Open Competitive Bidding
- Piggyback on Contract Number _____
- Sole Source
- Request For Proposals

SPECIFICATIONS & LIST OF VENDORS MUST BE ATTACHED

Signed *Carol Menke*
Department Head

Have Funds been Reserved n/a NO ACCOUNT OR AMOUNT

Date 3/12/07 Signed *AM*

Signed *Darryl Shuman*
Town Administrator

VENDOR	BIDS SUBMITTED	COST
WEEKLEY ASPHALT PAVING Co., Inc.	}	SEE ATTACHED
GENERAL ASPHALT Co., Inc.		BID
THE PAVING LADY		TABULATION
HAIRDRIVES, Inc.		NO BID
RANGER CONSTRUCTION		NO BID

Signed *[Signature]*
Procurement Manager

BID SPECIFICATION COMMITTEE'S RECOMMENDATION

Vendor	Cost
WEEKLEY ASPHALT PAVING Co., Inc - Group I (North of Broward Blvd)	PER ATTACHED
GENERAL ASPHALT Co., Inc. - Group II (South of Broward Blvd)	BID TABULATION

ASPHALT OVERLAY												
WEEKLEY ASPHALT				GENERAL ASPHALT				THE PAVING LADY				APAC SE
	EST QTY	UNIT PRICE	ITEM PRICE	UNIT PRICE	ITEM PRICE	UNIT PRICE	ITEM PRICE	UNIT PRICE	ITEM PRICE	UNIT PRICE	ITEM PRICE	
NORTH OF BROWARD BOULEVARD												
ASPHALT AEP	1700 GALS	\$3.00/GAL	\$5,100.00	\$3.00/GAL	\$5,100.00	\$4.50/GAL	\$7,650.00	\$8.90/GAL	\$15,130.00			
CLEAN SAND	1100 CU YD	\$550.00	\$550.00	\$500/CU YD	\$550.00	\$65.00/CU YD	\$71,500.00	\$28.00/CU YD	\$28,600.00			
COATED SAND/ARMOR COAT	200 TON	\$5.00/TON	\$1,000.00	\$5.00/TON	\$1,000.00	\$200.00/TON	\$40,000.00	\$40.00/TON	\$8,000.00			
ASPHALTIC CONCRETE TYPE S-3	9300 TONS	\$93.50/TON	\$869,550.00	\$98.00/TON	\$911,400.00	\$185.00/TON	\$1,720,500.00	\$112.00/TON	\$1,041,600.00			
MOBILIZATION PER MILLING OPERATION	10 EA	\$650 EA	\$6,500.00	\$500.00 EA	\$5,000.00	\$1,500.00 EA	\$15,000.00	\$600.00 EA	\$6,000.00			
1" AVERAGE DEPTH OF MILLING	26000 SQ YDS	\$3.00/SQ YD	\$78,000.00	\$3.00/SQ YD	\$78,000.00	\$5.40/SQ YD	\$140,400.00	\$2.50/SQ YD	\$65,000.00			
MILLED MATERIAL TRUCKING	7000 CU YDS	\$1.50/CU YD	\$10,500.00	\$5.00/CU YD	\$35,000.00	\$5.00/CU YD	\$35,000.00	\$11.00/CU YD	\$77,000.00			
GROUP 1 TOTAL			\$971,200.00		\$1,036,050.00		\$2,030,050.00		\$1,241,330.00			
SOUTH OF BROWARD BOULEVARD												
ASPHALT AEP	9500 GALS	\$3.00/GAL	\$28,500.00	\$2.00/GAL	\$19,000.00	\$4.50/GAL	\$42,750.00	\$5.00/GAL	\$47,500.00			
CLEAN SAND	1 CU YD	\$50/CU YD	\$50.00	\$100.00/CU YD	\$100.00	\$65.00/CU YD	\$65.00	\$30.00/CU YD	\$30.00			
COATED SAND/ARMOR COAT	1 TON	\$5.00/TON	\$5.00	\$100.00/TON	\$100.00	\$200.00/TON	\$200.00	\$50.00/TON	\$50.00			
ASPHALTIC CONCRETE TYPE S-3	73000 TONS	\$91.00/TON	\$6,643,000.00	\$87.00/TON	\$6,351,000.00	\$185.00/TON	\$13,505,000.00	\$106.10/TON	\$7,745,300.00			
MOBILIZATION PER MILLING OPERATION	10 EA	\$650 EA	\$6,500.00	\$100.00 EA	\$1,000.00	\$1,500.00 EA	\$15,000.00	\$600.00 EA	\$6,000.00			
1" AVERAGE DEPTH OF MILLING	22000 SQ YDS	\$3.00/SQ YD	\$66,000.00	\$3.00/SQ YD	\$66,000.00	\$5.40/SQ YD	\$118,800.00	\$2.10/SQ YD	\$46,200.00			
MILLED MATERIAL TRUCKING	250 CU YDS	\$1.50/CU YD	\$375.00	\$5.00/CU YD	\$1,250.00	\$5.00/CU YD	\$1,250.00	\$11.00/CU YD	\$2,750.00			
GROUP 2 TOTAL			\$6,744,380.50		\$6,438,450.00		\$13,683,065.00		\$7,847,830.00			

MEMORANDUM

Department of Budget and Finance

To: Bid Specification Committee

From: Herb Hyman, CPPB, Procurement Manager

Through: William Ackerman, Budget and Finance Director

Subject: Asphalt Overlay

Date: July 2, 2007

This is a Southeast Florida Governmental Co-operative Purchasing Group bid with the Town of Davie acting as the lead agency. After reviewing the bids received, the recommendation is for Weekley Asphalt Paving, Inc. as the lowest responsive and responsible bidder for Group I (North of Broward Blvd.) and General Asphalt Co., Inc. as the lowest responsive and responsible bidder for Group II (South of Broward Blvd.) in accordance with the unit prices identified in the attached bid tabulation.

FLORIDA DEPARTMENT OF STATE DIVISION OF CORPORATIONS					
Home	Contact Us	E-Filing Services	Document Searches	Forms	Help
Previous on List	Next on List	Return To List			
Events	Name History				
Detail by Entity Name					
<u>Florida Profit Corporation</u>					
WEEKLEY ASPHALT PAVING, INC.					
<u>Filing Information</u>					
Document Number	186570				
FEI Number	590753039				
Date Filed	07/15/1955				
State	FL				
Status	ACTIVE				
Effective Date	NONE				
Last Event	EVENT CONVERTED TO NOTES				
Event Date Filed	01/19/1978				
Event Effective Date	NONE				
<u>Principal Address</u>					
20701 STIRLING ROAD PEMBROKE PINES FL 33332 US					
Changed 02/09/2005					
<u>Mailing Address</u>					
20701 STIRLING ROAD PEMBROKE PINES FL 33332 US					
Changed 02/09/2005					
<u>Registered Agent Name & Address</u>					
WEEKLEY, WAYNE D 20701 STIRLING ROAD PEMBROKE PINES FL 33332					
Address Changed: 01/24/2006					
<u>Officer/Director Detail</u>					
Name & Address					
Title ST					
WEEKLEY, WAYNE D 4840 S.W. 188TH AVE					

http://www.sunbiz.org/scripts/cordet.exe?action=DETFIL&inq_doc_number=186570&inq... 5/21/2007

FT. LAUDERDALE FL 33332

Title P

WEEKLEY, DANIEL D
5321 SW 199TH AVE
FORT LAUDERDALE FL 33332

Title V

WEEKLEY, TROY L
4931 SW 198TH TERRACE
FT. LAUDERDALE FL

Annual Reports

Report Year Filed Date

2005	02/09/2005
2006	01/24/2006
2007	01/26/2007

Document Images

- [01/26/2007 -- ANNUAL REPORT](#)
- [01/24/2006 -- ANNUAL REPORT](#)
- [02/09/2005 -- ANNUAL REPORT](#)
- [02/09/2004 -- ANNUAL REPORT](#)
- [02/06/2003 -- ANNUAL REPORT](#)
- [02/20/2002 -- ANNUAL REPORT](#)
- [04/10/2001 -- ANNUAL REPORT](#)
- [04/17/2000 -- ANNUAL REPORT](#)
- [03/22/1999 -- ANNUAL REPORT](#)
- [04/27/1998 -- ANNUAL REPORT](#)
- [04/16/1997 -- ANNUAL REPORT](#)
- [05/01/1996 -- ANNUAL REPORT](#)
- [05/01/1995 -- ANNUAL REPORT](#)

Note: This is not official record. See documents if question or conflict.

FLORIDA DEPARTMENT OF STATE
DIVISION OF CORPORATIONS



[Home](#) [Contact Us](#) [E-Filing Services](#) [Document Searches](#) [Forms](#) [Help](#)

[Previous on List](#) [Next on List](#) [Return To List](#)

[No Events](#) [No Name History](#)

Detail by Entity Name

Florida Profit Corporation

GENERAL ASPHALT CO., INC.

Filing Information

Document Number 301175
FEI Number 591115297
Date Filed 01/25/1966
State FL
Status ACTIVE
Effective Date NONE

Principal Address

4850 NW 72ND AVE
MIAMI FL 33166

Mailing Address

4850 NW 72ND AVE
MIAMI FL 33166

Registered Agent Name & Address

BOLANOS, TRUXTON & YOUNGS, P.A.
2121 PONCE DE LEON BLVD.
SUITE 600
CORAL GABLES FL 33134 US

Name Changed: 09/18/2000
Address Changed: 09/18/2000

Officer/Director Detail

Name & Address

Title PD

LOPEZ, ROBERT A SR.
7224 SW 102 ST
MIAMI FL 33156

Title VTD

LOPEZ, ALBERT J

http://www.sunbiz.org/scripts/cordet.exe?action=DETFIL&inq_doc_number=301175&inq... 5/21/2007

15100 SW 74 AVE
MIAMI FL 33158

Title VSD

WEBSTER, ROYAL S JR.
2015 COUNTRY CLUB PRADO
MIAMI FL 33134

Title AS

SIMPSON, CURTIS
7997 SW 188 STREET
MIAMI FL 33157

Title V

LOPEZ, ROBERT A JR.
15785 SW 88TH COURT
VILL OF PALMETTO BAY FL 33157

Annual Reports

Report Year Filed Date

2005	01/07/2005
2006	01/04/2006
2007	01/08/2007

Document Images

[01/08/2007 -- ANNUAL REPORT](#)

[01/04/2006 -- ANNUAL REPORT](#)

[01/07/2005 -- ANNUAL REPORT](#)

[01/06/2004 -- ANNUAL REPORT](#)

[01/10/2003 -- ANNUAL REPORT](#)

[01/31/2002 -- ANNUAL REPORT](#)

[01/11/2001 -- ANNUAL REPORT](#)

[09/29/2000 -- ANNUAL REPORT](#)

[09/18/2000 -- Reg. Agent Change](#)

[02/02/2000 -- ANNUAL REPORT](#)

[02/09/1999 -- ANNUAL REPORT](#)

[02/05/1998 -- ANNUAL REPORT](#)

[02/12/1997 -- ANNUAL REPORT](#)

[03/12/1996 -- ANNUAL REPORT](#)

[03/16/1995 -- ANNUAL REPORT](#)

Note: This is not official record. See documents if question or conflict.

[Home](#) [Contact us](#) [Document Searches](#) [E-Filing Services](#) [Forms](#) [Help](#)
Copyright and Privacy Policies
Copyright © 2007 State of Florida, Department of State.

http://www.sunbiz.org/scripts/cordet.exe?action=DETFIL&inq_doc_number=301175&inq... 5/21/2007

* * * * *

THIS PAGE
INTENTIONALLY
LEFT BLANK

* * * * *

**TOWN OF DAVIE
TOWN COUNCIL AGENDA REPORT**

TO: Mayor and Councilmembers

FROM/PHONE: Herb Hyman/797-1016

PREPARED BY: Herb Hyman/797-1016

SUBJECT: Resolution

AFFECTED DISTRICT: All

ITEM REQUEST: **Schedule for Council Meeting**

TITLE OF AGENDA ITEM: A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, SELECTING THE FIRM OF PROFESSIONAL CONCESSIONS, INC. TO PROVIDE CONCESSIONAIRE SERVICES AT THE BERGERON RODEO GROUNDS AND AUTHORIZING THE TOWN ADMINISTRATOR OR HIS DESIGNEE TO NEGOTIATE AN AGREEMENT FOR SUCH SERVICES.

REPORT IN BRIEF: The Town solicited competitive sealed proposals for concessionaire services at the Bergeron Rodeo Grounds. RFP documents were sent to twenty-one (21) prospective proposers. Additionally, the bid was advertised state-wide in Florida Bid Reporting and nationally in BidNet and also posted on the Town's web site. The Town received two (2) proposals. The selection committee invited both submitting firms to make an oral presentation. Following oral presentations, the selection committee ranked the firms. The recommendation is for Professional Concessions, Inc. as the top ranked firm in accordance with the ranking totals attached hereto.

PREVIOUS ACTIONS: Not applicable.

CONCURRENCES: The firm of Professional Concessions, Inc. was chosen by the selection committee.

FISCAL IMPACT: not applicable

Has request been budgeted? n/a

If yes, expected cost: not applicable.

Account Name: not applicable

Additional Comments: Revenue to the Town.

RECOMMENDATION(S): Motion to approve the resolution.

Attachment(s):

Procurement Authorization

Selection Committee Rankings

Incorporation information

RESOLUTION NO. _____

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, SELECTING THE FIRM OF PROFESSIONAL CONCESSIONS, INC. TO PROVIDE CONCESSIONAIRE SERVICES AT THE BERGERON RODEO GROUNDS AND AUTHORIZING THE TOWN ADMINISTRATOR OR HIS DESIGNEE TO NEGOTIATE AN AGREEMENT FOR SUCH SERVICES.

WHEREAS, the Town solicited proposals to provide concessionaire services at the Bergeron Rodeo Grounds; and

WHEREAS, the selection committee has selected Professional Concessions, Inc. as the firm best qualified to provide the required services; and

WHEREAS, it is in the Town's best interest to execute a contract for such services.

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 accept the selection of Professional Concessions, Inc. as the firm best qualified to provide the required services and authorizes the Town Administrator or his designee to negotiate an agreement for such services and present that contract for approval at a future meeting date. Should no agreement be reached with the highest ranking firm, then the Town Administrator or his designee shall negotiate with the next ranked firm and present that agreement for approval.

SECTION 2. 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

TOWN OF DAVIE PROCUREMENT AUTHORIZATION

<u>ACCOUNT NUMBER.</u>	<u>BUDGET ITEM & DESCRIPTION</u>	<u>APPROXIMATE COST</u>
N/A	CONCESSIONAIRE SERVICES DAVIE ARENA	REVENUE TO THE TOWN

METHOD OF PROCUREMENT (check the one that applies)

- Open Competitive Bidding
- Piggyback on Contract Number _____
- Sole Source
- Request For Proposals

SPECIFICATIONS & LIST OF VENDORS MUST BE ATTACHED

Signed *Daic Staley*
Department Head

Have Funds been Reserved N/A - REVENUE TO THE TOWN

Date 4/26/07 Signed *(Signature)*

Signed *(Signature)*
Town Administrator

BIDS SUBMITTED

<u>VENDOR</u>	<u>COST</u>
<u>PROFESSIONAL CONCESSIONS, INC.</u>	<u>RANKED 1ST</u>
<u>ULTIMATE CONCESSIONS, INC.</u>	<u>RANKED 2ND</u>

Signed *(Signature)*
Procurement Manager

BID SPECIFICATION COMMITTEE'S RECOMMENDATION

<u>Vendor</u>	<u>Cost</u>
<u>PROFESSIONAL CONCESSIONS, INC.</u>	<u>RANKED 1ST</u>

	A	B	C
1			
2			
3		CONCESSIONAIRE SERVICES	
4		DAVIE ARENA	
5			
6	COMMITTEE MEMBER	ULTIMATE	PROFESSIONAL
7		CATERING	CONCESSIONS
8			
9	C. MENKE	2	1
10	R. MUNIZ	2	1
11	M. KUTNEY	2	1
12	L. PETERS	2	1
13	M. DIEZ D. DYER	2	1
14	B. STAFIEJ	2	1
15	H. HYMAN	2	1
16			
17	TOTAL	14	7
18			
19	RANKING	2.12	1.81
20			
21			

FLORIDA DEPARTMENT OF STATE
DIVISION OF CORPORATIONS



Home Contact Us E-Filing Services Document Searches Forms Help

[Previous on List](#) [Next on List](#) [Return To List](#)

[No Events](#) [No Name History](#)

Detail by Entity Name

Florida Profit Corporation

PROFESSIONAL CONCESSIONS, INC.

Filing Information

Document Number J11096
FEI Number 592691892
Date Filed 04/24/1986
State FL
Status ACTIVE
Effective Date NONE

Principal Address

C/O WAR MEMORIAL AUDITORIUM
 800 N.E. 8TH ST.
 FT LAUDERDALE FL 33304

Changed 03/22/1990

Mailing Address

9067 SOUTHERN BLVD.
 WEST PALM BEACH FL 33411 US

Changed 01/10/2006

Registered Agent Name & Address

TEPPS, JEROME L.
 3411 POWERLINE ROAD
 SUITE 701
 FT LAUDERDALE FL 33309 US

Address Changed: 04/09/1996

Officer/Director Detail

Name & Address

Title DP
 MANIERI, DENNIS J
 2213 N.E. 16 CT.
 FT. LAUDERDALE FL

http://www.sunbiz.org/scripts/cordet.exe?action=DETFIL&inq_doc_number=J11096&inq... 6/28/2007

Title DV

BECK, BRUCE E.
17230 GULF PINE CIRCLE
WELLINGTON FL 33414

Annual Reports

Report Year Filed Date

2005	01/03/2005
2006	01/10/2006
2007	01/08/2007

Document Images

- [01/08/2007 -- ANNUAL REPORT](#)
- [01/10/2006 -- ANNUAL REPORT](#)
- [01/03/2005 -- ANNUAL REPORT](#)
- [02/13/2004 -- ANNUAL REPORT](#)
- [02/05/2003 -- ANNUAL REPORT](#)
- [04/30/2002 -- ANNUAL REPORT](#)
- [04/02/2001 -- ANNUAL REPORT](#)
- [05/08/2000 -- ANNUAL REPORT](#)
- [06/10/1999 -- ANNUAL REPORT](#)
- [03/05/1998 -- ANNUAL REPORT](#)
- [03/20/1997 -- ANNUAL REPORT](#)
- [04/09/1996 -- ANNUAL REPORT](#)
- [04/20/1995 -- ANNUAL REPORT](#)

Note: This is not official record. See documents if question or conflict.

[Home](#) [Contact us](#) [Document Searches](#) [E-Filing Services](#) [Forms](#) [Help](#)
[Copyright and Privacy Policies](#)
Copyright © 2007 State of Florida, Department of State.

http://www.sunbiz.org/scripts/cordet.exe?action=DETFIL&inq_doc_number=J11096&inq... 6/28/2007

* * * * *

THIS PAGE
INTENTIONALLY
LEFT BLANK

* * * * *

**TOWN OF DAVIE
TOWN COUNCIL AGENDA REPORT**

TO: Mayor and Councilmembers

FROM/PHONE: Herb Hyman/797-1016

PREPARED BY: Herb Hyman/797-1016

SUBJECT: Resolution

AFFECTED DISTRICT: All

ITEM REQUEST: **Schedule for Council Meeting**

TITLE OF AGENDA ITEM: A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, SELECTING THE FIRM OF BOCA SWIM ACADEMY, INC. TO PROVIDE AQUATIC PROGRAMMING SERVICES AT PINE ISLAND PARK POOL AND BETTY BOOTH ROBERTS PARK POOL AND AUTHORIZING THE TOWN ADMINISTRATOR OR HIS DESIGNEE TO NEGOTIATE AN AGREEMENT FOR SUCH SERVICES.

REPORT IN BRIEF: The Town solicited competitive sealed proposals for aquatic programming services at Pine Island Park pool and Betty booth Roberts Park pool. RFP documents were sent to seven (7) prospective proposers. Additionally, the bid was advertised state-wide in Florida Bid Reporting and nationally in BidNet and also posted on the Town's web site. The Town received three proposals. The selection committee invited all three submitting firms to make an oral presentation. Upon hearing the oral presentation from the three firms, the selection committee ranked the firms in order of preference. The ranking by the selection committee resulted in a tie vote. In discussion, committee members agreed that both Boca Swim Academy, Inc. and Learn 2 Swim, Inc. both made professional presentations and both had very good references. The only difference between the firms was that Boca Swim Academy offered the Town \$1500/month to run the programs while Learn 2 Swim offered \$1250/month. It should be noted that this was an RFP and thus, all terms and conditions are negotiable. A re-vote failed to break the 3-3 deadlock. Since the committee is charged with the responsibility to make a recommendation to the Town Council and we had no other way to break the tie, a coin was flipped as a tie breaking method. A coin flip is considered to be a fair and impartial method of breaking ties. Therefore, the recommendation is for Boca Swim Academy, Inc. as the top ranked firm in accordance with the ranking totals attached hereto.

PREVIOUS ACTIONS: Not applicable.

CONCURRENCES: The firm of Boca Swim Academy, Inc. was chosen by the selection committee.

FISCAL IMPACT: not applicable

Has request been budgeted? n/a

If yes, expected cost: n/a.

Account Name: n/a

Additional Comments: Revenue to the Town.

RECOMMENDATION(S): Motion to approve the resolution.

Attachment(s):

Procurement Authorization

Selection Committee Rankings

Incorporation information

RESOLUTION NO. _____

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, SELECTING THE FIRM OF BOCA SWIM ACADEMY, INC. TO PROVIDE AQUATIC PROGRAMMING SERVICES AT PINE ISLAND PARK POOL AND BETTY BOOTH ROBERTS PARK POOL AND AUTHORIZING THE TOWN ADMINISTRATOR OR HIS DESIGNEE TO NEGOTIATE AN AGREEMENT FOR SUCH SERVICES.

WHEREAS, the Town solicited proposals to provide aquatic programming services at Pine Island Park pool and Betty Booth Roberts pool; and

WHEREAS, the selection committee has selected Boca Swim Academy, Inc. as the firm best qualified to provide the required services; and

WHEREAS, it is in the Town's best interest to execute a contract for such services.

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 accept the selection of Boca Swim Academy, Inc. as the firm best qualified to provide the required services and authorizes the Town Administrator or his designee to negotiate an agreement for such services and present that contract for approval at a future meeting date. Should no agreement be reached with the highest ranking firm, then the Town Administrator or his designee shall negotiate with the next ranked firm and present that agreement for approval.

SECTION 2. 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

ACCOUNT NUMBER.	BUDGET ITEM & DESCRIPTION	APPROXIMATE COST
N/A	Aquatic Programming	Revenue to Town

METHOD OF PROCUREMENT (check the one that applies)

- Open Competitive Bidding
- Piggyback on Contract Number _____
- Sole Source
- Request For Proposals

SPECIFICATIONS & LIST OF VENDORS MUST BE ATTACHED

Signed 
 Department Head

Have Funds been Reserved MA - REVENUE TO TOWN
 Date 4/23/07 Signed N/A

Signed Gary Shuman
 Town Administrator

VENDOR	BIDS SUBMITTED	COST
BOCA SWIM ACADEMY, INC.		RANKED 1ST
LEARN 2 SWIM		RANKED 2ND
DOLPHIN AQUATIC SWIM SCHOOL, INC		RANKED 3RD

Signed 
 Procurement Manager

BID SPECIFICATION COMMITTEE'S RECOMMENDATION

Vendor	Cost
BOCA SWIM ACADEMY, INC.	RANKED 1ST

	A	B	C	D
1				
2				
3		AQUATIC PROGRAMMING		
4				
5		SERVICES		
6	COMMITTEE MEMBER	LEARN 2 SWIM	BOCA SWIM ACADEMY	DOLPHIN AQUATIC
7				
8				
9	C. MENKE	2	1	3
10	R. MUNIZ	1	2	3
11	M. KUTNEY	2	1	3
12	L. PETERS	1	2	3
13	M. DIEZ		ABSENT	
14	D. ANDRESKY	1	2	3
15	H. HYMAN	2	1	3
16				
17	TOTAL	9	9	18
18				
19	RANKING	1ST	1ST	3RD
20				
21	*** TIE BREAKER WINNER = BOCA SWIM ACADEMY			
22				
23				

FLORIDA DEPARTMENT OF STATE
DIVISION OF CORPORATIONS



Home Contact Us E-Filing Services Document Searches Forms Help

[Previous on List](#) [Next on List](#) [Return To List](#)

No Events No Name History Entity Name Search

Detail by Entity Name

Florida Profit Corporation

BOCA SWIM ACADEMY, INC.

Filing Information

Document Number P96000036584
 FEI Number 650658223
 Date Filed 04/24/1996
 State FL
 Status ACTIVE
 Effective Date NONE

Principal Address

7600 NORTH LYONS ROAD
 COCONUT CREEK FL 33073
 Changed 06/03/2000

Mailing Address

7600 NORTH LYONS ROAD
 COCONUT CREEK FL 33073
 Changed 06/03/2000

Registered Agent Name & Address

AMANN, LOUISE M
 13126 VIA VESTA
 DELRAY BEACH FL 33484 US
 Name Changed: 04/27/2007
 Address Changed: 04/27/2007

Officer/Director Detail

Name & Address

Title PTD
 SFERES, TRACY
 7600 N LYONS ROAD
 COCONUT CREEK FL 33073

http://www.sunbiz.org/scripts/cordet.exe?action=DETFIL&inq_doc_number=P960000365... 6/25/2007

Title VPSD

FRECHETTE, GAYLE
7600 N LYONS ROAD
COCONUT CREEK FL 33073

Annual Reports

Report Year Filed Date

2005	04/30/2005
2006	04/17/2006
2007	04/27/2007

Document Images

[04/27/2007 -- ANNUAL REPORT](#)
[04/17/2006 -- ANNUAL REPORT](#)
[04/30/2005 -- ANNUAL REPORT](#)
[05/03/2004 -- ANNUAL REPORT](#)
[01/27/2003 -- ANNUAL REPORT](#)
[05/13/2002 -- ANNUAL REPORT](#)
[05/02/2001 -- ANNUAL REPORT](#)
[06/03/2000 -- ANNUAL REPORT](#)
[03/10/1999 -- ANNUAL REPORT](#)
[05/08/1998 -- ANNUAL REPORT](#)
[05/07/1997 -- ANNUAL REPORT](#)

Note: This is not official record. See documents if question or conflict.

[Home](#) [Contact us](#) [Document Searches](#) [E-Filing Services](#) [Forms Help](#)
[Copyright and Privacy Policies](#)
Copyright © 2007 State of Florida, Department of State.

http://www.sunbiz.org/scripts/cordet.exe?action=DETFIL&inq_doc_number=P960000365... 6/25/2007

* * * * *

THIS PAGE
INTENTIONALLY
LEFT BLANK

* * * * *

**TOWN OF DAVIE
TOWN COUNCIL AGENDA REPORT**

TO: Mayor and Councilmembers
FROM/PHONE: Kenneth S. Cohen, Assistant Town Administrator
PREPARED BY: Russell C. Muniz, MBA, CMC, Town Clerk
SUBJECT: Resolution
AFFECTED DISTRICT: Townwide
ITEM REQUEST: **Schedule for Council Meeting**

TITLE OF AGENDA ITEM: A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, RELATING TO THE COLLECTION AND DISPOSAL OF SOLID WASTE IN THE TOWN OF DAVIE, FLORIDA; ESTABLISHING THE ESTIMATED ASSESSMENT RATE FOR SOLID WASTE SERVICE ASSESSMENTS AGAINST ASSESSED PROPERTY LOCATED WITHIN THE TOWN OF DAVIE, FLORIDA FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2007 DIRECTING THE PREPARATION OF AN ASSESSMENT ROLL; AUTHORIZING A PUBLIC HEARING AND DIRECTING THE PROVISION OF NOTICE THEREOF; AND PROVIDING AN EFFECTIVE DATE.

REPORT IN BRIEF: The Town imposed Ordinance # 2005-19 which authorized the annual reimposition of annual Solid Waste Service Assessments for solid waste collection and disposal. The program has been in place since fiscal year 2005/2006. In order to reimpose the annual solid waste annual collection and disposal assessment program using the tax bill collection method for fiscal year 2007-08 this resolution, announcing the estimated rate is required. The current rate for bulk waste service is \$278.05. The solid waste cost for fiscal year 2007-08 is estimated to be \$5,576,000 so therefore a rate of assessment equal to \$283.03 for each dwelling unit for solid waste collection and disposal services is required for fiscal year 2007-08. This represents an increase of 1.8%. A final rate resolution, identifying the final rate to be charged residential customers, will be required in order for the program to comport with state law.

PREVIOUS ACTIONS: R-2005-255, and R-2006-214.

CONCURRENCES: N/A

FISCAL IMPACT: not applicable

Has request been budgeted? n/a

If yes, expected cost: \$

Account Name:

If no, amount needed: \$

What account will funds be appropriated from:

Additional Comments:

RECOMMENDATION(S): Motion to approve the resolution

Attachment(s): Preliminary Rate Resolution

TALLAHASSEE

Suite 200
1500 Mahan Drive
Tallahassee, Florida 32308
(850) 224-4070 Tel
(850) 224-4073 Fax



TAMPA

The Pointe, Suite 1060
2502 Rocky Point Drive
Tampa, Florida 33607
(813) 281-2222 Tel
(813) 281-0129 Fax

July 6, 2007

Via Electronic Mail

Ken Cohen
Assistant Town Administrator
Town of Davie
6591 Orange Drive
Davie, Florida 33314-3399

Re: Solid Waste Service Assessment Preliminary Rate Resolution

Dear Mr. Cohen:

Enclosed please find the final version of the preliminary rate resolution for the Town's proposed reimposition of its solid waste service assessment program for FY 2007-08 for the Town's consideration on July 18th.

Please call me if you have any questions, comments or concerns.

Very truly yours,

Heather J. Encinosa

Heather

J. Encinosa

HJE:sib

Attachment

cc: Susan Dean

TOWN OF DAVIE, FLORIDA

**PRELIMINARY RATE RESOLUTION
FOR SOLID WASTE SERVICE ASSESSMENTS**

ADOPTED JULY 18, 2007

Table of Contents

Page

SECTION 1.	AUTHORITY.	2
SECTION 2.	PURPOSE AND DEFINITIONS.	2
SECTION 3.	PROVISION AND FUNDING OF SOLID WASTE SERVICES.	2
SECTION 4.	LEGISLATIVE DETERMINATIONS OF SPECIAL BENEFIT AND FAIR APPORTIONMENT.	3
SECTION 5.	ESTABLISHMENT OF ANNUAL SOLID WASTE SERVICE ASSESSMENT RATE AND ASSESSMENT ROLL.	3
SECTION 6.	AUTHORIZATION OF PUBLIC HEARING.	4
SECTION 7.	NOTICE BY PUBLICATION.	4
SECTION 8.	NOTICE BY MAIL.	5
SECTION 9.	EFFECTIVE DATE.	5
APPENDIX A:	FORM OF NOTICE TO BE PUBLISHED.	A-1
APPENDIX B:	FORM OF NOTICE TO BE MAILED.	B-1

RESOLUTION NO. 07-_____

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, RELATING TO THE COLLECTION AND DISPOSAL OF SOLID WASTE IN THE TOWN OF DAVIE, FLORIDA; ESTABLISHING THE ESTIMATED ASSESSMENT RATE FOR SOLID WASTE SERVICE ASSESSMENTS AGAINST ASSESSED PROPERTY LOCATED WITHIN THE TOWN OF DAVIE, FLORIDA, FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2007; DIRECTING THE PREPARATION OF AN ASSESSMENT ROLL; AUTHORIZING A PUBLIC HEARING AND DIRECTING THE PROVISION OF NOTICE THEREOF; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town Council (the "Council") of the Town of Davie, Florida (the "Town"), has enacted Ordinance No. 2005-19 (the "Ordinance"), which authorizes the annual reimposition of annual Solid Waste Service Assessments for Solid Waste collection and disposal services, facilities or programs against certain Assessed Property within the Town;

WHEREAS, the imposition of an annual Solid Waste Service Assessment for Solid Waste collection and disposal services, facilities or programs for each Fiscal Year is an equitable and efficient method of allocating and apportioning Solid Waste Costs among parcels of Assessed Property; and

WHEREAS, the Council desires to reimpose an annual Solid Waste collection and disposal assessment program within the Town, using the tax bill collection method for the Fiscal Year beginning on October 1, 2007.

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

SECTION 1. AUTHORITY. This resolution is adopted pursuant to the provisions of the Solid Waste Service Assessment Ordinance (Ordinance No. 2005-19), the Initial Assessment Resolution (Resolution No. R-2005-255), sections 166.021 and 166.041, Florida Statutes, and other applicable provisions of law.

SECTION 2. PURPOSE AND DEFINITIONS. This resolution constitutes the Preliminary Rate Resolution as defined in the Ordinance which initiates the annual process for updating the Assessment Roll and directs the reimposition of Solid Waste Service Assessments for the Fiscal Year beginning October 1, 2007. All capitalized words and terms not otherwise defined herein shall have the meanings set forth in the Ordinance and the Initial Assessment Resolution. Unless the context indicates otherwise, words imparting the singular number, include the plural number, and vice versa.

SECTION 3. PROVISION AND FUNDING OF SOLID WASTE SERVICES.

(A) Upon the imposition of Solid Waste Service Assessments for Solid Waste collection and disposal against Assessed Property located within the Town, the Town shall provide Solid Waste collection and disposal services to such Assessed Property.

(B) It is hereby ascertained, determined, and declared that each parcel of Assessed Property will be benefited by the Town's provision of Solid Waste collection and disposal services in an amount not less than the Solid Waste Service Assessment imposed against such parcel, computed in the manner set forth in this Preliminary Rate Resolution.

SECTION 4. LEGISLATIVE DETERMINATIONS OF SPECIAL BENEFIT AND FAIR APPORTIONMENT. The legislative determinations of special benefit and fair apportionment embodied in the Ordinance and the Initial Assessment Resolution are affirmed and incorporated herein by reference.

SECTION 5. ESTABLISHMENT OF ANNUAL SOLID WASTE SERVICE ASSESSMENT RATE AND ASSESSMENT ROLL.

(A) For the Fiscal Year beginning October 1, 2007, for which Solid Waste Service Assessments for Solid Waste collection and disposal services, facilities and programs are to be reimposed, the Solid Waste Cost shall be allocated among all parcels of Assessed Property, based upon each parcel's classification as Residential Property and the number of Dwelling Units for such parcels. Only those parcels assigned an Improvement Code of "R" by the Property Appraiser on the Tax Roll shall be classified as Assessed Property. The Solid Waste Cost for Fiscal Year 2007-08 is estimated to be \$5,576,000.00. Accordingly, a rate of assessment equal to \$283.03 for each Dwelling Unit for solid waste collection and disposal services is hereby approved for Fiscal Year 2007-08.

(B) The Town Manager is hereby directed to prepare, or cause to be prepared, an updated Assessment Roll for the Fiscal Year beginning October 1, 2007 in the manner provided in the Ordinance. Such updated Assessment Roll shall contain the following: (1) a summary description of all Assessed Property within the Town conforming to the description contained on the Tax Roll, (2) the name and address of the Owner of record of each parcel as shown on the Tax Roll, and (3) the amount of the Solid Waste Service Assessment attributable to each Dwelling Unit for Solid Waste

collection and disposal services. A copy of this Preliminary Rate Resolution, the Ordinance, the Initial Assessment Resolution and the updated Assessment Roll is maintained on file in the office of the Town Clerk and open to public inspection. The foregoing shall not be construed to require that the updated Assessment Roll be in printed form if the amount of the Solid Waste Service Assessment for each parcel of property can be determined by use of a computer terminal available to the public. The Solid Waste Service Assessment for each parcel of Assessed Property shall be computed by multiplying the assessment rate by the number of Dwelling Units on such parcel.

(C) It is hereby ascertained, determined, and declared that the foregoing method of determining the Solid Waste Service Assessments for Solid Waste collection and disposal services is a fair and reasonable method of apportioning the Solid Waste Cost therefore among parcels of Assessed Property.

SECTION 6. AUTHORIZATION OF PUBLIC HEARING. There is hereby established a public hearing to be held at 7:00 p.m. on September 14, 2007, at Town Council Chambers of Town Hall, 6591 Orange Drive, Davie, Florida, for the purpose of (A) receiving and considering any comments on the Solid Waste Service Assessments from affected property owners and (B) authorizing the reimposition of such Solid Waste Service Assessments for solid waste collection and disposal for the Fiscal Year beginning October 1, 2007 and collecting such assessments on the same bill as ad valorem taxes.

SECTION 7. NOTICE BY PUBLICATION. The Town Manager shall publish a notice, as required by Section 2.04 of the Ordinance, in substantially the form attached

hereto as Appendix A. Such notice shall be published not later than August 24, 2007 in a newspaper generally circulated in Broward County.

SECTION 8. NOTICE BY MAIL.

(A) The Town Manager shall provide notice by first class mail to the Owner of each parcel of Assessed Property in the event circumstances described in Section 2.08(F) of the Ordinance so require. Such notice shall be in substantially the form attached hereto as Appendix B. Such notices shall be mailed not later than August 24, 2007.

(B) If the Town determines that the tripartite-in-millage ("TRIM") notice that is mailed by the Property Appraiser under section 200.069, Florida Statutes, also fulfills the requirements of paragraph (A) of this Section 8, then the separate mailing requirement described in paragraph (A) will be deemed to be fulfilled by the TRIM notice.

SECTION 9. EFFECTIVE DATE. This Preliminary Rate Resolution shall take effect immediately upon its passage and adoption.

PASSED AND ADOPTED this 18th day of July, 2007.

MAYOR/COUNCIL MEMBER

ATTEST:

TOWN CLERK

APPROVED THIS 18th DAY OF JULY, 2007

APPENDIX

A

FORM OF NOTICE TO BE PUBLISHED

APPENDIX

A

FORM OF NOTICE TO BE PUBLISHED

To Be Published by August 24, 2007

[INSERT MAP OF TOWN]

**NOTICE OF HEARING TO REIMPOSE AND PROVIDE FOR
COLLECTION OF SOLID WASTE SERVICE SPECIAL ASSESSMENTS**

Notice is hereby given that the Town Council of the Town of Davie, will conduct a public hearing to consider reimposing solid waste service assessments for the Fiscal Year beginning October 1, 2007, against certain improved residential properties located within the incorporated area of the Town, to fund the cost of solid waste collection and disposal services, facilities and programs provided to such properties and to authorize collection of such assessments on the tax bill.

The public hearing will be held at 7:00 p.m. on September 14, 2007 in the Town Council Chambers of Town Hall, 6591 Orange Drive, Davie, Florida, for the purpose of receiving public comment on the proposed assessments. All affected property owners have a right to appear at the hearing and to file written objections with the Town Council within 20 calendar days of the date of this notice. If a person decides to appeal any decision made by the Town Council with respect to any matter considered at the hearing, such person will need a record of the proceedings and may need to ensure that a verbatim record is made, including the testimony and evidence upon which the appeal is to be made. In accordance with the Americans with Disabilities Act, persons needing a special accommodation or an interpreter to participate in this proceeding should contact the Town at (954)797-1020, at least seven days prior to the date of the hearing.

The rate of assessment for the upcoming fiscal year shall be \$283.03 per dwelling unit. The total annual solid waste assessment revenue to be collected within the Town of Davie is estimated to be \$5,576,000.00. Copies of the Solid Waste Service Assessment Ordinance (Ordinance No. 2005-19), the Initial Assessment Resolution (Resolution No. R-2005-255), the Preliminary Rate Resolution initiating the annual

process of updating the Assessment Roll and reimposing the Solid Waste Service Assessments, and the updated Assessment Roll for the upcoming fiscal year are available for inspection at the Town Clerk's Office of Town Hall, located at 6591 Orange Drive, Davie, Florida.

The assessments will be collected on the ad valorem tax bill to be mailed in November 2007, as authorized by section 197.3632, Florida Statutes. Failure to pay the assessments will cause a tax certificate to be issued against the property which may result in a loss of title.

If you have any questions, please contact the Town Hall at (954)797-1000, Monday through Friday between 8:00 a.m. and 5:00 p.m.

**TOWN COUNCIL OF
THE TOWN OF DAVIE, FLORIDA**

APPENDIX

B

FORM OF NOTICE TO BE MAILED

APPENDIX B

FORM OF NOTICE TO BE MAILED

*** * * * * NOTICE TO PROPERTY OWNER * * * * ***

**Town of Davie
6591 Orange Drive
Davie, Florida 33314-3399**

TOWN OF DAVIE, FLORIDA
NOTICE OF HEARING TO IMPOSE AND
PROVIDE FOR COLLECTION OF NON-AD
VALOREM ASSESSMENTS

NOTICE DATE: AUGUST 24, 2007

**Owner
Address
City, State Zip**

*Sequence #
Tax Parcel #
Legal Description:*

As required by section 197.3632, Florida Statutes, and the direction of the Town Council notice is given by Town of Davie, that annual assessments for solid waste services using the tax bill collection method, may be reimposed and levied on your property. The use of an annual special assessment to fund solid waste services benefiting improved property located within the Town of Davie, in the past has proven to be fair, efficient and effective. The total annual solid waste assessment revenue to be collected within the Town of Davie, is estimated to be \$5,576, 000.00. The annual solid waste assessment is based on the number of residential dwelling units contained on each parcel of property.

The following is a summary of the non-ad valorem special assessments being reimposed on the above parcel for the fiscal year beginning October 1, 2007.

The above parcel is subject to the solid waste assessment:

The total number of residential dwelling units on the above parcel is _____.

The annual solid waste assessment for the above parcel is \$_____ for fiscal year 2007-08 and for future fiscal years.

A public hearing will be held at 7:00 p.m. on September 14, 2007, in the Town Council Chambers of Town Hall, 6591 Orange Drive, Davie, Florida for the purpose of receiving public comment on the proposed assessments. All owners of improved property within the Town were mailed individual notices similar to this one when the assessments were first imposed. Subsequently, only owners of reclassified property which resulted in an increased assessment, or owners of property not included on the prior year's assessment roll will receive updated mailed notice in addition to the annual published notice. You and all other affected property owners have a right to appear at the hearing and to file written objections with the Town Council within 20 calendar days of the date

of this notice. If you decide to appeal any decision made by the Town Council with respect to any matter considered at the hearing, you will need a record of the proceedings and may need to ensure that a verbatim record is made, including the testimony and evidence upon which the appeal is to be made. In accordance with the Americans with Disabilities Act, persons needing a special accommodation or an interpreter to participate in this proceeding should contact the Town Clerk at (954)797-1020 at least seven days prior to the date of the hearing.

Unless proper steps are initiated in a court of competent jurisdiction to secure relief within 20 days from the date of Town Council action at the above hearing (including the method of apportionment, the rate of assessment and the imposition of assessments), such action shall be the final adjudication of the issues presented.

Copies of the legal documentation for the assessment program are available for inspection at the Town Clerk's office, located at 6591 Orange Drive, Davie, Florida.

The special assessment amount shown on this notice and the ad valorem taxes for the above parcel will be collected on the ad valorem tax bill mailed in November of each year that the assessment is imposed. Failure to pay the assessment will cause a tax certificate to be issued against the property which may result in a loss of title.

If there is a mistake on this notice, it will be corrected. If you have any questions, please contact the Town Hall at (954)797-1000, Monday through Friday between 8:00 a.m. and 5:00 p.m.

TOWN OF DAVIE TOWN COUNCIL AGENDA REPORT

TO: Mayor and Councilmembers

FROM/PHONE: William Ackerman, Budget & Finance Director/797-1050
Donald DiPetrillo, Fire Rescue & Emerg. Mgmt. Director/797-1004

PREPARED BY: Donald DiPetrillo

SUBJECT: Resolution

AFFECTED DISTRICT: Townwide

ITEM REQUEST: **Schedule for Council Meeting**

TITLE OF AGENDA ITEM: A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, RELATING TO THE PROVISION OF FIRE RESCUE SERVICES, FACILITIES AND PROGRAMS IN THE TOWN OF DAVIE, FLORIDA; ESTABLISHING THE ESTIMATED ASSESSMENT RATE FOR FIRE RESCUE ASSESSMENTS FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2007; DIRECTING THE PREPARATION OF AN ASSESSMENT ROLL; AUTHORIZING A PUBLIC HEARING AND DIRECTING THE PROVISION OF NOTICE THEREOF; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

REPORT IN BRIEF: This action is necessary to proceed with the Fire Rescue Assessment Program for Fiscal Year 2007-08. The resolution prepared by the Town's consultant Governmental Services Group, Inc. (GSG) authorizes the establishment of the estimated assessment rates, prepares the preliminary assessment roll and enables the Broward County Property Appraiser's Office to mail the estimated rates via the TRIM Notices to affected property owners.

As previously authorized by Council, the Fire Rescue Assessment increased equipment and staffing levels for new fire stations approved by voters in the 2003 Fire Rescue Bond Program. Accordingly, Council authorized staff to adjust fire rescue assessment rates to accommodate this program. The Town's consultant Governmental Services Group (GSG) recommended a series of incremental step increases to the "benchmark" residential rate to coincide with scheduled service improvements each fiscal year. Previously, the rates adopted by Council were \$38 in FY2001, \$58 in FY2004, \$88 in FY2005, and \$104 in FY2006. Staff recommends no adjustment to the assessment rates for FY2008. Presently, the FY2007 average residential rate within Broward County exceeds \$127.00. This preliminary rate resolution preserves Council's option to establish the final assessment rates at a future public hearing, and notifies residents of the proposed rate via the Broward County Property Appraisers TRIM notice. A public hearing to establish the final rate resolution will be held between September 12-14th, 2007, with specific available date to depend on actual date of TRIM Notice mailing.

PREVIOUS ACTIONS: The enacting Ordinance #96-33 amended in September 2003

CONCURRENCES: Not Applicable

FISCAL IMPACT: Yes

Has request been budgeted? Yes

If yes, expected cost: Approximately \$ 28,500 plus related administrative costs of approximately \$ 5,000 for the Broward Property Appraisers Office for annual maintenance costs for the fire assessment roll.

Account Name: Professional /Consultant Services

If no, amount needed: \$

What account will funds be appropriated from: Fire Rescue Administration
Acct. #001-0620-522-0329

Additional Comments: Funding costs are included in the fire assessment rates.

RECOMMENDATION(S): Motion to approve resolution

Attachment(s): Resolution establishing preliminary rates.

TOWN OF DAVIE, FLORIDA

**PRELIMINARY RATE RESOLUTION
FOR FIRE RESCUE**

ADOPTED JULY 18, 2007

TABLE OF CONTENTS

	Page
SECTION 1. AUTHORITY	2
SECTION 2. PURPOSE AND DEFINITIONS.	2
SECTION 3. PROVISION AND FUNDING OF FIRE RESCUE SERVICES.	6
SECTION 4. IMPOSITION AND COMPUTATION OF FIRE RESCUE ASSESSMENTS	6
SECTION 5. LEGISLATIVE DETERMINATIONS OF SPECIAL BENEFIT AND FAIR APPORTIONMENT.	6
SECTION 6. COST APPORTIONMENT METHODOLOGY.....	12
SECTION 7. PARCEL APPORTIONMENT METHODOLOGY.	12
SECTION 8. DETERMINATION OF FIRE RESCUE ASSESSED COST; ESTABLISHMENT OF ANNUAL FIRE RESCUE ASSESSMENT RATES.....	13
SECTION 9. ANNUAL ASSESSMENT ROLL.....	14
SECTION 10. AUTHORIZATION OF PUBLIC HEARING.....	14
SECTION 11. NOTICE BY PUBLICATION.	15
SECTION 12. NOTICE BY MAIL.	15
SECTION 13. APPLICATION OF ASSESSMENT PROCEEDS.	15
SECTION 14. CONFLICTS.....	16
SECTION 15. SEVERABILITY.....	16
SECTION 16. EFFECTIVE DATE.....	16
APPENDIX A: PARCEL APPORTIONMENT METHODOLOGY	A-1
APPENDIX B: ESTIMATED FIRE RESCUE ASSESSMENT RATE SCHEDULE	B-1
APPENDIX C: FORM OF NOTICE TO BE PUBLISHED	C-1
APPENDIX D: FORM OF NOTICE TO BE MAILED	D-1

RESOLUTION NO. _____

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, RELATING TO THE PROVISION OF FIRE RESCUE SERVICES, FACILITIES AND PROGRAMS IN THE TOWN OF DAVIE, FLORIDA; ESTABLISHING THE ESTIMATED ASSESSMENT RATE FOR FIRE RESCUE ASSESSMENTS FOR THE FISCAL YEAR BEG INNING OCTOBER 1, 2007; DIRECTING THE PREPARATION OF AN ASSESSMENT ROLL; AUTHORIZING A PUBLIC HEARING AND DIRECTING THE PROVISION OF NOTICE THEREOF; PROVIDING FOR CONFLI CTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, in August of 1996, the Town of Davie implemented a recurring annual fire rescue special assessment program to provide a portion of the funding for the Town's fire rescue services and facilities with the adoption of Ordinance No. 96-33, as it may be amended, and imposed fire rescue assessments for Fiscal Year 1996-1997 with the adoption of Resolution Nos. R-96-254 (the "Initial Assessment Resolution") and R-96-285 (the "Final Assessment Resolution"); and

WHEREAS, pursuant to Ordinance No. 96-33, as it may be amended, the reimposition of Fire Rescue Assessments for the Fiscal Year commencing October 1, 2007 requires certain processes such as the preparation of the Assessment Roll; and

WHEREAS, annually a Preliminary Rate Resolution describing the method of assessing Fire Rescue Assessed Costs against Assessed Property located within the Town, directing the preparation of an Assessment Roll, authorizing a public hearing and directing the provision of notice thereof is required by Ordinance No. 96-33, as it may be amended, for the reimposition of the Fire Rescue Assessments.

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

SECTION 1. AUTHORITY. This resolution is adopted pursuant to the provisions of the Fire Rescue Assessment Ordinance (Ordinance No. 96-33), as it may be amended, the Initial Assessment Resolution (Resolution No. R-96-254), the Final Assessment Resolution (Resolution No. R-96-285), as supplemented and modified by Resolution No. R-97-19, the Annual Rate Resolution for Fiscal Year commencing October 1, 1997 (Resolution No. R-97-303), the Annual Rate Resolution for Fiscal Year commencing October 1, 1998 (Resolution No. R-98-284), the Annual Rate Resolution for Fiscal Year commencing October 1, 1999 (Resolution No. R-99-287), the Annual Rate Resolution for Fiscal Year commencing October 1, 2000 (Resolution No. R-2000-215), the Annual Rate Resolution for Fiscal Year commencing October 1, 2001 (Resolution No. R-2001-233), the Annual Rate Resolution for Fiscal Year commencing October 1, 2002 (Resolution No. R-2002-201), the Annual Rate Resolution for Fiscal Year commencing October 1, 2003 (Resolution No. R-2003-214), the Annual Rate Resolution for Fiscal Year commencing October 1, 2004 (Resolution No. R-2004-220), the Annual Rate Resolution for Fiscal Year commencing October 1, 2005 (Resolution No. R-2005-254), the Annual Rate Resolution for Fiscal Year commencing October 1, 2006 (Resolution No. R-2006-249), sections 166.021 and 166.041, Florida Statutes, and other applicable provisions of law.

SECTION 2. PURPOSE AND DEFINITIONS. This resolution constitutes the Preliminary Rate Resolution as defined in the Ordinance which initiates the annual process for updating the Assessment Roll and directs the reimposition of Fire Rescue Assessments for the Fiscal Year beginning October 1, 2007. All capitalized words and terms not

otherwise defined herein shall have the meanings set forth in the Ordinance, the Initial Assessment Resolution and the Final Assessment Resolution. Unless the context indicates otherwise, words imparting the singular number, include the plural number, and vice versa:

"CAD Database" means the reporting system used by the Town to report fire rescue incidents.

"Commercial Property" means, collectively, those Tax Parcels with a Code Description designated as "Commercial" in the Improvement Codes specified in Appendix A of the Initial Assessment Resolution, together with those Tax Parcels that meet the definition of "Recreational Vehicle Park."

"Demand Percentage" means the percentage of demand for fire rescue services, facilities, or programs attributable to each Property Use Category determined by analyzing the historical demand for fire rescue services as reflected in the Fire Rescue Incident Reports in the CAD Database under the methodology described in Section 6 of this Preliminary Rate Resolution.

"Emergency Medical Services" means those services recorded in Incident Reports that are not Fire Rescue Incident Reports.

"Emergency Medical Services Cost" means the amount, other than first response medical rescue services, determined by the Town Council that is associated with Emergency Medical Services.

"Fire Rescue Assessed Cost" means

(1) the amount determined by the Town Council to be assessed in any Fiscal Year to fund all or any portion of the cost of the provision of fire rescue services, facilities, or programs which provide a special benefit to Assessed Property, and shall include, but

not be limited to, the following components: (A) the cost of physical construction, reconstruction or completion of any required facility or improvement; (B) the costs incurred in any required acquisition or purchase; (C) the cost of all labor, materials, machinery, and equipment; (D) the cost of fuel, parts, supplies, maintenance, repairs, and utilities; (E) the cost of computer services, data processing, and communications; (F) the cost of all lands and interest therein, leases, property rights, easements, and franchises of any nature whatsoever; (G) the cost of any indemnity or surety bonds and premiums for insurance; (H) the cost of salaries, volunteer pay, workers' compensation insurance, or other employment benefits; (I) the cost of uniforms, training, travel, and per diem; (J) the cost of construction plans and specifications, surveys and estimates of costs; (K) the cost of engineering, financial, legal, and other professional services; (L) the costs of compliance with any contracts or agreements entered into by the Town to provide fire rescue services; (M) all costs associated with the structure, implementation, collection, and enforcement of the Fire Rescue Assessments, including any service charges of the Tax Collector, or Property Appraiser and amounts necessary to off-set discounts received for early payment of Fire Rescue Assessments pursuant to the Uniform Assessment Collection Act or for early payment of Fire Rescue Assessments; (N) all other costs and expenses necessary or incidental to the acquisition, provision, or construction of fire rescue services, facilities, or programs, and such other expenses as may be necessary or incidental to any related financing authorized by the Town Council by subsequent resolution; (O) a reasonable amount for contingency and anticipated delinquencies and uncollectible Fire Rescue Assessments; and (P) reimbursement to the Town or any other Person for any moneys

advanced for any costs incurred by the Town or such Person in connection with any of the foregoing components of Fire Rescue Assessed Cost.

(2) In the event the Town also imposes an impact fee upon new growth or development for fire rescue related capital improvements, the Fire Rescue Assessed Cost shall not include costs attributable to capital improvements necessitated by new growth or development that will be paid by such impact fees.

(3) In no event shall the Fire Rescue Assessed Cost include any amount attributable to the Emergency Medical Services Cost.

"Fire Rescue Incident Reports" means those Incident Reports that record fire rescue services that are recorded with the following codes: S25BR (Brush Fire); S25CF (Commercial Structure Fire); S25EH (Electrical/Utility Fire); S25EV (Elevator Rescue); S25HM (Hazardous Materials Incident); S25OT (Any Fire Not Otherwise Classified); S25RS (Residential Fire); S25SI (Smoke Investigation); S25TR (Trash Fire); S25UF (Unknown Type of Fire); S25VF (Vehicle Fire); S46 (Bomb Threat); S49F (Fire Alarm); S55 (Explosion); S59 (Fire Bombing); and S68 (Fire/Medical Service).

"Recreational Vehicle Park" means (1) a place set aside and offered by a person, for either direct or indirect remuneration of the owner, lessor, or operator of such place, for the parking, accommodation, or rental of five or more recreational vehicles or tents; and (2) licensed by the Department of Health of the State of Florida, or its successor in function as a "recreational vehicle park" under Chapter 513, Florida Statutes, as may be amended from time-to-time.

"Residential Property" means those Tax Parcels with a condominium use under the DOR Codes together with those Tax Parcels with a Code Description designated as

"Residential" in the Improvement Codes specified in Appendix A to the Initial Assessment Resolution, excluding those Tax Parcels that meet the definition of "Recreational Vehicle Park."

SECTION 3. PROVISION AND FUNDING OF FIRE RESCUE SERVICES.

(A) Upon the imposition of Fire Rescue Assessments for fire rescue services, facilities, or programs against Assessed Property located within the Town, the Town shall provide fire rescue services to such Assessed Property. A portion of the cost to provide such fire rescue services, facilities, or programs shall be funded from proceeds of the Fire Rescue Assessments. The remaining cost required to provide fire rescue services, facilities, and programs shall be funded by legally available Town revenues other than Fire Rescue Assessment proceeds.

(B) It is hereby ascertained, determined, and declared that each parcel of Assessed Property located within the Town will be benefited by the Town's provision of fire rescue services, facilities, and programs in an amount not less than the Fire Rescue Assessment imposed against such parcel, computed in the manner set forth in this Preliminary Rate Resolution.

SECTION 4. IMPOSITION AND COMPUTATION OF FIRE RESCUE ASSESSMENTS. Fire Rescue Assessments shall be imposed against all Tax Parcels within the Property Use Categories. Fire Rescue Assessments shall be computed in the manner set forth in this Preliminary Rate Resolution.

SECTION 5. LEGISLATIVE DETERMINATIONS OF SPECIAL BENEFIT AND FAIR APPORTIONMENT. It is hereby ascertained and declared that the Fire Rescue

Assessed Cost provides a special benefit to the Assessed Property based upon the following legislative determinations.

general

(A) Upon the adoption of this Preliminary Rate Resolution, determining the Fire Rescue Assessed Cost and identifying the Assessed Property to be included in the Assessment Roll, the legislative determinations of special benefit ascertained and declared in Section 1.04 of the Ordinance are hereby ratified and confirmed, to the extent authorized by law.

(B) It is fair and reasonable to use the Improvement Codes and the DOR Codes for the Cost Apportionment and the Parcel Apportionment because: (1) the Tax Roll database employing the use of such property use codes is the most comprehensive, accurate, and reliable information readily available to determine the property use and Building Area for improved property within the Town, and (2) the Tax Roll database within such property use codes is maintained by the Property Appraiser and is thus consistent with parcel designations on the Tax Roll which compatibility permits the development of an Assessment Roll in conformity with the requirements of the Uniform Method of Collection.

(C) The data available in the Improvement Codes is more useful and accurate to determine Building Area than relying exclusively upon the data maintained in the DOR Code alone because (1) the data maintained in the Improvement Codes reveals the existence of a Building with a different use from the use described on the DOR Code, and (2) the Improvement Codes represent records maintained by the Property Appraiser with the most information relative to Building Area regardless of property use.

cost

apportionment

(D) It is fair and reasonable and consistent with the decision from the Florida Supreme Court in the case of City of North Lauderdale v. SMM Properties, Inc., 825 So.2d 343 (Fla. 2002), to exclude from the Fire Rescue Assessed Cost amounts determined to constitute the Emergency Medical Services Cost.

(E) Apportioning Fire Rescue Assessed Cost among classifications of improved property based upon historical demand for fire rescue services, but not Emergency Medical Services, is fair and reasonable and proportional to the special benefit received.

(F) The Fire Rescue Incident Reports are the most reliable data available to determine the potential demand for fire rescue services from property use and to determine the benefit to property use resulting from the availability of fire rescue services to protect and serve Buildings located within Assessed Property and their intended occupants. There exist sufficient Fire Rescue Incident Reports documenting the historical demand for fire rescue services from Assessed Property within the Property Use Categories. The Demand Percentage determined for each Property Use Category by an examination of such Fire Rescue Incident Reports is consistent with the experience of the Town. Therefore, the use of Demand Percentages determined by an examination of Fire Rescue Incident Reports is a fair and reasonable method to apportion the Fire Rescue Assessed Cost among the Property Use Categories.

(G) As a result of the urbanized character of the Town, the suppression of fire on vacant property primarily benefits the Buildings within the adjacent improved property by the containment of the spread of fire rather than the preservation of the vacant property. Therefore, it is fair and reasonable not to apportion any of the Fire Rescue Assessed Cost

to vacant property and the Fire Rescue Incident Reports documenting historical fire services provided to vacant property were thus omitted from the Demand Percentage calculation.

(H) The level of services required to meet anticipated demand for fire rescue services and the corresponding annual fire rescue budget required to fund fire rescue services provided to non-specific property uses would be required notwithstanding the occurrence of any incidents from such non-specific property uses. Therefore, it is fair and reasonable to omit from the Demand Percentage calculation the Fire Rescue Incident Reports documenting fire rescue services provided to non-specific property uses.

residential parcel apportionment

(I) The size or the value of the Residential Property does not determine the scope of the required fire rescue response. The potential demand for fire rescue services is driven by the existence of a Dwelling Unit and the anticipated average occupant population.

(J) Apportioning the Fire Rescue Assessed Cost for fire rescue services attributable to Residential Property on a per Dwelling Unit basis is required to avoid cost inefficiency and unnecessary administration and is a fair and reasonable method of Parcel Apportionment based upon historical call data.

non-residential parcel apportionment

(K) The risk of loss and the demand for fire rescue service availability is substantially the same for Buildings below a certain minimum size. Because the value and anticipated occupancy of non-residential Buildings below a certain minimum size is less, it is fair, reasonable and equitable to provide a lesser assessment burden on improved property containing such Buildings by the creation of specific Building Area classification ranges for such parcels.

(L) The separation of improved Non-Residential Property into Building Area classification ranges is fair and reasonable for the purposes of Parcel Apportionment because: (1) the absence of a need for precise square footage data within the ad valorem tax records maintained by the Property Appraiser undermines the use of actual Building Area within each improved parcel as a basis for Parcel Apportionment; (2) the administrative expense and complexity created by an on-site inspection to determine the actual Building Area within each improved parcel assessed is impractical; (3) the demand for fire rescue service availability is not precisely determined or measured by the actual Building Area within benefitted parcels; and (4) the classification of parcels within Building Area classification ranges is a fair and reasonable method to classify benefitted parcels and to apportion costs among benefitted parcels that create similar demand for the availability of fire rescue services.

(M) The demand for the availability of fire rescue services diminishes at the outer limit of Building size because a fire occurring in a structure greater than a certain size is not capable of being suppressed under expected conditions and the fire control activities under such circumstances are directed to avoid the spread of the fire event to adjacent Buildings.

Therefore, it is fair and reasonable to place a cap on the Building Area classification of benefitted parcels within Non-Residential Property.

(N) In accordance with section 166.223, Florida Statutes, which mandates that the Town treat Recreational Vehicle Park property as Commercial Property for non-ad valorem special assessments levied by the Town, like this proposed Fire Rescue Assessment, it is fair and reasonable to treat each space within the Recreational Vehicle Parks as a Building of Commercial Property and assign the minimum square footage of 1,200 square feet that is mandated by the Department of Health under Chapter 64E-15.002(3), Florida Administrative Code, for Recreational Vehicle Park spaces, the minimum square footage of 2,400 square feet that is mandated by the Department of Health under Chapter 64E-15.002(2), Florida Administrative Code, for mobile home spaces inside Recreational Vehicle Parks, and a square footage of 500 square feet for tent spaces inside Recreational Vehicle Parks, also as mandated by Chapter 64E-15.002(3), Florida Administrative Code.

(O) Institutional Property whose use is wholly exempt from ad valorem taxation under Florida law provides facilities and uses to its ownership, occupants, membership as well as the public in general that otherwise might be requested or required to be provided by the Town and such property uses serve a legitimate public purpose and provide a public benefit. Therefore, it is fair and reasonable not to impose Fire Rescue Assessments upon Buildings located upon such parcels of Institutional Property whose Building use is wholly exempt from ad valorem taxation under Florida law. Accordingly, no Fire Rescue Assessment shall be imposed upon a Building located upon a parcel of Institutional Property whose Building use is wholly exempt from ad valorem taxation under Florida law.

SECTION 6. COST APPORTIONMENT METHODOLOGY.

(A) Using data from the Fire Rescue Incident Reports related to the type of calls and physical location of each call, the Town assigned fire rescue incidents to specific properties located within the Town.

(B) Based upon such assignment of Fire Rescue Incident Reports to specific properties, the number of Fire Rescue Incident Reports filed were determined for each DOR Code.

(C) Based upon such assignment of Fire Rescue Incident Reports to DOR Codes, the number of Fire Rescue Incident Reports filed within a sampling period were determined for each Property Use Category. A Demand Percentage was then determined for each Property Use Category by calculating the percentage that Fire Rescue Incident Reports allocated to each Property Use Category bear to the total number of Fire Rescue Incident Reports documented for all Property Use Categories within the sampling period.

(D) The Demand Percentage for each Property Use Category was then applied to the Fire Rescue Assessed Cost and the resulting product is the cost allocation of that portion of the Fire Rescue Assessed Cost allocated to each individual Property Use Category.

SECTION 7. PARCEL APPORTIONMENT METHODOLOGY.

(A) The apportionment among Tax Parcels of that portion of the Fire Rescue Assessed Cost apportioned to each Property Use Category under the Cost Apportionment shall be consistent with the Parcel Apportionment methodology described and determined in Appendix A, which Parcel Apportionment methodology is hereby approved, adopted, and incorporated into this Preliminary Rate Resolution by reference.

(B) It is hereby acknowledged that the Parcel Apportionment methodology described and determined in Appendix A is to be applied in the calculation of the estimated Fire Rescue Assessment rates established in Section 8 of this Preliminary Rate Resolution.

**SECTION 8. DETERMINATION OF FIRE RESCUE ASSESSED COST;
ESTABLISHMENT OF ANNUAL FIRE RESCUE ASSESSMENT RATES.**

(A) The Fire Rescue Assessed Cost to be assessed and apportioned among benefited parcels pursuant to the Cost Apportionment and the Parcel Apportionment for the Fiscal Year commencing October 1, 2007, is the amount determined in the Estimated Fire Rescue Assessment Rate Schedule, attached hereto as Appendix B. The approval of the Estimated Fire Rescue Assessment Rate Schedule by the adoption of this Preliminary Rate Resolution determines the amount of the Fire Rescue Assessed Cost. The remainder of such Fiscal Year budget for fire rescue services, facilities, and programs shall be funded from available Town revenue other than Fire Rescue Assessment proceeds.

(B) The estimated Fire Rescue Assessment rates specified in the Estimated Fire Rescue Assessment Rate Schedule are hereby established to fund the specified Fire Rescue Assessed Cost determined to be assessed in the Fiscal Year commencing October 1, 2007. No portion of such Fire Rescue Assessed Cost is attributable to impact fee revenue that funds capital improvements necessitated by new growth or development. Further, no portion of such Fire Rescue Assessed Cost is attributable to the Emergency Medical Services Cost.

(C) The estimated Fire Rescue Assessments established in this Preliminary Rate Resolution shall be the estimated assessment rates applied by the Town Administrator in

the preparation of the updated Assessment Roll for the Fiscal Year commencing October 1, 2007, as provided in Section 9 of this Preliminary Rate Resolution.

SECTION 9. ANNUAL ASSESSMENT ROLL.

(A) The Town Administrator is hereby directed to prepare, or cause to be prepared, an updated Assessment Roll for the Fiscal Year commencing October 1, 2007, in the manner provided in the Ordinance. The updated Assessment Roll shall include all Tax Parcels within the Property Use Categories. The Town Administrator shall apportion the estimated Fire Rescue Assessed Cost to be recovered through Fire Rescue Assessments in the manner set forth in this Preliminary Rate Resolution. A copy of this Preliminary Rate Resolution, the Ordinance, the Initial Assessment Resolution, the Final Assessment Resolution, and the updated Assessment Roll shall be maintained on file in the office of the Town Clerk and open to public inspection. The foregoing shall not be construed to require that the updated Assessment Roll proposed for the Fiscal Year beginning October 1, 2007, be in printed form if the amount of the Fire Rescue Assessment for each parcel of property can be determined by the use of a computer terminal available to the public.

(B) It is hereby ascertained, determined, and declared that the method of determining the Fire Rescue Assessments for fire rescue services as set forth in this Preliminary Rate Resolution is a fair and reasonable method of apportioning the Fire Rescue Assessed Cost among parcels of Assessed Property located within the Town.

SECTION 10. AUTHORIZATION OF PUBLIC HEARING. There is hereby established a public hearing to be held at 7:00 p.m. on September 12, 2007, in the Town Council Chambers of Town Hall, 6591 Orange Drive, Davie, Florida, at which time the Town Council will receive and consider any comments on the Fire Rescue Assessments

from the public and affected property owners and consider imposing Fire Rescue Assessments for the Fiscal Year beginning October 1, 2007, and collecting such assessments on the same bill as ad valorem taxes.

SECTION 11. NOTICE BY PUBLICATION. The Town Administrator shall publish a notice of the public hearing authorized by Section 10 of this Preliminary Rate Resolution in the manner and time provided in Section 2.04 of the Ordinance. The notice shall be published no later than August 22, 2007, in substantially the form attached hereto as Appendix C.

SECTION 12. NOTICE BY MAIL.

(A) The Town Administrator shall also provide, or cause to be provided, notice by first class mail to the Owner of each parcel of Assessed Property, in the event circumstances described in Section 2.08(F) of the Ordinance so require. Such notice shall be in substantially the form attached hereto as Appendix D. Such notices shall be mailed no later than August 22, 2007.

(B) If the Town determines that the truth-in-millage ("TRIM") notice that is mailed by the Property Appraiser under section 200.069, Florida Statutes, also fulfills the requirements of paragraph (A) of this Section 12, then the separate mailing requirement described in paragraph (A) will be deemed to be fulfilled by the TRIM notice.

SECTION 13. APPLICATION OF ASSESSMENT PROCEEDS. Proceeds derived by the Town from the Fire Rescue Assessments will be utilized for the provision of fire rescue services, facilities, and programs. In the event there is any fund balance remaining at the end of the Fiscal Year, such balance shall be carried forward and used only to fund fire rescue services, facilities, and programs.

SECTION 14. CONFLICTS. All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 15. SEVERABILITY. If any clause, section, other part or application of this resolution is held by any court of competent jurisdiction to be unconstitutional or invalid, in part or application, it shall not affect the validity of the remaining portions or applications of this resolution.

SECTION 16. EFFECTIVE DATE. This Preliminary Rate Resolution shall take effect immediately upon its passage and adoption.

PASSED AND ADOPTED this 18th day of July, 2007.

MAYOR/COUNCIL MEMBER

ATTEST:

TOWN CLERK

APPROVED THIS 18TH DAY OF JULY, 2007

APPENDIX A

PARCEL APPORTIONMENT METHODOLOGY

APPENDIX A

PARCEL APPORTIONMENT METHODOLOGY

The Cost Apportionment to each Property Use Category and to Mixed Use Property shall be apportioned among the Tax Parcels within each Property Use Category and to Mixed Use Property Tax Parcels as follows.

SECTION A-1. RESIDENTIAL PROPERTY. The Fire Rescue Assessment for each Tax Parcel of Residential Properties shall be computed by multiplying the Demand Percentage attributable to Residential Property by the Fire Rescue Assessed Cost, dividing such product by the total number of Dwelling Units shown on the Tax Roll within the Town, and then multiplying such quotient by the number of Dwelling Units located on such Tax Parcel.

SECTION A-2. NON-RESIDENTIAL PROPERTY. The Fire Rescue Assessments for each Tax Parcel of Non-Residential Property, except Recreational Vehicle Park property, shall be computed as follows:

(A) Respectively, multiply the Fire Rescue Assessed Cost by the Demand Percentage attributable to each of the non-residential Property Use Categories. The resulting dollar amounts reflect the portions of the Town's fire rescue budget to be respectively funded from Fire Rescue Assessment revenue derived from each of the non-residential Property Use Categories.

(B) Separate each Building in each of the non-residential Property Use Categories into one of the following square footage categories:

(1) Buildings with a Building Area of less than 1,999 square feet;

- (2) Buildings with a Building Area between 2,000 square feet and 3,499 square feet;
- (3) Buildings with a Building Area between 3,500 square feet and 4,999 square feet;
- (4) Buildings with a Building Area between 5,000 square feet and 9,999 square feet;
- (5) Buildings with a Building Area between 10,000 square feet and 19,999 square feet;
- (6) Buildings with a Building Area between 20,000 square feet and 29,999 square feet;
- (7) Buildings with a Building Area between 30,000 square feet and 39,999 square feet;
- (8) Buildings with a Building Area between 40,000 square feet and 49,999 square feet;
- (9) Buildings with a Building Area between 50,000 square feet and 59,999 square feet;
- (10) Buildings with a Building Area between 60,000 square feet and 69,999 square feet;
- (11) Buildings with a Building Area between 70,000 square feet and 79,999 square feet;
- (12) Buildings with a Building Area between 80,000 square feet and 89,999 square feet;

(13) Buildings with a Building Area between 90,000 square feet and 99,999 square feet; and

(14) Buildings with a Building Area of over 100,000 square feet.

(C) As to each non-residential Property Use Category multiply the number of Buildings categorized in:

(1) Subsection (B)(1) of this Section by 1,000 square feet;

(2) Subsection (B)(2) of this Section by 2,000 square feet;

(3) Subsection (B)(3) of this Section by 3,500 square feet;

(4) Subsection (B)(4) of this Section by 5,000 square feet;

(5) Subsection (B)(5) of this Section by 10,000 square feet;

(6) Subsection (B)(6) of this Section by 20,000 square feet;

(7) Subsection (B)(7) of this Section by 30,000 square feet;

(8) Subsection (B)(8) of this Section by 40,000 square feet;

(9) Subsection (B)(9) of this Section by 50,000 square feet;

(10) Subsection (B)(10) of this Section by 60,000 square feet;

(11) Subsection (B)(11) of this Section by 70,000 square feet;

(12) Subsection (B)(12) of this Section by 80,000 square feet;

(13) Subsection (B)(13) of this Section by 90,000 square feet; and

(14) Subsection (B)(14) of this Section by 100,000 square feet.

(D) For each non-residential Property Use Category, add the products of subsections (C)(1) through (C)(14) of this Section. The sum of these products reflects an aggregate square footage area for each non-residential Property Use Category to be used by the Town in the computation of Fire Rescue Assessments.

(E) Divide the product of subsection (A) of this Section relative to each of the non-residential Property Use Categories by the sum of the products for each non-residential Property Use Category described in subsection (D) of this Section. The resulting quotient expresses a dollar amount adjusted or weighted per square foot of improved area to be used in computing Fire Rescue Assessments on each of the respective non-residential Property Use Categories.

(F) For each of the non-residential Property Use Categories, multiply the resulting quotients from subsection (E) of this Section by each of the respective products in subsections (C)(1) through (C)(14) of this Section. The resulting products for each non-residential Property Use Category expresses a series of gross dollar amounts expected to be funded by all Buildings in the respective non-residential Property Use Categories in each of the square footage categories described in subsection (B) of this Section.

(G) For each of the non-residential Property Use Categories, divide each of the respective products of subsection (F) of this Section by the number of Buildings determined to be in each of the square footage categories identified in subsection (B) of this Section. The result expresses the respective dollar amounts of the Fire Rescue Assessments to be imposed upon each Building in each of the non-residential Property Use Categories.

SECTION A-3. RECREATIONAL VEHICLE PARKS. Notwithstanding the procedure in Section A-2 for Non-Residential Property, the Fire Rescue Assessments for each Tax Parcel of Recreational Vehicle Park property shall be computed as follows:

(A) Aggregate the amount of square footage for each Tax Parcel of Recreational Vehicle Park, with recreational vehicle park spaces, as reported to the Department of Health, at 1,200 square feet each, mobile home spaces, as reported to the Department of

Health, at 2,400 square feet each, and tent spaces, as reported to the Department of Health, at 500 square feet each.

(B) Assign the respective dollar amount of the Fire Rescue Assessments determined in Section A-2 of this Appendix for Commercial Property to comparable aggregated square footage category ranges of Recreational Vehicle Park property as calculated in paragraph (A) above. Any aggregated square footage Tax Parcel of Recreational Vehicle Park property that exceeds 100,000 square feet shall be assigned the commercial dollar amount for 100,000 square feet.

SECTION A-4. MIXED USE PROPERTY. The Fire Rescue Assessments for each Tax Parcel classified in two or more Property Use Categories shall be the sum of the Fire Rescue Assessments computed for each Property Use Category.

APPENDIX B
ESTIMATED FIRE RESCUE ASSESSMENT RATE SCHEDULE

APPENDIX B

ESTIMATED FIRE RESCUE ASSESSMENT RATE SCHEDULE

SECTION B-1. DETERMINATION OF FIRE RESCUE ASSESSED COST. The

estimated Fire Rescue Assessed Cost to be assessed for the Fiscal Year commencing October 1, 2007, is \$6,077,940.00.

SECTION B-2. ESTIMATED FIRE RESCUE ASSESSMENTS.

(A) The estimated Fire Rescue Assessments to be assessed and apportioned among benefited parcels pursuant to the Cost Apportionment and Parcel Apportionment to generate the estimated Fire Rescue Assessed Cost for the Fiscal Year commencing October 1, 2007, are hereby established as follows for the purpose of this Preliminary Rate Resolution:

RESIDENTIAL PROPERTY USE CATEGORIES	Rate Per Dwelling Unit				
Single Family	\$ 104				
NON-RESIDENTIAL PROPERTY USE CATEGORIES	Building Classification (in square foot ranges)	Commercial	Industrial/Warehouse	Institutional	Educational
	< 1,999	\$ 271	\$ 34	\$ 538	\$ 272
	2,000 - 3,499	\$ 541	\$ 67	\$ 1,076	\$ 543
	3,500 - 4,999	\$ 946	\$ 118	\$ 1,883	\$ 949
	5,000 - 9,999	\$ 1,352	\$ 168	\$ 2,690	\$ 1,356
	10,000 - 19,999	\$ 2,703	\$ 335	\$ 5,380	\$ 2,711
	20,000 - 29,999	\$ 5,405	\$ 670	\$ 10,759	\$ 5,422
	30,000 - 39,999	\$ 8,108	\$ 1,005	\$ 16,138	\$ 8,133
	40,000 - 49,999	\$ 10,810	\$ 1,340	\$ 21,518	\$ 10,843
	50,000-59,999	\$ 13,513	\$ 1,675	\$ 26,897	\$ 13,554
	60,000-69,999	\$ 16,215	\$ 2,010	\$ 32,276	\$ 16,265
	70,000-79,999	\$ 18,918	\$ 2,345	\$ 37,656	\$ 18,975
	80,000-89,999	\$ 21,620	\$ 2,680	\$ 43,035	\$ 21,686
	90,000-99,999	\$ 24,323	\$ 3,015	\$ 48,414	\$ 24,397
	>100,000	\$ 27,025	\$ 3,350	\$ 53,794	\$ 27,107

(B) No Fire Rescue Assessment shall be imposed upon a parcel of Government Property or upon Buildings located upon parcels of Institutional Property whose Building use is wholly exempt from ad valorem taxation under Florida law.

(C) Any shortfall in the expected Fire Rescue proceeds due to any reduction or exemption from payment of the Fire Rescue Assessments required by law or authorized by the Town Council shall be supplemented by any legally available funds, or combination of such funds, and shall not be paid for by proceeds or funds derived from the Fire Rescue Assessments. In the event a court of competent jurisdiction determines any exemption or reduction by the Town Council is improper or otherwise adversely affects the validity of the Fire Rescue Assessment imposed for this Fiscal Year, the sole and exclusive remedy shall be the imposition of a Fire Rescue Assessment upon each affected Tax Parcel in the amount of the Fire Rescue Assessment that would have been otherwise imposed save for such reduction or exemption afforded to such Tax Parcel by the Town Council.

APPENDIX C
FORM OF NOTICE TO BE PUBLISHED

APPENDIX C

FORM OF NOTICE TO BE PUBLISHED

To Be Published by August 22, 2007

[INSERT MAP OF TOWN]

NOTICE OF HEARING TO REIMPOSE AND PROVIDE FOR COLLECTION OF FIRE RESCUE SPECIAL ASSESSMENTS

Notice is hereby given that the Town Council of the Town of Davie will conduct a public hearing to consider reimposing fire rescue special assessments for the provision of fire rescue services within the Town of Davie for the Fiscal Year beginning October 1, 2007.

The hearing will be held at 7:00 p.m. on September 12, 2007, in the Town Council Chambers of Town Hall, 6591 Orange Drive, Davie, Florida, for the purpose of receiving public comment on the proposed assessments. All affected property owners have a right to appear at the hearing and to file written objections with the Town Council within 20 days of this notice. If a person decides to appeal any decision made by the Town Council with respect to any matter considered at the hearing, such person will need a record of the proceedings and may need to ensure that a verbatim record is made, including the testimony and evidence upon which the appeal is to be made. In accordance with the Americans with Disabilities Act, persons needing a special accommodation or an interpreter to participate in this proceeding should contact the Town Clerk at (954) 797-1020 at least seven business days prior to the date of the hearing.

The assessment for each parcel of property will be based upon each parcel's classification and the total number of billing units attributed to that parcel. The following table reflects the proposed fire rescue assessment schedule.

FIRE RESCUE ASSESSMENTS

RESIDENTIAL PROPERTY USE CATEGORIES	Rate Per Dwelling Unit				
Single Family	\$ 104				
NON-RESIDENTIAL PROPERTY USE CATEGORIES	Building Classification (in square foot ranges)	Commercial	Industrial/Warehouse	Institutional	Educational
	< 1,999	\$ 271	\$ 34	\$ 538	\$ 272
	2,000 - 3,499	\$ 541	\$ 67	\$ 1,076	\$ 543
	3,500 - 4,999	\$ 946	\$ 118	\$ 1,883	\$ 949
	5,000 - 9,999	\$ 1,352	\$ 168	\$ 2,690	\$ 1,356
	10,000 - 19,999	\$ 2,703	\$ 335	\$ 5,380	\$ 2,711
	20,000 - 29,999	\$ 5,405	\$ 670	\$ 10,759	\$ 5,422
	30,000 - 39,999	\$ 8,108	\$ 1,005	\$ 16,138	\$ 8,133
	40,000 - 49,999	\$ 10,810	\$ 1,340	\$ 21,518	\$ 10,843
	50,000-59,999	\$ 13,513	\$ 1,675	\$ 26,897	\$ 13,554
	60,000-69,999	\$ 16,215	\$ 2,010	\$ 32,276	\$ 16,265
	70,000-79,999	\$ 18,918	\$ 2,345	\$ 37,656	\$ 18,975
	80,000-89,999	\$ 21,620	\$ 2,680	\$ 43,035	\$ 21,686
	90,000-99,999	\$ 24,323	\$ 3,015	\$ 48,414	\$ 24,397
	>100,000	\$ 27,025	\$ 3,350	\$ 53,794	\$ 27,107

Copies of the Fire Rescue Assessment Ordinance (Ordinance No. 96-33), as it may be amended, the Initial Assessment Resolution (Resolution No. R-96-254), the Final Assessment Resolution (Resolution No. R-96-285), as supplemented and modified by Resolution No. R-97-19, the Preliminary Rate Resolution initiating the annual process of updating the Assessment Roll and reimposing the Fire Rescue Assessments, and the updated Assessment Roll for the upcoming fiscal year are available for inspection at the Town Clerk's Office of Town Hall, located at 6591 Orange Drive, Davie, Florida.

The assessments will be collected on the annual ad valorem tax bill to be mailed in November 2007, as authorized by section 197.3632, Florida Statutes. Failure to pay the assessments will cause a tax certificate to be issued against the property which may result in a loss of title.

If you have any questions, please contact the fire assessment hotline at (954) 797-1456 or you may log onto our website at www.davie-fl.gov and select the fire rescue assessment link.

TOWN

COUNCIL OF DAVIE, FLORIDA

APPENDIX

D

FORM OF NOTICE TO BE MAILED

FORM OF NOTICE TO BE MAILED

***** NOTICE TO PROPERTY OWNER *****

***** THIS IS NOT A BILL *** DO NOT REMIT PAYMENT *****

Town of Davie
6591 Orange Drive
Davie, Florida 33314-3399

TOWN OF DAVIE, FLORIDA
NOTICE OF HEARING TO IMPOSE AND PROVIDE
FOR COLLECTION OF FIRE RESCUE NON-AD
VALOREM ASSESSMENTS
NOTICE DATE: August 22, 2007

Owner Name
Address
City, State Zip

Tax Parcel #: _____
Legal Description: _____
Sequence #: _____

As required by section 197.3632, Florida Statutes, and at the direction of the Town Council, notice is hereby given by the Town of Davie that an annual assessment for fire rescue services using the tax bill collection method, is proposed to be levied on your property for fiscal year October 1, 2007 – September 30, 2008. The use of an annual special assessment to fund fire rescue services benefiting improved property located within the Town of Davie in the past has proven to be fair, efficient and effective. The total annual fire rescue assessment revenue to be collected within the Town of Davie is estimated to be \$6,077,940.00. The annual fire rescue assessment is based on the classification of each parcel of property and number of billing units contained therein.

The above parcel is classified as _____.

The total number of billing units on the above parcel is _____.

The type of billing units on the above parcel is _____.

The annual fire rescue assessment for the above parcel is \$_____.

The maximum annual fire rescue assessment that can be imposed without further notice for fiscal year 2007-08 and for future fiscal years for the above parcel is \$_____.

A public hearing will be held at 7:00 p.m. on September 12, 2007, in the Town Council Chambers of Town Hall, 6591 Orange Drive, Davie, Florida for the purpose of receiving public comment on the proposed assessments. You and all other affected property owners have a right to appear at the hearing and to file written objections with the Town Council within 20 days of this notice. If you decide to appeal any decision made by the Town Council with respect to any matter considered at the hearing, you will need a record of the proceedings and may need to ensure that a verbatim record is made, including the testimony and evidence upon which the appeal is to be made. In accordance with the Americans with Disabilities Act, persons needing a special accommodation or an interpreter to participate in this proceeding should contact the Town Clerks Office at (954) 797-1020 at least seven business days prior to the date of the hearing.

Unless proper steps are initiated in a court of competent jurisdiction to secure relief within 20 days from the date of Town Council action at the above hearing (including the method of apportionment, the rate of assessment and the imposition of assessments), such action shall be the final adjudication of the issues presented.

Copies of the Fire Rescue Assessment Ordinance (Ordinance No. 96-33), as it may be amended, the Initial Assessment Resolution (Resolution No. R-96-254), the Final Assessment Resolution (Resolution No. R-96-285) as supplemented and modified by Resolution No. R-97-19, the Preliminary Rate Resolution initiating the annual process of updating the Assessment Roll and reimposing the Fire Rescue Assessments, and the updated Assessment Roll for the upcoming Fiscal Year are available for inspection at the Town Clerk's Office of Town Hall, located at 6591 Orange Drive, Davie, Florida.

Both the fire rescue non-ad valorem assessment amount shown on this notice and the ad valorem taxes for the above parcel will be collected on the annual ad valorem tax bill mailed in November of each year that the assessment is imposed. Failure to pay the assessments will cause a tax certificate to be issued against the property which may result in a loss of title.

If there is a mistake on this notice, it will be corrected. If you have any questions regarding your fire rescue assessment, please contact the fire assessment hotline at (954) 797-1456 or you may log onto our website at www.davie-fl.gov and select the fire rescue assessment link.

*** * * * * THIS IS NOT A BILL * * * * ***

TALLAHASSEE

Suite 200
1500 Mahan Drive
Tallahassee, Florida 32308
(850) 224-4070 Tel
(850) 224-4073 Fax



TAMPA

The Pointe, Suite 1060
2502 Rocky Point Drive
Tampa, Florida 33607
(813) 281-2222 Tel
(813) 281-0129 Fax

July 10, 2007

Via Electronic Mail

Ken Cohen
Assistant Town Administrator
Town of Davie
6591 Orange Drive
Davie, Florida 33314-3399

Re: Revised Fire Rescue Preliminary Rate Resolution

Dear Mr. Cohen:

Enclosed please find the revised version of the final preliminary rate resolution for the Town's proposed reimposition of its fire rescue assessment program for FY 2007-08 for the Town's consideration on July 18, 2007. At the Town's request, we have changed the rate table to reflect the Town's desire to impose the assessment at the residential rate of \$104.00.

Please call me if you have any questions, comments or concerns.

Very truly yours,

Heather J. Encinosa

Heather

J. Encinosa

HJE:sib

Attachment

cc: Donald DiPetrillo, Fire Chief (w/att.)

**TOWN OF DAVIE
TOWN COUNCIL AGENDA REPORT**

TO: Mayor and Councilmembers
FROM/PHONE: Mark Kutney, AICP, Development Services Director 954-797-1101
PREPARED BY: Prepared by: Michael Mungal, E.I.T., Engineer II 954-797-1117
SUBJECT: Resolution
AFFECTED DISTRICT: Townwide
ITEM REQUEST: **Schedule for Council Meeting**

TITLE OF AGENDA ITEM: A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ENCOURAGING CONSTRUCTING, AND OPERATING FACILITIES TO MINIMIZE ENVIRONMENTAL IMPACTS BY INCORPORATING THE USE OF RESOURCES AND ENERGY EFFICIENT MATERIALS, RENEWABLE RESOURCES, ALTERNATIVE ENERGY SOURCES, WATER CONSERVATION, WASTE REDUCTION, POLLUTION PREVENTION AND OTHER STRATEGIC ACTIONS TO PROMOTE SUSTAINABILITY AND GREEN BUILDING DESIGN.

REPORT IN BRIEF: The Town Council has requested Town Staff prepare a resolution that demonstrates the Town's commitment to establish and implement policies, guidelines, goals and strategic actions to promote sustainability and preserve and improve the Town's natural and built environment, protecting the health of its residents and visitors.

PREVIOUS ACTIONS: None

CONCURRENCES: None

FISCAL IMPACT: not applicable

Has request been budgeted? n/a

If yes, expected cost: \$

Account Name:

If no, amount needed: \$

What account will funds be appropriated from:

Additional Comments:

RECOMMENDATION(S): recommends that the resolution be adopted by Town Council and that staff bring back an ordinance that will promote green building practices townwide.

Attachment(s): Resolution

RESOLUTION _____

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ENCOURAGING CONSTRUCTING, AND OPERATING FACILITIES TO MINIMIZE ENVIRONMENTAL IMPACTS BY INCORPORATING THE USE OF RESOURCES AND ENERGY EFFICIENT MATERIALS, RENEWABLE RESOURCES, ALTERNATIVE ENERGY SOURCES, WATER CONSERVATION, WASTE REDUCTION, POLLUTION PREVENTION AND OTHER STRATEGIC ACTIONS TO PROMOTE SUSTAINABILITY AND GREEN BUILDING DESIGN.

WHEREAS, Sustainability means satisfying our present needs without compromising the ability of future generations to meet their needs; and

WHEREAS, the Town is committed to lead by demonstrating sustainable stewardship that will yield cost savings to taxpayers by reducing Town operating costs, providing healthy work environments for Town staff and visitors, protecting, conserving, and enhancing the Town's resources, and establishing community standards of sustainable living practices; and

WHEREAS, the Town is committed to designing, constructing, and operating Town facilities to minimize environmental impacts by incorporating the use of resources and efficient materials, renewable resources, alternative energy sources, water conservation, waste reduction, pollution prevention; and

WHEREAS, environmentally preferred products are generally produced and disposed of in ways that have less negative impact on human health and the environment because they consume fewer natural resources and less energy, generate less waste, and release pollutants; and

WHEREAS, this resolution will establish the Town as a leader in Florida in setting policies, guidelines, goals and strategic actions that will result in:

- a more sustainable community
- the use of renewable resources
- energy, water and cost savings through the construction, operation and maintenance of high performance buildings and landscapes
- the procurement of environmentally preferred products, materials and services
- increased recycling and materials reuse
- historical preservation
- waste reduction of the source
- healthier and more productive work environments
- less local and global adverse environmental impacts
- reduced Town liability
- minimized future disposal infrastructure needs
- adoption of Environmental Landscape Management (ELM) practices

WHEREAS, an Ordinance is necessary to accomplish the proper purpose of protecting said community from poor development practices in the future.

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

That the Town Administrator may direct Town staff to develop policies, guidelines, and strategic actions for sustainable building practices for Town facilities. The Town administrator may charge Town staff with overseeing the development and application of the guidelines to all facilities; and

BE IT FURTHER RESOLVED:

SECTION 1. That the Town Administrator may direct Town staff to develop polices, guidelines, and strategic actions for Environmentally Preferred Procurement (EPP) practices for the Town; and

SECTION 2. That the Town Administrator may direct Town staff to provide on-going training and educational opportunities for affected staff to further sustainable stewardship, and that the Town Administrator may direct staff to develop, promote, and implemented sustainable stewardship education programs within the community, and establish marketing partnerships to advance these principles; and

SECTION 3. That the Town shall be guided by established energy efficiency standards providing for an integrated whole building design approach to ensure the best processes are implemented through every phase of design, construction and renovation so that buildings realize substantial economic and environmental benefits through their entire life cycle; and

SECTION 4. That the Town Council directs staff to explore incentives to encourage use of the LEED rating system by private developers of residential and commercial construction and landscaping projects within the Town; and

SECTION 5. That LEED registration and certification through the United States Green Building Council are encouraged but not required under this Article; and

SECTION 6. That all non-covered projects, in the public and private sector, are encouraged to use their best efforts to incorporate as many green building measures as feasible from the LEED Rating System and to peruse LEED registration and certification.

SECTION 7. 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

**TOWN OF DAVIE
TOWN COUNCIL AGENDA REPORT**

TO: Mayor and Councilmembers
FROM/PHONE: Mark Kutney, AICP, Development Services Director 954-797-1101
PREPARED BY: Prepared by: Michael Mungal, E.I.T., Engineer II 954-797-1117
SUBJECT: Resolution
AFFECTED DISTRICT: Townwide
ITEM REQUEST: **Schedule for Council Meeting**

TITLE OF AGENDA ITEM: A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, REQUESTING APPROVAL FOR THE TOWN TO JOIN AND BECOME MEMBERS OF THE U.S. GREEN BUILDING COUNCIL (USGBC), THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY'S ENERGY STAR PROGRAM AND THE FLORIDA GREEN BUILDING COALITION.

REPORT IN BRIEF: : In support of the Town's commitment to sustainability and green design, Town staff recommends joining three key organizations (The U.S. GREEN Building Council (USGBC), the United States Environmental Protection Agency's ENERGY STAR program and the Florida Green Building Coalition) that will help assist the Town in formulating its future green building policies and guidelines.

PREVIOUS ACTIONS: None

CONCURRENCES: None

FISCAL IMPACT: Yes

Has request been budgeted? No

If no, amount needed: \$3,600.

What account will funds be appropriated from: funds will be transferred from 001-9810-519-9901 to 001-0102-512-0502

Additional Comments: Townwide Initiative

RECOMMENDATION(S): It is the recommendation of Development Services Department that the resolution be adopted by Town Council.

Attachment(s): Resolution, Membership Documents

RESOLUTION _____

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, REQUESTING APPROVAL FOR THE TOWN TO JOIN AND BECOME MEMBERS OF THE U.S. GREEN BUILDING COUNCIL (USGBC), THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY’S ENERGY STAR PROGRAM AND THE FLORIDA GREEN BUILDING COALITION.

WHEREAS, the Town is committed to developing a certified-based “green building” program by adopting the Florida Green Building Coalitions “Green Local Government Standard for Cities and Counties” and working towards becoming a certified “Green City”; and

WHEREAS, the Town recognizes the need for sustainable design practices within the Town and requests that the Town approve joining as a local government member the USGBC and demonstrate its commitment to promoting green design; and

WHEREAS, the Town recognizes that consuming fewer natural resources and using less energy is crucial to being a sustainable community, the Town approves joining as a partner to the U.S. Environment Protection Agency ENERGY STAR program; and

WHEREAS, an Ordinance is necessary to provide proper direction to Town staff in committing Town resources and monies to this initiative.

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

Section 1. That the Town Administrator may direct Town staffs to implement and initiate the requested memberships and begin the Florida Green Building Coalition application process.

Section 2. 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

Program	Description	Costs
USGBC	Membership	\$ 500 (Per Year)
FL Green Building Coalition	Membership	\$ 100 (Per Year)
FL Green Building Coalition	Application Fee	\$ 3,000 (Lump Sum)
EPA ENERGY STAR	Partner Agreement	Free

Total Cost: \$ 3,600 (Allocated this year)



1800 MASSACHUSETTS AVE., NW
SUITE 300
WASHINGTON, DC 20036
T: 202 828.7422
F: 202 828.5110
WWW.USGBC.ORG

MEMBER BENEFITS

Join Us!

Start taking advantage of exclusive members-only benefits by having your organization join the U.S. Green Building Council (USGBC) today. It's a great way to stay competitive and grow your business while making a meaningful contribution that you can be proud of. As a member company, all full-time employees of your organization will enjoy substantial money-saving discounts, connect with a powerful and diverse network of professionals, gain access to the latest green building developments and information, and play an active role in green building policy-making.

It Pays To Be A Member

As a USGBC member company, your entire staff will receive discounts on all LEED® programs and services — your membership can actually pay for itself.

Save with the Member Rate for:

- Greenbuild International Conference & Expo registrations (save \$175 – per person)
- LEED Training Workshops (save up to \$120 – on each attendee from your company)
- LEED Reference Guides (save \$50)
- LEED Accreditation Exams (save \$100 – on every exam taken)
- LEED Project Registration and Certification Fees (save up to \$150 and \$5000, respectively)
- Local Chapter Membership (save up to \$15/membership for employees of member companies)

Set Your Organization Apart

- Distinguish your company in the marketplace by using the USGBC member logo on your Web site and in your company's marketing materials.
- List your company in USGBC's exclusive, on-line Member Directory.

Get Involved

- Membership in USGBC provides the ideal opportunity for your company's employees to play an active role in advocating for green building issues and helping build consumer awareness.
- Be a leader. Help set the standards for green building by serving on a LEED or USGBC committee.
 - Join a Member Circle. Tap into the collective knowledge and experience of USGBC's membership by participating in your profession's on-line discussion forum, Member to Member Exchange (M2M Exchange) and attending your profession's member session at USGBC Day.
 - Engage in your local USGBC chapter: become a voting member and run for the chapter board.
 - Share your knowledge by becoming a faculty member for USGBC's Education Programs.
 - Help shape Greenbuild as an educational session reviewer.

Information, Please

USGBC connects you to a world of resources you can't find anywhere else. As a member, you can:

- Subscribe to our monthly member e-newsletter full of USGBC news, LEED developments, certified projects, and more.
- Read *GreenSource*, the quarterly magazine dedicated to sustainable design. Your company will receive a free subscription.
- Search our directory of Credit Interpretation Rulings (CIRs) to enhance your use of the LEED Green Building Rating System™.
- Access exclusive reports on the benefits and costs of building green and other relevant topics.
- Attend the members-only USGBC Day at Greenbuild during USGBC's annual International Conference and Expo, the most comprehensive array of green building seminars and product exhibits offered anywhere.

The People You'll Meet

As a member, you'll make invaluable contacts, share information and best practices, and build relationships with leaders and professionals representing a broad spectrum of organizations. Our members – the organizations that design, construct, manage, finance, insure, and occupy buildings – share a common focus. They are committed to transforming the built environment to one that is profitable, healthy, and environmentally responsible.

Join now and begin enjoying the benefits of membership – visit www.usgbc.org/join to learn more. And always feel free to contact us at 202-742-3819 or membership@usgbc.org.

USGBC MEMBERSHIP APPLICATION (Fill in ALL fields below)

Organizational Information

COMPANY NAME _____

PRIMARY CONTACT NAME _____ TITLE _____

STREET ADDRESS _____

CITY _____ STATE _____ ZIP _____

PHONE _____ FAX _____

E-MAIL _____

WEBSITE _____
(THE PRIMARY CONTACT WILL RECEIVE CORRESPONDENCE ON HOW TO ADD SECONDARY CONTACTS.)

\$ _____
GROSS ANNUAL SALES

NUMBER OF EMPLOYEES

\$ _____
ANNUAL MEMBERSHIP DUES
(SEE DUES GUIDELINES ON BACK)

PLEASE CONSIDER MAKING AN ADDITIONAL CONTRIBUTION TO SUPPORT USGBC RESEARCH.

\$ _____
RESEARCH DONATION AMOUNT

Organizational Category (select one)

- | | | | |
|---|---|--|--|
| <input type="checkbox"/> Accountants | <input type="checkbox"/> Corporate and Retail | <input type="checkbox"/> Interior Designers | <input type="checkbox"/> Professional Societies |
| <input type="checkbox"/> Architects | <input type="checkbox"/> Distributors | <input type="checkbox"/> K-12 School Systems | <input type="checkbox"/> Real Estate |
| <input type="checkbox"/> A/E Firm | <input type="checkbox"/> Energy Service Companies | <input type="checkbox"/> Landscape Architects | <input type="checkbox"/> Real Estate Service Providers |
| <input type="checkbox"/> Attorneys | <input type="checkbox"/> Engineers | <input type="checkbox"/> Local Government | <input type="checkbox"/> Research Institutes |
| <input type="checkbox"/> Building Controls | <input type="checkbox"/> Federal Government | <input type="checkbox"/> Nonprofit Organizations | <input type="checkbox"/> Service Contractors |
| <input type="checkbox"/> Commissioning Providers | <input type="checkbox"/> Financial Institutions | <input type="checkbox"/> Planners | <input type="checkbox"/> State Government |
| <input type="checkbox"/> Consultants | <input type="checkbox"/> GOCOs | <input type="checkbox"/> Press | <input type="checkbox"/> Universities/Colleges |
| <input type="checkbox"/> Contractors and Builders | <input type="checkbox"/> Insurance Companies | <input type="checkbox"/> Product Manufacturers | <input type="checkbox"/> Utilities |

Referred By (select one)

- | | | | |
|---|-----------------------------------|---|--|
| <input type="checkbox"/> USGBC Chapter* | <input type="checkbox"/> Web Site | <input type="checkbox"/> Professional Colleague | <input type="checkbox"/> Industry Publication* |
| <input type="checkbox"/> LEED Workshop | <input type="checkbox"/> Coworker | <input type="checkbox"/> Industry Tradeshow* | <input type="checkbox"/> Other* |

* PLEASE INDICATE THE NAME OF THE USGBC CHAPTER OR INDUSTRY PUBLICATION, TRADE SHOW OR ORGANIZATION THAT REFERRED YOU.

Payment Information (select one)

- CHECK** — Please mail this form with your check payment (Payable to: U.S. Green Building Council) to: USGBC, P.O. Box 404296, Atlanta, GA 30384-4296
- CREDIT CARD** — Fill out information and fax to 202.828.5110 VISA Mastercard Amex Discover

CREDIT CARD HOLDER (AS IT APPEARS ON CREDIT CARD) _____ CREDIT CARD NUMBER _____ CREDIT CARD EXPIRATION _____

Privacy Policy

As a member you are entitled to have your company listed on our online member directories.

- Please check here if you do **NOT** want your company name listed.
- Please check here if you do **NOT** want your mailing information shared with other members.

Compliance with Code of Conduct: Pursuant to the unanimous resolution of the Council at its July 19, 1994 meeting in Washington D.C., each member of the Council must sign the following Code of Conduct. As a member of the U.S. Green Building Council, I hereby agree to adhere to the principles of improving the energy and environmental efficiency of the whole building environment. This includes following and promoting the concepts of: Improving energy efficiency and conservation; Improving indoor environmental quality; Increasing resource and material efficiency; Improving occupancy health and productivity; Improving environmental quality including air, water, land, limited resources and ecosystems; Promoting sustain ability as defined as "providing for the needs of the present without detracting from the ability to fulfill the needs of the future."—USGBC/PTI Sustainable Buildings Guidebook, 1994

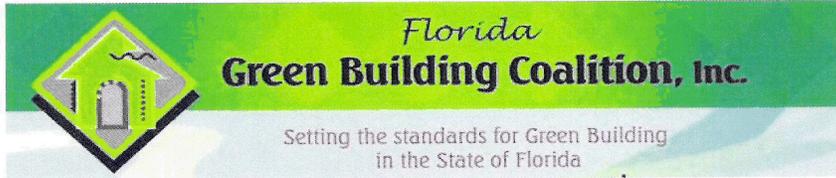
SIGNATURE OF AUTHORIZED REPRESENTATIVE _____ DATE _____

MAIL TO: USGBC | P.O. BOX 404296 | ATLANTA, GA 30384-4296 | FAX TO: 202.828.5110



Build green. Everyone profits.

ORGANIZATIONAL CATEGORY	LEVEL	GROSS ANNUAL SALES*	ANNUAL DUES
Product Manufacturers Building Controls and Service Contractors Distributors	1	Less than \$1 million	\$500
	2	\$1 - \$5 million	\$1,500
	3	\$5 - \$25 million	\$2,500
	4	\$25 - \$50 million	\$3,500
	5	\$50 - \$250 million	\$5,000
	6	\$250 million - \$5 billion	\$7,500
	7	\$5 - \$10 billion	\$8,500
	8	More than \$10 billion	\$12,500
Corporate and Retail	1	Less than \$50 million	\$1,000
	2	\$50 - \$250 million	\$2,500
	3	\$250 million - \$5 billion	\$3,500
	4	More than \$5 billion	\$5,000
Utilities / Energy Service Companies	1	Less than \$10 million	\$750
	2	\$10 - \$50 million	\$1,500
	3	\$50 - \$250 million	\$2,500
	4	More than \$250 million	\$3,500
Real Estate / Real Estate Service Providers (Building Owners, Facility Managers, Developers, Brokers, Property Managers, Appraisers)	1	Less than \$5 million	\$750
	2	\$5 - \$25 million	\$1,500
	3	\$25 - \$50 million	\$2,500
	4	\$50 - \$250 million	\$3,500
	5	More than \$250 million	\$4,000
Nonprofit & Environmental Organizations	501-C (3)	Less than \$15 million	\$300
		\$15 - \$250 million	\$500
		More than \$250 million	\$750
Professional Societies and Trade Associations	1	Less than \$1 million	\$500
	2	\$1 - \$5 million	\$1500
	3	\$5 - \$25 million	\$2500
	4	\$25 - \$50 million	\$3500
	5	More then \$50 million	\$5000
State & Local Governments	1	Population under 500,000	\$500
	2	Pop. 500,000 to 1 million	\$750
	3	Pop. more than 1 million	\$1,000
Professional Firms (Accountants, Architects, Attorneys, Commissioning Providers, Consultants, Engineers, Planners, Interior Designers, Landscape Architects, Press)	1	Less than \$250,000	\$300
	2	\$250,000-\$1 million	\$750
	3	\$1 - \$5 million	\$1,000
	4	\$5 - \$25 million	\$1,500
	5	\$25 - \$50 million	\$2,500
	6	More than \$50 million	\$3,500
Contractors, Builders by construction volume	1	Less than \$250,000	\$300
	2	\$250,000 - \$1 million	\$500
	3	\$1-\$5 million	\$750
	4	\$5 - \$25 million	\$1,500
	5	\$25 - \$50 million	\$2,500
	6	\$50 - \$250 million	\$3,500
	7	\$250 million - \$5 billion	\$4,000
	8	More than \$5 billion	\$5,000
Insurance Companies / Financial Institutions (Lenders, Institutional Investors by asset base)	1	Less than \$250 million	\$2,500
	2	More than \$250 million	\$3,500
Educational Institutions (K-12 School Systems, Universities and Research Institutes)	1	Individual K-12 School	\$300
	2	District K-12 School Systems	\$500
	3	1 - 2 University/Institute Campuses	\$750
	4	3 - 5 University/Institute Campuses	\$1,000
	5	5 - 20 University/Institute Campuses	\$1,500
	6	More than 20 University/Institute Campuses	\$2,000
Federal Government GOCOs (Government Owned Contractor Operated Laboratories)	1	Federal Agency	\$1,000
	2	GOCO	\$750



FGBC Membership Categories & Benefits

CATEGORIES

Large Business: For businesses which have 50 or more employees.

Medium Business: For businesses which have 16 to 49 employees.

Small Business: For businesses which have 1 to 15 employees.

Government Agency: For City, County, State, & Federal Government Agencies, including State Universities and Colleges.

Non-Profit Organization: For organizations which have Not-for-Profit status.

Individual: For the following: (1) Individuals who work for a business, organization or agency that is already a member of FGBC; and/or (2) Individuals who are interested in or involved in Green Building, but who do not wish to receive the added benefits provided with a Business, Government Agency or Non-Profit membership.

Student: This category is for full time students in High Schools, Colleges or Universities.

BENEFITS

Benefits for Business, Government Agency and Non-Profit Members

1. Being listed in the FGBC Membership Directory.
2. Being listed on the Members Page of the FGBC Website, including a link to the business's or organization's website.
3. Receive both an 8.5"X11" FGBC Membership Certificate, suitable for display in a place of business and a wallet size FGBC Membership Card.
4. Receive member discounts on registration fees for all employees for the yearly GreenTrends Conference, as well as other member discounted events and services.
5. Receive member discount for Exhibitor Fees for GreenTrends and other events sponsored by FGBC.
6. Have the right to use the FGBC Logo and the statement "Member of the Florida Green Building Coalition, Inc." on company/organization/agency stationary, publications and advertising materials in accordance with the FGBC LOGO Guidelines.
7. Receive the FGBC Newsletter, Updates and Special Notices via E-mail free of charge.
8. Right to vote on matters requiring a vote of the FGBC membership.

Benefits for Individual & Student Members:

1. Being listed in the FGBC Membership Directory, including contact information.
2. Being listed on the Membership page of the FGBC Website, but does not include link to a website.
3. Wallet size FGBC Membership Card.
4. Receive member discounts on registration fees for the member only for the yearly GreenTrends Conference, as well as other member discounted events and services.
5. Receive the FGBC Newsletter, Updates and Special Notices via E-mail free of charge.
6. Right to vote on matters requiring a vote of the FGBC membership.

Membership Application

Florida Green Building Coalition, Inc.



This application is for a: New Membership Membership Renewal

Instructions: Please check your membership category, complete all required entries and enclose a check or money order for the amount that corresponds to your selected membership category. Forward your completed application and payment to the address below:

Membership Category*	Payment	Mailing Address:
<input type="checkbox"/> Full-time Student	\$25	Florida Green Building Coalition, Inc.
<input type="checkbox"/> Individuals	\$50	P.O. Box 7308
<input type="checkbox"/> Non-profit	\$100	Naples, Florida 34101
<input type="checkbox"/> Govt. Agency	\$100	Phone: 239-263-6819
<input type="checkbox"/> Small Business (1-15)**	\$100	FAX: 239-263-4192
<input type="checkbox"/> Medium Business (16-49)**	\$250	E-mail:
<input type="checkbox"/> Large Business (50 +)**	\$475	execdir@floridagreenbuilding.org

** = Number of Employees

FGBC Membership Application

(Please Print Clearly - * indicates required information)

Full Name*: _____

Employer*: _____

Occupation*: _____

Mailing Address*: _____

City*: _____ State*: _____ Zip*: _____

Phone*: () _____ Fax: () _____

Cell: () _____ Website: _____

E-mail address*: _____

Standing and Working Committee Selection: Please complete the attached "FGBC Committee Sign-up Form" and return it along with this Membership Application and check.

Personal Bio (optional - may be attached)

Comments: _____

FGBC Committee Sign-up Form

Committees are the lifeblood of a successful organization. Their members do the real work of the organization and they are indispensable to an organization's success. We encourage every member to take an active part in at least one committee. Remember that you only get out what you put into an organization.

FGBC has two categories of Committees: Standing Committees, which are established by the By-laws; and Working Committees, which are established by the Board of Directors to accomplish specific tasks. Please complete the information below, check the committees you wish to serve on and return the completed form along with your completed Membership Application Form and check.

FGBC Standing Committees

[] 1. Education

- Maintain FGBC continuing education and accreditation files.
- Develop educational materials and programs that can be promoted to members, industry and the public.
- Maintain a schedule of education and training events and linkages to appropriate non-FGBC events.
- Provide web site education and training content.

[] 2. Nominating

- Ensure electoral honesty and fairness.
- Establish the nominees for elections of the Board of Directors and its Officers.
- Process nominations and referenda from the membership.
- Provide web content for elections.

[] 3. Research & Technical

- Provide technical guidance to the Board of Directors.
- Maintain web-based credits list for standards adopted by the Board.
- Process requests from private entities wanting their latest widget to qualify for credit under one of the standards.
- Respond to questions of a technical nature asked by visitors to the web site.

[] 4. Program & Promotion

- Manage program operations (e.g., provide certificates, etc.).
- Market FGBC programs.
- Maintain FGBC web site.
- Prepare, coordinate and circulate news releases for FGBC.
- Coordinate FGBC fund raising efforts (grants and partnerships).

[] 5. Standards

- Oversee the development of Standards, Guidelines and Procedures.
- Uphold the requirements for consensus in the revision and public comment on standards.
- Provide Standards content in easy-to-use, web-based format

FGBC Working Committees

FGBC's Working Committees are responsible for the development and implementation of all programs and activities related to their interest area. This may include, but is not limited to, the development of standards, guidelines and procedures; the development of training, education and marketing materials; and the programming and production of public events, short courses and conferences. The following Working Committees have been established:

Standards Working Committees

- Green Homes
- Green Commercial Buildings
- Green Developments
- Green Local Government (cities and counties)
- Green Affordable Housing
- Green Interior/Universal Design
- Green Multi Story High Rise Residential
- Green System Built/Modular Homes

Education Working Committees

- GreenTrends Conference and Trade Show
- Speakers/Presenters Bureau (For workshops, conferences, forums, meetings, etc.)

Marketing & Promotion Working Committees

- Awards & Recognition (Includes Green Aurora & FGBC Green Building Awards)
- Partnership Program with other organizations (FHBA, USGBC, ULI, FCLF, Etc.)
- Membership Development
- Fund Raising (Grants, Gifts, Sponsorships, Etc.)

[Overview](#)[Standard Documents](#)[Application Process](#)[Modification Process](#)[Designated Governments](#)

Application Process

[Processing Steps](#)[Fees](#)[Application Tool](#)

Steps to Becoming a Florida Green Local Government

- **Learn about the Florida Green Local Government Standard.**

Contact the Florida Green Building Coalition, Inc. (FGBC) who operates and maintains the standard. An individual will be available to introduce you to the process. info@FloridaGreenBuilding.org or 321-638-1450

- **Designate an office, department, or individual as Project Coordinator.**

The Project Coordinator will be the main link between the local government and FGBC. A project evaluator will be assigned to your team by FGBC.

- **Determine what criteria apply to the local government.**

Since the standard's criteria are organized in terms of generic local government functions, the coordinator will perform an exercise to determine what criteria will apply to the local government. For example, if there is no public electric utility, certain criteria will not apply. The exercise will enable the Project Coordinator to determine the *Maximum Applicable Points Total*. The Project Coordinator will also determine which department is likely to perform each function, in order to distribute criteria effectively.

- **Conduct a local government assessment review in cooperation with departments.**

After criteria has been distributed to appropriate departments, individual departments review the criteria and indicate what has been done or is planned for implementation, and also indicate what is likely to be considered in the interest of achieving the standard, and for the benefit of the local government.

- **Conduct a local government evaluation.**

The Project Coordinator collects all departmental information, and determines where the local government currently falls in reference to the suggested levels of compliance. The Project Coordinator then prepares a summary report that is sent to all applicable local government departments.

- **Schedule implementation meeting to outline path towards qualification.** The coordinator then assembles a meeting of departmental representatives to discuss the status in reference to the standard. An interactive process then begins whereby areas of cooperation are explored, potential sustainable and green improvements are identified, and a plan is outlined with the intent of bringing the city/county towards compliance with the standard. Designation Levels are awarded based on achieving percentages of the *Maximum Applicable Points Total*.

- **Submit application and all necessary documentation to FGBC, Inc. for evaluation.**

At which time the local government believes they have met the minimum requirements of the standard, a submittal is provided to FGBC with necessary documentation such that the efforts can be reviewed, and the designation awarded.

Cost to apply based on 2000 US Census population within local

government:

Population 1 < 20,000	\$1,500
Population 20,000 - 100,000	\$3,000
Population > 100,000	\$4,500

Application Tool

An Excel spreadsheet helps a local coordinator apply the FGBC criteria to local government departments, assign responsibilities and determine which criteria are applicable to the local government body. This tool allows the local coordinator to filter on key criteria for reporting progress, and serves as an electronic application form.

Tool and Application Instructions (included on spreadsheet)
1) To start the process enters names of Local Government Departments in the designated spreadsheet rows.
2) Worksheets allow you to determine which criteria apply to your city/county, and help you to track progress as criteria are implemented. Tools are provided for you to flag criteria according to appropriate department and staff member. Point totals are tallied for each government function.
3) The "Filter Tool" contains all criteria, and allows criteria to be organized according to a number of variables. Point totals are tallied for the entire program.
4) A complete application package will include an electronic copy of the completed tool or hard copy of all "sheets" except the "filter tool", all required documentation, and the required application fee.

<Organization Letterhead>

<Date>

Ms. Jean Lupinacci
Director, ENERGY STAR Commercial & Industrial Branch
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW (6202J)
Washington, DC 20460

Dear Ms. Lupinacci:

With this letter, <Organization Name> joins ENERGY STAR® as a Partner, and makes a fundamental commitment to protect the environment through the continuous improvement of our energy performance. We believe that an organization-wide energy management approach will help us enhance our financial health and aid in preserving the environment for future generations. In partnership with ENERGY STAR, we will:

- Measure and track the energy performance of our organization's facilities where possible by using tools such as those offered through ENERGY STAR
- Develop and implement a plan consistent with the ENERGY STAR Energy Management Guidelines to achieve energy savings
- Help spread the word about the importance of energy efficiency to our staff and community
- Support the ENERGY STAR Challenge, a national call-to-action to help improve the energy efficiency of America's commercial and industrial buildings by 10 percent or more
- Highlight our achievements with recognition offered through ENERGY STAR.

We understand that our commitment to measure, track, and improve the energy performance of our organization is supported by the resources and tools offered through ENERGY STAR. In addition, we understand that we will be recognized on the ENERGY STAR web site as a Partner and as a supporter of the ENERGY STAR Challenge. To be eligible for additional recognition, we will share with EPA our progress and milestone achievements. As a Partner, we agree to follow all applicable terms and conditions governing the use of the ENERGY STAR logos, which are registered trade and service marks.

<Organization name> looks forward to our partnership with ENERGY STAR.

Sincerely,
<Name of Organization's Chief Executive>
<Title>
<Organization Name>

**Attachment to Partnership Letter
Organization Information**

Please complete this sheet and send it along with the signed partnership letter. Thank you.

Chief Executive

Name & Title: _____
Mailing Address: _____

E-mail Address: _____
Phone Number: _____
Facsimile: _____

Energy Manager

Name & Title: _____
Mailing Address: _____

E-mail Address: _____
Phone Number: _____
Facsimile: _____

Communications Director (if applicable)

Name & Title: _____
Mailing Address: _____

E-mail Address: _____
Phone Number: _____
Facsimile: _____

My Organization's Primary Business or Function (check one):

- Commercial Real Estate
- Corporate Real Estate
- K-12 Education
- Higher Education
- State Government
- Local Government
- Federal Government
- Healthcare
- Hospitality & Entertainment
- Manufacturing/Industrial, please describe your business, including the NAICS codes which best apply to your industry: _____
- Religious (Congregations)
- Retail
- Other. Please describe: _____

Total amount of building/facility square footage my organization...

Owns _____
Leases from others _____
Manages but does not own _____
Franchises to others _____
Other. Please describe: _____

How did you learn about ENERGY STAR? _____

The government estimates the average time needed to fill out this form is 30 minutes and welcomes suggestions for reducing this level of effort. Send comments (referencing OMB control number) to the Director, Collection Strategies Division, U.S., EPA (2822T), 1200 Pennsylvania Ave., NW, Washington, D.C. 20460.

**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: Tatiana Escobar, Staff Intern
SUBJECT: DA 4-1-07 / ICW North Plat - Bridle Path Easement Agreement. Generally located on the north side of Pointe West Drive, between Weston Road and I-75.

AFFECTED DISTRICT: District 4

ITEM REQUEST: **Schedule for Council Meeting**

TITLE OF AGENDA ITEM: A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA AUTHORIZING THE TOWN ADMINISTRATOR TO ENTER INTO A BRIDLE PATH EASEMENT AGREEMENT BETWEEN THE TOWN OF DAVIE, AND WEST CITY POINTE WEST COMMERCE I L.P., FOR THE GRANTING OF AN EASEMENT FOR BRIDLE PATH PURPOSES RELATING TO PARCEL E OF THE ICW NORTH PLAT; TO ACKNOWLEDGE SUCH APPROVAL BY AFFIXING HIS SIGNATURE TO SAID AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

REPORT IN BRIEF: This request is for Town Council to authorize the Town Administrator to enter into a Bridle Path Easement Agreement between the Town of Davie, and West City Pointe West Commerce I L.P. This easement was approved by Town Council on July 17, 1996 as a staff recommendation for a 10' bridle path along S.W. 160 Avenue for the length of the plat. Later, in coordination with staff, the bridle path was moved to the east limit of the plat. However, this document was never recorded. This resolution is necessary to enable the easement to be recorded. The original grantee is aware of this request and has approved of moving this resolution forward for eventual recordation. This Agreement is for the granting of an easement for bridle path purposes on the parcel E of the Plat known as ICW North approved by the Town of Davie by Resolution 96-220, and recorded in the Broward County Public Records Book 163, Page 48. Staff has no objection to the request.

PREVIOUS ACTIONS: None

CONCURRENCES: N/A

FISCAL IMPACT: not applicable

RECOMMENDATION(S): Staff finds the agreement suitable for transmittal to Town Council for further consideration.

Attachment(s): Resolution and Agreement

RESOLUTION NO. _____

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA AUTHORIZING THE TOWN ADMINISTRATOR TO ENTER INTO A BRIDLE PATH EASEMENT AGREEMENT BETWEEN THE TOWN OF DAVIE, AND WEST CITY POINTE WEST COMMERCE I L.P., FOR THE GRANTING OF AN EASEMENT FOR BRIDLE PATH PURPOSES RELATING TO PARCEL E OF THE ICW NORTH PLAT; TO ACKNOWLEDGE SUCH APPROVAL BY AFFIXING HIS SIGNATURE TO SAID AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Davie has requested an easement for bridle path purposes over, through and across the Parcel E of the ICW North Plat, known as the "Easement Property"; and

WHEREAS, West City Pointe West Commerce I L.P. is willing to grant to the Town of Davie an easement over, through and across the Easement Property.

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 authorize the Town Administrator to enter into an Agreement, attached hereto as Exhibit "A".

SECTION 2. The Town Administrator and Town Attorney are authorized to make and accept non-substantive revisions to the agreement in order for the agreement to be in final, recordable form.

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.

Prepared by:

C. William Laystrom, Jr., Esquire
Doumar, Allsworth, Curtis, Cross, Laystrom,
Perloff, Voigt, Wachs & Mac Iver
1177 Southeast Third Avenue
Fort Lauderdale, Florida 33316-1197
Tel. 954/762-3400

and RETURN TO:

Town Clerk
Town of Davie
6591 S.W. 45th Ave.
Davie, FL 33314

BRIDLE PATH EASEMENT AGREEMENT

THIS BRIDLE PATH EASEMENT AGREEMENT (the "Agreement") is made and entered into as of the 8th day of August, 2001 by West City Pointe West Commerce I Limited Partnership, a Delaware limited partnership ("Pointe West"), whose address is c/o Malcolm Butters, President, 1096 E. Newport Center Drive, Suite 100, Deerfield Beach, Florida 33442, and TOWN OF DAVIE, a Florida municipal corporation ("Town"), who address is 6591 S.W. 45th St., Davie, FL 33314.

Witnesseth:

WHEREAS, Pointe West is the record title holder to all of the real property legally described on Exhibit "A: attached hereto and made a part hereof (the "Easement Property"); and

WHEREAS, Pointe West is hereinafter referred to as the "Grantor"; and

WHEREAS, Town has requested and Grantor is desirous of granting to Town an easement for bridle path purposes over, through and across the Easement Property.

NOW, THEREFORE, in consideration of Ten and No/100 (\$10.00) Dollars and other good and valuable consideration, the receipt, adequacy and sufficiency thereof is hereby acknowledged, the parties hereto agree as follows:

1. Recitations. The foregoing recitations are true and correct and are incorporated herein by reference.

2. Grant of Easement. Grantor hereby grants to Town a non-exclusive bridle path easement and for all purposes incidental and appurtenant thereto which relate to outdoor recreational activities over, through and across the Easement Property.

3. Maintenance. Grantor shall be responsible to seed and stabilize the Easement Property and maintain the Easement Property by mowing and re-seeding, as necessary. Town shall be responsible, at its sole cost and expenses, for the maintenance of any improvements to the Easement Property which are installed by the Town for the use thereof as a bridle path; provided, however, any such improvements shall not be obstructions to the use of the Easement Property. Town acknowledges that any above-ground improvements must be approved by the Grantor and such other governmental bodies or utility providers who have non-exclusive jurisdiction over the Easement Property.

4. Binding Effect. The provisions of this Agreement shall be binding on the parties hereto and their respective successors in title as a covenant running with and binding upon the Easement Property. This Agreement contains the entire agreement between the parties hereto with respect to the subject matter set forth herein.

5. Notices. All notices of request, demand and other communications hereunder shall be addressed to the parties as follows:

As to Town: Town of Davie
 Attn.: Town Administrator
 6591 S.W. 45th St.
 Davie, FL 33314
 Tel. 954/797-1065
 FAX 797-1049

As to Pointe West : Pointe West Commerce Inc.
 Attn.: Malcolm Butters
 1096 E. Newport Center Drive
 Suite 100
 Deerfield Beach, FL 33442
 Tel. (954) 570-8111
 FAX 570-8844

unless the address is changed by the party by like notice given to the other party. Notice shall be in writing, mailed certified, return receipt requested, postage prepaid and shall be deemed delivered when mailed or upon hand delivery to the address indicated. Notwithstanding the foregoing, notices, requests or demands or other communications referred to in this Agreement may be sent by telegraph, telephonic communication reduced

to written form (i.e. telecopier) or federal express, but shall only be deemed to have been given when received.

6. Captions. The captions and paragraph headings contained in this Agreement are for convenience and reference only and in no way define, describe, extend or limit the scope or intent of this Agreement, nor the intent of any provision hereof.

7. Amendment. This Agreement may not be modified, amended or terminated without the prior written approval of Grantor and Town.

8. Waiver. No waiver of any of the provisions of this Agreement shall be effective unless it is in writing, signed by the party against whom it is asserted and any such waiver shall only be applicable to the specific instance in which it relates and shall not be deemed to be a continuing or future waiver.

9. Governing Law. This Agreement shall be governed by and construed in accordance with the laws of the State of Florida.

10. No Dedication. This Agreement shall not be deemed a dedication of the Easement Property to the public at large, although the Easement Property may be used as a bridle path for the public at large.

IN WITNESS WHEREOF, the parties have hereunto executed these presents as of the day and year first above written.

Signed, sealed and delivered in the presence of:

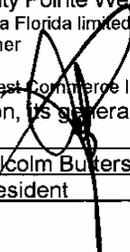
West City Pointe West Commerce I Limited Partnership, a Delaware limited partnership


Printed Name: Steven Gaud

By West City Pointe West City I Limited Partnership, a Florida limited partnership, its general partner


Printed Name: MANAGER

By Pointe West Commerce Inc., a Florida Corporation, its general partner

By: 
Name: Malcolm Butters
Title: President

[Executions Continued on Page 4]

[Executions Continued From Page 3]

TOWN OF DAVIE

Printed Name: _____

Printed Name: _____

By: _____
Printed Name: _____
Title: _____

[Seal]

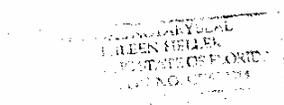
ATTEST:

By: _____
City Clerk
Printed Name: _____

STATE OF FLORIDA :
: ss.
COUNTY OF BROWARD :

BEFORE ME, the undersigned authority, personally appeared Malcolm Butters as President of Pointe West Commerce Inc., a general partner of West City Pointe West WC I Limited Partnership, a Florida limited partnership, general partner of West City Pointe West Commerce I Limited Partnership, a Delaware limited partnership, who is personally known to me or who has produced _____ and who first, being duly sworn on oath, and who acknowledged before me that ___he executed the above and foregoing instrument as the duly authorized officer of and on behalf of the Corporation for the intent and purposes therein expressed.

WITNESS MY HAND AND OFFICIAL SEAL in the County and State last aforesaid on 8-8-01.



Cathleen Heller
Notary Public, State of Florida at Large
Printed Name of Notary: Cathleen Heller
Commission No.: 00690814 My
Commission Expires: 10-22-01

STATE OF FLORIDA :
: ss.
COUNTY OF BROWARD :

BEFORE ME, the undersigned authority, personally appeared _____
_____ as _____ of the Town of Davie, who is
personally known to me or who has produced _____ and
who first, being duly sworn on oath, and who acknowledged before me that ___he
executed the above and foregoing instrument as the duly authorized officer of and on
behalf of the Corporation for the intent and purposes therein expressed.

WITNESS MY HAND AND OFFICIAL SEAL in the County and State last aforesaid
on _____.

Notary Public, State of Florida at Large
Printed Name of Notary: _____
Commission No.: _____ My
Commission Expires:

STATE OF FLORIDA :
: ss.
COUNTY OF BROWARD :

BEFORE ME, the undersigned authority, personally appeared _____
_____ as Clerk of the Town of Davie, who is personally known to me or
who has produced _____ and who first, being duly sworn
on oath, and who acknowledged before me that ___he executed the above and foregoing
instrument as the duly authorized officer of and on behalf of the Corporation for the intent
and purposes therein expressed.

[Notarial Acknowledgments Continued on Page 6]
[Notarial Acknowledgments Continued from Page 5]

WITNESS MY HAND AND OFFICIAL SEAL in the County and State last aforesaid
on _____.

Notary Public, State of Florida at Large
Printed Name of Notary: _____
Commission No.: _____ My
Commission Expires:

psmith.toyota\bridle path easement.2

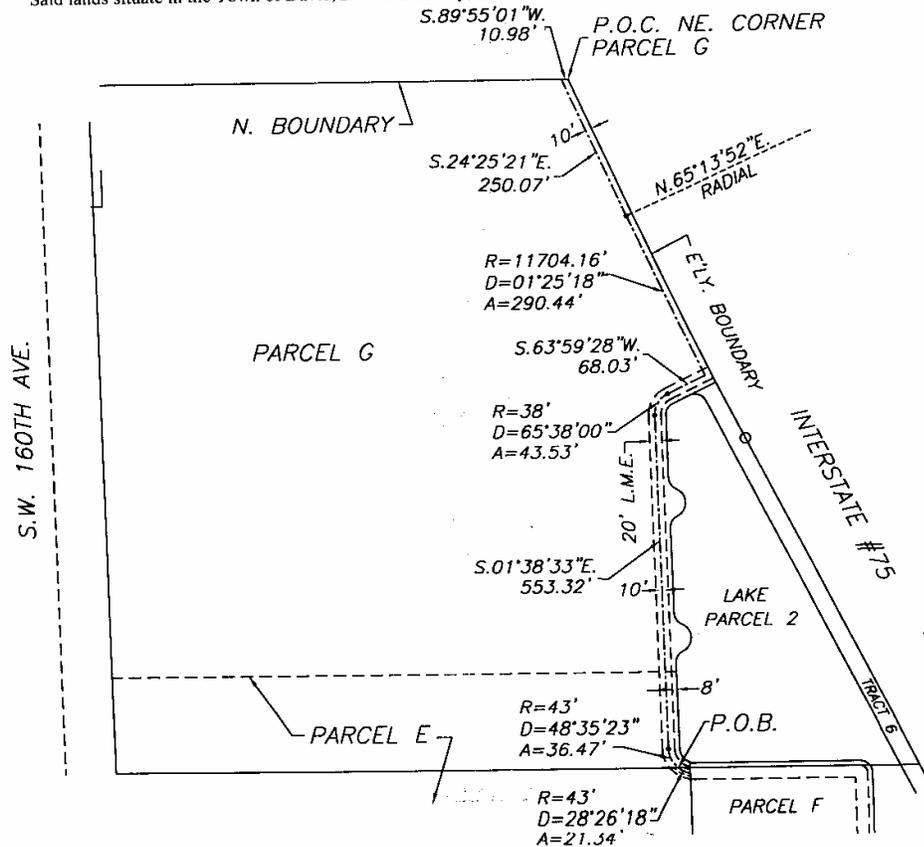
**REVISED SKETCH OF A PORTION OF THE BRIDLE PATH EASEMENT
LYING WITHIN PARCEL E
ICW NORTH PLAT**

DESCRIPTION

That portion of Parcel E, according to the Plat of ICW NORTH, as recorded in Plat Book 163 at Page 48 of the Public Records of Broward County, Florida, described as follows:

Commencing at the Northeast corner of Parcel G, according to said Plat; thence run South 89°55'01" West (on a plat bearing 10.98 feet along the North boundary of said Parcel G to an intersection with a line 10 feet West of, as measured at right angles and parallel to the Easterly boundary of said Parcel G; thence run South 24°25'21" East 250.07 feet along said parallel line to a point of intersection with the arc of a curve running Southeasterly to the left, a radial at said point bearing North 65°13'52" East; thence along the arc of said curve to the left, having a radius of 11704.16 feet and a central angle of 01°25'18", run Southeasterly 290.44 feet; thence run South 63°59'28" West 68.03 feet to a point of curvature of a curve to the left; thence along the arc of said curve to the left, having a radius of 38 feet and a central angle of 65°38'00", run Southwesterly 43.53 feet to a point of tangency; thence run South 01°38'33" East 553.32 feet along the tangent extended to a point of curvature of a curve to the left; thence along the arc of said curve to the left, having a radius of 43 feet and a central angle of 48°35'23", run Southeasterly 36.47 feet to the Point of Beginning of a strip of land 10 feet in width, lying 5 feet on each side of the following described centerline; thence continue Southeasterly along the arc of said curve to the left, having a radius of 43 feet and a central angle of 28°26'18" 21.34 feet to an intersection with the Easterly boundary of said Parcel E and the terminus of said centerline.

Said lands situate in the Town of Davie, Broward County, Florida.



SCALE: 1" = 200'
2-19-01

P.O.C. = POINT OF COMMENCEMENT
P.O.B. = POINT OF BEGINNING
L.M.E. = LAKE MAINTENANCE EASEMENT

C.C. WINNINGHAM CORPORATION LB # 46
LAND SURVEYORS
1040 N.E. 45TH STREET OAKLAND PARK, FLORIDA 33334
PHONE: 954/772-2640 FAX: 954/938-9072
BY: *Charlie C. Winningham*
CHARLIE C. WINNINGHAM II FSM # 6560
4 5 2 2 2

* * * * *

THIS PAGE
INTENTIONALLY
LEFT BLANK

* * * * *

**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: Tatiana Escobar, Staff Intern
SUBJECT: DA 4-2-07 / ICW North Plat - Bridle Path Easement Agreement. Generally located on the north side of Pointe West Drive, between Weston Road and I-75.

AFFECTED DISTRICT: District 4

ITEM REQUEST: **Schedule for Council Meeting**

TITLE OF AGENDA ITEM: A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA AUTHORIZING THE TOWN ADMINISTRATOR TO ENTER INTO A BRIDLE PATH EASEMENT AGREEMENT BETWEEN THE TOWN OF DAVIE, AND POINTE WEST PROPERTY OWNERS ASSOCIATION, INC., FOR THE GRANTING OF AN EASEMENT FOR BRIDLE PATH PURPOSES LYING WITHIN TRACTS 5 AND 6 OF THE ICW NORTH PLAT; TO ACKNOWLEDGE SUCH APPROVAL BY AFFIXING HIS SIGNATURE TO SAID AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE

REPORT IN BRIEF: This request is for Town Council to authorize the Town Administrator to enter into a Bridle Path Easement Agreement between the Town of Davie, and Pointe West Property Owners Association, Inc. This easement was approved by Town Council on July 17, 1996 as a staff recommendation for a 10' bridle path along S.W. 160 Avenue for the length of the plat. Later, in coordination with staff, the bridle path was moved to the east limit of the plat. However, this document was never recorded. This resolution is necessary to enable the easement to be recorded. The original grantee is aware of this request and has approved of moving this resolution forward for eventual recordation. This Agreement is for the granting of an easement for bridle path purposes on tracts 5 and 6 of the Plat known as ICW North approved by the Town of Davie by Resolution 96-220, and recorded in the Broward County Public Records Book 163, Page 48. Staff has no objection to the request.

PREVIOUS ACTIONS: None

CONCURRENCES: N/A

FISCAL IMPACT: not applicable

RECOMMENDATION(S): Staff finds the agreement suitable for transmittal to Town Council for further consideration.

Attachment(s): Resolution and Agreement

RESOLUTION NO. _____

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA AUTHORIZING THE TOWN ADMINISTRATOR TO ENTER INTO A BRIDLE PATH EASEMENT AGREEMENT BETWEEN THE TOWN OF DAVIE, AND POINTE WEST PROPERTY OWNERS ASSOCIATION, INC., FOR THE GRANTING OF AN EASEMENT FOR BRIDLE PATH PURPOSES LYING WITHIN TRACTS 5 AND 6 OF THE ICW NORTH PLAT; TO ACKNOWLEDGE SUCH APPROVAL BY AFFIXING HIS SIGNATURE TO SAID AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Davie has requested an easement for bridle path purposes over, through and across tracts 5 and 6 of the Plat known as ICW North, known as the "Easement Property"; and

WHEREAS, Pointe West Property Owners Association, Inc. is willing to grant to the Town of Davie an easement over, through and across the Easement Property.

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 authorize the Town Administrator to enter into an Agreement, attached hereto as Exhibit "A".

SECTION 2. The Town Administrator and Town Attorney are authorized to make and accept non-substantive revisions to the agreement in order for the agreement to be in final, recordable form.

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.

Prepared by:
C. William Laystrom, Jr., Esquire
Doumar, Allsworth, Curtis, Cross, Laystrom,
Perloff, Voigt, Wachs & Mac Iver
1177 Southeast Third Avenue
Fort Lauderdale, Florida 33316-1197
Tel. 954/762-3400

and **RETURN TO:**
Town Clerk
Town of Davie
6591 S.W. 45th Ave.
Davie, FL 33314

BRIDLE PATH EASEMENT AGREEMENT

THIS BRIDLE PATH EASEMENT AGREEMENT (the "Agreement") is made and entered into as of the ____ day of _____, 2001 by Pointe West Property Owners Association, Inc., a Florida corporation ("Pointe West"), whose address is c/o Malcolm Butters, President, 1096 E. Newport Center Drive, Suite 100, Deerfield Beach, Florida 33442, and TOWN OF DAVIE, a Florida municipal corporation ("Town"), who address is 6591 S.W. 45th St., Davie, FL 33314.

Witnesseth:

WHEREAS, Pointe West is the record title holder to all of the real property legally described on Exhibit "A: attached hereto and made a part hereof (the "Easement Property"); and

WHEREAS, Pointe West is hereinafter referred to as the "Grantor"; and

WHEREAS, Town has requested and Grantor is desirous of granting to Town an easement for bridle path purposes over, through and across the Easement Property.

NOW, THEREFORE, in consideration of Ten and No/100 (\$10.00) Dollars and other good and valuable consideration, the receipt, adequacy and sufficiency thereof is hereby acknowledged, the parties hereto agree as follows:

1. Recitations. The foregoing recitations are true and correct and are incorporated herein by reference.
2. Grant of Easement. Grantor hereby grants to Town a non-exclusive bridle path easement and for all purposes incidental and appurtenant thereto which relate to outdoor recreational activities over, through and across the Easement Property.

3. Maintenance. Grantor shall be responsible to seed and stabilize the Easement Property and maintain the Easement Property by mowing and re-seeding, as necessary. Town shall be responsible, at its sole cost and expenses, for the maintenance of any improvements to the Easement Property which are installed by the Town for the use thereof as a bridle path; provided, however, any such improvements shall not be obstructions to the use of the Easement Property. Town acknowledges that any above-ground improvements must be approved by the Grantor and such other governmental bodies or utility providers who have non-exclusive jurisdiction over the Easement Property.

4. Binding Effect. The provisions of this Agreement shall be binding on the parties hereto and their respective successors in title as a covenant running with and binding upon the Easement Property. This Agreement contains the entire agreement between the parties hereto with respect to the subject matter set forth herein.

5. Notices. All notices of request, demand and other communications hereunder shall be addressed to the parties as follows:

As to Town: Town of Davie
 Attn.: Town Administrator
 6591 S.W. 45th St.
 Davie, FL 33314
 Tel. 954/797-1065
 FAX 797-1049

As to Pointe West : Butters Construction
 Attn.: Malcolm Butters
 1096 E. Newport Center Drive
 Suite 100
 Deerfield Beach, FL 33442
 Tel. (954) 570-8111
 FAX 570-8844

unless the address is changed by the party by like notice given to the other party. Notice shall be in writing, mailed certified, return receipt requested, postage prepaid and shall be deemed delivered when mailed or upon hand delivery to the address indicated. Notwithstanding the foregoing, notices, requests or demands or other communications referred to in this Agreement may be sent by telegraph, telephonic communication reduced to written form (i.e. telecopier) or federal express, but shall only be deemed to have been

given when received.

6. Captions. The captions and paragraph headings contained in this Agreement are for convenience and reference only and in no way define, describe, extend or limit the scope or intent of this Agreement, nor the intent of any provision hereof.

7. Amendment. This Agreement may not be modified, amended or terminated without the prior written approval of Grantor and Town.

8. Waiver. No waiver of any of the provisions of this Agreement shall be effective unless it is in writing, signed by the party against whom it is asserted and any such waiver shall only be applicable to the specific instance in which it relates and shall not be deemed to be a continuing or future waiver.

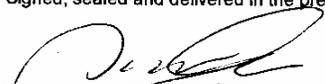
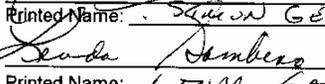
9. Governing Law. This Agreement shall be governed by and construed in accordance with the laws of the State of Florida.

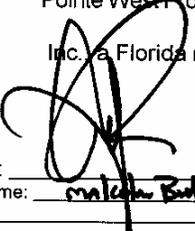
10. No Dedication. This Agreement shall not be deemed a dedication of the Easement Property to the public at large, although the Easement Property may be used as a bridle path for the public at large.

IN WITNESS WHEREOF, the parties have hereunto executed these presents as of the day and year first above written.

Signed, sealed and delivered in the presence of:

Pointe West Property Owners Association,
Inc. a Florida not-for-profit corporation


Printed Name: SHARON GERUN

Printed Name: LINDA GAMBINO


By: _____ Printed
Name: Michael Butler Title: Pres.

[Executions Continued on Page 4]

[Executions Continued From Page 3]

"Town"

TOWN OF DAVIE, a Florida municipal corporation

Printed Name: _____

Printed Name: _____

By: _____ Printed Name: _____ Title: _____

[Seal]

ATTEST:

By: _____ City Clerk

Printed Name: _____

STATE OF FLORIDA :
: ss.
COUNTY OF BROWARD :

BEFORE ME, the undersigned authority, personally appeared MALCOLM BUTLER as President of Pointe West Property Owners Association, Inc., who is personally known to me or who has produced _____ and who first, being duly sworn on oath, and who acknowledged before me that _____ he executed the above and foregoing instrument as the duly authorized officer of and on behalf of the Corporation for the intent and purposes therein expressed.

WITNESS MY HAND AND OFFICIAL SEAL in the County and State last aforesaid on 8-8-01.

Cathleen Hella
Notary Public, State of Florida at Large
Printed Name of Notary: Cathleen Hella
Commission No.: 00640814 My
Commission Expires: 10-22-01

STATE OF FLORIDA :
: ss.
COUNTY OF BROWARD :

BEFORE ME, the undersigned authority, personally appeared _____
_____ as _____ of the Town of Davie, who is
personally known to me or who has produced _____ and
who first, being duly sworn on oath, and who acknowledged before me that ___he
executed the above and foregoing instrument as the duly authorized officer of and on
behalf of the Corporation for the intent and purposes therein expressed.

WITNESS MY HAND AND OFFICIAL SEAL in the County and State last aforesaid
on _____.

Notary Public, State of Florida at Large
Printed Name of Notary: _____
Commission No.: _____ My
Commission Expires:

STATE OF FLORIDA :
: ss.
COUNTY OF BROWARD :

BEFORE ME, the undersigned authority, personally appeared _____
_____ as Clerk of the Town of Davie, who is personally known to me or
who has produced _____ and who first, being duly sworn
on oath, and who acknowledged before me that ___he executed the above and foregoing
instrument as the duly authorized officer of and on behalf of the Corporation for the intent
and purposes therein expressed.

[Notarial Acknowledgments Continued on Page 6)

[Notarial Acknowledgments Continued from Page 5]

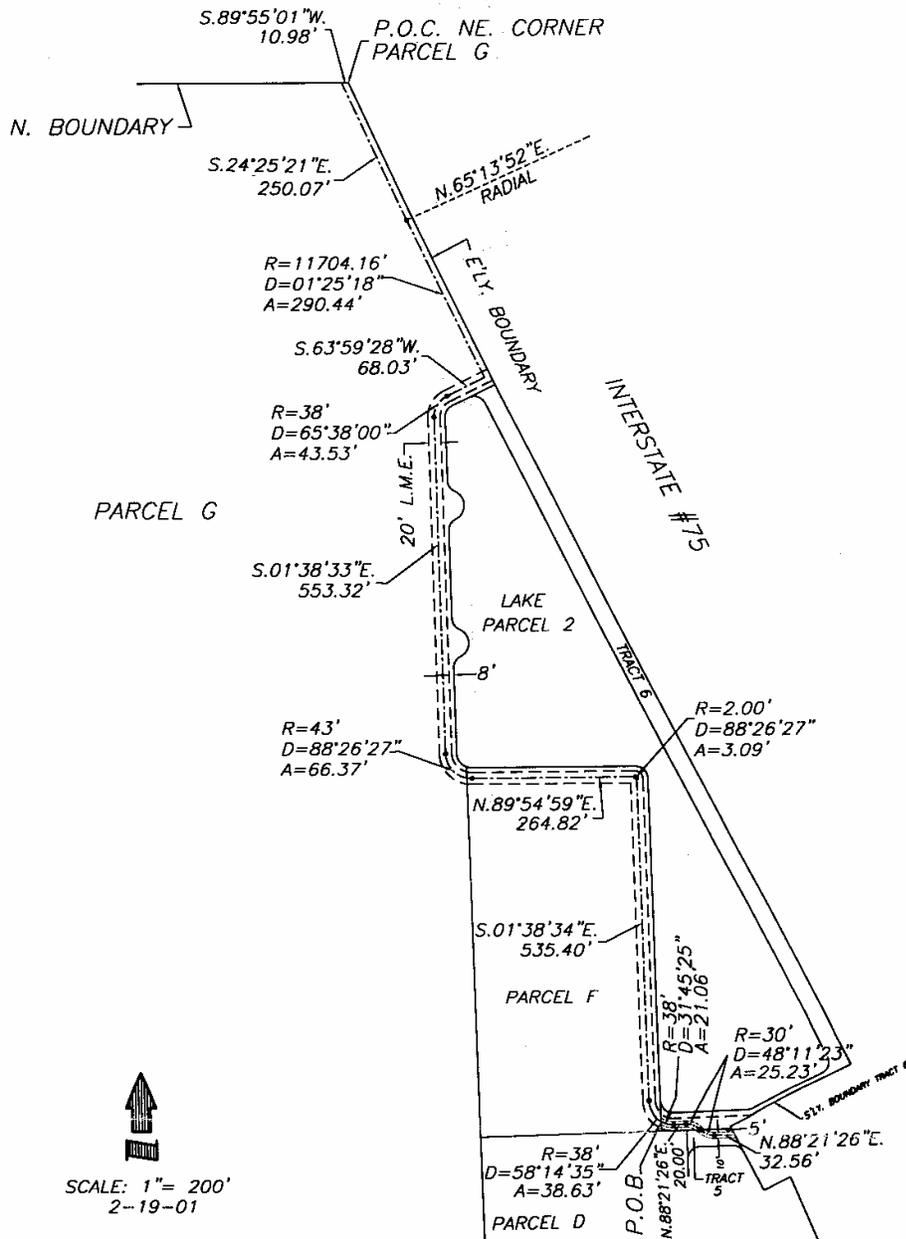
WITNESS MY HAND AND OFFICIAL SEAL in the County and State last aforesaid
on _____.

Notary Public, State of Florida at Large
Printed Name of Notary: _____
Commission No.: _____ My
Commission Expires:

psmith.toyota\bridle path easement.2

SKETCH OF A PORTION OF THE BRIDLE PATH EASEMENT
 LYING WITHIN TRACTS 5 AND 6
 ICW NORTH PLAT

(Description - Sheet 2 of 2)



SCALE: 1" = 200'
 2-19-01

P.O.C. = POINT OF COMMENCEMENT
 P.O.B. = POINT OF BEGINNING
 L.M.E. = LAKE MAINTENANCE EASEMENT

C.C. WINNINGHAM CORPORATION LB # 46
 LAND SURVEYORS
 1040 N.E. 48TH STREET OAKLAND PARK, FLORIDA 33334
 PHONE: 954/772-2240 FAX: 954/752-0072
 BY: *Charlie C. Winningham*
 CHARLIE C. WINNINGHAM II PSM # 1580
 4 5 2 2 3

**DESCRIPTION OF A PORTION OF THE BRIDLE PATH EASEMENT
LYING WITHIN TRACTS 5 AND 6
ICW NORTH PLAT**

Those portions of Tracts 5 and 6, according to the Plat of ICW NORTH, as recorded in Plat Book 163 at Page 48 of the Public Records of Broward County, Florida described as follows:

Commencing at the Northeast corner of Parcel G, as shown on said Plat; thence run South 89°55'01" West (on a plat bearing) 10.98 feet along the North boundary of said Parcel G to an intersection with a line 10 feet West of, as measured at right angles and parallel to the Easterly boundary of said Tract D; thence run South 24°25'21" East 250.07 feet along said parallel line to a point of intersection with the arc of a curve running Southeasterly to the left, a radial at said point bearing North 65°13'52" East; thence along the arc of said curve to the left, having a radius of 11704.16 feet and a central angle of 01°25'18", run Southeasterly 290.44 feet; thence run South 63°59'28" West 68.03 feet to a point of curvature of a curve to the left; thence along the arc of said curve to the left, having a radius of 38 feet and a central angle of 65°38'00", run Southwesterly 43.53 feet to a point of tangency; thence run South 01°38'33" East 553.32 feet along the tangent extended to a point of curvature of a curve to the left; thence along the arc of said curve to the left, having a radius of 43 feet and a central angle of 88°26'27", run Southeasterly 66.37 feet to a point of tangency; thence run North 89°54'59" East 264.82 feet along the tangent extended to a point of curvature of a curve to the right; thence along the arc of said curve to the right, having a radius of 2 feet and a central angle of 88°26'27", run Southeasterly 3.09 feet to a point of tangency; thence run South 01°38'34" East 535.40 feet along the tangent extended to a point of curvature of a curve to the left; thence along the arc of said curve to the left, having a radius of 38 feet and a central angle of 58°14'35", run Southeasterly 38.63 feet to the Point of Beginning of a strip of land 10 feet in width, lying 5 feet on each side of the following described centerline; thence continue Southeasterly 21.06 feet along the arc of said curve to the left, having a radius of 38 feet and a central angle of 31°45'25" to a point of tangency; thence run North 88°21'26" East 20 feet along the tangent extended to a point of curvature of a curve to the right; thence along the arc of said curve to the right, having a radius of 30 feet and a central angle of 48°11'23", run Easterly 25.23 feet to a point of reverse curvature; thence along the arc of a curve to the left, having a radius of 30 feet and a central angle of 48°11'23", run Easterly 25.23 feet to a point of tangency; thence run North 88°21'26" East 32.56 feet to the terminus of said centerline.

Said lands situate in the Town of Davie, Broward County, Florida.

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: Lise Bazinet, Planner II

SUBJECT: Plat Application, P-1-3-06/06-27/Dwell Plat/2340 SW 130th Ave/Generally located on the east side of SW 130th Ave, between SW 20th Street and SW 26th Street.

AFFECTED DISTRICT: District 4

ITEM REQUEST: **Schedule for Council Meeting**

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

REPORT IN BRIEF: The petitioner requests approval of the plat known as "Dwell". The proposed plat consists of 4.622 net (201,334 square feet). The plat is restricted to two single family homes (one (1) existing, and one (1) proposed). Access onto the plat is provided via a 50 foot access opening from SW 130th Avenue, located at the west property line.

The proposed plat is consistent with the Comprehensive Plan and Land Development Code as it relates to access, location, size, and use. Development as proposed does not exceed what was anticipated by the Future Land Use Map designation. The proposed plat for residential use can be considered compatible with the single-family uses on the adjacent properties.

PREVIOUS ACTIONS: n/a

CONCURRENCES: At the June 13, 2007 Planning and Zoning Board Meeting, Vice-Chair Stevens made a motion, seconded by Ms. Turin, to approve subject to staff's recommendations. **(Motion carried 4-0).**

FISCAL IMPACT: not applicable
Has request been budgeted? n/a

RECOMMENDATION(S): 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 shall be met:

1. Provide the Planning and Zoning Division a Mylar copy of the plat upon recordation.
2. Must provide Water & Sewer Service Agreement prior to the issuance of any building permit.

Attachment(s): Plat, Resolution, Planning Report

RESOLUTION NO. _____

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

WHEREAS, the proposed plat to be known as "Dwell" was considered by the Town of Davie Planning and Zoning Board on June 13, 2007;

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

SECTION 1. The plat known as "Dwell" is hereby approved subject to the conditions stated on the planning report which is attached hereto as Exhibit "A" and made a part hereof.

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

SECTION 3. Any improvements required to satisfy Traffic Concurrency should be located within the Town of Davie.

SECTION 4. 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 “A”

Application: P-1-3-06/Dwell Plat

Original Report Date: 5/30/07

Revision(s): 6/14/2007

TOWN OF DAVIE

Development Services Department

Planning & Zoning Division

Staff Report and Recommendation

Applicant Information

Petitioner:

Name: Deni Land Surveyors
Address: 1991 NW 35th Avenue
City: Coconut Creek, FL 33066
Phone: 954-973-7966

Owner:

Name: Theodore & Julian Arpin
Address: 2340 SW 130th Avenue
City: Davie, FL 33325
Phone: 954-473-8619

Background Information

Application Request: Approval of plat known as “Dwell Plat”

Address:

Location: Generally located on the east side of SW 130th Ave, between SW 20th Street and SW 26th Street.

Future Land Use

Plan Map Designation: Residential 1 DU/AC

Zoning: A-1, Agricultural District

Existing Use: Single family home

Net Parcel Size: 4.622 acres (201,334 square feet)

Proposed Use(s): 2 Single-family homes

Surrounding Uses:

North: Vacant land
South: Single-family
East: Vacant land
West: Single-family

Surrounding Land

Use Plan Map Designations:

North: Residential 1 DU/AC
South: Residential 1 DU/AC
East: Residential 1 DU/AC
West: Residential 1 DU/AC

Surrounding Zoning:

North: A-1, Agricultural District
South: A-1, Agricultural District
East: A-1, Agricultural District
West: A-1, Agricultural District

Zoning History

Related zoning history:

Records indicate that the existing Future Land Use Plan Map designation and Zoning classification were in place at the time of annexation.

Previous requests on same property: n/a

Application Details

The applicant’s SUBMISSION indicates the following:

1. *Site:* The proposed plat consists of 4.622 net (201,334 square feet).
 2. *Restrictive Note:* The plat is restricted to two single family homes (one (1) existing, and one (1) proposed).
 3. *Access:* Access onto the plat is provided via a 50 foot access opening from SW 130th Avenue, located at the west property line.
 4. *Trails:* An equestrian trail (Oak Hill Park Trail) runs along SW 130th Avenue, within the existing right of way.
 5. *Easements and Reservation:* The plat is proposing the following easements and reservations:
 - 10 foot FPL (OR 30830, PG 1837, Broward County Records)
 - 20 foot drainage easement along the north property boundary.
 - Ingress/egress easement along the south property boundary.
 - Drainage, retention and flowage easement at the southwest corner of the property.
 - A 12 foot utility easement along SW 130th Avenue.
 6. *Dedications:* There are no proposed dedications on this plat.
 7. *Drainage:* The subject site lies within Central Broward Water Control District, and approval from this agency has been obtained.
 8. *Compatibility:* The proposed plat for residential use can be considered compatible with the single-family uses on the adjacent properties.
-

Applicable Codes and Ordinances

The effective Code of Ordinances governing this project is the Town of Davie Land Development Code.

Article XII Subdivisions and Site Plans.

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

Land Development Code (Section 12-366.1 (A) thru (D)) submission requirements for plats.

Land Development Code, Article XII of the Land Development Code, Subdivisions and Site Plans

Land Development Code (Section 12-24 (J)(5)), the A-1, Agricultural District is intended to implement the Agricultural and Residential one (1) unit per acre classifications of the Town of Davie Comprehensive Plan and to maintain, protect and encourage the continuance of a productive agricultural community in Davie by ensuring that developments are buffered from existing agricultural uses.

Land Development Code (Section 12-81), Residential, neighborhood conservation and mobile home standards for a-1 district, minimum lot area is 35,000 square feet, minimum frontage is 140 feet, maximum height is 35 feet, and maximum building ratio is 25%.

Comprehensive Plan Considerations

Planning Area:

The subject property falls within Planning Area 2. This planning area 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 5: Consistency of Development with Comprehensive Plan, Policy 5.2: The (re)zoning, (re)plating and site planning of land shall be in compliance with the density ranges shown of the Davie Future Land Use Plan map and the applicable Future Land Use Designation provisions as contained in the Permitted Uses portion of the Implementation Section.

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.

Significant Development Review Committee (DRC) Comments

These following comments represent significant comments made by the Development Review Committee as part of the review process. All comments have been addressed unless otherwise indicated.

Planning and Zoning Division:

1. Enter into Water & Sewer Service Agreement (This comments has not been addressed).

Engineering Division:

1. Provide 12-foot utility easement on west limits of the plat. (This has been completed).
-

Staff Analysis

The proposed plat is consistent with the Comprehensive Plan and Land Development Code as it relates to access, location, size, and use. Development as proposed does not exceed what was anticipated by the Future Land Use Map designation.

Findings of Fact

Staff finds that the plat is in conformance with all applicable Codes and Ordinances. The proposed use can be considered compatible with the surrounding single-family homes.

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 shall be met:

3. Provide the Planning and Zoning Division a Mylar copy of the plat upon recordation.
4. Must provide Water & Sewer Service Agreement prior to the issuance of any building permit.

Planning and Zoning Board Recommendation

At the June 13, 2007 Planning and Zoning Board Meeting, Vice-Chair Stevens made a motion, seconded by Ms. Turin, to approve subject to staff's recommendations. **(Motion carried 4-0).**

Town Council Action

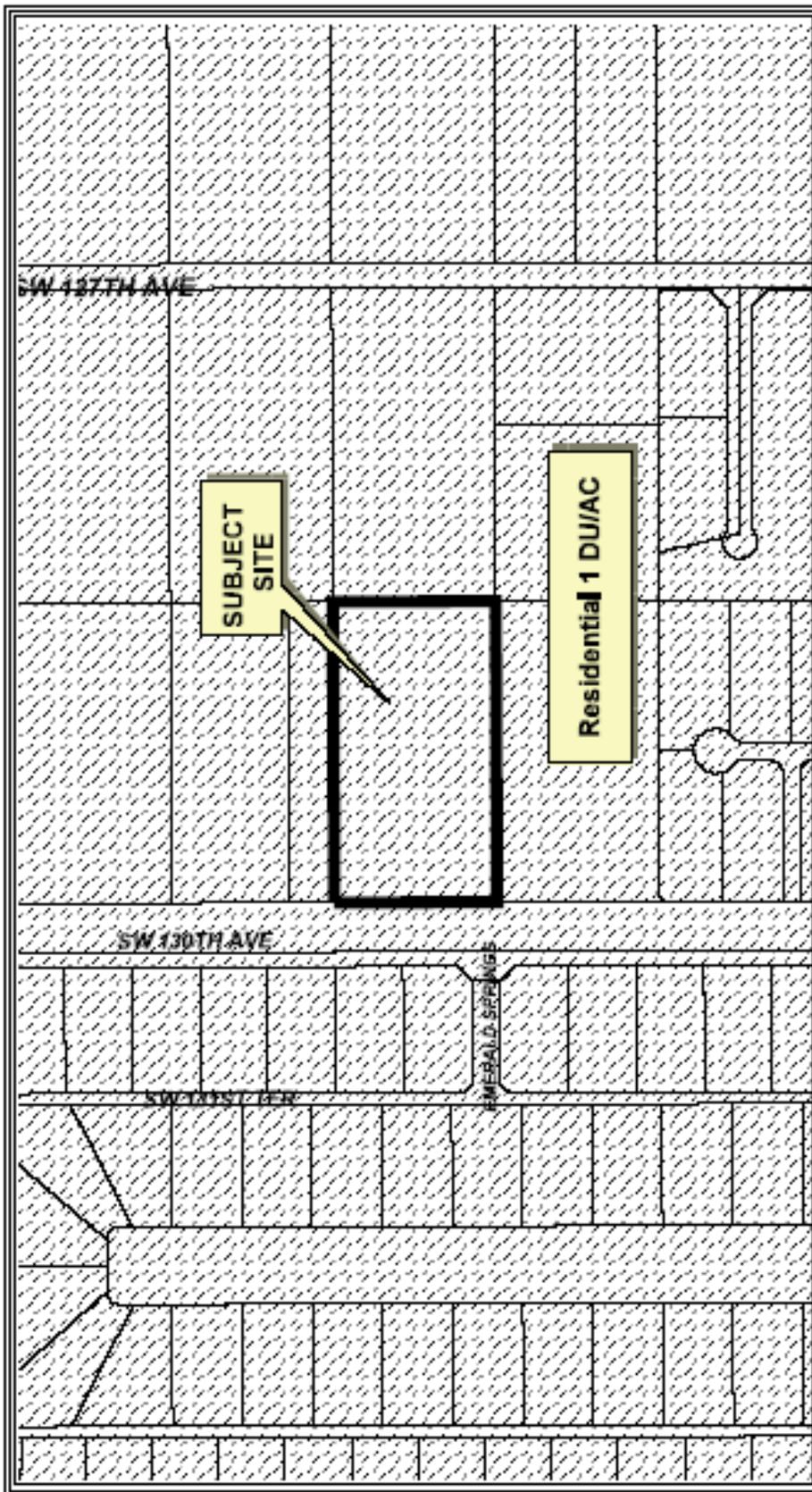
Exhibits

1. Future Land Use Plan Map
2. Zoning and Aerial Map

Prepared by: _____

Reviewed by: _____

Exhibit 1 (Land Use Map)



**PLAT
P 1-3-06
Future Land Use Map**

Prepared By: JD
Date Prepared: 3/20/06

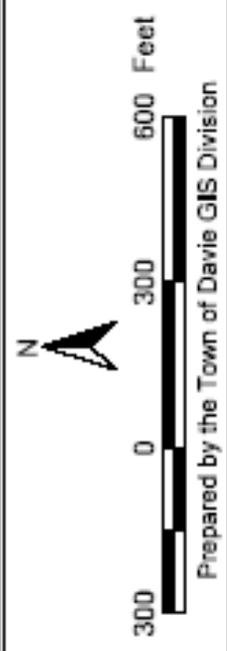


Exhibit 2 (Aerial, Zoning, and Subject Map)



<p>PLAT P 1-3-06 Zoning and Aerial Map</p> <p><small>Prepared By: ID Date Prepared: 3/20/06</small></p>	
<p>Date Flown: 12/31/04</p> <p>N </p> <p> 300 0 300 600 Feet</p> <p>Prepared by the Town of Davie GIS Division</p>	

**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, Acting Deputy Planning and Zoning Manager

SUBJECT: Plat Application, Resolution: P 7-1-06/06-93/Great Florida Bank Center/Generally located between University Drive and Southwest 78th Avenue, south of proposed Southwest 48th Street.

AFFECTED DISTRICT: District 2

ITEM REQUEST: **Schedule for Council Meeting**

TITLE OF AGENDA ITEM:

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING A PLAT KNOWN AS THE "GREAT FLORIDA BANK CENTER" AND AUTHORIZING THE MAYOR AND TOWN CLERK TO ACKNOWLEDGE THE APPROVAL BY AFFIXING THE MAYOR'S SIGNATURE AND THE TOWN SEAL TO SAID PLAT; AND PROVIDING AN EFFECTIVE DATE.

REPORT IN BRIEF:

The petitioner requests approval of the plat known as the "Great Florida Bank Center." The proposed plat consists of 4.06 acres (177,760 sq. ft.) and "Parcel A" is restricted to 20,900 square feet of commercial use and 2,000 square feet of bank use (first floor) and 28,100 square feet of office use (second floor), while "Parcel B" is restricted to no structures. The proposed plat provides vehicular access onto the subject site off University Drive (State Road 817) through a 50' Non-Vehicular Access Line (NVAL) opening and Southwest 78th Avenue along the western boundary line.

Staff finds that the proposed "Great Florida Bank Center" plat is in accordance with the Comprehensive Plan and Land Development Code as it relates to access, location, and size. The proposed plat can be considered compatible with the commercial uses and properties located along University Drive.

PREVIOUS ACTIONS: n/a

CONCURRENCES:

At the June 13, 2007 Planning and Zoning Board Meeting, Vice-Chair Stevens made a motion, seconded by Ms. Turin, to approve. (**Motion carried 4-0, Mr. Pignato was absent**)

FISCAL IMPACT: not applicable

Has request been budgeted? n/a

RECOMMENDATION(S):

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

1. 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. Provide the Planning and Zoning Division a Mylar copy of the plat upon recordation.
3. Contingent upon approval of the following development applications:
 - a. Rezoning Application (*ZB 7-3-06*), *Great Florida Bank Center*
 - b. Site Plan Application (*SP 7-4-06*), *Great Florida Bank Center*
 - c. Vacation Application (*VA 7-2-06*), *Great Florida Bank Center*
 - d. Flex Application (*FX 7-1-06*), *Great Florida Bank Center*
 - e. Variance Application (*11-1-06*), *Great Florida Bank Center*

Attachment(s): Resolution, Planning Report, Plat

RESOLUTION NO. _____

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING A PLAT KNOWN AS THE "GREAT FLORIDA BANK CENTER" AND AUTHORIZING THE MAYOR AND TOWN CLERK TO ACKNOWLEDGE THE APPROVAL BY AFFIXING THE MAYOR'S SIGNATURE AND THE TOWN SEAL TO SAID PLAT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the proposed plat to be known as the "Great Florida Bank Center" was considered by the Town of Davie Planning and Zoning Board on June 13, 2007;

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

SECTION 1. The plat known as the "Great Florida Bank Center" is hereby approved subject to the conditions stated on the planning report which is attached hereto as Exhibit "A" and made a part hereof.

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

SECTION 3. Any improvements required to satisfy Traffic Concurrency should be located within the Town of Davie.

SECTION 4. 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 “A”

Application: P 7-1-06/06-93/Great Florida Bank Center

Original Report Date: 6/4/07

Revision(s): 7/2/07

TOWN OF DAVIE

Development Services Department

Planning & Zoning Division

Staff Report and Recommendation

Applicant Information

Owner:

Name: Frank Amedia, Pelican Shops at Davie
Address: 7600 Red Road, Suite 300
City: Miami, Florida 33143
Phone: (786) 268-1349

Petitioner:

Name: Linda Strutt
Linda Strutt Consulting, Inc.
Address: 227 Goolsby Boulevard
City: Deerfield, Florida 33442
Phone: (954) 426-4305

Background Information

Application Request: Approval of the plat known as the “Great Florida Bank Center”
Address: 4700-4900 Southwest 78th Avenue
Location: Generally located between University Drive and Southwest 78th Avenue, south of proposed Southwest 48th Street

Future Land

Use Plan Map: Residential 10 DU/Acre
Existing Zoning(s): A-1, Agricultural District/B-2, Community Business District
Proposed Zoning(s): A-1, Agricultural District/B-2, Community Business District
Existing Use(s): Vacant (abandon nursery)
Parcel Size: 4.06 net acres (177,760 sq. ft.)
Proposed Use(s): Two-story mixed-use development
Proposed Density: n/a

Surrounding Use(s):

North: Baers
South: Poinciana Southwood
East: Vacant
West: The Atrium Center

Surrounding Land

Use Plan Map Designation(s):

Commercial
Residential 10 DU/Acre
Residential 1 DU/Acre
Residential 10 DU/Acre
Commercial

Surrounding Zoning(s):

North: A-1, Agricultural District/Griffin Corridor District (University Drive Node)
South: RM-10, Medium Dwelling District/RC-8, Residential Cluster
East: A-1, Agricultural District
West: B-3, Planned Business Center

Zoning History

Related zoning history:

Records indicate that the existing Future Land Use Plan Map designation and Zoning classification were in place at the time of annexation.

Previous requests on same property: n/a

Concurrent Request(s) on same property:

Rezoning Application (ZB 7-3-06), the petitioner requests approval to rezone the proposed commercial portion of the “Great Florida Bank Center” project from A-1, Agricultural District to B-2, Community Business District.

Site Plan Application (SP 7-4-06), the petitioner requests approval site plan approval for a mixed-use project consisting of a two-story retail/office building

Vacation Application (VA 7-2-06), the petitioner requests approval to vacate the southern most portion of Southwest 78th Avenue right-of-way and dedicate it to the proposed “Great Florida Bank Center” plat.

Flex Application (FX 7-1-06), the petitioner requests approval to add commercial flex to the proposed “Great Florida Bank Center” project.

Variance Application (11-1-06), the petitioner requests approval to reduce the required thirty (30) foot wide landscape buffer along the eastern property line, parallel to University to ten (10) feet wide.

Applicable Codes and Ordinances

The effective Code of Ordinances governing this project is the Town of Davie Land Development Code.

Article XII Subdivisions and Site Plans.

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

Land Development Code (Section 12-366.1 (A) thru (D)) submission requirements for plats.

Land Development Code, Article XII of the Land Development Code, Subdivisions and Site Plans.

Land Development Code (Section 12-24 (J)(5)), the B-2, Community Business District is intended to implement the commercial designation of the Town of Davie Comprehensive Plan by providing for a business area to service the shopping and limited service needs of several neighborhoods or the local community. Retail stores are intended to include convenience, fashion and durable goods.

Land Development Code (Section 12-83), Conventional Nonresidential Development Standards for B-2, Community Business District, minimum lot area 52,500 sq. ft., minimum lot frontage 200’, maximum height is 35’, maximum building ratio is 40%, and minimum open space requirement is 30%.

Comprehensive Plan Considerations

Planning Area:

The subject property falls within Planning Area 10. This Planning Area is generally located north of Stirling Road, south of Griffin Road, east of Pine Island Road, and west of SW 76 Avenue. Pine Island Road, a major north/south arterial, on the western limits of this planning area provides through access from Griffin Road to Stirling Road. Commercial development of retail centers and office buildings line the University Drive corridor. The east side of this corridor is predominantly small-scale commercial development, with multi-family residential development (one existing, one proposed) and plant nurseries on the northern half of the corridor, and commerce park development and cattle grazing on commerce park-zoned lands on the southern half. Commercial development also exists along Griffin Road within this planning area. Several small-scale single-family residential communities, two trailer parks totaling approximately 30 acres in area, and an 8-acre industrial park are located within this planning area, together with six parcels zoned for community facilities uses. These include, but are not limited to, a regional library, multiple church uses varying scales, a Girl Scout campground facility, and a private school.

Broward County Land Use Plan:

The subject site falls within Flexibility Zone 102.

Applicable Goals, Objectives & Policies:

Future Land Use Plan, Policy 5-2: The (re)zoning, (re)planning, and site planning of land shall be in compliance with the density ranges shown on the Davie Future Land Use Plan map and the applicable Future Land Use Designation provisions as contained in the Permitted Use portion of the Implementation Section.

Future Land Use Element, Policy 17-1: Lands designated for non-residential use shall be located in a manner, which facilitates development, but does not adversely impact existing and designated residential areas.

Future Land Use Plan, Policy 17-3: Each development proposal shall be reviewed with respect to its compatibility with adjacent existing and planned uses.

Application Details

The applicant's SUBMISSION indicates the following:

1. *Site:* The subject site consists of 4.06 acres (177,760 sq. ft.).
2. *Restrictive Note:* "Parcel A" is restricted to 20,900 square feet of commercial use and 2,000 square feet of bank use (first floor) and 28,100 square feet of office use (second floor). "Parcel B" is restricted to no structures.
3. *Access:* The proposed plat provides vehicular access onto the subject site off University Drive (State Road 817) through a 50' Non-Vehicular Access Line (NVAL) opening and Southwest 78th Avenue along the western boundary line.
4. *Trails:* Driftwood Park Trail is located along University Drive adjacent to the subject site. This recreational trail will accommodate leisure activities to and from the subject site. Additionally, the recreational trail will also allow pedestrians to access numerous Davie parks and other trails.

5. *Easements and Reservation:* The following easements are proposed by this plat:
 - a. Seven (7) foot canal easement along the northern boundary line.
 - b. Twenty (20) foot canal maintenance easement along the seven (7) foot canal easement.
6. *Vacations and Dedications:* The following dedications and vacations are proposed by this plat:
 - a. Forty (40) foot right-of-way dedication along the western boundary line.
 - b. Fifty (50) foot right-of-way (Southwest 78th Avenue) vacation request between “Parcel A” and Parcel “B.”
 - c. Seven (7) foot right-of-way (Southwest 48th Street) vacation request along the northern boundary of “Parcel A.”
7. *Drainage:* Approval from Central Broward Drainage District shall be obtained prior to final Planning and Zoning Divisions signing off of site plans and the issuance of any site development permit. In attempts to meet drainage requirements, the petitioner has proposed a dry retention area at the southeastern portion of the subject site. This drainage area also acts as buffer to the existing and future residential uses that abut the property.
8. *Flexibility Rule:* The petitioner is proposing to utilize the Commercial Flexibility Rule in accordance with this site plan application.
9. *Waiver Request(s):* The petitioner is not requesting any waivers in accordance with this site plan application.
10. *Local Concurrency:* As required in the Land Development Code, Section 12-323, Adopted Level of Services, building permits shall not be obtained unless there is sufficient available capacity to sustain the level of service for Potable Water, Sanitary Sewer, Transportation, Drainage System, Solid Waste, Recreation, schools, Police, and Fire, and Schools. The petitioner has agreed to construct Southwest 48th Street and improve Southwest 78th Avenue, as indicated with a note on the proposed site plan.
11. *Compatibility:* The proposed plat can be considered compatible with the commercial uses and properties located along University Drive. The propose plat is consistent with the Land Development Code as it relates to access, location, size, and use.

Significant Development Review Committee (DRC) Comments

These following comments represent significant comments made by the Development Review Committee as part of the review process. All comments have been addressed unless otherwise indicated.

Engineering Division:

1. Provide additional road right-of-way adjacent to the north property line for SW 48th Street two-way traffic. Revise the incorrect dimension for SW 48th Street current R/W from 50' to 43' shown on the proposed plat sheet 2 of 2.
2. Provide road improvements for SW 78th Avenue and Construct SW 48th Street.
3. Applicant has agreed to improve SW 78th Avenue & SW 48th Street. A notation must be provided on site plan for the road and drainage improvements in conformance with the Town Engineering Standards.

Staff Analysis

The proposed "Great Florida Bank Center" plat is required and will accommodate a mixed-use project consisting of a two-story retail/office building on the subject site. The subject site was originally platted according to "The Everglades Sugar and Land Company Subdivision" as recorded in Plat Book 3, Page 67 of the public records of Dade County, Florida. The petitioner's plat meets the intent of the proposed B-2, Community Business District. Additionally, the petitioner's Flex Application (FX 7-1-06) ensures that the commercial project will be compatible with both the Comprehensive Plan and Future Land Use Plan Map designation of Residential 10 DU/Acre.

Staff Findings of Fact

Staff finds that the proposed "Great Florida Bank Center" plat is in accordance with the Comprehensive Plan and Land Development Code as it relates to access, location, and size. The proposed plat can be considered compatible with the commercial uses and properties located along University Drive.

Staff Recommendation

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

1. 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. Provide the Planning and Zoning Division a Mylar copy of the plat upon recordation.
3. Contingent upon approval of the following development applications:
 - a. Rezoning Application (*ZB 7-3-06*), *Great Florida Bank Center*
 - b. Site Plan Application (*SP 7-4-06*), *Great Florida Bank Center*
 - c. Vacation Application (*VA 7-2-06*), *Great Florida Bank Center*
 - d. Flex Application (*FX 7-1-06*), *Great Florida Bank Center*
 - e. Variance Application (*11-1-06*), *Great Florida Bank Center*

Planning and Zoning Board Recommendation

At the June 13, 2007 Planning and Zoning Board Meeting, Vice-Chair Stevens made a motion, seconded by Ms. Turin, to approve. (**Motion carried 4-0, Mr. Pignato was absent**)

Town Council Action

Exhibits

3. Future Land Use Plan Map
4. Zoning and Aerial Map

Prepared by: _____

Reviewed by: _____

File Location: P&Z\Development Applications\Applications\P_Plat\P_06\P 7-1-06 Great Florida Bank Center

Exhibit 1 (Future Land Use Plan Map)

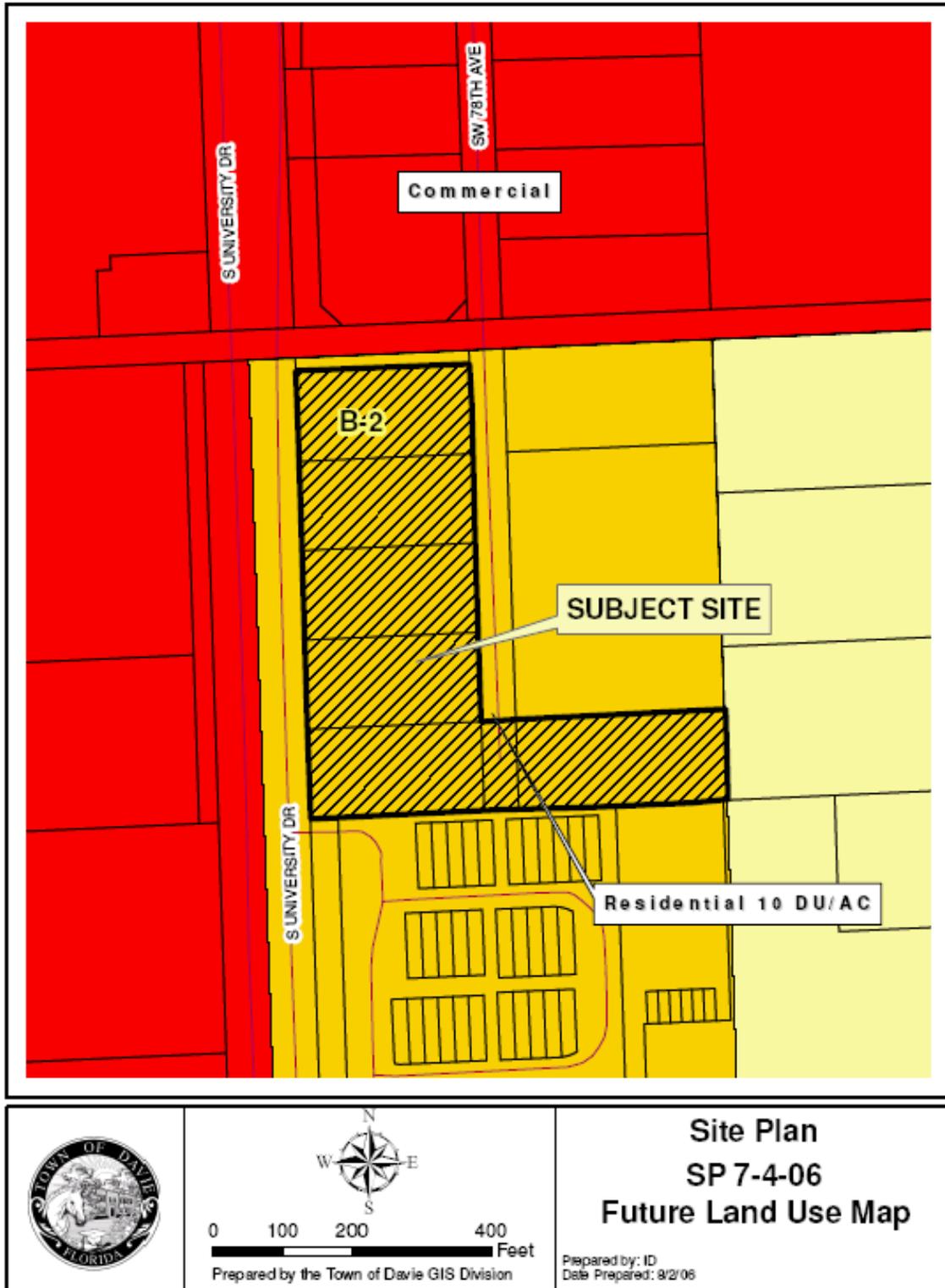


Exhibit 2 (Aerial, Zoning, and Subject Map)



**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, Acting Deputy Planning and Zoning Manager
SUBJECT: Resolution, Delegation Request: DG 7-3-07, Young World Plat
AFFECTED DISTRICT: District 2
ITEM REQUEST: **Schedule for Council Meeting**

TITLE OF AGENDA ITEM: A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING A DELEGATION REQUEST TO AMEND THE NOTE ON THE PLAT KNOWN AS “YOUNG WORLD”; AND PROVIDING AN EFFECTIVE DATE.

REPORT IN BRIEF: The petitioner (Ruden McClosky) requests approval of an amendment to the “Young World Plat” restrictive note. This proposed note amendment is in concert with the Nova Southeastern University (NSU) Academical Village development. Pursuant to this request, Broward County has recorded the following restrictive note on the plat:

FROM:

This plat is restricted to 42,700 square feet of classroom and 66,750 square feet of self-storage on Parcel A; 185,000 square feet of commercial use on Parcel B; and a medical facility consisting of 603,000 square feet of classroom, a 140,000 square foot clinic and a 4,900 square foot physical plant on Parcel C.

The petitioner proposes the following:

TO:

This plat is restricted to 42,700 square feet of classroom 17,000 square feet of commercial, 66,750 square feet of self-storage and 8,000 square feet of bank on Parcel A; 525 high rise apartments, 180,000 square feet of office, and 300,000 square feet of commercial use including 4,000 square feet of bank on Parcel B; and a medical facility consisting of 603,000 square feet of classroom, a 140,000 square foot clinic and a 4,900 square foot physical plant on Parcel C.

Additionally, the petitioner requests approval of a related agreement between the Town of Davie and the owner (University Associates Limited) to serve as an understanding regarding the water and wastewater capacity associated with said increased impacts based on this plat amendment. This agreement states that all parties understand the development impacts will utilize 199,750 gallons of water and 199,750 gallons wastewater service per day (570.71 ERC) from the Town.

PREVIOUS ACTIONS: n/a

CONCURRENCES: n/a

FISCAL IMPACT: not applicable

Has request been budgeted? n/a

RECOMMENDATION(S):

Staff finds the application complete and suitable for transmittal to Town Council for further consideration subject to NSU committing in writing to work with the Town on the creation of an agreement for the future off-site storm water needs of a Town utility plant. However, NSU and the Town are still working out lauage and the letter will be provided prior to the Council meeting of July 18, 2007.

Attachment(s):

Resolution, Justification letter, Plat, Letter by Dr. Hanbury (concerning stormwater mitigation), Agreement, Future Land Use Map, and Zoning & Subject Site Map

RESOLUTION _____

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING A REVISION TO THE RESTRICTIVE NOTE OF THE "YOUNG WORLD PLAT," AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the boundary plat known as "Young World Plat" was recorded in the public records of Broward County in Plat Book 124, Page 43; and,

WHEREAS, the owner desires to revise the restrictive note associated with said plat; and,

WHEREAS, Broward County requires that the Town of Davie concur with this revision prior to a review of the proposed revision by Broward County Commission; and,

WHEREAS, the owner desires to enter into an agreement with the Town of Davie to memorialize the understanding with regards to water and wastewater capacity.

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 of the proposed revision to the restrictive note shown on the "Young World Plat." The proposed revision being specifically described in the "Attachment (*Justification*)" hereto.

SECTION 2. The Town Council of the Town of Davie does hereby authorize the Mayor and Town Administrator to enter into an Agreement, specifically described in the "Attachment (*Agreement*)" hereto.

SECTION 3. The Town Administrator and Town Attorney are authorized to make and accept non-substantive revisions to the agreement in order for the agreement to be in final, recordable form.

SECTION 4. Any improvements required to satisfy Traffic Concurrency should be located within the Town of Davie on the local road network.

SECTION 5. 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.

JUSTIFICATION

**Delegation Request to Amend the Note on the
Young World Plat (104-MP-83)**

The Young World Plat (“Plat”) is located on the northwest corner of S.W. 76th Avenue and S.W. 35th Street in the Town of Davie. The Plat was originally approved by the County Commission on May 7, 1985 and was recorded on August 21, 1985. The Commission approved amendments to the plat note on January 19, 1988, June 6, 1995, October 6, 1998 and on August 10, 2004. Pursuant to the August 10, 2004 plat note amendment, the note on the plat currently states:

This plat is restricted to 42,700 square feet of classroom and 66,750 square feet of self-storage on Parcel A; 185,000 square feet of commercial use on Parcel B; and a medical facility consisting of 603,000 square feet of classroom, a 140,000 square foot clinic and a 4,900 square foot physical plant on Parcel C.

The applicant proposes to redevelop Parcels A and B of the Plat to better serve the needs of the community. The proposed plat note is as follows:

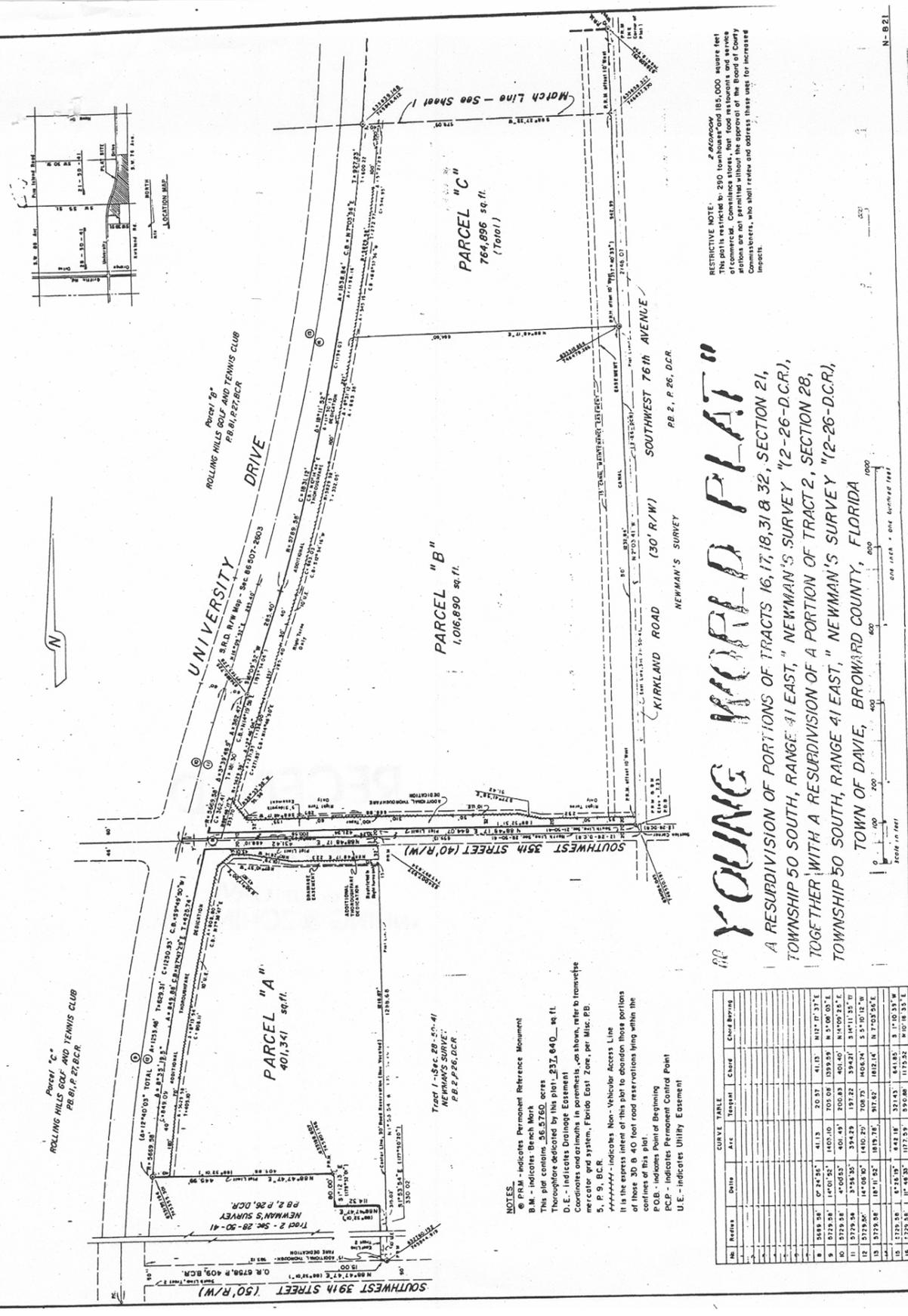
This plat is restricted to 42,700 square feet of classroom 17,000 square feet of commercial, 66,750 square feet of self-storage and 8,000 square feet of bank on Parcel A; 525 high rise apartments, 180,000 square feet of office, and 300,000 square feet of commercial use including 4,000 square feet of bank on Parcel B; and a medical facility consisting of 603,000 square feet of classroom, a 140,000 square foot clinic and a 4,900 square foot physical plant on Parcel C.

The Town of Davie is currently undertaking a study to identify transit improvements that will improve transit in the Town and the region. The Town and the Applicant would like the Transit Oriented Concurrency fees

generated by this amendment used to implement some of the improvements recommended in this study. When the study is completed, the Applicant will request that the County Commission approve an agreement to earmark the Transit Oriented Concurrency fees for improvements in the area of this plat.

FTL:2248800:2

PROPERTY OF THE MICROFILM DEPOSIT ADVANCED IMAGING SOLUTIONS INFO More information Please Call (864) 927-4404



RESTRICTIVE NOTE:
This plat is restricted to 250 townships for food restaurants and service stations are not permitted without the approval of the Board of County Commissioners, who shall review and address these uses for increased impact.

YOUNG WORLD PLAY

A RESUBDIVISION OF PORTIONS OF TRACTS 16, 17, 18, 31 & 32, SECTION 21, TOWNSHIP 50 SOUTH, RANGE 41 EAST, NEWMAN'S SURVEY (12-26-D.C.R.), TOGETHER WITH A RESUBDIVISION OF A PORTION OF TRACT 2, SECTION 28, TOWNSHIP 50 SOUTH, RANGE 41 EAST, NEWMAN'S SURVEY (12-26-D.C.R.), TOWN OF DAVIE, BROWARD COUNTY, FLORIDA

- NOTES:**
 P.R.M. - Indicates Permanent Reference Monument
 B.M. - Indicates Bench Mark
 This plat contains 56,576.00 acres
 Thoroughfare dedicated by this plat: 237,640 sq. ft.
 D.E. - Indicates Drainage Easement
 Coordinates and distances in parentheses, as shown, refer to traverse
 meridian, grid system, Florida East Zone, per Misc. PB.
 5, P.S., B.C.R.
 ----- indicates Non-Vehicular Access Line
 It is the intent of this plat to abandon those portions
 300 & 400 foot road reservations lying within the
 confines of this plat
 P.O.B. - indicates Point of Beginning
 P.C.P. - indicates Permanent Control Point
 U.E. - indicates Utility Easement

No.	Reference	CURVE TABLE			Chord Bearing
		Delta	Area	Tangential	
1					
2					
3					
4					
5					
6					
7					
8					
9					
10					
11					
12					
13					
14					
15					
16					

To be Provided

AGREEMENT
BY AND BETWEEN THE TOWN OF DAVIE
AND UNIVERSITY ASSOCIATES LIMITED

THIS AGREEMENT ("Agreement"), effective this ____ day of _____, 200_ is made and entered into by and between the Town of Davie, a Florida municipal corporation ("Town"), with an address of 6591 Orange Drive, Davie, FL 33314 and University Associates Limited, ("Developer"), a Florida limited liability company with an address of 5761 Bird Road, Miami, FL 33155.

RECITALS:

WHEREAS, Developer is the owner of certain real property generally located on the northeast corner of University Drive and SW 36th Street in the Town of Davie ("Property"); and

WHEREAS, the Property is also known as the Young World Plat (104-MP-83) ("Plat"); and

WHEREAS, the Town, at its meeting of July 18, 2007, approved a plat note amendment ("Amendment") to the Plat; and

WHEREAS, in connection with the approval of the Amendment, the Town also approved this Agreement; and

WHEREAS, Developer has previously obtained Land Use, Zoning and Site Plan approval for the development know as the Academical Village at University Park Plaza; and

WHEREAS, the Town and Developer acknowledge that development in accordance with the Amendment will impact the Town; and

WHEREAS, this Agreement shall serve to memorialize the understanding of the parties with regard to water and wastewater capacity associated with said impacts; and

WHEREAS, Developer and Town believe it is in their mutual best interest to enter into this Agreement, and the obligations outlined herein shall benefit the health, safety, and welfare of the residents of the Town.

NOW THEREFORE, in consideration of the mutual covenants contained herein, and other good and valuable considerations, the receipt and sufficiency of which are hereby stipulated, the parties agree as follows:

F7L2265315.2

1. **Recitals:** The foregoing recitals are true and correct and are incorporated herein by this reference.

2. **Water and Wastewater Capacity:** The parties understand and agree that development associated with the Amendment will utilize an estimated 199,750 gallons per day (570.71 ERC) of water and an estimated 199,750 gallons per day (570.71 ERC) of wastewater services ("Capacity") from the Town. Accordingly, this Agreement shall reserve Capacity. Prior to water and sewer plan approval by Town Engineer and issuance of building permits, the Developer shall be required to execute a Water and Sewer Service Agreement. The Utility reserves the right to adjust the connection charges if and when the actual flows of the project are found to be in excess of the estimated flows or at any time the site plan or occupancy of the existing buildings is changed. Additionally, Developer agrees to execute a Water and Sewer Service Agreement and pay connection, tap-in, line extension and meter installation charges in accordance with "Schedule A" of Resolution R-84-160. The Developer may petition the Town for an amendment to this Agreement, and further reservation of Capacity should increased development rights on the Property be established.

3. **Term:** The parties understand and acknowledge that the Plat Note Amendment must be approved by the Broward County Board of County Commissioners ("County"), as well as the Town. The terms of this Agreement shall automatically expire if the Developer fails to apply for and obtain a building permit within 36 months of the County's approval of the Plat Note Amendment.

4. **Binding on Successors:** This Agreement shall be binding upon Developer and the Town, their respective successors and assigns.

5. **Entire Agreement:** This Agreement, and any exhibits attached hereto, constitute the entire agreement and understanding of all parties to this Agreement with respect to the subject matter of this Agreement, and supersedes all prior discussions, correspondence, oral and written agreements, commitments or understandings, restrictions, representations or warranties among the parties to this Agreement concerning the subject matter of this Agreement other than those set forth herein or herein provided for.

6. **Notice:** The notices sent to any person pursuant to this Agreement shall be in writing and transmitted by messenger, certified mail, return receipt requested, or facsimile, and shall be mailed or delivered as follows:

As to Town:

Town Administrator
Development Services Director
Planning and Zoning Manager
6591 Orange Drive
Davie, Florida 33314

FTL 2288315.2

With a copy to:

Town Attorney
6591 Orange Drive
Davie, Florida 33314

As to Developer:

Jeff Brandon
Manager
5761 Bird Road
Miami, Florida 33155

With a copy to:

Hope Calhoun
Ruden McClosky
200 East Broward Boulevard
Fort Lauderdale, Florida 33301

Any of the foregoing parties may, by notice in writing given to the other, designate any further or different addresses to which subsequent notices, certificates or other communications shall be sent. Any notice shall be deemed given on the date such notice is delivered by hand or facsimile transmission or three days after the date mailed.

7. **Assignment:** Developer may assign its respective obligations and benefits hereunder in whole or in part to any subsequent holder of title to the Property by sending notice of such transfer of Property ownership to the Town by United States mail. The Town shall recognize such assignments without any further action on the part of the Town or Developer and the Town shall be bound to the terms of this Agreement.

8. **Jurisdiction & Venue:** The parties to this Agreement expressly consent to the jurisdiction of and agree to suit in any court of general jurisdiction in the State of Florida, whether state, local or federal and further agree that venue shall lie in Broward County, Florida.

9. **Amendments & Waivers:** No amendment, supplement, modifications or waiver of this Agreement shall be binding unless executed in writing by all of the parties hereto. No waiver of any of these provisions of this Agreement shall be deemed or shall constitute a waiver of any other provision of this Agreement, whether or not similar, unless otherwise expressly provided. The Town Administrator is authorized to execute amendments to this Agreement.

10. **Severability:** If any provision of this Agreement is determined to be unenforceable or invalid by a court of law, then this Agreement shall thereafter be

FTL 2286315.2

modified to implement the intent of the parties to the maximum extent allowable under law.

11. **Duty of Good Faith:** Each party hereto shall cooperate with the other in good faith to achieve the objectives of this Agreement. The parties shall not unreasonably withhold requests for information, approvals or consents provided for, or implicit, in this Agreement.

12. **Disclosure Upon Transfer:** Developer agrees that in the event of a proposed sale, gift, transfer, segregation, assignment or devise of the Property, the Developer shall disclose the existence of this Agreement to the interested party.

13. **No Presumption Against Drafter:** This Agreement has been reviewed and revised by legal counsel for all parties and no presumption or rule that ambiguity shall be construed against the party drafting the document shall apply to the interpretation or enforcement of this Agreement.

FTL 2266315:2

IN WITNESS WHEREOF the parties hereto have made and executed this Agreement on the respective dates under each signature: THE TOWN OF DAVIE, through its Town Council, signing by and through the Town Administrator, duly authorized to execute this Agreement of Town Council action on _____ and _____.

TOWN OF DAVIE, a Florida municipal corporation

Attest:

Russell Muniz, Town Clerk

(seal)

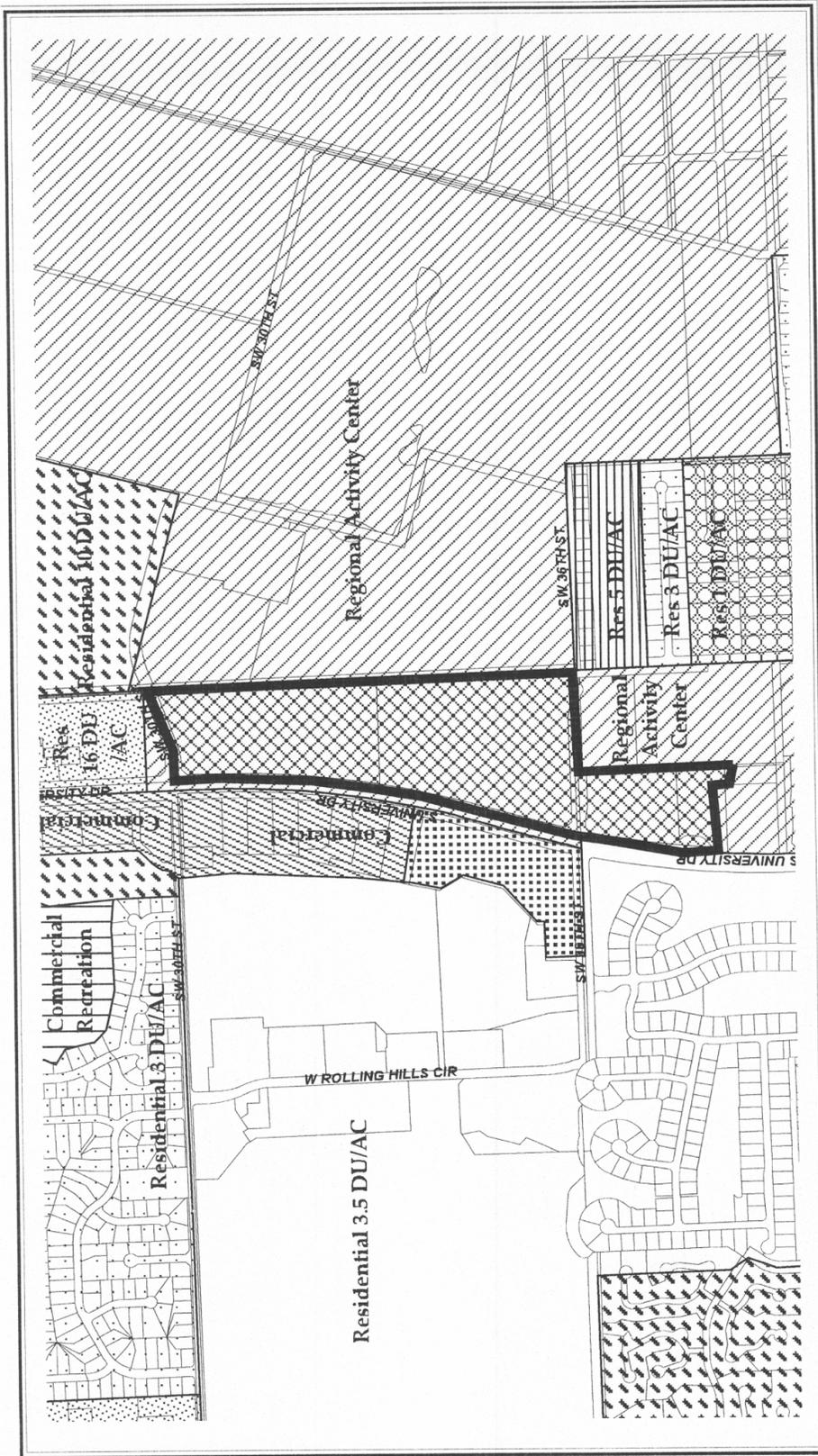
By: _____
Town Manager

Dated: __ day of _____, 200__

APPROVED AS TO FORM:

By _____
Town Attorney

FTL:2266315:2





The Town of Davie
Development Service Department
Planning & Zoning Division

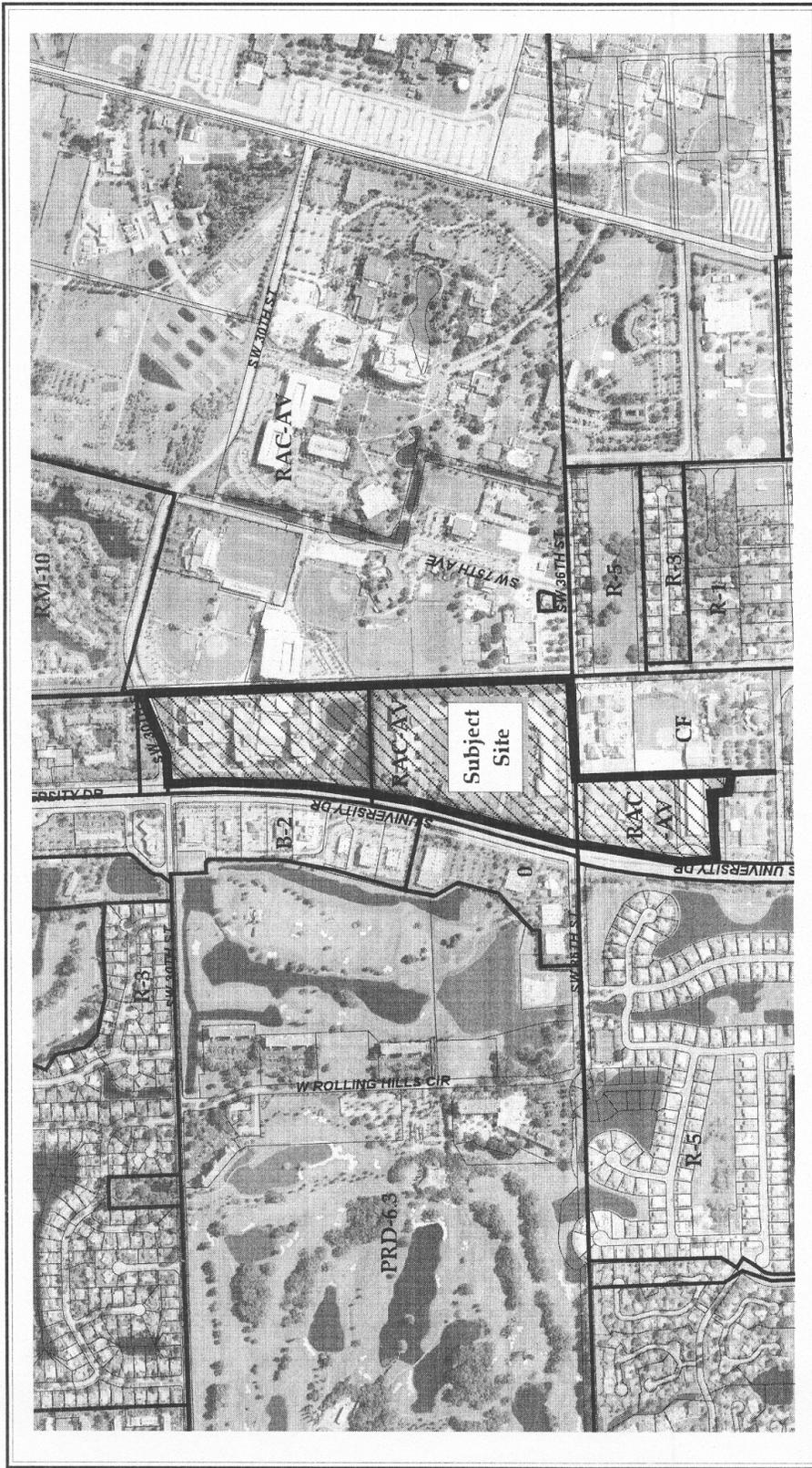
Future Land Use Map

Prepared By: D.M.A.
Date Prepared: 5/13/04




Scale

Attachment (Zoning & Subject Site Map)



* * * * *

THIS PAGE
INTENTIONALLY
LEFT BLANK

* * * * *

**TOWN OF DAVIE
TOWN COUNCIL AGENDA REPORT**

TO: Mayor and Councilmembers
FROM/PHONE: Mark Kutney, AICP, Development Services Director/ (954) 797-1101
PREPARED BY: Carlo F. Galluccio III, Planning Aide
SUBJECT: Temporary Use Permit for an Outdoor Modular Bldg.
AFFECTED DISTRICT: District 2
ITEM REQUEST: **Schedule for Council Meeting**

TITLE OF AGENDA ITEM: TU 6-1-07 / 07-103, Miami Dolphins Modular Bldg.

REPORT IN BRIEF: The applicant (Miami Dolphins) is requesting approval of a Temporary Use permit for two modular buildings. The modular buildings will be used from July 22, 2007 to February 10, 2008. The purpose of the modular buildings is for meeting and teaching space for the coaches and players. The proposed location is on the east side of the Dolphins building in the parking lot at 7500 SW 30th Street. On site vehicular traffic will be blocked from this section of the parking lot with barricades. The modular buildings will be set back 25 feet from the main building. The Town of Davie, Land Development Code Section 12-318, Other temporary uses requiring a permit.(4) Other uses of a similar and temporary nature where the period of use will not extend beyond sixty (60) days during any calendar year.
(SE 6-1-07 running current with this application.)

Section 12-319 of the Land Development Code requires that three (3) criteria be met for temporary use permits:

- (1) Any nuisance or hazardous features involved is suitably separated from adjacent uses;
- (2) Excessive Vehicular traffic will not be generated on minor residential streets; and,
- (3) A vehicular parking problem will not be created.

Staff finds that Miami Dolphins two Modular meeting rooms will be suitably separated from adjacent uses, there will be no excessive traffic generated on minor residential streets, and a vehicle-parking problem is not anticipated. In addition, the following conditions apply:

- (1) Any temporary use authorized by Town Council shall be approved and accepted as to all terms and conditions by the applicant in writing within ten (10) days of the date such temporary use is authorized. The applicant shall file such authorization with the Development Services Department.
- (2) A building permit must be secured prior to the event.
- (3) The permit shall be valid only for 60 days from the date of approval.
- (4) All concerns and comments as identified by reviewing agencies on the building permit must be addressed prior to the issuance of a Building permit.

(5) Provide proper traffic control devices, that will blocked the section of the parking lot

PREVIOUS ACTIONS: None

CONCURRENCES: The Development Review Committee members have reviewed the application and have no objections to the request.

FISCAL IMPACT: not applicable

Has request been budgeted? n/a

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

Attachment(s): Site Plan, Justification Letter, Zoning and Arial Map, Future Land Use Map



MIAMI DOLPHINS

June 11, 2007

VIA HAND DELIVERY

Town Council
Planning and Zoning Board
Town of Davie

Re: Justification for Temporary Placement of Mobile Meeting Rooms at the Dolphins Training Facility Located at 7500 SW 30th Street, Davie, Florida.

Dear Council Members and Board Members:

Since 1993 we have been blessed to have our football and business operations located at our Training Facility on the campus of Nova Southeastern University. During this same period our game and business have benefited from having everyone in one location. Also during this time our League rules have changed to permit us to have more players on our roster, creating a greater need for a larger coaching and football support staff. Despite the increase in roster size and the employment of more coaches and support staff, we have not added to nor have we reconfigured our existing player meeting space.

The success of our on field performance is dependent on our coaches meeting with and teaching our players the systems and game plans we employ and the systems employed by our opponents. Critical to this off-field coaching function is providing an environment where our players can learn. We currently have many players sitting outside their position meeting rooms unable to see the video screen and unable to learn what needs to be taught for us to be successful on the field. This critical need for more meeting space will exist during the preseason and regular season.

We are currently discussing with engineers and architects various options for reconfiguring our existing meeting room space using the current foot print of the Training Facility, as well as the possibility of adding space to the existing structure of the Training Facility. Unfortunately neither option will address our immediate need for more meeting space as we prepare for our 2007 training camp and regular season. The only viable solution to our meeting space crisis is to temporarily locate two mobile meeting rooms in our east parking lot. The temporary mobile meeting rooms are a short term solution, not the long term solution, to our immediate crisis for more meeting space. We intend for the mobile meeting rooms to be removed following the conclusion of our 2007 season.

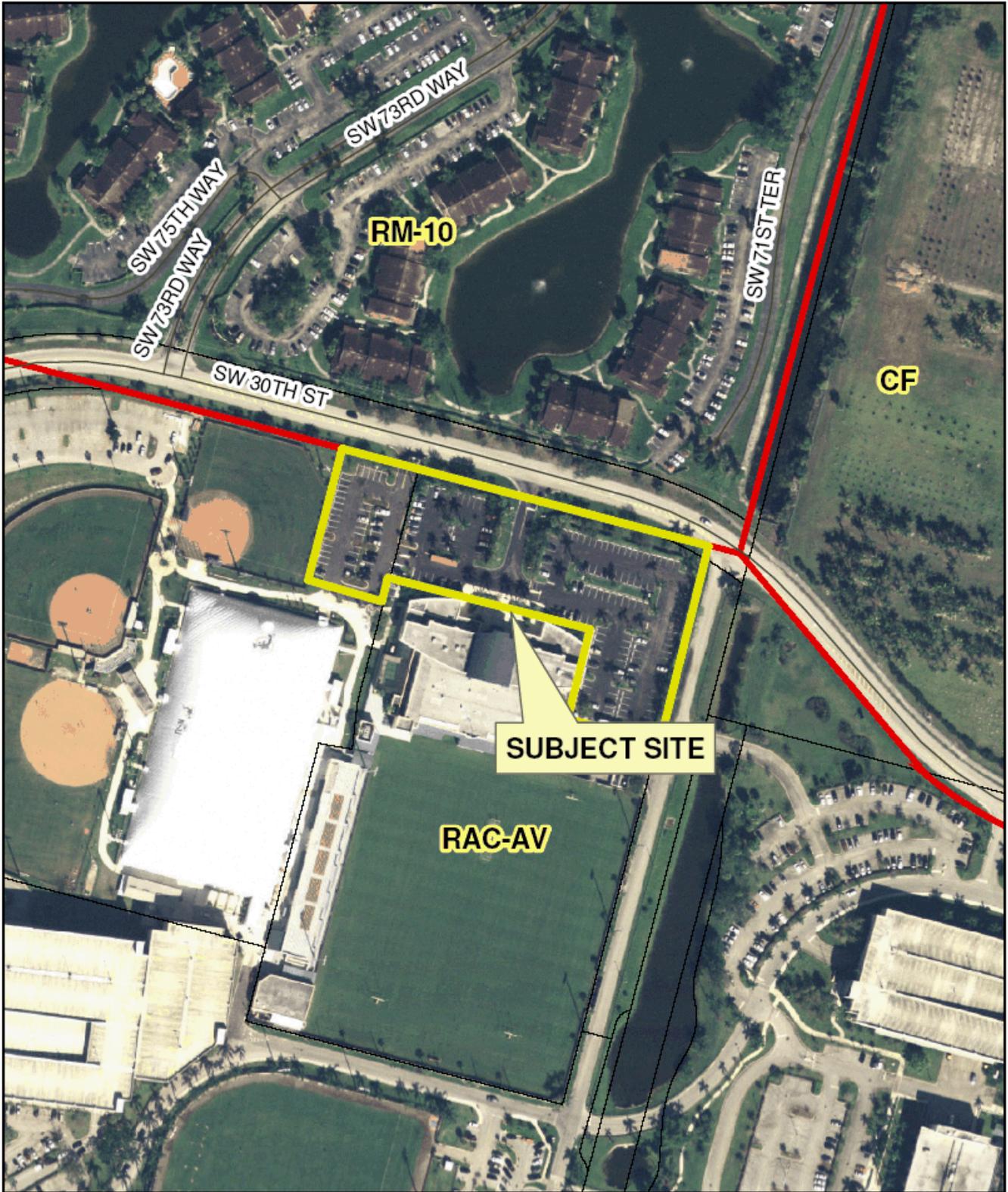
If the need for more meeting space did not directly impact our ability to be successful on the field we would not be requesting that you consider our Special Permit Application. However, providing ample space for our coaches to meet with and teach our players is critical to our success. Please feel free to contact me with any questions or concerns. We look forward to working with you and appreciate your consideration of our request.

Sincerely,



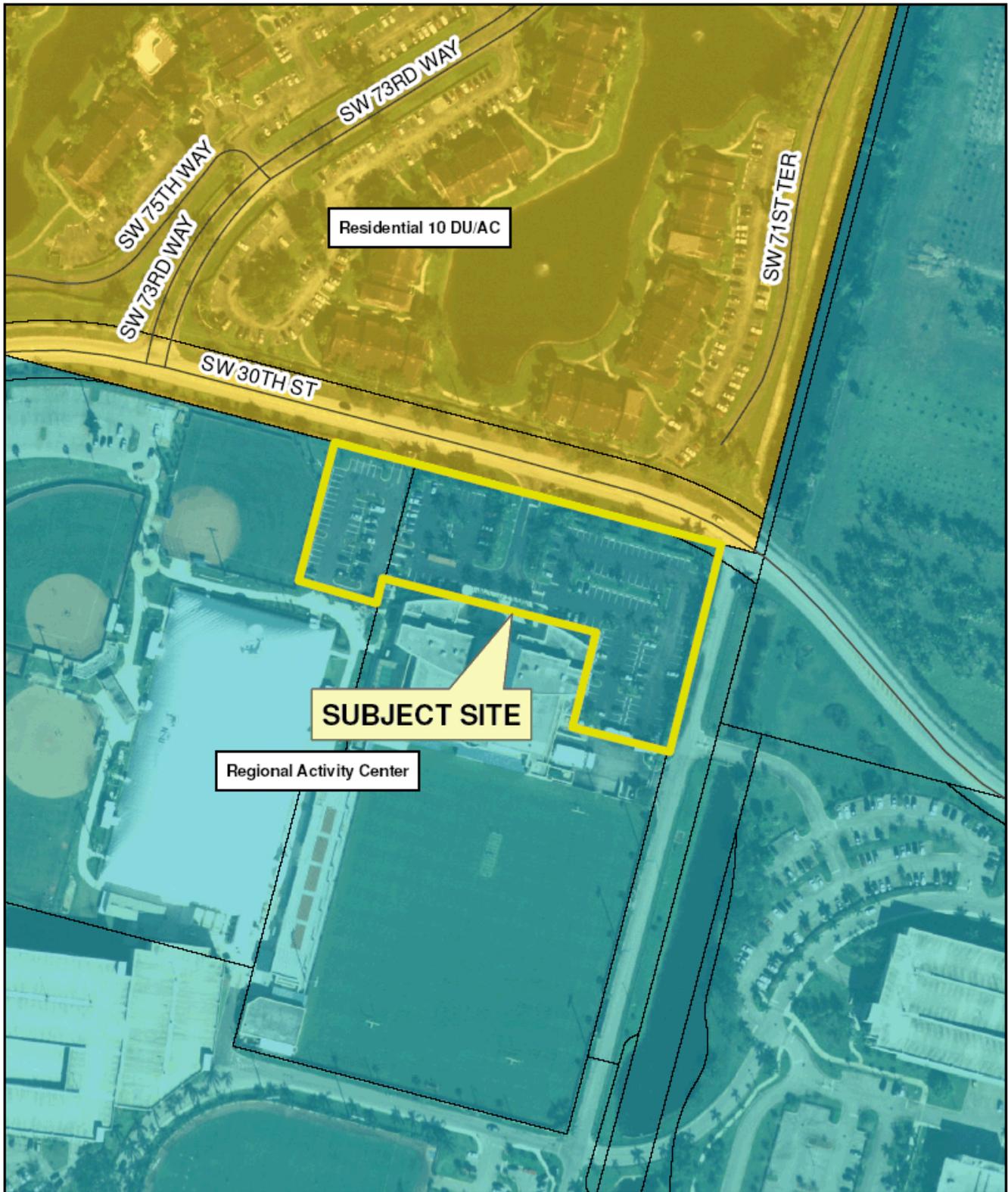
Bryan J. Wiedmeier
President & COO

MIAMI DOLPHINS, LTD. • 7500 SOUTHWEST 30TH STREET • DAVIE, FLORIDA 33314 • (954) 452-7000



	<p>Date Flown: 12/2006</p> <p>N</p> <p>0 100 200 400 Feet</p> <p>Prepared by the Town of Davie GIS Division</p>	<p>Temporary Use TU 6-1-07</p> <p>Zoning and Aerial Map</p> <p>Prepared by: ID Date Prepared: 6/21/07</p>
---	---	---

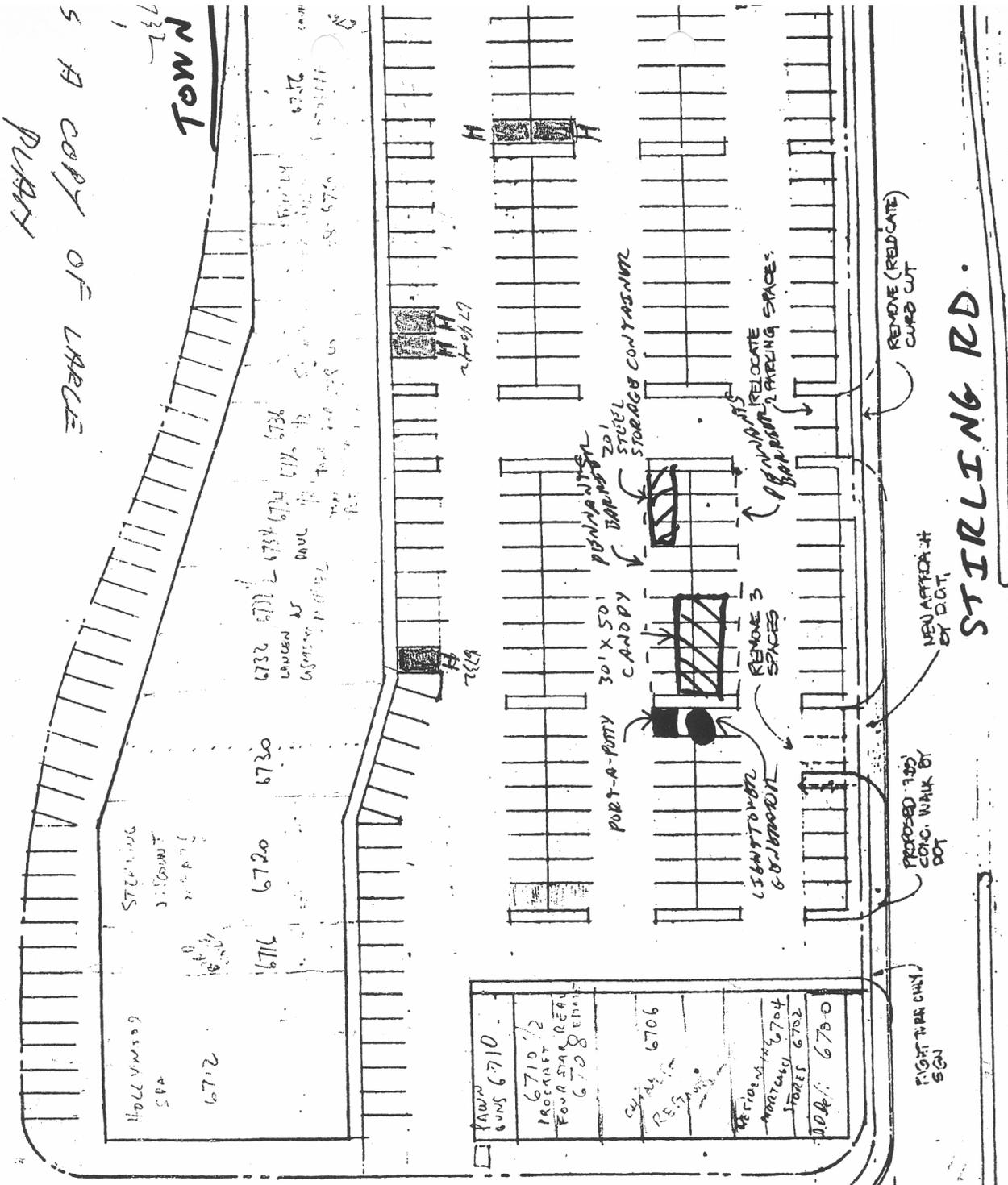
Future Land Use Map



	<p>Date Flown: 12/2006</p> <p>N</p> <p>0 100 200 400 Feet</p> <p>Prepared by the Town of Davie GIS Division</p>	<p>Temporary Use TU 6-1-07</p> <p>Future Land Use Map</p> <p>Prepared by: ID Date Prepared: 6/21/07</p>
---	---	---

STERLING PLAZA
6770 STERLING RD.
MILLERSVILLE, PA. 17329

± NW CORNER



NMOI
732
5 A COPY OF LARGE
PLAN

STERLING
PLAZA
6770 STERLING RD.
MILLERSVILLE, PA. 17329

6719
6720
6721
6722
6723
6724
6725
6726
6727
6728
6729
6730
6731
6732

6710
6711
6712
6713
6714
6715
6716
6717
6718
6719
6720
6721
6722
6723
6724
6725
6726
6727
6728
6729
6730
6731
6732

PROPOSED 120'
CONC. WALK BY
DOT

RIGHT TURN ONLY
SIGN

RELOCATE SIGN
BY DOT

REMOVE (RELOCATE
CURB CUT
BY DOT)

STERLING RD.

* * * * *

THIS PAGE
INTENTIONALLY
LEFT BLANK

* * * * *

**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: Carlo F. Galluccio III, Planning Aide
SUBJECT: Site plan re-approval for a new one (1)-story funeral home building within the Forest Lawn Memorial Garden

AFFECTED DISTRICT: District 1

ITEM REQUEST: **Schedule for Council Meeting**

TITLE OF AGENDA ITEM: SP 12-05-06 / 07-28 / Forest Lawn Funeral Home / 6530 State Road 84/Generally located on the south side of State Road 84, 580 feet west of Davie Road.

REPORT IN BRIEF:

The petitioner is requesting re-approval for a new one (1)-story funeral home building within the Forest Lawn Memorial Gardens Cemetery and Crematory (approved by Town council July 20, 2005) the site plan expired July 20, 2006. Uses in the funeral home shall consist of general offices, display rooms, and a chapel for memorial services.

The petitioner's site design meets the intent of the B-2, Community Business District, to provide limited services needs of the local community. The subject site is designed for pedestrian movement with a proposed five (5) foot sidewalk to and from the northern right-of-way for State Road 84. In addition, the petitioner also proposes to provide a sidewalk connecting to the existing mausoleums.

The design of the one (1) story funeral home consists of warm painted beige colors and decorative features. The exterior elevation consists of scored lines, stucco finishes, hipped roof, and exterior light fixtures. Rectangular white aluminum frame windows are located on each exterior elevation. The funeral home a/c units shall be enclosed with a white vinyl fence, as well as, the patio being bounded with a concrete masonry wall for privacy.

The new Forest Lawn Funeral Home is compatible with both existing and allowable uses on and adjacent this property. Furthermore, the proposed funeral services tie in with the current and future uses abutting the subject site.

PREVIOUS ACTIONS: This item was tabled by staff at the June 20, 2007 Town Council meeting in order for the applicant to obtain documentation that the 20' drainage easement has been vacated. The applicant has provided a letter of no objection from Tindall Hammock. Prior to the issuance of any building permit, the drainage easement shall be vacated and recorded through Broward County.

CONCURRENCES:

FISCAL IMPACT: not applicable

Has request been budgeted? n/a

RECOMMENDATION(S):

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

Attachment(s): Staff Report

Exhibit "A"

Application: SP 12-5-06/07-28

Original Report Date: 5/15/07

Revision(s):

TOWN OF DAVIE

Development Services Department

Planning & Zoning Division

Staff Report and Recommendation

Applicant Information

Owner:

Name: S.C.I. Funeral Services of Florida, Inc.
Address: 1929 Allen Parkway
City: Houston, Texas 77019
Phone: (713) 525-9089

Petitioner:

Name: Marc Ferrara, Sharpe Project Developments
Address: 1212 South Andrews Ave
City: Fort Lauderdale, Florida 33316
Phone: (954) 832-9095 Ext. 206

Background Information

Application Request: Site plan re-approval for a new one (1)-story funeral home building within the Forest Lawn Memorial Garden

Address: 6530 State Road 84/Generally located on the south side of State Road 84, approximately 580 feet west of Davie Road.

Location: Generally located on the south side of State Road 84, approximately 580 feet west of Davie Road.

Future Land Use Plan Map: Regional Activity Center (RAC) and Transportation

Existing Zoning(s): B-2, Community Business District

Proposed Zoning: N/A

Existing Use(s): Vacant Parcel

Parcel Size: 2.08 acres (90,635 square feet)

Proposed Use(s): Forest Lawn Funeral Home Building

Proposed Density: N/A

North: State Road 84/I-595
South: Forrest Lawn
East: Vacant
West: Vacant

Surrounding Land

Use Plan Map Designation(s):
T, Transportation
RAC, Regional Activity Center
RAC, Regional Activity Center
RAC, Regional Activity Center

Surrounding Zoning(s):

North: A-9 (County), Cemetery District
South: A-9 (County), Cemetery District
East: A-9 (County), Cemetery District
West: M-4 (County), Limited Heavy Industrial

Zoning History

Related zoning history:

Rezoning Request (ZB 2-1-04), On April 21, 2004 Town Council approved a portion of the Forest Lawn Memorial Gardens, from A-9 (County), Cemetery District, to B-2, Community Business District.

Previous requests on same property:

Site Plan Modification Request (SPM 12-03-06), On April 4, 2007 Town Council approved this site plan modification for Forest Lawn Memorial Garden to add a third mausoleum to the site.

Site Plan Modification Request (SPM 07-01-06), On July 07, 2006 staff administrative approved a site plan modification for the construction of Pavilion.

Site Plan Request (SP 06-11-04), On July 20, 2005, Town Council approved this site plan for the construction 90,635 sq. ft. Funeral Home Building.

Plat Request (P 04-01-04), On June 15, 2005, Town Council approved this Plat request.

Site Plan Request (SP 08-02-01), On November 11, 2001, Town Council approved this site plan for the construction of the second mausoleum.

Site Plan Request (SP 08-04-97), On November 05, 1997, Town Council approved this site plan for the construction of a 9000 sq ft. funeral home building.

Site Plan Request (SP 10-07-97), On October 28, 1997 staff administrative approved a site plan modification for the construction of memorial cremation garden.

Site Plan Request (SP 02-20-96), On May 05, 1996 Town Council approved site plan for the construction of a mausoleum.

Concurrent Request(s) on same property:

Rezoning Request (ZB 04-01-07), the petitioner request to rezone the entire Forest Lawn Memorial Garden from A-9 (County), to Community faculty (CF) which will conform Town's zoning.

Applicable Codes and Ordinances

The effective Code of Ordinances governing this project is the Town of Davie Land Development Code.

Land Development Code (Section 12-24 (J) (5)), the B-2, Community Business District is intended to implement the commercial designation of the Town of Davie Comprehensive Plan by providing for a business area to service the shopping and limited service needs of several neighborhoods or the local community.

Land Development Code (Section 12-83), Conventional Nonresidential Development Standards, B-2, Community Business Center District requires the following minimums: lot area of 52,500 square feet, 200' frontage, 200' depth, 20' setbacks on all sides except 50' on sides abutting residentially zoned, occupied, or Land Use Plan designated properties, 30% open space, 10' minimum building separation and the following maximums: height 35' and 40% building coverage.

Land Development Code (Section 12-208 (A) (20)), Requirements for off-street parking. *Mortuaries; funeral homes.* One (1) space for each four (4) seats in chapel and viewing areas plus one (1) space for each four hundred (400) square feet of gross floor area. In no case shall there be less than twenty-five (25) parking spaces provided.

Comprehensive Plan Considerations

Planning Area:

The subject property falls within Planning Area 6. Planning Area 6 includes lands located south of State Road 84, east of University Drive and north of Nova Drive, together with lands located east of the Florida Turnpike and west of State Road 7, south of State Road 84 and north of the south Town limits. The majority of this planning area is industrially zoned and land used plan designated. There are small commercial parcels along the State Road 7 corridor with one large retail center being located on the southeast corner of University Drive and State Road 84. Commercial flexibility has been applied to lands designated Industrial on Nova Drive.

Broward County Land Use Plan:

The subject site falls within Flexibility Zone 99. The Broward County Land Development Code requires that any changes or waivers to requirements of development permit applications be reviewed and approved or disapproved by the municipality with final approval by Broward County Commission.

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

The petitioner's submission indicates the following:

1. The subject site is part of the Forest Lawn Memorial Garden property. The petitioner is proposing a new one (1)-story funeral home building with seventy-five (75) parking spaces. The funeral home footprint is approximately nine thousand four hundred and twenty-two (9,422) square feet. The subject site is zoned B-2, Community Business District with an underlying future land use plan map designation of Regional Activity Center. Adjacent north of the property is State Road 84, to the east and south is Forest Lawn Memorial Garden zoned A-9 (County) Cemetery District, and to the west is a vacant lot zoned M-4 (County) Limited Heavy Industrial District.
2. The subject site will be designed for pedestrian movement with a proposed five (5) foot sidewalk to and from the northern right-of-way of State Road 84. In addition, the petitioner also will provide a sidewalk connecting to the existing mausoleums.

3. *Architecture:* The exterior elevation consists of warm painted beige colors, decorative features, scored lines, stucco finishes, hipped roof, and exterior light fixtures. Rectangular white aluminum frame windows are located on each exterior elevation. The funeral home a/c units are located on southwest corner of the building place on a four-inch concrete pad and enclosed within a four-foot high vinyl fence.
4. *Access and Parking:* Access onto the site is via an opening at the northwestern portion of the Forest Lawn Memorial Garden off State Road 84 and at the eastern boundary line parallel to Davie Road. The opening on State Road 84 and Davie Road is a full access opening allowing vehicular traffic to and from Forest Lawn Memorial Garden. After vehicles enter onto the site from northwestern opening, they maneuver to the funeral home and around the perimeter of the site. The petitioner is proposing a covered drive-thru along the western side of the building. For the loading and unloading of the funeral vehicles. Vehicular parking will be provided on the north, east, and south portions of the property only. The petitioner is proposing a garbage dumpster enclosure on the southwestern portion of the subject site; it shall be consistent with the architecture of the funeral home.

The proposed site plan provides seventy-two (72) standard parking spaces and three (3) handicapped spaces, for seventy-five (75) parking spaces.

5. *Lighting:* The lighting design meets the Land Development Code that requires maximum foot-candles of (1) at property lines.
6. *Signage:* Signage is not part of this site plan application. All signs shall meet code prior to the issuance of a building permit.
7. *Landscaping:* The site plan meets the minimum requirements as indicated in the Town of Davie, Land Development Code, as per § 12-107 (D) 1, Commercial use under 20,000 sq. ft. The plan illustrates plant material along the perimeter of the site including Live Oak, Dwarf Cassia, Mahogany, and Pink Crepe Myrtle. The planting material around the perimeter of funeral home includes Pigeon Plum, "Lakeview" Jasmine, Sabal Palm, Pink Tabebuia, Gumbo Limbo, and Ixora Nora Grant. All plant material within the required twenty-five (25) by twenty-five (25) foot site triangle shall be a maximum of thirty-six (36) inches in height. All trees on site are maintaining a minimum of 15' from light poles. Furthermore, the dumpster area is screened with scrub materials thirty-six (36) inches in height as required per code.
8. *Drainage:* The subject property lies within Central Broward Drainage District. Approval from Central Broward Drainage District shall be obtained prior to issuance of any site development permit.
9. *Open Space and Recreation:* The Roberts – Potters Park Recreational Trail is directly located along the subject sites western boundary line parallel to Davie Road.
10. *Compatibility:* The proposed Forest Lawn Funeral Home Building is compatible with both existing and allowable uses on and adjacent this property. Furthermore, the proposed funeral services tie in with the current and future uses abutting the subject site.

Significant Development Review Agency Comments

The following comments represent significant comments made by the Development Review Committee as part of the review process. All comments have been addressed unless otherwise indicated.

Engineering Division:

1. Provide and construct an additional eastbound right turn lane (dual right turn lane) on SR-84 on to Davie Road
(*This has not been completed*)

Public Participation

The public participation process provides the ability for citizens of the Town of Davie to actively participate in the Town's development procedures. The petitioner conducted meetings with the public at the Town Hall Community Room, 6591 Orange Drive on March 15th, 2007 from 5:00 pm-7:00 pm and March 21, 2007 at 5:00 pm-7:00 pm. Attached is the petitioner's Citizen Participation Report.

Staff Analysis

The submitted site plan is zoned B-2, Community Business District and is designated Regional Activity Center on the Town of Davie Future Land Use Map. A funeral home building is permitted in both this zoning district and future land use plan map category.

Findings of Fact

Staff finds that site plan is consistent with the general purpose and intent of the B-2, Community Business District. Furthermore, the site plan is in conformance with all applicable Codes and Ordinances in terms of site design, circulation, setbacks and buffering, and parking requirements. The proposed site plan is compatible with the surrounding uses and properties.

Staff Recommendation

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

1. The entire property shall be rezoned to a Town of Davie zoning designation of Community Facility (CF) prior to Issuance of Certificate of Occupancy.
-

Site Plan Committee Recommendation

SP 12-5-06, Forest Lawn Funeral Home – Newman's Subdivision, 6530 State Road 84 (B-2)

May 22, 2007 Mr. Engel made a motion, seconded by Ms. Aitken, to approve subject to staff's recommendations. Motion carried 4-0

Town Council Action

Town Council approve the tabling of SP 12-5-06 from June 20, 2007 to July 26, 2007

Exhibits

1. 1,000' Mailout Radius Map
 2. Property Owners within 1,000' of the Subject Site
 3. Public Participation Notice
 4. Public Participation Sign-in Sheets
 5. Public Participation Summaries
 6. Public Participation Report
 7. Future Land Use Plan Map
 8. Aerial, Zoning, and Subject Site Map
-

Prepared by: _____

Reviewed by: _____

File Location: P&Z\Development Applications\Applications\SP_Site Plan\SP_06\SP 12-5-06 Forest Lawn Funeral Home\sp12506

Exhibit: 1 (1,000' Mailout Radius Map)

The screenshot shows a web browser window titled "Parcel Viewer - Microsoft Internet Explorer". The address bar displays "http://maps.davie-fl.gov/website/Parcels/viewer.htm". The main content area is titled "Parcel Viewer" and features a map of a residential area. A large, semi-transparent red circular buffer is centered on a parcel, extending to the edges of the map. The map includes labels for streets such as SR84, SR84 RAMP, SW 70TH AVE, SW 66TH TER, COLLEGE AVE, DAVIE RD, DAVIE RD EXT, and REESE RD. Parcel numbers 1595 and 1287 are also visible. On the left side, there is a vertical toolbar with various navigation and map manipulation icons. On the right side, a "Layers" panel is visible, with a "Visible Active" section containing several checked and unchecked options: Major Streets, Town Boundary, Streets, Zoning, Water, Parcels, Future land use, and Aerial. Below the layers panel is a "Refresh Map" button. At the bottom of the map area, a "Buffer" control panel is present, showing "Highlight features from" set to "Parcels" and "within a distance of" set to "1000" FEET. There are "Create Buffer" and "Display Attributes" buttons below this panel. A "Pan" label is visible at the bottom left corner of the map area.

SP12-5-06 1000' BUFFER

Exhibit: 2 (Property Owners within 1,000' of the Subject Site)

SP 12-5-06

BROWARD COUNTY SCHOOL BOARD
600 SE 3 AVE
FT LAUDERDALE FL 33301-3125

SP 12-5-06

ESS VRS OWNER LLC
PTA-EX #205
PO BOX 19156
ALEXANDRIA VA 22320-0156

SP 12-5-06

FLORIDA DEPT. OF
TRANSPORTATION
OFFICE OF RIGHT OF WAY
3400 WEST COMMERCIAL BLVD.
FORT LAUDERDALE, FL 33309-
3421

SP 12-5-06

NATIONSRENT COMPANIES INC
450 E LAS OLAS BLVD 14 FLR
FT LAUDERDALE FL 33301-2292

SP 12-5-06

SCI FUNERAL SERV OF FL INC
% PROPERTY TAX FL 8
PO BOX 130548
HOUSTON TX 77219-0548

SP 12-5-06

SOUTH FLA WATER MGMT DIST
ATTN: LAND MANAGEMENT
PO BOX 24680
WEST PALM BEACH FL 33416-4680

SP 12-5-06

STILLBROOKE CORP &
FORMAN,C R & LUCILLE W
PO BOX 130548 PROP TAX FL 8
HOUSTON TX 77219-0548

SP 12-5-06

STILLBROOKE CORP OF FL
% PROPERTY TAX FL 8
PO BOX 130548
HOUSTON TX 77219-0548

SP 12-5-06

THE SCHOOL BOARD OF BROWARD
CO
ATTN:PROPERTY MANAGEMENT
600 SE 3RD AVE
FT LAUDERDALE FL 33301-3125

SP 12-5-06

WESTPORT BUSINESS PARK
ASSOC
% PREMIER ASSET MANAGEMENT INC
2100 PARK CENTRAL BLVD STE 900
POMPANO BEACH FL 33064-2242

Exhibit: 3 (Public Participation Notice)

MEETING NOTICE

March 5, 2007

NationsRent Companies Inc.
450 East Las Olas Blvd. 14th FLR
Ft. Lauderdale, FL 33301-2292

**Re: Citizen Participation Plan for: The Forest Lawn South Funeral Home
Project Number: SP 12-5-06 07-28**

Dear Neighbor:

This letter is to invite you to a citizen participation meeting relating to The Forest Lawn South Funeral Home project for a parcel located at 2401 Davie Road. The project involves the construction of a new single-story funeral home of approximately 11,000 square feet to be located on the Cemetery grounds of Forest Lawn South on Davie Road and I-595. The facility consists of a 1,600 s.f. Covered Drive alongside a 2,150 s.f. Chapel. The balance of the building consists of Offices, Public Restrooms, Reception, Lobby, Viewing Rooms, a Records Vault and a Receiving area. The construction is a concrete slab on grade, CMU (concrete masonry units), painted stucco and pre-engineered wood trusses with a flat concrete tile roof.

Under a Town of Davie Ordinance, the petitioner is required to hold (2) citizen participation meetings and send notice to all property owners within 1,000 feet of the subject site prior the Town initiating their review of the application. We have scheduled the following meetings

First Citizen Participation Meeting:

Date: **March 15th, 2007**
Time: **5:00 pm – 7:00 pm**
Location: **Town Hall
Community Room
6591 Orange Drive
Davie, FL 33314**

Second Citizen Participation Meeting:

Date: **March 21st, 2007**
Time: **5:00 pm – 7:00 pm**
Location: **Town Hall
Community Room
6591 Orange Drive
Davie, FL 33314**

If you wish to submit written comments, please send them to:

Marc Ferrara	Richard Hartmann, AIA
Sharpe Project Developments	Hartmann Architecture, Inc.
1212 South Andrews Avenue	1534 S. Dale Mabry Hwy.
Suite 203	Tampa, FL 33629
Ft. Lauderdale, FL 33328	Phone: (813) 251.2190
Phone: 954.832.9095 Ext. 206	

Also, please be advised there will be additional opportunities for public input at the Town of Davie Public Hearings.

Sincerely,

Marc Ferrara
Sharpe Project Developments

Attachments: Location Map, (Etc)

refer to summary report.

Exhibit: 5 (Public Participation Summaries)

**SUMMARY OF
PUBLIC PARTICIPATION MEETINGS**

March 26th, 2007

Town of Davie
Development Service Department
Planning and Zoning Division
6591 Orange Drive
Davie, Florida 33314

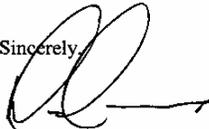
**Re: Citizen Participation Plan for: The Forest Lawn South Funeral Home
Project Number: SP 12-5-06 07-28**

Dear Staff:

Please be advised that as required by the Town of Davie, Land Development Code, Chapter 12, Division 7, we (*Service Corporation International*) advertised and notified all the property owners surrounding the subject property within 1,000 feet to invited them to, two (2) Public Participation Meetings, located at **Town Hall Community Room, 6591 Orange Drive, Davie, FL 33314** on **March 15th, 2007 from 5:00 pm-7:00 pm** and **March 21st, 2007 from 5:00 pm-7:00 pm**. The above scheduled meetings were held, however, none of the Town of Davie property owners attended.

We (*Service Corporation International*) hope the above information fulfilled the requirements of Public Participation Ordinance concerning this process.

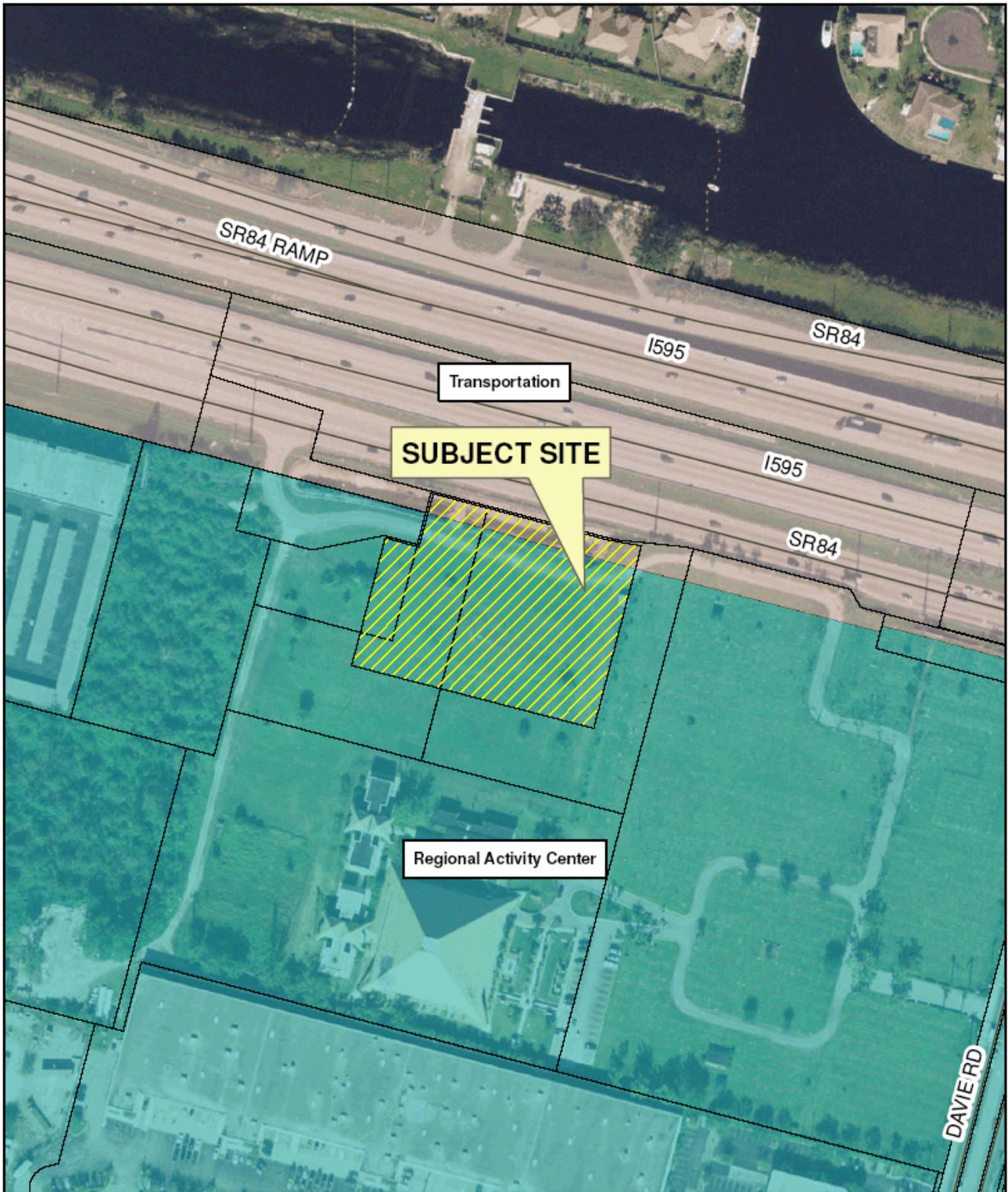
Sincerely,



Marc Ferrara
Sharpe Project Developments
1212 South Andrews Avenue
Suite 203
Ft. Lauderdale, FL 33328
Phone: 954.832.9095 Ext. 206

N/A

Exhibit: 7 (Future Land Use Plan Map)



Date Flown:
12/2004

N

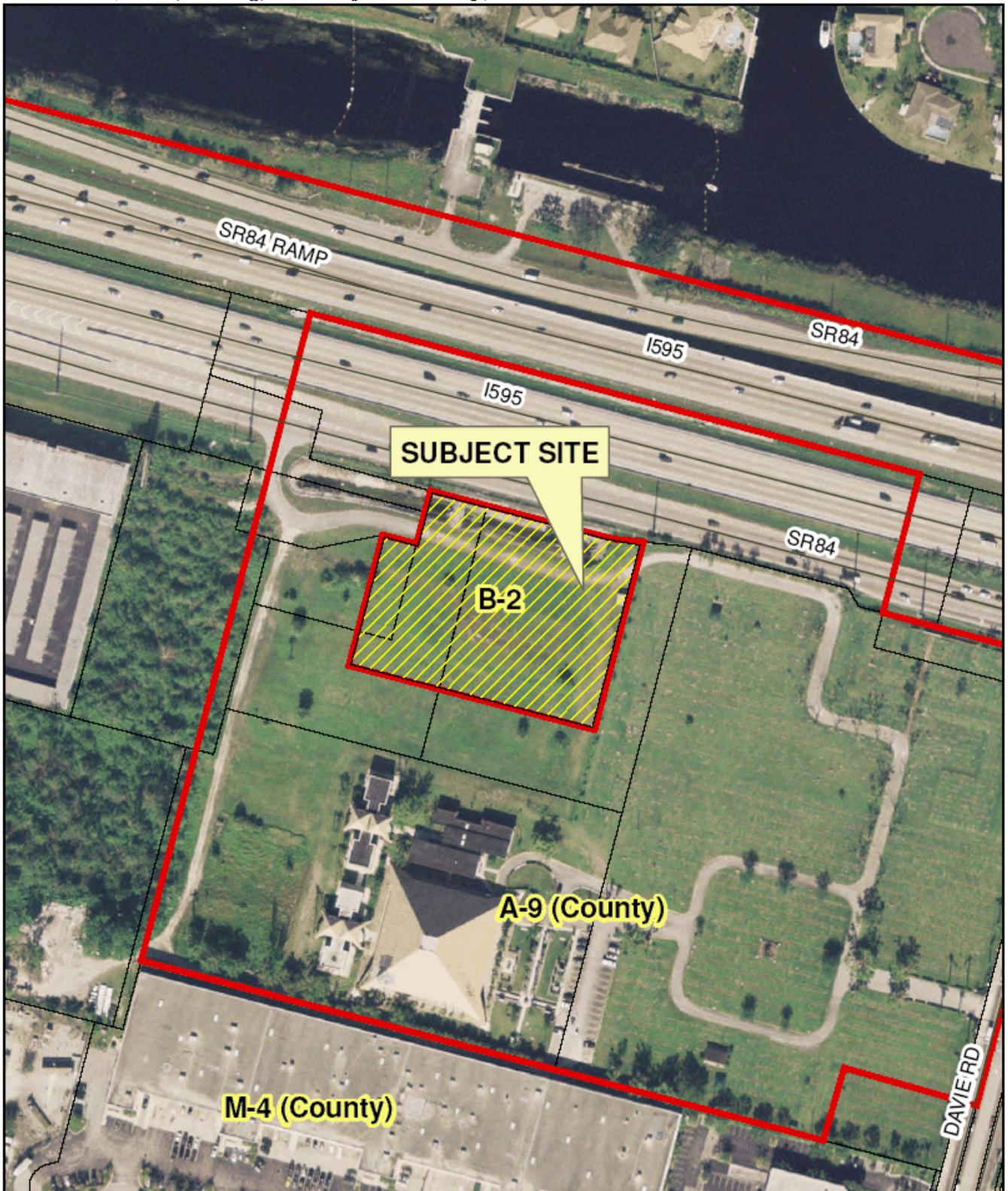
0 100 200 400 Feet

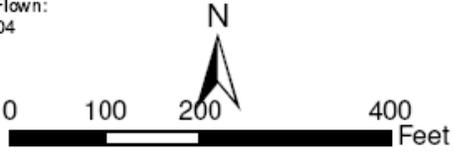
Prepared by the Town of Davie GIS Division

Site Plan
SP 12-5-06
Future Land Use Map

Prepared by: ID
Date Prepared: 5/16/07

Exhibit: 8 (Aerial, Zoning, and Subject Site Map)



	<p>Date Flown: 12/2004</p> <p>N</p>  <p>0 100 200 400 Feet</p> <p>Prepared by the Town of Davie GIS Division</p>	<p>Site Plan SP 12-5-06 Zoning and Aerial Map</p> <p>Prepared by: ID Date Prepared: 5/16/07</p>
---	---	---

* * * * *

THIS PAGE
INTENTIONALLY
LEFT BLANK

* * * * *

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, Acting Deputy Planning and Zoning Manager

SUBJECT: Site Plan Application: SP 7-4-06/06-93/Great Florida Bank Center/Generally located between University Drive and Southwest 78th Avenue, south of proposed Southwest 48th Street.

AFFECTED DISTRICT: District 2

ITEM REQUEST: **Schedule for Council Meeting**

TITLE OF AGENDA ITEM: SP 7-4-06/06-93/Great Florida Bank Center

REPORT IN BRIEF: The subject site is 4.06 acres (177,760 sq. ft.) in size and is located between University Drive and Southwest 78th Avenue, south of proposed Southwest 48th Street. Adjacent future land use plan map designations consist of Commercial to the north/west; Residential 1 DU/Acre and Residential 10 DU/Acre to the east; and Residential 10 DU/Acre to the south. Additionally, the subject site is adjacent to the zoning designations of A-1, Agricultural District, Griffin Corridor District (University Drive Node) to the north; A-1, Agricultural District to the east; RM-10, Medium Dwelling District; RC-8, Residential Cluster to the south; and B-3, Planned Business Center to the west.

The proposed site plan consists of a two-story 46,750 square foot commercial building on the subject site. Public sidewalks have been proposed outside of the subject site's property lines, parallel to state (University Drive) and local roads (Southwest 48th Street & Southwest 78th Avenue). Pedestrian access to and from these sidewalks is through a proposed path located at the middle points of the western and eastern property lines or the front and rear of the building, respectively.

The architecture of the proposed two-story mixed-use building reflects a modern design including clean horizontal/vertical lines and modular elements. The building's mass is equally divided by a central courtyard that contains a stairway and elevator. The building's material consists of metal awning structures, 2" reveals, decorative overflows, shading devices, and corrugated metallic sheathing to hide rooftop mechanical equipment. Clear anodized aluminum frames with clear glass storefront doors and windows are equally spaced along the western (front) elevation. Additionally, eight (8) build-out tower features, altering in height and roof style are placed along the western (front) elevation overhanging an interior sidewalk, while the eastern (rear) elevation second floor covers parking stalls and private commercial entrances. The exterior of the building is painted with the following colors: Snowfall White (base of the building), Bryant Gold (vertical accent at build-out tower features), Dark Royal Blue (recessed window above storefront), Space Black (metal awning structure), and Smoke Gray (ends of the building).

The proposed vehicular access into the subject site is via two (2) openings. The first opening (the main access point) is located along University Drive (western boundary line), while the second opening is located along the Southwest 78th Avenue (eastern boundary line). After vehicular traffic enters, it may maneuver thru two-way parking aisles around the proposed building that is centrally situated on the subject site.

The proposed two-story commercial building can be considered compatible with both existing and allowable commercial uses and properties along University Drive.

PREVIOUS ACTIONS: n/a

CONCURRENCES:

At the May 22, 2007 Site Plan Committee Meeting, Ms. Aitken made a motion, seconded by Ms. Lee to approve subject to the staff report and the following provisions: 1) place crosswalks at the main entrance, the east and west ends of SW 48 Street and curve the sidewalk at the southeast entrance into the site; 2) delineate the zoning areas on the site plan prior to going before Town Council; and 3) change the east elevation to match the floor plan. **(Motion carried 4-0 Breslau was absent)**

FISCAL IMPACT: not applicable

Has request been budgeted? n/a

RECOMMENDATION(S):

Staff finds the application complete and suitable for transmittal to the Site Plan Committee and Town Council for further consideration. The following condition shall be met prior to final site plan approval:

1. Provide decorative pathways (i.e. pavers) at all internal sidewalks and crossings.
2. Provide a pedestrian crosswalk at the entrance off University Drive.
3. Provide a letter from each of the agencies below ensuring Town of Davie concurrency will be met with the proposed development prior of issuance of any building permit:
 - Potable Water: *Applicable Utilities Department*
 - Sanitary Sewer: *Applicable Utilities Department*
 - Transportation: *Engineering Division*
 - Drainage System: *Applicable Water Control District*
 - Recreation: *Parks and Recreation Department*
 - Solid Waste: *Applicable Waste Management Company*
 - Police: *Police Department*
 - Fire: *Fire Department*
4. Rezoning application (ZB 7-3-06) shall include all commercial uses (including parking stalls) on the subject site. Provide graphics on the site plan denoting this request.
5. Contingent upon approval of the following development applications:
 - a. Rezoning Application (ZB 7-3-06), *Great Florida Bank Center*
 - b. Plat Application (P 7-1-06), *Great Florida Bank Center*
 - c. Vacation Application (VA 7-2-06), *Great Florida Bank Center*
 - d. Flex Application (FX 7-1-06), *Great Florida Bank Center*
 - e. Variance Application (11-1-06), *Great Florida Bank Center*

Attachment(s): Planning Report, Site Plan

Exhibit “A”

Application: SP 7-4-06/06-93/Great Florida Bank Center

Original Report Date: 5/15/07

Revision(s): 7/2/07

TOWN OF DAVIE

Development Services Department

Planning & Zoning Division

Staff Report and Recommendation

Applicant Information

Owner:

Name: Frank Amedia, Pelican Shops at Davie
Address: 7600 Red Road, Suite 300
City: Miami, Florida 33143
Phone: (786) 268-1349

Petitioner:

Name: John Barranco, Barranco Gonzalez Architecture Design Studios
Address: 3201 Griffin Road, Suite 202
City: Fort Lauderdale, Florida 33312
Phone: (954) 961-7675

Background Information

Application Request: The petitioner requests site plan approval for a mixed-use project consisting of a two-story retail/office building

Address: 4700-4900 Southwest 78th Avenue

Location: Generally located between University Drive and Southwest 78th Avenue, south of proposed Southwest 48th Street

Future Land

Use Plan Map: Residential 10 DU/Acre

Existing Zoning(s): A-1, Agricultural District/B-2, Community Business District

Proposed Zoning(s): A-1, Agricultural District/B-2, Community Business District

Existing Use(s): Vacant (abandon nursery)

Parcel Size: 4.06 acres (177,760 sq. ft.)

Proposed Use(s): Two-story mixed-use development

Proposed Density: n/a

Surrounding Land

Surrounding Use(s):

North: Baers
South: Poinciana Southwood
East: Vacant
West: The Atrium Center

Use Plan Map Designation(s):

Commercial
Residential 10 DU/Acre
Residential 1 DU/Acre
Residential 10 DU/Acre
Commercial

Surrounding Zoning(s):

North: A-1, Agricultural District/Griffin Corridor District (University Drive Node)
South: RM-10, Medium Dwelling District/RC-8, Residential Cluster
East: A-1, Agricultural District
West: B-3, Planned Business Center

Zoning History

Related zoning history:

Records indicate that the existing Future Land Use Plan Map designation and Zoning classification were in place at the time of annexation.

Previous requests on same property: n/a

Concurrent Request(s) on same property:

Rezoning Application (ZB 7-3-06), the petitioner requests approval to rezone the proposed commercial portion of the “Great Florida Bank Center” project from A-1, Agricultural District to B-2, Community Business District.

Plat Application (P 7-1-06), the petitioner requests approval of the proposed boundary plat known as “Great Florida Bank Center” plat.

Vacation Application (VA 7-2-06), the petitioner requests approval to vacate the southern most portion of Southwest 78th Avenue right-of-way and dedicate it to the proposed “Great Florida Bank Center” plat.

Flex Application (FX 7-1-06), the petitioner requests approval to add commercial flex to the proposed “Great Florida Bank Center” project.

Variance Application (11-1-06), the petitioner requests approval to reduce the required thirty (30) foot wide landscape buffer along the eastern property line, parallel to University to ten (10) feet wide.

Applicable Codes and Ordinances

The effective Code of Ordinances governing this project is the Town of Davie Land Development Code.

Land Development Code (Section 12-24 (J)(5)), the B-2, Community Business District is intended to implement the commercial designation of the Town of Davie Comprehensive Plan by providing for a business area to service the shopping and limited service needs of several neighborhoods or the local community. Retail stores are intended to include convenience, fashion and durable goods.

Land Development Code (Section 12-83), Conventional Nonresidential Development Standards for B-2, Community Business District, minimum lot area 52,500 sq. ft., minimum lot frontage 200’, maximum height is 35’, maximum building ratio is 40%, and minimum open space requirement is 30%.

Land Development Code (Section 12-208 (A)(22)), requirements for off-street parking, for retail stores, personal service shops, equipment shops, gift and card shops requires one (1) space for every 250 square feet of gross floor area, and for the office, business, professional, governmental, and financial institutions requires one (1) space for every 300 square feet of gross floor area.

Land Development Code (Section 12-205 (5)), requires all parking and loading areas shall be constructed with a six-inch raised curb or bumper blocks along sidewalks, safety island, driveways, sight distance triangles and other places as needed.

Land Development Code (Section 12-107), site landscaping requirements for commercial and industrial districts over twenty thousand square feet.

Land Development Code (Section 12-205 (5)), requires all parking and loading areas shall be constructed with a six-inch raised curb or bumper blocks along sidewalks, safety island, driveways, sight distance triangles and other places as needed.

Land Development Code (Section 12-107), site landscaping requirements for commercial and industrial districts over twenty thousand square feet.

Comprehensive Plan Considerations

Planning Area:

The subject property falls within Planning Area 10. This Planning Area is generally located north of Stirling Road, south of Griffin Road, east of Pine Island Road, and west of SW 76 Avenue. Pine Island Road, a major north/south arterial, on the western limits of this planning area provides through access from Griffin Road to Stirling Road. Commercial development of retail centers and office buildings line the University Drive corridor. The east side of this corridor is predominantly small-scale commercial development, with multi-family residential development (one existing, one proposed) and plant nurseries on the northern half of the corridor, and commerce park development and cattle grazing on commerce park-zoned lands on the southern half. Commercial development also exists along Griffin Road within this planning area. Several small-scale single-family residential communities, two trailer parks totaling approximately 30 acres in area, and an 8-acre industrial park are located within this planning area, together with six parcels zoned for community facilities uses. These include, but are not limited to, a regional library, multiple church uses varying scales, a Girl Scout campground facility, and a private school.

Broward County Land Use Plan:

The subject site falls within Flexibility Zone 102.

Applicable Goals, Objectives & Policies:

Future Land Use Plan, Policy 5-2: The (re)zoning, (re)planning, and site planning of land shall be in compliance with the density ranges shown on the Davie Future Land Use Plan map and the applicable Future Land Use Designation provisions as contained in the Permitted Use portion of the Implementation Section.

Future Land Use Element, Policy 17-1: Lands designated for non-residential use shall be located in a manner, which facilitates development, but does not adversely impact existing and designated residential areas.

Future Land Use Plan, Policy 17-3: Each development proposal shall be reviewed with respect to its compatibility with adjacent existing and planned uses.

Application Details

The petitioner's submission indicates the following:

1. *Site:* The subject site is 4.06 acres (177,760 sq. ft.) in size and is located between University Drive and Southwest 78th Avenue, south of proposed Southwest 48th Street. Adjacent future land use plan map designations consist of Commercial to the north/west; Residential 1 DU/Acre and Residential 10 DU/Acre to the east; and Residential 10 DU/Acre to the south. Additionally, the subject site is adjacent to the zoning designations of A-1, Agricultural District, Griffin Corridor District (University Drive Node) to the north; A-1, Agricultural District to the east; RM-10, Medium Dwelling District; RC-8, Residential Cluster to the south; and B-3, Planned Business Center to the west.

The proposed site plan consists of a two-story 46,750 square foot commercial building on the subject site. Public sidewalks have been proposed outside of the subject site's property lines, parallel to state (University Drive) and local roads (Southwest 48th Street & Southwest 78th Avenue). Pedestrian access to and from these sidewalks is through a proposed path located at the middle points of the western and eastern property lines or the front and rear of the building, respectively.

The proposed site plan illustrates two (2) dumpster enclosures with 6' high concrete walls and CPTED gates located within the eastside (rear) of the building. Lastly, two (2) proposed 10'x35' loading zone spaces are centrally located along the eastside (rear) of the building.

2. *Architecture:* The architecture of the proposed two-story mixed-use building reflects a modern design including clean horizontal/vertical lines and modular elements. The building's mass is equally divided by a central courtyard that contains a stairway and elevator. The building's material consists of metal awning structures, 2" reveals, decorative overflows, shading devices, and corrugated metallic sheathing to hide rooftop mechanical equipment. Clear anodized aluminum frames with clear glass storefront doors and windows are equally spaced along the western (front) elevation. Additionally, eight (8) build-out tower features, altering in height and roof style are placed along the western (front) elevation overhanging an interior sidewalk, while the eastern (rear) elevation second floor covers parking stalls and private commercial entrances. The exterior of the building is painted with the following colors: Snowfall White (base of the building), Bryant Gold (vertical accent at build-out tower features), Dark Royal Blue (recessed window above storefront), Space Black (metal awning structure), and Smoke Gray (ends of the building).
3. *Access and Parking:* The proposed vehicular access into the subject site is via two (2) openings. The first opening (the main access point) is located along University Drive (western boundary line), while the second opening is located along the Southwest 78th Avenue (eastern boundary line). After vehicular traffic enters, it may maneuver thru two-way parking aisles around the proposed building that is centrally situated on the subject site.

The proposed site plan meets the requirements of Land Development Code by providing (158) standard parking spaces, (39) compact spaces, and (7) handicapped spaces for a total of (204) spaces. Additionally, the vehicular use area (VUA) consists of 68,863 square feet or approximately 39% of the total subject site area.

4. *Lighting:* The petitioner proposed lighting fixtures attached to the western (front) elevation, as well as light poles in the parking area. The lighting design meets Land Development Code requirements with maximum foot-candles of 1 at the property lines.
5. *Signage:* Signage is not part of this site plan application. All signs shall meet code prior to the issuance of a building permit.
6. *Landscaping:* The petitioner's proposed landscape plan meets the minimum requirements as indicated in the Town of Davie, Land Development Code, and B-2, Community Business District. The landscape plan indicates Pigeon Plum, Dahoon Holly, Green Buttonwood, Live Oak, and Florida Royal Palm along the perimeter, as well as along rights-of-way adjacent to the subject site.

Additionally, Fakahatchee Grass and *Jatropha Hastata* has been proposed around the dry retention area inside the required eight (8) foot high concrete wall. The proposed project meets the minimum landscape ratio requirement by providing a total area of 71,010 square feet or 10%. All plant material within the required twenty-five (25) by twenty-five (25) foot site triangle is a maximum of thirty-six (36) inches in height. Furthermore, all trees on-site are maintaining a minimum of 15' from light poles.

7. *Drainage:* Approval from Central Broward Drainage District shall be obtained prior to final Planning and Zoning Divisions signing off of site plans and the issuance of any site development permit. In attempts to meet drainage requirements, the petitioner has proposed a dry retention area at the southeastern portion of the subject site. This drainage area also acts as buffer to the existing and future residential uses that abut the property.
8. *Trails:* Driftwood Park Trail is located along University Drive adjacent to the subject site. This recreational trail will accommodate leisure activities to and from the subject site. Additionally, the recreational trail will also allow pedestrians to access numerous Davie parks and other trails.
9. *Flexibility Rule:* The petitioner is proposing to utilize the Commercial Flexibility Rule in accordance with this site plan application.
10. *Waiver Request(s):* The petitioner is not requesting any waivers in accordance with this site plan application.
11. *Local Concurrency:* As required in the Land Development Code, Section 12-323, Adopted Level of Services, building permits shall not be obtained unless there is sufficient available capacity to sustain the level of service for Potable Water, Sanitary Sewer, Transportation, Drainage System, Solid Waste, Recreation, schools, Police, and Fire.
12. *Compatibility:* The proposed two-story commercial building can be considered compatible with both existing and allowable commercial uses and properties along University Drive.

Significant Development Review Agency Comments

The following comments represent significant comments made by the Development Review Committee as part of the review process. All comments have been addressed unless otherwise indicated.

Planning and Zoning Division:

1. Provide free-standing monument sign details and elevations. Additionally, provide the distance between both monument signs proposed on the site. Remove proposed text and changeable board on free-standing monument sign, this information shall be review through building permits. *(This comment has not been completed)*
2. As per § 12-372 (E) (10), illustrate all existing and proposed easements (ie. drainage easement widths (dimensions)) within the property on the site plan. Label/denote in addition to illustrating easements on proposed site plan. Furthermore, CBWCD presently does not permit planting within their easement as illustrated on the proposed landscape plan.

Engineering Division:

1. Show roadway improvements for SW 48th Street in details including paving and drainage. Coordinate with the North property & FDOT to relocate their existing driveway connecting to SW 48th Street. Provide type F curb (FDOT) between the sidewalk and EOP.
2. Road improvements for SW 78th Avenue must also be included with the proposed site plan.
3. Approval from CBWCD must be obtained prior to final site plan approval.
4. Provide existing and proposed elevations on all cross-section details (A-A, B-B, E-E, etc.) for adjacent properties.
5. Perimeter berm elevations shall be in conformance with CBWCD design criteria. A control structure must be provided prior to discharging storm water runoff to adjacent public canal.
6. Emergency access to SW 48th Street is not shown on plans.
7. Provide guardrail to south side of SW 48th Street where needed for traffic safety.

Public Participation

The public participation process provides the ability for citizens of the Town of Davie to actively participate in the Town's development procedures. The petitioner conducted meetings with the public at the Town of Davie Community Room on August 22, 2006 and August 31, 2006. Attached is the petitioner's Citizen Participation Report.

Staff Analysis

The petitioner's site design meets the intent of the B-2, Community Business District. The propose site plan is consistent with the Land Development Code as it relates to access, location, size, and use. The petitioner's Flex Application (FX 7-1-06) ensures that the commercial project will be compatible with both the Comprehensive Plan and Future Land Use Plan Map designation of Residential 10 DU/Acre.

Findings of Fact

Staff finds that the site plan complies with the general purpose of the proposed B-2, Community Business District. Furthermore, the site plan is in conformance with all applicable Codes and Ordinances in terms of site design, circulation, setbacks, and parking requirements (except landscape buffers, the petitioner is requesting a variance from this section of code). The proposed site plan can be considered compatible with the commercial uses and properties located along University Drive.

Staff Recommendation

Staff finds the application complete and suitable for transmittal to the Site Plan Committee and Town Council for further consideration. The following condition shall be met prior to final site plan approval:

1. Provide decorative pathways (i.e. pavers) at all internal sidewalks and crossings.
2. Provide a pedestrian crosswalk at the entrance off University Drive.
3. Provide a letter from each of the agencies below ensuring Town of Davie concurrency will be met with the proposed development prior of issuance of any building permit:
 - Potable Water: *Applicable Utilities Department*
 - Sanitary Sewer: *Applicable Utilities Department*
 - Transportation: *Engineering Division*
 - Drainage System: *Applicable Water Control District*
 - Recreation: *Parks and Recreation Department*
 - Solid Waste: *Applicable Waste Management Company*
 - Police: *Police Department*
 - Fire: *Fire Department*
4. Rezoning application (ZB 7-3-06) shall include all commercial uses (including parking stalls) on the subject site. Provide graphics on the site plan denoting this request.
5. Contingent upon approval of the following development applications:
 - a. Rezoning Application (ZB 7-3-06), *Great Florida Bank Center*
 - b. Plat Application (P 7-1-06), *Great Florida Bank Center*
 - c. Vacation Application (VA 7-2-06), *Great Florida Bank Center*
 - d. Flex Application (FX 7-1-06), *Great Florida Bank Center*
 - e. Variance Application (11-1-06), *Great Florida Bank Center*

Site Plan Committee Recommendation

At the May 22, 2007 Site Plan Committee Meeting, Ms. Aitken made a motion, seconded by Ms. Lee to approve subject to the staff report and the following provisions: 1) place crosswalks at the main entrance, the east and west ends of SW 48 Street and curve the sidewalk at the southeast entrance into the site; 2) delineate the zoning areas on the site plan prior to going before Town Council; and 3) change the east elevation to match the floor plan. **(Motion carried 4-0 Breslau was absent)**

Town Council Action

Exhibits

1. 1,000' Mailout Radius Map
 2. Property Owners within 1,000' of the Subject Site
 3. Public Participation Notice
 4. Public Participation Sign-in Sheets
 5. Public Participation Summaries
 6. Public Participation Report
 7. Future Land Use Plan Map
 8. Aerial, Zoning, and Subject Site Map
-

Prepared by: _____

Reviewed by: _____

Exhibit 1 (1,000' Mail-out Radius Map)

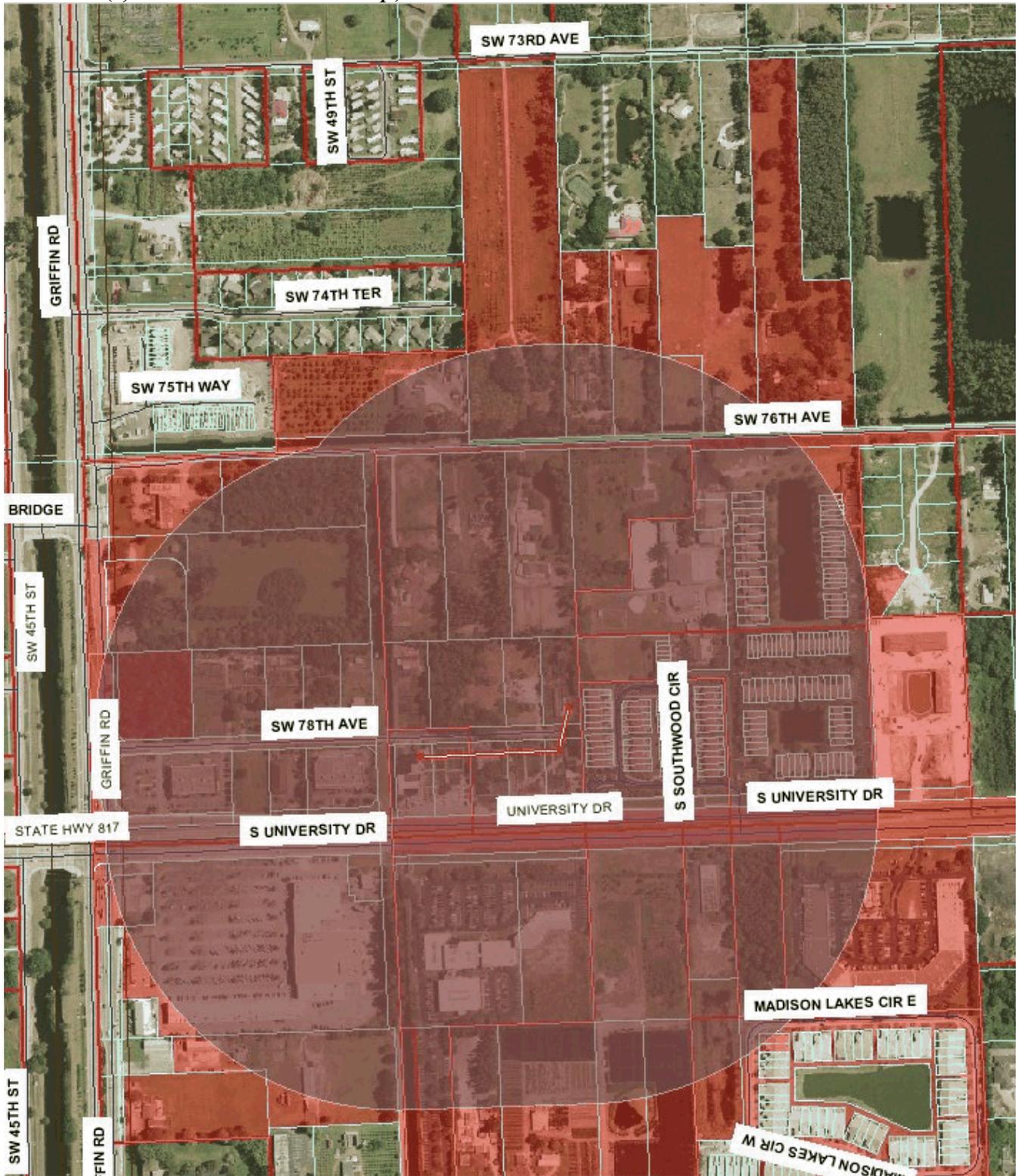


Exhibit 2 (Property Owners within 1,000' of the Subject Site)

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
ACEVEDO,ANGEL
ACEVEDO,IRIS H
7890 S SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
ADAMS,BETH A
5166 S UNIVERSITY DR
DAVIE FL 33328-4513

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
ADRIAN-BUTLER,PATRICIA E
5136 S UNIVERSITY DR
DAVIE FL 33328-4512

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
ALAMO PETROLEUM
CONTRACTORS INC
4620 SW 76TH AVE
DAVIE FL 33328-3802

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
ALBERTI,STEPHEN PATRICK
5154 S UNIVERSITY DR
DAVIE FL 33328-4513

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
ALCOVER,E A & SUSAN J
4800 SW 82ND AVE
DAVIE FL 33328-4406

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
ALTMAN,STEVEN
5038 S UNIVERSITY DR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
ALVARADO,JORGE I
5186 S UNIVERSITY DR
DAVIE FL 33328-4514

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
AMRICH,JOANNE L
5064 S UNIVERSITY DR
DAVIE FL 33328-4510

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
ANCONETANI,GRISSELDA
ANCONETANI,LAURA G
5094 S UNIVERSITY DR
DAVIE FL 33328-4511

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
ANGEL,PETER N
5152 S UNIVERSITY DR
DAVIE FL 33328-4513

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
AREBALO,ALBERTO F & CHERYL L
5028 S UNIVERSITY DR
DAVIE FL 33328-4502

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
ATRIUM CENTRE LLC
5301 N FEDERAL HWY STE 190
BOCA RATON FL 33487

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
AVEILLE,RANDY & TONYA BELL
5052 S UNIVERSITY DR
DAVIE FL 33328-4509

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
B & R DEVELOPMENT I LLC
3649 SPANISH OAK POINT
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
BAERS FURNITURE CO INC
1589 NW 12TH AVE
POMPANO BEACH FL 33069-1730

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
BAILEY,VICTORIA ELIZABETH &
CLARKE,JEREMIAH
3104 WEBSTER ST
MOUNT RAINIER MD 20712

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
BALL,THEODORE M II
5012 S UNIVERSITY DR
DAVIE FL 33328-4502

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
BANOUB,KAMAL N
BANOUB,TAMER K
14354 STAMFORD CIR
ORLANDO FL 32826

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
BARRON,JAMES K
BARRON,LILLIAN M
8541 SW 30 ST
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
BATISTA,HAROLD J
7892 N SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
BECRAFT,BRENT E
7782 N SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
BELL,STEPHANIE C
5076 S UNIVERSITY DR
DAVIE FL 33328-4510

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
BERRIGAN,NANCY
7951 S SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
BIRNBAUM,MARIE A
294 BLACKHEATH ROAD
LONG BEACH NY 11561

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
BLACKFORD,STEVEN B
5000 S UNIVERSITY DR
DAVIE FL 33328-4502

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
BLAKLEY,BARBARA MARIE
BLAKLEY,ROBIN MARIE
5188 S UNIVERSITY DR
DAVIE FL 33328-4514

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
BOISVERT,COLETTE E
5032 S UNIVERSITY DR
DAVIE FL 33328-4509

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
BONGIRNE,PATRICE
5144 S UNIVERSITY DR
DAVIE FL 33328-4512

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
BORRAS,HOLLY S
5086 S UNIVERSITY DR
DAVIE FL 33328-4511

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
BRANTLEY,BILLY & ALISON
5088 S UNIVERSITY DR
DAVIE FL 33328-4511

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
BRITO,IRMY
4938 S UNIVERSITY DR
DAVIE FL 33328-3824

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
CAPDEVILLE,LARRY
5010 S UNIVERSITY DR
DAVIE FL 33328-4502

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
CHU,JACKIE SIU LUN
5090 S UNIVERSITY DR
DAVIE FL 33328-4511

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
CIMINO-STANFORD,ANNA THERESE
7780 S SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
COHEN,LAURA A
5018 S UNIVERSITY DR
DAVIE FL 33328-4502

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
COHN,ADAM D
7831 S SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
COTTOM,MICHAEL V & YOMARIE
7891 S SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
CRAIN,DAVID A & SANDRA W
5036 S UNIVERSITY DR
DAVIE FL 33328-4509

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
CROWLEY,MICHAEL T &
CATHERINE
5106 S UNIVERSITY DR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
CUTIER,LAURIE K
9421 SW 49 ST
COOPER CITY FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
DE LA CRUZ,ROLANDO
7950 S SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
DE NOBRIGA,LANCEWORTH &
MYRNA
5006 S UNIVERSITY DR
DAVIE FL 33328-4502

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
DEEHAN,ANDREW W
5138 S UNIVERSITY DR
DAVIE FL 33328-4512

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
DEJACOMO,GEORGE M & DENISE
4936 S UNIVERSITY DR
DAVIE FL 33328-3824

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
D'ERRICO,DINO
WARD,MELISSA
5132 S UNIVERSITY DR BLDG 2
DAVIE FL 33328-4504

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
DJL GRIT LIMITED PARTNERSHIP
5241 PENNOCK POINT ROAD
JUPITER FL 33458-3409

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
DORSEY,TODD W
5148 S UNIVERSITY DR
DAVIE FL 33328-4513

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
DOUBERLEY,JOSEPH & LUCY
5078 S UNIVERSITY DR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
ENGELMANN,ANDREW V
ENGELMANN,LEONILA A
7603 N SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
ERDELYL,SCOTT
5026 S UNIVERSITY DR
DAVIE FL 33328-4502

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
EVANS,NICOLE V
2351 NW 33 ST # 515
FT LAUDERDALE FL 33309

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
FINAZZO,MICHAEL A TR
FINAZZO,A M TR,FINAZZO,J S TR
8858 BLOOMFIELD BLVD
SARASOTA FL 34238

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
FIRST UNION NATL BANK FL TR
DOROTHY B WEBB REV TR
PO BOX 40062-KELLEY REYNOLDS
JACKSONVILLE FL 32203-0062

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
FLR COMPANY LLC
350 S OCEAN BLVD #10-B
BOCA RATON FL 33432

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
FRAGA,ANDRES & ADRIANA
5172 S UNIVERSITY DR
DAVIE FL 33328-4514

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
GAMBA,JESUS M
LEON,NELLY
7662 N SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
GAO,HANG
7923 N SOUTHWOOD CIR
FT LAUDERDALE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
GARCIA,SONIA E
7981 S SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
GENERETTE,ULYNN C 1/3 INT EA
GENERETTE,WILLIAM L
III,HARRIS,C
5024 S UNIVERSITY DR
DAVIE FL 33328-4502

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
GETEJANC, TODOR SR & MARIJA
7633 N SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
GLASSMAN, CHAD B
7781 S SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
GOLDSTEIN, ELIAS &
GOLDSTEIN, DEBORAH
4691 S UNIVERSITY DR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
GORE, MISTY
5184 S UNIVERSITY DR
DAVIE FL 33328-4514

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
GREEN, ALLAN B & GRETTEL C
5146 S UNIVERSITY DR
DAVIE FL 33328-4512

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
GUTIERREZ, LOUIS
7630 S SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
HARTLEB, ROBERT
8160 GRIFFIN RD
DAVIE FL 33328-3837

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
HATTEN, MELISSA A 1/2 INT
HATTEN, JAMES DANIEL
4932 S UNIVERSITY DR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
HEMPEL, CARLOS J 1/2 INT
HEMPEL, UTE
5040 S UNIVERSITY DR
DAVIE FL 33328-4509

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
HENNIG, ELIZABETH L &
OSBORNE, LUNEAL
4979 SW 91 AVE
COOPER CITY FL 33328-3519

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
HERNANDEZ, ISRAEL 1/2 INT EA
ROJAS, CARMEN
7723 N SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
HESLOP, ROBIN DAVID &
GLUECK, JUDITH A
5134 S UNIVERSITY DR
DAVIE FL 33328-4512

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
HOLCOMBE, KAREN H
5050 S UNIVERSITY DR
DAVIE FL 33328-4509

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
HOLTON, ELLINOR
5046 S UNIVERSITY DR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
HORNE, ANDREW & JEANNETTE
5116 S UNIVERSITY DR
DAVIE FL 33328-4504

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
HRUSECKY, PAUL & GEORGEANN
5140 S UNIVERSITY DR
DAVIE FL 33328-4512

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
HURTADO, SHEELA L
7661 S SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
IYER, DANPANI
IYER, PRASAD
5062 S UNIVERSITY DR
DAVIE FL 33328-4510

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
JOEL, TERRANCE A
7721 S SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
JONES, DARRELL E & MARTHA
JOANNE
7751 SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
JONES, MICHELLE
5178 S UNIVERSITY DR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
JONES, ROY C & MELINDA B
3818 LAUER LANE
DOVER PA 17315

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
KELLNER, ROBERT E
5118 S UNIVERSITY DR
DAVIE FL 33328-4504

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
KEYES, ROBERT JR
8100 MADISON LAKES CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
KO, MARY
KO, MICHAEL
5058 S UNIVERSITY DR
DAVIE FL 33328-4510

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
KOLB, NORMAN C
5130 S UNIVERSITY DR
DAVIE FL 33328-4504

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
LAPAGLIA, JERMEY & MORENA A
7663 N SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
LAUDERDALE, J A & V REV TR
5306 SW 76 AVE
DAVIE FL 33328-5404

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
LAUDERDALE, JOHN & VIRGINIA
970 W 53 TER
HIALEAH FL 33012

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
LAUDERDALE, VIRGINIA REV TR
5306 SW 76 AVE
DAVIE FL 33328-5404

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
LAWSON, CHRISTOPHER J & DEBRA J &
YOUNG, STEPHEN C
130 S BEL AIRE DR
PLANTATION FL 33317

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
LEE, ANTHONY
5170 S UNIVERSITY DR
DAVIE FL 33328-4514

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
LERIGER, JOAN M
5110 S UNIVERSITY DR
DAVIE FL 33328-4504

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
LETCHER, FRANK T & JOSEPHINE V
5014 S UNIVERSITY DR
DAVIE FL 33328-4502

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
LICARI, BARBARA L
5128 S UNIVERSITY DR
DAVIE FL 33328-4504

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
LICARI, VINCENT
5112 S UNIVERSITY DR
DAVIE FL 33328-4504

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
LOPEZ, KATHY M
5126 S UNIVERSITY DR
DAVIE FL 33328-4504

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
LOPEZ, WILLIAM
4700 SW 78 AVE
DAVIE FL 33328-3827

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
LORENTE, JAVIER A
OTERO, NAHOMMY GUZMAN
7752 N SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
MAC DONALD, SETH & ANDREA
200 BAYBERRY DR
PLANTATION FL 33317

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
MALTESE, HARRY GASPER
7893 N SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
MANNING, MICHAEL LOUIS
5022 S UNIVERSITY DR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
MARINO, KENNETH J
5070 SW 76TH AVE
DAVIE FL 33328-4602

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
MARLER, KATHY A
5034 S UNIVERSITY DR
DAVIE FL 33328-4509

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
MARQUES, LYDIA 1/2 INT EA
MARQUES, ALFREDO R
5074 UNIVERSITY DR
DAVIE FL 33328-4510

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
MARTI, CHARLES &
OROZCO, ANA MARIA
5122 S UNIVERSITY DR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
MAYO, CHRISTINA M TR
PO BOX 292256
PLANTATION FL 33329-2256

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
MC MULLEN, DONNA
7862 N SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
MCLAUGHLIN, SCOTT
5016 S UNIVERSITY DR
DAVIE FL 33328-4502

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
MC SHANE, SCOTT
7692 N SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
MILLER, LERA P
5042 S UNIVERSITY DR
DAVIE FL 33328-4509

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
MILLER, MELISSA M
5070 S UNIVERSITY DR
DAVIE FL 33328-4510

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
MILLER, RICHARD N
7722 N SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
MIZNOVA, ILIANA J
5072 S UNIVERSITY DR
DAVIE FL 33328-4510

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
MOBIL OIL CORP
PROPERTY TAX DIVISION
PO BOX 4973
HOUSTON TX 77210

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
MORRIS, BARBARA
5142 S UNIVERSITY DR
DAVIE FL 33328-4512

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
MOSBY, MARLENA
5102 S UNIVERSITY DR
DAVIE FL 33328-4504

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
MUNOZ, PORFIRIO D 1/2 INT
MUNOZ, MARISELA
7861 S SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
NABIZADEH, ARASTOO T & ZAHRA P
13930 MANDRIN OAKS
JACKSONVILLE FL 32223

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
NAUGHTON, JOSEPH
5162 S UNIVERSITY DR
DAVIE FL 33328-4513

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
NAUGLE NURSERY INC
5001 SW 82ND AVE
DAVIE FL 33328-4414

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
NELSON,D M & MARY M
2819 LORCOM LN
ARLINGTON VA 22207-4943

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
NGUYEN,HUNG &
TRAN,MUOI ETAL
7830 S SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
OJEDA,EILEEN
4930 S UNIVERSITY DR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
OSTRANDER,RUTH M
7625 GRIFFIN RD
DAVIE FL 33328-3816

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
OWEN,DEVON M 1/2 INT EA
JOHNSON,DEBRA E
7922 N SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
OWOC,JACK A & VICKI J
5124 S UNIVERSITY DR
DAVIE FL 33328-4504

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
PARKER,ANDREW A
7921 S SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
PEARSON,DORIS M
1000 SW 12TH ST APT 107
FORT LAUDERDALE FL 33315-1359

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
PEREZ,JOSE R
4934 S UNIVERSITY DR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
POINCIANA'S SOUTHWOOD INC
% MIELE BROTHERS MANAGEMENT
INC
2421 SW 127 AVE
DAVIE FL 33325

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
POLLARD,S L & VICKI SPOFFORD
5100 S UNIVERSITY DR
DAVIE FL 33328-4504

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
POY-WING,CELINA
4841 SW 76TH AVE
DAVIE FL 33328-3805

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
POY-WING,CELINA REV TR
4821 SW 76TH AVE
DAVIE FL 33328-3805

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
POZNANSKI,ISAAC
2546 N 38 AVE
HOLLYWOOD FL 33021

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
QI,XIAOHONG &
SUN,YAN LI
5092 S UNIVERSITY DR UNIT 5092
DAVIE FL 33328-4511

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
QUALITY ESTATE HOMES LLC
6790 NW 83 TER
PARKLAND FL 33067

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
RAGUSA,SALVATORE &
RAGUSA,ARELIA CORONA DE
7953 N SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
REARICK,PILAR
1201 S OCEAN DR #1001 SOUTH
HOLLYWOOD FL 33019

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
REED,HJ
4940 S UNIVERSITY DR
DAVIE FL 33328-3824

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
ROBINSON,DEBBIE K
5180 S UNIVERSITY DR
DAVIE FL 33328-4514

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
ROGA,APRIL DAWN
5176 S UNIVERSITY DR
DAVIE FL 33328-4514

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
ROJAS,RAPHAEL & NURIA
5060 S UNIVERSITY DR
DAVIE FL 33328-4510

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
ROMANO,DANIEL & MICHELE C
5082 S UNIVERSITY DR
DAVIE FL 33328-4511

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
ROMERO,JUAN CARLOS 1/2 INT
ROMERO,JUAN & AURORA
5080 S UNIVERSITY DR
DAVIE FL 33328-4511

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
ROSS,RICHARD &
LINCOLN,JUDY & LINCOLN,DENNIS
7690 SW 78 AVE
DANIA FL 33314

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
ROTHENBERGER,EUGENE R
34 E PHILADELPHIA AVE
BOYERTOWN PA 19512

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
SABOL,LYNNETT P
7750 S SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
SACCULLO,JAMES & LENORE
4611 S UNIVERSITY DR PMB 443
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
SACCULLO,JAMES & LENORE
4800 SW 76 CT
DAVIE FL 33328-3806

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
SADDLE UP TOWNHOMES ASSN INC
% BEDZOW KORN KAN & GLASER PA
11077 BISCAYNE BLVD PH SUITE
MIAMI FL 33161

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
SAFI,NEZAMODEEN
5100 SW 76 AVE
DAVIE FL 33328-4604

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
SANTUCCIO,FRANK & LINDA E
5030 S UNIVERSITY DR
DAVIE FL 33328-4509

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
SCARBROUGH,DANA
5002 S UNIVERSITY DR
DAVIE FL 33328-4502

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
SCHICK,MARIE PENELOPE REV LIV TR
4901 SW 73 AVE
DAVIE FL 33314

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
SCOTT,CHRISTOPHER H
4640 SW 78TH AVE
DAVIE FL 33328-3825

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
SIMS,STEPHEN C & BARBARA H
1681 NW 99TH AVE
FORT LAUDERDALE FL 33322-4253

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
SIMS,STEPHEN CHARLES &
BARBARA
4721 SW 78TH AVE
DAVIE FL 33328-3815

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
SKYDELL,JEFFREY &
FONDEUR,JOSEPH
5060 SW 76TH AVE
DAVIE FL 33328-4602

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
SMITH,PAUL M
5056 S UNIVERSITY DR
DAVIE FL 33328-4510

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
SMITH,STEPHEN M & DEBBIE L
5084 S UNIVERSITY DR
DAVIE FL 33328-4511

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
SOSTIZZO,MARIO & SUZI R
7720 S SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
SOSTIZZO,SUZI ROTH
7720 S SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
SPIVAK,MERRILL M & PHYLLIS
4975 SW 76 AVE
DAVIE FL 33328-3807

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
STATE OF FLORIDA DOT
3400 W COMMERCIAL BLVD
FT LAUDERDALE FL 33309-3421

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
STONE,KATHRYN A
5004 S UNIVERSITY DR
DAVIE FL 33328-4502

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
SUAREZ,GEORGE E & ANNE E
7753 N SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
SUSI,CANDEE C
SUSI,CRISTEE C
7952 N SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
SUTTON,ELLIOTT & SUTTON,IRVING
% ECKERD REAL EST DEPT #2034-R
PO BOX 4689
CLEARWATER FL 33758

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
SYLVAIN,PROSPER &
JOSEPH,NICOLE
10709 N PRESERVE WAY #104
HOLLYWOOD FL 33025

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
TAGHIKHANI,MAJID
MANSHADI,MASOUMEH D
7833 N SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
THE PRUDENTIAL INSURANCE
COMPANY OF AMERICA
2 RAVINIA DR STE 1400
ATLANTA GA 30346

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
THORPE,RICKY V
7832 N SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
TORRES,RAFAEL & CARMEN
5192 S UNIVERSITY DR
DAVIE FL 33328-4514

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
TRANSAMERICAN LAND CORP
ATTN: ACCOUNTING DEPT
2665 S BAYSHORE DR #1002
MIAMI FL 33133

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
TSE,KA MING & ADA
5071 E MADISON LAKES CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
TUCKER,EILEEN
5054 S UNIVERSITY DR
DAVIE FL 33328-4509

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
UNIVERSITY OFFICE CENTER LLC
3006 AVIATION AVE SUITE 2-A
COCONUT GROVE FL 33133

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
VAN BALEN-ORTEGA,SUSANNE
5068 S UNIVERSITY DR
DAVIE FL 33328-4510

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
VAN HISE,AMY B
5150 S UNIVERSITY DR
DAVIE FL 33328-4513

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
VASSILOPOULOS,JOHN-PAUL
5048 S UNIVERSITY DR
DAVIE FL 33328-4509

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
VISWANATHAN,PADMA 1/2 INT
VISWANATHAN,ANANAGUR
5182 S UNIVERSITY DR
DAVIE FL 33328-4514

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
WANG,HSIN-CHIH HSU
5096 S UNIVERSITY DR
DAVIE FL 33328-4511

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
WANSE, DANIELLE
5174 S UNIVERSITY DR
DAVIE FL 33328-4514

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
WEBB NURSERY INC
4640 SW 78TH AVE
DAVIE FL 33328-3825

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
WHEELER,CHRISTINE D
7920 S SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
YABLON,NORMAN & JUDITH C
5066 S UNIVERSITY DR
DAVIE FL 33328-4510

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
YOUNG,KAREN G
5020 S UNIVERSITY DR
DAVIE FL 33328-4502

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
ZELL,STEPHANIE ANN
7863 N SOUTHWOOD CIR
DAVIE FL 33328

**CITIZEN PARTICIPATION NOTICE
GREAT FLORIDA BANK CENTER
REZONING, COMMERCIAL FLEX ALLOCATION, VACATION AND SITE PLAN
4700 – 4900 SW 78TH AVENUE**

The property owner of the 4.7-acre parcel located on the east side of University Drive and west side of SW 78th Avenue, depicted on the attached sketch, has submitted an application to the Town of Davie for site plan approval to construct 51,000 square feet of retail-office-business use in a two-story building on the site.

In conjunction with the site plan request, applications have been submitted to rezone 2.6 acres of the site from A-1 Agricultural District to B-2 Community Business District with an allocation of commercial flexibility acreage to support the development. A request to vacate the southernmost terminus of SW 78th Avenue which splits the site has also been submitted as well as a boundary plat. The easternmost portion of the site is proposed to retain the current A-1 zoning. (see attached graphic)

Consistent with the Town code, the owner/applicant has scheduled two public participation meetings to present the proposed project to vicinity property owners, listen to comments and respond to questions.

As a property owner within 1,000 feet of the subject property, you are invited to attend the public meetings scheduled for this application. The conceptual site plan will be presented at the August 22nd meeting with a follow-up meeting scheduled for August 31st. These meetings will be held at the Davie Town Hall in the Community Room:

*August 22, 2006 @ 6:00 p.m. Davie Town Hall Community Room
6591 Orange Drive*

*August 31, 2006 @ 6:00 p.m. Davie Town Hall Community
Room 6591 Orange Drive*

Should you require additional information or have any questions regarding this meeting, please contact Linda Strutt at (954) 426-4305.

Members of the Davie Town Council May be Present

Exhibit 4 (Public Participation Sign-in Sheets)

000000

GREAT FLORIDA BANK CENTER PUBLIC PARTICIPATION MEETING
AUGUST 22, 2006

NOTICED Y/N	NAME please note name as it appears on notice if different	ADDRESS (if different than on notice or no notice)	PHONE NUMBER (optional)	E-MAIL ADDRESS (optional)
1	Y DREWARK VUBITH	17781 S. SOUTHWOOD CIR		
2	Y Troy McNamee	17692 North Southwood Cir DAVIE FL 33328	954 689-0557	
3	Y Scott McNamee		954-763-764	
4	Y Scott McNamee			
5				
6				
7				
8				
9				
10				

GREAT FLORIDA BANK CENTER PUBLIC PARTICIPATION MEETING
 AUGUST 31, 2006

NOTICED Y/N	NAME Please note name as it appears on notice if different	ADDRESS (if different than on notice or no notice)	PHONE NUMBER (optional)	E-MAIL ADDRESS (optional)
1	Robert Kellner	5118 S. University Dr.	(954) 386-6448	
2	Anthony Causefield	5004 S. University Dr		
3	Maurer Trust			
4				
5				
6				
7				
8				
9				
10				

**Refer to
Public Participation Report**

**CITIZEN PARTICIPATION NOTICE
GREAT FLORIDA BANK CENTER
REZONING, COMMERCIAL FLEX ALLOCATION, VACATION AND SITE PLAN
4700 – 4900 SW 78TH AVENUE**

The property owner of the 4.7-acre parcel located on the east side of University Drive and west side of SW 78th Avenue, depicted on the attached sketch, has submitted an application to the Town of Davie for site plan approval to construct 51,000 square feet of retail-office-business use in a two-story building on the site.

In conjunction with the site plan request, applications have been submitted to rezone 2.6 acres of the site from A-1 Agricultural District to B-2 Community Business District with an allocation of commercial flexibility acreage to support the development. A request to vacate the southernmost terminus of SW 78th Avenue which splits the site has also been submitted as well as a boundary plat. The easternmost portion of the site is proposed to retain the current A-1 zoning. (see attached graphic)

Consistent with the Town code, the owner/applicant has scheduled two public participation meetings to present the proposed project to vicinity property owners, listen to comments and respond to questions.

As a property owner within 1,000 feet of the subject property, you are invited to attend the public meetings scheduled for this application. The conceptual site plan will be presented at the August 22nd meeting with a follow-up meeting scheduled for August 31st. These meetings will be held at the Davie Town Hall in the Community Room:

*August 22, 2006 @ 6:00 p.m. Davie Town Hall Community Room
6591 Orange Drive*

*August 31, 2006 @ 6:00 p.m. Davie Town Hall Community
Room 6591 Orange Drive*

Should you require additional information or have any questions regarding this meeting, please contact Linda Strutt at (954) 426-4305.

Members of the Davie Town Council May be Present

**Citizen Participation Report
Great Florida Bank
Site Plan, Flex and Rezoning Applications**

1. A written summary of the results of the citizen participation effort prior to the first public meeting in which the application was heard.

The applicant notified by mail all property owners within 1,000 feet of the site of the scheduled public participation meetings by mail, as required by the Town Code. In addition to the two noticed meetings indicated herein, the applicant, at the invitation of the homeowners, attended the Homeowners Association meeting for the adjacent residential project on October 19, 2006 to discuss the proposed project.

2. Dates and locations of all meetings where citizens were invited to discuss the applicant's proposal.

August 22, 2006 @ 6:00 p.m. Davie Town Hall Community Room
6591 Orange Drive

August 31, 2006 @ 6:00 p.m. Davie Town Hall Community Room
6591 Orange Drive

October 19, 2006 @ 7:00 p.m. Southwood Homeowners Association

3. The names, dates and addresses, and number of people that participated in the process.

A total of 8 individuals, including the Mayor and the Zoning Board Vice-Chair, attended the two public participation meetings.

August 22nd Meeting (5):

Judith Bezark	7781 South Southwood Circle
Phyllis and Merrill Spivak	4975 SW 76 Avenue
Scott McShane	7692 North Southwood Circle
Scott McLaughlin	5016 South University Drive

August 31st Meeting: (3)

Robert Kellner	5118 South University Drive
Anthony Caulfield	5004 South University Drive
Mayor Tom Truex	

4. A written summary of the issues and/or concerns raised by residents and how the applicant proposes to resolve these issues and/or concerns. If the applicant is unable or unwilling to resolve the issues, the summary should state the reason why these issues cannot be resolved.

The meetings opened with the presentation of the proposed site plan by the project architect for the 4.7-acre mixed-use commercial/retail-office project on the east side of University Drive just south of Griffin Road.

During both public meetings, questions regarding the proposed plan were entertained. The primary concerns expressed by the residents of Southwood, the residential development to the south, were the shared access to University Drive and screening of the project from the residences. The issues raised by residents at the meetings specific to the project are grouped into categories below with the applicant's response in italics.

Access

The primary concern expressed by the Southwood residents was the sharing of the driveway connection to University Drive with the Southwood development located within a recorded joint access easement south of the site. The design of the entry and the possibility of pursuing alternative access was further discussed at the HOA meeting.

Two other residents who attended the second meeting were concerned that access to SW 78th Avenue not impact residences.

Applicant response:

The original site plan proposed two direct access points to University Drive, both north of the Southwood access drive. In the pre-application meeting with FDOT, the developer was informed that the project would be required to utilize the existing joint access easement currently used by Southwood. In view of the Southwood residents' concern, the developer worked with the Town and FDOT to secure approval for a connection of SW 48th Street to University Drive as well as a direct connection for the project to University Drive. A follow-up meeting was held with FDOT on December 2, 2006 at which a variance application was suggested for the separate access point. The variance application was presented to FDOT with the support of the Southwood HOA on January 4, 2007 (see attached HOA letter).

FDOT ultimately approved direct access into the subject site, with right turns in and out and left turns out, as well as the SW 48th Street connection. The project will not be using the joint access easement to the south and has agreed to construct a wall along the entire southern boundary. The applicant has also agreed to construct two deceleration lanes along the Great Florida Bank Center

University Drive frontage, one at the project entrance and one at the new SW 48th Street connection. The applicant is working with the Town and the CBWCD on the design of SW 48th Street.

The property included in this development currently has several access points on SW 78th Avenue. The developer is proposing to reduce this to one, secondary, access point.

Buffering

A few residents in the two developments to the south and southeast expressed a desire for screening of the commercial building from the southern residences. The property owner immediately east of the site expressed concern over her horses because of a lack of fencing separating her property from the subject project. In the follow-up discussions at the Southwood Homeowners Association meeting, the residents asked that the existing fence on the adjacent property and the intervening vegetation be removed and replaced with an 8-foot wall along the property line adjacent to the townhomes.

Applicant response:

The proposed development was designed to maximize the physical separation and visual screening of the commercial structure from the adjacent residential developments. The building has been placed as far away as possible from the residential development oriented toward University Drive, The easternmost portion is reserved for a landscaped retention area. The developer has agreed to ensure that no structures are placed on this portion of the site by placing a restriction on the plat.

The developer has agreed to include on the site plan an 8' wall along the southern property boundary shared with the townhomes, with a vine planted on the exterior and additional landscaping on the interior west of the retention area. The developer has also committed to constructing a wall along the eastern boundary of the retention area adjacent to the property with the horses and to continue a wall on that property to protect the horses.

Zoning

Two residents questioned whether the requested change of zoning to B-3 would encourage the commercialization of the area east of SW 78th Avenue. Residents were also interested in the types of uses proposed and there was a specific request that consideration be given to a neighborhood restaurant.

Applicant response:

The applicant has designed the project to place the retention area east of SW 78th Avenue and is voluntarily agreeing not to construct commercial structures on the parcel east of SW 78th Avenue. The applicant has also agreed to construct a

wall along the property's boundary shared with residential development. The site design and the new primary access serve to orient this project toward University Drive and the commercial development to the north.

Other

Two residents expressed concern about the cats that had been left behind in the house on site.

Applicant response:

The developer agreed to delay the proposed demolition and assist them in having the cats neutered and relocated over a period of several months. This has been accomplished and the house has been demolished.

Exhibit 7 (Future Land Use Map)

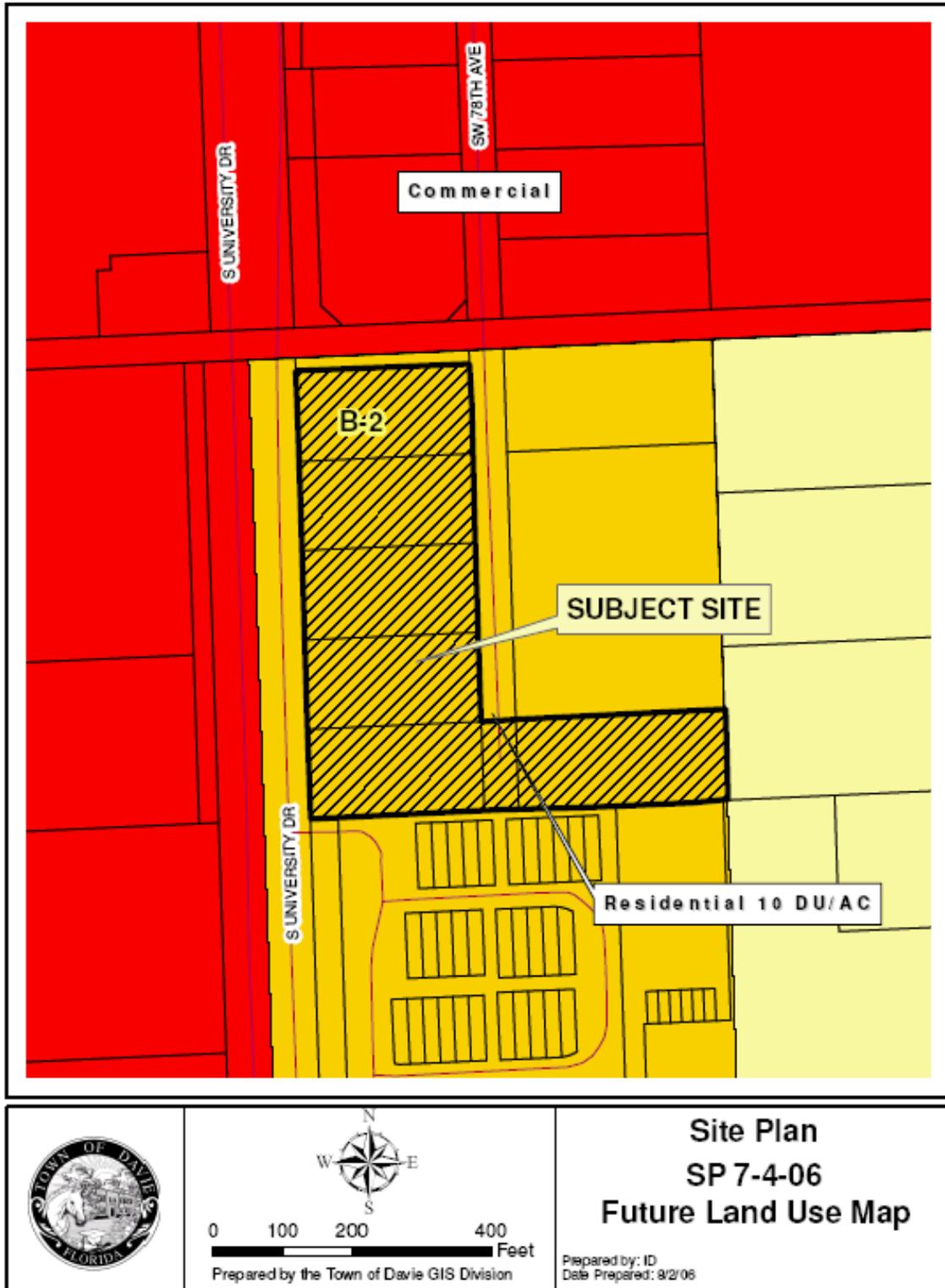
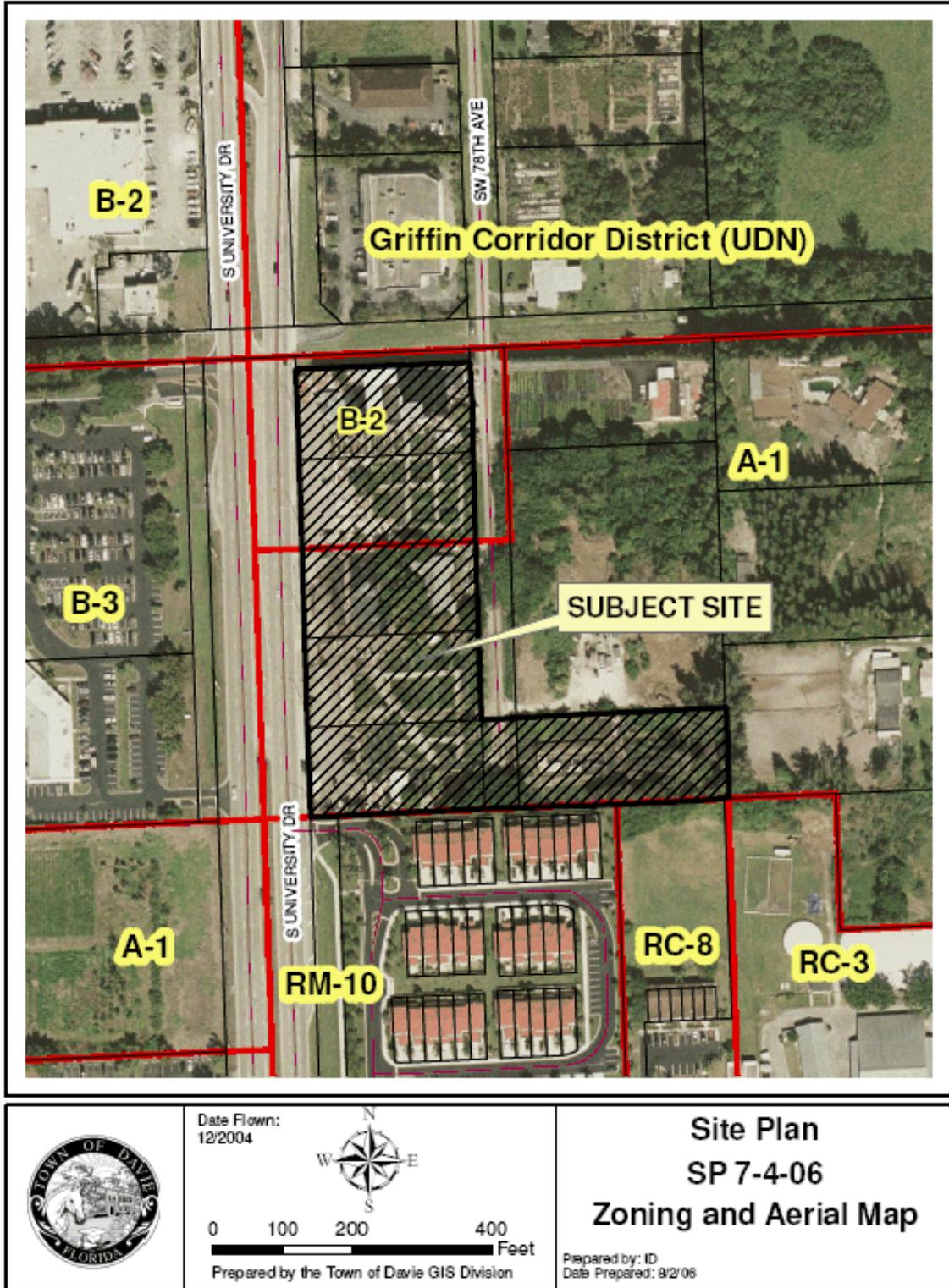


Exhibit 8 (Aerial, Zoning, and Subject Site Map)



**TOWN OF DAVIE
TOWN COUNCIL AGENDA REPORT**

TO: Mayor and Councilmembers
FROM/PHONE: Ken Cohen, Assistant Town Administrator
PREPARED BY: Carol Menke, Acting Budget & Finance Director
SUBJECT: Resolution
AFFECTED DISTRICT: Townwide

ITEM REQUEST: **Staff Requesting a Tabling/Withdrawal**

TITLE OF AGENDA ITEM: A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ADOPTING THE 5-YEAR CAPITAL PROJECTS PROGRAM FOR THE TOWN OF DAVIE FOR FISCAL YEARS 2008-2012

REPORT IN BRIEF: Staff is requesting that item 6.6 be tabled to the July 18, 2007 Town Council meeting. Tabling of this item will allow Council more time for review of the projects and will allow for Council discussion at the anticipated budget workshop later in June.

Thank you for your understanding in this matter.

This resolution is necessary to adopt the Capital Program Budget for the Fiscal Years 2008 through 2012. Pursuant to Section 8 of the Town of Davie Charter, the Town Administrator shall provide the Town Council the Capital Program budget for review at least three months prior to submission of the annual budget. The Town Council adopts the Capital Program budget with or without amendment after the public hearing.

PREVIOUS ACTIONS: On June 6, 2007, Council tabled this item to July 18, 2007.

CONCURRENCES:

FISCAL IMPACT: Yes

Has request been budgeted? n/a

Additional Comments: This establishes the project budgets. Please see attached exhibit "A" for funded projects and exhibit "B" for supplemental information showing unfunded projects.

RECOMMENDATION(S): Motion to approve the resolution

Attachment(s): Resolution, Exhibit "A" Funded Capital Projects Program Budget Summary, and Exhibit "B" Unfunded Capital Projects Program Budget Summary

RESOLUTION _____

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ADOPTING
THE 5-YEAR CAPITAL PROJECTS PROGRAM FOR THE TOWN OF
DAVIE FOR FISCAL YEARS 2008-2012.

WHEREAS, the Town of Davie has needs for improvements in facilities, infrastructure, and equipment; and

WHEREAS, the various departments have submitted proposals for their various capital needs; and

WHEREAS, the Town Administrator has reviewed and approved the submissions of the departments and has recommended the various projects provided for in the Capital Projects Program.

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

SECTION 1. That the proposed Capital Projects Program budget, after public hearing, discussion, and amendments thereto, is hereby submitted in accordance with Exhibit "A," attached hereto.

SECTION 2. That the Town Council of the Town of Davie does hereby adopt said budget for the 2008-2012 fiscal years.

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

FUNDED PROJECTS

EXHIBIT "A"

Capital Improvement Project	Requesting Department	FY2008	FY2009	FY2010	FY2011	FY2012	TOTAL	Funding Source / Comments
GIS	Administration	\$110,000	\$230,000	\$210,000	\$250,000	\$0	\$800,000	Development Reserves
	Subtotal Administration	\$110,000	\$230,000	\$210,000	\$250,000	\$0	\$800,000	\$800,000
Pedestrian Transit Shelters	P&Z	\$107,000	\$238,000	\$0	\$0	\$0	\$345,000	Grant \$309,744 Grant Funded
Oakes Rd Enhancement Project (2008)	P&Z	\$63,551	\$309,744	\$0	\$0	\$0	\$373,295	\$63,551 P&Z Operating Budget
University Center Parking Garage (2008)	Engineering	\$0	\$0	\$0	\$0	\$2,000,000	\$2,000,000	NSU (Developer)
	Subtotal Development Services	\$170,551	\$547,744	\$0	\$0	\$2,000,000	\$2,718,295	\$2,718,295
Property Room Long-Term Storage	Police Department	\$0	\$250,000	\$0	\$0	\$0	\$250,000	Police Impact Fees
DUI Cameras	Police Department	\$4,000	\$0	\$0	\$0	\$0	\$4,000	Police Impact Fees
SRT Vests	Police Department	\$5,400	\$5,400	\$5,400	\$5,400	\$0	\$21,600	Police Impact Fees
Exterior Munitions Storage Unit (2008)	Police Department	\$22,000	\$0	\$0	\$0	\$0	\$22,000	Forfeiture Fund
SRT Tactical Equipment (2008)	Police Department	\$8,000	\$0	\$0	\$0	\$0	\$8,000	Forfeiture Fund
SRT Radio Headset (2008)	Police Department	\$10,000	\$0	\$0	\$0	\$0	\$10,000	Police Impact Fees
Metro Traffic Counter (2008)	Police Department	\$3,000	\$0	\$0	\$0	\$0	\$3,000	Police Impact Fees
Digital Video Cameras for Patrol Vehicles (2008)	Police Department	\$30,000	\$30,000	\$30,000	\$30,000	\$30,000	\$150,000	Police Impact Fees
Aerial Surveillance Platform (2008)	Police Department	\$68,000	\$0	\$0	\$0	\$0	\$68,000	Police Impact Fees
Investigative Dive Equipment Storage (2008)	Police Department	\$25,000	\$0	\$0	\$0	\$0	\$25,000	Police Impact Fees
Simplex Security Computer Upgrade (2008)	Police Department	\$50,000	\$0	\$0	\$0	\$0	\$50,000	Police Impact Fees
	Subtotal Police Department	\$225,400	\$285,400	\$35,400	\$35,400	\$30,000	\$611,600	\$611,600

FUNDED PROJECTS

EXHIBIT "A"

Capital Improvement Project	Requesting Department	FY2008	FY2009	FY2010	FY2011	FY2012	TOTAL	Funding Source / Comments
Fire Rescue Pumpers	Fire Rescue	\$472,500	\$496,125	\$0	\$0	\$0	\$968,625	\$472,500 Fire Impact Fees, \$496,125 Vehicle Maintenance Fund
Fire Support Vehicles	Fire Rescue	\$47,250	\$49,613	\$52,093	\$54,698	\$0	\$203,654	\$49,613 GO Fire Bond, \$154,041 Vehicle Maintenance Fund
Dive Rescue Vehicle Conversion	Fire Rescue	\$25,000	\$0	\$0	\$0	\$0	\$25,000	Fire Impact Fees
Cardiac EMS Equipment	Fire Rescue	\$52,500	\$55,125	\$0	\$0	\$0	\$107,625	GO Fire Bond
Fire Station 68- Replacement	Fire Rescue	\$2,680,000	\$0	\$0	\$0	\$0	\$2,680,000	GO Fire Bond
Fire Station Renovations	Fire Rescue	\$250,000	\$0	\$0	\$0	\$0	\$250,000	GO Fire Bond
Physical Fitness Exercise Equipment	Fire Rescue	\$22,500	\$0	\$0	\$0	\$0	\$22,500	GO Fire Bond
Self Contained Breathing Apparatus	Fire Rescue	\$49,910	\$0	\$0	\$0	\$0	\$49,910	GO Fire Bond
Traffic Preemption System Devices	Fire Rescue	\$15,000	\$0	\$0	\$0	\$0	\$15,000	GO Fire Bond GO Fire Bond
Emergency Operations Center	Fire Rescue	\$88,750	\$0	\$0	\$0	\$0	\$88,750	\$77,500, Grants \$11,250
Subtotal Fire Rescue		\$3,703,410	\$600,863	\$52,093	\$54,698	\$0	\$4,411,064	\$4,411,064
Park Fencing	Public Works/Cap. Proj	\$86,000	\$80,000	\$0	\$0	\$0	\$166,000	\$66,000 2004 CBA Bond, \$100,000 Unfunded
Pavement Overlay	Public Works/Cap. Proj	\$250,000	\$240,000	\$100,000	\$0	\$0	\$590,000	\$590,000 2004 CBA Bond
Guardrail Installation	Public Works/Cap. Proj	\$60,000	\$0	\$0	\$0	\$0	\$60,000	2004 CBA Bond
Subtotal Public Works/Capital Projects		\$396,000	\$320,000	\$100,000	\$0	\$0	\$816,000	\$816,000
Playground Surfacing	Parks & Rec	\$0	\$0	\$105,000	\$105,000	\$0	\$210,000	2004 CBA Bond
Subtotal Parks & Rec		\$0	\$0	\$105,000	\$105,000	\$0	\$210,000	\$210,000

FUNDED PROJECTS

EXHIBIT "A"

Capital Improvement Project	Requesting Department	FY2008	FY2009	FY2010	FY2011	FY2012	TOTAL	Funding Source / Comments
Recreational Trails	Public Wks/Open Space	\$50,000	\$95,000	\$0	\$0	\$0	\$145,000	Open Space Impact Fees
Equestrian Trails	Public Wks/Open Space	\$40,000	\$0	\$0	\$0	\$0	\$40,000	Open Space Impact Fees
Linear Park	Public Wks/Open Space	\$42,000	\$0	\$0	\$0	\$0	\$42,000	Open Space Impact Fees
Van Kirk Site Development	Public Wks/Open Space	\$320,000	\$400,000	\$70,000	\$0	\$0	\$790,000	\$200,000 Grant, \$590,000 OS Impact Fees
2006 Open Space Bond	Administration/Open Space	\$17,000,000	\$3,000,000	\$0	\$0	\$0	\$20,000,000	2006 GO Open Space Bond
	Subtotal Open Space	\$17,452,000	\$3,495,000	\$70,000	\$0	\$0	\$21,017,000	\$21,017,000
Communication Infrastructure	TIMS	\$50,000	\$0	\$0	\$0	\$0	\$50,000	Undesignated Unreserved Retained Earnings
Desktop systems	TIMS	\$223,850	\$136,900	\$0	\$0	\$0	\$360,750	Undesignated Unreserved Retained Earnings
Server Farm	TIMS	\$25,000	\$25,000	\$0	\$0	\$0	\$50,000	Undesignated Unreserved Retained Earnings
Software Ugrades and Additions	TIMS	\$83,333	\$83,334	\$0	\$0	\$0	\$166,667	Undesignated Unreserved Retained Earnings
Laser Printer Replacement	TIMS	\$36,500	\$10,500	\$0	\$0	\$0	\$47,000	Undesignated Unreserved Retained Earnings
SANS (Storage Area Network Systems)	TIMS	\$50,000	\$0	\$0	\$0	\$0	\$50,000	Undesignated Unreserved Retained Earnings
Plotter	TIMS	\$0	\$0	\$0	\$15,000	\$0	\$15,000	Undesignated Unreserved Retained Earnings
	Subtotal TIMS	\$468,683	\$255,734	\$0	\$15,000	\$0	\$739,417	\$739,417

FUNDED PROJECTS

EXHIBIT "A"

Capital Improvement Project	Requesting Department	FY2008	FY2009	FY2010	FY2011	FY2012	TOTAL	Funding Source / Comments
Eastside Drainage Phase II (2008)	CRA	\$855,000	\$0	\$0	\$0	\$0	\$855,000	Future CRA Bonds
Eastside Drainage Phase III (2008)	CRA	\$0	\$600,000	\$0	\$0	\$0	\$600,000	Future CRA Bonds
Huck Liles Property Drainage (2008)	CRA	\$0	\$8,670,862	\$0	\$0	\$0	\$8,670,862	Future CRA Bonds
Road Development-Southside Huck Liles (2008)	CRA	\$0	\$1,825,000	\$0	\$0	\$0	\$1,825,000	Future CRA Bonds
Subtotal CRA		\$855,000	\$11,095,862	\$0	\$0	\$0	\$11,950,862	\$11,950,862
Wastewater Treatment Plant Expansion	Utilities	\$10,000,000	\$0	\$0	\$0	\$0	\$10,000,000	Undesignated Unreserved Retained Earnings
LS #11 Rehabilitation	Utilities	\$0	\$290,000	\$0	\$0	\$0	\$290,000	Undesignated Unreserved Retained Earnings
Lift Station Telemetry	Utilities	\$0	\$200,000	\$200,000	\$200,000	\$0	\$600,000	Undesignated Unreserved Retained Earnings
Subtotal Utilities		\$10,000,000	\$490,000	\$200,000	\$200,000	\$0	\$10,890,000	\$10,890,000
Subtotal New 2008 Projects		\$1,134,551	\$11,435,606	\$30,000	\$30,000	\$2,030,000	\$14,660,157	\$14,660,157
Subtotal Prior Year Projects		\$32,246,493	\$5,884,997	\$742,493	\$630,098	\$0	\$39,504,081	\$39,504,081
TOTAL ALL PROJECTS		\$33,381,044	\$17,320,603	\$772,493	\$660,098	\$2,030,000	\$54,164,238	\$54,164,238

UNFUNDED PROJECTS

EXHIBIT "B"

Capital Improvement Project	Requesting Department	FY2008	FY2009	FY2010	FY2011	FY2012	TOTAL	Funding Source / Comments
New Town Hall	Administration	\$0	\$0	\$0	\$15,000,000	\$0	\$15,000,000	Future Bond Issue
	Subtotal Administration	\$0	\$0	\$0	\$15,000,000	\$0	\$15,000,000	\$15,000,000
Oakes Rd Intermodal Bridge (2008)	P&Z	\$937,000	\$5,000,000	\$4,063,000	\$0	\$0	\$10,000,000	Unfunded
Oakes Rd (SW 47 Ave to SW 51 St) (2008)	Engineering	\$0	\$0	\$0	\$0	\$390,000	\$390,000	Unfunded
SW 36 St Widening (2008)	Engineering	\$0	\$1,500,000	\$0	\$0	\$0	\$1,500,000	Unfunded
Nova Dr Improvements (SW 75 Ave to College) (2008)	Engineering	\$0	\$0	\$501,000	\$0	\$0	\$501,000	Unfunded
(2008)	Engineering	\$0	\$0	\$0	\$501,000	\$0	\$501,000	Unfunded
SW 121 Ave Improvements (SW 26 St to SW 36 St) (2008)	Engineering	\$0	\$0	\$0	\$0	\$720,000	\$720,000	Unfunded
Orange Dr (SW 130 Ave to Shotgun) (2008)	Engineering	\$0	\$0	\$313,000	\$975,000	\$1,212,000	\$2,500,000	Unfunded
Public Safety Complex Access Road (2008)	Engineering	\$0	\$225,000	\$0	\$0	\$0	\$225,000	Unfunded
TOC Parking Facility (2008)	Engineering	\$0	\$0	\$1,000,000	\$0	\$0	\$1,000,000	Unfunded
SW 127 Ave Construction (SW 20 St to SW 26 St) (2008)	Engineering	\$0	\$100,000	\$0	\$0	\$0	\$100,000	Unfunded
SW 20 St Improvements (SW 127 Ave to SW 130 Ave) (2008)	Engineering	\$0	\$0	\$400,000	\$0	\$0	\$400,000	Unfunded
SW 36 St Greenway Bridge (2008)	Engineering	\$0	\$488,000	\$812,000	\$0	\$0	\$1,300,000	Unfunded
SW 29 St Improvements (SW136 Ave to SW 137 Terr) (2008)	Engineering	\$120,000	\$0	\$0	\$0	\$0	\$120,000	Unfunded
SW 76 Ave Improvements/C o	Engineering	\$0	\$0	\$800,000	\$0	\$0	\$800,000	Unfunded
SW 48 St Improvements (SW 76 Ave to University) (2008)	Engineering	\$0	\$250,000	\$0	\$0	\$0	\$250,000	Unfunded
SW 78 Ave Improvements (Griffin to SW 48 St) (2008)	Engineering	\$0	\$100,000	\$0	\$0	\$0	\$100,000	Unfunded

UNFUNDED PROJECTS

EXHIBIT "B"

Capital Improvement Project	Requesting Department	FY2008	FY2009	FY2010	FY2011	FY2012	TOTAL	Funding Source / Comments
<u>SW 27 Ct Improvements (Hiatus to SW 106 Terr) (2008)</u>	Engineering	\$0	\$0	\$500,000	\$0	\$0	\$500,000	Unfunded
<u>Orange Dr Improvements (Davie Rd to Turnpike) (2008)</u>	Engineering	\$0	\$0	\$0	\$0	\$920,000	\$920,000	Unfunded
<u>Orange Dr Widening (Turnpike to SR7) (2008)</u>	Engineering	\$0	\$0	\$0	\$0	\$466,000	\$466,000	Unfunded
<u>Light Rail (College Avenue Phase 1) (2008)</u>	Engineering	\$0	\$0	\$0	\$4,000,000	\$0	\$4,000,000	Unfunded
<u>SW 136 Ave Improvements (SW 14 St to SR84) (2008)</u>	Engineering	\$0	\$0	\$0	\$0	\$1,190,000	\$1,190,000	Unfunded
<u>SW 130 Ave Improvements (SW 36 Ct to SR84) (2008)</u>	Engineering	\$0	\$0	\$0	\$0	\$960,000	\$960,000	Unfunded
<u>Davie Rd Turn Lane @ Stirling Rd (2008)</u>	Engineering	\$0	\$0	\$0	\$0	\$316,000	\$316,000	Unfunded
<u>SW 41 St Improvements (SW 67 Ave - Davie Rd) (2008)</u>	Engineering	\$0	\$0	\$0	\$0	\$420,000	\$420,000	Unfunded
<u>SW 42 St (SW 63 Ave to SW 65 Ave) (2008)</u>	Engineering	\$0	\$0	\$0	\$0	\$350,000	\$350,000	Unfunded
<u>SW 36 Ct Lane Addtn (Flamingo to SW 121 Ave) (2008)</u>	Engineering	\$0	\$0	\$0	\$0	\$250,000	\$250,000	Unfunded
<u>SW 59 St Reconstruction (SW 106 Ave to SW 110 Ave) (2008)</u>	Engineering	\$360,000	\$0	\$0	\$0	\$0	\$360,000	Unfunded
<u>College Ave Improvements (Phase 2) (2008)</u>	Engineering	\$0	\$1,000,000	\$1,000,000	\$0	\$0	\$2,000,000	Unfunded
<u>SW 39 St Improvements (Davie Rd to University) (2008)</u>	Engineering	\$0	\$0	\$750,000	\$762,500	\$0	\$1,512,500	Unfunded
<u>SW 67 Ave Extension (SW 39 St to Orange) (2008)</u>	Engineering	\$0	\$325,000	\$0	\$0	\$0	\$325,000	Unfunded
<u>SW 76 Ave Improvements (Orange to SW 39 St) (2008)</u>	Engineering	\$180,000	\$280,000	\$0	\$0	\$0	\$460,000	Unfunded

UNFUNDED PROJECTS

EXHIBIT "B"

Capital Improvement Project	Requesting Department	FY2008	FY2009	FY2010	FY2011	FY2012	TOTAL	Funding Source / Comments
Access to Davie Elementary East Parking Lot (2008)	Engineering	\$150,000	\$0	\$0	\$0	\$0	\$150,000	Unfunded
Davie Elemen/SW 39 St Turn Lane (2008)	Engineering	\$60,000	\$0	\$0	\$0	\$0	\$60,000	Unfunded
Subtotal Development Services		\$1,807,000	\$9,268,000	\$10,139,000	\$6,238,500	\$7,194,000	\$34,646,500	\$34,646,500
Right-of-Way Equipment	Public Works/Cap. Proj	\$56,000	\$26,000	\$260,000	\$0	\$0	\$342,000	Unfunded
Old Davie School Auditorium Roof Replacement (2008)	Public Works/Cap. Proj	\$21,600	\$0	\$0	\$0	\$0	\$21,600	Unfunded
Town Hall Roof Repairs (2008)	Public Works/Cap. Proj	\$0	\$0	\$76,500	0	0	\$76,500	Unfunded
Old Davie School Window Replacement (2008)	Public Works/Cap. Proj	\$110,800	\$0	\$0	\$0	\$0	\$110,800	Unfunded
Orange Park CC Re-Roof and Interior Renovations (2008)	Public Works/Cap. Proj	\$73,600	\$23,000	\$0	\$0	\$0	\$96,600	Unfunded
Pine Island Fitness Center Re-Roof (2008)	Public Works/Cap. Proj	\$107,600	\$0	\$0	\$0	\$0	\$107,600	Unfunded
Sunny Lake Park Roof & Air Conditioner Replacement (2008)	Public Works/Cap. Proj	\$127,600	\$0	\$0	\$0	\$0	\$127,600	Unfunded
Towable Boom Lift (2008)	Public Works/Cap. Proj	\$36,400	\$0	\$0	\$0	\$0	\$36,400	Unfunded
Public Wks/Fire Admin Bldg Drainage (2008)	Public Works/Cap. Proj	\$45,000	\$0	\$0	\$0	\$0	\$45,000	Unfunded
Pavement Overlay	Public Works/Cap. Proj	\$0	\$0	\$0	\$150,000	\$0	\$150,000	Unfunded
Subtotal Public Works/Capital Projects		\$578,600	\$49,000	\$336,500	\$150,000	\$0	\$1,114,100	\$1,114,100
Ballfield Infield Machine	Parks & Rec	\$9,000	\$0	\$0	\$10,000	\$0	\$19,000	Unfunded
Berman Park Shelter	Parks & Rec	\$25,000	\$0	\$0	\$0	\$0	\$25,000	Unfunded
SW 8th St Park Development (a.k.a. Clark)	Parks & Rec	\$255,500	\$0	\$0	\$0	\$0	\$255,500	Unfunded
Falcon's Lea Park Pool	Parks & Rec	\$0	\$0	\$0	\$445,000	\$0	\$445,000	Unfunded
Golf Cart	Parks & Rec	\$3,000	\$0	\$0	\$0	\$0	\$3,000	Unfunded
Sunny Lake Bird Sanctuary Dev.	Parks & Rec	\$165,000	\$300,000	\$225,000	\$0	\$0	\$690,000	Unfunded
Adult/Senior Vita Course	Parks & Rec	\$62,000	\$0	\$0	\$0	\$0	\$62,000	Unfunded
Bamford Playground Slide & Glide	Parks & Rec	\$100,000	\$0	\$0	\$0	\$0	\$100,000	Unfunded

UNFUNDED PROJECTS

EXHIBIT "B"

Capital Improvement Project	Requesting Department	FY2008	FY2009	FY2010	FY2011	FY2012	TOTAL	Funding Source / Comments
Bergeron Park Playground Equipment (2008)	Parks & Rec	\$100,000	\$0	\$0	\$0	\$0	\$100,000	Unfunded
Pine Island Park Sports Facility Improvements (2008)	Parks & Rec	\$115,500	\$0	\$0	\$0	\$0	\$115,500	Unfunded
Driftwood Park Playground Equipment (2008)	Parks & Rec	\$100,000	\$0	\$0	\$0	\$0	\$100,000	Unfunded
Duplicactor Machine (2008)	Parks & Rec	\$20,000	\$0	\$0	\$0	\$0	\$20,000	Unfunded
Fitness Center Equipment (2008)	Parks & Rec	\$26,600	\$0	\$0	\$0	\$0	\$26,600	Unfunded
Workstations for Multipurpose Center Addtn (2008)	Parks & Rec	\$22,000	\$0	\$0	\$0	\$0	\$22,000	Unfunded
Picnic Tables (2008)	Parks & Rec	\$13,000	\$0	\$0	\$0	\$0	\$13,000	Unfunded
Pine Island MPC Carpeting (2008)	Parks & Rec	\$4,500	\$0	\$0	\$0	\$0	\$4,500	Unfunded
Potter Park Ballfield Renovation (2008)	Parks & Rec	\$30,000	\$0	\$0	\$0	\$0	\$30,000	Unfunded
Shenandoah Park Ballfield Improvements (2008)	Parks & Rec	\$7,000	\$0	\$0	\$0	\$0	\$7,000	Unfunded
Tennis & Basketball Court Resurfacing (2008)	Parks & Rec	\$40,000	\$25,000	\$20,000	\$40,000	\$0	\$125,000	Unfunded
Subtotal Parks & Rec		\$1,098,100	\$325,000	\$245,000	\$495,000	\$0	\$2,163,100	\$2,163,100
Van Kirk Site Development	Public Wks/Open Space	\$0	\$0	\$530,000	\$0	\$0	\$530,000	Unfunded
Subtotal Open Space		\$0	\$0	\$530,000	\$0	\$0	\$530,000	\$530,000

UNFUNDED PROJECTS

EXHIBIT "B"

Capital Improvement Project	Requesting Department	FY2008	FY2009	FY2010	FY2011	FY2012	TOTAL	Funding Source / Comments
Deep Well Reject Water Disposal	Utilities	\$0	\$4,274,780	\$0	\$0	\$0	\$4,274,780	Future Utilities Bond
LS#8 Rehabilitation	Utilities	\$320,000	\$0	\$0	\$0	\$0	\$320,000	Future Developer Contribution
New Water Treatment Plant (2	Utilities	\$25,500,000	\$25,000,000	\$25,000,000	\$0	\$0	\$75,500,000	Future Developer Contributions, Future Bond, Future Grants
Generator Repair/Replacement	Utilities	\$630,000	\$0	\$0	\$0	\$0	\$630,000	Bond
Lime Basin Repair	Utilities	\$385,000	\$0	\$0	\$0	\$0	\$385,000	Future Utilities Bond, Future Developer Contributions
Sewering Unsewered Areas	Utilities	\$3,000,000	\$3,000,000	\$3,000,000	\$3,000,000	\$3,000,000	\$15,000,000	Individual Assessments
Subtotal Utilities		\$29,835,000	\$32,274,780	\$28,000,000	\$3,000,000	\$3,000,000	\$96,109,780	\$96,109,780
Subtotal New 2008 Projects		\$28,286,600	\$34,316,000	\$35,235,500	\$6,278,500	\$7,194,000	\$111,310,600	\$111,310,600
Subtotal Prior Year Projects		\$5,032,100	\$7,600,780	\$4,015,000	\$18,605,000	\$3,000,000	\$38,252,880	\$38,252,880
Total All Projects		\$33,318,700	\$41,916,780	\$39,250,500	\$24,883,500	\$10,194,000	\$149,563,480	\$149,563,480

* * * * *

THIS PAGE
INTENTIONALLY
LEFT BLANK

* * * * *

**TOWN OF DAVIE
TOWN COUNCIL AGENDA REPORT**

TO: Mayor and Councilmembers
FROM/PHONE: Gary Shimun, Town Administrator / 797-1035
PREPARED BY: Phillip R. Holste, Program Manager / 797-1041
SUBJECT: Resolution
AFFECTED DISTRICT: 2

ITEM REQUEST: **Schedule for Council Meeting**

TITLE OF AGENDA ITEM: A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE INITIATION OF DUE DILIGENCE PROCEDURES FOR THE LAUDERDALE PROPERTY.

REPORT IN BRIEF: The Lauderdale property is a 9.8 acre site (Folio #504134010880) located directly north of Wolf Lake Park. The Town recently received a willing seller letter from property owner, Virginia Lauderdale. The Open Space Advisory Committee (OSAC) will review and score the site at its July 23, 2007 meeting.

This resolution authorizes staff to initiate due diligence procedures for possible acquisition of the site utilizing the Open Space Bond. Due diligence may include independently conducted appraisals, title searches, surveys, and environmental assessments. Such expenses will be charged to the District 2 Open Space Bond Account.

PREVIOUS ACTIONS: N/A

CONCURRENCES: None

FISCAL IMPACT: Yes

Has request been budgeted? No

If no, amount needed: \$30,000

What account will funds be appropriated from: 030-3006-572.65-02 (District 2 Open Space Bond Account)

RECOMMENDATION(S): Motion to approve

Attachment(s): Resolution, Exhibit A: Location Map, Exhibit B: BCPA information

RESOLUTION _____

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE INITIATION OF DUE DILIGENCE PROCEDURES FOR THE LAUDERDALE PROPERTY FOR ITS POSSIBLE ACQUISITION THROUGH THE 2006 OPEN SPACE BOND

WHEREAS, in September 2005, the voters of the Town of Davie approved the issuance of general obligation "Open Space" bonds in order to protect the quality of water bodies, to preserve and improve wildlife habitat and parks, to complete the recreational trail system, and to protect natural lands from development; and

WHEREAS, the Town of Davie has received a willing seller letter from Virginia Lauderdale regarding her 9.8 acre property, located directly north of Wolf Lake; and

WHEREAS, the Town Davie may be interested in acquiring this site utilizing funds from the Open Space Bond.

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 hereby authorizes the initiation of due diligence procedures for the 9.8 acre property owned by Virginia Lauderdale (Folio #504134010880) and authorizes the allocation of such due diligence expenses to the District 2 Open Space Bond account, 030-3006-572.65-02.

SECTION 2. This resolution shall take effect immediately upon its passage and adoption.

PASSED AND ADOPTED THIS _____ DAY OF _____, 2007.

MAYOR/COUNCILMEMBER

ATTEST:

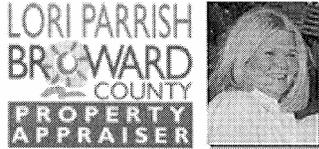
TOWN CLERK

APPROVED THIS _____ DAY OF _____, 2007.

Exhibit A: Location Map



Exhibit B: Broward County Property Appraiser Information



IMPORTANT: If you are looking to purchase this property, the tax amount shown may have no relationship to the taxes you will pay. Please use our **Tax Estimator** to determine a more likely estimate of your new amount.

- [PREVIOUS](#)
[NEXT](#)
[VIEW MAP](#)
[PRINT](#)
[NEW SEARCH](#)
[BCPA HOME](#)

Click here to display your 2006 Tax Bill.

Site Address	, DAVIE	ID #	5041 34 01 0880
Property Owner	LAUDERDALE,VIRGINIA M REV TR	Millage	2413
Mailing Address	5306 SW 76 AVE DAVIE FL 33328	Use	63

Legal Description	EVERGLADE LAND SALES CO SUB 2-34 D 34-50-41 TRACT 64 LESS POR DESC AS R/W IN MISC MAP 3-22 B
-------------------	--

Property Assessment Values					
Year	Land	Building	Land Value AG	Total	Tax
Current	\$4,910		\$1,226,250	\$4,910	
2006	\$4,910		\$539,550	\$4,910	\$111.45
2005	\$4,910		\$539,550	\$4,910	\$115.90

Save Our Home Value	Exemptions			
	Type	Widow(er)'s/Veteran's/Disability	Homestead	Non-Exempt
				\$4,910

Sales History					Land Calculations		
Date	Type	Price	Book	Page	Price	Factor	Type
9/11/2001	QCD	\$100	32152	1398	\$500	9.81	BC
8/30/2000	WD	\$450,000	30837	1886			
10/13/1997	QCD	\$100	27209	553	\$125,000	9.81	AG
8/1/1982	QC	\$100	18838	443	Adj. Bldg. S.F.		

Special Assessments					
Fire	Garbage	Light	Drainage	Improvement	Safe
24			B		
L			B		
1					

Please Note: Assessed values shown are NOT certified values and are subject to change before final certification for ad valorem tax purposes.

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, Acting Deputy Planning and Zoning Manager

SUBJECT: Quasi Judicial Hearing, Flex Application: FX 7-1-06/06-93/Great Florida Bank Center/Generally located between University Drive and Southwest 78th Avenue, south of proposed Southwest 48th Street.

AFFECTED DISTRICT: District 2

ITEM REQUEST: **Schedule for Council Meeting**

TITLE OF AGENDA ITEM: A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE ALLOCATION OF RESIDENTIAL TO COMMERCIAL FLEXIBILITY TO THE “GREAT FLORIDA BANK CENTER” PLAT UNDER THE FIVE (5) PERCENT RESIDENTIAL TO COMMERCIAL FLEXIBILITY RULE IN ACCORDANCE WITH THE BROWARD COUNTY LAND USE PLAN AND THE ADMINISTRATIVE RULES DOCUMENT: BROWARD COUNTY LAND USE PLAN; AND PROVIDING FOR AN EFFECTIVE DATE.

REPORT IN BRIEF: The petitioner (Linda Strutt Consulting, Inc.) requests the utilization of the Flexibility Rule to allocate 4.03 acres (175,546 sq. ft.) residential to commercial flexibility acreage so that a portion of the subject site may be developed as a mixed-use building consisting of retail/office uses and be considered in compliance with the permitted uses of the Future Land Use Element of the Town of Davie Comprehensive Plan. Additionally, the petitioner’s flexibility request is consistent with the all development applications relating to “Great Florida Bank Center.”

The Town of Davie Future Land Use Plan Map designates the subject site as Residential 10 DU/AC. In order for the petitioner to develop the subject site with commercial uses on residential designated land, Broward County Planning Council requires the Town of Davie use the Flexibility Rule to allocate residential-to-commercial acreage consistent with the Administrative Rules Document: Broward County Land Use Plan.

The proposed “B-2, Community Business District” permits mixed-use developments consisting of retail/office uses. Broward County Planning Council views these uses as a neighborhood office. Therefore, to allow the allocation of 5% of area designated for residential uses on the Broward County Land Use Plan to be used for neighborhood office and/or retail sale of merchandise or services, the petitioner is required to utilize the Flexibility Rule in accordance with Broward County Planning Council’s Administrative Rules Document.

The Town of Davie annually recertifies the pooled flexibility acreage in each Flexibility Zone with the Broward County Planning Council. The subject site is presently situated in Flexibility Zone 102. As of

March 30, 2007 there are 72.144 acres left in this zone. The petitioner is requesting to utilize 4.03 acres (175,546 sq. ft.) of residential-to-commercial flexibility acreage leaving 68.114 acres in Zone 102.

PREVIOUS ACTIONS: n/a

CONCURRENCES: At the June 13, 2007 Planning and Zoning Board Meeting, Vice-Chair Stevens made a motion, seconded by Ms. Turin, to approve. (**Motion carried 4-0, Mr. Pignato was absent**)

FISCAL IMPACT: not applicable

Has request been budgeted? n/a

RECOMMENDATION(S):

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

4. Contingent upon approval of the following development applications:
 - a. Rezoning Application (*ZB 7-3-06*), *Great Florida Bank Center*
 - b. Site Plan Application (*SP 7-4-06*), *Great Florida Bank Center*
 - c. Vacation Application (*VA 7-2-06*), *Great Florida Bank Center*
 - d. Flex Application (*FX 7-1-06*), *Great Florida Bank Center*
 - e. Variance Application (*11-1-06*), *Great Florida Bank Center*

Attachment(s): Resolution, Planning Report

RESOLUTION NO. _____

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE ALLOCATION OF RESIDENTIAL TO COMMERCIAL FLEXIBILITY TO THE "GREAT FLORIDA BANK CENTER" PLAT UNDER THE FIVE (5) PERCENT RESIDENTIAL TO COMMERCIAL FLEXIBILITY RULE IN ACCORDANCE WITH THE BROWARD COUNTY LAND USE PLAN AND THE ADMINISTRATIVE RULES DOCUMENT: BROWARD COUNTY LAND USE PLAN; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the petitioner has submitted an application to the Town of Davie requesting to utilize 4.03 acres of Residential-to-Commercial Flexibility for the "Great Florida Bank Center" Plat; and

WHEREAS, the proposed Flex Application for the "Great Florida Bank Center" was considered by the Town of Davie Planning and Zoning Board on June 13, 2007;

WHEREAS, allocating the 5% Residential-to-Commercial Flexibility Rule will be consistent with the Broward County Land Use Plan and the Administrative Rules Document: Broward County Land Use Plan; and

WHEREAS, the Town of Davie desires to allocate 1 Acre of its Residential-to-Commercial Flexibility in Zone 102 to the "Great Florida Bank Center" Plat; and

WHEREAS, the proposed allocation is in conformance with Town of Davie Comprehensive Plan and the Broward County Land Use Plan.

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

SECTION 1. That the Town Council of the Town of Davie does hereby approve the allocation of 1 Acre of its Residential-to-Commercial Flexibility in Zone 102, as granted by the Broward County Land Use Plan, to the "Great Florida Bank Center" Plat.

SECTION 2. If any section, subsection, sentence, clause, phrase, or portion of this Resolution is, for any reason, held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portion of this resolution.

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

PASSED AND ADOPTED THIS _____ DAY OF _____, 2007.

ATTEST:

MAYOR/COUNCILMEMBER

TOWN CLERK

APPROVED THIS _____ DAY OF _____, 2007.

Exhibit “A”

Application: FX 7-1-06/06-93/Great Florida Bank Center

Original Report Date: 6/4/07

Revision(s): 7/2/07

TOWN OF DAVIE

Development Services Department

Planning & Zoning Division

Staff Report and Recommendation

Applicant Information

Owner:

Name: Frank Amedia, Pelican Shops at Davie

Address: 7600 Red Road, Suite 300

City: Miami, Florida 33143

Phone: (786) 268-1349

Petitioner:

Name: Linda Strutt

Linda Strutt Consulting, Inc.

Address: 227 Goolsby Boulevard

City: Deerfield, Florida 33442

Phone: (954) 426-4305

Background Information

Date of Notification: June 6, 2007

Number of Notifications: 183

Petitioner’s Request: The petitioner requests to utilize the Flexibility Rules to allocate 5% of the area designated for residential use on the Broward County Land Use Plan to be used for neighborhood office and/or retail sale of merchandise or services (approx. 4 acres) within Flexibility Zone 102.

Address: 4700-4900 Southwest 78th Avenue

Location: Generally located between University Drive and Southwest 78th Avenue, south of proposed Southwest 48th Street

Future Land

Use Plan Map: Residential 10 DU/Acre

Existing Zoning(s): A-1, Agricultural District/B-2, Community Business District

Proposed Zoning(s): A-1, Agricultural District/B-2, Community Business District

Existing Use(s): Vacant (abandon nursery)

Parcel Size: 4.06 net acres (177,760 sq. ft.)

Proposed Use(s): Two-story mixed-use development

Proposed Density: n/a

Surrounding Use(s):

North: Baers
South: Poinciana Southwood
East: Vacant

West: The Atrium Center

Surrounding Land

Use Plan Map Designation(s):

Commercial
Residential 10 DU/Acre
Residential 1 DU/Acre
Residential 10 DU/Acre
Commercial

Surrounding Zoning(s):

North: A-1, Agricultural District/Griffin Corridor District (University Drive Node)
South: RM-10, Medium Dwelling District/RC-8, Residential Cluster
East: A-1, Agricultural District
West: B-3, Planned Business Center

Zoning History

Related zoning history:

Records indicate that the existing Future Land Use Plan Map designation and Zoning classification were in place at the time of annexation.

Previous requests on same property: n/a

Concurrent Request(s) on same property:

Rezoning Application (ZB 7-3-06), the petitioner requests approval to rezone the proposed commercial portion of the “Great Florida Bank Center” project from A-1, Agricultural District to B-2, Community Business District.

Site Plan Application (SP 7-4-06), the petitioner requests approval site plan approval for a mixed-use project consisting of a two-story retail/office building

Plat Application (P 7-1-06), the petitioner requests approval of the proposed boundary plat known as “Great Florida Bank Center” plat.

Vacation Application (VA 7-2-06), the petitioner requests approval to vacate the southern most portion of Southwest 78th Avenue right-of-way and dedicate it to the proposed “Great Florida Bank Center” plat.

Variance Application (11-1-06), the petitioner requests approval to reduce the required thirty (30) foot wide landscape buffer along the eastern property line, parallel to University to ten (10) feet wide.

Applicable Codes and Ordinances

The effective Code of Ordinances governing this project is the Town of Davie Land Development Code.

Land Development Code (Section 12-305), Rezonings, Special Permits, Variances, and Vacations or Abandonments of Rights-of-Way, the purpose of this division is to guide the processing and granting of rezonings, special permits, variances and vacations or abandonments of rights-of-way in a manner consistent with the Town of Davie Comprehensive Plan, existing development and in a manner which protects the public health, safety and welfare.

The Broward County Land Planning Council, Administrative Rules Document: Broward County Land Use Plan.

Comprehensive Plan Considerations

Planning Area:

The subject property falls within Planning Area 10. This Planning Area is generally located north of Stirling Road, south of Griffin Road, east of Pine Island Road, and west of SW 76 Avenue. Pine Island Road, a major north/south arterial, on the western limits of this planning area provides through access from Griffin Road to Stirling Road. Commercial development of retail centers and office buildings line the University Drive corridor. The east side of this corridor is predominantly small-scale commercial development, with multi-family residential development (one existing, one proposed) and plant nurseries on the northern half of the corridor, and commerce park development and cattle grazing on commerce park-zoned lands on the southern half. Commercial development also exists along Griffin Road within this planning area. Several small-scale single-family residential communities, two trailer parks totaling approximately 30 acres in area, and an 8-acre industrial park are located within this planning area, together with six parcels zoned for community facilities uses. These include, but are not limited to, a regional library, multiple church uses varying scales, a Girl Scout campground facility, and a private school.

Broward County Land Use Plan:

The subject site falls within Flexibility Zone 102.

Applicable Goals, Objectives & Policies:

Future Land Use Plan, Objective 17: Land Use Compatibility and Community Appearance, Policy 17-2: No property within the Town shall be rezoned to a zoning district that is not in compliance with the Davie Future Land Use Plan.

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

The Town of Davie Future Land Use Plan Map designates the subject site as Residential 10 DU/AC, with existing zoning of A-1, Agricultural District and B-2, Community Business District. The petitioner is proposing to develop the subject site with the commercial uses (Linda Strutt Consulting, Inc.). In order for the petitioner to develop the subject site with commercial uses on residential designated land, Broward County Planning Council requires the Town of Davie use the Flexibility Rule to allocate residential-to-commercial acreage consistent with the Administrative Rules Document: Broward County Land Use Plan.

The proposed "B-2, Community Business District," located illustrated on the attached sketch and description exhibit, permits mixed-use developments consisting of retail/office buildings. Broward County Planning Council views these uses as a neighborhood office. Therefore, to allow the allocation of 5% of area designated for residential uses on the Broward County Land Use Plan to be used for neighborhood office and/or retail sale of merchandise or services, the petitioner is required to utilize the Flexibility Rule in accordance with Broward County Planning Council's Administrative Rules Document.

The Town of Davie annually recertifies the pooled flexibility acreage in each Flexibility Zone with the Broward County Planning Council. The subject site is presently situated in Flexibility Zone 102. As of March 30, 2007 there are 72.144 acres left in this zone. The petitioner is requesting to utilize 4.03 acres (175,546 sq. ft.) of residential to commercial flexibility acreage leaving 68.114 acres in Zone 102.

Staff Analysis

The petitioner (Linda Strutt Consulting, Inc.) requests the utilization of the Flexibility Rule to allocate 4.03 acres (175,546 sq. ft.) residential to commercial flexibility acreage so that a portion of the subject site may be developed as a mixed-use building consisting of retail/office uses and be considered in compliance with the permitted uses of the Future Land Use Element of the Town of Davie Comprehensive Plan. Additionally, the petitioner's flexibility request is consistent with the all development applications relating to "Great Florida Bank Center."

The following information is staff's analysis based on the criteria established in the Town of Davie's, Land Development Code, Section 12-307(A)(1) for flex applications:

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

The Town of Davie adopted Comprehensive Plan allows commercial uses under the future land use element. The Comprehensive Plan states that the Town of Davie may utilize no more than 5% of the area designated for residential use on the Town of Davie Future Land Use Plan Map within a flexibility zone for offices and/or retail sales.

- (b) The proposed change will not create an isolated zoning district unrelated and incompatible with adjacent and nearby districts;

The proposed change will not create an isolated commercial zoning district since commercial uses are adjacent to the north and west of the subject site. Additionally, the proposed commercial use (Great Florida Bank Center) of the subject site is consistent with similar uses along the University Drive corridor.

- (c) Existing zoning district boundaries are logically drawn in relation to existing conditions on the property proposed for change;

The existing zoning boundaries are logically drawn for the proposed commercial use. The Broward County Land Use Plan, when a proposed development has commercial uses within the residential land use category, the allocation of residential-to-commercial flexibility acreage must be applied.

- (d) The proposed change is not expected to adversely affect living conditions in the neighborhood;

Applying commercial flexibility will not have a negative impact on the neighborhoods being that commercial uses exist along the University Drive corridor. The proposed commercial use will serve as a transition from more intense uses out from University Drive.

- (e) The proposed change may 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 generated by the proposed commercial use is not what the existing future land use plan anticipated. Prior to final approval of the plat by Broward County and the Town of Davie, traffic impacts are assessed.

(f) The proposed change is not expected to adversely affect other property values;

Applying commercial flexibility will not have a negative impact on the value of the adjacent properties. The proposed commercial use is consistent with uses along University Drive.

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

Applying commercial flexibility should not be a deterrent to the adjoining property owners from continuing to utilize their property(s) in accordance 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;

Applying commercial flexibility will not give the owner a unique benefit that harms the welfare of the general public. This request is consistent with the Town of Davie Comprehensive Plan.

(i) There are substantial reasons why the property cannot be used without the utilization of Flexibility Rule.

The Future Land Use Plan designates the subject site as Residential 10 DU/AC. In order for the petitioner to develop the subject site as commercial, the Town of Davie requires the utilization of the Flexibility Rule to allocate residential-to-commercial acreage consistent with the Administrative Rules Document: Broward County Land Use Plan.

(j) The proposed utilization of Flexibility Rule may be the most appropriate designation to enhance the Town's tax base given the site's 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.

The subject site's Future Land Use Plan Map designation is Residential 10 DU/AC. The proposed commercial use on the subject site may provide a higher tax base than residential uses with less.

Staff Recommendation

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

5. Contingent upon approval of the following development applications:
 - a. Rezoning Application (ZB 7-3-06), *Great Florida Bank Center*
 - b. Site Plan Application (SP 7-4-06), *Great Florida Bank Center*
 - c. Vacation Application (VA 7-2-06), *Great Florida Bank Center*
 - d. Flex Application (FX 7-1-06), *Great Florida Bank Center*
 - e. Variance Application (11-1-06), *Great Florida Bank Center*

Planning and Zoning Board Recommendation

At the June 13, 2007 Planning and Zoning Board Meeting, Vice-Chair Stevens made a motion, seconded by Ms. Turin, to approve. (**Motion carried 4-0, Mr. Pignato was absent**)

Town Council Action

Exhibits

1. Justification Letter
 2. Sketch and Legal Description
 3. 1,000' Mail out Radius Map
 4. Property Owners within 1,000' of the Subject Site
 5. Conceptual Site Plan
 6. Future Land Use Plan Map
 7. Aerial, Zoning, and Subject Site Map
-

Prepared by: _____

Reviewed by: _____

File Location: P&Z\Development Applications\Applications\FX_Flex-Reserve\FX_06\FX 7-1-06 Great Florida Bank Center

**GREAT FLORIDA BANK CENTER
REQUEST FOR REZONING WITH COMMERCIAL FLEX ACREAGE
ALLOCATION**

JUSTIFICATION

Reason for the Request:

The applicant has assembled approximately 4.7 gross acres of land located on the east side of University Drive on the west side of SW 78th Avenue for redevelopment as a commercial development. The entire site is designated Low Medium Residential 10 on the Broward County Land Use Map and Residential 10 du/acre on the Town's Future Land Use Map. The northern portion of the site (approximately 1.5 acres) abutting the Griffin Corridor was rezoned to B-2 before it was acquired by the applicant. The balance of the site (3.2 acres) is still zoned A-1 Agricultural District. (See attached legal sketch)

The applicant is seeking to rezone most of the portion of the site which is zoned A-1 to B-2 Community Business District to accommodate a mixed commercial/retail-office project oriented toward University Drive. The applicant has acquired a small parcel of land on the east side of SW 78th Avenue as shown on the attached legal sketch ("Exhibit "A") and is submitting a companion application to vacate the southern terminus of SW 78th Avenue which terminates at the southern boundary of the site dividing this parcel from the rest of the site. A portion of the eastern parcel (approximately .7 acres) is excluded from the rezoning request to serve as a buffer for the adjacent residentially zoned property.

In conjunction with the rezoning to B-2, the applicant is requesting an allocation of 4.03 acres of Commercial flex pursuant to the Plan Implementation Section of the Town of Davie Future Land Use Element and Future Land Use Element Policy 6-7. This coincides with the existing and proposed B-2 zoning and is needed to accommodate the proposed commercial building and associated parking.

The proposed project for the entire site is presented on the site plan submitted concurrently with this rezoning request. A plat is also being submitted with the application package.

Section 12-307(A)(1) Criteria

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

The zoning request is consistent with the Town's adopted comprehensive plan as well as the draft recommendations of the Town's Evaluation and Appraisal Report.

The proposed change particularly supports the following objectives and policies adopted in the Town's comprehensive plan:

FLUE Policy 6-7 and the Permitted Uses Residential Land Use Category #9 of the Implementation Section which permit office and neighborhood retail sales of merchandise and services in areas designated for Residential use subject to a contiguous acreage limit of 10 acres:

The requested rezoning and commercial flex allocation will facilitate the development of a mixed retail-office-services project adjacent to medium density residential of the scale and nature envisioned by these flexibility policies. The total site, including the parcel previously rezoned to B-2 with a commercial flexibility allocation, is 4.7 acres, well under the 10-acre limit. The proposed project is well within the size range, in terms of acreage and building square footage, set forth in the Plan Implementation Section for Neighborhood Shopping Centers.

FLUE Policy 7-1 which commits the Town to striving to expand its economic base through expansion of the commercial sector of the economy:

The proposed change will expand the commercial acreage in the Town and facilitate immediate development of commercial uses on underdeveloped land.

FLUE Policy 17-1 which directs that lands designated for non-residential use be located to facilitate development without adversely impacting existing and designated residential areas.

The requested rezoning will allow for the redevelopment of the existing B-2 site which will serve as a buffer from the high-traffic arterial University Drive while being separated by local streets and access drives from residentially developed and designated areas.

Transportation Element Policy 4.1.11 which requires commercial development to be located with adequate access to major transportation facilities.

The proposed commercial development will have access to the major state arterial University Drive. This roadway is also designated as a bus rapid transit corridor which will eventually traverse the entire county.

Evaluation and Appraisal Report Issue D "Planning for Economic Vitality" which includes the need to encourage infill development, attract new businesses and create new employment opportunities for Town residents as a means of addressing the dependence of the tax base on residential uses, the limited expansion of the commercial/industrial sector and the relatively small percentage of vacant commercial land.

The proposed rezoning with commercial flex allocation will convert residentially designated property to commercial use to accommodate development of medical and professional offices, financial, retail and service-type employment opportunities for local residents. The expansion of the B-2 zoned parcel will facilitate redevelopment of the balance of the University Drive frontage between the Griffin Corridor and the Southwood Townhomes now in interim nursery and single-family use thereby contributing to the tax base.

(b) The proposed change would not create an isolated zoning district unrelated and incompatible with adjacent and nearby districts;

The proposed change would extend the contiguous B-2 Community Business District boundary south along University Drive consistent with the existing B-3 zoning on the west side of University Drive. No enclave of A-1 zoning/residential land use will remain between this property and the Southwood Townhomes on the south. The commercial parcel will be bounded by public rights-of-way and a major access drive. Where the applicant proposes to vacate SW 78th Avenue, the existing A-1 zoning will remain as a buffer.

(c) Existing zoning district boundaries are illogically drawn in relation to existing conditions on the property proposed for change;

No portion of the site is classified for agricultural use on the Future Land Use Plan Map. The existing A-1 zoning district is serving as an interim zoning classification until development of the site consistent with the Future Land Use Plan Map is imminent. The northern portion of the site has previously been zoned B-2, consistent with the adjacent Griffin Corridor University D Node zoning to the north and the character of University Drive, a principal state arterial. The property on the west side of University Drive is zoned B-3 for commercial use consistent with the intensity of the roadway. The property to the south has been zoned RM-10 and developed as a townhouse project.

The A-1 parcel is the last agriculturally zoned parcel along this stretch of University Drive frontage. It is surrounded by roadways, fronting on a high volume arterial, and abuts commercially zoned property which makes development of a quality residential project on the site problematic.

The portion of the site that is included within this rezoning and flex allocation request was used for a plant nursery and a single-family home. The portion already zoned B-2 was also used for a small commercial nursery. The applicant is proposing to redevelop the site to a commercial/retail and office development and is seeking a change to

community business zoning consistent with the rest of the site, vicinity zoning and development patterns, the adjacent roadway and the proposed development.

(d) The proposed change will not adversely affect living conditions in the neighborhood;

The zoning change will improve the opportunity to buffer the development on both the commercially zoned parcel and the A-1 parcel that is the subject of this application from the adjacent multi-family development and residentially designated land by creating a unified parcel.

(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;

The requested zoning change with flex allocation will allow access to University Drive to be consolidated into one point, an existing access driveway connection to University Drive. The left-turn into the University access drive will be improved and additional right-of-way for University Drive will be dedicated through the plat being processed simultaneously with this request. The existing intermediate connections to University Drive serving the component parcels will be removed. The project will be oriented to University Drive, rather than SW 78th Avenue, with access to SW 78th Avenue also consolidated from the multiple existing connections into one access point.

Without the proposed zoning change, this property could yield more than 30 residential units generating work, shopping, school and social trips on both SW 78th Avenue and University Drive. The development proposed in conjunction with the proposed change would produce commercial-service-office uses in close proximity to the residents it will serve. These uses will supplement those provided in the Griffin Corridor University Node capturing trips already on the road.

(f) The proposed change will not adversely affect other property values;

The proposed project will bring quality retail and office use to the currently underutilized site in a tastefully designed two-story building that will serve as a visual and noise buffer from University Drive. Building placement, open area and landscaped buffers will be used to ensure compatibility with adjacent residentially designated property. These improvements are expected to have a positive effect on vicinity property values.

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

The applicant has assembled a compact parcel of underdeveloped land adjacent to University Drive, a portion of which has already been zoned B-2 but is being used for a retail agricultural use (nursery). Without the proposed rezoning and commercial flex allocation, redevelopment of both this B-2 parcel and the residentially designated portions would be hampered by their juxtaposition. The proposed rezoning will facilitate development of a unified commercial development with adequate buffering from adjacent medium residential density (10 du/acres) properties. Development of this assembled site will complete the eastern University Drive frontage south of Griffin Road. The change will allow the entire site to utilize one existing connection to University Drive with improved southbound access, eliminating existing connections that impact the traffic flow.

(h) The proposed change will not constitute a grant of special privilege to an individual owner as contrasted with the welfare of the general public;

The existing A-1 zoning is generally considered an interim zoning district until the affected land is ready for development. All property zoned A-1 without an Agricultural land use designation eventually needs to be rezoned in order to develop. The request for commercial flex allocation will serve the public's welfare by enhancing the tax base as commercial development typically generates more in revenue than residential development with less pressure on public expenses. The zoning change will allow for development that will also generate employment opportunities and provide banking, retail and service opportunities for vicinity residents conveniently located close to medium density residential development.

(i) There are substantial reasons why the property cannot be used in accord with existing zoning;

The existing A-1 zoning on the portion of the site proposed to be rezoned to B-2 is not consistent with the Future Land Use Plan Map designation nor with the zoning on the rest of the property. It would not allow redevelopment consistent with the density or intensity appropriate for the University Drive corridor.

- (j) The proposed zoning designation is 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.**

The northern portion of the site is already zoned B-2, Community Business, which allows for a transition from the Griffin Corridor University Node zoning on the north to the RM-10 multi-family zoning on the south. Currently the subject parcel is adjacent to B-2 zoning. Extending the B-2 zoning as requested will result in a parcel that will be separated from residentially designated property to the east by SW 78th Avenue and from the multi-family development to the south by an access drive which will enable the project to share an existing University Drive access point (see proposed site plan). The applicant is proposing to leave the southeastern portion of the site in A-1 zoning to serve as an additional buffer for the residential property.

The requested commercial zoning for the site location is consistent with comprehensive plan policy directing commercial development to locations with adequate access to major transportation facilities as it is located on a major arterial and premium bus rapid transit route. It is also consistent with the intensity of University Drive and the zoning and development to the north and west of the site.

By converting the use of the site from residential to commercial, the proposed change will contribute to the Town's tax base, furthering the Town's goal of promoting economic vitality, by facilitating the construction of a high quality retail-business-office project to replace the existing agricultural and single-family uses which contributed very little to the tax base and by generating quality local employment opportunities.

Exhibit 2 (Sketch and Legal Description)



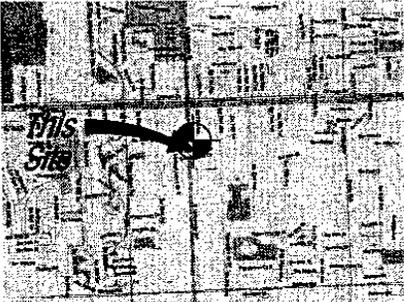
Patriot Surveying and Mapping, Inc.

3748 NW 124th Avenue Coral Springs, Florida 33065
 Phone: (954) 509-0083 Fax: (954) 301-2623

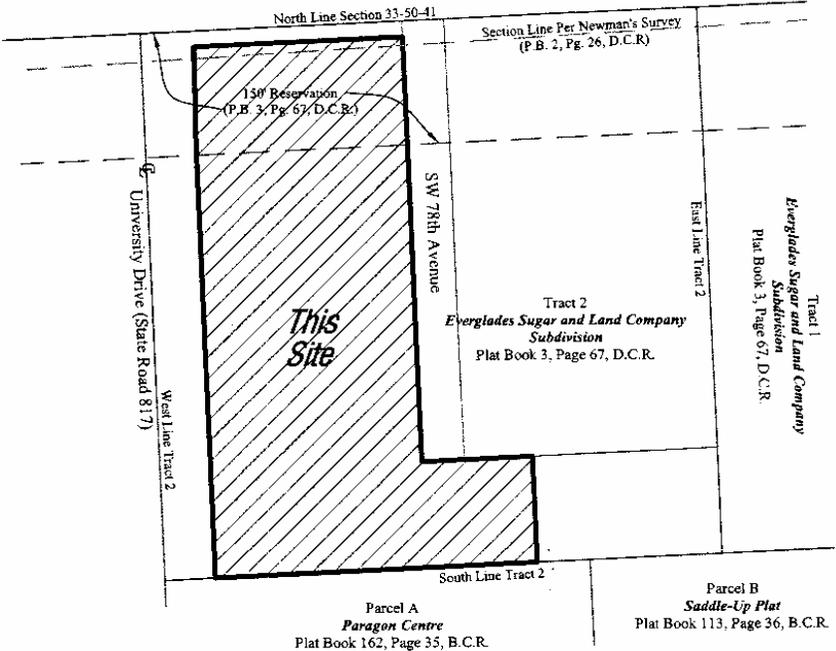
LB # 7303

- Sketch and Description -

Sheet 1 of 3



Location Map
(Not to Scale)



Dennis J. Gabriele

4-19-07

Dennis J. Gabriele
Professional Surveyor and Mapper No. LS5709
State of Florida

Not Valid without the signature
and original raised seal of a Florida
licensed Surveyor and Mapper

Updates and Revisions	Date	By	QC	NOTE: The undersigned and PATRIOT SURVEYING AND MAPPING, INC. make no representations or guarantees as to the completeness of the information reflected hereon pertaining to easements, right-of-way, set-back lines, reservations, agreements or other matters of record. This instrument is intended to reflect or set forth only those items shown in the references above. PATRIOT SURVEYING AND MAPPING, INC. did not research the public records for matters affecting the lands shown. This instrument is the property of PATRIOT SURVEYING AND MAPPING, INC. and shall not be reproduced in whole or in part without written permission of PATRIOT SURVEYING AND MAPPING, INC.

Job No. 0511-010

Drawn By: DN

OA / OC: DG

FB. PG.

Scale: NTS



Patriot Surveying and Mapping, Inc.

3748 NW 124th Avenue Coral Springs, Florida 33065

Phone: (954) 509-0083 Fax: (954) 301-2623

LB # 7303

Sheet 3 of 3

- Legal Description -

A portion of Tract 2, *Everglades Sugar and Land Company Subdivision*, according to the plat thereof, as recorded in Plat Book 3, Page 67, of the Public Records of Miami-Dade County, Florida, being more particularly described as follows:

Commence at the Southeast corner of said Tract 2, said point also being a point on the North line of Parcel A, *Paragon Centre*, as recorded in Plat Book 162, page 35, of the Public Records of Broward County, Florida;

Thence, South 87°29'38" West, along the South line of Tract 2, a distance of 230.01 feet to a the **Point of Beginning**;

Thence, continue South 87°29'38" West, along the South line of Tract 2, a distance of 369.98 feet to a point on the East right-of-way line of University Drive;

Thence, North 01°54'15" West, along the East line of University Drive, a distance of 517.91 feet to the point of curvature of a circular curve, concave to the East, having a radius of 7,629.44 feet and a central angle of 00°55'31";

Thence, Northerly along the arc of said curve, and the East line of University Drive, an arc distance of 123.20 feet;

Thence, North 87°27'28" East, a distance of 247.13 feet;

Thence, South 01°54'02" East, a distance of 513.03 feet;

Thence, North 87°27'28" East, a distance of 120.01 feet;

Thence, South 01°54'02" East, a distance of 128.24 feet to the **Point of Beginning**.

Said lands lying and being in the Town of Davie, Broward County, Florida, and containing 175,453 square feet (4.028 acres) more or less.

Exhibit 3 (1,000' Mail out Radius Map)

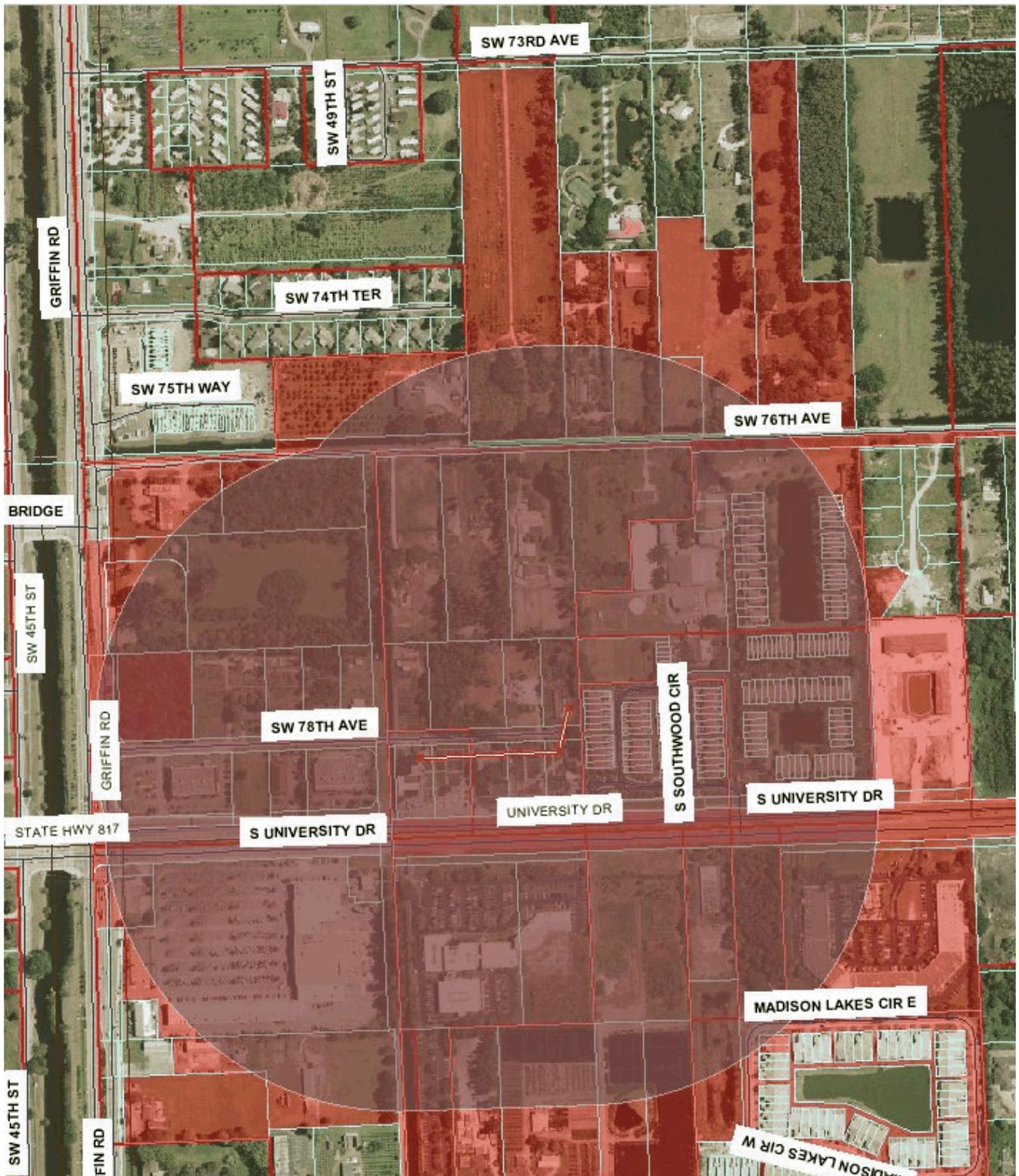


Exhibit 4 (Property Owners within 1,000' of Subject Site)

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
 ACEVEDO,ANGEL
 ACEVEDO,IRIS H
 7890 S SOUTHWOOD CIR
 DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
 ADAMS,BETH A
 5166 S UNIVERSITY DR
 DAVIE FL 33328-4513

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
 ADRIAN-BUTLER,PATRICIA E
 5136 S UNIVERSITY DR
 DAVIE FL 33328-4512

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
 ALAMO PETROLEUM
 CONTRACTORS INC
 4620 SW 76TH AVE
 DAVIE FL 33328-3802

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
 ALBERTI,STEPHEN PATRICK
 5154 S UNIVERSITY DR
 DAVIE FL 33328-4513

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
 ALCOVER,E A & SUSAN J
 4800 SW 82ND AVE
 DAVIE FL 33328-4406

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
 ALTMAN,STEVEN
 5038 S UNIVERSITY DR
 DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
 ALVARADO,JORGE I
 5186 S UNIVERSITY DR
 DAVIE FL 33328-4514

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
 AMRICH,JOANNE L
 5064 S UNIVERSITY DR
 DAVIE FL 33328-4510

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
 ANCONETANI,GRISSELDA
 ANCONETANI,LAURA G
 5094 S UNIVERSITY DR
 DAVIE FL 33328-4511

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
 ANGEL,PETER N
 5152 S UNIVERSITY DR
 DAVIE FL 33328-4513

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
 AREBALO,ALBERTO F & CHERYL L
 5028 S UNIVERSITY DR
 DAVIE FL 33328-4502

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
 ATRIUM CENTRE LLC
 5301 N FEDERAL HWY STE 190
 BOCA RATON FL 33487

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
 AVEILLE,RANDY & TONYA BELL
 5052 S UNIVERSITY DR
 DAVIE FL 33328-4509

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
 B & R DEVELOPMENT I LLC
 3649 SPANISH OAK POINT
 DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
 BAERS FURNITURE CO INC
 1589 NW 12TH AVE
 POMPANO BEACH FL 33069-1730

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
 BAILEY,VICTORIA ELIZABETH &
 CLARKE,JEREMIAH
 3104 WEBSTER ST
 MOUNT RAINIER MD 20712

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
 BALL,THEODORE M II
 5012 S UNIVERSITY DR
 DAVIE FL 33328-4502

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
 BANOUB,KAMAL N
 BANOUB,TAMER K
 14354 STAMFORD CIR
 ORLANDO FL 32826

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
 BARRON,JAMES K
 BARRON,LILLIAN M
 8541 SW 30 ST
 DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
 BATISTA,HAROLD J
 7892 N SOUTHWOOD CIR
 DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
 BECRAFT,BRENT E
 7782 N SOUTHWOOD CIR
 DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
 BELL,STEPHANIE C
 5076 S UNIVERSITY DR
 DAVIE FL 33328-4510

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
 BERRIGAN,NANCY
 7951 S SOUTHWOOD CIR
 DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
 BIRNBAUM,MARIE A
 294 BLACKHEATH ROAD
 LONG BEACH NY 11561

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
 BLACKFORD,STEVEN B
 5000 S UNIVERSITY DR
 DAVIE FL 33328-4502

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
 BLAKLEY,BARBARA MARIE
 BLAKLEY,ROBIN MARIE
 5188 S UNIVERSITY DR
 DAVIE FL 33328-4514

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
 BOISVERT,COLETTE E
 5032 S UNIVERSITY DR
 DAVIE FL 33328-4509

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
 BONGIRNE,PATRICE
 5144 S UNIVERSITY DR
 DAVIE FL 33328-4512

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
 BORRAS,HOLLY S
 5086 S UNIVERSITY DR
 DAVIE FL 33328-4511

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
BRANTLEY,BILLY & ALISON
5088 S UNIVERSITY DR
DAVIE FL 33328-4511

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
BRITO,IRMY
4938 S UNIVERSITY DR
DAVIE FL 33328-3824

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
CAPDEVILLE,LARRY
5010 S UNIVERSITY DR
DAVIE FL 33328-4502

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
CHU,JACKIE SIU LUN
5090 S UNIVERSITY DR
DAVIE FL 33328-4511

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
CIMINO-STANFORD,ANNA THERESE
7780 S SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
COHEN,LAURA A
5018 S UNIVERSITY DR
DAVIE FL 33328-4502

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
COHN,ADAM D
7831 S SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
COTTOM,MICHAEL V & YOMARIE
7891 S SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
CRAIN,DAVID A & SANDRA W
5036 S UNIVERSITY DR
DAVIE FL 33328-4509

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
CROWLEY,MICHAEL T &
CATHERINE
5106 S UNIVERSITY DR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
CUTIER,LAURIE K
9421 SW 49 ST
COOPER CITY FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
DE LA CRUZ,ROLANDO
7950 S SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
DE NOBRIGA,LANCEWORTH &
MYRNA
5006 S UNIVERSITY DR
DAVIE FL 33328-4502

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
DEEHAN,ANDREW W
5138 S UNIVERSITY DR
DAVIE FL 33328-4512

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
DEJACOMO,GEORGE M & DENISE
4936 S UNIVERSITY DR
DAVIE FL 33328-3824

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
D'ERRICO,DINO
WARD,MELISSA
5132 S UNIVERSITY DR BLDG 2
DAVIE FL 33328-4504

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
DJL GRIT LIMITED PARTNERSHIP
5241 PENNOCK POINT ROAD
JUPITER FL 33458-3409

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
DORSEY,TODD W
5148 S UNIVERSITY DR
DAVIE FL 33328-4513

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
DOUBERLEY,JOSEPH & LUCY
5078 S UNIVERSITY DR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
ENGELMANN,ANDREW V
ENGELMANN,LEONILA A
7603 N SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
ERDELYL,SCOTT
5026 S UNIVERSITY DR
DAVIE FL 33328-4502

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
EVANS,NICOLE V
2351 NW 33 ST # 515
FT LAUDERDALE FL 33309

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
FINAZZO,MICHAEL A TR
FINAZZO,A M TR,FINAZZO,J S TR
8858 BLOOMFIELD BLVD
SARASOTA FL 34238

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
FIRST UNION NATL BANK FL TR
DOROTHY B WEBB REV TR
PO BOX 40062-KELLEY REYNOLDS
JACKSONVILLE FL 32203-0062

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
FLR COMPANY LLC
350 S OCEAN BLVD #10-B
BOCA RATON FL 33432

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
FRAGA,ANDRES & ADRIANA
5172 S UNIVERSITY DR
DAVIE FL 33328-4514

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
GAMBA,JESUS M
LEON,NELLY
7662 N SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
GAO,HANG
7923 N SOUTHWOOD CIR
FT LAUDERDALE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
GARCIA,SONIA E
7981 S SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
GENERETTE,ULYNN C 1/3 INT EA
GENERETTE,WILLIAM L
III,HARRIS,C
5024 S UNIVERSITY DR
DAVIE FL 33328-4502

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
GETEJANC, TODOR SR & MARIJA
7633 N SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
GLASSMAN, CHAD B
7781 S SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
GOLDSTEIN, ELIAS &
GOLDSTEIN, DEBORAH
4691 S UNIVERSITY DR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
GORE, MISTY
5184 S UNIVERSITY DR
DAVIE FL 33328-4514

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
GREEN, ALLAN B & GRETTEL C
5146 S UNIVERSITY DR
DAVIE FL 33328-4512

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
GUTIERREZ, LOUIS
7630 S SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
HARTLEB, ROBERT
8160 GRIFFIN RD
DAVIE FL 33328-3837

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
HATTEN, MELISSA A 1/2 INT
HATTEN, JAMES DANIEL
4932 S UNIVERSITY DR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
HEMPEL, CARLOS J 1/2 INT
HEMPEL, UTE
5040 S UNIVERSITY DR
DAVIE FL 33328-4509

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
HENNIG, ELIZABETH L &
OSBORNE, LUNEAL
4979 SW 91 AVE
COOPER CITY FL 33328-3519

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
HERNANDEZ, ISRAEL 1/2 INT EA
ROJAS, CARMEN
7723 N SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
HESLOP, ROBIN DAVID &
GLUECK, JUDITH A
5134 S UNIVERSITY DR
DAVIE FL 33328-4512

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
HOLCOMBE, KAREN H
5050 S UNIVERSITY DR
DAVIE FL 33328-4509

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
HOLTON, ELLINOR
5046 S UNIVERSITY DR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
HORNE, ANDREW & JEANNETTE
5116 S UNIVERSITY DR
DAVIE FL 33328-4504

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
HRUSECKY, PAUL & GEORGEANN
5140 S UNIVERSITY DR
DAVIE FL 33328-4512

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
HURTADO, SHEELA L
7661 S SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
IYER, DANPANI
IYER, PRASAD
5062 S UNIVERSITY DR
DAVIE FL 33328-4510

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
JOEL, TERRANCE A
7721 S SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
JONES, DARRELL E & MARTHA
JOANNE
7751 SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
JONES, MICHELLE
5178 S UNIVERSITY DR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
JONES, ROY C & MELINDA B
3818 LAUER LANE
DOVER PA 17315

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
KELLNER, ROBERT E
5118 S UNIVERSITY DR
DAVIE FL 33328-4504

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
KEYES, ROBERT JR
8100 MADISON LAKES CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
KO, MARY
KO, MICHAEL
5058 S UNIVERSITY DR
DAVIE FL 33328-4510

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
KOLB, NORMAN C
5130 S UNIVERSITY DR
DAVIE FL 33328-4504

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
LAPAGLIA, JERMEY & MORENA A
7663 N SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
LAUDERDALE, J A & V REV TR
5306 SW 76 AVE
DAVIE FL 33328-5404

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
LAUDERDALE, JOHN & VIRGINIA
970 W 53 TER
HIALEAH FL 33012

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
LAUDERDALE, VIRGINIA REV TR
5306 SW 76 AVE
DAVIE FL 33328-5404

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
LAWSON, CHRISTOPHER J & DEBRA J &
YOUNG, STEPHEN C
130 S BEL AIRE DR
PLANTATION FL 33317

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
LEE, ANTHONY
5170 S UNIVERSITY DR
DAVIE FL 33328-4514

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
LERIGER, JOAN M
5110 S UNIVERSITY DR
DAVIE FL 33328-4504

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
LETCHER, FRANK T & JOSEPHINE V
5014 S UNIVERSITY DR
DAVIE FL 33328-4502

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
LICARI, BARBARA L
5128 S UNIVERSITY DR
DAVIE FL 33328-4504

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
LICARI, VINCENT
5112 S UNIVERSITY DR
DAVIE FL 33328-4504

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
LOPEZ, KATHY M
5126 S UNIVERSITY DR
DAVIE FL 33328-4504

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
LOPEZ, WILLIAM
4700 SW 78 AVE
DAVIE FL 33328-3827

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
LORENTE, JAVIER A
OTERO, NAHOMMY GUZMAN
7752 N SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
MAC DONALD, SETH & ANDREA
200 BAYBERRY DR
PLANTATION FL 33317

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
MALTESE, HARRY GASPER
7893 N SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
MANNING, MICHAEL LOUIS
5022 S UNIVERSITY DR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
MARINO, KENNETH J
5070 SW 76TH AVE
DAVIE FL 33328-4602

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
MARLER, KATHY A
5034 S UNIVERSITY DR
DAVIE FL 33328-4509

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
MARQUES, LYDIA 1/2 INT EA
MARQUES, ALFREDO R
5074 UNIVERSITY DR
DAVIE FL 33328-4510

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
MARTI, CHARLES &
OROZCO, ANA MARIA
5122 S UNIVERSITY DR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
MAYO, CHRISTINA M TR
PO BOX 292256
PLANTATION FL 33329-2256

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
MC MULLEN, DONNA
7862 N SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
MCLAUGHLIN, SCOTT
5016 S UNIVERSITY DR
DAVIE FL 33328-4502

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
MC SHANE, SCOTT
7692 N SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
MILLER, LERA P
5042 S UNIVERSITY DR
DAVIE FL 33328-4509

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
MILLER, MELISSA M
5070 S UNIVERSITY DR
DAVIE FL 33328-4510

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
MILLER, RICHARD N
7722 N SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
MIZNOVA, ILIANA J
5072 S UNIVERSITY DR
DAVIE FL 33328-4510

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
MOBIL OIL CORP
PROPERTY TAX DIVISION
PO BOX 4973
HOUSTON TX 77210

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
MORRIS, BARBARA
5142 S UNIVERSITY DR
DAVIE FL 33328-4512

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
MOSBY, MARLENA
5102 S UNIVERSITY DR
DAVIE FL 33328-4504

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
MUNOZ, PORFIRIO D 1/2 INT
MUNOZ, MARISELA
7861 S SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
NABIZADEH, ARASTOO T & ZAHRA P
13930 MANDRIN OAKS
JACKSONVILLE FL 32223

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
NAUGHTON, JOSEPH
5162 S UNIVERSITY DR
DAVIE FL 33328-4513

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
NAUGLE NURSERY INC
5001 SW 82ND AVE
DAVIE FL 33328-4414

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
NELSON,D M & MARY M
2819 LORCOM LN
ARLINGTON VA 22207-4943

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
NGUYEN,HUNG &
TRAN,MUOI ETAL
7830 S SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
OJEDA,EILEEN
4930 S UNIVERSITY DR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
OSTRANDER,RUTH M
7625 GRIFFIN RD
DAVIE FL 33328-3816

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
OWEN,DEVON M 1/2 INT EA
JOHNSON,DEBRA E
7922 N SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
OWOC,JACK A & VICKI J
5124 S UNIVERSITY DR
DAVIE FL 33328-4504

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
PARKER,ANDREW A
7921 S SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
PEARSON,DORIS M
1000 SW 12TH ST APT 107
FORT LAUDERDALE FL 33315-1359

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
PEREZ,JOSE R
4934 S UNIVERSITY DR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
POINCIANA'S SOUTHWOOD INC
% MIELE BROTHERS MANAGEMENT
INC
2421 SW 127 AVE
DAVIE FL 33325

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
POLLARD,S L & VICKI SPOFFORD
5100 S UNIVERSITY DR
DAVIE FL 33328-4504

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
POY-WING,CELINA
4841 SW 76TH AVE
DAVIE FL 33328-3805

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
POY-WING,CELINA REV TR
4821 SW 76TH AVE
DAVIE FL 33328-3805

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
POZNANSKI,ISAAC
2546 N 38 AVE
HOLLYWOOD FL 33021

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
QIXIAOHONG &
SUN,YAN LI
5092 S UNIVERSITY DR UNIT 5092
DAVIE FL 33328-4511

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
QUALITY ESTATE HOMES LLC
6790 NW 83 TER
PARKLAND FL 33067

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
RAGUSA,SALVATORE &
RAGUSA,ARELIA CORONA DE
7953 N SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
REARICK,PILAR
1201 S OCEAN DR #1001 SOUTH
HOLLYWOOD FL 33019

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
REED,HJ
4940 S UNIVERSITY DR
DAVIE FL 33328-3824

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
ROBINSON,DEBBIE K
5180 S UNIVERSITY DR
DAVIE FL 33328-4514

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
ROGA,APRIL DAWN
5176 S UNIVERSITY DR
DAVIE FL 33328-4514

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
ROJAS,RAPHAEL & NURIA
5060 S UNIVERSITY DR
DAVIE FL 33328-4510

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
ROMANO,DANIEL & MICHELE C
5082 S UNIVERSITY DR
DAVIE FL 33328-4511

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
ROMERO,JUAN CARLOS 1/2 INT
ROMERO,JUAN & AURORA
5080 S UNIVERSITY DR
DAVIE FL 33328-4511

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
ROSS,RICHARD &
LINCOLN,JUDY & LINCOLN,DENNIS
7690 SW 78 AVE
DANIA FL 33314

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
ROTHENBERGER,EUGENE R
34 E PHILADELPHIA AVE
BOYERTOWN PA 19512

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
SABOL,LYNNETT P
7750 S SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
SACCULLO,JAMES & LENORE
4611 S UNIVERSITY DR PMB 443
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
SACCULLO,JAMES & LENORE
4800 SW 76 CT
DAVIE FL 33328-3806

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
SADDLE UP TOWNHOMES ASSN INC
% BEDZOW KORN KAN & GLASER PA
11077 BISCAYNE BLVD PH SUITE
MIAMI FL 33161

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
SAFI,NEZAMODEEN
5100 SW 76 AVE
DAVIE FL 33328-4604

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
SANTUCCIO,FRANK & LINDA E
5030 S UNIVERSITY DR
DAVIE FL 33328-4509

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
SCARBROUGH,DANA
5002 S UNIVERSITY DR
DAVIE FL 33328-4502

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
SCHICK,MARIE PENELOPE REV LIV TR
4901 SW 73 AVE
DAVIE FL 33314

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
SCOTT,CHRISTOPHER H
4640 SW 78TH AVE
DAVIE FL 33328-3825

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
SIMS,STEPHEN C & BARBARA H
1681 NW 99TH AVE
FORT LAUDERDALE FL 33322-4253

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
SIMS,STEPHEN CHARLES &
BARBARA
4721 SW 78TH AVE
DAVIE FL 33328-3815

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
SKYDELL,JEFFREY &
FONDEUR,JOSEPH
5060 SW 76TH AVE
DAVIE FL 33328-4602

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
SMITH,PAUL M
5056 S UNIVERSITY DR
DAVIE FL 33328-4510

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
SMITH,STEPHEN M & DEBBIE L
5084 S UNIVERSITY DR
DAVIE FL 33328-4511

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
SOSTIZZO,MARIO & SUZI R
7720 S SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
SOSTIZZO,SUZI ROTH
7720 S SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
SPIVAK,MERRILL M & PHYLLIS
4975 SW 76 AVE
DAVIE FL 33328-3807

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
STATE OF FLORIDA DOT
3400 W COMMERCIAL BLVD
FT LAUDERDALE FL 33309-3421

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
STONE,KATHRYN A
5004 S UNIVERSITY DR
DAVIE FL 33328-4502

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
SUAREZ,GEORGE E & ANNE E
7753 N SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
SUSI,CANDEE C
SUSI,CRISTEE C
7952 N SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
SUTTON,ELLIOTT & SUTTON,IRVING
% ECKERD REAL EST DEPT #2034-R
PO BOX 4689
CLEARWATER FL 33758

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
SYLVAIN,PROSPER &
JOSEPH,NICOLE
10709 N PRESERVE WAY #104
HOLLYWOOD FL 33025

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
TAGHIKHANI,MAJID
MANSHADI,MASOUMEH D
7833 N SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
THE PRUDENTIAL INSURANCE
COMPANY OF AMERICA
2 RAVINIA DR STE 1400
ATLANTA GA 30346

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
THORPE,RICKY V
7832 N SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
TORRES,RAFAEL & CARMEN
5192 S UNIVERSITY DR
DAVIE FL 33328-4514

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
TRANSAMERICAN LAND CORP
ATTN: ACCOUNTING DEPT
2665 S BAYSHORE DR #1002
MIAMI FL 33133

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
TSE,KA MING & ADA
5071 E MADISON LAKES CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
TUCKER,EILEEN
5054 S UNIVERSITY DR
DAVIE FL 33328-4509

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
UNIVERSITY OFFICE CENTER LLC
3006 AVIATION AVE SUITE 2-A
COCONUT GROVE FL 33133

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
VAN BALEN-ORTEGA,SUSANNE
5068 S UNIVERSITY DR
DAVIE FL 33328-4510

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
VAN HISE,AMY B
5150 S UNIVERSITY DR
DAVIE FL 33328-4513

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
VASSILOPOULOS,JOHN-PAUL
5048 S UNIVERSITY DR
DAVIE FL 33328-4509

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
VISWANATHAN,PADMA 1/2 INT
VISWANATHAN,ANANAGUR
5182 S UNIVERSITY DR
DAVIE FL 33328-4514

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
WANG,HSIN-CHIH HSU
5096 S UNIVERSITY DR
DAVIE FL 33328-4511

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
WANSEER,DANIELLE
5174 S UNIVERSITY DR
DAVIE FL 33328-4514

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
WEBB NURSERY INC
4640 SW 78TH AVE
DAVIE FL 33328-3825

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
WHEELER,CHRISTINE D
7920 S SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
YABLON,NORMAN & JUDITH C
5066 S UNIVERSITY DR
DAVIE FL 33328-4510

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
YOUNG,KAREN G
5020 S UNIVERSITY DR
DAVIE FL 33328-4502

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
ZELL,STEPHANIE ANN
7863 N SOUTHWOOD CIR
DAVIE FL 33328

Exhibit 6 (Future Land Use Map)

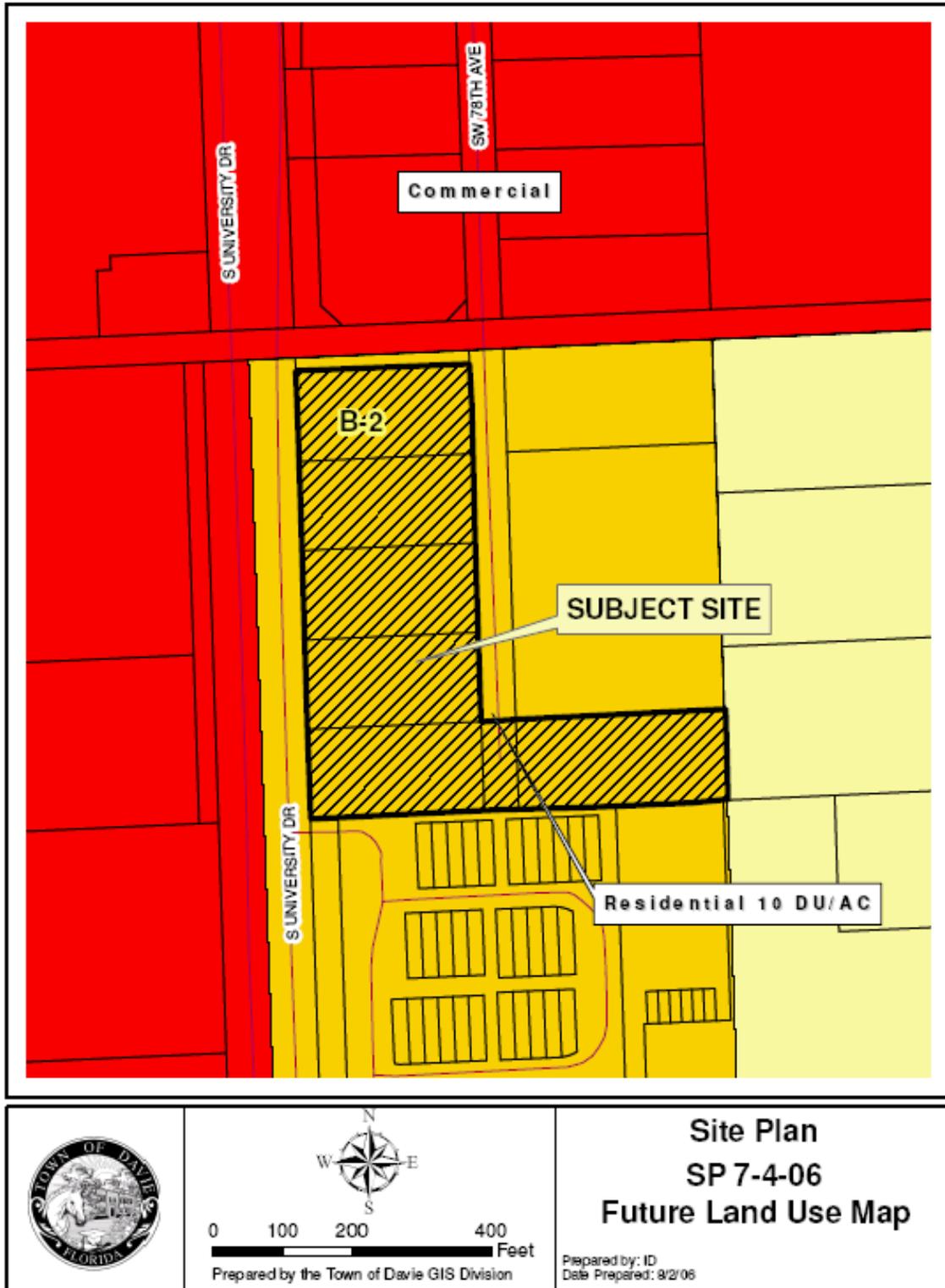
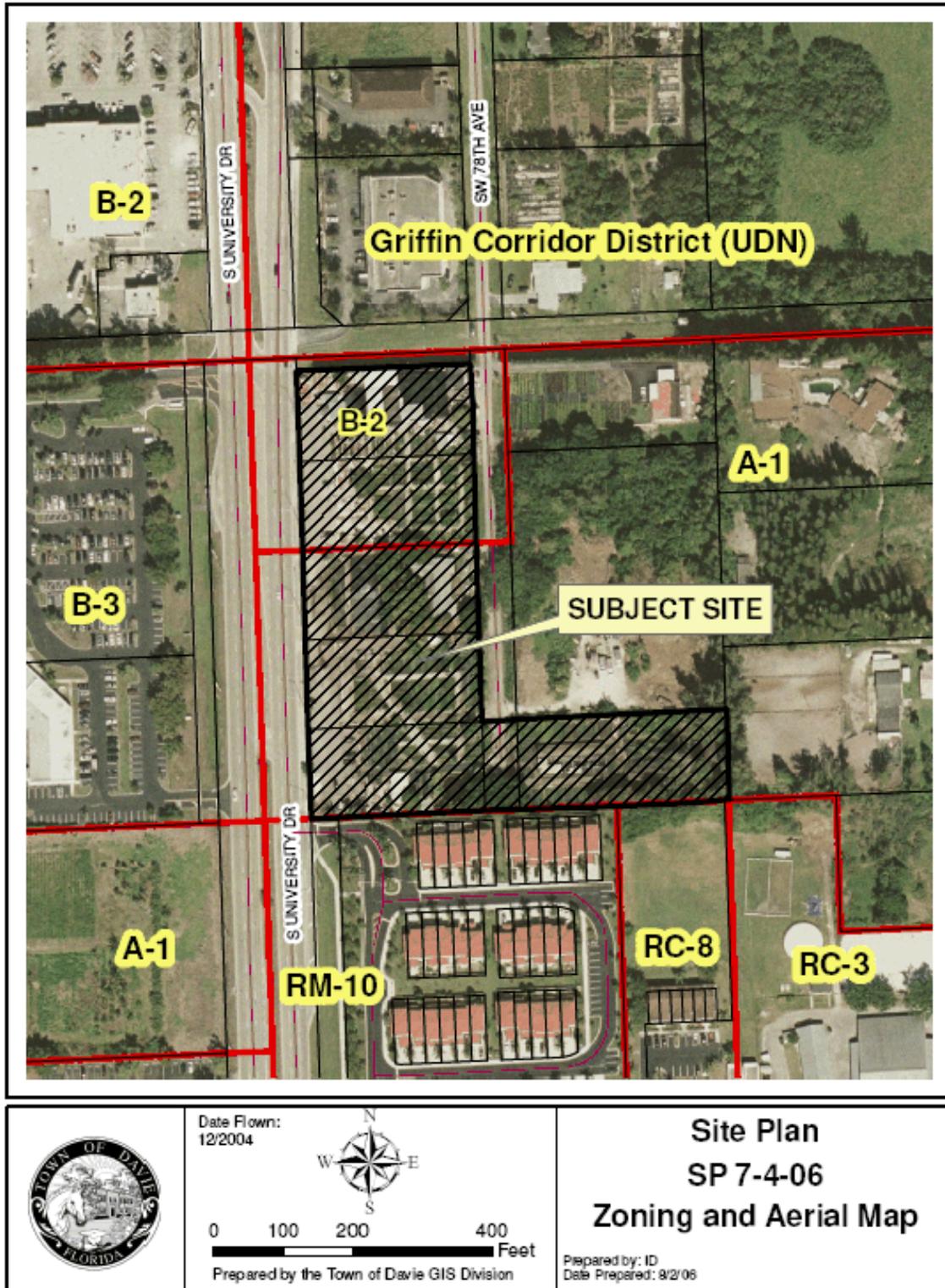


Exhibit 7 (Aerial, Zoning, and Subject Site Map)



* * * * *

THIS PAGE
INTENTIONALLY
LEFT BLANK

* * * * *

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: Tatiana Escobar, Staff Intern

SUBJECT: ZB (TXT) 4-1-07 / Dumpster Enclosures

AFFECTED DISTRICT: All Districts

ITEM REQUEST: **Schedule for Council Meeting**

TITLE OF AGENDA ITEM: AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, AMENDING GARBAGE AND REFUSE, CHAPTER 9, ARTICLE II., COLLECTION AND REMOVAL, SECTION 9-25 RECEPTACLE REQUIREMENTS; THE LAND DEVELOPMENT CODE, CHAPTER 12, ARTICLE III, USE REGULATIONS, DIVISION 2, GENERAL REGULATIONS, SECTION 12-33, GENERAL REGULATIONS ADDING SUBTITLE (JJ) DUMPSTER ENCLOSURES; ARTICLE VI, SITE LANDSCAPING, SECTION 12-111, MINIMUM LANDSCAPING REQUIREMENTS FOR OUTDOOR EQUIPMENT OR FACILITIES; PROVIDING FOR INCLUSION IN THE TOWN CODE; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

REPORT IN BRIEF: The intent of this code amendment is to provide clear guidelines for the location, design and construction of garbage receptacle enclosures, and of dumpster enclosures in all new commercial, industrial, and institutional locations, including housing units containing more than two (2) units, as part of the updating process of the Land Development Code. This ordinance also will require the use of Crime Prevention Through Environmental Design (CPTED) designed gates, an item routinely asked for by the Police Department through the DRC review process.

Staff started its analysis with the definitions currently provided by the Code of Ordinances in reference to garbage. The term garbage receptacle is defined to include a container not greater than thirty (30) gallons and dumpsters designed for mechanical pickup. This broad definition includes both dumpsters and wheel carts. Staff used the term garbage receptacle to be consistent with the definitions provided and created distinct subsections providing regulations for both types of garbage receptacles.

The analysis of Section 9-25 of the Code of Ordinances, Subtitle b, Location of receptacles provided Staff with the following provisions:

- Numerals 1-3 provide rules about location and allowed times for receptacles to be placed out for collection purposes.
- Numeral 4 requests the use of garbage receptacles in general. It also asks for their location to be easily accessible for collection while preventing obnoxious conditions to general public.

- Numeral 5 excludes single family dwellings, as well as duplexes, and provides for the need to screen garbage receptacles.
 - § Recognizing that some developments provide wheel carts instead of dumpsters, staff clarified the minimum guidelines for enclosed areas for garbage receptacles.
 - § Staff provides the requirements for enclosed areas for dumpsters, Section 12-33 (JJ).
 - § Staff clarified that this section does not include single family dwellings by eliminating the mechanical pickup portion to avoid any misunderstandings.
- Numeral 6 provides staff with the ability to require the compliance of new developments with the set of rules specified above.
- Numeral 7 provides for sanitation.

The existing Land Development Code lacks standards for dumpster enclosures on new commercial, industrial and multifamily residential developments. Section 12-33 (JJ) Dumpster Enclosures Design Standards is proposed to clearly illustrate that all dumpsters are to be enclosed and utilize CPTED gates.

Section 12-111 of the Land Development Code was also modified to eliminate dumpster enclosures from the list of outdoor equipment due to the fact that specific rules to these enclosures are provided in the proposed subtitle (JJ) in Section 12-33.

Staff has researched other municipalities including Fort Lauderdale, Hollywood, Delray Beach, and West Palm Beach, and this requested amendment is consistent with these cities.

PREVIOUS ACTIONS:

CONCURRENCES: Mr. Stevens made a motion, seconded by Mr. Pignato, to approve subject to the amendments that were read into the record by staff and subject to the amendment to paragraph (6) to change it from ~~building permit~~ to site plan review. Motion carried 4-0, (Ms. Turin was absent).

FISCAL IMPACT: not applicable

Has request been budgeted? n/a

RECOMMENDATION(S): Staff recommends approval of this ordinance.

Attachment(s): Ordinance

AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, AMENDING GARBAGE AND REFUSE, CHAPTER 9, ARTICLE II., COLLECTION AND REMOVAL, SECTION 9-25 RECEPTACLE REQUIREMENTS; THE LAND DEVELOPMENT CODE, CHAPTER 12, ARTICLE III, USE REGULATIONS, DIVISION 2, GENERAL REGULATIONS, SECTION 12-33, GENERAL REGULATIONS ADDING SUBTITLE (JJ) DUMPSTER ENCLOSURES; ARTICLE VI, SITE LANDSCAPING, SECTION 12-111, MINIMUM LANDSCAPING REQUIREMENTS FOR OUTDOOR EQUIPMENT OR FACILITIES; PROVIDING FOR INCLUSION IN THE TOWN CODE; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the Town Council of the Town of Davie desires to provide clear guidelines for the location, design, and construction of garbage receptacle enclosures; and

WHEREAS, the Local Planning Agency of the Town of Davie held a public hearing on May 9, 2007 and on May 23, 2007; and

WHEREAS, the Town Council of the Town of Davie held a public hearing duly advertised as required by State Statutes.

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

SECTION 1. That Section 9-25, of the Garbage and Refuse rules of the Town of Davie, Florida (the "Town"), is hereby amended to read as follows:

(a) *Condition of garbage.* All garbage, cans and bottles shall be drained of all liquids prior to deposit in the required receptacles. Receptacles shall comply with requirements of the definitions established herein, and shall be kept tightly covered at all times except when it is necessary to lift the cover to deposit garbage.

(b) *Location of receptacles:*

(1) Garbage ~~and trash containers~~ receptacles shall be placed on the property of the residential unit or commercial establishment and shall not be kept upon town or public property or neighboring property not in the ownership or tenancy of the person by whom the garbage or trash is accumulated, whether such neighboring property be vacant or improved. Such ~~containers~~ receptacles shall be kept at the side or rear areas of residential units, except within twelve (12) hours prior to the regular collection, and must be relocated to the ~~side~~ side or rear areas of the residential unit within eight (8) hours after collection.

(2) The collector may, with the approval of the town, require that garbage receptacles and trash be placed for collection in that portion of street right-of-way paralleling any public thoroughfare between the curblin and abutting property line. In no event, however, shall garbage receptacles and trash be placed therein more than twelve (12) hours prior to the regular collection. Receptacles shall be removed from such area within eight (8) hours after collection.

(3) At no time shall any receptacle, ~~containers~~ or trash be placed in streets, gutters or on sidewalks.

(4) All commercial, residential, industrial, and institutional locations, ~~including housing units containing more than two (2) housing rental units,~~ shall be required to provide garbage receptacles ~~and trash containers and or central containers~~ to be kept in a place easily accessible to the collector and in such location as to prevent obnoxious and nuisance conditions to inhabitants and the general public. ~~Adequate screening shall provide concealment of all types of containers, with fence, wall, planting enclosure, or a combination thereof, constructed and/or planted so as not to impede pickup.~~

(5) All commercial, industrial and institutional locations, ~~including~~ as well as, housing units containing more than two (2) or more units, shall be required to ~~contain~~ place the container garbage receptacles, ~~if it is designed for mechanical pickup,~~ within an enclosed area. The enclosed area for any garbage receptacle, excluding dumpsters, shall be screened from public view. When located outside, such screening shall consist of fence and shrubs. The fence shall have a minimum of four (4) feet in height and shrubs shall be a minimum of three (3) feet in height planted at twenty-four (24) inches on center. (See Figure #1) The enclosed area for any dumpster shall meet the requirements described in Chapter 12, Article III, Section 12-33 (JJ). ~~Such enclosure shall consist of a masonry wall, or fencing if approved by the site plan committee, with plantings, situated in such a manner as to be easily accessible for mechanical pickup.~~

(6) All property owners of newly constructed structures or of existing structures undergoing site plan modification ~~which requires a building permit~~ shall comply with subsection (5) above.

(7) All property owners or tenants shall be responsible for maintaining the area around receptacles in a clean, sanitary and presentable condition, keeping the area free of trash and litter.

SECTION 2. That Section 12-33, of the Land Development Code of the Town of Davie, Florida, (the “Town”), is hereby amended to read as follows:

(JJ) Dumpster Enclosures Design Standards:

Dumpster enclosures are encouraged to be designed into principal building(s). Outside enclosures shall be constructed of concrete walls six (6) feet to eight (8) feet in height. The height of each outside enclosure shall be six (6) inches greater than the highest part of any garbage receptacle therein. The exterior faces of the walls shall be consistent with the architecture of the principal building. The interior faces of the walls shall be finished with stucco and painted a neutral color. Outside enclosure location shall be exclusive of all required landscape buffers, and shall not be located in such a manner that service vehicles will block any intersection during the emptying process. Enclosures shall have gates designed to meet the Crime Prevention Through Environmental Design (CPTED) guidelines. (See Figure # 1)

SECTION 3. That Section 12-111, of the Land Development Code of the Town of Davie, Florida (the “Town”), is hereby amended to read as follows:

(A) In all zoning districts, outdoor equipment or facilities (i.e. a/c units, swimming pool equipment, and FPL boxes, ~~and dumpster enclosures~~) visible from the street, parking lot, driveway or public access drive shall be screened from view on three (3) sides with

shrubs. Shrubs are to be three (3) feet in height and planted twenty-four (24) inches apart at the time of planting.

In lieu of shrubs, the outdoor equipment or facilities may be hidden from view from the street, parking lot, driveway or public access drive by a privacy wall of a height necessary to totally block the public view.

SECTION 4. All Ordinances or parts of Ordinances in conflict herewith are to the extent of such conflict hereby repealed.

SECTION 5. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is, for any reason, held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portion of this Ordinance.

SECTION 6. This ordinance shall take effect immediately upon its passage and adoption.

PASSED ON FIRST READING THIS _____ DAY OF _____, 2007

PASSED ON SECOND READING THIS _____ DAY OF _____, 2007

MAYOR/COUNCILMEMBER

ATTEST:

TOWN CLERK

APPROVED THIS _____ DAY OF _____, 2007

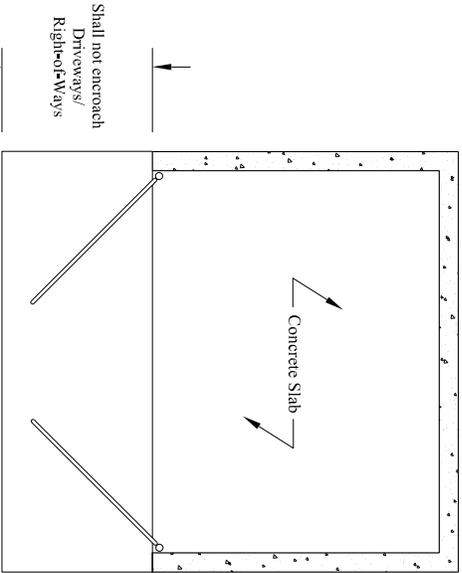


TOWN OF DAVIE

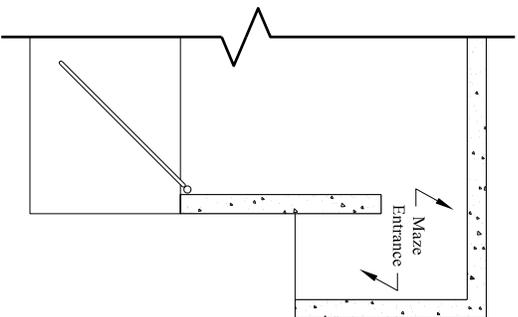
Dumpster Details

Created on: 5-23-07
Created by: D.M.A.

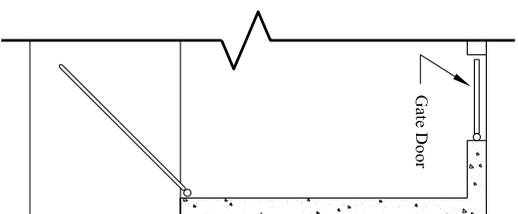
Location: P&Z\Development Applications\
Applications\ZB(TXT)_Code Amendments\
ZB(TXT)_07\ZB(TXT) 4-1-07 Dumpster
Enclosures



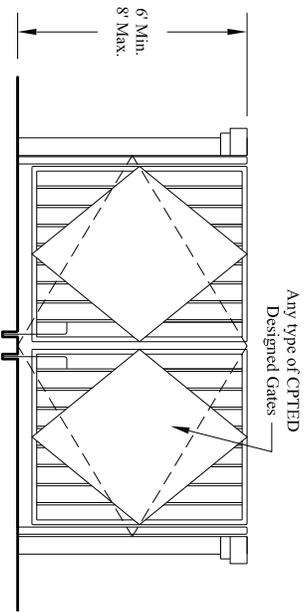
TYPICAL FLOOR PLAN



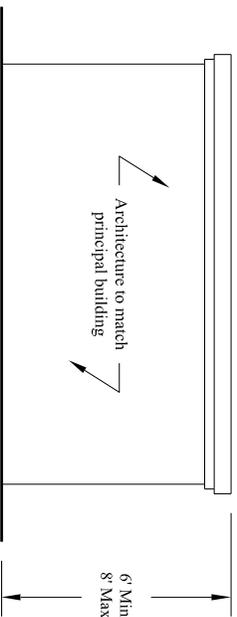
MAZE OPTION FLOOR PLAN



GATE OPTION FLOOR PLAN



TYPICAL FRONT ELEVATION



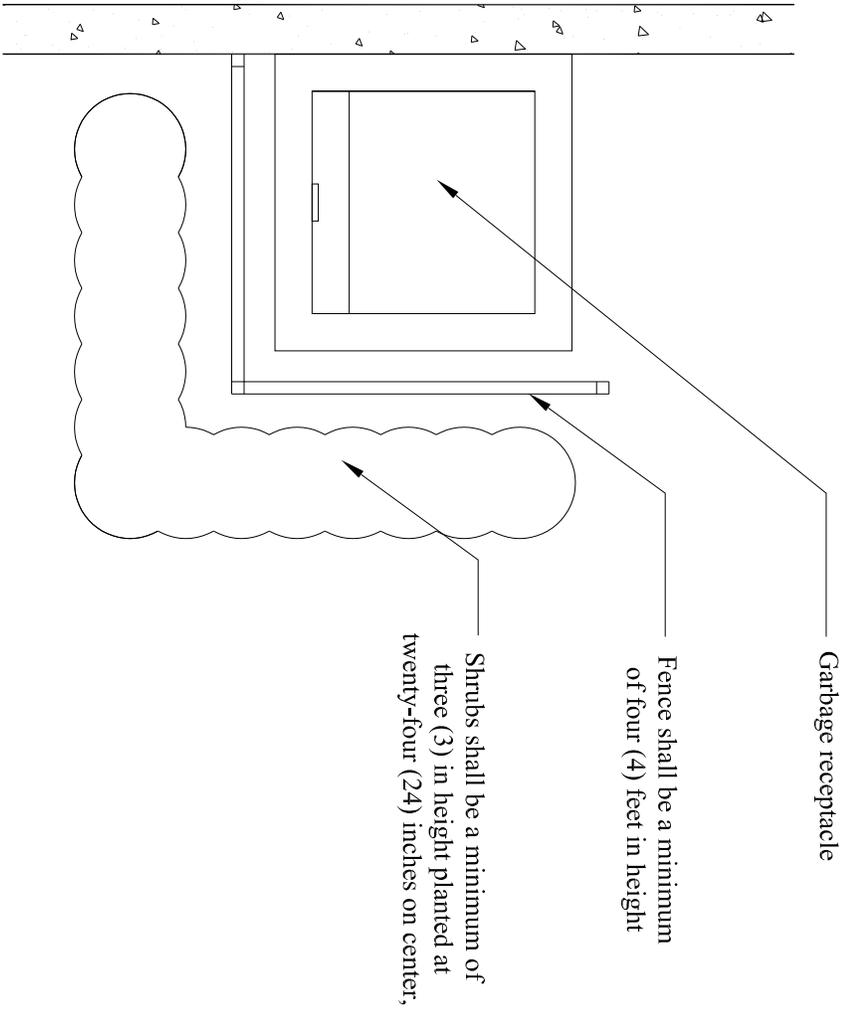
TYPICAL REAR/SIDE ELEVATION



**TOWN
OF
DAVIE**

Receptacle

Details



Created on: 5-23-07
Created by: D.M.A.

Location: P&Z\Development Applications\
Applications\ZB(TXT)_Code Amendments\
ZB(TXT)_07\ZB(TXT) 4-1-07 Dumpster
Enclosures

* * * * *

THIS PAGE
INTENTIONALLY
LEFT BLANK

* * * * *

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: Ingrid Allen, Planner II

SUBJECT: Ordinance designating the Regional Activity Center (RAC) as an area suitable for application of increased development of regional impact thresholds.

AFFECTED DISTRICT: 1 & 2

ITEM REQUEST: **Schedule for Council Meeting**

TITLE OF AGENDA ITEM: AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, DESIGNATING THE TOWN OF DAVIE “REGIONAL ACTIVITY CENTER,” ENCOMPASSING THE LAND LYING BETWEEN UNIVERSITY DRIVE AND THE FLORIDA TURNPIKE AND BETWEEN STATE ROAD 84 AND GRIFFIN ROAD, AS AN AREA SUITABLE FOR APPLICATION OF INCREASED DEVELOPMENT OF REGIONAL IMPACT THRESHOLDS PURSUANT TO CHAPTER 380, FLORIDA STATUTES; APPROVING THE SUBMITTAL OF THE PROPOSED ORDINANCE TO THE FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS FOR CONSISTENCY; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

REPORT IN BRIEF: This item is a proposed ordinance designating the Regional Activity Center (RAC) land use category as an area suitable for increased Development of Regional Impact (DRI) thresholds. The term “Development of Regional Impact” (DRI) is defined as any development which, because of its character, magnitude, or location, would have a substantial effect upon the health, safety, or welfare of citizens of more than one county. Section 380.06, Florida Statutes, allows the thresholds for developments of regional impact, with respect to residential, hotel, motel, office and retail developments, to be increased within the RAC land use category. Furthermore, State Statutes allow local governments to petition for an increase in thresholds within their jurisdiction.

According to the Town’s Comprehensive Plan, the RAC shall promote and encourage development or redevelopment of regional significance that facilitates mixed use development, encourages mass transit, reduces the need for automobile travel, provides incentives for quality development and gives definition to the urban form. The RAC masterplan, currently in progress, will be bringing together all of these elements of the RAC in order to create a blueprint for the area. As a means of achieving the intent and purpose of the RAC as well as the objectives of the RAC masterplan, staff proposes that the Town designate (through the attached ordinance) the RAC as an area suitable for increased DRI thresholds pursuant to Chapter 380, Florida Statutes.

Submitted concurrently with this ordinance, is LA (TXT) 4-2-07 which proposes an amendment to the Future Land Use Element of the Comprehensive Plan by adding policies that refer to the RAC as an area suitable for increased DRI thresholds.

PREVIOUS ACTIONS: None

CONCURRENCES: At the June 27, 2007 Local Planning Agency meeting, Vice-Chair Stevens made a motion, seconded by Ms. Turin, to approve PZ 6-19-07 with a new Section 3 to be added regarding affordable housing; “Any residential development utilizing the increased DRI thresholds shall be required to provide an affordable housing component which meets or exceeds standards established by the Town.” and renumbering the remaining three Sections. (Motion carried 4-1 with Mr. Busey being opposed. Mr. Busey’s concern was that impacts would not be reviewed by bypassing existing thresholds.)

FISCAL IMPACT: not applicable

Has request been budgeted? n/a

If yes, expected cost: \$

Account Name:

If no, amount needed: \$

What account will funds be appropriated from:

Additional Comments:

RECOMMENDATION(S): Staff recommends approval of the Ordinance subject to the following condition:

1. Contingent upon approval of LA(TXT) 4-2-07, submitted concurrently with this proposed ordinance.

Attachment(s): Staff report, Ordinance, thresholds, Exhibit “A”



Development Services Department
Planning & Zoning Division

6591 ORANGE DRIVE Y DAVIE, FLORIDA 33314-3399
PHONE: 954.797.1103 Y FAX: 954.797.1204 Y WWW.DAVIE-FL.GOV

PZ 6-32-07

TO: Mayor & Councilmembers
THRU: Marcie Nolan, Acting Planning and Zoning Manager
FROM: Ingrid Allen, Planner II
SUBJECT: Ordinance designating the Regional Activity Center (RAC) as an area suitable for application of increased development of regional impact thresholds.

AFFECTED DISTRICT: 1 & 2

TITLE OF AGENDA ITEM:

AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, DESIGNATING THE TOWN OF DAVIE "REGIONAL ACTIVITY CENTER," ENCOMPASSING THE LAND LYING BETWEEN UNIVERSITY DRIVE AND THE FLORIDA TURNPIKE AND BETWEEN STATE ROAD 84 AND GRIFFIN ROAD, AS AN AREA SUITABLE FOR APPLICATION OF INCREASED DEVELOPMENT OF REGIONAL IMPACT THRESHOLDS PURSUANT TO CHAPTER 380, FLORIDA STATUTES; APPROVING THE SUBMITTAL OF THE PROPOSED ORDINANCE TO THE FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS FOR CONSISTENCY; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

REPORT IN BRIEF:

This item is requesting, through the Department of Community Affairs, the ability for the Town to increase Development of Regional Impact (DRI) thresholds within the Regional Activity Center (RAC) land use category. This request is the first of two steps, required by State Statutes, that the Town must comply with in order to achieve this increase. The Florida Administrative Code requires that an ordinance be submitted to the Department of Community Affairs for a thirty (30) review prior to any increases being effective.

The term "Development of Regional Impact" (DRI) is defined as any development which, because of its character, magnitude, or location, would have a substantial effect upon the health, safety, or welfare of citizens of more than one county. Section 380.06, Florida Statutes, allows the thresholds for developments of regional impact, with respect to residential, hotel, motel, office and retail developments, to be increased within the RAC land use category. Furthermore, State Statutes allow local governments to petition for an increase in thresholds within their jurisdiction.

The Town's RAC has experienced steady growth in development. With projects such as "Downtown Davie" and the Nova Academical Village, the RAC has been successful in fulfilling its stated intent.

According to the Town's Comprehensive Plan, the RAC shall promote and encourage development or redevelopment of regional significance that facilitates mixed use development, encourages mass transit, reduces the need for automobile travel, provides incentives for quality development and gives definition to the urban form. The RAC masterplan, which is currently in progress, will be bringing together all of these elements of the RAC in order to create a blueprint for the area.

Given recent development patterns and population growth, the Town's 2005 Evaluation and Appraisal Report of the Comprehensive Plan recommends addressing an increase in permitted densities and intensities within the RAC. This recommendation is consistent with the principles and objectives of the RAC masterplan and will foster future development to accommodate growth, maintain financial stability, create new jobs and afford return on invested public/private capital.

As a means of further achieving the RAC's intent as well as the objectives of the RAC masterplan, staff proposes that the Town designate (through the attached ordinance) the RAC as an area suitable for increased DRI thresholds pursuant to Chapter 380, Florida Statutes. Subsequently, the Town must amend the text of the Comprehensive Plan by adding a policy to the Future Land Use Element that would provide an increase in thresholds for a DRI within the RAC. Submitted concurrently with this ordinance is LA (TXT) 4-2-07 which proposes the latter. Attached are the current and proposed thresholds for a DRI.

BACKGROUND:

Under Section 380.06(3), Florida Statutes, a local government may petition to increase the numerical thresholds of any statewide guideline and standard.

RECOMMENDATION(S):

Staff recommends approval of the Ordinance subject to the following condition:

1. Contingent upon approval of LA(TXT) 4-2-07, submitted concurrently with this proposed ordinance.

Attachments: Ordinance, thresholds, Exhibit "A"

ORDINANCE _____

AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, DESIGNATING THE TOWN OF DAVIE “REGIONAL ACTIVITY CENTER,” ENCOMPASSING THE LAND LYING BETWEEN UNIVERSITY DRIVE AND THE FLORIDA TURNPIKE AND BETWEEN STATE ROAD 84 AND GRIFFIN ROAD, AS AN AREA SUITABLE FOR APPLICATION OF INCREASED DEVELOPMENT OF REGIONAL IMPACT THRESHOLDS PURSUANT TO CHAPTER 380, FLORIDA STATUTES; APPROVING THE SUBMITTAL OF THE PROPOSED ORDINANCE TO THE FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS FOR CONSISTENCY; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Davie Future Land Use Element and Future Land Use Map include a “Regional Activity Center” designation; and

WHEREAS, the Town of Davie Future Land Use Map depicts the Regional Activity Center as shown on the attached Exhibit “A”, which is a portion of the adopted Town of Davie Future Land Use Map; and

WHEREAS, the Town Council of the Town of Davie wishes to designate the Regional Activity Center as an area suitable for application of increased development of regional impact thresholds pursuant to Chapter 380, Florida Statutes; and

WHEREAS, the application of increased development of regional impact thresholds within the Regional Activity Center is beneficial to the developer; and

WHEREAS, the Local Planning Agency of the Town of Davie held a public hearing duly advertised as required by Chapter 166.041, F.S. on June 27, 2007; and

WHEREAS, the Town Council of the Town of Davie held a public hearing duly advertised as required by Chapter 166.041, F.S. on July 18, 2007 and on the date of adoption of this Ordinance.

WHEREAS, this Ordinance is being submitted to the Florida Department of Community Affairs for review pursuant to Chapter 380, Florida Statutes; and

WHEREAS, the Town Council, after due consideration, hereby finds that this Ordinance is in the best interest of the Town of Davie, Florida, and is consistent with the Town of Davie Comprehensive Plan and Land Development Regulations.

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

SECTION 1. The Town of Davie Regional Activity Center, as described in Objective 10 of the Town of Davie Comprehensive Plan, Future Land Use Element, and as depicted on the attached Exhibit

“A”, is hereby designated as an area suitable for application of increased development of regional impact thresholds pursuant to Chapter 380, Florida Statutes. The application of increased thresholds established by this Ordinance shall apply to developments receiving authorization to commence development on or after the effective date of this Ordinance.

SECTION 2. Any development utilizing the increased DRI thresholds shall commit to an infrastructure agreement with the Town of Davie approved after January 1, 2007 as a means of ensuring that local infrastructure needs for a particular project are reviewed and assessed prior to any Development Order.

SECTION 3. Any residential development utilizing the increased DRI thresholds shall be required to provide an affordable housing component which meets or exceeds standards established by the Town.

SECTION 4. All ordinances or parts of ordinances in conflict herewith are to the extent of such conflict hereby repealed.

SECTION 5. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is, for any reason, held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portion of this Ordinance.

SECTION 6. This ordinance shall become effective upon adoption by the Town Council on second reading, as provided by law.

PASSED ON FIRST READING THIS _____ DAY OF _____, 2007

PASSED ON SECOND READING THIS _____ DAY OF _____, 2007

MAYOR/COUNCILMEMBER

ATTEST:

TOWN CLERK

APPROVED THIS _____ DAY OF _____, 2007

DEVELOPMENT OF REGIONAL IMPACT (DRI) THRESHOLDS CURRENT VS. PROPOSED

<u>DEVELOPMENT</u>	<u>THRESHOLD (100%)</u>
--------------------	-------------------------

Office:

Current:

Gross Sq. Feet	300,000
----------------	---------

Proposed for RAC:

Gross Sq. Feet	900,000
----------------	---------

Hotel/Motel:

Current:

Rooms	750
-------	-----

Proposed for RAC:

Rooms	1,125
-------	-------

Residential:

Current:

Dwelling units	3,000
----------------	-------

Proposed for RAC:

Dwelling units	4,500
----------------	-------

Retail:

Current:

Gross Sq. Feet	400,000
----------------	---------

Proposed for RAC:

Gross Sq. Feet	600,000
----------------	---------

EXHIBIT "A"

FUTURE LAND USE ELEMENT

POLICY GROUP 10: REGIONAL ACTIVITY CENTER USE

OBJECTIVE 10: The Town shall maintain, and expand if appropriate, a Regional Activity Center (RAC) designation for the area between University Drive and the Florida Turnpike, and S.R. 84 and Griffin Road.

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, Acting Deputy Planning and Zoning Manager

SUBJECT: Quasi Judicial Hearing, Vacation Application: VA 7-2-06/06-93/Great Florida Bank Center/Generally located between University Drive and Southwest 78th Avenue, south of proposed Southwest 48th Street.

AFFECTED DISTRICT: District 2

ITEM REQUEST: **Schedule for Council Meeting**

TITLE OF AGENDA ITEM: AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, APPROVING VACATION APPLICATION VA 7-2-06 "GREAT FLORIDA BANK CENTER" VACATING A PORTION OF RIGHT-OF-WAY (O.R.B. 3326, PG 750, B.C.R.) LYING IN TRACT 2, EVERGLADES SUGAR AND LAND COMPANY SUBDIVISION, AS RECORDED IN PLAT BOOK 3, PAGE 67 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

REPORT IN BRIEF: The petitioner (Linda Strutt Consulting, Inc.) proposes to vacate the southernmost 128 feet of Southwest 78th Avenue (50' right-of-way) in accordance with Site Plan (SP 7-4-06) "Great Florida Bank Center." The public right-of-way is located south of Southwest 48th Street, and extends approximately 128' from the northern boundary line of the proposed "Great Florida Bank Center," and totaling +/- 6,400 sq. ft. This public right-of-way was dedicated and recorded in O.R.B. 3326, Page 750 of the public records of Broward County, Florida.

The Town of Davie has no roadway construction plans for this specified portion of right-of-way (Southwest 78th Avenue). This portion of right-of-way presently serves as access for the eastern parcel of "Great Florida Bank Center," which is proposed to be used as drainage, and terminates at "Poinciana Southwood," a residential development. "Poinciana Southwood" was designed with no access to the fifty (50) foot right-of-way of Southwest 78th Avenue. It should be noted that the Development Review Committee (DRC) members had no objections to this vacation request and the property.

PREVIOUS ACTIONS: n/a

CONCURRENCES: At the June 13, 2007 Planning and Zoning Board Meeting, Vice-Chair Stevens made a motion, seconded by Ms. Turin, to approve. (**Motion carried 4-0, Mr. Pignato was absent**)

FISCAL IMPACT: not applicable

Has request been budgeted? n/a

RECOMMENDATION(S):

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

6. Contingent upon approval of the following development applications:
 - a. Rezoning Application (*ZB 7-3-06*), *Great Florida Bank Center*
 - b. Site Plan Application (*SP 7-4-06*), *Great Florida Bank Center*
 - c. Variance Application (*V 11-1-06*), *Great Florida Bank Center*
 - d. Flex Application (*FX 7-1-06*), *Great Florida Bank Center*
 - e. Plat Application (*7-1-06*), *Great Florida Bank Center*

Attachment(s): Ordinance, Planning Report

AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, APPROVING VACATION APPLICATION VA 7-2-06 "GREAT FLORIDA BANK CENTER" VACATING A PORTION OF RIGHT-OF-WAY (O.R.B. 3326, PG 750, B.C.R.) LYING IN TRACT 2, EVERGLADES SUGAR AND LAND COMPANY SUBDIVISION, AS RECORDED IN PLAT BOOK 3, PAGE 67 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the petitioner proposes to vacate the southernmost 128 feet of Southwest 78th Avenue (50' right-of-way); and,

WHEREAS, the proposed Vacation Application for the "Great Florida Bank Center" was considered by the Town of Davie Planning and Zoning Board on June 13, 2007;

WHEREAS, vacation of this right-of-way will not adversely affect access to adjoining properties and will not be in conflict with the public interest; and,

WHEREAS, the Town Council of the Town of Davie authorized the publication of a notice of a public hearing as required by law, and a public hearing was held on the date of the adoption of this ordinance; and,

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

SECTION 1. That the right-of-way herein after described be vacated:

- a. The subject property is described in Exhibit "A", which is attached hereto and made a part hereof;

SECTION 2. All Ordinances or parts of Ordinances in conflict herewith are to the extent of such conflict hereby repealed.

SECTION 3. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is, for any reason, held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portion of this Ordinance.

SECTION 4. This Ordinance shall take effect immediately upon its passage and adoption.

PASSED ON FIRST READING THIS ____ DAY OF _____, 2007.

PASSED ON SECOND READING THIS ____ DAY OF _____, 2007.

MAYOR/COUNCILMEMBER

ATTEST:

TOWN CLERK

APPROVED THIS _____ DAY OF _____, 2007.

Exhibit "A"

Application: VA 7-2-06/06-93/Great Florida Bank Center

Original Report Date: 6/4/07

Revision(s): 7/2/07

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

Applicant Information

Owner:

Name: Frank Amedia, Pelican Shops at Davie
Address: 7600 Red Road, Suite 300
City: Miami, Florida 33143
Phone: (786) 268-1349

Petitioner:

Name: Linda Strutt
Linda Strutt Consulting, Inc.
Address: 227 Goolsby Boulevard
City: Deerfield, Florida 33442
Phone: (954) 426-4305

Background Information

Date of Notification: June 6, 2007 **Number of Notifications:** 183

Application Request: The petitioner requests to vacate the southernmost 128 feet of Southwest 78th Avenue (50' right-of-way)

Address: 4700-4900 Southwest 78th Avenue

Location: Generally located between University Drive and Southwest 78th Avenue, south of proposed Southwest 48th Street

Future Land Use Plan Map: Residential 10 DU/Acre

Existing Zoning(s): A-1, Agricultural District/B-2, Community Business District

Proposed Zoning(s): A-1, Agricultural District/B-2, Community Business District

Existing Use(s): Vacant (abandon nursery)

Parcel Size: 4.06 net acres (177,760 sq. ft.)

Proposed Use(s): Two-story mixed-use development

Surrounding Use(s):

North: Baers
South: Poinciana Southwood
East: Vacant
West: The Atrium Center

Surrounding Land

Use Plan Map Designation(s):

Commercial
Residential 10 DU/Acre
Residential 1 DU/Acre
Residential 10 DU/Acre
Commercial

Surrounding Zoning(s):

North: A-1, Agricultural District/Griffin Corridor District (University Drive Node)
South: RM-10, Medium Dwelling District/RC-8, Residential Cluster
East: A-1, Agricultural District
West: B-3, Planned Business Center

Zoning History

Related zoning history:

Records indicate that the existing Future Land Use Plan Map designation and Zoning classification were in place at the time of annexation.

Previous requests on same property: n/a

Concurrent Request(s) on same property:

Rezoning Application (ZB 7-3-06), the petitioner requests approval to rezone the proposed commercial portion of the “Great Florida Bank Center” project from A-1, Agricultural District to B-2, Community Business District.

Site Plan Application (SP 7-4-06), the petitioner requests approval site plan approval for a mixed-use project consisting of a two-story retail/office building

Plat Application (P 7-1-06), the petitioner requests approval of the proposed boundary plat known as “Great Florida Bank Center” plat.

Flex Application (FX 7-1-06), the petitioner requests approval to add commercial flex to the proposed “Great Florida Bank Center” project.

Variance Application (11-1-06), the petitioner requests approval to reduce the required thirty (30) foot wide landscape buffer along the eastern property line, parallel to University to ten (10) feet wide.

Applicable Codes and Ordinances

The effective Code of Ordinances governing this project is the Town of Davie Land Development Code.

Land Development Code (Section 12-24 (J)(5)), the B-2, Community Business District is intended to implement the commercial designation of the Town of Davie Comprehensive Plan by providing for a business area to service the shopping and limited service needs of several neighborhoods or the local community. Retail stores are intended to include convenience, fashion and durable goods.

Land Development Code (Section 12-310), review for vacations or abandonment’s of Right-of-Way.

Comprehensive Plan Considerations

Planning Area:

The subject property falls within Planning Area 10. This Planning Area is generally located north of Stirling Road, south of Griffin Road, east of Pine Island Road, and west of SW 76 Avenue. Pine Island Road, a major north/south arterial, on the western limits of this planning area provides through access from Griffin Road to Stirling Road. Commercial development of retail centers and office buildings line the University Drive corridor. The east side of this corridor is predominantly small-scale commercial development, with multi-family residential development (one existing, one proposed) and plant nurseries on the northern half of the corridor, and commerce park development and cattle grazing on commerce park-zoned lands on the southern half. Commercial development also exists along Griffin

Road within this planning area. Several small-scale single-family residential communities, two trailer parks totaling approximately 30 acres in area, and an 8-acre industrial park are located within this planning area, together with six parcels zoned for community facilities uses. These include, but are not limited to, a regional library, multiple church uses varying scales, a Girl Scout campground facility, and a private school.

Broward County Land Use Plan:

The subject site falls within Flexibility Zone 102.

Applicable Goals, Objectives & Policies:

Future Land Use Plan, Policy Group 9: Industrial and Employment Center Use, Policy 9-2: The Town shall endeavor to expand its economic base through expansion of the industrial and manufacturing sectors of its economy.

Future Land Use Element, Policy 17-1: Lands designated for non-residential use shall be located in a manner, which facilitates development, but does not adversely impact existing and designated residential areas.

Future Land Use Plan, Policy 17-3: Each development proposal shall be reviewed with respect to its compatibility with adjacent existing and planned uses.

Application Details

The petitioner (Linda Strutt Consulting, Inc.) proposes to vacate the southernmost 128 feet of Southwest 78th Avenue (50' right-of-way) in accordance with Site Plan (SP 7-4-06) "Great Florida Bank Center." The public right-of-way is located south of Southwest 48th Street, and extends approximately 128' from the northern boundary line of the proposed "Great Florida Bank Center," and totaling +/- 6,400 sq. ft (see attached Sketch and Description). This public right-of-way was dedicated and recorded in O.R.B. 3326, Page 750 of the public records of Broward County, Florida.

Staff Analysis

The Town of Davie has no roadway construction plans for this specified portion of right-of-way (Southwest 78th Avenue). This portion of right-of-way presently serves as access for the eastern parcel of "Great Florida Bank Center," which is proposed to be used as drainage, and terminates at "Poinciana Southwood," a residential development. "Poinciana Southwood" was designed with no access to the fifty (50) foot right-of-way of Southwest 78th Avenue. It should be noted that the Development Review Committee (DRC) members had no objections to this vacation request and the property.

The following information is staff's analysis based on the criteria established in the Town of Davie's, Land Development Code, Section 12-310(A)(1) for vacation applications:

- (a) It will not adversely affect access to neighboring properties.

This vacation of the right-of-way will not adversely impact access to the neighboring properties. Neighboring properties to the east and west have filed for this vacation request and is consistent with the proposed development of "Great Florida Bank Center," and to the south is and existing residential development that has not been designed with to access Southwest 78th Avenue.

- (b) It will not be in conflict with the public interest.

This vacation of the right-of-way will not be in conflict with the public interest. The public will be able to access this parcel through the proposed development of "Great Florida Bank Center."

Staff Recommendation

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

1. Contingent upon approval of the following development applications:
 - a. Rezoning Application (ZB 7-3-06), *Great Florida Bank Center*
 - b. Site Plan Application (SP 7-4-06), *Great Florida Bank Center*
 - c. Variance Application (V 11-1-06), *Great Florida Bank Center*
 - d. Flex Application (FX 7-1-06), *Great Florida Bank Center*
 - e. Plat Application (7-1-06), *Great Florida Bank Center*
-

Planning and Zoning Board Recommendation

At the June 13, 2007 Planning and Zoning Board Meeting, Vice-Chair Stevens made a motion, seconded by Ms. Turin, to approve. **(Motion carried 4-0, Mr. Pignato was absent)**

Town Council Action

Exhibits

1. Justification Letter
 2. Sketch and Description of Public Right-of-Way to be vacated
 3. 1,000' Mailout Radius Map
 4. Property Owners within 1,000' of the Subject Site
 5. Future Land Use Plan Map
 6. Aerial, Zoning, and Subject Site Map
-

Prepared by: _____

Reviewed by: _____

File Location: P&Z\Development Applications\Applications\VA_Vacation\VA_06\VA 7-2-06 Great Florida Bank Center

**GREAT FLORIDA BANK CENTER
REQUEST FOR RIGHT-OF-WAY VACATION
SOUTHERN TERMINUS OF SW 78th AVENUE**

JUSTIFICATION

Project Description:

The applicant has assembled approximately 4.7 gross acres of land located on the east side of University Drive south of the Griffin Corridor. The project site abuts the entire western length of SW 78th Avenue south of the canal. The applicant also owns a lot on the east side of SW 78th Avenue at its southern terminus.

The applicant is proposing to construct a mixed-use commercial/retail-office project on the site, oriented toward University Drive. A rezoning application and request to apply commercial flex acreage as well as a plat and a site plan application are being submitted concurrently with this right-of-way vacation request.

Reason for the Request:

The applicant is seeking to vacate the southernmost 128 feet of SW 78th Avenue which separates the eastern parcel from the remainder of the property (see attached legal sketch). Currently the SW 78th Avenue pavement extends to the driveway serving this eastern parcel and the right-of-way terminates at the southern boundary of the applicant's site. Since the property to the south is developed without access to SW 78th Avenue, the subject portion of the SW 78th Avenue right-of-way is no longer needed. The proposed vacation will result in essentially the same condition that currently exists with SW 78th Avenue extending to the southernmost parcel served by the local road.

The proposed site plan utilizes the vacated right-of-way for parking, dry retention and landscaping to buffer the adjacent residential property. By incorporating this right-of-way, the applicant is able to provide a unified site plan and more cohesive design for the project.

Exhibit 2 (Sketch and Description of Public Right-of-Way to be Vacated)



Patriot Surveying and Mapping, Inc.

3748 NW 124th Avenue Coral Springs, Florida 33065

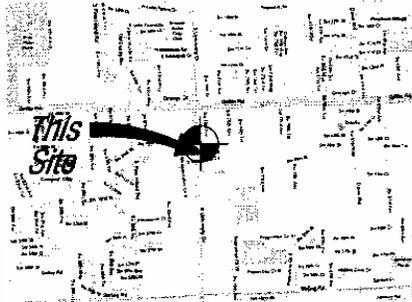
Phone: (954) 509-0083

Fax: (954) 301-2623

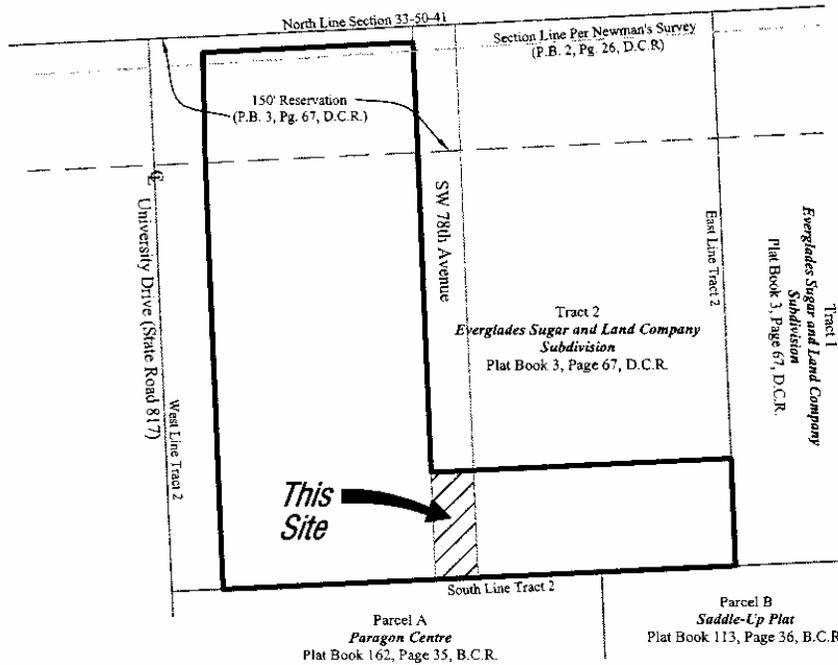
LB # 7303

**- Sketch and Description -
Roadway Vacation**

Sheet 1 of 3



Location Map
(Not to Scale)



Dennis J. Gabriele

7-17-06

Dennis J. Gabriele
Professional Surveyor and Mapper No. LS5709
State of Florida

Not Valid without the signature
and original raised seal of a Florida
licensed Surveyor and Mapper

Updates and Revisions	Date	By	QC	NOTE: The undersigned and PATRIOT SURVEYING AND MAPPING, INC. make no representations or guarantees as to the completeness of the information reflected hereon pertaining to easements, right-of-way, set-back lines, reservations, agreements or other matters of record. This instrument is intended to reflect or set forth only those items shown in the references above. PATRIOT SURVEYING AND MAPPING, INC. did not research the public records for matters affecting the lands shown. This instrument is the property of PATRIOT SURVEYING AND MAPPING, INC. and shall not be reproduced in whole or in part without written permission of PATRIOT SURVEYING AND MAPPING, INC.

Job No. 0511-010 Drawn By: DN QA / QC: DG FB. PG. Scale: NTS



Patriot Surveying and Mapping, Inc.

3748 NW 124th Avenue Coral Springs, Florida 33065

Phone: (954) 509-0083

Fax: (954) 301-2623

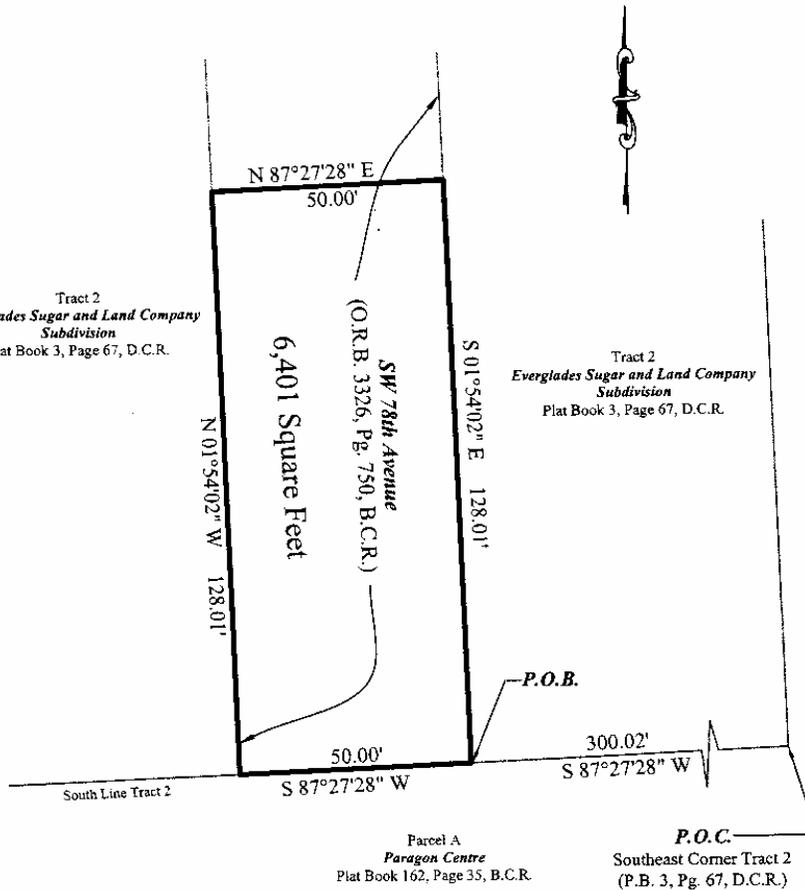
LB # 7303

- Sketch and Description -

Sheet 2 of 3

Tract 2
Everglades Sugar and Land Company
Subdivision
Plat Book 3, Page 67, D.C.R.

Tract 2
Everglades Sugar and Land Company
Subdivision
Plat Book 3, Page 67, D.C.R.



Survey Notes

1. Bearing Reference: The Bearings shown hereon are referenced to the *Stoner/Keith Resurvey No. III*, Miscellaneous Plat Book 5, Page 9, Broward County Records.
2. P.B. denotes Plat Book
3. Pg. denotes Page
4. B.C.R. denotes Broward County Records
5. D.C.R. denotes Miami-Dade County Records
6. O.R.B. denotes Official Records Book
7. This is not a survey, but only a graphic depiction shown hereon. No boundary corners were set in the field related to this sketch.
8. P.O.C. denotes point of commencement
9. P.O.B. denotes point of beginning

Job No. 0511-010

Drawn By: DN

QA / QC: DG

FB. PG.

Scale: NTS



Patriot Surveying and Mapping, Inc.

3748 NW 124th Avenue Coral Springs, Florida 33065

Phone: (954) 509-0083

Fax: (954) 301-2623

LB # 7303

Sheet 3 of 3

- Legal Description -

A portion of SW 78th Avenue (O.R.B. 3326, Pg. 750, B.C.R.) lying in Tract 2, *Everglades Sugar and Land Company Subdivision*, according to the plat thereof, as recorded in Plat Book 3, Page 67, of the Public Records of Miami-Dade County, Florida, being more particularly described as follows:

Commence at the Southeast corner of said Tract 2, said point also being a point on the North line of Parcel A, *Paragon Centre*, as recorded in Plat Book 162, page 35, of the Public Records of Broward County, Florida;

Thence, South $87^{\circ}27'28''$ West, along the South line of Tract 2, a distance of 300.02 feet to a point on the East right-of-way line of SW 78th Avenue, and the **Point of Beginning**;

Thence, continue South $87^{\circ}27'28''$ West, along the South line of Tract 2, a distance of 50.00 feet to a point on the West right-of-way line of SW 78th Avenue;

Thence, North $01^{\circ}54'02''$ West, along the West line of SW 78th Avenue, a distance of 128.01 feet;

Thence, North $87^{\circ}27'28''$ East, a distance of 50.00 feet to a point on the East line of SW 78th Avenue;

Thence, South $01^{\circ}54'02''$ East, along the East line of SW 78th Avenue, a distance of 128.01 feet to the **Point of Beginning**.

Said lands lying and being in the Town of Davie, Broward County, Florida, and containing 6,401 square feet (0.147 acres) more or less.

Exhibit 3 (1,000' Mailout Radius Map)

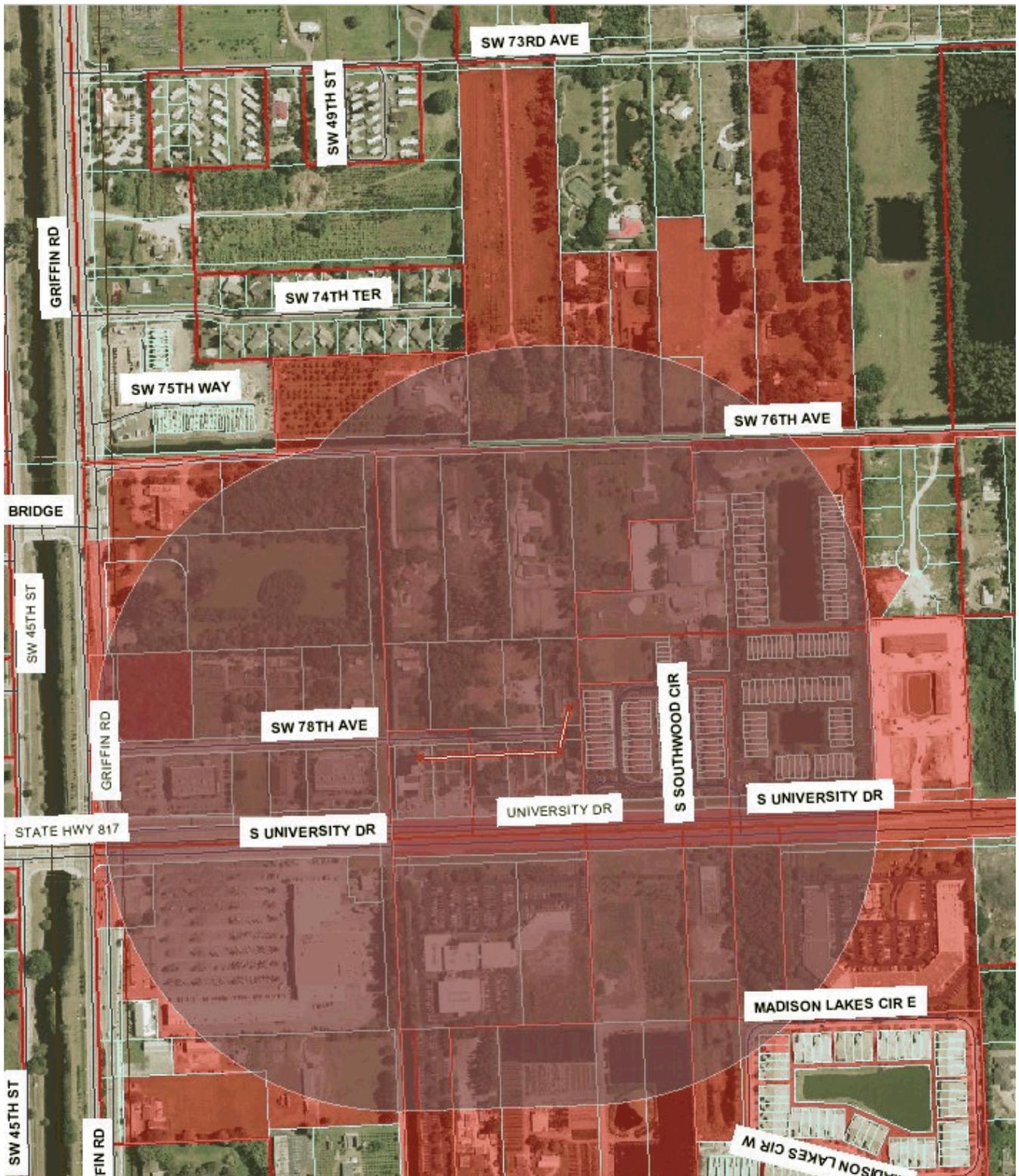


Exhibit 4 (Property Owners within 1,000' of the Subject Site)

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
 ACEVEDO,ANGEL
 ACEVEDO,IRIS H
 7890 S SOUTHWOOD CIR
 DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
 ADAMS,BETH A
 5166 S UNIVERSITY DR
 DAVIE FL 33328-4513

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
 ADRIAN-BUTLER,PATRICIA E
 5136 S UNIVERSITY DR
 DAVIE FL 33328-4512

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
 ALAMO PETROLEUM
 CONTRACTORS INC
 4620 SW 76TH AVE
 DAVIE FL 33328-3802

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
 ALBERTI,STEPHEN PATRICK
 5154 S UNIVERSITY DR
 DAVIE FL 33328-4513

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
 ALCOVER,E A & SUSAN J
 4800 SW 82ND AVE
 DAVIE FL 33328-4406

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
 ALTMAN,STEVEN
 5038 S UNIVERSITY DR
 DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
 ALVARADO,JORGE I
 5186 S UNIVERSITY DR
 DAVIE FL 33328-4514

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
 AMRICH,JOANNE L
 5064 S UNIVERSITY DR
 DAVIE FL 33328-4510

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
 ANCONETANI,GRISSELDA
 ANCONETANI,LAURA G
 5094 S UNIVERSITY DR
 DAVIE FL 33328-4511

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
 ANGEL,PETER N
 5152 S UNIVERSITY DR
 DAVIE FL 33328-4513

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
 AREBALO,ALBERTO F & CHERYL L
 5028 S UNIVERSITY DR
 DAVIE FL 33328-4502

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
 ATRIUM CENTRE LLC
 5301 N FEDERAL HWY STE 190
 BOCA RATON FL 33487

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
 AVEILLE,RANDY & TONYA BELL
 5052 S UNIVERSITY DR
 DAVIE FL 33328-4509

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
 B & R DEVELOPMENT I LLC
 3649 SPANISH OAK POINT
 DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
 BAERS FURNITURE CO INC
 1589 NW 12TH AVE
 POMPANO BEACH FL 33069-1730

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
 BAILEY,VICTORIA ELIZABETH &
 CLARKE,JEREMIAH
 3104 WEBSTER ST
 MOUNT RAINIER MD 20712

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
 BALL,THEODORE M II
 5012 S UNIVERSITY DR
 DAVIE FL 33328-4502

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
 BANOUB,KAMAL N
 BANOUB,TAMER K
 14354 STAMFORD CIR
 ORLANDO FL 32826

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
 BARRON,JAMES K
 BARRON,LILLIAN M
 8541 SW 30 ST
 DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
 BATISTA,HAROLD J
 7892 N SOUTHWOOD CIR
 DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
 BECRAFT,BRENT E
 7782 N SOUTHWOOD CIR
 DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
 BELL,STEPHANIE C
 5076 S UNIVERSITY DR
 DAVIE FL 33328-4510

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
 BERRIGAN,NANCY
 7951 S SOUTHWOOD CIR
 DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
 BIRNBAUM,MARIE A
 294 BLACKHEATH ROAD
 LONG BEACH NY 11561

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
 BLACKFORD,STEVEN B
 5000 S UNIVERSITY DR
 DAVIE FL 33328-4502

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
 BLAKLEY,BARBARA MARIE
 BLAKLEY,ROBIN MARIE
 5188 S UNIVERSITY DR
 DAVIE FL 33328-4514

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
 BOISVERT,COLETTE E
 5032 S UNIVERSITY DR
 DAVIE FL 33328-4509

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
 BONGIRNE,PATRICE
 5144 S UNIVERSITY DR
 DAVIE FL 33328-4512

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
 BORRAS,HOLLY S
 5086 S UNIVERSITY DR
 DAVIE FL 33328-4511

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
BRANTLEY,BILLY & ALISON
5088 S UNIVERSITY DR
DAVIE FL 33328-4511

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
BRITO,IRMY
4938 S UNIVERSITY DR
DAVIE FL 33328-3824

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
CAPDEVILLE,LARRY
5010 S UNIVERSITY DR
DAVIE FL 33328-4502

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
CHU,JACKIE SIU LUN
5090 S UNIVERSITY DR
DAVIE FL 33328-4511

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
CIMINO-STANFORD,ANNA THERESE
7780 S SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
COHEN,LAURA A
5018 S UNIVERSITY DR
DAVIE FL 33328-4502

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
COHN,ADAM D
7831 S SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
COTTOM,MICHAEL V & YOMARIE
7891 S SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
CRAIN,DAVID A & SANDRA W
5036 S UNIVERSITY DR
DAVIE FL 33328-4509

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
CROWLEY,MICHAEL T &
CATHERINE
5106 S UNIVERSITY DR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
CUTIER,LAURIE K
9421 SW 49 ST
COOPER CITY FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
DE LA CRUZ,ROLANDO
7950 S SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
DE NOBRIGA,LANCEWORTH &
MYRNA
5006 S UNIVERSITY DR
DAVIE FL 33328-4502

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
DEEHAN,ANDREW W
5138 S UNIVERSITY DR
DAVIE FL 33328-4512

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
DEJACOMO,GEORGE M & DENISE
4936 S UNIVERSITY DR
DAVIE FL 33328-3824

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
D'ERRICO,DINO
WARD,MELISSA
5132 S UNIVERSITY DR BLDG 2
DAVIE FL 33328-4504

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
DJL GRIT LIMITED PARTNERSHIP
5241 PENNOCK POINT ROAD
JUPITER FL 33458-3409

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
DORSEY,TODD W
5148 S UNIVERSITY DR
DAVIE FL 33328-4513

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
DOUBERLEY,JOSEPH & LUCY
5078 S UNIVERSITY DR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
ENGELMANN,ANDREW V
ENGELMANN,LEONILA A
7603 N SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
ERDELYL,SCOTT
5026 S UNIVERSITY DR
DAVIE FL 33328-4502

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
EVANS,NICOLE V
2351 NW 33 ST # 515
FT LAUDERDALE FL 33309

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
FINAZZO,MICHAEL A TR
FINAZZO,A M TR,FINAZZO,J S TR
8858 BLOOMFIELD BLVD
SARASOTA FL 34238

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
FIRST UNION NATL BANK FL TR
DOROTHY B WEBB REV TR
PO BOX 40062-KELLEY REYNOLDS
JACKSONVILLE FL 32203-0062

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
FLR COMPANY LLC
350 S OCEAN BLVD #10-B
BOCA RATON FL 33432

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
FRAGA,ANDRES & ADRIANA
5172 S UNIVERSITY DR
DAVIE FL 33328-4514

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
GAMBA,JESUS M
LEON,NELLY
7662 N SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
GAO,HANG
7923 N SOUTHWOOD CIR
FT LAUDERDALE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
GARCIA,SONIA E
7981 S SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
GENERETTE,ULYNN C 1/3 INT EA
GENERETTE,WILLIAM L
III,HARRIS,C
5024 S UNIVERSITY DR
DAVIE FL 33328-4502

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
GETEJANC, TODOR SR & MARIJA
7633 N SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
GLASSMAN, CHAD B
7781 S SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
GOLDSTEIN, ELIAS &
GOLDSTEIN, DEBORAH
4691 S UNIVERSITY DR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
GORE, MISTY
5184 S UNIVERSITY DR
DAVIE FL 33328-4514

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
GREEN, ALLAN B & GRETTEL C
5146 S UNIVERSITY DR
DAVIE FL 33328-4512

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
GUTIERREZ, LOUIS
7630 S SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
HARTLEB, ROBERT
8160 GRIFFIN RD
DAVIE FL 33328-3837

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
HATTEN, MELISSA A 1/2 INT
HATTEN, JAMES DANIEL
4932 S UNIVERSITY DR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
HEMPEL, CARLOS J 1/2 INT
HEMPEL, UTE
5040 S UNIVERSITY DR
DAVIE FL 33328-4509

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
HENNIG, ELIZABETH L &
OSBORNE, LUNEAL
4979 SW 91 AVE
COOPER CITY FL 33328-3519

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
HERNANDEZ, ISRAEL 1/2 INT EA
ROJAS, CARMEN
7723 N SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
HESLOP, ROBIN DAVID &
GLUECK, JUDITH A
5134 S UNIVERSITY DR
DAVIE FL 33328-4512

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
HOLCOMBE, KAREN H
5050 S UNIVERSITY DR
DAVIE FL 33328-4509

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
HOLTON, ELLINOR
5046 S UNIVERSITY DR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
HORNE, ANDREW & JEANNETTE
5116 S UNIVERSITY DR
DAVIE FL 33328-4504

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
HRUSECKY, PAUL & GEORGEANN
5140 S UNIVERSITY DR
DAVIE FL 33328-4512

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
HURTADO, SHEELA L
7661 S SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
IYER, DANPANI
IYER, PRASAD
5062 S UNIVERSITY DR
DAVIE FL 33328-4510

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
JOEL, TERRANCE A
7721 S SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
JONES, DARRELL E & MARTHA
JOANNE
7751 SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
JONES, MICHELLE
5178 S UNIVERSITY DR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
JONES, ROY C & MELINDA B
3818 LAUER LANE
DOVER PA 17315

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
KELLNER, ROBERT E
5118 S UNIVERSITY DR
DAVIE FL 33328-4504

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
KEYES, ROBERT JR
8100 MADISON LAKES CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
KO, MARY
KO, MICHAEL
5058 S UNIVERSITY DR
DAVIE FL 33328-4510

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
KOLB, NORMAN C
5130 S UNIVERSITY DR
DAVIE FL 33328-4504

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
LAPAGLIA, JERMEY & MORENA A
7663 N SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
LAUDERDALE, J A & V REV TR
5306 SW 76 AVE
DAVIE FL 33328-5404

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
LAUDERDALE, JOHN & VIRGINIA
970 W 53 TER
HIALEAH FL 33012

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
LAUDERDALE, VIRGINIA REV TR
5306 SW 76 AVE
DAVIE FL 33328-5404

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
LAWSON, CHRISTOPHER J & DEBRA J &
YOUNG, STEPHEN C
130 S BEL AIRE DR
PLANTATION FL 33317

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
LEE, ANTHONY
5170 S UNIVERSITY DR
DAVIE FL 33328-4514

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
LERIGER, JOAN M
5110 S UNIVERSITY DR
DAVIE FL 33328-4504

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
LETCHER, FRANK T & JOSEPHINE V
5014 S UNIVERSITY DR
DAVIE FL 33328-4502

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
LICARI, BARBARA L
5128 S UNIVERSITY DR
DAVIE FL 33328-4504

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
LICARI, VINCENT
5112 S UNIVERSITY DR
DAVIE FL 33328-4504

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
LOPEZ, KATHY M
5126 S UNIVERSITY DR
DAVIE FL 33328-4504

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
LOPEZ, WILLIAM
4700 SW 78 AVE
DAVIE FL 33328-3827

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
LORENTE, JAVIER A
OTERO, NAHOMMY GUZMAN
7752 N SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
MAC DONALD, SETH & ANDREA
200 BAYBERRY DR
PLANTATION FL 33317

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
MALTESE, HARRY GASPER
7893 N SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
MANNING, MICHAEL LOUIS
5022 S UNIVERSITY DR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
MARINO, KENNETH J
5070 SW 76TH AVE
DAVIE FL 33328-4602

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
MARLER, KATHY A
5034 S UNIVERSITY DR
DAVIE FL 33328-4509

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
MARQUES, LYDIA 1/2 INT EA
MARQUES, ALFREDO R
5074 UNIVERSITY DR
DAVIE FL 33328-4510

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
MARTI, CHARLES &
OROZCO, ANA MARIA
5122 S UNIVERSITY DR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
MAYO, CHRISTINA M TR
PO BOX 292256
PLANTATION FL 33329-2256

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
MC MULLEN, DONNA
7862 N SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
MCLAUGHLIN, SCOTT
5016 S UNIVERSITY DR
DAVIE FL 33328-4502

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
MC SHANE, SCOTT
7692 N SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
MILLER, LERA P
5042 S UNIVERSITY DR
DAVIE FL 33328-4509

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
MILLER, MELISSA M
5070 S UNIVERSITY DR
DAVIE FL 33328-4510

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
MILLER, RICHARD N
7722 N SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
MIZNOVA, ILIANA J
5072 S UNIVERSITY DR
DAVIE FL 33328-4510

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
MOBIL OIL CORP
PROPERTY TAX DIVISION
PO BOX 4973
HOUSTON TX 77210

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
MORRIS, BARBARA
5142 S UNIVERSITY DR
DAVIE FL 33328-4512

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
MOSBY, MARLENA
5102 S UNIVERSITY DR
DAVIE FL 33328-4504

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
MUNOZ, PORFIRIO D 1/2 INT
MUNOZ, MARISELA
7861 S SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
NABIZADEH, ARASTOO T & ZAHRA P
13930 MANDRIN OAKS
JACKSONVILLE FL 32223

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
NAUGHTON, JOSEPH
5162 S UNIVERSITY DR
DAVIE FL 33328-4513

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
NAUGLE NURSERY INC
5001 SW 82ND AVE
DAVIE FL 33328-4414

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
NELSON,D M & MARY M
2819 LORCOM LN
ARLINGTON VA 22207-4943

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
NGUYEN,HUNG &
TRAN,MUOI ETAL
7830 S SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
OJEDA,EILEEN
4930 S UNIVERSITY DR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
OSTRANDER,RUTH M
7625 GRIFFIN RD
DAVIE FL 33328-3816

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
OWEN,DEVON M 1/2 INT EA
JOHNSON,DEBRA E
7922 N SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
OWOC,JACK A & VICKI J
5124 S UNIVERSITY DR
DAVIE FL 33328-4504

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
PARKER,ANDREW A
7921 S SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
PEARSON,DORIS M
1000 SW 12TH ST APT 107
FORT LAUDERDALE FL 33315-1359

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
PEREZ,JOSE R
4934 S UNIVERSITY DR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
POINCIANA'S SOUTHWOOD INC
% MIELE BROTHERS MANAGEMENT
INC
2421 SW 127 AVE
DAVIE FL 33325

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
POLLARD,S L & VICKI SPOFFORD
5100 S UNIVERSITY DR
DAVIE FL 33328-4504

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
POY-WING,CELINA
4841 SW 76TH AVE
DAVIE FL 33328-3805

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
POY-WING,CELINA REV TR
4821 SW 76TH AVE
DAVIE FL 33328-3805

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
POZNANSKI,ISAAC
2546 N 38 AVE
HOLLYWOOD FL 33021

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
QIXIAOHONG &
SUN,YAN LI
5092 S UNIVERSITY DR UNIT 5092
DAVIE FL 33328-4511

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
QUALITY ESTATE HOMES LLC
6790 NW 83 TER
PARKLAND FL 33067

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
RAGUSA,SALVATORE &
RAGUSA,ARELIA CORONA DE
7953 N SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
REARICK,PILAR
1201 S OCEAN DR #1001 SOUTH
HOLLYWOOD FL 33019

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
REED,HJ
4940 S UNIVERSITY DR
DAVIE FL 33328-3824

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
ROBINSON,DEBBIE K
5180 S UNIVERSITY DR
DAVIE FL 33328-4514

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
ROGA,APRIL DAWN
5176 S UNIVERSITY DR
DAVIE FL 33328-4514

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
ROJAS,RAFAEL & NURIA
5060 S UNIVERSITY DR
DAVIE FL 33328-4510

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
ROMANO,DANIEL & MICHELE C
5082 S UNIVERSITY DR
DAVIE FL 33328-4511

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
ROMERO,JUAN CARLOS 1/2 INT
ROMERO,JUAN & AURORA
5080 S UNIVERSITY DR
DAVIE FL 33328-4511

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
ROSS,RICHARD &
LINCOLN,JUDY & LINCOLN,DENNIS
7690 SW 78 AVE
DANIA FL 33314

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
ROTHENBERGER,EUGENE R
34 E PHILADELPHIA AVE
BOYERTOWN PA 19512

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
SABOL,LYNNETT P
7750 S SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
SACCULLO,JAMES & LENORE
4611 S UNIVERSITY DR PMB 443
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
SACCULLO,JAMES & LENORE
4800 SW 76 CT
DAVIE FL 33328-3806

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
SADDLE UP TOWNHOMES ASSN INC
% BEDZOW KORN KAN & GLASER PA
11077 BISCAYNE BLVD PH SUITE
MIAMI FL 33161

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
SAFI,NEZAMODEEN
5100 SW 76 AVE
DAVIE FL 33328-4604

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
SANTUCCIO,FRANK & LINDA E
5030 S UNIVERSITY DR
DAVIE FL 33328-4509

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
SCARBROUGH,DANA
5002 S UNIVERSITY DR
DAVIE FL 33328-4502

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
SCHICK,MARIE PENELOPE REV LIV TR
4901 SW 73 AVE
DAVIE FL 33314

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
SCOTT,CHRISTOPHER H
4640 SW 78TH AVE
DAVIE FL 33328-3825

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
SIMS,STEPHEN C & BARBARA H
1681 NW 99TH AVE
FORT LAUDERDALE FL 33322-4253

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
SIMS,STEPHEN CHARLES &
BARBARA
4721 SW 78TH AVE
DAVIE FL 33328-3815

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
SKYDELL,JEFFREY &
FONDEUR,JOSEPH
5060 SW 76TH AVE
DAVIE FL 33328-4602

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
SMITH,PAUL M
5056 S UNIVERSITY DR
DAVIE FL 33328-4510

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
SMITH,STEPHEN M & DEBBIE L
5084 S UNIVERSITY DR
DAVIE FL 33328-4511

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
SOSTIZZO,MARIO & SUZI R
7720 S SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
SOSTIZZO,SUZI ROTH
7720 S SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
SPIVAK,MERRILL M & PHYLLIS
4975 SW 76 AVE
DAVIE FL 33328-3807

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
STATE OF FLORIDA DOT
3400 W COMMERCIAL BLVD
FT LAUDERDALE FL 33309-3421

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
STONE,KATHRYN A
5004 S UNIVERSITY DR
DAVIE FL 33328-4502

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
SUAREZ,GEORGE E & ANNE E
7753 N SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
SUSI,CANDEE C
SUSI,CRISTEE C
7952 N SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
SUTTON,ELLIOTT & SUTTON,IRVING
% ECKERD REAL EST DEPT #2034-R
PO BOX 4689
CLEARWATER FL 33758

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
SYLVAIN,PROSPER &
JOSEPH,NICOLE
10709 N PRESERVE WAY #104
HOLLYWOOD FL 33025

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
TAGHIKHANI,MAJID
MANSHADI,MASOUMEH D
7833 N SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
THE PRUDENTIAL INSURANCE
COMPANY OF AMERICA
2 RAVINIA DR STE 1400
ATLANTA GA 30346

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
THORPE,RICKY V
7832 N SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
TORRES,RAFAEL & CARMEN
5192 S UNIVERSITY DR
DAVIE FL 33328-4514

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
TRANSAMERICAN LAND CORP
ATTN: ACCOUNTING DEPT
2665 S BAYSHORE DR #1002
MIAMI FL 33133

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
TSE,KA MING & ADA
5071 E MADISON LAKES CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
TUCKER,EILEEN
5054 S UNIVERSITY DR
DAVIE FL 33328-4509

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
UNIVERSITY OFFICE CENTER LLC
3006 AVIATION AVE SUITE 2-A
COCONUT GROVE FL 33133

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
VAN BALEN-ORTEGA,SUSANNE
5068 S UNIVERSITY DR
DAVIE FL 33328-4510

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
VAN HISE,AMY B
5150 S UNIVERSITY DR
DAVIE FL 33328-4513

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
VASSILOPOULOS,JOHN-PAUL
5048 S UNIVERSITY DR
DAVIE FL 33328-4509

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
VISWANATHAN,PADMA 1/2 INT
VISWANATHAN,ANANAGUR
5182 S UNIVERSITY DR
DAVIE FL 33328-4514

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
WANG,HSIN-CHIH HSU
5096 S UNIVERSITY DR
DAVIE FL 33328-4511

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
WANSE, DANIELLE
5174 S UNIVERSITY DR
DAVIE FL 33328-4514

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
WEBB NURSERY INC
4640 SW 78TH AVE
DAVIE FL 33328-3825

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
WHEELER,CHRISTINE D
7920 S SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
YABLON,NORMAN & JUDITH C
5066 S UNIVERSITY DR
DAVIE FL 33328-4510

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
YOUNG,KAREN G
5020 S UNIVERSITY DR
DAVIE FL 33328-4502

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
ZELL,STEPHANIE ANN
7863 N SOUTHWOOD CIR
DAVIE FL 33328

Exhibit 5 (Future Land Use Map)

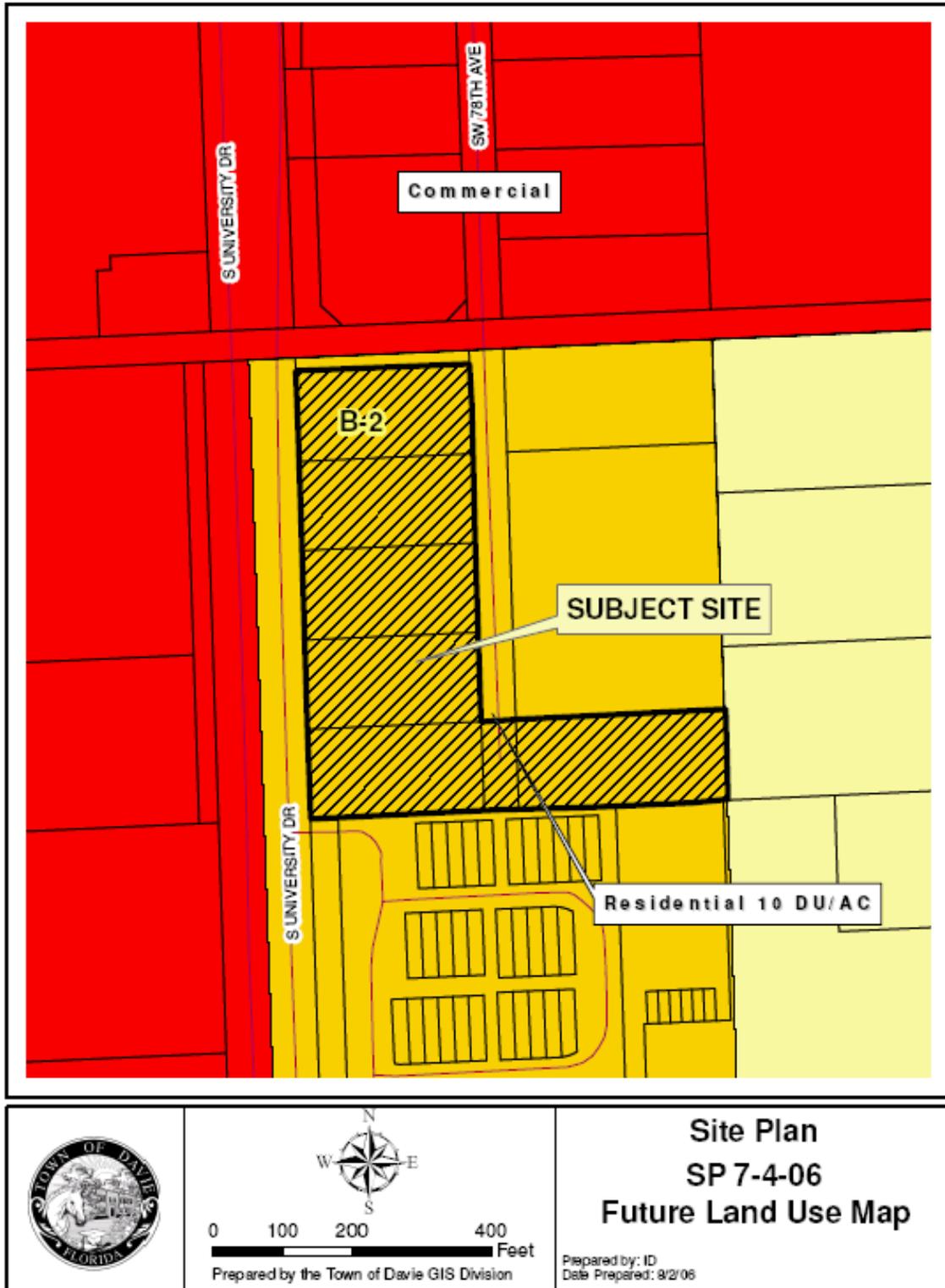


Exhibit 6 (Aerial, Zoning, and Subject Site Map)



* * * * *

THIS PAGE
INTENTIONALLY
LEFT BLANK

* * * * *

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: Ingrid Allen, Planner II

SUBJECT: Application LA(TXT) 4-1-07, amendment to the Transportation Element text of the Comprehensive Plan.

AFFECTED DISTRICT: 4

ITEM REQUEST: **Schedule for Council Meeting**

TITLE OF AGENDA ITEM: AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, APPROVING FOR TRANSMITTAL TO THE DEPARTMENT OF COMMUNITY AFFAIRS, APPLICATION LA(TXT) 4-1-07 AMENDING THE TEXT OF THE TOWN OF DAVIE COMPREHENSIVE PLAN BY AMENDING THE TRANSPORTATION ELEMENT TO ESTABLISH A POLICY RESTRICTING ACCESS FROM INTERSTATE 75 (I-75) PART OF THE FLORIDA INTRASTATE HIGHWAY SYSTEM (FIHS) ONTO LOCAL ROADS; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

REPORT IN BRIEF: This item is a proposed amendment to the Transportation Element of the Town's Comprehensive Plan. Staff is proposing to add a policy to the Transportation Element which will prohibit direct access to or from I-75 onto local roads. This proposal is a result of concerns raised in the past by the residents in western Davie that one day the Florida Department of Transportation (FDOT) will connect I-75 to Shotgun Road. This issue was once again brought to the forefront by residents in response to the proposed "The Commons" project which is located adjacent to I-75. Although the developer has agreed to prevent any access directly into Davie, the Town wishes to ensure that I -75, part of the FIHS, does not connect onto any of Davie's local roads.

PREVIOUS ACTIONS: None

CONCURRENCES: At the June 27, 2007 Local Planning Agency meeting, Vice-Chair Stevens made a motion, seconded by Mr. Busey, to approve subject to the following amendment to Exhibit A, Policy 4.1.13 shall read: Direct access to or from I-75 roadway, part of the Florida Intrastate Highway System (FIHS), onto local roads shall be prohibited in order to preserve and maintain the Town's semi-rural character and rural/equestrian lifestyle in the westernmost area of the Town. (Motion carried 5-0).

FISCAL IMPACT: not applicable

Has request been budgeted? n/a

If yes, expected cost: \$

Account Name:

If no, amount needed: \$

What account will funds be appropriated from:

Additional Comments:

RECOMMENDATION(S): Staff recommends approval of the amendment to the Transportation Element of the Comprehensive Plan.

Attachment(s): Staff report, ordinance, Exhibit "A"



Development Services Department
Planning & Zoning Division

6591 ORANGE DRIVE Y DAVIE, FLORIDA 33314-3399
PHONE: 954.797.1103 Y FAX: 954.797.1204 Y WWW.DAVIE-FL.GOV

PZ 6-31-07

TO: Mayor and Councilmembers
THRU: Marcie Nolan, Acting Planning and Zoning Manager
FROM: Ingrid Allen, Planner II
SUBJECT: Application LA(TXT) 4-1-07, amendment to the Transportation Element text of the Comprehensive Plan.

AFFECTED DISTRICT: 4

TITLE OF AGENDA ITEM:

AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, APPROVING FOR TRANSMITTAL TO THE DEPARTMENT OF COMMUNITY AFFAIRS, APPLICATION LA(TXT) 4-1-07 AMENDING THE TEXT OF THE TOWN OF DAVIE COMPREHENSIVE PLAN BY AMENDING THE TRANSPORTATION ELEMENT TO ESTABLISH A POLICY RESTRICTING ACCESS FROM INTERSTATE 75 (I-75) PART OF THE FLORIDA INTRASTATE HIGHWAY SYSTEM (FIHS) ONTO LOCAL ROADS; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

REPORT IN BRIEF:

Concerns have been raised in the past by the residents in western Davie that one day the Florida Department of Transportation (FDOT) will connect I-75 to Shotgun Road. This issue was once again brought to the forefront by residents in response to the proposed "The Commons" project which is located adjacent to I-75. Although the developer has agreed to prevent any access directly into Davie, the Town wishes to ensure that I -75, part of the FIHS, does not connect onto any of Davie's local roads.

There are currently two (2) direct access points to I-75 from the Town of Davie located within approximately two and a half (2 1/2) miles of each other. One access point is located at Sheridan Road and the other is located at Griffin Road. Shotgun Road (a north-south collector road) located just east of I-75 provides access to mainly residential neighborhoods. Adjoining land uses are predominantly single-family residences. Shotgun Road dead-ends at SW 14th Street to the north which would make it an impracticable road for access to I-75 being that it does not connect to the overall regional road network.

The most suitable way to address this issue is through an amendment to the Transportation Element of the Town's Comprehensive Plan. Since other governmental agencies may not act inconsistent with the Town's adopted Comprehensive Plan, adding a policy to the Comprehensive Plan which prohibits direct access to or from I-75 onto local roads would ensure coordination with FDOT.

HISTORY/BACKGROUND:

In 1976, at the time that I-75 was proposed in western Broward, the Town adopted Resolution #76-31 which opposed construction of an interchange for I-75 at SW 26th Street (Nova Drive) and opposed the construction of any cross or access road at or near this vicinity or at any other location in Davie.

RECOMMENDATION(S):

Staff recommends approval of the amendment to the Transportation Element of the Comprehensive Plan.

Attachments: Ordinance, Exhibit “A”

ORDINANCE _____

AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, APPROVING FOR TRANSMITTAL TO THE DEPARTMENT OF COMMUNITY AFFAIRS, APPLICATION LA(TXT) 4-1-07 AMENDING THE TEXT OF THE TOWN OF DAVIE COMPREHENSIVE PLAN BY AMENDING THE TRANSPORTATION ELEMENT TO ESTABLISH A POLICY RESTRICTING ACCESS FROM INTERSTATE 75 (I-75) PART OF THE FLORIDA INTRASTATE HIGHWAY SYSTEM (FIHS) ONTO LOCAL ROADS; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, concerns have been raised in the past by the residents in western Davie that additional access points from I-75 to Shotgun Road will disrupt the Town's residential quality; and

WHEREAS, the Town Council of the Town of Davie desires to amend the Transportation Element of the Comprehensive Plan to ~~restrict~~ prohibit direct access to or from I-75 onto local roads; and

WHEREAS, the Local Planning Agency of the Town of Davie held a public hearing duly advertised on June 27, 2007; and

WHEREAS, the Town Council of the Town of Davie held a public hearing duly advertised as required by Chapter 163.3184, Florida Statutes on July 18, 2007 and on the date of adoption of this Ordinance; and

WHEREAS, the proposed amendment is in conformance with the Town of Davie Comprehensive Plan and the Broward County Land Use Plan.

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

SECTION 1. That the Transportation Element text of the Comprehensive Plan is hereby amended as described in Exhibit "A", attached hereto and made a part thereof.

SECTION 2. All Ordinances or parts of Ordinances in conflict herewith are to the extent of such conflict hereby repealed.

SECTION 3. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is, for any reason, held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portion of this Ordinance.

SECTION 4. The Town Council of the Town of Davie authorizes the Town Administrator or designee to transmit Application LA(TXT) 4-1-07 to the Florida Department of Community Affairs.

SECTION 5. The effective date of this plan amendment shall be the date a final order is issued by the Department of Community Affairs or Administration Commission finding the amendment in compliance in accordance with Section 163.3184, F.S.

PASSED ON FIRST READING THIS _____ DAY OF _____, 2007

PASSED ON SECOND READING THIS _____ DAY OF _____, 2007

MAYOR/COUNCILMEMBER

ATTEST:

TOWN CLERK

APPROVED THIS _____ DAY OF _____, 2007

EXHIBIT "A"

TRANSPORTATION ELEMENT

GOAL 4: **Coordinate transportation and land use planning activities to ensure adequate facilities and services are available to meet existing and future needs of Davie's population and economy.**

OBJECTIVE 4.1: **The Town will coordinate transportation planning activities with land use decisions, ensuring that transportation planning and land use planning activities are properly coordinated in the Town, as shown on the Future Land Use Map.**

Measure/Actions -

- 1) Coordinate with BC so that at least 80% of all transit stops shall be proximate to development with higher intensity and mixed-use land uses as defined within this element by December 31, 2000.
- 2) Identify the number of bus stops with functional access to surrounding land uses by June 30, 2000.

Policy 4.1.13: Direct access to or from I-75 roadway , part of the Florida Intrastate Highway System (FIHS), onto local roads shall be ~~restricted~~ prohibited in order to preserve and maintain the Town's semi-rural character and rural/equestrian lifestyle in the westernmost area of the Town.

* * * * *

THIS PAGE
INTENTIONALLY
LEFT BLANK

* * * * *

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: Ingrid Allen, Planner II

SUBJECT: Application LA(TXT) 4-2-07, amendment to the Future Land Use Element text of the Comprehensive Plan.

AFFECTED DISTRICT: 1 & 2

ITEM REQUEST: **Schedule for Council Meeting**

TITLE OF AGENDA ITEM: AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, APPROVING FOR TRANSMITTAL TO THE DEPARTMENT OF COMMUNITY AFFAIRS, APPLICATION LA(TXT) 4-2-07, AMENDING THE TOWN OF DAVIE COMPREHENSIVE PLAN BY ADDING A POLICY TO THE FUTURE LAND USE ELEMENT (POLICY GROUP 10: REGIONAL ACTIVITY CENTER USE) TO INCREASE THE THRESHOLDS AT WHICH PROJECTS WOULD HAVE TO GO UNDER REVIEW AS A DEVELOPMENT OF REGIONAL IMPACT PURSUANT TO CHAPTER 380, FLORIDA STATUTES; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

REPORT IN BRIEF: This item is a proposed amendment to the Town's Comprehensive Plan which will add two (2) policy statements (see Exhibit "A") to the Future Land Use Element allowing increase thresholds for Developments of Regional Impact (DRI) within the Regional Activity Center (RAC) land use category. The term "Development of Regional Impact" (DRI) is defined as any development which, because of its character, magnitude, or location, would have a substantial effect upon the health, safety, or welfare of citizens of more than one county. Section 380.06, Florida Statutes, allows the thresholds for a DRI, with respect to residential, hotel, motel, office and retail developments, to be increased within the RAC land use category. Furthermore, State Statutes allow local governments to petition for an increase in thresholds within their jurisdiction.

According to the Town's Comprehensive Plan, the RAC shall promote and encourage development or redevelopment of regional significance that facilitates mixed use development, encourages mass transit, reduces the need for automobile travel, provides incentives for quality development and gives definition to the urban form. The RAC masterplan, currently in progress, will be bringing together all of these elements of the RAC in order to create a blueprint for the area.

Submitted concurrently with this proposed text amendment is an ordinance that designates the RAC as an area suitable for application of increased DRI thresholds pursuant to Chapter 380, Florida Statutes.

PREVIOUS ACTIONS: None

CONCURRENCES: At the June 27, 2007 Local Planning Agency meeting, Vice-Chair Stevens made a motion, seconded by Ms. Turin, to approve subject to additional language to be added to Policy 10-14 ...Any residential development utilizing the increased DRI thresholds shall be required to provide an affordable housing component which meets or exceeds standards established by the Town. (Motion carried 4-1 with Mr. Busey being opposed. Mr. Busey’s concern was that impacts would not be reviewed by bypassing existing thresholds.)

FISCAL IMPACT: not applicable

Has request been budgeted? n/a

If yes, expected cost: \$

Account Name:

If no, amount needed: \$

What account will funds be appropriated from:

Additional Comments:

RECOMMENDATION(S): Staff recommends approval of the proposed amendment to the Future Land Use Element of the Comprehensive Plan subject to the following condition:

1. Contingent upon approval of ordinance designating the RAC as an area suitable for application of increased DRI thresholds, submitted concurrently with this proposed amendment to the Future Land Use Element.

Attachment(s): Staff report, Ordinance, thresholds, Exhibit “A”



Development Services Department
Planning & Zoning Division

6591 ORANGE DRIVE Y DAVIE, FLORIDA 33314-3399
PHONE: 954.797.1103 Y FAX: 954.797.1204 Y WWW.DAVIE-FL.GOV

PZ 6-33-07

TO: Mayor & Councilmembers
THRU: Marcie Nolan, Acting Planning and Zoning Manager
FROM: Ingrid Allen, Planner II
SUBJECT: Application LA(TXT) 4-2-07, amendment to the Future Land Use Element text of the Comprehensive Plan.

AFFECTED DISTRICT: 1 & 2

TITLE OF AGENDA ITEM:

AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, APPROVING FOR TRANSMITTAL TO THE DEPARTMENT OF COMMUNITY AFFAIRS, APPLICATION LA(TXT) 4-2-07, AMENDING THE TOWN OF DAVIE COMPREHENSIVE PLAN BY ADDING A POLICY TO THE FUTURE LAND USE ELEMENT (POLICY GROUP 10: REGIONAL ACTIVITY CENTER USE) TO INCREASE THE THRESHOLDS AT WHICH PROJECTS WOULD HAVE TO GO UNDER REVIEW AS A DEVELOPMENT OF REGIONAL IMPACT PURSUANT TO CHAPTER 380, FLORIDA STATUTES; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

REPORT IN BRIEF:

This item is a proposed amendment to the Town's Comprehensive Plan which will allow increase thresholds for Developments of Regional Impact (DRI) within the Regional Activity Center (RAC) land use category. This request is the second of two steps, required by State Statutes, that the Town must comply with in order to achieve this increase.

The term "Development of Regional Impact" (DRI) is defined as any development which, because of its character, magnitude, or location, would have a substantial effect upon the health, safety, or welfare of citizens of more than one county. Section 380.06, Florida Statutes, allows the thresholds for a DRI, with respect to residential, hotel, motel, office and retail developments, to be increased within the RAC land use category. Furthermore, State Statutes allow local governments to petition for an increase in thresholds within their jurisdiction.

The Town's RAC has experienced steady growth in development. With projects such as "Downtown Davie" and the Nova Academical Village, the RAC has been successful in fulfilling its stated intent. According to the Town's Comprehensive Plan, the RAC shall promote and encourage development or redevelopment of regional significance that facilitates mixed use development, encourages mass transit,

reduces the need for automobile travel, provides incentives for quality development and gives definition to the urban form. The RAC masterplan, which is currently in progress, will be bringing together all of these elements of the RAC in order to create a blueprint for the area.

Given recent development patterns and population growth, the Town's 2005 Evaluation and Appraisal Report of the Comprehensive Plan recommends addressing an increase in permitted densities and intensities within the RAC. This recommendation is consistent with the principles and objectives of the RAC masterplan and will foster future development to accommodate growth, maintain financial stability, create new jobs and afford return on invested public/private capital.

As a means of further achieving the RAC's intent as well as the objectives of the RAC masterplan, staff proposes to add two (2) policy statements (see Exhibit "A") to the Future Land Use Element of the Comprehensive Plan that reference the RAC as an area suitable for increased DRI thresholds. Submitted concurrently with this proposed text amendment is an ordinance that first designates the RAC as an area suitable for application of increased DRI thresholds. Attached are the current and proposed thresholds for a DRI.

BACKGROUND:

Under Section 380.06(3), Florida Statutes, a local government may petition to increase the numerical thresholds of any statewide guideline and standard.

RECOMMENDATION(S):

Staff recommends approval of the proposed amendment to the Future Land Use Element of the Comprehensive Plan subject to the following condition:

1. Contingent upon approval of ordinance designating the RAC as an area suitable for application of increased DRI thresholds, submitted concurrently with this proposed amendment to the Future Land Use Element.

Attachments: Ordinance, thresholds, Exhibit "A"

ORDINANCE _____

AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, APPROVING FOR TRANSMITTAL TO THE DEPARTMENT OF COMMUNITY AFFAIRS, APPLICATION LA(TXT) 4-2-07, AMENDING THE TOWN OF DAVIE COMPREHENSIVE PLAN BY ADDING A POLICY TO THE FUTURE LAND USE ELEMENT (POLICY GROUP 10: REGIONAL ACTIVITY CENTER USE) TO INCREASE THE THRESHOLDS AT WHICH PROJECTS WOULD HAVE TO GO UNDER REVIEW AS A DEVELOPMENT OF REGIONAL IMPACT PURSUANT TO CHAPTER 380, FLORIDA STATUTES; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Davie Future Land Use Element and Future Land Use Map of the Town of Davie Comprehensive Plan includes a “Regional Activity Center” designation; and

WHEREAS, the Town Council of the Town of Davie wishes to amend the Future Land Use Element of the Comprehensive Plan to increase the thresholds at which projects would have to go under review as a development of regional impact within the Regional Activity Center; and

WHEREAS, the Local Planning Agency of the Town of Davie held a public hearing duly advertised on June 27, 2007; and

WHEREAS, the Town Council of the Town of Davie held a public hearing duly advertised as required by Chapter 163.3184, F.S. on July 18, 2007 and on the date of adoption of this Ordinance; and

WHEREAS, the Town Council of the Town of Davie desires to transmit the Town’s Comprehensive Plan Amendment provided herein to the State of Florida Department of Community Affairs (DCA) for their review and consideration.

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

SECTION 1. The text of the Future Land Use Element of the Comprehensive Plan is hereby amended as set forth on Exhibit “A”, attached hereto and made a part hereof.

SECTION 2. The Town Council hereby authorizes the appropriate Town officials to submit the appropriate number of copies of this ordinance and the Town’s Comprehensive Plan, as amended herein, to the State of Florida Department of Community Affairs and to any other governmental agency having jurisdiction with regard to the approval of same in accordance with and pursuant to Chapter 163, Florida Statutes.

SECTION 3. All Ordinances or parts of Ordinances in conflict herewith are to the extent of such conflict hereby repealed.

SECTION 4. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is, for any reason, held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portion of this Ordinance.

SECTION 5. The effective date of this plan amendment shall be the date a final order is issued by the Department of Community Affairs or Administration Commission finding the amendment in compliance in accordance with Section 163.3184, F.S.

PASSED ON FIRST READING THIS _____ DAY OF _____, 2007

PASSED ON SECOND READING THIS _____ DAY OF _____, 2007

MAYOR/COUNCILMEMBER

ATTEST:

TOWN CLERK

APPROVED THIS _____ DAY OF _____, 2007

DEVELOPMENT OF REGIONAL IMPACT (DRI) THRESHOLDS CURRENT VS. PROPOSED

<u>DEVELOPMENT</u>	<u>THRESHOLD (100%)</u>
--------------------	-------------------------

Office:

Current:

Gross Sq. Feet	300,000
----------------	---------

Proposed for RAC:

Gross Sq. Feet	900,000
----------------	---------

Hotel/Motel:

Current:

Rooms	750
-------	-----

Proposed for RAC:

Rooms	1,125
-------	-------

Residential:

Current:

Dwelling units	3,000
----------------	-------

Proposed for RAC:

Dwelling units	4,500
----------------	-------

Retail:

Current:

Gross Sq. Feet	400,000
----------------	---------

Proposed for RAC:

Gross Sq. Feet	600,000
----------------	---------

EXHIBIT "A"

FUTURE LAND USE ELEMENT

POLICY GROUP 10: REGIONAL ACTIVITY CENTER USE

OBJECTIVE 10: The Town shall maintain, and expand if appropriate, a Regional Activity Center (RAC) designation for the area between University Drive and the Florida Turnpike, and S.R. 84 and Griffin Road.

Policy 10-13: The Town of Davie RAC, described in Objective 10, is hereby designated as a Chapter 380 Regional Activity Center under Section 380.06(2)(e), F.S. and as a geographic area suitable for the application of increased development of regional impact thresholds for office, retail and other uses that may be amended under Section 380.0651, F.S.

Policy 10-14: Parcels utilizing the increased DRI thresholds shall undergo review for local impacts by the Town at the time of application review. Any residential development utilizing the increased DRI thresholds shall be required to provide an affordable housing component which meets or exceeds standards established by the Town.

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: Ingrid Allen, Planner II

SUBJECT: LA(TXT) 4-3-07– Comprehensive Plan Amendment updating the Capital Improvements Element with the adopted five-year capital projects program

AFFECTED DISTRICT: Townwide

ITEM REQUEST: **Schedule for Council Meeting**

TITLE OF AGENDA ITEM:

AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, APPROVING FOR ADOPTION TO THE DEPARTMENT OF COMMUNITY AFFAIRS, APPLICATION LA(TXT) 4-3-07, AMENDING THE TOWN OF DAVIE COMPREHENSIVE PLAN BY UPDATING THE CAPITAL IMPROVEMENTS ELEMENT WITH THE ADOPTED 5-YEAR CAPITAL PROJECTS PROGRAM PURSUANT TO CHAPTER 163, FLORIDA STATUTES; PROVIDING FOR FILING WITH THE DEPARTMENT OF COMMUNITY AFFAIRS; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

REPORT IN BRIEF: Legislation enacted by the 2005 Florida Legislature (Senate Bill 360) mandates that local governments must annually update the Capital Improvements Element of the Comprehensive Plan with a financially feasible 5-year schedule of capital improvements. A resolution (#R-2006-299) adopting the Town's five-year capital projects program for fiscal years 2007-2011 was approved by Town Council on November 15, 2006. This five-year schedule of capital improvements must be incorporated, through this proposed amendment, into the Capital Improvements Element of the Town's Comprehensive Plan.

PREVIOUS ACTIONS:

At the November 15, 2006 Town Council meeting, Vice-Mayor Crowley made a motion, seconded by Mayor Truex, to approve a Resolution (#2006-299) adopting the five-year capital projects program for fiscal years 2007-2011 subject to coming back to Council with the amendment suggested by Councilmember Paul. (Motion carried 3-1)

CONCURRENCES: NA

FISCAL IMPACT: not applicable

Has request been budgeted? n/a

If yes, expected cost: \$

Account Name:

If no, amount needed: \$

What account will funds be appropriated from:

Additional Comments:

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

Attachment(s): Ordinance, Exhibit A (Capital Projects Program)

ORDINANCE _____

AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, APPROVING FOR ADOPTION TO THE DEPARTMENT OF COMMUNITY AFFAIRS, APPLICATION LA(TXT) 4-3-07, AMENDING THE TOWN OF DAVIE COMPREHENSIVE PLAN BY UPDATING THE CAPITAL IMPROVEMENTS ELEMENT WITH THE ADOPTED 5-YEAR CAPITAL PROJECTS PROGRAM PURSUANT TO CHAPTER 163, FLORIDA STATUTES; PROVIDING FOR FILING WITH THE DEPARTMENT OF COMMUNITY AFFAIRS; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 163.3177, Florida Statutes requires that local governments adopt a financially feasible annual updated five-year schedule of capital improvements as part of the Capital Improvements Element of the Comprehensive Plan; and

WHEREAS, the Town of Davie Future has adopted by Resolution (R-2006-299) the 5-year capital projects program for the Town of Davie for fiscal years 2007-2011; and

WHEREAS, the Town Council of the Town of Davie wishes to update the Capital Improvements Element of the Town's Comprehensive Plan with the adopted five-year schedule of capital projects program in order to satisfy the requirements of the law pursuant to Chapter 163, Florida Statutes.

WHEREAS, the Town Council of the Town of Davie held a public hearing duly advertised as required by Chapter 163.3184, F.S. on July 26, 2007 and on the date of adoption of this Ordinance.

WHEREAS, the Town Council of the Town of Davie desires to adopt the Town's Comprehensive Plan Amendment provided herein to the State of Florida Department of Community Affairs (DCA) for a compliance review.

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

SECTION 1. The Capital Improvements Element of the Town's Comprehensive Plan is hereby amended as set forth on Exhibit "A", attached hereto and made a part hereof.

SECTION 2. The Town Council hereby authorizes the appropriate Town officials to submit the appropriate number of copies of this ordinance and the Town's Comprehensive Plan, as amended herein, to the State of Florida Department of Community Affairs and to any other governmental agency having jurisdiction with regard to the approval of same in accordance with and pursuant to Chapter 163, Florida Statutes.

SECTION 3. All Ordinances or parts of Ordinances in conflict herewith are to the extent of such conflict hereby repealed.

SECTION 4. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is, for any reason, held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portion of this Ordinance.

SECTION 5. The effective date of this plan amendment shall be the date a final order is issued by the Department of Community Affairs or Administration Commission finding the amendment in compliance in accordance with Section 163.3184, F.S.

PASSED ON FIRST READING THIS _____ DAY OF _____, 2007

PASSED ON SECOND READING THIS _____ DAY OF _____, 2007

MAYOR/COUNCILMEMBER

ATTEST:

TOWN CLERK

APPROVED THIS _____ DAY OF _____, 2007

EXHIBIT A
Capital Improvement Projects
FY 2007-2011

Capital Project Line	Requesting Department	FY2007	FY2008	FY2009	FY2010	FY2011	TOTAL	Ending Board/Committee Development Return
GIS 2007	Administration	\$16,000	\$10,000	\$10,000	\$10,000	\$20,000	\$95,000	earned over from 2006
New Town Hall	Administration	\$0	\$0	\$0	\$0	\$1,500,000	\$1,500,000	from Board/Unit
	Schools	\$15,000	\$10,000	\$10,000	\$10,000	\$1,520,000	\$1,595,000	

Use Green Red Item - Unbudgeted Unreserved Available Earnings

MGA, n. 21 From: Staff Dev., Util. Share Capital Program 2007-CF 2007, Trunk Subtotal

EXHIBIT A
Capital Improvement Projects
FY 2007-2011

Capital Project Name	Requesting Department	FY2007	FY2008	FY2009	FY2010	FY2011	TOTAL	Funding Source/Comments
Q1000B - Drive 2007	Development Services/Engineering	135,000	112,000	10	10	10	315,000	Developer Contribution
Park Station - Transit Shelter 2007	Development Services/Planning & Zoning Subtotal	135,000	112,000	210,000	20	20	615,000	Grants
		135,000	112,000	210,000	20	20	615,000	

Unit: Dollars (All Data) - Unadopted/Unrevised Budgets: Exclude

Unit: Dollars (All Data) - Unadopted/Unrevised Budgets: Exclude

Town of Davie
CAPITAL IMPROVEMENT PROJECT DETAIL SHEET
 FOR FISCAL YEAR 2007 - 2011

PROJECT IDENTIFICATION			PROJECT LOCATION MAP				
USER DEPARTMENT:	Development Services/Engineering						
PROJECT NAME:	Orange Drive Improvements						
PROJECT NUMBER:							
PROJECT LOCATION:	West of Flamingo on Orange Drive						
PROJECT INFORMATION							
DESCRIPTION/JUSTIFICATION:							
The Town of Davie is applying for a grant from FDOT to assist in financing Orange Drive Improvements to alleviate traffic on Griffin Road (SR 818) and Flamingo Road. These improvements are based on a URS study conducted in 2004. Approximately 78% of the total projects costs will be originated from state and private funds.							
RELATIONSHIP TO OTHER PROJECTS:							
Flamingo Commons							
EXPENDITURE SCHEDULE (000'S): do not use less than \$1,000							
			ACCOUNT NUMBER:				
COSTS	Project to Date	Future Total	FY07	FY08	FY09	FY10	FY11
Planning, Design, Permitting		\$32,000	\$32,000				
Land Acquisition		\$0					
Site Work Improvements		\$0					
Construction		\$293,000	\$293,000				
Furnishings/Equipment		\$0					
Accrual		\$0					
TOTAL	\$0	\$325,000	\$325,000	\$0	\$0	\$0	\$0
FUNDING SOURCES & SCHEDULE (000'S)							
General Fund Capital Outlay		\$0					
Current Approved Bonds		\$0					
Enterprise Fund		\$0					
Grants		\$0					
Enterprise Fund		\$0					
Impact Fees		\$0					
Other		\$325,000	\$325,000				
UNFUNDED		\$0					
TOTAL	\$0	\$325,000	\$325,000	\$0	\$0	\$0	\$0
OPERATING BUDGET IMPACT (000'S)				GENERAL INFORMATION			
	1st Year	2nd Year	3rd Year	Permitting Required _____ Project Approval Date _____ Construction Start Date _____ Project Completion Date _____ PROJECT COST (000'S) _____			
Personnel \$\$\$							
Operation & Maint. \$\$\$							
Other Costs \$\$\$							
Offsetting Revenue/Savings							
NET OPERATING IMPACT	\$0	\$0	\$0				
COMMENTS: Developer Contributions							

Town of Davie
CAPITAL IMPROVEMENT PROJECT DETAIL SHEET
 FOR FISCAL YEAR 2007 - 2011

PROJECT IDENTIFICATION				PROJECT LOCATION MAP			
USER DEPARTMENT:		Development Services / Planning & Zoning		PROJECT LOCATION MAP			
PROJECT NAME:		Pedestrian/Transit Shelters					
PROJECT NUMBER:							
PROJECT LOCATION:							
PROJECT INFORMATION							
DESCRIPTION/JUSTIFICATION:							
Project includes the design and construction of 17 pedestrian/transit shelters within the RAC along University Drive, Davie Rd/Davie Rd Extension, and Griffin Road. The shelters will have a consistent design theme and will be small, medium or large depending on available right-of-way and public transit use at the site. This project is paid for through Federal Transportation Enhancement Funding. The project aims to promote pedestrianism, biking, and the use of public transit, while also improving the aesthetics of these transportation corridors.							
RELATIONSHIP TO OTHER PROJECTS:							
The project builds upon the current RAC Master Plan and Mobility Study, and may serve to implement recommendations related to mass transit and multi-modal transportation.							
EXPENDITURE SCHEDULE (000'S): do not use less than \$1,000							
				ACCOUNT NUMBER:			
COSTS	Project to Date	Future Total	FY07	FY08	FY09	FY10	FY11
Planning, Design, Permitting	\$0	\$52,000	\$20,000	\$32,000			
Land Acquisition	\$0	\$0					
Site Work Improvements	\$0	\$0					
Construction	\$0	\$313,000		\$75,000	\$238,000		
Furnishings/Equipment	\$0	\$0					
Accrual	\$0	\$0					
TOTAL	\$0	\$365,000	\$20,000	\$107,000	\$238,000	\$0	\$0
FUNDING SOURCES & SCHEDULE (000'S)							
General Fund Capital Outlay		\$0					
Current Approved Bonds		\$0					
Enterprise Fund		\$0					
Grants		\$365,000	\$20,000	\$107,000	\$238,000		
Enterprise Fund		\$0					
Impact Fees		\$0					
Other		\$0					
UNFUNDED		\$0					
TOTAL	\$0	\$365,000	\$20,000	\$107,000	\$238,000	\$0	\$0
OPERATING BUDGET IMPACT (000'S)				GENERAL INFORMATION			
	1st Year	2nd Year	3rd Year				
Personnel \$\$\$	\$1,700	\$2,600	\$2,700	Permitting Required	Yes		
Operation & Maint. \$\$\$			\$500	Project Approval Date	12/10/2004		
Other Costs \$\$\$				Construction Start Date	10/1/2007		
Offsetting Revenue/Savings				Project Completion Date	9/30/2008		
NET OPERATING IMPACT	\$1,700	\$2,600	\$3,200	PROJECT COST (000'S)	\$365,000		
COMMENTS:							
Budgeted costs include consultants/public meetings to outline design themes and placement, project design & engineering (PD&E), survey work, architect fees, permitting, construction, construction engineering and inspection costs. Current estimates are for 7 small shelters to be constructed at \$8,000 each, 5 medium shelters at \$15,500 each, and 5 large shelters at \$26,000 each. These estimates may change as planning and placement activities occur. Additional budgeted items include ADA compliant access paths, benches, bike racks, receptacles and landscaping.							

EXHIBIT A
Capital Improvement Projects
FY 2007-2011

Capital Project Line	Department	FY07	FY08	FY09	FY10	FY11	TOTAL	Funding Source/Comments
Civilian Lab Enhance 2007	Police Department	\$43,000	\$0	\$0	\$0	\$0	\$43,000	Impact Fee
Security Enhance of Pub Safety Facility	Police Department	\$16,000	\$0	\$0	\$0	\$0	\$16,000	Impact Fee
Technology Improvement	DAVE POLICE DEPARTMENT	\$100,000	\$0	\$0	\$0	\$0	\$100,000	Impact Fee
Property Room Upgrade 2007	Police Department	\$4,000	\$0	\$0	\$0	\$0	\$4,000	Impact Fee
FATS 2007	Police Department	\$4,000	\$0	\$0	\$0	\$0	\$4,000	Impact Fee
OUT CENTER 2007	Police Department	\$17,000	\$0	\$0	\$0	\$0	\$17,000	Impact Fee
SWAT 2007	Police Department	\$46,000	\$0	\$0	\$0	\$0	\$46,000	Impact Fee
SWAT 2007	Police Department	\$1,500	\$0	\$0	\$0	\$0	\$1,500	Impact Fee
LOD 2007	Police Department	\$11,500	\$0	\$0	\$0	\$0	\$11,500	Impact Fee
Subtotal		\$311,500	\$0	\$0	\$0	\$0	\$311,500	

Doc: B:\Users\jash\New - H\StateCapital Project 2007\CP_2007_1.html

Use: User: B:\Users\jash\New - H\StateCapital Project 2007\CP_2007_1.html

EXHIBIT A

Capital Improvement Projects
FY 2007-2011

Capital Project Name	Requesting Department	FY1067	FY1068	FY1069	FY1070	FY1071	TOTAL	Funding Source/Comments
Public Works	Public Works	116,206	\$0	\$0	\$0	\$0	\$116,206	2004 CBA, Bonded Capital over from 2004 Reserve \$500,000
Hwy 66 Road Improvement 2007	Public Works	103,000	\$0	\$0	\$0	\$0	\$103,000	\$25,000 2004 CBA, Bonded \$100,000 from Capital Fund, \$11,000 CBA, Bonded \$100,000
Park Funding 2007	Public Works	\$11,000	\$16,000	\$10,000	\$0	\$0	\$37,000	Capital over from 2004 \$12,000 CBA, Bonded \$18,000 Unbonded
Payment Center 2007	Public Works	\$27,000	\$26,000	\$16,000	\$16,000	\$16,000	\$101,000	capital over from 2004
R.O.M. Equipment 2007	Public Works	\$30,000	\$15,000	\$26,000	\$0	\$0	\$71,000	capital over from 2004 2004 CBA, Bond
Townwide Capital 2007	Public Works	\$411,000	\$0	\$0	\$0	\$0	\$411,000	capital over from 2004
General Inspections 2007	Public Works	\$60,000	\$60,000	\$0	\$0	\$0	\$120,000	capital over from 2004
Town Hall Renovation 2007	Public Works	\$0	\$0	\$75,000	\$0	\$0	\$75,000	Unbonded
Subtotal		\$1,052,000	\$432,000	\$560,000	\$176,000	\$166,000	\$2,386,000	

Use Lines for Run - Unfunded (over/under) - Related Energy

Use Lines for Run - Unfunded (over/under) - Related Energy

Town of Davie
CAPITAL IMPROVEMENT PROJECT DETAIL SHEET
 FOR FISCAL YEAR 2007 - 2011

PROJECT IDENTIFICATION				PROJECT LOCATION MAP				
USER DEPARTMENT:	Public Works			[PROJECT LOCATION MAP]				
PROJECT NAME:	Hiatus Road Improvements							
PROJECT NUMBER:								
PROJECT LOCATION:	Hiatus Road at SW 26 Street & Orange Drive							
PROJECT INFORMATION								
DESCRIPTION/JUSTIFICATION:								
Design and reconstruction of intersection at Hiatus Road and SW 26 Street and Hiatus Road and Orange Drive. This design will take in effect elements of pedestrian, equestrian, vehicular movement, traffic calming and intersection re-alignment.								
RELATIONSHIP TO OTHER PROJECTS:								
EXPENDITURE SCHEDULE (000'S): do not use less than \$1,000								
				ACCOUNT NUMBER:				
COSTS	Project to Date	Future Total	FY07	FY08	FY09	FY10	FY11	
Planning, Design, Permitting	\$75,000	\$0						
Land Acquisition		\$0						
Site Work Improvements		\$0						
Construction	\$325,000	\$925,000	\$925,000					
Furnishings/Equipment		\$0						
Accrual		\$0						
TOTAL	\$400,000	\$925,000	\$925,000	\$0	\$0	\$0	\$0	
FUNDING SOURCES & SCHEDULE (000'S)								
General Fund Capital Outlay		\$0						
Current Approved Bonds		\$425,000	\$425,000					
Enterprise Fund		\$300,000	\$300,000					
Grants		\$0						
Enterprise Fund		\$0						
Impact Fees		\$0						
Other	\$600,000	\$200,000	\$200,000					
UNFUNDED		\$0						
TOTAL	\$600,000	\$925,000	\$925,000	\$0	\$0	\$0	\$0	
OPERATING BUDGET IMPACT (000'S)				GENERAL INFORMATION				
	1st Year	2nd Year	3rd Year					
Personnel \$\$\$				Permitting Required	Yes			
Operation & Maint. \$\$\$	\$300	\$400	\$600	Project Approval Date	2006			
Other Costs \$\$\$				Construction Start Date	Dec-06			
Offsetting Revenue/Savings				Project Completion Date	Dec-06			
NET OPERATING IMPACT	\$300	\$400	\$600	PROJECT COST (000'S)	\$625,000			
COMMENTS:								
2004 CBA Bond funded								
2007 - Hiatus Road and Orange Drive								

X:\EXCEL\CIP DETAIL SHEET.XLS
 REVISION #2 OF 01/09/06

EXHIBIT A
Capital Improvement Projects
FY 2007-2011

Capital Project Name	Requesting Department	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	TOTAL	Funding Source/Comments
Cambridge Equipment 2007	Fire Rescue	\$123,815	\$25,508	\$33,127	\$0	\$0	\$282,450	GO Fire Road 74, 136 Grant Vehicle Use from 2006
Cambridge Vehicle Commission (New) 2007	Fire Rescue	\$19,500	\$19,500	\$0	\$0	\$0	\$108,000	GO Fire Road 74, 136 Grant Vehicle Use from 2006
Emergency Operations Center (ECC) Upgrade 2007	Fire Rescue	\$122,500	\$44,750	\$0	\$0	\$0	\$211,250	GO Fire Road 74, 136 Grant Vehicle Use from 2006
Emergency Operations (New) 2007	Fire Rescue	\$145,000	\$0	\$0	\$0	\$0	\$145,000	GO Fire Road 74, 136 Grant Vehicle Use from 2006
Education & TRT Equipment (Revised) 2007	Fire Rescue	\$19,000	\$0	\$0	\$0	\$0	\$19,000	GO Fire Road 74, 136 Grant Vehicle Use from 2006
Fire Rescue Ladder Truck (Revised) 2007	Fire Rescue	\$422,000	\$0	\$0	\$0	\$0	\$422,000	GO Fire Road 74, 136 Grant Vehicle Use from 2006
Fire Rescue Ladder Truck (Revised) 2007	Fire Rescue	\$450,000	\$172,200	\$196,125	\$0	\$0	\$1,418,325	GO Fire Road 74, 136 Grant Vehicle Use from 2006
Fire Rescue Ladder Truck (Revised) 2007	Fire Rescue	\$450,200	\$1,800,000	\$0	\$0	\$0	\$2,250,200	GO Fire Road 74, 136 Grant Vehicle Use from 2006
Fire Rescue Station West (Revised) 2007	Fire Rescue	\$2,000,000	\$0	\$0	\$0	\$0	\$2,000,000	GO Fire Road 74, 136 Grant Vehicle Use from 2006
Fire Station Renovations (Revised) 2007	Fire Rescue	\$1,000	\$17,100	\$16,613	\$12,791	\$16,608	\$144,611	GO Fire Road 74, 136 Grant Vehicle Use from 2006
Fire Support Vehicles (Revised) 2007	Fire Rescue	\$12,400	\$23,100	\$0	\$0	\$0	\$45,500	GO Fire Road 74, 136 Grant Vehicle Use from 2006
Physical Fitness Exercise Equipment (Revised) 2007	Fire Rescue	\$0	\$0	\$0	\$0	\$0	\$0	GO Fire Road 74, 136 Grant Vehicle Use from 2006
Self Contained Breathing Apparatus (SCBA) Revised 2007	Fire Rescue	\$0	\$0	\$0	\$0	\$0	\$0	GO Fire Road 74, 136 Grant Vehicle Use from 2006
Special Response Vehicle (Revised) 2007	Fire Rescue	\$481,000	\$0	\$0	\$0	\$0	\$481,000	GO Fire Road 74, 136 Grant Vehicle Use from 2006
Truck Prevention System Devices 2007	Fire Rescue	\$0	\$13,000	\$0	\$0	\$0	\$13,000	GO Fire Road 74, 136 Grant Vehicle Use from 2006
		\$2,013,995	\$3,709,410	\$186,843	\$17,413	\$16,608	\$11,276,179	

Subtotal

100 Union St East - Unassigned Unexpended Available Encumbr

100 Union St East - Unassigned Unexpended Available Encumbr

Town of Davie
CAPITAL IMPROVEMENT PROJECT DETAIL SHEET
FOR FISCAL YEAR 2007 - 2011

PROJECT IDENTIFICATION				PROJECT LOCATION MAP			
USER DEPARTMENT:		Parks & Recreation		[PROJECT LOCATION MAP]			
PROJECT NAME:		Sunny Lake Bird Sanctuary Park Development					
PROJECT NUMBER:							
PROJECT LOCATION:		Sunny Lake Bird Sanctuary Park Development					
PROJECT INFORMATION							
DESCRIPTION/JUSTIFICATION:							
Develop park site to meet requirements of Florida Communities Trust Grant and Broward County Land Preservation Bond Fund Program Acquisitions Funding Agreements to include: fitness trail, nature trail, horse trail, canoe launch, playground, picnic area, multipurpose play field, floating boardwalk, observation platform, gazebo, fishing pier, wetland restoration, upland forest restoration, renovate existing buildings for use as nature conservation center/museum/educational workshop.							
RELATIONSHIP TO OTHER PROJECTS:							
EXPENDITURE SCHEDULE (000'S): do not use less than \$1,000							
				ACCOUNT NUMBER:			
COSTS	Project to Date	Future Total	FY07	FY08	FY09	FY10	FY11
Planning, Design, Permitting		\$60,000	\$50,000			\$10,000	
Land Acquisition		\$0					
Site Work Improvements		\$295,000	\$60,000	\$120,000	\$100,000	\$15,000	
Construction		\$570,000	\$55,000	\$115,000	\$200,000	\$200,000	
Furnishings/Equipment		\$0					
Accrual		\$0					
TOTAL	\$0	\$925,000	\$165,000	\$235,000	\$300,000	\$225,000	\$0
FUNDING SOURCES & SCHEDULE (000'S)							
General Fund Capital Outlay		\$0					
Current Approved Bonds		\$0					
Enterprise Fund		\$0					
Grants		\$0					
Enterprise Fund		\$0					
Impact Fees		\$0					
Other		\$0					
UNFUNDED		\$925,000	\$165,000	\$235,000	\$300,000	\$225,000	
TOTAL	\$0	\$925,000	\$165,000	\$235,000	\$300,000	\$225,000	\$0
OPERATING BUDGET IMPACT (000'S)				GENERAL INFORMATION			
	1st Year	2nd Year	3rd Year				
Personnel \$\$\$				Permitting Required			
Operation & Maint. \$\$\$				Project Approval Date			
Other Costs \$\$\$				Construction Start Date			
Offsetting Revenue/Savings				Project Completion Date			
NET OPERATING IMPACT	\$0	\$0	\$0	PROJECT COST (000'S)			
COMMENTS:							
See attached development cost detail.							

Town of Davie
CAPITAL IMPROVEMENT PROJECT DETAIL SHEET
 FOR FISCAL YEAR 2007 - 2011

PROJECT IDENTIFICATION				PROJECT LOCATION MAP			
USER DEPARTMENT:		Parks & Recreation Department		PROJECT LOCATION MAP			
PROJECT NAME:		Van Kirk Site Development					
PROJECT NUMBER:							
PROJECT LOCATION:		1750 SW 136th Avenue					
PROJECT INFORMATION							
DESCRIPTION/JUSTIFICATION:							
Development of 115 acre wetland/upland preserve to include a 15 acre improved park area, 82 acres of wetland area and 18 acres of perimeter berming and equestrian/nature trails. Improvement detail attached.							
RELATIONSHIP TO OTHER PROJECTS:							
EXPENDITURE SCHEDULE (000'S): do not use less than \$1,000				ACCOUNT NUMBER:			
COSTS	Project to Date	Future Total	FY07	FY08	FY09	FY10	FY11
Planning, Design, Permitting	\$308,869	\$30,000	\$30,000				
Land Acquisition	\$8,900,000	\$0					
Site Work Improvements		\$205,000		\$205,000			
Construction		\$1,335,000	\$220,000	\$115,000	\$400,000	\$600,000	
Furnishings/Equipment		-\$0					
Accrual		\$0					
TOTAL	\$9,208,869	\$1,570,000	\$250,000	\$320,000	\$400,000	\$600,000	\$0
FUNDING SOURCES & SCHEDULE (000'S)							
General Fund Capital Outlay		\$0					
Current Approved Bonds		\$0					
Enterprise Fund		\$0					
Grants		\$200,000	\$110,000	\$90,000			
Enterprise Fund		\$0					
Impact Fees		\$590,000	\$140,000	\$150,000	\$150,000	\$150,000	
Other		\$0					
UNFUNDED		\$780,000		\$80,000	\$250,000	\$450,000	
TOTAL	\$0	\$1,570,000	\$250,000	\$320,000	\$400,000	\$600,000	\$0
OPERATING BUDGET IMPACT (000'S)				GENERAL INFORMATION			
	1st Year	2nd Year	3rd Year	Permitting Required _____ Project Approval Date _____ Construction Start Date _____ Project Completion Date _____ PROJECT COST (000'S) _____			
Personnel \$\$\$							
Operation & Maint. \$\$\$		\$14,000	\$23,000				
Other Costs \$\$\$							
Offsetting Revenue/Savings							
NET OPERATING IMPACT	\$0	\$14,000	\$23,000				
COMMENTS:							
Project costs based on development as defined in 2002 FCT Acquisition Grant. Funding sources for acquisition included: Florida Communities Trust Program (\$4.5 million); Broward County Land Preservation Program (\$2 million). Development funded by Land and Water Conservation Fund Program Grant of \$200,000. Operating & Maintenance Costs: Park Ranger to open, patrol and close; Public Works to conduct routine grounds maintenance/cleanup and contractual mowing service. This site was acquired with funding from both the Florida Community Trust Program and Broward County Safe Parks and Land Preservation Bond Program. There is no time requirement for development for the FCT Program. The receipt of funding (2012 for this park site).							

Town of Davie
CAPITAL IMPROVEMENT PROJECT DETAIL SHEET
 FOR FISCAL YEAR 2007 - 2011

PROJECT IDENTIFICATION				PROJECT LOCATION/MAP			
USER DEPARTMENT:		Parks & Recreation					
PROJECT NAME:		Dog Park					
PROJECT NUMBER:							
PROJECT LOCATION:		Not yet purchased.					
PROJECT INFORMATION							
DESCRIPTION/JUSTIFICATION:							
Two acre dog park consisting of land acquisition and improvements: one acre large dog area, one half acre small dog area, parking, fencing, grass, landscaping, dog exercise and play features, water/wash area, water fountain, signage, concrete trail, two shaded canopies, clean up dispensers, trash containers, irrigation, restroom facility.							
RELATIONSHIP TO OTHER PROJECTS:							
EXPENDITURE SCHEDULE (000'S): do not use less than \$1,000							
				ACCOUNT NUMBER:			
COSTS	Project to Date	Future Total	FY07	FY08	FY09	FY10	FY11
Planning, Design, Permitting		\$0					
Land Acquisition		\$500,000	\$500,000				
Site Work Improvements		\$0					
Construction		\$175,000	\$175,000				
Furnishings/Equipment		\$0					
Accrual		\$0					
TOTAL	\$0	\$675,000	\$675,000	\$0	\$0	\$0	\$0
FUNDING SOURCES & SCHEDULE (000'S)							
General Fund Capital Outlay		\$0					
Current Approved Bonds		\$675,000	\$675,000				
Enterprise Fund		\$0					
Grants		\$0					
Enterprise Fund		\$0					
Impact Fees		\$0					
Other		\$0					
UNFUNDED		\$0					
TOTAL	\$0	\$675,000	\$675,000	\$0	\$0	\$0	\$0
OPERATING BUDGET IMPACT (000'S)				GENERAL INFORMATION			
	1st Year	2nd Year	3rd Year				
Personnel \$\$\$	\$9,000	\$9,000	\$9,000	Permitting Required			
Operation & Maint. \$\$\$	\$7,000	\$7,000	\$7,000	Project Approval Date			
Other Costs \$\$\$				Construction Start Date			
Offsetting Revenue/Savings				Project Completion Date			
NET OPERATING IMPACT	\$16,000	\$16,000	\$16,000	PROJECT COST (000'S)			
COMMENTS:							
Service life of 25 years. One year warranty. Personnel cost is based on Park Ranger cost to open, patrol and close site on a daily basis. Personnel cost could increase to \$30,000+ if it becomes necessary to have a staff person (Part Time Recreation Attendant) on site eight hours per day or more. Operation and maintenance costs: \$3000 mowing; \$4,000 flea and tick control and clean up bags. Sponsorships or use fee could be used to off set operational costs. Funding approved in 2006 GO Open Space Bond.							

EXHIBIT A
Capital Improvement Projects
FY 2007-2011

Capital Project Name	Requesting Department	Project	FY2008	FY2009	FY2010	FY2011	TOTAL	Funding Source/Comments
Hamilton Park 2007	Park & Rec	10,000	10	10	10	10	40,000	2006 Open Space Fund
Recreational Trails 2007	Park & Rec	14,000	14,000	10	10	10	129,000	2006 Open Space Fund 2006 Open Space Fund 2006 Open Space Fund 2006 Open Space Fund
Exposition Trails 2007	Park & Rec	118,000	10	10	10	10	129,000	2006 Open Space Fund 2006 Open Space Fund 2006 Open Space Fund 2006 Open Space Fund
Lincoln Park 2007	Park & Rec	14,000	14,000	10	10	10	129,000	2006 Open Space Fund 2006 Open Space Fund 2006 Open Space Fund 2006 Open Space Fund
2006 Open Space Bond	Subtotal	256,000	14,000	10	10	10	129,000	2006 Open Space Fund
		256,000	14,000	10	10	10	129,000	

Use Limitation - Unavailable/Unrecovered Required Amount

Newell, William, Matthew, (P&R) Open Space Program 2007-2011, 1 with values

Town of Davie
CAPITAL IMPROVEMENT PROJECT DETAIL SHEET
 FOR FISCAL YEAR 2007 - 2011

PROJECT IDENTIFICATION				PROJECT LOCATION MAP			
USER DEPARTMENT:		Public Works		[PROJECT LOCATION MAP]			
PROJECT NAME:		Bergeron Park					
PROJECT NUMBER:							
PROJECT LOCATION:		Nob Hill Road and SW 15 Street					
PROJECT INFORMATION							
DESCRIPTION/JUSTIFICATION: Replacement of Playground equipment at Bergeron Park. Playground equipment has reached its life cycle with replacement warranted.							
RELATIONSHIP TO OTHER PROJECTS: Replacement program for Townwide parks playgrounds at Waverly Park, Driftwood Park and Reflections Park.							
EXPENDITURE SCHEDULE (000'S): do not use less than \$1,000				ACCOUNT NUMBER:			
COSTS	Project to Date	Future Total	FY07	FY08	FY09	FY10	FY11
Planning, Design, Permitting		\$0					
Land Acquisition		\$0					
Site Work Improvements		\$0					
Construction		\$40,000	\$40,000				
Furnishings/Equipment		\$0					
Accrual		\$0					
TOTAL	\$0	\$40,000	\$40,000	\$0	\$0	\$0	\$0
FUNDING SOURCES & SCHEDULE (000'S)							
General Fund Capital Outlay		\$0					
Current Approved Bonds		\$0					
Enterprise Fund		\$0					
Grants		\$0					
Enterprise Fund		\$0					
Impact Fees		\$0					
Other		\$0					
UNFUNDED		\$40,000	\$40,000				
TOTAL	\$0	\$40,000	\$40,000	\$0	\$0	\$0	\$0
OPERATING BUDGET IMPACT (000'S)				GENERAL INFORMATION			
	1st Year	2nd Year	3rd Year	Permitting Required			
Personnel \$\$\$					No		
Operation & Maint. \$\$\$	\$400	\$400	\$500	Project Approval Date	Oct-06		
Other Costs \$\$\$				Construction Start Date	Jan-07		
Offsetting Revenue/Savings				Project Completion Date	Jul-07		
NET OPERATING IMPACT	\$400	\$400	\$500	PROJECT COST (000'S)	\$40,000		
COMMENTS:							

Town of Davie
CAPITAL IMPROVEMENT PROJECT DETAIL SHEET
FOR FISCAL YEAR 2007 - 2011

PROJECT IDENTIFICATION				PROJECT LOCATION MAP			
USER DEPARTMENT:		Public Works		[PROJECT LOCATION MAP]			
PROJECT NAME:		Recreational Trails					
PROJECT NUMBER:							
PROJECT LOCATION:		Townwide					
PROJECT INFORMATION							
DESCRIPTION/JUSTIFICATION:							
Concrete recreational trail section Townwide connecting to existing trail segments - Flamingo Road from State Road 84 to Orange Drive, SW 26 Street from SW 136 Ave to SW 142 Avenue, SW 58, 61, 76 and 82 Avenues between Griffin and Stirling Roads, west side of SW 154 Avenue from 14 Street between Hiatus and Flamingo Roads. Grants received for recreational trail system will reduce Open Space impact fee funding for project.							
RELATIONSHIP TO OTHER PROJECTS:							
EXPENDITURE SCHEDULE (000'S): do not use less than \$1,000							
				ACCOUNT NUMBER:			
COSTS	Project to Date	Future Total	FY07	FY08	FY09	FY10	FY11
Planning, Design, Permitting		\$17,000	\$8,000	\$4,000	\$5,000		
Land Acquisition		\$0					
Site Work Improvements		\$0					
Construction	\$460,000	\$192,000	\$66,000	\$46,000	\$90,000		
Furnishings/Equipment		\$0					
Accrual		\$0					
TOTAL	\$460,000	\$209,000	\$64,000	\$50,000	\$95,000	\$0	\$0
FUNDING SOURCES & SCHEDULE (000'S)							
General Fund Capital Outlay		\$0					
Current Approved Bonds		\$0					
Enterprise Fund		\$0					
Grants		\$0					
Enterprise Fund		\$0					
Impact Fees	\$281,000	\$209,000	\$64,000	\$50,000	\$95,000		
Other		\$0					
UNFUNDED		\$0					
TOTAL	\$281,000	\$209,000	\$64,000	\$50,000	\$95,000	\$0	\$0
OPERATING BUDGET IMPACT (000'S)				GENERAL INFORMATION			
	1st Year	2nd Year	3rd Year				
Personnel \$\$\$				Permitting Required	No		
Operation & Maint. \$\$\$	\$400	\$400	\$750	Project Approval Date	Oct-06		
Other Costs \$\$\$				Construction Start Date	Nov-06		
Offsetting Revenue/Savings				Project Completion Date	Sep-07		
NET OPERATING IMPACT	\$400	\$400	\$750	PROJECT COST (000'S)	\$64,000		
COMMENTS:							
2007 - SW 82 Avenue							
2008 - SW 26 Street							
2009 - SW 20 Street							

Town of Davie
CAPITAL IMPROVEMENT PROJECT DETAIL SHEET
 FOR FISCAL YEAR 2007 - 2011

PROJECT IDENTIFICATION				PROJECT LOCATION MAP			
USER DEPARTMENT:		Public Works/Open Space		[PROJECT LOCATION MAP]			
PROJECT NAME:		Equestrian Trails					
PROJECT NUMBER:							
PROJECT LOCATION:		Townwide					
PROJECT INFORMATION							
DESCRIPTION/JUSTIFICATION:							
To provide equestrian trails along Flamingo Road, SW 148 Avenue and East side FPL easement between Griffin and Stirling Roads. Griffin Road equestrian trail bridges on the South bank of the C-11 canal. The equestrian trails would allow horse enthusiasts the ability to navigate throughout the Town on dedicated trail segments. Grants received will reduce open space impact fee funding obligation.							
RELATIONSHIP TO OTHER PROJECTS:							
EXPENDITURE SCHEDULE (000'S): do not use less than \$1,000				ACCOUNT NUMBER:			
COSTS	Project to Date	Future Total	FY07	FY08	FY09	FY10	FY11
Planning, Design, Permitting		\$20,000	\$20,000				
Land Acquisition		\$0					
Site Work Improvements		\$0					
Construction	\$380,000	\$200,000	\$160,000	\$40,000			
Furnishings/Equipment		\$0					
Accrual		\$0					
TOTAL	\$380,000	\$220,000	\$180,000	\$40,000	\$0	\$0	\$0
FUNDING SOURCES & SCHEDULE (000'S)							
General Fund Capital Outlay		\$0					
Current Approved Bonds		\$0					
Enterprise Fund		\$0					
Grants		\$0					
Enterprise Fund		\$0					
Impact Fees		\$220,000	\$180,000	\$40,000			
Other		\$0					
UNFUNDED		\$0					
TOTAL	\$0	\$220,000	\$180,000	\$40,000	\$0	\$0	\$0
OPERATING BUDGET IMPACT (000'S)				GENERAL INFORMATION			
	1st Year	2nd Year	3rd Year	Permitting Required	Yes		
Personnel \$\$\$				Project Approval Date	Oct-06		
Operation & Maint. \$\$\$	\$600	\$1,000	\$1,200	Construction Start Date	Jan-06		
Other Costs \$\$\$				Project Completion Date	Sep-07		
Offsetting Revenue/Savings				PROJECT COST(000'S)	\$180,000		
NET OPERATING IMPACT	\$600	\$1,000	\$1,200				
COMMENTS:							
2007 - Griffin Road culvert crossing - north side between Davie Road and SW 70 Avenue							
2008 - FPL horse trail							

Town of Davie
CAPITAL IMPROVEMENT PROJECT DETAIL SHEET
 FOR FISCAL YEAR 2007 - 2011

PROJECT IDENTIFICATION				PROJECT LOCATION MAP				
USER DEPARTMENT:		Public Works/Open Space		[PROJECT LOCATION MAP]				
PROJECT NAME:		Linear Park						
PROJECT NUMBER:								
PROJECT LOCATION:		Orange Drive, State Road 7 to SW 148 Avenue						
PROJECT INFORMATION								
DESCRIPTION/JUSTIFICATION:								
Site lighting, irrigation, landscaping, recreational trails, gazebo roof repairs and pine tree removal. Continuation of Linear Park west of Flamingo Road to SW 148 Avenue for completion of 9.5 mile scenic park trail, installation of site light wiring and repair of existing gazebo shaker roof. Pine tree removal per SFWMD permit for Linear Park project. Grant funding would reduce bond obligation associated with this project.								
RELATIONSHIP TO OTHER PROJECTS:								
EXPENDITURE SCHEDULE (000'S): do not use less than \$1,000								
				ACCOUNT NUMBER:				
COSTS	Project to Date	Future Total	FY07	FY08	FY09	FY10	FY11	
Planning, Design, Permitting		\$0						
Land Acquisition		\$0						
Site Work Improvements		\$0						
Construction		\$82,000	\$40,000	\$42,000				
Furnishings/Equipment		\$0						
Accrual		\$0						
TOTAL	\$0	\$82,000	\$40,000	\$42,000	\$0	\$0	\$0	
FUNDING SOURCES & SCHEDULE (000'S)								
General Fund Capital Outlay		\$0						
Current Approved Bonds		\$0						
Enterprise Fund		\$0						
Grants		\$0						
Enterprise Fund		\$0						
Impact Fees		\$82,000	\$40,000	\$42,000				
Other		\$0						
UNFUNDED		\$0						
TOTAL	\$0	\$82,000	\$40,000	\$42,000	\$0	\$0	\$0	
OPERATING BUDGET IMPACT (000'S)				GENERAL INFORMATION				
	1st Year	2nd Year	3rd Year					
Personnel \$\$\$				Permitting Required				
Operation & Maint. \$\$\$				Project Approval Date				
Other Costs \$\$\$				Construction Start Date				
Offsetting Revenue/Savings				Project Completion Date				
NET OPERATING IMPACT	\$0	\$0	\$0	PROJECT COST (000'S)				
COMMENTS:								

**Capital Improvement Projects
FY 2007-2011**

EXHIBIT A

Capital Project Name	Requesting Department					TOTAL	Funding Source/Amount Available/Unreserved
	FY2007	FY2008	FY2009	FY2010	FY2011		
Communication Infrastructure 2007							
Technology and Information Management	\$0	\$70,000	\$0	\$0	\$0	\$70,000	Unreserved
Desktop Systems 2007							
Technology and Information Management	\$22,000	\$23,850	\$18,900	\$0	\$0	\$171,150	Unreserved
Server Farm 2007							
Technology and Information Management	\$15,000	\$15,000	\$7,000	\$0	\$0	\$71,000	Unreserved
Software Licenses and Additions 2007							
Technology and Information Management	\$43,217	\$43,174	\$0	\$0	\$0	\$150,000	Unreserved
Least-Printer Replacement 2007							
Technology and Information Management	\$26,000	\$4,900	\$10,000	\$0	\$0	\$77,000	Unreserved
SANS US/IRIS Risk Network Support 2007							
Technology and Information Management	\$50,000	\$0,000	\$0	\$0	\$0	\$100,000	Unreserved
Printer 2007							
Technology & Information System Services	\$0	\$0	\$0	\$15,000	\$15,000	\$13,000	Unreserved
	\$19,217	\$144,750	\$35,900	\$15,000	\$15,000	\$1,445,750	

Use of Funds - Unreserved/Unreserved/Reserved/Example

Use of Funds - Unreserved/Unreserved/Reserved/Example

Town of Davie
CAPITAL IMPROVEMENT PROJECT DETAIL SHEET
 FOR FISCAL YEAR 2007 - 2011

PROJECT IDENTIFICATION				PROJECT LOCATION MAP			
USER DEPARTMENT:		UTILITIES					
PROJECT NAME:		Deep Well Reject Water Disposal					
PROJECT NUMBER:							
PROJECT LOCATION:		3500 NW 76 Avenue					
PROJECT INFORMATION							
DESCRIPTION/JUSTIFICATION: Disposal of reject water from WTP Water Treatment Plant flows greater than 2 MGD will require disposal of reject water from membrane WTP to a deep well instead of through the WWTP and the Ocean Outfall. This will also allow backup WWTP effluent disposal.							
RELATIONSHIP TO OTHER PROJECTS:		No other relationship					
EXPENDITURE SCHEDULE (000'S): do not use less than \$1,000							
				ACCOUNT NUMBER:			
COSTS	Project to Date	Future Total	FY07	FY08	FY09	FY10	FY11
Planning, Design, Permitting		\$474,780		\$474,780			
Land Acquisition		\$0					
Site Work Improvements		\$0					
Construction		\$3,800,000		\$3,800,000			
Furnishings/Equipment		\$0					
Accrual		\$0					
TOTAL	\$0	\$4,274,780	\$0	\$4,274,780	\$0	\$0	\$0
FUNDING SOURCES & SCHEDULE (000'S)							
General Fund Capital Outlay		\$0					
Current Approved Bonds		\$0					
Enterprise Fund		\$0					
Grants		\$0					
Enterprise Fund		\$0					
Impact Fees		\$0					
Other		\$4,274,780		\$4,274,780			
UNFUNDED		\$0					
TOTAL	\$0	\$4,274,780	\$0	\$4,274,780	\$0	\$0	\$0
OPERATING BUDGET IMPACT (000'S)				GENERAL INFORMATION			
	1st Year	2nd Year	3rd Year				
Personnel \$\$\$	\$20,800	\$20,800	\$20,800	Permitting Required	Yes		
Operation & Maint. \$\$\$	\$25,000	\$25,000	\$25,000	Project Approval Date	Feb-07		
Other Costs \$\$\$				Construction Start Date	Apr-07		
Offsetting Revenue/Savings				Project Completion Date	Dec-07		
NET OPERATING IMPACT	\$45,800	\$45,800	\$45,800	PROJECT COST (000'S)	\$4,274,780		
COMMENTS:							
Other funding source: Developer Contribution							

Town of Davie
CAPITAL IMPROVEMENT PROJECT DETAIL SHEET
 FOR FISCAL YEAR 2007 - 2011

PROJECT IDENTIFICATION				PROJECT LOCATION MAP			
USER DEPARTMENT:		UTILITIES		[PROJECT LOCATION MAP]			
PROJECT NAME:		LIFT STATION REHAB					
PROJECT NUMBER:							
PROJECT LOCATION:		ENTIRE SERVICE AREA					
PROJECT INFORMATION							
DESCRIPTION/JUSTIFICATION:							
Many sewage pumping stations are old and having mechanical difficulty. These stations need to have equipment replaced and wet wells repaired. Four stations are in immediate need of repair (LS #9, 18, 19 (Wetwell), and 20).							
RELATIONSHIP TO OTHER PROJECTS:		No other relationship					
EXPENDITURE SCHEDULE (000'S): do not use less than \$1,000							
				ACCOUNT NUMBER:			
COSTS	Project to Date	Future Total	FY07	FY08	FY09	FY10	FY11
Planning, Design, Permitting		\$40,000	\$20,000	\$20,000			
Land Acquisition		\$0					
Site Work Improvements		\$0					
Construction		\$400,000	\$200,000	\$200,000			
Furnishings/Equipment		\$0					
Accrual		\$0					
TOTAL	\$0	\$440,000	\$220,000	\$220,000	\$0	\$0	\$0
FUNDING SOURCES & SCHEDULE (000'S)							
General Fund Capital Outlay		\$0					
Current Approved Bonds		\$0					
Enterprise Fund		\$0					
Grants		\$0					
Enterprise Fund		\$0					
Impact Fees		\$0					
Other		\$440,000	\$220,000	\$220,000			
UNFUNDED		\$0					
TOTAL	\$0	\$440,000	\$220,000	\$220,000	\$0	\$0	\$0
OPERATING BUDGET IMPACT (000'S)				GENERAL INFORMATION			
	1st Year	2nd Year	3rd Year	Permitting Required			
Personnel \$\$\$					No		
Operation & Maint. \$\$\$				Project Approval Date			
Other Costs \$\$\$				Construction Start Date	Oct-07		
Offsetting Revenue/Savings				Project Completion Date	May-09		
NET OPERATING IMPACT	\$0	\$0	\$0	PROJECT COST (000'S)	\$440,000		
COMMENTS:							
Other funding source: Developer Contribution							

Town of Davie
CAPITAL IMPROVEMENT PROJECT DETAIL SHEET
 FOR FISCAL YEAR 2007 - 2011

PROJECT IDENTIFICATION			PROJECT LOCATION MAP				
USER DEPARTMENT:	UTILITIES		[Map Area]				
PROJECT NAME:	LIME BASIN REPAIR & SECONDARY LIME BASIN						
PROJECT NUMBER:							
PROJECT LOCATION:	3500 NW 76 AVENUE - SYSTEM III WTP						
PROJECT INFORMATION							
DESCRIPTION/JUSTIFICATION:							
The lime sludge basin is cracking and in need of repair. A parallel basin must be installed to maintain operation of the WTP during repair of the existing basin.							
RELATIONSHIP TO OTHER PROJECTS: No other relationship							
EXPENDITURE SCHEDULE (000'S): do not use less than \$1,000							
			ACCOUNT NUMBER:				
COSTS	Project to Date	Future Total	FY07	FY08	FY09	FY10	FY11
Planning, Design, Permitting		\$20,000	\$20,000				
Land Acquisition		\$0					
Site Work Improvements		\$0					
Construction		\$365,000	\$365,000				
Furnishings/Equipment		\$0					
Accrual		\$0					
TOTAL	\$0	\$385,000	\$385,000	\$0	\$0	\$0	\$0
FUNDING SOURCES & SCHEDULE (000'S)							
General Fund-Capital Outlay		\$0					
Current Approved Bonds		\$0					
Enterprise Fund		\$0					
Grants		\$0					
Enterprise Fund		\$0					
Impact Fees		\$0					
Other		\$385,000	\$385,000				
UNFUNDED		\$0					
TOTAL	\$0	\$385,000	\$385,000	\$0	\$0	\$0	\$0
OPERATING BUDGET IMPACT (000'S)				GENERAL INFORMATION			
	1st Year	2nd Year	3rd Year	Permitting Required	No		
Personnel \$\$\$				Project Approval Date			
Operation & Maint. \$\$\$				Construction Start Date	Jan-07		
Other Costs \$\$\$				Project Completion Date	Jun-07		
Offsetting Revenue/Savings				PROJECT COST (000'S)	\$385,000		
NET OPERATING IMPACT	\$0	\$0	\$0				
COMMENTS:							

Town of Davie
CAPITAL IMPROVEMENT PROJECT DETAIL SHEET
 FOR FISCAL YEAR 2007 - 2011

PROJECT IDENTIFICATION			PROJECT LOCATION MAP				
USER DEPARTMENT:	UTILITIES						
PROJECT NAME:	Rehabilitate LS #11						
PROJECT NUMBER:							
PROJECT LOCATION:	3500 NW 76 Avenue						
PROJECT INFORMATION							
DESCRIPTION/JUSTIFICATION:			Rehab of controls and lift station due to age				
Rehabilitate existing controls and redo Lift Station #11 - New pump and controls							
RELATIONSHIP TO OTHER PROJECTS			No other relationship				
EXPENDITURE SCHEDULE (000'S): do not use less than \$1,000							
			ACCOUNT NUMBER:				
COSTS	Project to Date	Future Total	FY07	FY08	FY09	FY10	FY11
Planning, Design, Permitting		\$25,000		\$25,000			
Land Acquisition		\$0					
Site Work Improvements		\$0					
Construction		\$265,000		\$265,000			
Furnishings/Equipment		\$0					
Accrual		\$0					
TOTAL	\$0	\$290,000	\$0	\$290,000	\$0	\$0	\$0
FUNDING SOURCES & SCHEDULE (000'S)							
General Fund Capital Outlay		\$0					
Current Approved Bonds		\$0					
Enterprise Fund		\$0					
Grants		\$0					
Enterprise Fund		\$0					
Impact Fees		\$0					
Other		\$290,000		\$290,000			
UNFUNDED		\$0					
TOTAL	\$0	\$290,000	\$0	\$290,000	\$0	\$0	\$0
OPERATING BUDGET IMPACT (000'S)				GENERAL INFORMATION			
	1st Year	2nd Year	3rd Year	Permitting Required	Yes		
Personnel \$\$\$				Project Approval Date	Jan-07		
Operation & Maint \$\$\$				Construction Start Date	Oct-07		
Other Costs \$\$\$				Project Completion Date	Mar-08		
Offsetting Revenue/Savings				PROJECT COST (000'S)	\$290,000		
NET OPERATING IMPACT	\$0	\$0	\$0				
COMMENTS:							
Other funding source: Developer Contribution							

Town of Davie
CAPITAL IMPROVEMENT PROJECT DETAIL SHEET
 FOR FISCAL YEAR 2007 - 2011

PROJECT IDENTIFICATION				PROJECT LOCATION MAP			
USER DEPARTMENT:		UTILITIES					
PROJECT NAME:		Raw Water Production Well-South Plant (Two wells)					
PROJECT NUMBER:							
PROJECT LOCATION:		3500 NW 76 Avenue					
PROJECT INFORMATION							
DESCRIPTION/JUSTIFICATION: Two new raw water wells to meet future capacity Water production has decreased over time and more water is needed to meet future demand. These wells are needed in order to provide future capacity and redundancy for the Town's raw water supply.							
RELATIONSHIP TO OTHER PROJECTS:		No other relationship					
EXPENDITURE SCHEDULE (000'S): do not use less than \$1,000							
				ACCOUNT NUMBER:			
COSTS	Project to Date	Future Total	FY07	FY08	FY09	FY10	FY11
Planning, Design, Permitting		\$42,000		\$42,000			
Land Acquisition		\$0					
Site Work Improvements		\$0					
Construction		\$350,000			\$350,000		
Furnishings/Equipment		\$0					
Accumal		\$0					
TOTAL	\$0	\$392,000	\$0	\$42,000	\$350,000	\$0	\$0
FUNDING SOURCES & SCHEDULE (000'S)							
General Fund-Capital Outlay		\$0					
Current Approved Bonds		\$0					
Enterprise Fund		\$0					
Grants		\$0					
Enterprise Fund		\$0					
Impact Fees		\$0					
Other		\$392,000		\$42,000	\$350,000		
UNFUNDED		\$0					
TOTAL	\$0	\$392,000	\$0	\$42,000	\$350,000	\$0	\$0
OPERATING BUDGET IMPACT (000'S)				GENERAL INFORMATION			
	1st Year	2nd Year	3rd Year				
Personnel \$\$\$				Permitting Required	Yes		
Operation & Maint. \$\$\$		\$2,800	\$2,800	Project Approval Date	Jul-08		
Other Costs \$\$\$				Construction Start Date	Jan-09		
Offsetting Revenue/Savings				Project Completion Date	Oct-10		
NET OPERATING IMPACT	\$0	\$2,800	\$2,800	PROJECT COST (000'S)	\$392,000		
COMMENTS:							

Town of Davie
CAPITAL IMPROVEMENT PROJECT DETAIL SHEET
 FOR FISCAL YEAR 2007 - 2011

PROJECT IDENTIFICATION				PROJECT LOCATION MAP			
USER DEPARTMENT:		UTILITIES					
PROJECT NAME:		South WTP Water Quality Improvement					
PROJECT NUMBER:							
PROJECT LOCATION:		3500 NW 76 Avenue					
PROJECT INFORMATION							
DESCRIPTION/JUSTIFICATION: Reduce color in water per EPA requirements Color removal technology, modification of electrical instrumentation and electrical equipment, modification of chemical feed facilities and lime sludge handling facilities. The South WTP produces highly colored finished water and reduction of this color will enhance the quality and safety of the water. The Town has exceeded the EPA requirements promulgated in December 1998 for various chemical components in the treated water due to the high color in the water. As flow increases from the WTP, water quality will degrade even further.							
RELATIONSHIP TO OTHER PROJECTS: No other relationship							
EXPENDITURE SCHEDULE (000'S): do not use less than \$1,000							
				ACCOUNT NUMBER:			
COSTS	Project to Date	Future Total	FY07	FY08	FY09	FY10	FY11
Planning, Design, Permitting		\$140,000	\$140,000				
Land Acquisition		\$0					
Site Work Improvements		\$0					
Construction		\$1,610,000	\$1,610,000				
Furnishings/Equipment		\$0					
Accrual		\$0					
TOTAL	\$0	\$1,750,000	\$1,750,000	\$0	\$0	\$0	\$0
FUNDING SOURCES & SCHEDULE (000'S)							
General Fund-Capital Outlay		\$0					
Current Approved Bonds		\$0					
Enterprise Fund		\$0					
Grants		\$0					
Enterprise Fund		\$0					
Impact Fees		\$0					
Other		\$1,750,000	\$1,750,000				
UNFUNDED		\$0					
TOTAL	\$0	\$1,750,000	\$1,750,000	\$0	\$0	\$0	\$0
OPERATING BUDGET IMPACT (000'S)				GENERAL INFORMATION			
	1st Year	2nd Year	3rd Year	Permitting Required	Yes		
Personnel \$\$\$	\$10,000	\$20,000	\$20,000	Project Approval Date			
Operation & Maint. \$\$\$	\$50,000	\$85,000	\$85,000	Construction Start Date	Oct-06		
Other Costs \$\$\$				Project Completion Date	May-08		
Offsetting Revenue/Savings				PROJECT COST (000'S)	\$1,750,000		
NET OPERATING IMPACT	\$60,000	\$105,000	\$105,000				
COMMENTS:							

Town of Davie
CAPITAL IMPROVEMENT PROJECT DETAIL SHEET
 FOR FISCAL YEAR 2007 - 2011

PROJECT IDENTIFICATION				PROJECT LOCATION MAP				
USER DEPARTMENT:		UTILITIES						
PROJECT NAME:		South WTP Water Quality Improvement & Capacity Exp						
PROJECT NUMBER:								
PROJECT LOCATION:		3500 NW 76 Avenue						
PROJECT INFORMATION								
DESCRIPTION/JUSTIFICATION: Reduce water color/increase capacity to meet demand Improve water quality using membrane treatment technology, expand treatment capacity, remove temporary administrative office trailer facilities and replace with permanent office facilities, expansion of transfer pumping facilities, modification of chemical feed facilities and lime sludge handling facilities. The South WTP does not have capacity to supply the Town's entire demand. The South WTP produces highly colored finished water and reduction of this color will enhance the quality and safety of the water. Additional capacity is also required to meet projected flows.								
RELATIONSHIP TO OTHER PROJECTS: No other relationship								
EXPENDITURE SCHEDULE (000'S): do not use less than \$1,000								
				ACCOUNT NUMBER:				
COSTS	Project to Date	Future Total	FY07	FY08	FY09	FY10	FY11	
Planning, Design, Permitting		\$936,000		\$750,000	\$186,000			
Land Acquisition		\$0						
Site Work Improvements		\$0						
Construction		\$8,900,000			\$8,900,000			
Furnishings/Equipment		\$0						
Accrual		\$0						
TOTAL	\$0	\$9,836,000	\$0	\$750,000	\$9,086,000	\$0	\$0	
FUNDING SOURCES & SCHEDULE (000'S)								
General Fund Capital Outlay		\$0						
Current Approved Bonds		\$0						
Enterprise Fund		\$0						
Grants		\$0						
Enterprise Fund		\$0						
Impact Fees		\$0						
Other		\$9,836,000		\$750,000	\$9,086,000			
UNFUNDED		\$0						
TOTAL	\$0	\$9,836,000	\$0	\$750,000	\$9,086,000	\$0	\$0	
OPERATING BUDGET IMPACT (000'S)				GENERAL INFORMATION				
	1st Year	2nd Year	3rd Year					
Personnel \$\$\$		\$40,000	\$40,000	Permitting Required	Yes			
Operation & Maint. \$\$\$		\$110,000	\$416,000	Project Approval Date	Oct-07			
Other Costs \$\$\$				Construction Start Date	May-09			
Offsetting Revenue/Savings				Project Completion Date	Dec-10			
NET OPERATING IMPACT	\$0	\$150,000	\$456,000	PROJECT COST (000'S)	\$9,836,000			
COMMENTS:								
Other funding source: Developer Contribution								

Town of Davie
CAPITAL IMPROVEMENT PROJECT DETAIL SHEET
 FOR FISCAL YEAR 2007 - 2011

PROJECT IDENTIFICATION				PROJECT LOCATION MAP			
USER DEPARTMENT:		UTILITIES					
PROJECT NAME:		Sewering Unsewered Areas					
PROJECT NUMBER:							
PROJECT LOCATION:		Entire Service Area					
PROJECT INFORMATION							
DESCRIPTION/JUSTIFICATION:		Sewering Unsewered Areas					
Add gravity sewer lines and associated sewage pump stations and force mains to tie into existing force mains in areas that currently do not have sewage service. Include approximately 116,000 feet of piping, 309 manholes, and 18 new lift stations. This project will be financed by an individual assessment.							
RELATIONSHIP TO OTHER PROJECTS:		No other relationship					
EXPENDITURE SCHEDULE (000'S): do not use less than \$1,000							
				ACCOUNT NUMBER:			
COSTS	Project to Date	Future Total	FY07	FY08	FY09	FY10	FY11
Planning, Design, Permitting		\$2,500,000	\$500,000	\$500,000	\$500,000	\$500,000	\$500,000
Land Acquisition		\$0					
Site Work Improvements		\$0					
Construction		\$12,500,000	\$2,500,000	\$2,500,000	\$2,500,000	\$2,500,000	\$2,500,000
Furnishings/Equipment		\$0					
Accrual		\$0					
TOTAL	\$0	\$15,000,000	\$3,000,000	\$3,000,000	\$3,000,000	\$3,000,000	\$3,000,000
FUNDING SOURCES & SCHEDULE (000'S)							
General Fund-Capital Outlay		\$0					
Current Approved Bonds		\$0					
Enterprise Fund		\$0					
Grants		\$0					
Enterprise Fund		\$0					
Impact Fees		\$0					
Other		\$15,000,000	\$3,000,000	\$3,000,000	\$3,000,000	\$3,000,000	\$3,000,000
UNFUNDED		\$0					
TOTAL	\$0	\$15,000,000	\$3,000,000	\$3,000,000	\$3,000,000	\$3,000,000	\$3,000,000
OPERATING BUDGET IMPACT (000'S)				GENERAL INFORMATION			
	1st Year	2nd Year	3rd Year				
Personnel \$\$\$	\$30,000	\$30,000	\$30,000	Permitting Required			
Operation & Maint. \$\$\$	\$20,000	\$20,000	\$20,000	Project Approval Date			
Other Costs \$\$\$				Construction Start Date			
Offsetting Revenue/Savings				Project Completion Date			
NET OPERATING IMPACT	\$50,000	\$50,000	\$50,000	PROJECT COST (000'S)		\$15,000,000	
COMMENTS:							
Other funding source: Rate Increase							

Town of Davie
CAPITAL IMPROVEMENT PROJECT DETAIL SHEET
 FOR FISCAL YEAR 2007 - 2011

PROJECT IDENTIFICATION				PROJECT LOCATION MAP			
USER DEPARTMENT:		UTILITIES					
PROJECT NAME:		Wastewater Treatment Plant Expansion					
PROJECT NUMBER:							
PROJECT LOCATION:		3500 NW 76 Avenue					
PROJECT INFORMATION							
DESCRIPTION/JUSTIFICATION: Add 4 MGD treatment unit/needed to meet capacity Addition of 4 MGD treatment unit, two new blowers, two new variable frequency drive (VFD) transfer pumps, retrofit of existing pumps with VFD's, second belt press and new polymer feed, equipment, two new effluent disposal pumps with VFD's, rehabilitation of treatment unit #1 blowers, replacement of air diffuser membranes, valves and piping. The WWTP does not have capacity to treat the Town's entire demand. In approximately 3.5 years the plant will not be able to treat the peak day flows. A new 4.0 mgd treatment unit (TU #4) will be added to meet capacity.							
RELATIONSHIP TO OTHER PROJECTS:		No other relationship					
EXPENDITURE SCHEDULE (000'S): do not use less than \$1,000							
				ACCOUNT NUMBER:			
COSTS	Project to Date	Future Total	FY07	FY08	FY09	FY10	FY11
Planning, Design, Permitting	\$400,000	\$200,000	\$200,000				
Land Acquisition		\$0					
Site Work Improvements		\$0					
Construction		\$8,000,000	\$8,000,000				
Furnishings/Equipment		\$0					
Accrual		\$0					
TOTAL	\$400,000	\$8,200,000	\$8,200,000	\$0	\$0	\$0	\$0
FUNDING SOURCES & SCHEDULE (000'S)							
General Fund-Capital Outlay		\$0					
Current Approved Bonds		\$0					
Enterprise Fund		\$0					
Grants		\$0					
Enterprise Fund		\$0					
Impact Fees		\$0					
Other		\$8,200,000	\$8,200,000				
UNFUNDED		\$0					
TOTAL	\$0	\$8,200,000	\$8,200,000	\$0	\$0	\$0	\$0
OPERATING BUDGET IMPACT (000'S)				GENERAL INFORMATION			
	1st Year	2nd Year	3rd Year				
Personnel \$\$\$		\$10,000	\$10,000	Permitting Required	Yes		
Operation & Maint. \$\$\$		\$15,000	\$15,000	Project Approval Date	May-06		
Other Costs \$\$\$				Construction Start Date	Mar-07		
Offsetting Revenue/Savings				Project Completion Date	Aug-08		
NET OPERATING IMPACT	\$0	\$25,000	\$25,000	PROJECT COST (000'S)	\$8,200,000		
COMMENTS:							
Other funding source: Developer Contribution							

Town of Davie
CAPITAL IMPROVEMENT PROJECT DETAIL SHEET
FOR FISCAL YEAR 2007 - 2011

PROJECT IDENTIFICATION				PROJECT LOCATION MAP			
USER DEPARTMENT:		UTILITIES		[PROJECT LOCATION MAP]			
PROJECT NAME:		United Ranches Utility					
PROJECT NUMBER:							
PROJECT LOCATION:		Griffin Road and SW 106 Terrace					
PROJECT INFORMATION							
DESCRIPTION/JUSTIFICATION: Water service to United Ranches area							
Extend new water and sewer lines to the United Ranches section of Broward County. The water main and wastewater transmission main will be extended from SW 106 Terrace in Davie just north of Orange Drive, directionally drilled under the C-11 canal and extended into the community. The area will have to be sewer and water mains added. Fire hydrants would also be added at various locations within the community at approximately 800 feet intervals. Due to the approximately 480 acre area to be served and approximately 250 homes and businesses, a vacuum collection system will be utilized.							
RELATIONSHIP TO OTHER PROJECTS:		No other relationship					
EXPENDITURE SCHEDULE (000'S): do not use less than \$1,000				ACCOUNT NUMBER:			
COSTS	Project to Date	Future Total	FY07	FY08	FY09	FY10	FY11
Planning, Design, Permitting		\$600,000	\$350,000	\$200,000	\$50,000		
Land Acquisition		\$0					
Site Work Improvements		\$0					
Construction		\$5,000,000		\$4,000,000	\$1,000,000		
Furnishings/Equipment		\$0					
Accrual		\$0					
TOTAL	\$0	\$5,600,000	\$350,000	\$4,200,000	\$1,050,000	\$0	\$0
FUNDING SOURCES & SCHEDULE (000'S)							
General Fund Capital Outlay		\$0					
Current Approved Bonds		\$0					
Enterprise Fund		\$0					
Grants		\$0					
Enterprise Fund		\$0					
Impact Fees		\$0					
Other		\$5,600,000	\$350,000	\$4,200,000	\$1,050,000		
UNFUNDED		\$0					
TOTAL	\$0	\$5,600,000	\$350,000	\$4,200,000	\$1,050,000	\$0	\$0
OPERATING BUDGET IMPACT (000'S)				GENERAL INFORMATION			
	1st Year	2nd Year	3rd Year	Permitting Required	Yes		
Personnel \$\$\$			\$30,000	Project Approval Date	Jan-08		
Operation & Maint \$\$\$			\$25,000	Construction Start Date	Apr-08		
Other Costs \$\$\$				Project Completion Date	Apr-09		
Offsetting Revenue/Savings				PROJECT COST (000'S)	\$5,600,000		
NET OPERATING IMPACT	\$0	\$0	\$55,000				
COMMENTS:							
Special assessment of \$118/month for 15 years or \$100/month for 20 years							

* * * * *

THIS PAGE
INTENTIONALLY
LEFT BLANK

* * * * *

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, Acting Deputy Planning and Zoning Manager

SUBJECT: Quasi Judicial Hearing: Rezoning Application, ZB 7-3-06/06-93/Great Florida Bank Center/Generally located between University Drive and Southwest 78th Avenue, south of proposed Southwest 48th Street

AFFECTED DISTRICT: District 2

ITEM REQUEST: **Schedule for Council Meeting**

TITLE OF AGENDA ITEM: AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, APPROVING REZONING PETITION ZB 7-3-06, CHANGING THE CLASSIFICATION OF CERTAIN LANDS WITHIN THE TOWN OF DAVIE FROM A-1, AGRICULTURAL DISTRICT TO B-2, COMMUNITY BUSINESS DISTRICT; AMENDING THE TOWN ZONING MAP TO COMPLY THEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

REPORT IN BRIEF: The petitioner (Linda Strutt Consulting, Inc.) requests to rezone a portion (approximately 2.5 acres) of the overall subject site from A-1, Agricultural District, to B-2, Community Business District. The northern portion (approximately 1.5 acres) and eastern (approximately .7 acres) portions of the subject site will remain B-2, Community Business District and A-1, Agricultural District, respectively. The Future Land Use Plan Map designation of the overall subject site will remain Residential 10 DU/Acre.

The subject site is located between University Drive and Southwest 78th Avenue, south of proposed Southwest 48th Street. Adjacent future land use plan map designations consist of Commercial to the north/west; Residential 1 DU/Acre and Residential 10 DU/Acre to the east; and Residential 10 DU/Acre to the south.

Additionally, the subject site is adjacent to the zoning designations of A-1, Agricultural District, Griffin Corridor District (University Drive Node) to the north; A-1, Agricultural District to the east; RM-10, Medium Dwelling District; RC-8, Residential Cluster to the south; and B-3, Planned Business Center to the west.

The proposed commercial use (Great Florida Bank Center) on the subject site with an existing residential future land use plan map designation is possible through the petitioner's concurrent flex application. Approval of this rezoning request will permit the use of a proposed two-story mixed-use development consisting of office/retail uses on the subject site.

The subject site meets the minimum technical requirements for the B-2, Community Business District zoning classification, as the minimum lot size required is 52,500 square feet (approximately 1.20 acres), and a minimum lot frontage and lot depth of 200’.

Staff finds that the rezoning request complies with the general purpose of the proposed B-2, Community Business District. The rezoning request is in conformance with all applicable Codes and Ordinances and is consistent with the other surrounding zoning districts. Furthermore, the rezoning request can be considered compatible with the commercial uses and properties located along University Drive.

PREVIOUS ACTIONS: n/a

CONCURRENCES:

At the June 13, 2007 Planning and Zoning Board meeting, Vice-Chair Stevens made a motion, seconded by Ms. Turin, to approve. (**Motion carried 4-0**, Mr. Pignato was absent)

FISCAL IMPACT: not applicable

Has request been budgeted? n/a

RECOMMENDATION(S):

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

1. Contingent upon approval of the following development applications:
 - a. Plat Application (*P 7-1-06*), *Great Florida Bank Center*
 - b. Site Plan Application (*SP 7-4-06*), *Great Florida Bank Center*
 - c. Vacation Application (*VA 7-2-06*), *Great Florida Bank Center*
 - d. Flex Application (*FX 7-1-06*), *Great Florida Bank Center*
 - e. Variance Application (*11-1-06*), *Great Florida Bank Center*

Attachment(s): Ordinance, Planning Report

ORDINANCE _____

AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, APPROVING REZONING PETITION ZB 7-3-06, CHANGING THE CLASSIFICATION OF CERTAIN LANDS WITHIN THE TOWN OF DAVIE FROM A-1, AGRICULTURAL DISTRICT TO B-2, COMMUNITY BUSINESS DISTRICT; AMENDING THE TOWN ZONING MAP TO COMPLY THEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town Council of the Town of Davie authorized the publication of a notice of a public hearing as required by law, that the classification of certain lands within the Town be changed **FROM:** A-1, Agricultural District **TO:** B-2, Community Business District;

WHEREAS, said notice was given and publication made as required by law, and a public hearing there under was held on the date of the adoption of this ordinance.

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

SECTION 1. That the property herein after described be and the same is hereby rezoned and changed from A-1, Agricultural District to B-2, Community Business District;

- a. The subject property is described in Exhibit "A," which is attached hereto and made a part hereof;

SECTION 2. That the zoning map heretofore adopted by the Town Council be and the same is hereby amended to show the property described in Section 1, herein, as B-2, Community Business District.

SECTION 3. All Ordinances or parts of Ordinances in conflict herewith are to the extent of such conflict hereby repealed.

SECTION 4. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is, for any reason, held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portion of this Ordinance.

SECTION 5. This Ordinance shall take effect immediately upon its passage and adoption.

PASSED ON FIRST READING THIS _____ DAY OF _____, 2007.

PASSED ON SECOND READING THIS _____ DAY OF _____, 2007.

ATTEST:

MAYOR/COUNCILMEMBER

TOWN CLERK

APPROVED THIS _____ DAY OF _____, 2007.

Exhibit “A”

Application: ZB 7-3-06/06-93/Great Florida Bank Center

Original Report Date: 6/4/07

Revision(s): 6/29/07, 7/2/07

TOWN OF DAVIE

Development Services Department

Planning & Zoning Division

Staff Report and Recommendation

Applicant Information

Owner:

Name: Frank Amedia, Pelican Shops at Davie

Address: 7600 Red Road, Suite 300

City: Miami, Florida 33143

Phone: (786) 268-1349

Petitioner:

Name: Linda Strutt

Linda Strutt Consulting, Inc.

Address: 227 Goolsby Boulevard

City: Deerfield, Florida 33442

Phone: (954) 426-4305

Background Information

Date of Notification: June 6, 2007

Number of Notifications: 183

Petitioner’s Request: The Rezone a portion (approx. 2.5 acres) of the subject site **FROM:** A-1, Agricultural District **TO:** B-2, Community Business District.

Address: 4700-4900 Southwest 78th Avenue

Location: Generally located between University Drive and Southwest 78th Avenue, south of proposed Southwest 48th Street

Future Land

Use Plan Map: Residential 10 DU/Acre

Existing Zoning(s): A-1, Agricultural District/B-2, Community Business District

Proposed Zoning(s): A-1, Agricultural District/B-2, Community Business District

Existing Use(s): Vacant (abandon nursery)

Parcel Size: 4.06 net acres (177,760 sq. ft.)

Proposed Use(s): Two-story mixed-use development

Proposed Density: n/a

Surrounding Use(s):

North: Baers
South: Poinciana Southwood
East: Vacant

West: The Atrium Center

Surrounding Land

Use Plan Map Designation(s):

Commercial
Residential 10 DU/Acre
Residential 1 DU/Acre
Residential 10 DU/Acre
Commercial

Surrounding Zoning(s):

North: A-1, Agricultural District/Griffin Corridor District (University Drive Node)
South: RM-10, Medium Dwelling District/RC-8, Residential Cluster
East: A-1, Agricultural District
West: B-3, Planned Business Center

Zoning History

Related zoning history:

Records indicate that the existing Future Land Use Plan Map designation and Zoning classification were in place at the time of annexation.

Previous requests on same property: n/a

Concurrent Request(s) on same property:

Flex Application (FX 7-1-06), the petitioner requests approval to add commercial flex to the proposed “Great Florida Bank Center” project.

Site Plan Application (SP 7-4-06), the petitioner requests approval site plan approval for a mixed-use project consisting of a two-story retail/office building

Plat Application (P 7-1-06), the petitioner requests approval of the proposed boundary plat known as “Great Florida Bank Center” plat.

Vacation Application (VA 7-2-06), the petitioner requests approval to vacate the southern most portion of Southwest 78th Avenue right-of-way and dedicate it to the proposed “Great Florida Bank Center” plat.

Variance Application (11-1-06), the petitioner requests approval to reduce the required thirty (30) foot wide landscape buffer along the eastern property line, parallel to University to ten (10) feet wide.

Applicable Codes and Ordinances

The effective Code of Ordinances governing this project is the Town of Davie Land Development Code.

Land Development Code (Section 12-305), Rezoning, Special Permits, Variances, and Vacations or Abandonments of Rights-of-Way, the purpose of this division is to guide the processing and granting of rezonings, special permits, variances and vacations or abandonments of rights-of-way in a manner consistent with the Town of Davie Comprehensive Plan, existing development and in a manner which protects the public health, safety and welfare.

Land Development Code (Section 12-24 (J)(5)), the B-2, Community Business District is intended to implement the commercial designation of the Town of Davie Comprehensive Plan by providing for a business area to service the shopping and limited service needs of several neighborhoods or the local community. Retail stores are intended to include convenience, fashion and durable goods.

Comprehensive Plan Considerations

Planning Area:

The subject property falls within Planning Area 10. This Planning Area is generally located north of Stirling Road, south of Griffin Road, east of Pine Island Road, and west of SW 76 Avenue. Pine Island Road, a major north/south arterial, on the western limits of this planning area provides through access from Griffin Road to Stirling Road. Commercial development of retail centers and office buildings line the University Drive corridor. The east side of this corridor is predominantly small-scale commercial development, with multi-family residential development (one existing, one proposed) and plant nurseries on the northern half of the corridor, and commerce park development and cattle grazing on commerce park-zoned lands on the southern half. Commercial development also exists along Griffin Road within this planning area. Several small-scale single-family residential communities, two trailer parks totaling approximately 30 acres in area, and an 8-acre industrial park are located within this planning area, together with six parcels zoned for community facilities uses. These include, but are not limited to, a regional library, multiple church uses varying scales, a Girl Scout campground facility, and a private school.

Broward County Land Use Plan:

The subject site falls within Flexibility Zone 102.

Applicable Goals, Objectives & Policies:

Future Land Use Plan, Objective 17: Land Use Compatibility and Community Appearance, Policy 17-2: No property within the Town shall be rezoned to a zoning district that is not in compliance with the Davie Future Land Use Plan.

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

The petitioner (Linda Strutt Consulting, Inc.) requests to rezone a portion (approximately 2.5 acres) of the overall subject site from A-1, Agricultural District, to B-2, Community Business District. The northern portion (approximately 1.5 acres) and eastern (approximately .7 acres) portions of the subject site will remain B-2, Community Business District and A-1, Agricultural District, respectively. The Future Land Use Plan Map designation of the overall subject site will remain Residential 10 DU/Acre.

The subject site is located between University Drive and Southwest 78th Avenue, south of proposed Southwest 48th Street. Adjacent future land use plan map designations consist of Commercial to the north/west; Residential 1 DU/Acre and Residential 10 DU/Acre to the east; and Residential 10 DU/Acre to the south.

Additionally, the subject site is adjacent to the zoning designations of A-1, Agricultural District, Griffin Corridor District (University Drive Node) to the north; A-1, Agricultural District to the east; RM-10, Medium Dwelling District; RC-8, Residential Cluster to the south; and B-3, Planned Business Center to the west.

The proposed commercial use (Great Florida Bank Center) on the subject site with an existing residential future land use plan map designation is possible through the petitioner's concurrent flex application. Approval of this rezoning request will permit the use of a proposed two-story mixed-use development consisting of office/retail uses on the subject site.

Public Participation

The public participation process provides the ability for citizens of the Town of Davie to actively participate in the Town's development procedures. The petitioner conducted meetings with the public at the Town of Davie Community Room on August 22, 2006 and August 31, 2006. Attached is the petitioner's Citizen Participation Report.

Staff Analysis

The purpose of this request is to rezone the subject site from A-1, Agricultural District, to B-2, Community Business District. According to the Land Development Code, the subject site meets the minimum technical requirements for the B-2, Community Business District zoning classification, as the minimum lot size required is 52,500 square feet (approximately 1.20 acres), and a minimum lot frontage and lot depth of 200'.

The following information is staff's analysis based on the criteria established in the Town of Davie's, Land Development Code, Section 12-307(A)(1) for rezoning applications:

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

The Comprehensive plan allows parcels with a residential Future Land Use Plan Map designation to be rezoned to a commercial zoning district through the allocation of commercial flexibility in accordance with the Administrative Rules Document of the Broward County Land Use Plan.

- (b) The proposed change will not create an isolated zoning district unrelated and incompatible with adjacent and nearby districts;

Rezoning the subject site B-2, Community Business District is related to the adjacent Griffin Corridor District (University Drive Node) to the north and B-3, Planned Business Center to the west zoning designations and compatible with the adjacent multi-family to the south through the application of the Land Development Code's setback and buffering requirements.

- (c) Existing zoning district boundaries are logically drawn in relation to existing conditions on the property proposed for change;

The subject site's boundary lines precisely correspond to the boundaries of the proposed commercial use and the rezoning request is logical since the property meets the requirements to gain the zoning designation.

- (d) The proposed change is not expected to adversely affect living conditions in the neighborhood;

Rezoning the subject site B-2, Community Business District is required in order to develop the mixed-use project (Great Florida Bank Center) with office and retail uses that should not have a negative impact on the neighborhood. The Land Development Code requires that the subject site be designed to account for the adjacent multi-family home development by limiting building height to 35', requiring a minimum 20' setback, 8' masonry wall and 10' landscape buffers.

(e) The proposed change may 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 generated by the proposed commercial use is not what the existing future land use plan anticipated. Prior to final approval of the plat by Broward County and the Town of Davie, traffic impacts are assessed.

(f) The proposed change is not expected to adversely affect other property values;

The subject site is adjacent to commercial uses and should not have a negative impact on the value of the adjacent properties. The proposed mixed-use project (Great Florida Bank Center) is consistent with future and existing commercial uses along University Drive.

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

The vacant parcel to the east can be developed with residential uses while allowing the subject site to be developed as proposed. Additionally, rezoning the subject site will not deter improvements to the surrounding developed properties, since all properties are required to meet existing Land Development Code.

(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;

Applying rezoning will not give the owner a unique benefit that harms the welfare of the general public.

(i) There are not substantial reasons why the property cannot be used in accord with existing zoning.

The Future Land Use Plan designates the subject site as Residential 10 DU/AC. In order for the subject site to develop with a commercial use, rezoning is required.

(j) The proposed rezoning may be the most appropriate designation to enhance the Town's tax base given the site's 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.

The subject site's Future Land Use Plan Map designation is Residential 10 DU/AC. A residential development can be built on the subject site, however, the proposed commercial use on the subject site should provide a higher tax base than residential uses.

Staff finds that the rezoning request complies with the general purpose of the proposed B-2, Community Business District. The rezoning request is in conformance with all applicable Codes and Ordinances and is consistent with the other surrounding Zoning Districts. Furthermore, the rezoning request can be considered compatible with the commercial uses and properties located along University Drive.

Staff Recommendation

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

1. Contingent upon approval of the following development applications:
 - a. Plat Application (*P 7-1-06*), *Great Florida Bank Center*
 - b. Site Plan Application (*SP 7-4-06*), *Great Florida Bank Center*
 - c. Vacation Application (*VA 7-2-06*), *Great Florida Bank Center*
 - d. Flex Application (*FX 7-1-06*), *Great Florida Bank Center*
 - e. Variance Application (*11-1-06*), *Great Florida Bank Center*
-

Planning and Zoning Board Recommendation

At the June 13, 2007 Planning and Zoning Board meeting, Vice-Chair Stevens made a motion, seconded by Ms. Turin, to approve. (**Motion carried 4-0, Mr. Pignato was absent**)

Town Council Action

Exhibits

1. Justification Letter
 2. Sketch and Legal Description
 3. Proposed Site Plan
 4. 1,000' Mail out Radius Map
 5. Property Owners within 1,000' of the Subject Site
 6. Public Participation Notice
 7. Public Participation Sign-in Sheet
 8. Public Participation Summaries
 9. Future Land Use Plan Map
 10. Aerial, Zoning, and Subject Site Map
-

Prepared by: _____

Reviewed by: _____

File Location: P&Z\Development Applications\Applications\ZB_Rezoning\ZB_06\ZB 7-3-06 Great Florida Bank Center

**GREAT FLORIDA BANK CENTER
REQUEST FOR REZONING WITH COMMERCIAL FLEX ACREAGE
ALLOCATION**

JUSTIFICATION

Reason for the Request:

The applicant has assembled approximately 4.7 gross acres of land located on the east side of University Drive on the west side of SW 78th Avenue for redevelopment as a commercial development. The entire site is designated Low Medium Residential 10 on the Broward County Land Use Map and Residential 10 du/acre on the Town's Future Land Use Map. The northern portion of the site (approximately 1.5 acres) abutting the Griffin Corridor was rezoned to B-2 before it was acquired by the applicant. The balance of the site (3.2 acres) is still zoned A-1 Agricultural District. (See attached legal sketch)

The applicant is seeking to rezone most of the portion of the site which is zoned A-1 to B-2 Community Business District to accommodate a mixed commercial/retail-office project oriented toward University Drive. The applicant has acquired a small parcel of land on the east side of SW 78th Avenue as shown on the attached legal sketch ("Exhibit A") and is submitting a companion application to vacate the southern terminus of SW 78th Avenue which terminates at the southern boundary of the site dividing this parcel from the rest of the site. A portion of the eastern parcel (approximately .7 acres) is excluded from the rezoning request to serve as a buffer for the adjacent residentially zoned property.

In conjunction with the rezoning to B-2, the applicant is requesting an allocation of 4.03 acres of Commercial flex pursuant to the Plan Implementation Section of the Town of Davie Future Land Use Element and Future Land Use Element Policy 6-7. This coincides with the existing and proposed B-2 zoning and is needed to accommodate the proposed commercial building and associated parking.

The proposed project for the entire site is presented on the site plan submitted concurrently with this rezoning request. A plat is also being submitted with the application package.

Section 12-307(A)(1) Criteria

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

The zoning request is consistent with the Town's adopted comprehensive plan as well as the draft recommendations of the Town's Evaluation and Appraisal Report.

The proposed change particularly supports the following objectives and policies adopted in the Town's comprehensive plan:

FLUE Policy 6-7 and the Permitted Uses Residential Land Use Category #9 of the Implementation Section which permit office and neighborhood retail sales of merchandise and services in areas designated for Residential use subject to a contiguous acreage limit of 10 acres:

The requested rezoning and commercial flex allocation will facilitate the development of a mixed retail-office-services project adjacent to medium density residential of the scale and nature envisioned by these flexibility policies. The total site, including the parcel previously rezoned to B-2 with a commercial flexibility allocation, is 4.7 acres, well under the 10-acre limit. The proposed project is well within the size range, in terms of acreage and building square footage, set forth in the Plan Implementation Section for Neighborhood Shopping Centers.

FLUE Policy 7-1 which commits the Town to striving to expand its economic base through expansion of the commercial sector of the economy:

The proposed change will expand the commercial acreage in the Town and facilitate immediate development of commercial uses on underdeveloped land.

FLUE Policy 17-1 which directs that lands designated for non-residential use be located to facilitate development without adversely impacting existing and designated residential areas.

The requested rezoning will allow for the redevelopment of the existing B-2 site which will serve as a buffer from the high-traffic arterial University Drive while being separated by local streets and access drives from residentially developed and designated areas.

Transportation Element Policy 4.1.11 which requires commercial development to be located with adequate access to major transportation facilities.

The proposed commercial development will have access to the major state arterial University Drive. This roadway is also designated as a bus rapid transit corridor which will eventually traverse the entire county.

Evaluation and Appraisal Report Issue D "Planning for Economic Vitality" which includes the need to encourage infill development, attract new businesses and create new employment opportunities for Town residents as a means of addressing the dependence of the tax base on residential uses, the limited expansion of the commercial/industrial sector and the relatively small percentage of vacant commercial land.

The proposed rezoning with commercial flex allocation will convert residentially designated property to commercial use to accommodate development of medical and professional offices, financial, retail and service-type employment opportunities for local residents. The expansion of the B-2 zoned parcel will facilitate redevelopment of the balance of the University Drive frontage between the Griffin Corridor and the Southwood Townhomes now in interim nursery and single-family use thereby contributing to the tax base.

(b) The proposed change would not create an isolated zoning district unrelated and incompatible with adjacent and nearby districts;

The proposed change would extend the contiguous B-2 Community Business District boundary south along University Drive consistent with the existing B-3 zoning on the west side of University Drive. No enclave of A-1 zoning/residential land use will remain between this property and the Southwood Townhomes on the south. The commercial parcel will be bounded by public rights-of-way and a major access drive. Where the applicant proposes to vacate SW 78th Avenue, the existing A-1 zoning will remain as a buffer.

(c) Existing zoning district boundaries are illogically drawn in relation to existing conditions on the property proposed for change;

No portion of the site is classified for agricultural use on the Future Land Use Plan Map. The existing A-1 zoning district is serving as an interim zoning classification until development of the site consistent with the Future Land Use Plan Map is imminent. The northern portion of the site has previously been zoned B-2, consistent with the adjacent Griffin Corridor University D Node zoning to the north and the character of University Drive, a principal state arterial. The property on the west side of University Drive is zoned B-3 for commercial use consistent with the intensity of the roadway. The property to the south has been zoned RM-10 and developed as a townhouse project.

The A-1 parcel is the last agriculturally zoned parcel along this stretch of University Drive frontage. It is surrounded by roadways, fronting on a high volume arterial, and abuts commercially zoned property which makes development of a quality residential project on the site problematic.

The portion of the site that is included within this rezoning and flex allocation request was used for a plant nursery and a single-family home. The portion already zoned B-2 was also used for a small commercial nursery. The applicant is proposing to redevelop the site to a commercial/retail and office development and is seeking a change to

community business zoning consistent with the rest of the site, vicinity zoning and development patterns, the adjacent roadway and the proposed development.

(d) The proposed change will not adversely affect living conditions in the neighborhood;

The zoning change will improve the opportunity to buffer the development on both the commercially zoned parcel and the A-1 parcel that is the subject of this application from the adjacent multi-family development and residentially designated land by creating a unified parcel.

(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;

The requested zoning change with flex allocation will allow access to University Drive to be consolidated into one point, an existing access driveway connection to University Drive. The left-turn into the University access drive will be improved and additional right-of-way for University Drive will be dedicated through the plat being processed simultaneously with this request. The existing intermediate connections to University Drive serving the component parcels will be removed. The project will be oriented to University Drive, rather than SW 78th Avenue, with access to SW 78th Avenue also consolidated from the multiple existing connections into one access point.

Without the proposed zoning change, this property could yield more than 30 residential units generating work, shopping, school and social trips on both SW 78th Avenue and University Drive. The development proposed in conjunction with the proposed change would produce commercial-service-office uses in close proximity to the residents it will serve. These uses will supplement those provided in the Griffin Corridor University Node capturing trips already on the road.

(f) The proposed change will not adversely affect other property values;

The proposed project will bring quality retail and office use to the currently underutilized site in a tastefully designed two-story building that will serve as a visual and noise buffer from University Drive. Building placement, open area and landscaped buffers will be used to ensure compatibility with adjacent residentially designated property. These improvements are expected to have a positive effect on vicinity property values.

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

The applicant has assembled a compact parcel of underdeveloped land adjacent to University Drive, a portion of which has already been zoned B-2 but is being used for a retail agricultural use (nursery). Without the proposed rezoning and commercial flex allocation, redevelopment of both this B-2 parcel and the residentially designated portions would be hampered by their juxtaposition. The proposed rezoning will facilitate development of a unified commercial development with adequate buffering from adjacent medium residential density (10 du/acres) properties. Development of this assembled site will complete the eastern University Drive frontage south of Griffin Road. The change will allow the entire site to utilize one existing connection to University Drive with improved southbound access, eliminating existing connections that impact the traffic flow.

(h) The proposed change will not constitute a grant of special privilege to an individual owner as contrasted with the welfare of the general public;

The existing A-1 zoning is generally considered an interim zoning district until the affected land is ready for development. All property zoned A-1 without an Agricultural land use designation eventually needs to be rezoned in order to develop. The request for commercial flex allocation will serve the public's welfare by enhancing the tax base as commercial development typically generates more in revenue than residential development with less pressure on public expenses. The zoning change will allow for development that will also generate employment opportunities and provide banking, retail and service opportunities for vicinity residents conveniently located close to medium density residential development.

(i) There are substantial reasons why the property cannot be used in accord with existing zoning;

The existing A-1 zoning on the portion of the site proposed to be rezoned to B-2 is not consistent with the Future Land Use Plan Map designation nor with the zoning on the rest of the property. It would not allow redevelopment consistent with the density or intensity appropriate for the University Drive corridor.

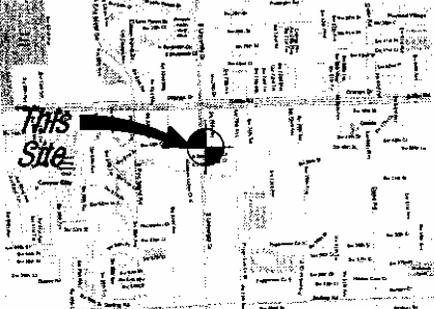
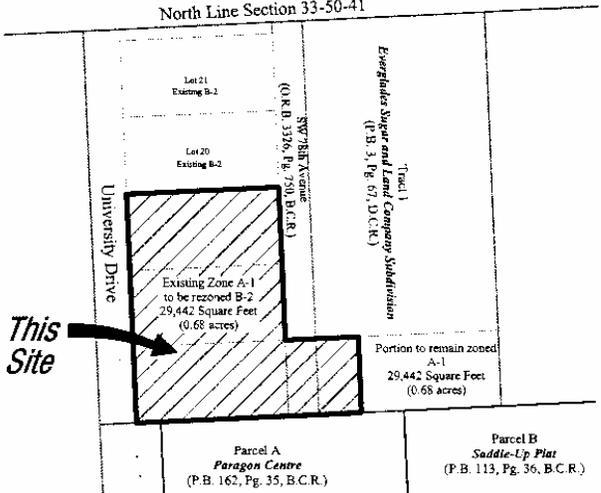
- (j) The proposed zoning designation is the most appropriate designation to enhance the Town's tax base given the site location relative to the pattern of land use designations established on the future land use plan map, appropriate land use planning practice, and comprehensive plan policies directing land use location.**

The northern portion of the site is already zoned B-2, Community Business, which allows for a transition from the Griffin Corridor University Node zoning on the north to the RM-10 multi-family zoning on the south. Currently the subject parcel is adjacent to B-2 zoning. Extending the B-2 zoning as requested will result in a parcel that will be separated from residentially designated property to the east by SW 78th Avenue and from the multi-family development to the south by an access drive which will enable the project to share an existing University Drive access point (see proposed site plan). The applicant is proposing to leave the southeastern portion of the site in A-1 zoning to serve as an additional buffer for the residential property.

The requested commercial zoning for the site location is consistent with comprehensive plan policy directing commercial development to locations with adequate access to major transportation facilities as it is located on a major arterial and premium bus rapid transit route. It is also consistent with the intensity of University Drive and the zoning and development to the north and west of the site.

By converting the use of the site from residential to commercial, the proposed change will contribute to the Town's tax base, furthering the Town's goal of promoting economic vitality, by facilitating the construction of a high quality retail-business-office project to replace the existing agricultural and single-family uses which contributed very little to the tax base and by generating quality local employment opportunities.

Exhibit 2 (Sketch and Legal Description)

	Patriot Surveying and Mapping, Inc. 3748 NW 124th Avenue Coral Springs, Florida 33065 Phone: (954) 509-0083 Fax: (866) 495-0203 LB # 7303																						
- Sketch and Description - Sheet 1 of 3																							
																							
<p>Location Map Not to Scale</p>																							
																							
<p style="text-align: right;">07-18-06</p> <p>Dennis J. Gabriele Professional Surveyor and Mapper No. LS5709 State of Florida</p> <p style="text-align: right;">Not Valid without the signature and original raised seal of a Florida licensed Surveyor and Mapper</p>																							
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Updates and Revisions</th> <th>Date</th> <th>By</th> <th>QC</th> </tr> </thead> <tbody> <tr><td> </td><td> </td><td> </td><td> </td></tr> </tbody> </table>	Updates and Revisions	Date	By	QC																	<p><small>NOTE: The undersigned and PATRIOT SURVEYING AND MAPPING, INC. make no representations or guarantees as to the completeness of the information reflected herein pertaining to easements, right-of-way, set-back lines, reservations, agreements or other matters of record. This instrument is intended to reflect or set forth only those items shown in the references above. PATRIOT SURVEYING AND MAPPING, INC. did not research the public records for matters affecting the lands shown. This instrument is the property of PATRIOT SURVEYING AND MAPPING, INC. and shall not be reproduced in whole or in part without written permission of PATRIOT SURVEYING AND MAPPING, INC.</small></p>		
Updates and Revisions	Date	By	QC																				
Job No. 0511-010	Drawn By: DN	QA / QC: DG	FB: N/A PG.	Scale: N.T.S.																			



Patriot Surveying and Mapping, Inc.

3748 NW 124th Avenue Coral Springs, Florida 33065

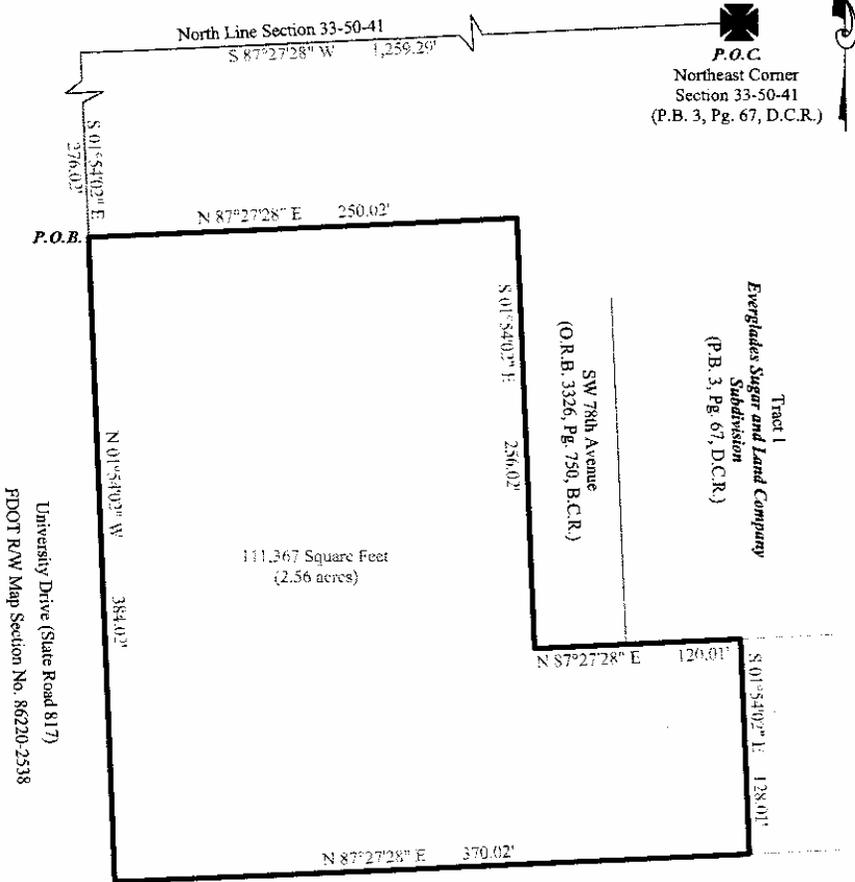
Phone: (954) 509-0083

Fax: (866) 495-0203

LB # 7303

- Sketch and Description -

Sheet 2 of 3



Parcel A
Paragon Centre
(P.B. 162, Pg. 35, B.C.R.)

Survey Notes

1. Bearing Reference: The Bearings shown hereon are referenced to the *Stoner/Keith Resurvey No. III*, Miscellaneous Plat Book 5, Page 9, Broward County Records.
2. P.B. denotes Plat Book
3. Pg. denotes Page
4. B.C.R. denotes Broward County Records
5. D.C.R. denotes Miami-Dade County Records
6. O.R.B. denotes Official Records Book
7. This is not a survey, but only a graphic depiction shown hereon. No boundary corners were set in the field related to this sketch.

Legend

P.O.B. = Point of Beginning
P.O.C. = Point of Commencement

Job No. 0511-010

Drawn By: DN

QA / QC: DG

FB. N/A PG.

Scale: N.T.S.



Patriot Surveying and Mapping, Inc.

3748 NW 124th Avenue Coral Springs, Florida 33065

Phone: (954) 509-0083

Fax: (866) 495-0203

LB # 7303

- Legal Description -

A portion of Tract 2, *Everglades Sugar and Land Company Subdivision*, Plat Book 3, Page 67 of the Public Records of Miami-Dade County, Florida, lying in Section 33, Township 50 South, Range 41 East, Broward County, Florida, being more particularly described as follows:

Commence at the Northeast corner of Section 33-50-41, as shown on said *Everglades Sugar and Land Company Subdivision* plat:

Thence, South 87°27'28" West, along the North line of said Section 33-50-41, a distance of 1,259.29 feet;

Thence, South 01°54'02" East, a distance of 276.02 feet to the **Point of Beginning**;

Thence, North 87°27'28" East, a distance of 250.02 feet;

Thence, South 01°54'02" West, a distance of 256.02 feet;

Thence, North 87°27'28" East, a distance of 120.01 feet;

Thence, South 01°54'02" East, a distance of 128.01 feet;

Thence, South 87°27'28" West, a distance of 370.02 feet;

Thence, North 01°54'02" West, a distance of 384.02 feet to the **Point of Beginning**.

Said land lying and being in the Town of Davie, Broward County, Florida, and containing 111,367 square feet (2.56 acres) more or less.

Exhibit 3 (Proposed Site Plan)

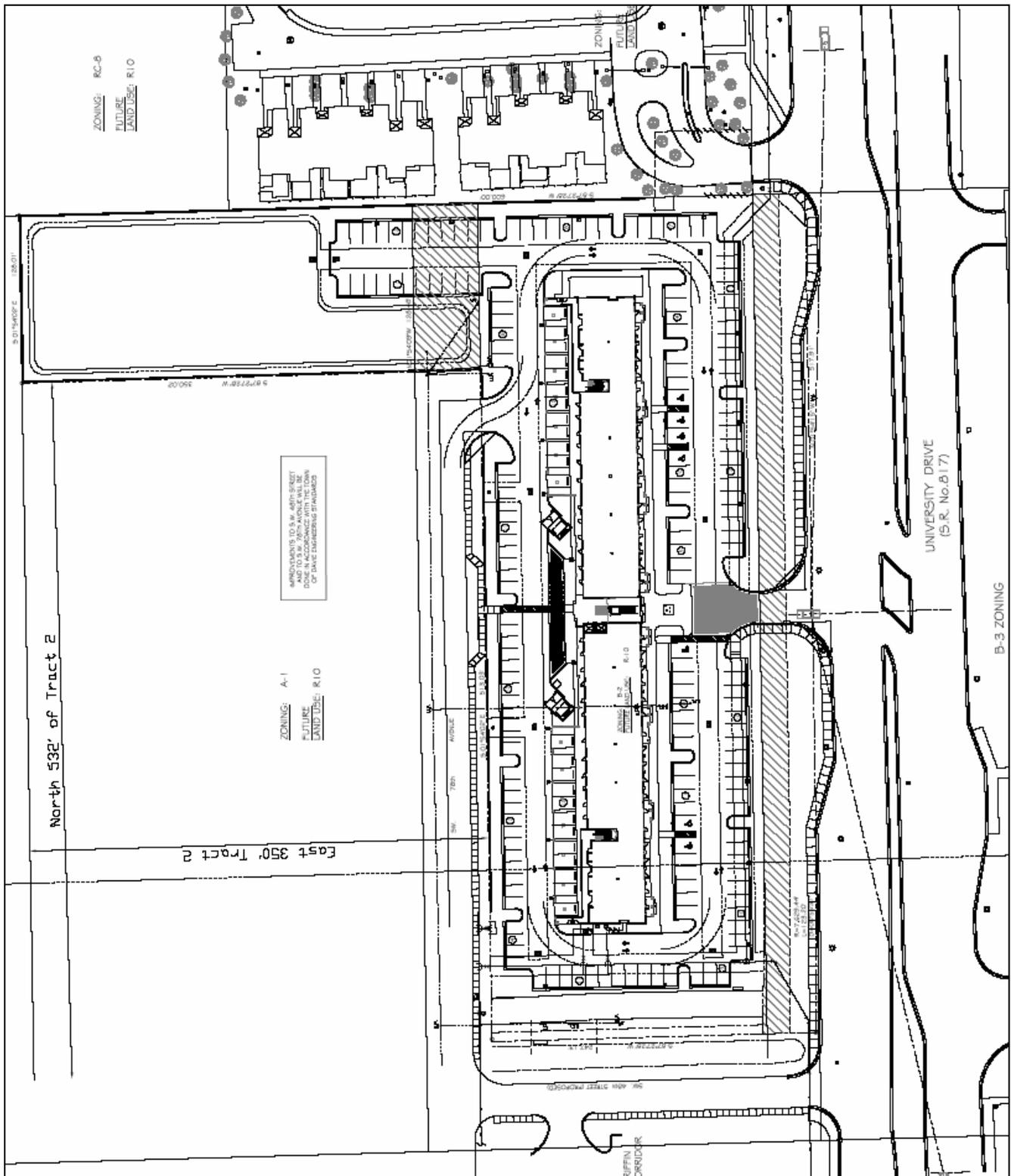


Exhibit 4 (1,000' Mail out Radius Map)

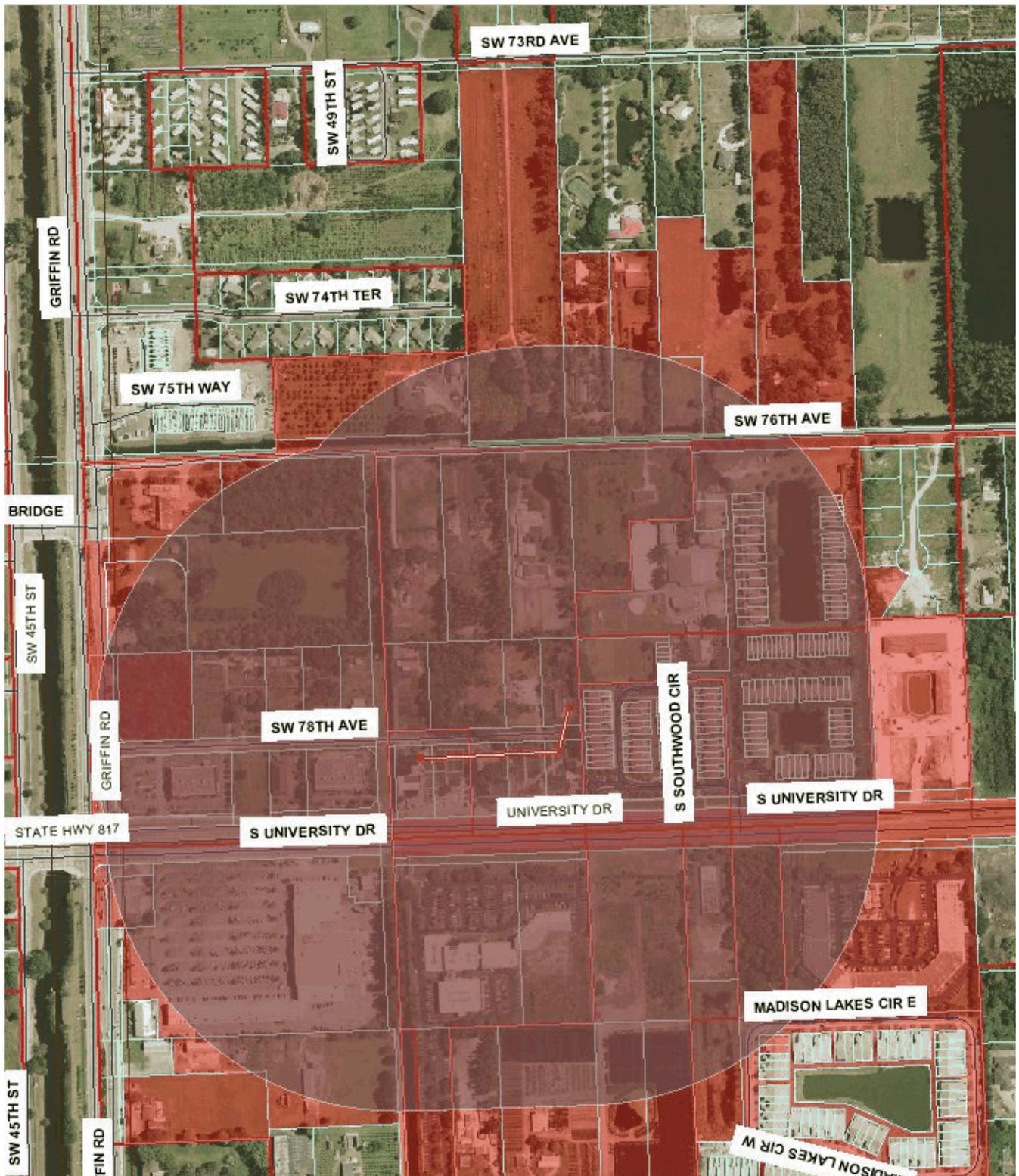


Exhibit 5 (Property Owners within 1,000' of Subject Site)

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
 ACEVEDO,ANGEL
 ACEVEDO,IRIS H
 7890 S SOUTHWOOD CIR
 DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
 ADAMS,BETH A
 5166 S UNIVERSITY DR
 DAVIE FL 33328-4513

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
 ADRIAN-BUTLER,PATRICIA E
 5136 S UNIVERSITY DR
 DAVIE FL 33328-4512

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
 ALAMO PETROLEUM
 CONTRACTORS INC
 4620 SW 76TH AVE
 DAVIE FL 33328-3802

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
 ALBERTI,STEPHEN PATRICK
 5154 S UNIVERSITY DR
 DAVIE FL 33328-4513

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
 ALCOVER,E A & SUSAN J
 4800 SW 82ND AVE
 DAVIE FL 33328-4406

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
 ALTMAN,STEVEN
 5038 S UNIVERSITY DR
 DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
 ALVARADO,JORGE I
 5186 S UNIVERSITY DR
 DAVIE FL 33328-4514

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
 AMRICH,JOANNE L
 5064 S UNIVERSITY DR
 DAVIE FL 33328-4510

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
 ANCONETANI,GRISSELDA
 ANCONETANI,LAURA G
 5094 S UNIVERSITY DR
 DAVIE FL 33328-4511

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
 ANGEL,PETER N
 5152 S UNIVERSITY DR
 DAVIE FL 33328-4513

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
 AREBALO,ALBERTO F & CHERYL L
 5028 S UNIVERSITY DR
 DAVIE FL 33328-4502

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
 ATRIUM CENTRE LLC
 5301 N FEDERAL HWY STE 190
 BOCA RATON FL 33487

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
 AVEILLE,RANDY & TONYA BELL
 5052 S UNIVERSITY DR
 DAVIE FL 33328-4509

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
 B & R DEVELOPMENT I LLC
 3649 SPANISH OAK POINT
 DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
 BAERS FURNITURE CO INC
 1589 NW 12TH AVE
 POMPANO BEACH FL 33069-1730

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
 BAILEY,VICTORIA ELIZABETH &
 CLARKE,JEREMIAH
 3104 WEBSTER ST
 MOUNT RAINIER MD 20712

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
 BALL,THEODORE M II
 5012 S UNIVERSITY DR
 DAVIE FL 33328-4502

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
 BANOUB,KAMAL N
 BANOUB,TAMER K
 14354 STAMFORD CIR
 ORLANDO FL 32826

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
 BARRON,JAMES K
 BARRON,LILLIAN M
 8541 SW 30 ST
 DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
 BATISTA,HAROLD J
 7892 N SOUTHWOOD CIR
 DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
 BECRAFT,BRENT E
 7782 N SOUTHWOOD CIR
 DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
 BELL,STEPHANIE C
 5076 S UNIVERSITY DR
 DAVIE FL 33328-4510

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
 BERRIGAN,NANCY
 7951 S SOUTHWOOD CIR
 DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
 BIRNBAUM,MARIE A
 294 BLACKHEATH ROAD
 LONG BEACH NY 11561

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
 BLACKFORD,STEVEN B
 5000 S UNIVERSITY DR
 DAVIE FL 33328-4502

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
 BLAKLEY,BARBARA MARIE
 BLAKLEY,ROBIN MARIE
 5188 S UNIVERSITY DR
 DAVIE FL 33328-4514

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
 BOISVERT,COLETTE E
 5032 S UNIVERSITY DR
 DAVIE FL 33328-4509

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
 BONGIRNE,PATRICE
 5144 S UNIVERSITY DR
 DAVIE FL 33328-4512

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
 BORRAS,HOLLY S
 5086 S UNIVERSITY DR
 DAVIE FL 33328-4511

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
BRANTLEY,BILLY & ALISON
5088 S UNIVERSITY DR
DAVIE FL 33328-4511

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
BRITO,IRMY
4938 S UNIVERSITY DR
DAVIE FL 33328-3824

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
CAPDEVILLE,LARRY
5010 S UNIVERSITY DR
DAVIE FL 33328-4502

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
CHU,JACKIE SIU LUN
5090 S UNIVERSITY DR
DAVIE FL 33328-4511

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
CIMINO-STANFORD,ANNA THERESE
7780 S SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
COHEN,LAURA A
5018 S UNIVERSITY DR
DAVIE FL 33328-4502

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
COHN,ADAM D
7831 S SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
COTTOM,MICHAEL V & YOMARIE
7891 S SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
CRAIN,DAVID A & SANDRA W
5036 S UNIVERSITY DR
DAVIE FL 33328-4509

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
CROWLEY,MICHAEL T &
CATHERINE
5106 S UNIVERSITY DR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
CUTIER,LAURIE K
9421 SW 49 ST
COOPER CITY FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
DE LA CRUZ,ROLANDO
7950 S SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
DE NOBRIGA,LANCEWORTH &
MYRNA
5006 S UNIVERSITY DR
DAVIE FL 33328-4502

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
DEEHAN,ANDREW W
5138 S UNIVERSITY DR
DAVIE FL 33328-4512

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
DEJACOMO,GEORGE M & DENISE
4936 S UNIVERSITY DR
DAVIE FL 33328-3824

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
D'ERRICO,DINO
WARD,MELISSA
5132 S UNIVERSITY DR BLDG 2
DAVIE FL 33328-4504

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
DJL GRIT LIMITED PARTNERSHIP
5241 PENNOCK POINT ROAD
JUPITER FL 33458-3409

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
DORSEY,TODD W
5148 S UNIVERSITY DR
DAVIE FL 33328-4513

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
DOUBERLEY,JOSEPH & LUCY
5078 S UNIVERSITY DR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
ENGELMANN,ANDREW V
ENGELMANN,LEONILA A
7603 N SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
ERDELYL,SCOTT
5026 S UNIVERSITY DR
DAVIE FL 33328-4502

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
EVANS,NICOLE V
2351 NW 33 ST # 515
FT LAUDERDALE FL 33309

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
FINAZZO,MICHAEL A TR
FINAZZO,A M TR,FINAZZO,J S TR
8858 BLOOMFIELD BLVD
SARASOTA FL 34238

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
FIRST UNION NATL BANK FL TR
DOROTHY B WEBB REV TR
PO BOX 40062-KELLEY REYNOLDS
JACKSONVILLE FL 32203-0062

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
FLR COMPANY LLC
350 S OCEAN BLVD #10-B
BOCA RATON FL 33432

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
FRAGA,ANDRES & ADRIANA
5172 S UNIVERSITY DR
DAVIE FL 33328-4514

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
GAMBA,JESUS M
LEON,NELLY
7662 N SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
GAO,HANG
7923 N SOUTHWOOD CIR
FT LAUDERDALE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
GARCIA,SONIA E
7981 S SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
GENERETTE,ULYNN C 1/3 INT EA
GENERETTE,WILLIAM L
III,HARRIS,C
5024 S UNIVERSITY DR
DAVIE FL 33328-4502

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
GETEJANC, TODOR SR & MARIJA
7633 N SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
GLASSMAN, CHAD B
7781 S SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
GOLDSTEIN, ELIAS &
GOLDSTEIN, DEBORAH
4691 S UNIVERSITY DR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
GORE, MISTY
5184 S UNIVERSITY DR
DAVIE FL 33328-4514

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
GREEN, ALLAN B & GRETTEL C
5146 S UNIVERSITY DR
DAVIE FL 33328-4512

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
GUTIERREZ, LOUIS
7630 S SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
HARTLEB, ROBERT
8160 GRIFFIN RD
DAVIE FL 33328-3837

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
HATTEN, MELISSA A 1/2 INT
HATTEN, JAMES DANIEL
4932 S UNIVERSITY DR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
HEMPEL, CARLOS J 1/2 INT
HEMPEL, UTE
5040 S UNIVERSITY DR
DAVIE FL 33328-4509

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
HENNIG, ELIZABETH L &
OSBORNE, LUNEAL
4979 SW 91 AVE
COOPER CITY FL 33328-3519

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
HERNANDEZ, ISRAEL 1/2 INT EA
ROJAS, CARMEN
7723 N SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
HESLOP, ROBIN DAVID &
GLUECK, JUDITH A
5134 S UNIVERSITY DR
DAVIE FL 33328-4512

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
HOLCOMBE, KAREN H
5050 S UNIVERSITY DR
DAVIE FL 33328-4509

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
HOLTON, ELLINOR
5046 S UNIVERSITY DR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
HORNE, ANDREW & JEANNETTE
5116 S UNIVERSITY DR
DAVIE FL 33328-4504

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
HRUSECKY, PAUL & GEORGEANN
5140 S UNIVERSITY DR
DAVIE FL 33328-4512

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
HURTADO, SHEELA L
7661 S SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
IYER, DANPANI
IYER, PRASAD
5062 S UNIVERSITY DR
DAVIE FL 33328-4510

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
JOEL, TERRANCE A
7721 S SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
JONES, DARRELL E & MARTHA
JOANNE
7751 SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
JONES, MICHELLE
5178 S UNIVERSITY DR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
JONES, ROY C & MELINDA B
3818 LAUER LANE
DOVER PA 17315

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
KELLNER, ROBERT E
5118 S UNIVERSITY DR
DAVIE FL 33328-4504

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
KEYES, ROBERT JR
8100 MADISON LAKES CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
KO, MARY
KO, MICHAEL
5058 S UNIVERSITY DR
DAVIE FL 33328-4510

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
KOLB, NORMAN C
5130 S UNIVERSITY DR
DAVIE FL 33328-4504

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
LAPAGLIA, JERMEY & MORENA A
7663 N SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
LAUDERDALE, J A & V REV TR
5306 SW 76 AVE
DAVIE FL 33328-5404

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
LAUDERDALE, JOHN & VIRGINIA
970 W 53 TER
HIALEAH FL 33012

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
LAUDERDALE, VIRGINIA REV TR
5306 SW 76 AVE
DAVIE FL 33328-5404

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
LAWSON,CHRISTOPHER J & DEBRA J &
YOUNG,STEPHEN C
130 S BEL AIRE DR
PLANTATION FL 33317

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
LEE,ANTHONY
5170 S UNIVERSITY DR
DAVIE FL 33328-4514

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
LERIGER,JOAN M
5110 S UNIVERSITY DR
DAVIE FL 33328-4504

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
LETCHER,FRANK T & JOSEPHINE V
5014 S UNIVERSITY DR
DAVIE FL 33328-4502

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
LICARI,BARBARA L
5128 S UNIVERSITY DR
DAVIE FL 33328-4504

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
LICARI,VINCENT
5112 S UNIVERSITY DR
DAVIE FL 33328-4504

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
LOPEZ,KATHY M
5126 S UNIVERSITY DR
DAVIE FL 33328-4504

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
LOPEZ,WILLIAM
4700 SW 78 AVE
DAVIE FL 33328-3827

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
LORENTE,JAVIER A
OTERO,NAHOMMY GUZMAN
7752 N SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
MAC DONALD,SETH & ANDREA
200 BAYBERRY DR
PLANTATION FL 33317

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
MALTESE,HARRY GASPER
7893 N SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
MANNING,MICHAEL LOUIS
5022 S UNIVERSITY DR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
MARINO,KENNETH J
5070 SW 76TH AVE
DAVIE FL 33328-4602

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
MARLER,KATHY A
5034 S UNIVERSITY DR
DAVIE FL 33328-4509

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
MARQUES,LYDIA 1/2 INT EA
MARQUES,ALFREDO R
5074 UNIVERSITY DR
DAVIE FL 33328-4510

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
MARTI,CHARLES &
OROZCO,ANA MARIA
5122 S UNIVERSITY DR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
MAYO,CHRISTINA M TR
PO BOX 292256
PLANTATION FL 33329-2256

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
MC MULLEN,DONNA
7862 N SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
MCLAUGHLIN,SCOTT
5016 S UNIVERSITY DR
DAVIE FL 33328-4502

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
MC SHANE,SCOTT
7692 N SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
MILLER, LERA P
5042 S UNIVERSITY DR
DAVIE FL 33328-4509

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
MILLER,MELISSA M
5070 S UNIVERSITY DR
DAVIE FL 33328-4510

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
MILLER,RICHARD N
7722 N SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
MIZNOVA,ILIANA J
5072 S UNIVERSITY DR
DAVIE FL 33328-4510

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
MOBIL OIL CORP
PROPERTY TAX DIVISION
PO BOX 4973
HOUSTON TX 77210

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
MORRIS,BARBARA
5142 S UNIVERSITY DR
DAVIE FL 33328-4512

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
MOSBY,MARLENA
5102 S UNIVERSITY DR
DAVIE FL 33328-4504

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
MUNOZ,PORFIRIO D 1/2 INT
MUNOZ,MARISELA
7861 S SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
NABIZADEH,ARASTOO T & ZAHRA P
13930 MANDRIN OAKS
JACKSONVILLE FL 32223

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
NAUGHTON,JOSEPH
5162 S UNIVERSITY DR
DAVIE FL 33328-4513

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
NAUGLE NURSERY INC
5001 SW 82ND AVE
DAVIE FL 33328-4414

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
NELSON,D M & MARY M
2819 LORCOM LN
ARLINGTON VA 22207-4943

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
NGUYEN,HUNG &
TRAN,MUOI ETAL
7830 S SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
OJEDA,EILEEN
4930 S UNIVERSITY DR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
OSTRANDER,RUTH M
7625 GRIFFIN RD
DAVIE FL 33328-3816

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
OWEN,DEVON M 1/2 INT EA
JOHNSON,DEBRA E
7922 N SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
OWOC,JACK A & VICKI J
5124 S UNIVERSITY DR
DAVIE FL 33328-4504

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
PARKER,ANDREW A
7921 S SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
PEARSON,DORIS M
1000 SW 12TH ST APT 107
FORT LAUDERDALE FL 33315-1359

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
PEREZ,JOSE R
4934 S UNIVERSITY DR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
POINCIANA'S SOUTHWOOD INC
% MIELE BROTHERS MANAGEMENT
INC
2421 SW 127 AVE
DAVIE FL 33325

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
POLLARD,S L & VICKI SPOFFORD
5100 S UNIVERSITY DR
DAVIE FL 33328-4504

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
POY-WING,CELINA
4841 SW 76TH AVE
DAVIE FL 33328-3805

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
POY-WING,CELINA REV TR
4821 SW 76TH AVE
DAVIE FL 33328-3805

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
POZNANSKI,ISAAC
2546 N 38 AVE
HOLLYWOOD FL 33021

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
QIXIAOHONG &
SUN,YAN LI
5092 S UNIVERSITY DR UNIT 5092
DAVIE FL 33328-4511

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
QUALITY ESTATE HOMES LLC
6790 NW 83 TER
PARKLAND FL 33067

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
RAGUSA,SALVATORE &
RAGUSA,ARELIA CORONA DE
7953 N SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
REARICK,PILAR
1201 S OCEAN DR #1001 SOUTH
HOLLYWOOD FL 33019

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
REED,HJ
4940 S UNIVERSITY DR
DAVIE FL 33328-3824

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
ROBINSON,DEBBIE K
5180 S UNIVERSITY DR
DAVIE FL 33328-4514

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
ROGA,APRIL DAWN
5176 S UNIVERSITY DR
DAVIE FL 33328-4514

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
ROJAS,RAFAEL & NURIA
5060 S UNIVERSITY DR
DAVIE FL 33328-4510

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
ROMANO,DANIEL & MICHELE C
5082 S UNIVERSITY DR
DAVIE FL 33328-4511

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
ROMERO,JUAN CARLOS 1/2 INT
ROMERO,JUAN & AURORA
5080 S UNIVERSITY DR
DAVIE FL 33328-4511

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
ROSS,RICHARD &
LINCOLN,JUDY & LINCOLN,DENNIS
7690 SW 78 AVE
DANIA FL 33314

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
ROTHENBERGER,EUGENE R
34 E PHILADELPHIA AVE
BOYERTOWN PA 19512

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
SABOL,LYNNETT P
7750 S SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
SACCULLO,JAMES & LENORE
4611 S UNIVERSITY DR PMB 443
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
SACCULLO,JAMES & LENORE
4800 SW 76 CT
DAVIE FL 33328-3806

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
SADDLE UP TOWNHOMES ASSN INC
% BEDZOW KORN KAN & GLASER PA
11077 BISCAYNE BLVD PH SUITE
MIAMI FL 33161

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
SAFI,NEZAMODEEN
5100 SW 76 AVE
DAVIE FL 33328-4604

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
SANTUCCIO,FRANK & LINDA E
5030 S UNIVERSITY DR
DAVIE FL 33328-4509

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
SCARBROUGH,DANA
5002 S UNIVERSITY DR
DAVIE FL 33328-4502

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
SCHICK,MARIE PENELOPE REV LIV TR
4901 SW 73 AVE
DAVIE FL 33314

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
SCOTT,CHRISTOPHER H
4640 SW 78TH AVE
DAVIE FL 33328-3825

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
SIMS,STEPHEN C & BARBARA H
1681 NW 99TH AVE
FORT LAUDERDALE FL 33322-4253

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
SIMS,STEPHEN CHARLES &
BARBARA
4721 SW 78TH AVE
DAVIE FL 33328-3815

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
SKYDELL,JEFFREY &
FONDEUR,JOSEPH
5060 SW 76TH AVE
DAVIE FL 33328-4602

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
SMITH,PAUL M
5056 S UNIVERSITY DR
DAVIE FL 33328-4510

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
SMITH,STEPHEN M & DEBBIE L
5084 S UNIVERSITY DR
DAVIE FL 33328-4511

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
SOSTIZZO,MARIO & SUZI R
7720 S SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
SOSTIZZO,SUZI ROTH
7720 S SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
SPIVAK,MERRILL M & PHYLLIS
4975 SW 76 AVE
DAVIE FL 33328-3807

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
STATE OF FLORIDA DOT
3400 W COMMERCIAL BLVD
FT LAUDERDALE FL 33309-3421

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
STONE,KATHRYN A
5004 S UNIVERSITY DR
DAVIE FL 33328-4502

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
SUAREZ,GEORGE E & ANNE E
7753 N SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
SUSI,CANDEE C
SUSI,CRISTEE C
7952 N SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
SUTTON,ELLIOTT & SUTTON,IRVING
% ECKERD REAL EST DEPT #2034-R
PO BOX 4689
CLEARWATER FL 33758

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
SYLVAIN,PROSPER &
JOSEPH,NICOLE
10709 N PRESERVE WAY #104
HOLLYWOOD FL 33025

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
TAGHIKHANI,MAJID
MANSHADI,MASOUMEH D
7833 N SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
THE PRUDENTIAL INSURANCE
COMPANY OF AMERICA
2 RAVINIA DR STE 1400
ATLANTA GA 30346

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
THORPE,RICKY V
7832 N SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
TORRES,RAFAEL & CARMEN
5192 S UNIVERSITY DR
DAVIE FL 33328-4514

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
TRANSAMERICAN LAND CORP
ATTN: ACCOUNTING DEPT
2665 S BAYSHORE DR #1002
MIAMI FL 33133

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
TSE,KA MING & ADA
5071 E MADISON LAKES CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
TUCKER,EILEEN
5054 S UNIVERSITY DR
DAVIE FL 33328-4509

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
UNIVERSITY OFFICE CENTER LLC
3006 AVIATION AVE SUITE 2-A
COCONUT GROVE FL 33133

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
VAN BALEN-ORTEGA,SUSANNE
5068 S UNIVERSITY DR
DAVIE FL 33328-4510

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
VAN HISE,AMY B
5150 S UNIVERSITY DR
DAVIE FL 33328-4513

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
VASSILOPOULOS,JOHN-PAUL
5048 S UNIVERSITY DR
DAVIE FL 33328-4509

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
VISWANATHAN,PADMA 1/2 INT
VISWANATHAN,ANANAGUR
5182 S UNIVERSITY DR
DAVIE FL 33328-4514

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
WANG,HSIN-CHIH HSU
5096 S UNIVERSITY DR
DAVIE FL 33328-4511

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
WANSE, DANIELLE
5174 S UNIVERSITY DR
DAVIE FL 33328-4514

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
WEBB NURSERY INC
4640 SW 78TH AVE
DAVIE FL 33328-3825

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
WHEELER,CHRISTINE D
7920 S SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
YABLON,NORMAN & JUDITH C
5066 S UNIVERSITY DR
DAVIE FL 33328-4510

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
YOUNG,KAREN G
5020 S UNIVERSITY DR
DAVIE FL 33328-4502

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
ZELL,STEPHANIE ANN
7863 N SOUTHWOOD CIR
DAVIE FL 33328

**CITIZEN PARTICIPATION NOTICE
GREAT FLORIDA BANK CENTER
REZONING, COMMERCIAL FLEX ALLOCATION, VACATION AND SITE PLAN
4700 – 4900 SW 78TH AVENUE**

The property owner of the 4.7-acre parcel located on the east side of University Drive and west side of SW 78th Avenue, depicted on the attached sketch, has submitted an application to the Town of Davie for site plan approval to construct 51,000 square feet of retail-office-business use in a two-story building on the site.

In conjunction with the site plan request, applications have been submitted to rezone 2.6 acres of the site from A-1 Agricultural District to B-2 Community Business District with an allocation of commercial flexibility acreage to support the development. A request to vacate the southernmost terminus of SW 78th Avenue which splits the site has also been submitted as well as a boundary plat. The easternmost portion of the site is proposed to retain the current A-1 zoning. (see attached graphic)

Consistent with the Town code, the owner/applicant has scheduled two public participation meetings to present the proposed project to vicinity property owners, listen to comments and respond to questions.

As a property owner within 1,000 feet of the subject property, you are invited to attend the public meetings scheduled for this application. The conceptual site plan will be presented at the August 22nd meeting with a follow-up meeting scheduled for August 31st. These meetings will be held at the Davie Town Hall in the Community Room:

*August 22, 2006 @ 6:00 p.m. Davie Town Hall Community Room
6591 Orange Drive*

*August 31, 2006 @ 6:00 p.m. Davie Town Hall Community
Room 6591 Orange Drive*

Should you require additional information or have any questions regarding this meeting, please contact Linda Strutt at (954) 426-4305.

Members of the Davie Town Council May be Present

Exhibit 8 (Public Participation Sign-in Sheet)

800-000

GREAT FLORIDA BANK CENTER PUBLIC PARTICIPATION MEETING
AUGUST 22, 2006

NOTICED Y/N	NAME please note name as it appears on notice if different	ADDRESS (if different than on notice or no notice)	PHONE NUMBER (optional)	E-MAIL ADDRESS (optional)
1	Y BREZAK JUDITH	7781 S. SOUTHWOOD CIR		
2	Y <i>[Handwritten Name]</i>	7692 North Southwood Cir DAVIE FL 33328	954 689-0557	
3	Y Scott McShane			
4	Y <i>[Handwritten Name]</i>		954-783-724	
5				
6				
7				
8				
9				
10				

GREAT FLORIDA BANK CENTER PUBLIC PARTICIPATION MEETING
 AUGUST 31, 2006

NOTICED Y/N	NAME Please note name as it appears on notice if different	ADDRESS (if different than on notice or no notice)	PHONE NUMBER (optional)	E-MAIL ADDRESS (optional)
1	Robert Kellner	5118 S. University Dr.	(954) 386-6448	
2	Anthony Causefield	5004 S. University Dr		
3	Maurice Truitt			
4				
5				
6				
7				
8				
9				
10				

Exhibit 9 (Public Participation Report)

**Citizen Participation Report
Great Florida Bank
Site Plan, Flex and Rezoning Applications**

1. A written summary of the results of the citizen participation effort prior to the first public meeting in which the application was heard.

The applicant notified by mail all property owners within 1,000 feet of the site of the scheduled public participation meetings by mail, as required by the Town Code. In addition to the two noticed meetings indicated herein, the applicant, at the invitation of the homeowners, attended the Homeowners Association meeting for the adjacent residential project on October 19, 2006 to discuss the proposed project.

2. Dates and locations of all meetings where citizens were invited to discuss the applicant's proposal.

August 22, 2006 @ 6:00 p.m. Davie Town Hall Community Room
6591 Orange Drive

August 31, 2006 @ 6:00 p.m. Davie Town Hall Community Room
6591 Orange Drive

October 19, 2006 @ 7:00 p.m. Southwood Homeowners Association

3. The names, dates and addresses, and number of people that participated in the process.

A total of 8 individuals, including the Mayor and the Zoning Board Vice-Chair, attended the two public participation meetings.

August 22nd Meeting (5):

Judith Bezark	7781 South Southwood Circle
Phyllis and Merrill Spivak	4975 SW 76 Avenue
Scott McShane	7692 North Southwood Circle
Scott McLaughlin	5016 South University Drive

August 31st Meeting: (3)

Robert Kellner	5118 South University Drive
Anthony Caulfield	5004 South University Drive
Mayor Tom Truex	

4. A written summary of the issues and/or concerns raised by residents and how the applicant proposes to resolve these issues and/or concerns. If the applicant is unable or unwilling to resolve the issues, the summary should state the reason why these issues cannot be resolved.

The meetings opened with the presentation of the proposed site plan by the project architect for the 4.7-acre mixed-use commercial/retail-office project on the east side of University Drive just south of Griffin Road.

During both public meetings, questions regarding the proposed plan were entertained. The primary concerns expressed by the residents of Southwood, the residential development to the south, were the shared access to University Drive and screening of the project from the residences. The issues raised by residents at the meetings specific to the project are grouped into categories below with the applicant's response in italics.

Access

The primary concern expressed by the Southwood residents was the sharing of the driveway connection to University Drive with the Southwood development located within a recorded joint access easement south of the site. The design of the entry and the possibility of pursuing alternative access was further discussed at the HOA meeting.

Two other residents who attended the second meeting were concerned that access to SW 78th Avenue not impact residences.

Applicant response:

The original site plan proposed two direct access points to University Drive, both north of the Southwood access drive. In the pre-application meeting with FDOT, the developer was informed that the project would be required to utilize the existing joint access easement currently used by Southwood. In view of the Southwood residents' concern, the developer worked with the Town and FDOT to secure approval for a connection of SW 48th Street to University Drive as well as a direct connection for the project to University Drive. A follow-up meeting was held with FDOT on December 2, 2006 at which a variance application was suggested for the separate access point. The variance application was presented to FDOT with the support of the Southwood HOA on January 4, 2007 (see attached HOA letter).

FDOT ultimately approved direct access into the subject site, with right turns in and out and left turns out, as well as the SW 48th Street connection. The project will not be using the joint access easement to the south and has agreed to construct a wall along the entire southern boundary. The applicant has also agreed to construct two deceleration lanes along the Great Florida Bank Center

University Drive frontage, one at the project entrance and one at the new SW 48th Street connection. The applicant is working with the Town and the CBWCD on the design of SW 48th Street.

The property included in this development currently has several access points on SW 78th Avenue. The developer is proposing to reduce this to one, secondary, access point.

Buffering

A few residents in the two developments to the south and southeast expressed a desire for screening of the commercial building from the southern residences. The property owner immediately east of the site expressed concern over her horses because of a lack of fencing separating her property from the subject project. In the follow-up discussions at the Southwood Homeowners Association meeting, the residents asked that the existing fence on the adjacent property and the intervening vegetation be removed and replaced with an 8-foot wall along the property line adjacent to the townhomes.

Applicant response:

The proposed development was designed to maximize the physical separation and visual screening of the commercial structure from the adjacent residential developments. The building has been placed as far away as possible from the residential development oriented toward University Drive, The easternmost portion is reserved for a landscaped retention area. The developer has agreed to ensure that no structures are placed on this portion of the site by placing a restriction on the plat.

The developer has agreed to include on the site plan an 8' wall along the southern property boundary shared with the townhomes, with a vine planted on the exterior and additional landscaping on the interior west of the retention area. The developer has also committed to constructing a wall along the eastern boundary of the retention area adjacent to the property with the horses and to continue a wall on that property to protect the horses.

Zoning

Two residents questioned whether the requested change of zoning to B-3 would encourage the commercialization of the area east of SW 78th Avenue. Residents were also interested in the types of uses proposed and there was a specific request that consideration be given to a neighborhood restaurant.

Applicant response:

The applicant has designed the project to place the retention area east of SW 78th Avenue and is voluntarily agreeing not to construct commercial structures on the parcel east of SW 78th Avenue. The applicant has also agreed to construct a

wall along the property's boundary shared with residential development. The site design and the new primary access serve to orient this project toward University Drive and the commercial development to the north.

Other

Two residents expressed concern about the cats that had been left behind in the house on site.

Applicant response:

The developer agreed to delay the proposed demolition and assist them in having the cats neutered and relocated over a period of several months. This has been accomplished and the house has been demolished.

Exhibit 10 (Future Land Use Map)

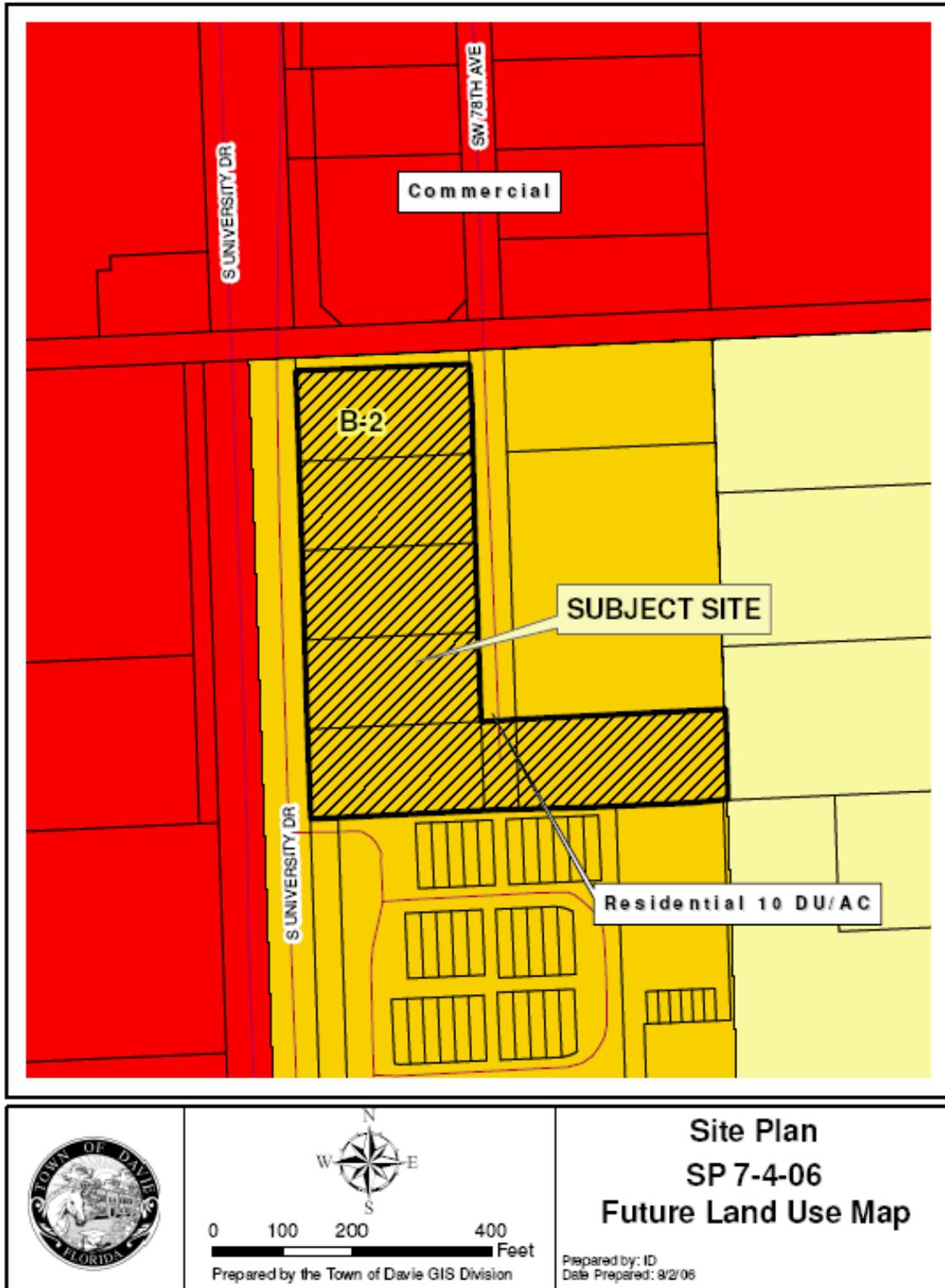


Exhibit 11 (Aerial, Zoning, and Subject Site Map)



**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, Acting Deputy Planning and Zoning Manager

SUBJECT: Quasi Judicial Hearing, Variance Application: V 11-1-06/06-93/Great Florida Bank Center/Generally located between University Drive and Southwest 78th Avenue, south of proposed Southwest 48th Street.

AFFECTED DISTRICT: District 2

ITEM REQUEST: **Schedule for Council Meeting**

TITLE OF AGENDA ITEM: Variance Application: V 11-1-06/06-93/Great Florida Bank Center

REPORT IN BRIEF:

The petitioner is requesting a variance from Section 12-107 (D) (3) of the Land Development Code, which requires a 30' landscape buffer (within the subject site) adjacent to University Drive. This landscape buffer would be required within the subject site adjacent to the western boundary line. In lieu of this code requirement, the petitioner is proposing to plant landscaping material within twenty (20) feet of University Drive right-of-way and ten (10) feet within the subject site, totaling thirty (30) feet. This variance request is in conjunction with development applications relating to the proposed mixed-use project (Great Florida Bank Center). The intent of this code requirement is to provide standards for placement of plant materials to minimize the potential adverse impacts associated with adjacent uses.

PREVIOUS ACTIONS: n/a

CONCURRENCES:

At the June 13, 2007 Planning and Zoning Board Meeting, Vice-Chair Stevens made a motion, seconded by Ms. Turin, to approve. **(Motion carried 4-0, Mr. Pignato was absent)**

FISCAL IMPACT: not applicable

Has request been budgeted? n/a

RECOMMENDATION(S):

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

7. Contingent upon approval of the following development applications:
 - a. Rezoning Application (*ZB 7-3-06*), *Great Florida Bank Center*
 - b. Site Plan Application (*SP 7-4-06*), *Great Florida Bank Center*
 - c. Vacation Application (*VA 7-2-06*), *Great Florida Bank Center*
 - d. Flex Application (*FX 7-1-06*), *Great Florida Bank Center*
 - e. Plat Application (*P 7-1-06*), *Great Florida Bank Center*

Attachment(s): Planning Report

Exhibit "A"

Application: V 11-1-06/06-93/Great Florida Bank Center

Original Report Date: 6/4/07

Revision(s): 7/2/07

TOWN OF DAVIE

Development Services Department

Planning & Zoning Division

Staff Report and Recommendation

Applicant Information

Owner:

Name: Frank Amedia, Pelican Shops at Davie

Address: 7600 Red Road, Suite 300

City: Miami, Florida 33143

Phone: (786) 268-1349

Petitioner:

Name: John Barranco, Barranco Gonzalez Architecture Design Studios

Address: 3201 Griffin Road, Suite 202

City: Fort Lauderdale, Florida 33312

Phone: (954) 961-7675

Background Information

Date of Notification: June, 2007 **Number of Notifications:** 183

Petitioner's Request: Variance **FROM:** Section 12-107(D)(5)(a) of the Land Development Code, Landscaping standards for lots and sites, Commercial and Industrial Districts, Required landscape buffer and street trees adjacent to existing public rights-of-way for industrial and commercial districts, requiring a 30' landscape buffer (within the subject site) along University Drive that runs adjacent to the western boundary line of the property. **TO:** a 10' landscape buffer (within the subject site) along University Drive that runs adjacent to the western boundary line of the property.

Address: 4700-4900 Southwest 78th Avenue

Location: Generally located between University Drive and Southwest 78th Avenue, south of proposed Southwest 48th Street

Future Land

Use Plan Map: Residential 10 DU/Acre

Existing Zoning(s): A-1, Agricultural District/B-2, Community Business District

Proposed Zoning(s): A-1, Agricultural District/B-2, Community Business District

Existing Use(s): Vacant (abandon nursery)

Parcel Size: 4.06 net acres (177,760 sq. ft.)

Proposed Use(s): Two-story mixed-use development

Surrounding Use(s):

North: Baers
South: Poinciana Southwood
East: Vacant

West: The Atrium Center

Surrounding Land

Use Plan Map Designation(s):

Commercial
Residential 10 DU/Acre
Residential 1 DU/Acre
Residential 10 DU/Acre
Commercial

Surrounding Zoning(s):

North: A-1, Agricultural District/Griffin Corridor District (University Drive Node)
South: RM-10, Medium Dwelling District/RC-8, Residential Cluster
East: A-1, Agricultural District
West: B-3, Planned Business Center

Zoning History

Related zoning history:

Records indicate that the existing Future Land Use Plan Map designation and Zoning classification were in place at the time of annexation.

Previous requests on same property: n/a

Concurrent Request(s) on same property:

Rezoning Application (ZB 7-3-06), the petitioner requests approval to rezone the proposed commercial portion of the “Great Florida Bank Center” project from A-1, Agricultural District to B-2, Community Business District.

Site Plan Application (SP 7-4-06), the petitioner requests approval site plan approval for a mixed-use project consisting of a two-story retail/office building

Plat Application (P 7-1-06), the petitioner requests approval of the proposed boundary plat known as “Great Florida Bank Center” plat.

Vacation Application (VA 7-2-06), the petitioner requests approval to vacate the southern most portion of Southwest 78th Avenue right-of-way and dedicate it to the proposed “Great Florida Bank Center” plat.

Flex Application (FX 7-1-06), the petitioner requests approval to add commercial flex to the proposed “Great Florida Bank Center” project.

Applicable Codes and Ordinances

The effective Code of Ordinances governing this project is the Town of Davie Land Development Code.

Land Development Code (Section 12-305), Rezonings, Special Permits, Variances, and Vacations or Abandonments of Rights-of-Way. The purpose of this division is to guide the processing and granting of rezonings, special permits, variances and vacations or abandonments of rights-of-way in a manner consistent with the Town of Davie Comprehensive Plan, existing development and in a manner which protects the public health, safety and welfare.

Land Development Code (Section 12-24 (J) (1)), Community Business (B-2) District. The B-2 District is intended to implement the commercial designation of the Town of Davie Comprehensive Plan by providing for a business area to service the shopping and limited service needs of several neighborhoods or the local community. Retail stores are intended to include convenience, fashion and durable goods.

Land Development Code (Section 12-107(D)(5)(a)), Required landscape buffer and street trees adjacent to existing public rights-of-way for industrial and commercial districts. University Drive and State Road 84 shall be thirty (30) feet wide.

Comprehensive Plan Considerations

Planning Area:

The subject property falls within Planning Area 10. This Planning Area is generally located north of Stirling Road, south of Griffin Road, east of Pine Island Road, and west of SW 76 Avenue. Pine Island Road, a major north/south arterial, on the western limits of this planning area provides through access from Griffin Road to Stirling Road. Commercial development of retail centers and office buildings line the University Drive corridor. The east side of this corridor is predominantly small-scale commercial development, with multi-family residential development (one existing, one proposed) and plant nurseries on the northern half of the corridor, and commerce park development and cattle grazing on commerce park-zoned lands on the southern half. Commercial development also exists along Griffin Road within this planning area. Several small-scale single-family residential communities, two trailer parks totaling approximately 30 acres in area, and an 8-acre industrial park are located within this planning area, together with six parcels zoned for community facilities uses. These include, but are not limited to, a regional library, multiple church uses varying scales, a Girl Scout campground facility, and a private school.

Broward County Land Use Plan:

The subject site falls within Flexibility Zone 102.

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

The petitioner is requesting a variance from Section 12-107 (D) (3) of the Land Development Code, which requires a 30' landscape buffer (within the subject site) adjacent to University Drive. This landscape buffer would be required within the subject site adjacent to the western boundary line. In lieu of this code requirement, the petitioner is proposing to plant landscaping material within twenty (20) feet of University Drive right-of-way and ten (10) feet within the subject site, totaling thirty (30) feet.

Staff Analysis

This variance request is in conjunction with development applications relating to the proposed mixed-use project (Great Florida Bank Center). The intent of this code requirement is to provide standards for placement of plant materials to minimize the potential adverse impacts associated with adjacent uses. On August 4, 2004, Town Council approved a variance to reduce the required thirty (30) foot landscape buffer along University Drive to range from 5'4" - 10' wide for Master Site Plan Application (MSP 2-1-04 Target).

The following information is staff's analysis based on the criteria established in the Town of Davie's, Land Development Code, Section 12-309(B)(1) for variance applications:

- (a) There are no special circumstances or conditions applying to the land or building for which the variance is sought;

The subject site can be designed to incorporate a thirty (30) foot landscape buffer along the western boundary line adjacent to University Drive as required by the Town of Davie Land Development Code. However, based on the existing depth of the subject site (247') and other code requirements (setbacks, parking, drive isles, etc.), the design of the subject site is limited.

which circumstances or conditions are not peculiar to such land or building and do apply generally to land or buildings in the same district;

A thirty (30) foot landscape buffer (within subject sites) is required by the Town of Davie Land Development Code and applies to all properties adjacent to University Drive.

and that said circumstances or conditions are not such that the strict application of the provisions of this chapter would not deprive the application of the reasonable use of such land or building for which the variances are sought;

The parcels can be reasonably used without a variance to decrease the required landscape buffer width from thirty (30) to ten (10) feet on the subject site. However, based on the existing size of the subject site and other code requirements, the design of the site is limited.

and that alleged hardship is self-created by any person having an interest in the property.

The need for a variance is created by the petitioner's desire to increase the useable area within the subject site that would be otherwise consumed by the thirty (30) foot landscape buffer requirement.

- (b) The granting of the variance is not necessary for the reasonable use of the land or building and that the variance as requested is the minimum variance that will accomplish this purpose.

The subject site can be reasonably used with the required thirty (30) foot landscape buffer. However, the request is the minimum needed by the petitioner to develop the subject site as proposed.

- (c) Granting of the requested variances will be in harmony with the general purpose and intent of this chapter and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

The intent of the Land Development Code is to allow an interpretation to be made where there is a just balance between the rights of the landowner and all others who will be affected by that person's proposal. The granting of a variance to reduce required the landscape buffer adjacent to University Drive will not be detrimental to the adjacent properties. The petitioner is proposing a landscape buffer within the University Drive right-of-way and on the subject site that totals thirty (30) feet. Additionally, the petitioner has stated authorization has been received from FDOT to plant within University Drive right-of-way.

Staff Recommendation

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

1. Contingent upon approval of the following development applications:
 - a. Rezoning Application (ZB 7-3-06), *Great Florida Bank Center*
 - b. Site Plan Application (SP 7-4-06), *Great Florida Bank Center*
 - c. Vacation Application (VA 7-2-06), *Great Florida Bank Center*
 - d. Flex Application (FX 7-1-06), *Great Florida Bank Center*
 - e. Plat Application (P 7-1-06), *Great Florida Bank Center*

Planning and Zoning Board Recommendation

At the June 13, 2007 Planning and Zoning Board Meeting, Vice-Chair Stevens made a motion, seconded by Ms. Turin, to approve. **(Motion carried 4-0, Mr. Pignato was absent)**

Town Council Action

Exhibits

1. Justification Letter
2. 1,000' Mail out Radius Map
3. Property Owners within 1,000' of the Subject Site
4. Conceptual Site Plan
5. Future Land Use Plan Map
6. Aerial, Zoning, and Subject Site Map

Prepared by: _____

Reviewed by: _____

File Location: P&Z\Development Applications\Applications\V_Variance\V_06\V 11-1-06 Great Florida Bank Center

GREAT FLORIDA BANK

VARIANCE APPLICATION JUSTIFICATION STATEMENT

I. REASON FOR REQUEST.

The Petitioner, BG Architecture (“Petitioner”), proposes the development of a bank (“Project”) on the property located at 4741 S.W. 78th Avenue (“Property”), in the Town of Davie (“Town”). Petitioner seeks a variance from the requirements of Section 12-107(D)(5) of the Town’s Code of Ordinances (“Code”) which provides the landscape buffer requirements for commercial districts. In accordance with Section 12-107(D)(5) of the Code, the Petitioner is required to provide a 30’ landscape buffer (on the Property) along University Drive which runs adjacent to the western boundary of the Property. In order to provide a quality development on the Property, the Petitioner seeks a variance from the section of the Code referenced above.

The Florida Department of Transportation (“FDOT”) has requested that the Petitioner dedicate the western 40’ of the Property to FDOT to be utilized as right-of-way. As a result, the only way that the Petitioner will be able to provide the required 30’ landscape buffer along University Drive would be to utilize 20’ of the adjacent right-of-way and 10’ of the Property. As a result of FDOT’s request, the Petitioner is requesting to reduce the landscape buffer requirement, pursuant to Code Section 12-107(D)(5), from the required 30’ to 10’ on the Property. However, the Petitioner will provide the required 30’ landscape buffer between University Drive and the Property by utilizing 20’ of the adjacent right-of-way buffer and 10’ within the Property to meet the 30’ landscape buffer requirement pursuant to Code Section 12-107(D)(5).

Engineers for the Project met with FDOT to determine the feasibility of using 20’ of the dedicated western 40’ of the Property to fulfill the 30’ landscape buffer requirement along University Drive. FDOT concluded that they would permit the Petitioner to utilize the eastern 20’ of the 40’ dedication as a landscape buffer for University Drive. Therefore, the Petitioner would only be required to utilize the western 10’ of the Property to fulfill the 30’ landscape buffer pursuant to Code Section 12-107(D)(5).

Additionally, the distance between the eastern edge of the pavement on University Drive and the southern most point of the Property line (after the 40’ right-of-way dedication to FDOT) is approximately 50.6’ at a minimum (the distance increase as you travel north along the Property). Therefore, once the Petitioner utilizes the eastern 20’ of the 40’ FDOT dedication, approximately 30.6’ remains between where the landscape buffer ends and University Drive begins. As a result, if in the future University Drive is widened or altered, it would not affect the 30’ landscape buffer along the western edge of the Property. Moreover, even after subtracting the approximate 10’ for the sidewalk and gutter (along the eastern edge of University Drive), there is still approximately 20.6’ of additional right-of-way green area before you reach the 30’ landscape buffer.

II. CRITERIA FOR REVIEW OF VARIANCE APPLICATIONS.

In reviewing a variance application, Section 12-309 of the Town's Code states that the reviewing board shall consider the following factors, where applicable:

(1) There are special circumstances or conditions applying to the land for which the variance is sought, which circumstances or conditions are peculiar to such land or building and do not apply generally to land or buildings in the same district, and that said circumstances or conditions are such that the strict application of the provisions of this chapter would deprive the applicant of the reasonable use of such land or building for which the variance is sought, and that alleged hardship is not self-created by any person having an interest in the property.

As discussed above, FDOT is requesting that the Petitioner dedicate the western 40' of the Property to be utilized as a right-of-way. Given the size of the Property, it would not be feasible to develop the Property, dedicate the western 40' of the Property to FDOT and maintain a 30' landscape buffer along the Property's western property boundary. Additionally, the Petitioner is not requesting to reduce the required 30' landscape buffer along University Drive, the Petitioner is merely requesting to utilize 20' of the adjacent right-of-way to meet the 30' landscape buffer requirement (which has been approved by FDOT). Do to the fact that this particular Property is subject to a 40' right-of-way dedication, providing the 30' landscape buffer is not practicable. This right-of-way dedication is particular to this certain Property, and other lands and buildings in the same district would not typically have such a dedication in the exact same location, prohibiting compliance with the 30' landscape buffer requirement on the Property. Strict application of the provisions of the Code would deprive the Property owner of the reasonable use of the Property equivalent to the use made in neighboring lands, buildings or structures in the same district given the fact that hardship created by the 40' FDOT right-of-way dedication was not created by any person having an interest in the Property.

(2) The granting of the variance is necessary for the reasonable use of the land or building and that the variance as requested is the minimum variance that will accomplish this purpose.

As discussed above, the size and dimensions of the Property make it virtually impossible for the Petitioner to provide the entire 30' landscape buffer on the Property. Additionally, the 40' FDOT right-of-way dedication leaves only 10' of the western Property boundary to landscape. Therefore, the Petitioner is requesting the minimum variance of a 20' landscape buffer reduction within the Property boundary in order to accommodate FDOT's dedication request; however, the petitioner has negotiated an agreement with FDOT to utilize the eastern 20' of the 40' right-of-way dedication. Therefore, even if the requested variance is granted, the Petitioner will still provide the required 30' landscape buffer utilizing 20' of the adjacent FDOT right-of-way and the remaining 10' from the Property.

(3) That granting the variance will be in harmony with the general purpose and intent of this chapter and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

The granting of the requested variance will be in harmony with the general purpose and intent of the Code and will not be injurious to the neighborhood or otherwise detrimental to the public welfare. As discussed above, the Petitioner is providing the required 30' landscape buffer between the Property and University Drive. No other property owners will be affected by the granting of this variance. The

Property will be sufficiently buffered from University Drive in harmony with, and per the same dimensions as required by Code.

Exhibit 2 (1,000' Mail out Radius Map)

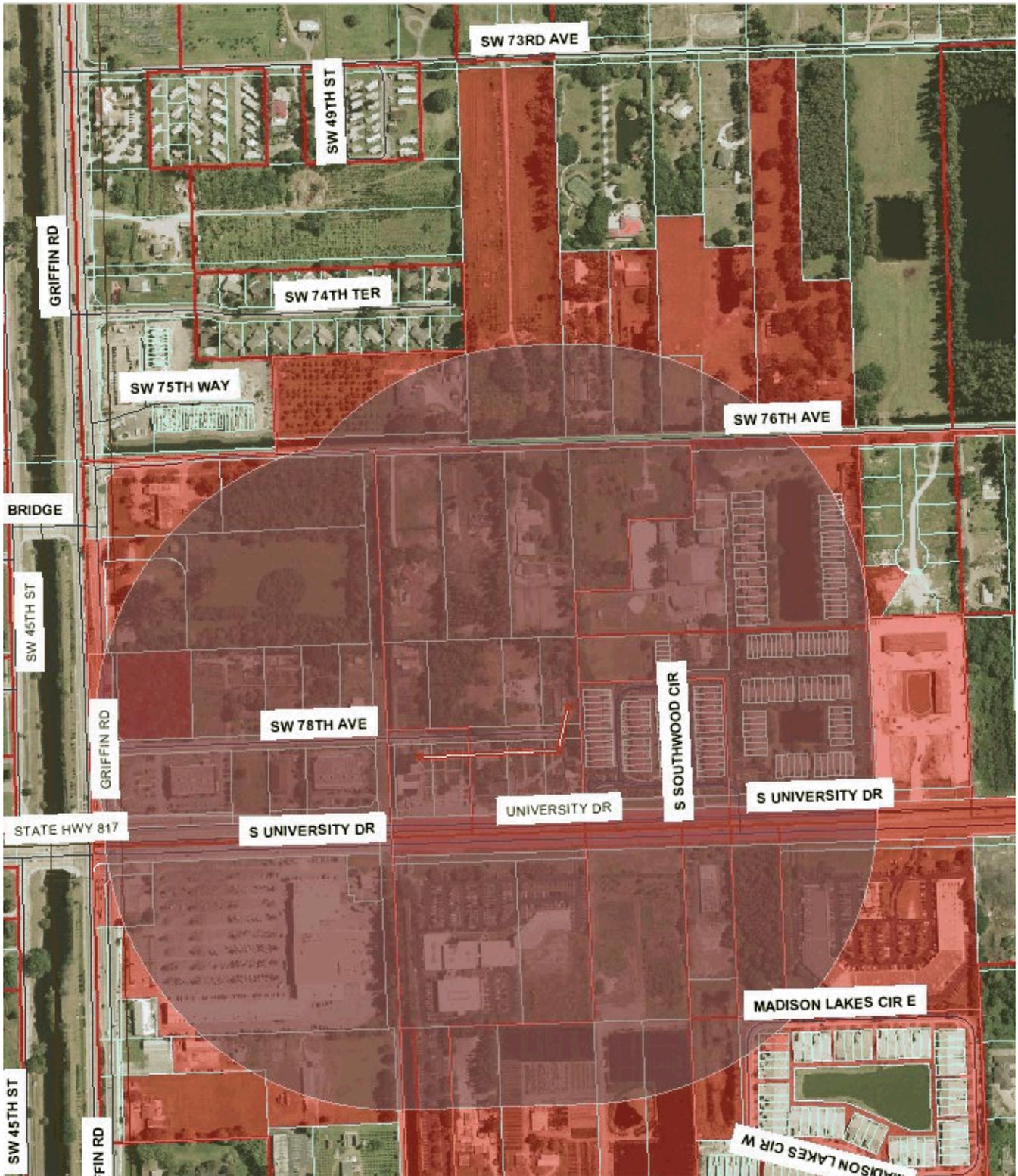


Exhibit 3 (Property Owners within 1,000' of Subject Site)

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
ACEVEDO,ANGEL
ACEVEDO,IRIS H
7890 S SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
ALAMO PETROLEUM
CONTRACTORS INC
4620 SW 76TH AVE
DAVIE FL 33328-3802

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
ALTMAN,STEVEN
5038 S UNIVERSITY DR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
ANCONETANI,GRISSELDA
ANCONETANI,LAURA G
5094 S UNIVERSITY DR
DAVIE FL 33328-4511

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
ATRIUM CENTRE LLC
5301 N FEDERAL HWY STE 190
BOCA RATON FL 33487

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
BAERS FURNITURE CO INC
1589 NW 12TH AVE
POMPANO BEACH FL 33069-1730

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
BANOUB,KAMAL N
BANOUB,TAMER K
14354 STAMFORD CIR
ORLANDO FL 32826

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
BECRAFT,BRENT E
7782 N SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
BIRNBAUM,MARIE A
294 BLACKHEATH ROAD
LONG BEACH NY 11561

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
BOISVERT,COLETTE E
5032 S UNIVERSITY DR
DAVIE FL 33328-4509

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
ADAMS,BETH A
5166 S UNIVERSITY DR
DAVIE FL 33328-4513

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
ALBERTI,STEPHEN PATRICK
5154 S UNIVERSITY DR
DAVIE FL 33328-4513

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
ALVARADO,JORGE I
5186 S UNIVERSITY DR
DAVIE FL 33328-4514

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
ANGEL,PETER N
5152 S UNIVERSITY DR
DAVIE FL 33328-4513

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
AVEILLE,RANDY & TONYA BELL
5052 S UNIVERSITY DR
DAVIE FL 33328-4509

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
BAILEY,VICTORIA ELIZABETH &
CLARKE,JEREMIAH
3104 WEBSTER ST
MOUNT RAINIER MD 20712

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
BARRON,JAMES K
BARRON,LILLIAN M
8541 SW 30 ST
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
BELL,STEPHANIE C
5076 S UNIVERSITY DR
DAVIE FL 33328-4510

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
BLACKFORD,STEVEN B
5000 S UNIVERSITY DR
DAVIE FL 33328-4502

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
BONGIRNE,PATRICE
5144 S UNIVERSITY DR
DAVIE FL 33328-4512

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
ADRIAN-BUTLER,PATRICIA E
5136 S UNIVERSITY DR
DAVIE FL 33328-4512

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
ALCOVER,E A & SUSAN J
4800 SW 82ND AVE
DAVIE FL 33328-4406

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
AMRICH,JOANNE L
5064 S UNIVERSITY DR
DAVIE FL 33328-4510

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
AREBALO,ALBERTO F & CHERYL L
5028 S UNIVERSITY DR
DAVIE FL 33328-4502

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
B & R DEVELOPMENT I LLC
3649 SPANISH OAK POINT
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
BALL,THEODORE M II
5012 S UNIVERSITY DR
DAVIE FL 33328-4502

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
BATISTA,HAROLD J
7892 N SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
BERRIGAN,NANCY
7951 S SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
BLAKLEY,BARBARA MARIE
BLAKLEY,ROBIN MARIE
5188 S UNIVERSITY DR
DAVIE FL 33328-4514

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
BORRAS,HOLLY S
5086 S UNIVERSITY DR
DAVIE FL 33328-4511

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
BRANTLEY,BILLY & ALISON
5088 S UNIVERSITY DR
DAVIE FL 33328-4511

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
BRITO,IRMY
4938 S UNIVERSITY DR
DAVIE FL 33328-3824

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
CAPDEVILLE,LARRY
5010 S UNIVERSITY DR
DAVIE FL 33328-4502

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
CHU,JACKIE SIU LUN
5090 S UNIVERSITY DR
DAVIE FL 33328-4511

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
CIMINO-STANFORD,ANNA THERESE
7780 S SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
COHEN,LAURA A
5018 S UNIVERSITY DR
DAVIE FL 33328-4502

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
COHN,ADAM D
7831 S SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
COTTOM,MICHAEL V & YOMARIE
7891 S SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
CRAIN,DAVID A & SANDRA W
5036 S UNIVERSITY DR
DAVIE FL 33328-4509

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
CROWLEY,MICHAEL T &
CATHERINE
5106 S UNIVERSITY DR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
CUTIER,LAURIE K
9421 SW 49 ST
COOPER CITY FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
DE LA CRUZ,ROLANDO
7950 S SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
DE NOBRIGA,LANCEWORTH &
MYRNA
5006 S UNIVERSITY DR
DAVIE FL 33328-4502

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
DEEHAN,ANDREW W
5138 S UNIVERSITY DR
DAVIE FL 33328-4512

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
DEJACOMO,GEORGE M & DENISE
4936 S UNIVERSITY DR
DAVIE FL 33328-3824

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
D'ERRICO,DINO
WARD,MELISSA
5132 S UNIVERSITY DR BLDG 2
DAVIE FL 33328-4504

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
DJL GRIT LIMITED PARTNERSHIP
5241 PENNOCK POINT ROAD
JUPITER FL 33458-3409

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
DORSEY,TODD W
5148 S UNIVERSITY DR
DAVIE FL 33328-4513

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
DOUBERLEY,JOSEPH & LUCY
5078 S UNIVERSITY DR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
ENGELMANN,ANDREW V
ENGELMANN,LEONILA A
7603 N SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
ERDELYL,SCOTT
5026 S UNIVERSITY DR
DAVIE FL 33328-4502

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
EVANS,NICOLE V
2351 NW 33 ST # 515
FT LAUDERDALE FL 33309

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
FINAZZO,MICHAEL A TR
FINAZZO,A M TR,FINAZZO,J S TR
8858 BLOOMFIELD BLVD
SARASOTA FL 34238

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
FIRST UNION NATL BANK FL TR
DOROTHY B WEBB REV TR
PO BOX 40062-KELLEY REYNOLDS
JACKSONVILLE FL 32203-0062

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
FLR COMPANY LLC
350 S OCEAN BLVD #10-B
BOCA RATON FL 33432

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
FRAGA,ANDRES & ADRIANA
5172 S UNIVERSITY DR
DAVIE FL 33328-4514

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
GAMBA,JESUS M
LEON,NELLY
7662 N SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
GAO,HANG
7923 N SOUTHWOOD CIR
FT LAUDERDALE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
GARCIA,SONIA E
7981 S SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
GENERETTE,ULYNN C 1/3 INT EA
GENERETTE,WILLIAM L
III,HARRIS,C
5024 S UNIVERSITY DR
DAVIE FL 33328-4502

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
GETEJANC, TODOR SR & MARIJA
7633 N SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
GLASSMAN, CHAD B
7781 S SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
GOLDSTEIN, ELIAS &
GOLDSTEIN, DEBORAH
4691 S UNIVERSITY DR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
GORE, MISTY
5184 S UNIVERSITY DR
DAVIE FL 33328-4514

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
GREEN, ALLAN B & GRETTEL C
5146 S UNIVERSITY DR
DAVIE FL 33328-4512

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
GUTIERREZ, LOUIS
7630 S SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
HARTLEB, ROBERT
8160 GRIFFIN RD
DAVIE FL 33328-3837

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
HATTEN, MELISSA A 1/2 INT
HATTEN, JAMES DANIEL
4932 S UNIVERSITY DR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
HEMPEL, CARLOS J 1/2 INT
HEMPEL, UTE
5040 S UNIVERSITY DR
DAVIE FL 33328-4509

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
HENNIG, ELIZABETH L &
OSBORNE, LUNEAL
4979 SW 91 AVE
COOPER CITY FL 33328-3519

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
HERNANDEZ, ISRAEL 1/2 INT EA
ROJAS, CARMEN
7723 N SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
HESLOP, ROBIN DAVID &
GLUECK, JUDITH A
5134 S UNIVERSITY DR
DAVIE FL 33328-4512

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
HOLCOMBE, KAREN H
5050 S UNIVERSITY DR
DAVIE FL 33328-4509

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
HOLTON, ELLINOR
5046 S UNIVERSITY DR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
HORNE, ANDREW & JEANNETTE
5116 S UNIVERSITY DR
DAVIE FL 33328-4504

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
HRUSECKY, PAUL & GEORGEANN
5140 S UNIVERSITY DR
DAVIE FL 33328-4512

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
HURTADO, SHEELA L
7661 S SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
IYER, DANPANI
IYER, PRASAD
5062 S UNIVERSITY DR
DAVIE FL 33328-4510

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
JOEL, TERRANCE A
7721 S SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
JONES, DARRELL E & MARTHA
JOANNE
7751 SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
JONES, MICHELLE
5178 S UNIVERSITY DR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
JONES, ROY C & MELINDA B
3818 LAUER LANE
DOVER PA 17315

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
KELLNER, ROBERT E
5118 S UNIVERSITY DR
DAVIE FL 33328-4504

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
KEYES, ROBERT JR
8100 MADISON LAKES CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
KO, MARY
KO, MICHAEL
5058 S UNIVERSITY DR
DAVIE FL 33328-4510

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
KOLB, NORMAN C
5130 S UNIVERSITY DR
DAVIE FL 33328-4504

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
LAPAGLIA, JERMEY & MORENA A
7663 N SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
LAUDERDALE, J A & V REV TR
5306 SW 76 AVE
DAVIE FL 33328-5404

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
LAUDERDALE, JOHN & VIRGINIA
970 W 53 TER
HIALEAH FL 33012

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
LAUDERDALE, VIRGINIA REV TR
5306 SW 76 AVE
DAVIE FL 33328-5404

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
LAWSON,CHRISTOPHER J & DEBRA J &
YOUNG,STEPHEN C
130 S BEL AIRE DR
PLANTATION FL 33317

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
LEE,ANTHONY
5170 S UNIVERSITY DR
DAVIE FL 33328-4514

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
LERIGER,JOAN M
5110 S UNIVERSITY DR
DAVIE FL 33328-4504

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
LETCHER,FRANK T & JOSEPHINE V
5014 S UNIVERSITY DR
DAVIE FL 33328-4502

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
LICARI,BARBARA L
5128 S UNIVERSITY DR
DAVIE FL 33328-4504

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
LICARI,VINCENT
5112 S UNIVERSITY DR
DAVIE FL 33328-4504

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
LOPEZ,KATHY M
5126 S UNIVERSITY DR
DAVIE FL 33328-4504

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
LOPEZ,WILLIAM
4700 SW 78 AVE
DAVIE FL 33328-3827

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
LORENTE,JAVIER A
OTERO,NAHOMMY GUZMAN
7752 N SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
MAC DONALD,SETH & ANDREA
200 BAYBERRY DR
PLANTATION FL 33317

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
MALTESE,HARRY GASPER
7893 N SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
MANNING,MICHAEL LOUIS
5022 S UNIVERSITY DR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
MARINO,KENNETH J
5070 SW 76TH AVE
DAVIE FL 33328-4602

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
MARLER,KATHY A
5034 S UNIVERSITY DR
DAVIE FL 33328-4509

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
MARQUES,LYDIA 1/2 INT EA
MARQUES,ALFREDO R
5074 UNIVERSITY DR
DAVIE FL 33328-4510

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
MARTI,CHARLES &
OROZCO,ANA MARIA
5122 S UNIVERSITY DR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
MAYO,CHRISTINA M TR
PO BOX 292256
PLANTATION FL 33329-2256

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
MC MULLEN,DONNA
7862 N SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
MCLAUGHLIN,SCOTT
5016 S UNIVERSITY DR
DAVIE FL 33328-4502

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
MC SHANE,SCOTT
7692 N SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
MILLER, LERA P
5042 S UNIVERSITY DR
DAVIE FL 33328-4509

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
MILLER,MELISSA M
5070 S UNIVERSITY DR
DAVIE FL 33328-4510

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
MILLER,RICHARD N
7722 N SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
MIZNOVA,IILIANA J
5072 S UNIVERSITY DR
DAVIE FL 33328-4510

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
MOBIL OIL CORP
PROPERTY TAX DIVISION
PO BOX 4973
HOUSTON TX 77210

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
MORRIS,BARBARA
5142 S UNIVERSITY DR
DAVIE FL 33328-4512

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
MOSBY,MARLENA
5102 S UNIVERSITY DR
DAVIE FL 33328-4504

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
MUNOZ,PORFIRIO D 1/2 INT
MUNOZ,MARISELA
7861 S SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
NABIZADEH,ARASTOO T & ZAHRA P
13930 MANDRIN OAKS
JACKSONVILLE FL 32223

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
NAUGHTON,JOSEPH
5162 S UNIVERSITY DR
DAVIE FL 33328-4513

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
NAUGLE NURSERY INC
5001 SW 82ND AVE
DAVIE FL 33328-4414

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
NELSON,D M & MARY M
2819 LORCOM LN
ARLINGTON VA 22207-4943

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
NGUYEN,HUNG &
TRAN,MUOI ETAL
7830 S SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
OJEDA,EILEEN
4930 S UNIVERSITY DR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
OSTRANDER,RUTH M
7625 GRIFFIN RD
DAVIE FL 33328-3816

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
OWEN,DEVON M 1/2 INT EA
JOHNSON,DEBRA E
7922 N SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
OWOC,JACK A & VICKI J
5124 S UNIVERSITY DR
DAVIE FL 33328-4504

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
PARKER,ANDREW A
7921 S SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
PEARSON,DORIS M
1000 SW 12TH ST APT 107
FORT LAUDERDALE FL 33315-1359

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
PEREZ,JOSE R
4934 S UNIVERSITY DR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
POINCIANA'S SOUTHWOOD INC
% MIELE BROTHERS MANAGEMENT
INC
2421 SW 127 AVE
DAVIE FL 33325

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
POLLARD,S L & VICKI SPOFFORD
5100 S UNIVERSITY DR
DAVIE FL 33328-4504

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
POY-WING,CELINA
4841 SW 76TH AVE
DAVIE FL 33328-3805

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
POY-WING,CELINA REV TR
4821 SW 76TH AVE
DAVIE FL 33328-3805

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
POZNANSKI,ISAAC
2546 N 38 AVE
HOLLYWOOD FL 33021

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
QI,XIAOHONG &
SUN,YAN LI
5092 S UNIVERSITY DR UNIT 5092
DAVIE FL 33328-4511

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
QUALITY ESTATE HOMES LLC
6790 NW 83 TER
PARKLAND FL 33067

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
RAGUSA,SALVATORE &
RAGUSA,ARELIA CORONA DE
7953 N SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
REARICK,PILAR
1201 S OCEAN DR #1001 SOUTH
HOLLYWOOD FL 33019

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
REED,HJ
4940 S UNIVERSITY DR
DAVIE FL 33328-3824

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
ROBINSON,DEBBIE K
5180 S UNIVERSITY DR
DAVIE FL 33328-4514

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
ROGA,APRIL DAWN
5176 S UNIVERSITY DR
DAVIE FL 33328-4514

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
ROJAS,RAPHAEL & NURIA
5060 S UNIVERSITY DR
DAVIE FL 33328-4510

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
ROMANO,DANIEL & MICHELE C
5082 S UNIVERSITY DR
DAVIE FL 33328-4511

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
ROMERO,JUAN CARLOS 1/2 INT
ROMERO,JUAN & AURORA
5080 S UNIVERSITY DR
DAVIE FL 33328-4511

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
ROSS,RICHARD &
LINCOLN,JUDY & LINCOLN,DENNIS
7690 SW 78 AVE
DANIA FL 33314

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
ROTHENBERGER,EUGENE R
34 E PHILADELPHIA AVE
BOYERTOWN PA 19512

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
SABOL,LYNNETT P
7750 S SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
SACCULLO,JAMES & LENORE
4611 S UNIVERSITY DR PMB 443
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
SACCULLO,JAMES & LENORE
4800 SW 76 CT
DAVIE FL 33328-3806

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
SADDLE UP TOWNHOMES ASSN INC
% BEDZOW KORN KAN & GLASER PA
11077 BISCAYNE BLVD PH SUITE
MIAMI FL 33161

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
SAFI,NEZAMODEEN
5100 SW 76 AVE
DAVIE FL 33328-4604

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
SANTUCCIO,FRANK & LINDA E
5030 S UNIVERSITY DR
DAVIE FL 33328-4509

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
SCARBROUGH,DANA
5002 S UNIVERSITY DR
DAVIE FL 33328-4502

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
SCHICK,MARIE PENELOPE REV LIV TR
4901 SW 73 AVE
DAVIE FL 33314

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
SCOTT,CHRISTOPHER H
4640 SW 78TH AVE
DAVIE FL 33328-3825

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
SIMS,STEPHEN C & BARBARA H
1681 NW 99TH AVE
FORT LAUDERDALE FL 33322-4253

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
SIMS,STEPHEN CHARLES &
BARBARA
4721 SW 78TH AVE
DAVIE FL 33328-3815

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
SKYDELL,JEFFREY &
FONDEUR,JOSEPH
5060 SW 76TH AVE
DAVIE FL 33328-4602

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
SMITH,PAUL M
5056 S UNIVERSITY DR
DAVIE FL 33328-4510

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
SMITH,STEPHEN M & DEBBIE L
5084 S UNIVERSITY DR
DAVIE FL 33328-4511

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
SOSTIZZO,MARIO & SUZI R
7720 S SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
SOSTIZZO,SUZI ROTH
7720 S SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
SPIVAK,MERRILL M & PHYLLIS
4975 SW 76 AVE
DAVIE FL 33328-3807

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
STATE OF FLORIDA DOT
3400 W COMMERCIAL BLVD
FT LAUDERDALE FL 33309-3421

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
STONE,KATHRYN A
5004 S UNIVERSITY DR
DAVIE FL 33328-4502

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
SUAREZ,GEORGE E & ANNE E
7753 N SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
SUSI,CANDEE C
SUSI,CRISTEE C
7952 N SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
SUTTON,ELLIOTT & SUTTON,IRVING
% ECKERD REAL EST DEPT #2034-R
PO BOX 4689
CLEARWATER FL 33758

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
SYLVAIN,PROSPER &
JOSEPH,NICOLE
10709 N PRESERVE WAY #104
HOLLYWOOD FL 33025

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
TAGHIKHANI,MAJID
MANSHADI,MASOUMEH D
7833 N SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
THE PRUDENTIAL INSURANCE
COMPANY OF AMERICA
2 RAVINIA DR STE 1400
ATLANTA GA 30346

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
THORPE,RICKY V
7832 N SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
TORRES,RAFAEL & CARMEN
5192 S UNIVERSITY DR
DAVIE FL 33328-4514

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
TRANSAMERICAN LAND CORP
ATTN: ACCOUNTING DEPT
2665 S BAYSHORE DR #1002
MIAMI FL 33133

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
TSE,KA MING & ADA
5071 E MADISON LAKES CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
TUCKER,EILEEN
5054 S UNIVERSITY DR
DAVIE FL 33328-4509

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
UNIVERSITY OFFICE CENTER LLC
3006 AVIATION AVE SUITE 2-A
COCONUT GROVE FL 33133

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
VAN BALEN-ORTEGA,SUSANNE
5068 S UNIVERSITY DR
DAVIE FL 33328-4510

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
VAN HISE,AMY B
5150 S UNIVERSITY DR
DAVIE FL 33328-4513

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
VASSILOPOULOS,JOHN-PAUL
5048 S UNIVERSITY DR
DAVIE FL 33328-4509

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
VISWANATHAN,PADMA 1/2 INT
VISWANATHAN,ANANAGUR
5182 S UNIVERSITY DR
DAVIE FL 33328-4514

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
WANG,HSIN-CHIH HSU
5096 S UNIVERSITY DR
DAVIE FL 33328-4511

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
WANSE, DANIELLE
5174 S UNIVERSITY DR
DAVIE FL 33328-4514

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
WEBB NURSERY INC
4640 SW 78TH AVE
DAVIE FL 33328-3825

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
WHEELER,CHRISTINE D
7920 S SOUTHWOOD CIR
DAVIE FL 33328

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
YABLON,NORMAN & JUDITH C
5066 S UNIVERSITY DR
DAVIE FL 33328-4510

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
YOUNG,KAREN G
5020 S UNIVERSITY DR
DAVIE FL 33328-4502

SP7-4-06, P7-1-06, ZB7-3-06, FX7-1-06
ZELL,STEPHANIE ANN
7863 N SOUTHWOOD CIR
DAVIE FL 33328

Exhibit 5 (Future Land Use Map)

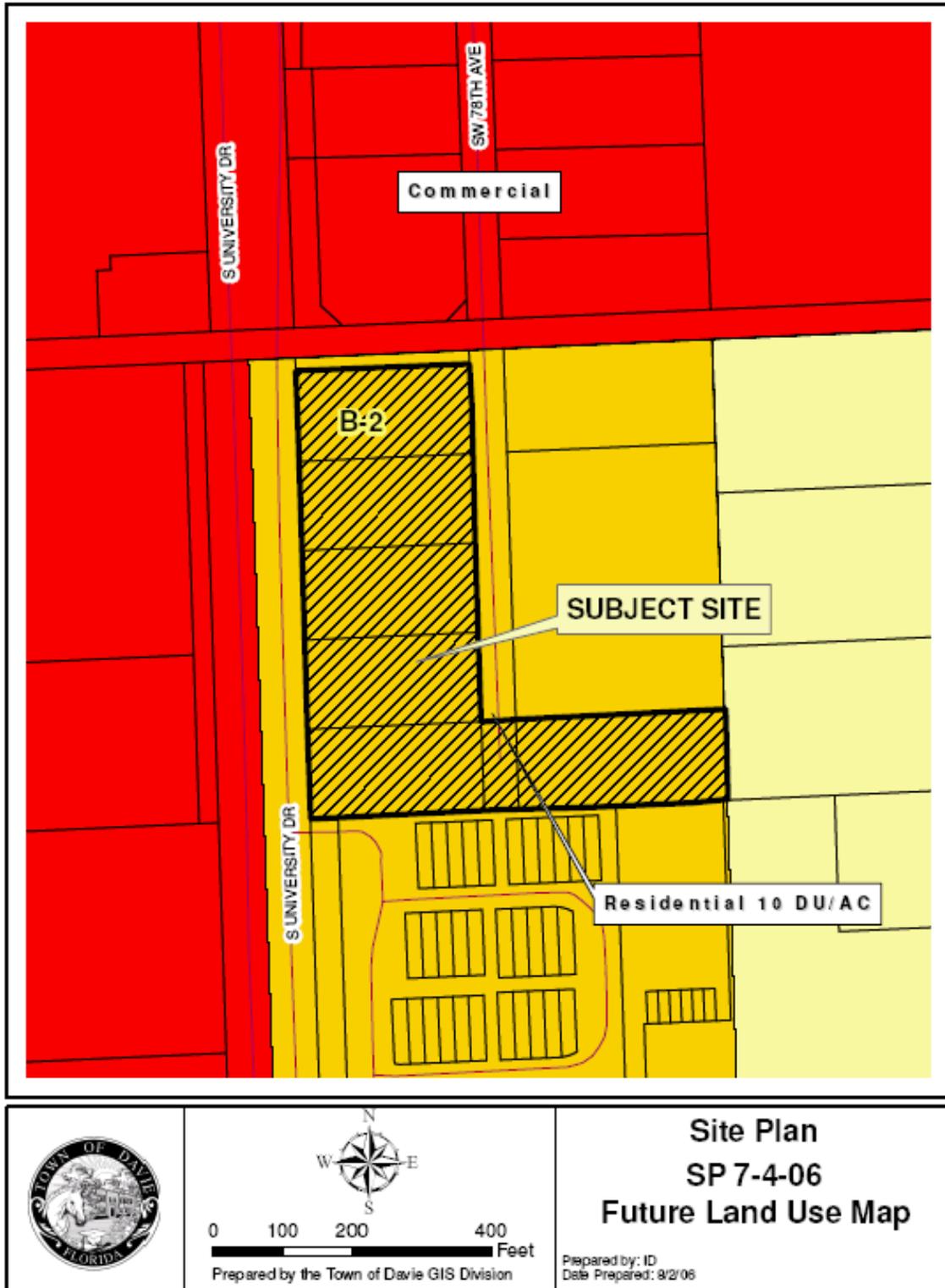


Exhibit 6 (Aerial, Zoning, and Subject Site Map)



**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: Lise Bazinet, Planner II

SUBJECT: Quasi Judicial Hearing: Variance, V 4-1-07 / 07-71 / Aurelio & Belkis Camacho / 14190 S.W. 20th Street / Generally located on 20th Street between S.W. 145th Avenue and S.W. 139th Avenue.

AFFECTED DISTRICT: District 4

ITEM REQUEST: **Schedule for Council Meeting**

TITLE OF AGENDA ITEM: V 4-1-07 / 07-71 / Aurelio & Belkis Camacho

REPORT IN BRIEF: The property is located within R-1 Zoning District, regulated by the Rural Lifestyle Initiative. The petitioner is requesting a variance to allow an existing shadow box fence to be located outside the building envelope (at the property line).

Section §12-286(B) of the Rural Lifestyle regulations allows fences as of right designed as one of the following styles: Split rail fence, Green or black vinyl clad chain link fence, decorative white picket fences, shadow box may be permitted within the building envelope, other fence material as approved at time of site plan approval meeting the intent of the Rural Lifestyle Initiative. Therefore, the existing shadow box fence at the south and west of the property lines is inconsistent this regulation.

The proposed variance request is after the fact due to a permit issued in error in 2004. The Town's Code Compliance Division has worked diligently with the applicant to resolve this issue. The applicant opted to submit the variance request to allow the existing fence to continue as originally permitted. The petitioner has also submitted documentation (see Exhibit 1) indicating the request is in compliance with the variances criteria outlined in §12-309(B)(1) of the Land Development Code.

PREVIOUS ACTIONS: n/a

CONCURRENCES:

At the June 13, 2007 Planning & Zoning meeting, Vice-Chair Stevens made a motion, seconded by Chair Bender, to approve subject to the condition that should 50% or more of the fence be damaged or destroyed, and if they so choose to reconstruct a fence, they shall be required to reconstruct the entire fence up to the current Code standards (**Motion carried 4-0**).

FISCAL IMPACT: not applicable

Has request been budgeted? n/a

RECOMMENDATION(S):

Staff finds the subject application complete and suitable for transmittal to the Planning and Zoning Board and Town Council for further consideration with the following condition:

1. Variance must be granted for the existing fence at the south and west property lines only. Any proposed new fence within this property must meet Rural Lifestyle Regulations.

Attachment(s): Planning Report

Exhibit "A"

Application: V 4-1-07/07-71/Aurelio & Belkis Camacho

Original Report Date: 6/4/07

Revision(s): 06/25/2007

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

Applicant Information

Owner

Name: Aurelio & Belkis Camacho
Address: 14190 S.W. 20th Street
City: Davie, FL 33325
Phone: (954) 444-0773

Background Information

Date of Notification: June 6, 2007 **Number of Notifications:** 87

Application Request: **FROM:** Section §12-286(B) fences are allowed as of right designed as one of the following styles: Split rail fence, Green or black vinyl clad chain link fence, decorative white picket fences, shadow box may be permitted within the building envelope, other fence material as approved at time of site plan approval meeting the intent of the Rural Lifestyle Initiative.
TO: allow an existing permitted shadow box fence outside the building envelope (at the property line).

Address: 14190 S.W. 20th Street

Location: Generally located on 20th Street between S.W. 145th Avenue and S.W. 139th Avenue.

**Future Land Use
Plan Map Designation:** Residential 1DU/Acre

Zoning: R-1, Estate Dwelling District

Existing Use: Single-family home

Net Parcel Size: 38,848 square feet / 0.89 acre

Gross Parcel Size: 42,023 square feet / 0.96 acre

Proposed Use: Single-family home

Surrounding Uses:
North: Single-family home
South: Single-family home
East: Single-family home
West: Single-family home

**Surrounding Future Land
Use Plan Map
Designations:**
Residential 1DU/Acre
Residential 1DU/ Acre
Residential 1DU/ Acre
Residential 1DU/ Acre

Surrounding Zoning:

North: R-1, Estate Dwelling District
South: R-1, Estate Dwelling District
East: R-1, Estate Dwelling District
West: R-1, Estate Dwelling District

Zoning History

Related Zoning History: Records indicate that the existing Future Land Use Plan Map designation and Zoning classification were in place at the time of annexation.

Previous requests on same property: n/a

Applicable Codes and Ordinances

The effective Code of Ordinances governing this project is the Town of Davie Land Development Code.

Land Development Code (Section 12-305), Rezoning, Special Permits, Variances, and Vacations or Abandonments of Rights-of-Way. The purpose of this division is to guide the processing and granting of rezonings, special permits, variances and vacations or abandonments of rights-of-way in a manner consistent with the Town of Davie Comprehensive Plan, existing development and in a manner which protects the public health, safety and welfare.

Land Development Code (Section 12-24 (I) (2)), State Dwelling (R-1) District. The R-1 District is intended to implement the Agricultural and Residential one (1) unit per acre classifications of the Town of Davie Comprehensive Plan and to provide estate residential areas with most of the noncommercial agricultural uses permitted providing a transition from agricultural land to residential dwelling units.

Land Development Code Section 12-81, Conventional Single-Family Development Standards. R-1 zoning district setbacks are front 30-40 feet, side 25 feet, and rear 30 feet.

Comprehensive Plan Considerations

Planning Area:

The subject property falls within Planning Area 2; this Planning Area 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 Flamingo Road. 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

The property is located within R-1 Zoning District, regulated by the Rural Lifestyle Initiative. The petitioner is requesting a variance to allow an existing shadow box fence to be located outside the building envelope (at the property line).

Section §12-286(B) of the Rural Lifestyle regulations allows fences as of right designed as one of the following styles: Split rail fence, Green or black vinyl clad chain link fence, decorative white picket fences, shadow box may be permitted within the building envelope, other fence material as approved at time of site plan approval meeting the intent of the Rural Lifestyle Initiative. Therefore, the existing shadow box fence at the south and west of the property lines is inconsistent this regulation.

The proposed variance request is after the fact due to a permit issued in error in 2004. The Town's Code Compliance Division has worked diligently with the applicant to resolve this issue. The applicant opted to submit the variance request to allow the existing fence to continue as originally permitted. The petitioner has also submitted documentation (see Exhibit 1) indicating the request is in compliance with the variances criteria outlined in §12-309(B)(1) of the Land Development Code.

Staff Analysis

The petitioner is requesting an after the fact variance for a shadow-box fence that was permitted in error. The variance request is from the Land Development Code's Rural Lifestyle Regulations to allow a shadow-box fence outside the building envelope. In Section §12-286(B) fences are allowed as of right as one of the following styles: Split rail fence, chain link fence, decorative white picket fences, and shadow box only within the building envelope.

This after the fact request affects only the south (rear) and west (side) of the property. The existing fence at the north (front) is a split rail fence, consistent with the Rural Lifestyle Regulations. There is no existing fence along the eastern property line, instead dense vegetation serves as buffer between the subject site and the property to the east.

The following information is staff's analysis based on the criteria established in the Town of Davie's, Land Development Code, Section 12-309(B)(1) for variance applications:

- (d) There are no special circumstances or conditions applying to the land or building for which the variance is sought;

As stated in the applicant's justification letter, the special circumstances were not self-created. The special circumstances were created by an error which allowed for the existing shadow-box fence to exist.

which circumstances or conditions are not peculiar to such land or building and do apply generally to land or buildings in the same district;

The Rural Lifestyle Regulations, adopted in 2002 were created to further the existing rural lifestyle through the preservation of characteristics currently existing throughout the town of Davie. One of these characteristics is large areas without fences throughout neighborhoods. The land or building does not have any peculiar conditions. The circumstances were created by an error allowing the existing shadow-box fence to exist.

and that said circumstances or conditions are not such that the strict application of the provisions of this chapter would not deprive the application of the reasonable use of such land or building for which the variances are sought;

The property is a single family residence. As all residences under the Rural lifestyle regulations, the applicant can place a shadow-box fence within the building envelope. The request is to maintain an existing fence approved in error.

and that alleged hardship is not self-created by any person having an interest in the property.

As stated in the applicant's justification letter, the special circumstances were not self-created. The special circumstances were created by an error which allowed for the existing shadow-box fence to exist.

- (e) The granting of the variance is necessary for the reasonable use of the land or building and that the variance as requested is the minimum variance that will accomplish this purpose;

The requested variance is not necessary for the reasonable use of the land or building. The request is for an existing condition approved as an error.

- (f) Granting of the requested variance will be in harmony with the general purpose and intent of this chapter and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

The intent of the Land Development Code is to allow an interpretation to be made where there is a just balance between the rights of the landowner and all others who will be affected by that person's proposal. Even though the Rural Lifestyle regulations allow certain flexibility for fences, the main intent is to preserve open spaces within the western neighborhoods.

Staff Recommendation

Staff finds the subject application complete and suitable for transmittal to the Planning and Zoning Board and Town Council for further consideration with the following condition:

- 2. Variance must be granted for the existing fence at the south and west property lines only. Any proposed new fence within this property must meet Rural Lifestyle Regulations.

Planning and Zoning Board Recommendation

At the June 13, 2007 Planning & Zoning meeting, Vice-Chair Stevens made a motion, seconded by Chair Bender, to approve subject to the condition that should 50% or more of the fence be damaged or destroyed, and if they so choose to reconstruct a fence, they shall be required to reconstruct the entire fence up to the current Code standards (**Motion carried 4-0**).

Town Council Action

Exhibits

- 5. Justification letter
- 6. Survey Showing Subject Fence Location
- 7. Pictures of Property
- 8. Future Land Use Plan Map
- 9. Zoning and Aerial Map

Prepared by: _____

Reviewed by: _____

Exhibit 1 (Justification letter)

ATKINSON, DINER, STONE, MANKUTA & PLOUCHA, P.A.

ATTORNEYS AT LAW
ONE FINANCIAL PLAZA
100 SOUTHEAST 3RD AVENUE
SUITE 1400
FT. LAUDERDALE, FL 33394
WWW.ATKINSON-DINER.COM

DAVID B. MANKUTA
dbm@atkinson-diner.com

BROWARD: (954) 925-5501
MIAMI-DADE: (305) 944-1882
FAX: (954) 920-2711

May 23, 2006

Town of Davie
Planning and Zoning Division
Development Services Department
6591 Orange Drive
Davie, FL 33314-3399

COPY

Re: Variance Request Justification Letter

To Whom It May Concern:

Please accept this writing as the required Justification Letter set forth in the Variance Application submitted by this firm on behalf of our clients, Aurelio and Belkis Camacho, regarding the shadow box fence located on their property of 14190 SW 20 Street, Davie, FL 33325.

In order to fully understand the purpose of this application, it is important to review the history of the events surrounding this fence creating the need for such request. In 2004, our clients submitted, as required by city ordinance, the appropriate application for a building permit to construct a board-on-board fence on the aforementioned property. The application was accompanied by all the plans and required information for review and ultimate issuance of a permit. Accordingly, the permit application and plans were reviewed by all necessary disciplines within the Development Services Department and a permit was issued. Our clients began work on the fence and upon completion of said work obtained the necessary approvals to close out the permit.

Several months later, the Code Compliance Division issued a Notice of Code Violation (05-00000189), citing non-conformity with the Rural Lifestyle Development Regulation found in Chapter 12 as its basis for the citation. Our clients were told that the fence must be removed to correct this violation or risk the levying of daily fines and the imposition of a lien on the property as provided by Section 162.09, *Florida Statutes*. Needless to say, our clients were very distressed by having followed all requirements of the Town to obtain a building permit to construct the improvement, gotten all approvals, incurred significant expense in reliance upon the permits issued and having obtained all approvals for the improvements, yet were now being told to remove it. The fence had not even been standing for a full 6 months.

Efforts to resolve this issue short of requesting a variance were made over the last number of months without success. These are clearly special circumstances and the obvious hardship was

Page 2

not self-created. The variance requested is the minimum necessary to accomplish a reasonable purpose. The Rural Lifestyle Regulations are relatively new; the neighborhood is established and there are a number of similar fences in the area that pre-date the ordinance. Accordingly, granting the variance will not be injurious to the neighborhood or detrimental to the public welfare.

Section 12-309 sets forth the criteria for reviewing requests for variances. Based upon the circumstances surrounding this issue, we suggest that the criteria of the aforementioned section of the Town's Code of Ordinances have been met to grant this variance request. As previously stated, our clients have incurred significant expense in planning and installing this improvement on their property with the full knowledge and participation of the Town. For the Town to now come demand removal is irresponsible and inequitable. The demand of the Town is particularly onerous when one views the neighborhood. This is an older established neighborhood with a variety of fence designs many of which do not comply with the Rural Lifestyle Development Regulations.

The granting of this variance will have little to no impact on the overall intent and purpose of the Rural Lifestyle Regulations, to wit, "safeguarding the rights of Davie residents to continue to conduct limited agricultural activities within 'semi-rural residential neighborhoods' within the Town and provide protections under the code for those residents conducting limited agricultural activities." Section 12-281 (a).

We appreciate the Town's efforts in correcting this situation and anticipate that this variance request will be favorably recommended by the Planning and Zoning Board and subsequently granted by the Town Council. If you need any additional information, please do not hesitate to contact me. Thank you in advance for your consideration.

Very truly yours,

DAVID B. MANKUTA

Exhibit 3 (Pictures of Property)



Fence at West Property Line



Fence at South (rear) Property Line

Exhibit 4 (Future Land Use Plan Map)

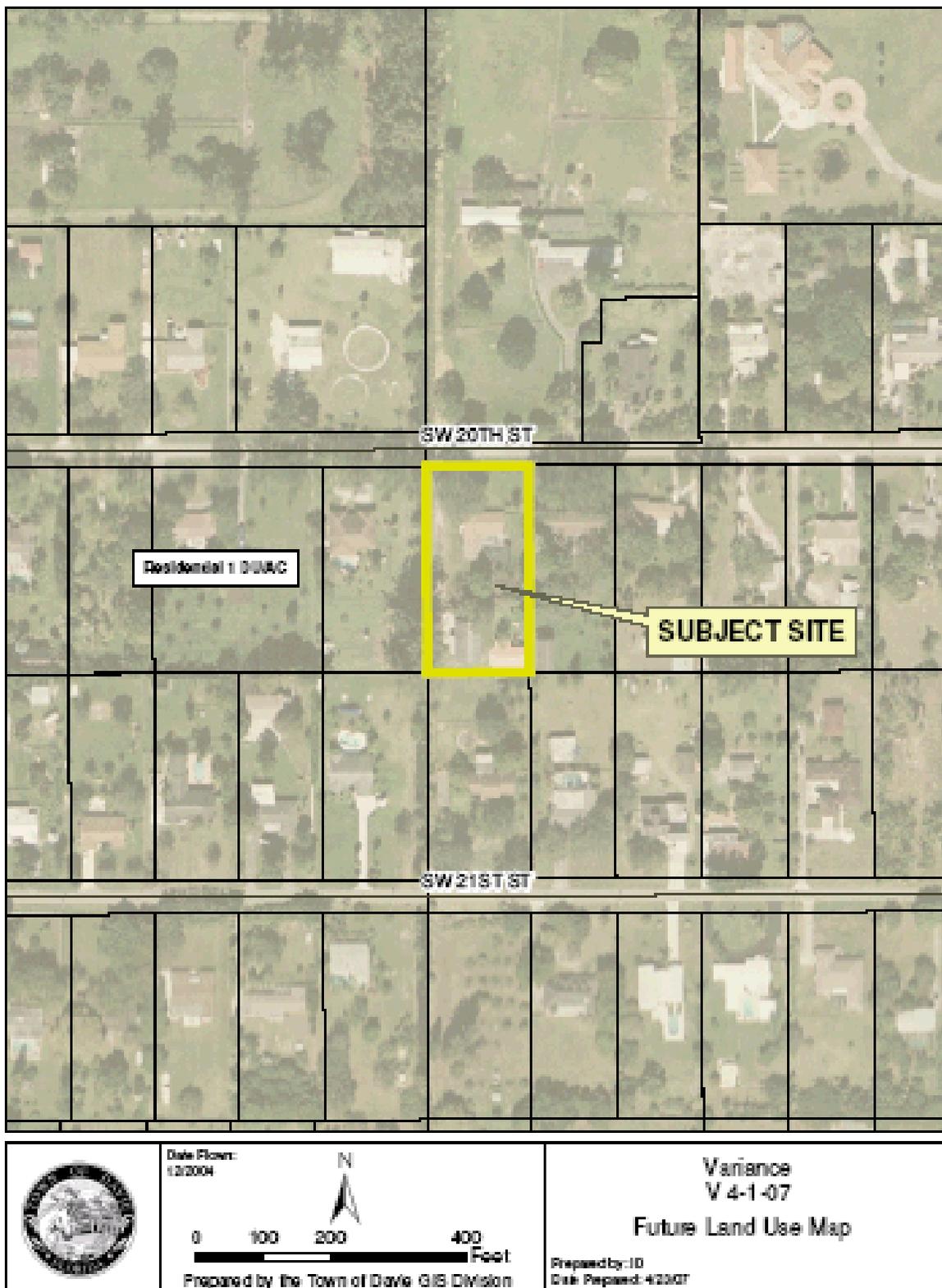


Exhibit 5 (Zoning and Aerial Map)



	<p>Date Flown: 12/2004</p> <p>N</p> <p>0 100 200 400 Feet</p> <p>Prepared by the Town of Davie GIS Division</p>	<p>Variance V 4-1-07</p> <p>Zoning and Aerial Map</p> <p>Prepared by: JD Date Prepared: 4/23/07</p>
---	---	---

**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, Acting Deputy Planning and Zoning Manager

SUBJECT: Quasi Judicial Hearing: Variance, V 7-2-06 Davis, 6070 Griffin Road/Generally located on the southside of Griffin Road at the eastside corner of SW 61st Avenue.

AFFECTED DISTRICT: District 1

ITEM REQUEST: **Staff Requesting a Tabling/Withdrawal**

TITLE OF AGENDA ITEM: V 7-2-06 Davis, 6070 Griffin Road (Griffin Corridor District, EGZ)

REPORT IN BRIEF: Refer to attachments

FISCAL IMPACT: not applicable

Has request been budgeted? n/a

Attachment(s): Staff's withdraw memo, Petitioner's withdraw request



Development Services Department
Planning & Zoning Division

6591 ORANGE DRIVE Y DAVIE, FLORIDA 33314-3399
PHONE: 954.797.1103 Y FAX: 954.797.1204 Y WWW.DAVIE-FL.GOV

MEMORANDUM

PZ 7-1-07

TO: Mayor and Town Councilmembers

THRU: Gary Shimun, Town Administrator
Mark A. Kutney, AICP, Development Services Director
Marcie Nolan, AICP, Acting Planning & Zoning Manager

FROM: David M. Abramson, Acting Deputy Planning and Zoning Manager

DATE: July 2, 2007

RE: *Variance: V 7-2-06/Davis*

REQUEST:

The subject property is under new ownership (FJA at Griffin Corners, LLC) and does not seek to continue with the submitted variance request at this time. Therefore, the property owner is requesting that the above referenced item, currently scheduled for the July 18, 2007 Town Council meeting, be withdrawn.

PREVIOUS HISTORY:

At the November 15, 2006 Town Council meeting, V 7-2-06 was tabled to December 20, 2006. **(Motion carried 5-0)**

At the December 20, 2006 Town Council meeting, Vice-Mayor Crowley made a motion, seconded by Councilmember Paul, to approve. Vice-Mayor Crowley advised that Mr. Davis also had the opportunity to withdraw the request. **(Motion denied 3-2, Mayor Truex - no; Vice-Mayor; Councilmember Caletka - no; Councilmember Starkey - no)**

At the January 3, 2007 Town Council meeting, Mayor Truex asked Council to reconsider their vote to deny the Davis variance at the previous meeting and to table the item for six months to allow the applicant to develop a site plan. Councilmember Starkey noted that she had voted against it at least in part because it did not have a site plan and agreed to reconsider it.

Councilmember Starkey made a motion, seconded by Mayor Truex, to reconsider. In a voice vote, all voted in favor. **(Motion carried 5-0)** Councilmember Starkey made a motion, seconded by Mayor Truex, to table the Davis variance request for six months to allow the applicant to create a site plan. In a voice vote, all voted in favor. **(Motion carried 5-0)**

HISTORY:

At the October 25, 2006 Planning and Zoning Board meeting, Vice-Chair McLaughlin made a motion, seconded by Mr. Stevens, to approve V 7-2-06. **(Motion carried 5-0)**

ATTACHMENT:

Petitioner's withdraw request

From: "Frank Amedia" <franka@theamadicompanies.com>
Recipients: "Abramson David" <david_abramson@davie-fl.gov>, "Barranco John" <john@bgarchitecture.com>,"Carlos Gonzalez" <carlos@bgarchitecture.com>,"Alex Nunez" <ANUNEZPA@BELLSOUTH.NET>,"Verelis Puig" <verelisp@theamadicompanies.com>,"Russell" <rmad38@yahoo.com>
Subject: Confirmation to withdraw variance application
Date: 06/29/2007 04:03:08 PM

Re: 6070 Griffin Rd.

Folio #: 5041 26 02 0291

Mr. David Abramson

TOWN OF DAVIE

Development Services Department

6591 Orange Drive

Davie, FL 33314

Dear Mr. Abramson:

Please be advised that our affiliate company, FJA at Griffin Corners, LLC, owns the above referenced property. We have not asked for nor support a variance for this property at this time. I understand from Mr. Barranco that the previous owner still has this on the Town Council agenda. **Please remove this request from the agenda without prejudice in our behalf.**

We are considering future plans for the property and at such time will review them again with your department. If you have any question, please feel free to call me on my cell phone at 786 229 7318 as I will be traveling all of next week. Blessings.

Thank you.

Frank J. Amedia

The Amadi Companies

7600 Red. Rd. Ste.300

S. Miami, Fl. 33143

tel: (786) 268 1349

fax: (786) 268 1354

web: www.theamadicompanies.com

* * * * *

THIS PAGE
INTENTIONALLY
LEFT BLANK

* * * * *

**TOWN OF DAVIE
TOWN COUNCIL AGENDA REPORT**

TO: Mayor and Councilmembers

FROM/PHONE: Barbara McDaniel, MMC, Assistant Town Clerk/954-797-1023

PREPARED BY: Barbara McDaniel, MMC, Assistant Town Clerk

SUBJECT: Appointments

AFFECTED DISTRICT: n/a

ITEM REQUEST: **Schedule for Council Meeting**

TITLE OF AGENDA ITEM: Appointments

REPORT IN BRIEF: Appointments required to be made by Council

PREVIOUS ACTIONS: n/a

CONCURRENCES: n/a

FISCAL IMPACT: not applicable

Has request been budgeted? n/a

RECOMMENDATION(S): n/a

Attachment(s): List of appointments needed

APPOINTMENTS FOR MAYOR TRUEX

Item #	Previous Appointment	# OF MEETINGS	# OF ABSENCES	INTERESTED IN BEING REAPPOINTED?	Appointment to be made
7.1.1	SENIOR CITIZEN ADVISORY COMMITTEE Vacancy				
7.1.2	YOUTH EDUCATION AND SAFETY ADVISORY BOARD Mike Holderfield				resigned 10/2006

APPOINTMENTS FOR COUNCILMEMBER STARKEY

Item #	Previous Appointment	# OF MEETINGS	# OF ABSENCES	INTERESTED IN BEING REAPPOINTED?	Appointment to be made
7.2.1	AIRPORT/TRANSPORTATION ADVISORY BOARD Sidney Calloway				

APPOINTMENTS FOR COUNCILMEMBER LUIS

Item #	Previous Appointment	# OF MEETINGS	# OF ABSENCES	INTERESTED IN BEING REAPPOINTED?	Appointment to be made
7.3.1	AIRPORT/TRANSPORTATION ADVISORY BOARD vacancy				
	vacancy				

Pursuant to Code Section 2-72(d), a board/committee member who is absent for three consecutive meetings or is absent for 50% or more of the meetings in any twelve (12) month period, is automatically dismissed from the board/committee. If the Councilmember who appointed that person to the board/committee feels that there were extenuating circumstances for the absences and that it is in the best interest of the Town that the person be reappointed, the Councilmember may reappoint that same person to the board/committee to complete the unexpired term of that board/committee member's seat.

UNSAFE STRUCTURES BOARD

Item #			Previous Appointment	# OF MEETINGS	# OF ABSENCES	INTERESTED IN BEING REAPPOINTED?	Appointment to be made	
6.5	UNSAFE STRUCTURES BOARD		Council	Robin Massa (Real Estate Property Manager)	0	--	No	
Council			Richard Katz (Plumbing Contractor)	0	--	No		

* * * * *

THIS PAGE
INTENTIONALLY
LEFT BLANK

* * * * *

TOWN OF DAVIE TOWN COUNCIL AGENDA REPORT

TO: Mayor and Council Members

FROM/PHONE: Mark Alan, Director of Human Resources Management (954) 797-1169

PREPARED BY: Mark Alan, Director of Human Resources Management

SUBJECT: Town Administrator Evaluation

AFFECTED DISTRICT: All Districts

ITEM REQUEST: **Schedule for Council Meeting**

TITLE OF AGENDA ITEM: TOWN ADMINISTRATOR EVALUATION

REPORT IN BRIEF: The subject item has been agendized under Old Business and concerns the Davie Town Council's evaluation of the Town Administrator's job-related performance.

Pursuant to Council direction at the June 06, 2007, Town Council Meeting, the Town Administrator's Performance Evaluation Instrument and procedure, hereto attached

Town Council during the April 21, 2004, Town Council Meeting established the use of the attached Town Administrator Evaluation Instrument. Council Members and the Town Administrator completed an independent, individual evaluation and provide their completed evaluation forms to the Department of Human Resources Management prior to the actual evaluation session during the May 05, 2004, Town Council Meeting. Prior to the May 05, 2004, Town Council Meeting Human Resources Management staff entered the individual assigned whole number rating of each evaluator on the Town Administrator Evaluation Summary, and provided a copy of this Summary to each Councilmember and the Town Administrator for Council consideration during the May 5th meeting.

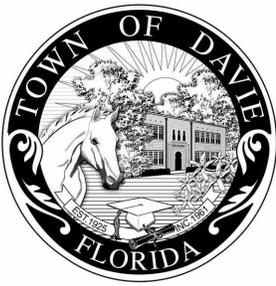
PREVIOUS ACTIONS: Town Council during the May 05, 2004, Town Council Meeting established the use of the attached Town Administrator Evaluation Instrument

CONCURRENCES: not applicable

FISCAL IMPACT: not applicable

Has request been budgeted? n/a

Attachment(s): Town Administrator Evaluation Instrument



DEPARTMENT OF HUMAN RESOURCES MANAGEMENT

6591 ORANGE DRIVE Y DAVIE, FLORIDA 33314-3399
PHONE: 954.797.1100 Y FAX: 954.797.1079 Y WWW.DAVIE-FL.GOV

TOWN ADMINISTRATOR EVALUATION INSTRUMENT

This performance evaluation instrument provides the evaluator with the following five (5) point likert-type rating scale which is utilized to evaluate overall performance on fifty-one (51) individual items listed under four (4) separate categories. It should also be noted that the second category of the performance evaluation instrument contains three (3) subcategories.

1	2	3	4	5
Does Not Meet Expectations		Meets Expectations		Exceeds Expectations

Job-related performance with regard to each individual listed item should be evaluate separately and assigned a whole number rating of 1, 2, 3, 4, or 5.

The evaluation should be completed by each Councilmember from the point of reference of his or her role as a member of the elected body representing the residence of the Town of Davie.

The evaluation should take into account the totality of job-related performance over the past Six months and not just the past month or a shorter duration of time.

The performance evaluation instrument includes a provision for an Overall Rating. An overall rating is a global rating. Therefore, in determining an overall rating, it is not recommended to “add up” the individual item ratings and arrive at an average rating, since individual items are not necessarily of equal weight with regard to importance and/or criticality.

The performance evaluation instrument includes provisions for written comments.

Suggestions for Conducting the Actual Evaluation Session

1. Councilmembers should complete their individual evaluation forms independently and prior to the actual evaluation session.
2. The Town Administrator should complete a self-assessment using the same evaluation forms prior to the actual evaluation session.
3. The actual evaluation session should be conducted in a setting where there are as few interruptions as possible and where all participants are seated at the same level.
4. The Town Administrator should be present during the evaluation session.



DEPARTMENT OF HUMAN RESOURCES MANAGEMENT

6591 ORANGE DRIVE Y DAVIE, FLORIDA 33314-3399
 PHONE: 954.797.1100 Y FAX: 954.797.1079 Y WWW.DAVIE-FL.GOV

TOWN ADMINISTRATOR EVALUATION FORM

Gary Shimun

Use the following rating scale to evaluate overall performance on each individual item listed under each category:

1	2	3	4	5
Does Not Meet Expectations		Meets Expectations		Exceeds Expectations

Category 1: RELATIONS WITH GOVERNING BODY/PROVIDING INFORMATION

Item No.	Item	Rating
1	Keeps the Council informed in an appropriate and timely manner about matters critical to the Council's policy making role.	
2	Provides information on an equal basis to all Councilmembers.	
3	Anticipates and follows up promptly on Council requests for information or action without having to be reminded.	
4	Available to the Council on official business either personally or through designated subordinates.	
5	Reports departmental and staff activities to the Council in an appropriate and timely manner.	
6	Advises the Council of relevant legislation and developments in the area of public policy affecting the Town of Davie.	
7	Developed, or is in the process of developing, comprehensive understanding of the problems and issues existing in the Town of Davie.	
8	Considers all available alternatives before making recommendations to the Council.	
9	Anticipates, plans, and prioritizes future needs and programs recognizing the potential problems confronting the Town.	
10	Carries out directives of the Council as a whole rather than those of any individual Councilmember.	

Comments:

Category 2: ORGANIZATIONAL RELATIONS

A. FISCAL MANAGEMENT

Item No.	Item	Rating
1	Develops and administers a process of budget preparation and review which meets the requirements of the Town Charter, and expectations of the Council in its decision making role.	
2	Controls operational and capital costs through adequate budgetary controls and the judicious/economical utilization of manpower, material and equipment.	
3	Provides the Council with timely and sufficient reports on the financial status of the Town government in accordance with the Charter and requirements of the Council.	

Comments:

B. PERSONNEL MANAGEMENT

Item No.	Item	Rating
1	Effectuates sound personnel selection and placement policies.	
2	Recruits and retains competent personnel for Town positions.	
3	Communicates organizational values, directions, and expectations.	
4	Creates an environment for organizational and employee learning.	
5	Motivates personnel through leadership and training so that they are increasingly effective in the performance of their duties, in achieving common goals and objectives, and in nurturing an attitude of courtesy, helpfulness, and sensitivity to the public.	
6	Promotes and supports the “public service role” for all Town employees emphasizing exemplary performance.	
7	Creates an environment that fosters and requires legal and ethical behavior.	
8	Assumes responsibility for staff performance.	
9	Treats all Town personnel in a fair and equitable manner.	
10	Organizes and manages work and jobs to promote cooperation, initiative, empowerment, innovation, and organizational culture.	
11	Motivates employees to develop and utilize their full potential.	

Comments:

Category 2: ORGANIZATIONAL RELATIONS (continued)

C: MANAGING THE ORGANIZATION

Item No.	Item	Rating
1	Executes the policies adopted by the Council in a timely and appropriate fashion.	
2	Plans and executes organizational priorities in a manner reflective of the Town's stated mission and goals, and satisfactory to the Council.	
3	Analyzes organizational problems or issues and identifies causes, reasons, implications, and solutions employing all available technologies, systems and methods.	
4	Executes the short and long-term goals and objectives of the Town in a timely and effective manner.	
5	Communicates effectively, clearly, easily and to the point.	
6	Demonstrates sensitivity to the opinions and concerns of others in and outside the organization.	
7	Emphasizes the importance of teamwork and leadership in his/her relationship with the organization, and serves as a role model for personnel.	
8	Accepts new ideas and suggestions for change.	
9	Adapts to and deals effectively with unanticipated conditions and situations.	
10	Presents and utilizes innovative solutions to conditions and situations affecting the Town.	
11	Keeps informed on legislative issues that may affect the Town.	
12	Sets and deploys organizational values, short- and longer-term directions, and performance expectations.	
13	Creates an environment for empowerment, innovation, and organizational agility.	
14	Implements organization-wide strategic planning process.	
15	Selects, collects, aligns, and integrates data and information for tracking daily operations and for tracking overall organizational performance.	
16	Keeps data and information availability mechanisms, including software and hardware systems, current with organizational needs and directions.	
17	Capitalizes on the diverse ideas, cultures, and thinking of employees and the community with which the organization interacts.	
18	Addresses workplace health, safety, and security.	

Comments:

Category 3: RELATIONS WITH THE PUBLIC

Item No.	Item	Rating
1	Handles disputes or complaints involving citizens in an effective, equitable, and timely manner.	
2	Makes himself/herself available and visible to the citizens of Davie in an appropriated manner.	
3	Presents Council policies and positions on issues to the citizens and Town organization accurately, equitable, and effectively.	
4	Directs sufficient public credit to the Council in its role as the Governing Body.	
5	Anticipates public concerns with current and future services, programs, and operations and prepare for these concerns in a proactive manner.	
6	Ensures workplace preparedness for emergencies or disasters and seek to ensure organizational continuity for the benefit of citizens and employees.	

Comments:

Category 4: RELATIONS WITH OTHER GOVERNMENTS

Item No.	Item	Rating
1	Deals effectively with other governmental agencies at all levels in representing the Town of Davie.	
2	Develops and administers an effective program of grantsmanship.	
3	Cooperates with neighboring communities and maintains open communications with other municipalities in areas that may affect or relate to the Town.	

Comments:

List any goals, achievements, objectives:

Additional information/comments may be attached at the option of the evaluator.

OVERALL RATING _____

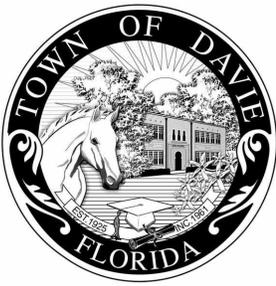
(Considering all items above)

Note: It is not recommended to "add up" the individual item ratings and arrive at an average rating.

Councilmember (Please Print)

Signature

Date Evaluation Was Completed



TOWN ADMINISTRATOR EVALUATION SUMMERY

The following rating scale was used to evaluate overall performance on each individual item listed under each category:

1	2	3	4	5
Does Not Meet Expectations		Meets Expectations		Exceeds Expectations

Category 1: RELATIONS WITH GOVERNING BODY/PROVIDING INFORMATION

Item No.	Mayor	Vice Mayor	District __	District __	District __	Town Administrator
1						
2						
3						
4						
5						
6						
7						
8						
9						
10						

Category 2: ORGANIZATIONAL RELATIONS

A. FISCAL MANAGEMENT

Item No.	Mayor	Vice Mayor	District __	District __	District __	Town Administrator
1						
2						
3						

B. PERSONNEL MANAGEMENT

Item No.	Mayor	Vice Mayor	District __	District __	District __	Town Administrator
1						
2						
3						
4						
5						
6						
7						
8						
9						
10						
11						

Category 2: ORGANIZATIONAL RELATIONS (continued)

C: MANAGING THE ORGANIZATION

Item No.	Mayor	Vice Mayor	District __	District __	District __	Town Administrator
1						
2						
3						
4						
5						
6						
7						
8						
9						
10						
11						
12						
13						
14						
15						
16						
17						
18						

Category 3: RELATIONS WITH THE PUBLIC

Item No.	Mayor	Vice Mayor	District __	District __	District __	Town Administrator
1						
2						
3						
4						
5						
6						

Category 4: RELATIONS WITH OTHER GOVERNMENTS

Item No.	Mayor	Vice Mayor	District __	District __	District __	Town Administrator
1						
2						
3						

OVERALL RATING

(Considering all items above)

Note: It is not recommended to “add up” the individual item ratings and arrive at an average rating.

	Mayor	Vice Mayor	District __	District __	District __	Town Administrator
Overall Rating						

Date Evaluation Was Completed

**TOWN OF DAVIE
TOWN COUNCIL AGENDA REPORT**

TO: Mayor and Councilmembers

FROM/PHONE: Russell C. Muniz, MBA, CMC, Town Clerk

PREPARED BY: Russell C. Muniz, MBA, CMC, Town Clerk

SUBJECT: Audio/Video Surveillance Issue

AFFECTED DISTRICT: District 1

ITEM REQUEST: **Schedule for Council Meeting**

TITLE OF AGENDA ITEM: Old Business

REPORT IN BRIEF: See attached memo from Town Attorney Jim Cherof on this issue.

PREVIOUS ACTIONS: N/A

CONCURRENCES: N/A

FISCAL IMPACT: not applicable

Has request been budgeted? n/a

If yes, expected cost: \$

Account Name:

If no, amount needed: \$

What account will funds be appropriated from:

Additional Comments:

RECOMMENDATION(S):

Attachment(s): Memo from Town Attorney Jim Cherof

TOWN OF DAVIE
INTER-OFFICE CORRESPONDENCE
MEMORANDUM NO. 2007-012

TO: Mayor Tom Truex
Members of the Town Council

CC: Gary Shimun, Town Administrator

FROM: James A. Cherof, Town Attorney
Jacob G. Horowitz, Assistant Town Attorney

RE: Town of Davie ("Town") / Surveillance in Town Hall – Control No. 0120070208

DATE: May 1, 2007

Pursuant to the request of Councilmember Starkey, the Town Attorney's Office has examined whether the Town may install audio and/or video surveillance equipment in Town Hall as well as other public facilities. After reviewing this issue, our office has concluded that the Town **may** install such surveillance equipment in public buildings throughout the Town, including Town Hall.

Since there is no provision in the Florida Statutes that would prevent the Town from installing surveillance equipment, the Town is permitted to do so pursuant to its constitutionally granted home rule authority.

The Florida Statutes do, however, provide expressed guidelines with regards to the *audio* recording of private conversations, and such regulations must be considered should the Town decide to install this type of surveillance equipment. Specifically, Section 934.03, F.S., prohibits the interception and disclosure of wire, oral and electronic communications, subject to certain exceptions. Chapter 934, F.S., in general, provides regulations regarding the security of communications, particularly related to law enforcement matters.

In addition, courts have expressly addressed the general public's reasonable expectation of privacy in public places. *Adams v. State*, 436 So.2d 1132 (4th DCA 1983), *State v. Sarmiento*, 397 So.2d 643 (Fla. 1981) and *Hill v. State*, 422 So.2d 816 (Fla. 1982). While holdings have varied, it is generally agreed that there is a lesser expectation of privacy in a public place than a private place. Nevertheless, depending on the circumstances, courts appear hesitant to admit into evidence audio recordings of conversations recorded in public places.

In light of the detailed restrictions set forth in the Florida Statutes as well as the case law, we would **recommend against** installing **audio** surveillance equipment in public buildings in the Town.

Should the Town decide to install audio and/or video surveillance equipment, we **would recommend** posting signs informing the public and Town employees that such equipment is being utilized. Though nothing has been specifically on point, there have been court decisions addressing the public's "reasonable expectation of privacy" in public buildings. Putting the public and Town employees on notice will assist in preemptively addressing any issues that may arise regarding the use of such security devices.

Please note, however, that once audio and/or video surveillance equipment is installed, the information garnered by this equipment may become part of the public record and be subject to disclosure pursuant to Ch. 119, Florida Statutes. In addition, pursuant to the Retention Schedule for Administrative Records, all audio or video recordings must be retained by the Town for a period of no less than thirty (30) days.

If you have any additional questions regarding this matter, please do not hesitate to contact our office.

JAC:JGH:js

H:\2006\060723 Davis\MEMOS 2007\2007-012 (Audio-Video Surveillance).doc