5.6
PUBLIC HEARING

TOWN OF DAVIE
TOWN COUNCIL AGENDA REPORT

TO: Mayor and Councilmembers

FROM/PHONE: David Quigley, AICP, Planning and Zoning Manager/ (954) 797-1103

PREPARED BY: Lise Bazinet, Planner II

SUBJECT: Quasi Judicial Hearing: Rezoning Application, ZB 2-1-06/06-37/Living Waters Estates/14801 SW 23rd Street.

AFFECTED DISTRICT: District 4

ITEM REQUEST: **Schedule for Council Meeting**

TITLE OF AGENDA ITEM: REZONING - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, APPROVING REZONING PETITION ZB 2-1-06, CHANGING THE CLASSIFICATION OF CERTAIN LANDS WITHIN THE TOWN OF DAVIE FROM A-1, AGRICULTURAL 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 2-1-06, Living Waters Estates, 14801 SW 23 Street) Planning and Zoning Board recommended approval with the sidewalk to be placed in the manner as described by the applicant (on the properties and on the easement) and subject to staff's recommendations

REPORT IN BRIEF: The petitioner requests to rezone the approximately 10 acre site from A-1, Agricultural District, to R-1, Estate Dwelling District to allow the development of 10 custom single-family homes. Because both districts allow single family dwellings, the primary effect of this change would be to reduce the lot width requirement from 140 ft. to 125 ft. and to reduce the minimum front setback from 40 ft. to 30 ft. The R-1, Estate Dwelling District, is generally compatible with the adjacent, A-1, Agricultural District zoning designations, since this district is compatible with the existing Residential 1 DU/AC, Future Land Use category and the proposed development of the site. The proposed R-1 zoning district will be consistent with the properties to the north and east. In addition, both R-1 and A-1 requires 35,000 square foot minimum lot area.

PREVIOUS ACTIONS: At the January 7, 2009 Town Council meeting, this item was tabled to the January 21, 2009 meeting. **(Motion carried 5-0)**

CONCURRENCES: At the December 10, 2008 Planning & Zoning Board meeting, Vice-Chair Stevens made a motion, seconded by Mr. Busey, to approve with the sidewalk to be placed in the manner as described by the applicant (on the properties and on the easement) and subject to staff's recommendations. In a roll call vote, the vote was as follows: Chair McLaughlin – yes; Vice-Chair Stevens – yes; Mr. Busey – yes; Mr. DeArmas – yes; Ms. Turin – yes. **(Motion carried 5-0)**

FISCAL IMPACT: not applicable

Has request been budgeted? n/a

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

Attachment(s): Ordinance, Planning Report

ORDINANCE _____

AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, APPROVING REZONING PETITION ZB 2-1-06, CHANGING THE CLASSIFICATION OF CERTAIN LANDS WITHIN THE TOWN OF DAVIE FROM A-1, AGRICULTURAL DISTRICT, TO R-1, ESTATE DWELLING 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:** R-1, Estate Dwelling District; and

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 and the same is hereby rezoned and changed from A-1, Agricultural District to R-1, Estate Dwelling 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 is and the same is hereby amended to show the property described in Section 1, herein, as R-1, Estate Dwelling 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_____, 2009.

PASSED ON SECOND READING THIS _____ DAY OF_____, 2009.

ATTEST:

_____
MAYOR/COUNCILMEMBER

_____
TOWN CLERK

APPROVED THIS_____ DAY OF _____, 2009.

Exhibit "A"
Application: ZB 2-1-06/-6-37/Living Waters Estates
Original Report Date: 12/01/08 **Revision(s):** 12/19/08

TOWN OF DAVIE

Planning & Zoning Division

Staff Report and Recommendation

Applicant Information

Owner

Name: Living Waters Estates, LLC
Address: 1255 Orange Drive
City: Davie, Florida 33330
Phone: (954) 577-2969

Petitioner

Name: Pulice Land Surveyors, Inc.
Address: 5381 Nob Hill Road
City: Sunrise, Florida 33351
Phone: (954) 572-1777

Background Information

Date of Notification: December 3, 2008 **Number of Notifications:** 178

Petitioner's Request: Rezone the approx. 10 acre subject site **FROM:** A-1, Agricultural District **TO:** R-1, Estate Dwelling District

Address: 14801 SW 23rd Street

Location: Generally located between SW 20th Street and SW 26th Street, west of SW 148th Avenue.

Future Land Use Plan Map: Residential 1 DU/Acre

Existing Zoning: A-1, Agricultural District

Proposed Zoning: R-1, Estate Dwelling District

Existing Use: Vacant

Parcel Size: 10.049 gross acres (437,734.44 sq. ft.)/9.546 net acres (415,823.76 sq. ft.)

Proposed Use(s): Single-family custom homes

Proposed Density: Residential 1 DU/Acre

	Surrounding Use(s):	Surrounding Land Use Plan Map Designation(s):	
North:	Residential	Residential	1 DU/Acre
South:	Residential/Nursery	Residential	1 DU/Acre
East:	Residential	Residential	1 DU/Acre
West:	Nursery	Residential	1 DU/Acre

	Surrounding Zoning(s):
North:	R-1, Estate Dwelling District
South:	A-1, Agricultural District
East:	R-1, Estate Dwelling District
West:	A-1, Agricultural District

Zoning History

Related zoning history:
Records indicate that the existing Future Land Use Plan Map designation was in place at the time of annexation.

Concurrent Request(s) on same property:
Site Plan Application (MSP 5-1-07), the petitioner requests a site plan approval for 10 residential units development.

Plat Application (P 5-1-07), the petitioner requests approval of the plat known as "Living Waters Estates".

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 Abandonment of Rights-of-Way, the purpose of this division is to guide the processing and granting of rezoning, special permits, variances and vacations or abandonment 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)(13)), Estate Dwelling (R-1) District, the r-1 District is intended to implement the one (1) dwelling unit per acre residential classification of the Town of Davie Comprehensive Plan and to provide estate residential

areas with most of the non-commercial agricultural uses permitted providing a transition from agricultural land to residential dwelling units.

Land Development Code (Section 12-83), Conventional Single-Family Development Standards, R-1, Estate Dwelling District, requires the following minimums: lot area of 35,000 square feet, 125 feet frontage, 0.25 maximum building cover (ratio), and 35' maximum building height.

Comprehensive Plan Considerations

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

Broward County Land Use Plan:
The subject site falls within Flexibility Zone 113

Applicable Goals, Objectives & Policies:
Future Land Use Plan, policy 5-2: The (re)zoning, (re)platting, 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, Land Use Compatibility and Community Appearance, 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, 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, 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 requests to rezone the approximately 10 acre site from A-1, Agricultural District, to R-1, Estate Dwelling District to allow the development of 10 custom single-family homes. Because both districts allow single family dwellings, the essential reason for this request is to reduce the lot width requirement from 140ft. to 125ft. and to reduce the minimum front setback from 40ft. to 30ft. According to the Land Development Code, the subject site meets the minimum requirements for the R-1, Estate Dwelling

District zoning classification, as the minimum lot size required is 35,000 square feet, and a minimum lot frontage of 125 feet.

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 Pioneer Room on August 7, 2007 and August 14, 2007. Attached is the petitioner's Citizen Participation Report.

Staff Analysis

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 application. The Planning and Zoning Board shall make a recommendation upon the application to the town council, based upon its consideration of, where applicable, whether or not:

(a) The proposed change is contrary to the adopted comprehensive plan, as amended, or any element or portion thereof;

The Town of Davie Comprehensive Plan allows 1 DU/acre residential development within the Residential 1 DU/AC future land use designation. Rezoning the site to R-1, Estate Dwelling District is compatible with the underlying land use.

(b) The proposed change would create an isolated zoning district unrelated and incompatible with adjacent and nearby districts;

The R-1, Estate Dwelling District, is compatible with the adjacent, A-1, Agricultural District zoning designations since this district is compatible with the Residential 1 DU/AC, Future Land Use category and the proposed development of the site. The proposed R-1 zoning district will be consistent with the properties to the north and east. In addition, both R-1 and A-1 requires of 35,000 minimum lot area.

(c) Existing zoning district boundaries are illogically drawn in relation to existing conditions on the property proposed for change;

The existing A-1, Agricultural District, boundaries are the original zoning boundaries and are logically drawn. The subject property is adjacent to R-1 (proposed zoning) to the north and east.

(d) The proposed change will adversely affect living conditions in the neighborhood;

Rezoning the site R-1, Estate Dwelling District, to allow 10 single-family custom homes will be consistent with the properties to the north and east and is not expected to have a negative impact on the neighborhood. Single-family dwelling is a permitted use in the Residential 1 DU/AC land use category.

(e) The proposed change will 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 single family residential development is expected to be essentially the same as the adjacent residential properties. The petitioner indicated (as shown on plans) that at peak hour, the maximum trip generation will be 10 trips and will not affect the public safety.

(f) The proposed change will adversely affect other property values;

Properties to the north and east are zoned R-1. Rezoning the subject site is not expected to have a negative impact on the value of the adjacent properties.

(g) The proposed change will be a deterrent to the improvement or development of other property in accord with existing regulations;

Rezoning the subject site is not expected to deter improvements to the surrounding developed properties, since all properties are required to meet existing Land Development Code.

(h) The proposed change will constitute a grant of special privilege to an individual owner as contrasted with the welfare of the general public;

Properties to the north and east are also zoned R-1. Rezoning the subject site does not give the owner a unique benefit that harms the welfare of the general public.

(i) There are substantial reasons why the property cannot be used in accord with existing zoning.

Although the property can be used as the existing A-1 zoning district, R-1 allows density closer to the maximum allowed of the Land Use Plan and future land use designation.

(j) The proposed rezoning designation is 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.

Rezoning the site to allow 10 units single-family lots are the most appropriate to enhance the Town's tax base.

Staff finds that the rezoning request complies with the general purpose of the proposed R-1 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 surrounding properties.

Staff Recommendation

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

Planning and Zoning Board Recommendation

At the December 10, 2008 Planning & Zoning Board meeting, Vice-Chair Stevens made a motion, seconded by Mr. Busey, to approve with the sidewalk to be placed in the manner as described by the applicant (on the properties and on the easement) and subject to staff's recommendations. In a roll call vote, the vote was as follows: Chair McLaughlin – yes; Vice-Chair Stevens – yes; Mr. Busey – yes; Mr. DeArmas – yes; Ms. Turin – yes. **(Motion carried 5-0)**

Town Council Action

At the January 7, 2009 Town Council meeting, this item was tabled to the January 21, 2009 meeting. **(Motion carried 5-0)**

Exhibits

1. Justification Letter
2. Proposed Site Plan
3. 1,000' Mail out Radius Map
4. 1,000' Mail out of the Subject Site
5. Public Participation Notice
6. Public Participation Sign-in Sheet
7. Public Participation Summaries
8. Future Land Use Plan Map
9. Aerial, Zoning, and Subject Site Map

Prepared by: _____

Reviewed by: _____

File Location: P&Z\Development Applications\Applications\ZB_Rezoning\ZB_07\ZB 2-1-06 Living Waters Estates

Exhibit 1 (*Justification Letter*)

PULICE LAND SURVEYORS, INC.
5381 NOB HILL ROAD
SUNRISE, FLORIDA 33351
TELEPHONE (954) 572-1777 • FACSIMILE (954) 572-1778
e-mail: surveys@pulicelandsurveyors.com

February 1, 2006

Mr. David Abramson
Town Of Davie
Planning & Zoning Division
6591 Orange Drive
Davie, Florida 33314-3399

RE: "LIVING WATERS ESTATES" LOCATED AT SW 148 AVENUE TOWN OF DAVIE, FLORIDA

Dear David,

Pursuant to the Town of Davie review criteria of Section 12-307 of the land development code, with this plat application we respectfully request a rezoning of the subject property from Zoning A-1 to Zoning R-1. This rezoning will be compatible with the adjacent residential communities, as they contain one dwelling unit per 35,000 square feet. The proposed change in zoning is not contrary to the adopted comprehensive plan, will not create an isolated zoning district, unrelated and incompatible with adjacent and nearby districts or adversely affect living conditions within the adjacent neighborhood.

Please see attached zoning aerial map for reference.

Should you have any questions or comments do not hesitate to contact me

Sincerely,
Pulice Land Surveyors, Inc.
J Espinosa
Jason Espinosa

Encl.

Exhibit 2 ***(Proposed Site Plan)***

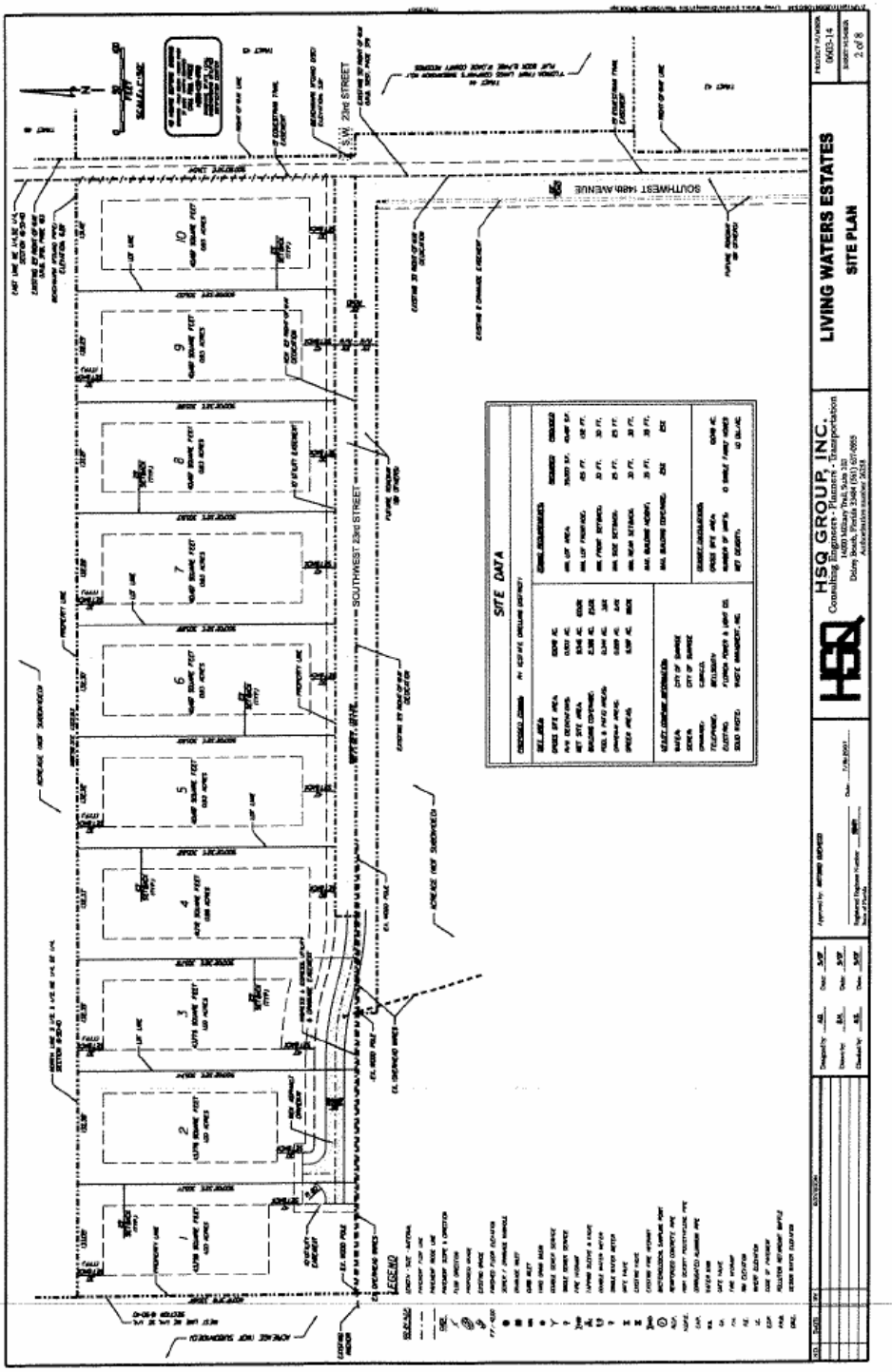
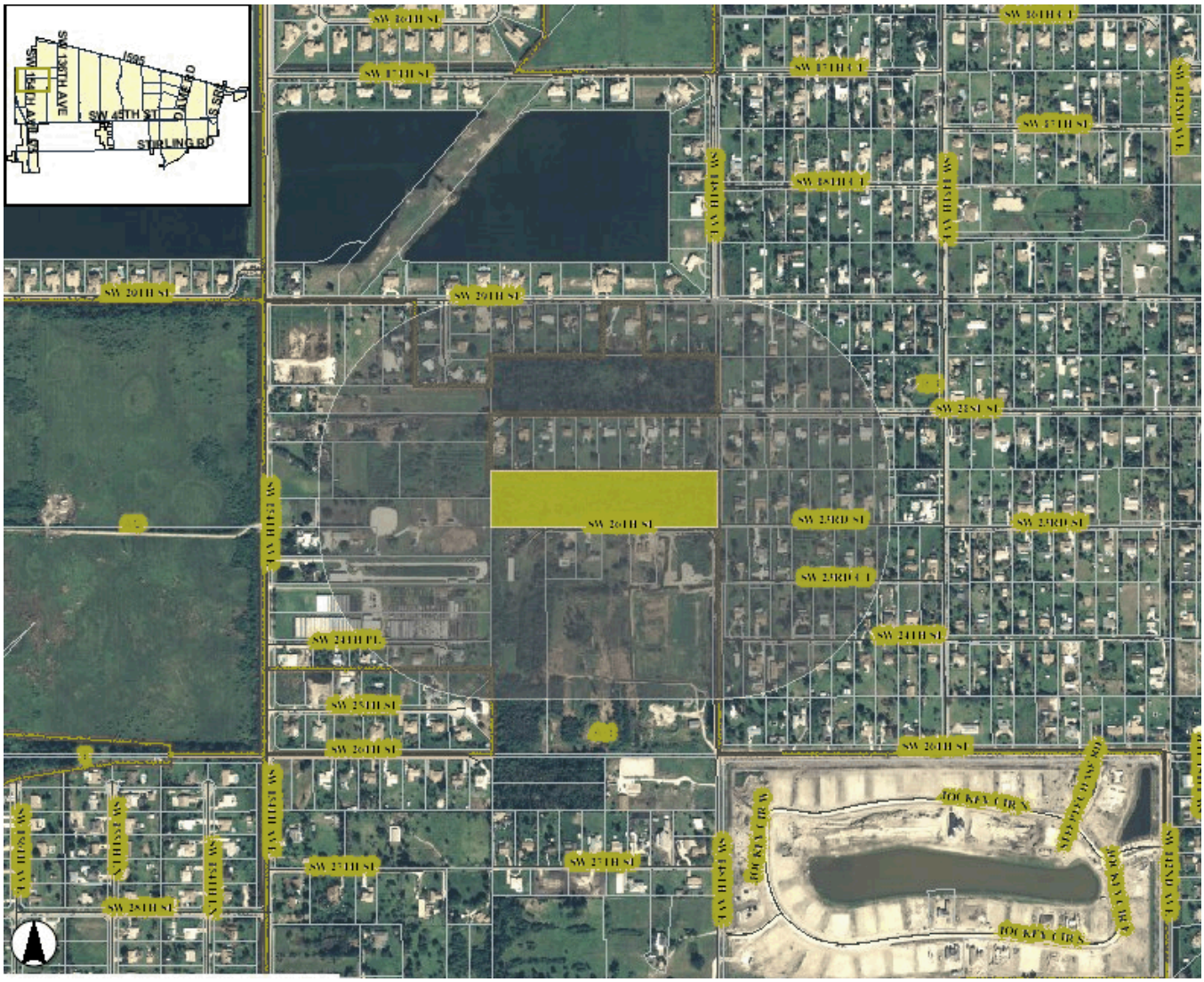


Exhibit 3 ***(1,000' Mail out Radius Map)***



1,000 Radius Buffer

Living Waters Estates ZB 2-1-06

Exhibit 4 ***(1,000' Mail out of Subject Site)***

ZB 2-1-06
ACUNA,RICARDO E & FANNY E
14691 SW 23 ST
DAVIE FL 33325-4956

ZB 2-1-06
ALVAREZ,FELIX & GINA
15090 SW 20TH ST
DAVIE FL 33326-2021

ZB 2-1-06
ANDERSON,CHARLES D & SUSAN V
14791 SW 23RD CT
DAVIE FL 33325-4924

ZB 2-1-06
ANGELBELLO,ARMANDO &
XIOMARA
14701 SW 23 ST
DAVIE FL 33325-4957

ZB 2-1-06
BARKUS,DANIEL R & MIRIAM R
2240 SHOTGUN ROAD
DAVIE FL 33326

ZB 2-1-06
BARKUS,MIRIAM TRSTEE
2240 SW 154 AVE
DAVIE FL 33326-2014

ZB 2-1-06
BAUMAN,BETTY
14750 SW 23 ST
DAVIE FL 33325-4957

ZB 2-1-06
BAXTER,HELEN
15125 SW 26TH ST
DAVIE FL 33326-2003

ZB 2-1-06
BECERRA,HERBERT
14701 SW 24 ST
DAVIE FL 33325

ZB 2-1-06
BENITEZ,NANCY
14721 SW 21 ST
DAVIE FL 33325-4930

ZB 2-1-06
BERTHOLD,HANS H
14641 SW 24TH ST
DAVIE FL 33325-4916

ZB 2-1-06
BGBA LLC
700 S FLAMINGO ROAD
DAVIE FL 33325-3449

ZB 2-1-06
BRODEY,ARCHIBALD III & DEIRDE
15150 SW 24TH PL
DAVIE FL 33326-2030

ZB 2-1-06
BROOKS,RONALD &
BROOKS,EILEEN
2001 SW 151ST TER
DAVIE FL 33326-2001

ZB 2-1-06
BRUNS,RICK E & LILIANE J
2280 SW 154 AVE
DAVIE FL 33326-2014

ZB 2-1-06
BULLOCK,GARETH H
VASSELL-BULLOCK,KNICKEITA A
15181 SW 25 ST
DAVIE FL 33324

ZB 2-1-06
BURLISON,LAWRENCE C & URSULA
14730 SW 23 ST
DAVIE FL 33325

ZB 2-1-06
CADET,IAN &
CADET,JOAN BAILEY
15020 SW 21 ST
DAVIE FL 33326-2006

ZB 2-1-06
CARRODEGUAS,MIGUEL F & ROSA
14620 SW 21ST ST
DAVIE FL 33325-4927

ZB 2-1-06
CASTELLI,J C & HARRIET
2150 SW 154TH AVE
DAVIE FL 33326-2010

ZB 2-1-06
CERVONE,MICHAEL S & LISA B
15102 SW 25 ST
DAVIE FL 33326

ZB 2-1-06
CHARLOCK,CLIFFORD R & BETTE A
14920 SW 21ST ST
DAVIE FL 33326-2012

ZB 2-1-06
COBB,MICHAEL & CAROL
14621 SW 24TH ST
DAVIE FL 33325-4916

ZB 2-1-06
CROCKER,JAMES J
14900 SW 20 ST
DAVIE FL 33326-2020

ZB 2-1-06
DACHTON,GLORIA
DACHTON,CHARLES W
14810 SW 20TH ST
DAVIE FL 33326-2019

ZB 2-1-06
DEFREITAS,WAYNE & JENNIFER
665 CARRINGTON LANE
WESTON FL 33326

ZB 2-1-06
DELGADO,AMY &
DELGADO,JAVIER
14640 SW 21 ST
DAVIE FL 33325-4927

ZB 2-1-06
DESTEFANO,KENNETH &
DESTEFANO,DEBRA
2081 SW 151 TER
DAVIE FL 33326-2001

ZB 2-1-06
DEVALLE,CECILIO E & DOLORES S
14601 SW 23RD CT
DAVIE FL 33325-4922

ZB 2-1-06
DEVEAUGH,PETER R & MELINDA S
14621 SW 23RD ST
DAVIE FL 33325-4956

ZB 2-1-06
FAZIO,MICHAEL & REGINA A
14740 SW 24TH ST
DAVIE FL 33325-4917

ZB 2-1-06
GOLDEN,GERALD G & WINONA S
14620 SW 24TH ST
DAVIE FL 33325-4915

ZB 2-1-06
GULF RANCH INVESTMENTS LLC
1820 N CORPORATE LKS #105
WESTON FL 33326

ZB 2-1-06
HOWINGTON,ROY K & BARBARA
14630 SW 24TH ST
DAVIE FL 33325-4915

ZB 2-1-06
JOHNSON,JOHN A & LINDA A
15250 SW 24TH PL
DAVIE FL 33326-2032

ZB 2-1-06
KLUMPP,ANDREAS & LENYS
15200 SW 24 PL
FT LAUDERDALE FL 33326

ZB 2-1-06
LATCHMAN,RAVI &
LATCHMAN,SHAHARAZAAD
14661 SW 24 ST
DAVIE FL 33325-4916

ZB 2-1-06
LOVASZ,THOMAS E
14551 SW 23RD CT
DAVIE FL 33325-4920

ZB 2-1-06
MALLO,ABEL L
1488 NW 126 AVE
SUNRISE FL 33323-5119

ZB 2-1-06
MARSHALL,CHRISTINE &
MARSHALL,RANDALL
14710 SW 21 ST
DAVIE FL 33325-4929

ZB 2-1-06
FLORIDA AQUATIC NURSERIES INC
700 S FLAMINGO RD
DAVIE FL 33325-3449

ZB 2-1-06
GONZALEZ,SILVIA E &
GONZALEZ,MARCOS
14950 SW 20 ST
FT LAUDERDALE FL 33326-2020

ZB 2-1-06
HAYYIM,DANIEL
14830 SW 20 ST
DAVIE FL 33326-2019

ZB 2-1-06
HUTCHESON,CLARK D & BARBARA
14791 SW 23 ST
DAVIE FL 33325-4957

ZB 2-1-06
JULIANO,GEORGE T & LISA P
14970 SW 20TH ST
DAVIE FL 33326-2020

ZB 2-1-06
LA CROIX,JON & CHERYL
15100 SW 26 ST
DAVIE FL 33326

ZB 2-1-06
LIVING WATERS ESTATES LLC
612 SE 5 AVE STE 1
FORT LAUDERDALE FL 33301

ZB 2-1-06
MAC CARONE,ANTHONY S &
VICTORIA
14551 SW 24TH ST
DAVIE FL 33325-4914

ZB 2-1-06
MARCHESE,RICHARD 1/2 INT EA
MCLAUGHLIN,REBECCA
14781 SW 26 ST
DAVIE FL 33325

ZB 2-1-06
MC DERMOTT,DENNIS J & LAURIE F
14701 SW 21ST ST
DAVIE FL 33325-4930

ZB 2-1-06
GEMMA,JERRY
14631 SW 21ST ST
DAVIE FL 33325-4928

ZB 2-1-06
GRIFFIN,ROBERT W & JACQUELYN R
14700 SW 20TH ST
DAVIE FL 33325-4937

ZB 2-1-06
HOLSMAN,GLEN
ROSE,MARYJOE
14661 SW 23 CT
DAVIE FL 33325-4922

ZB 2-1-06
IRONS,WHITNEY
14751 SW 23 ST
DAVIE FL 33325

ZB 2-1-06
KATULKA,MICHAEL A & SANDRA K
2300 SW 154TH AVE
DAVIE FL 33326-2014

ZB 2-1-06
LACROIX,EARLINE M
15100 SW 26TH ST
DAVIE FL 33326-2002

ZB 2-1-06
LOSEE,IRVING C JR REV LIV TR
2175 SW 148TH AVE
DAVIE FL 33325-4946

ZB 2-1-06
MACDONALD,SCOTT & PATRICIA
15080 SW 21 ST
DAVIE FL 33326-2006

ZB 2-1-06
MARKOWITZ,PETER E &
KOSCIELNIAK,JUDITH A
14721 SW 24TH ST
DAVIE FL 33325-4918

ZB 2-1-06
MOHAMMED,SHAHEED
14651 SW 23 CT
DAVIE FL 33325-4922

ZB 2-1-06
MOORE,EDWARD L
14601 SW 21ST ST
DAVIE FL 33325-4928

ZB 2-1-06
NADEAU-CAMUS,ROBIN E
CAMUS,PABLO G
15000 SW 20 ST
DAVIE FL 33326-2021

ZB 2-1-06
PEDROSA,SHARON &
RICO,AMALIA
15200 SW 20 ST
DAVIE FL 33326-2024

ZB 2-1-06
PEREZ,RAMONA
14790 SW 24 ST
DAVIE FL 33325

ZB 2-1-06
PORIO,DEAN L
14650 SW 20TH ST
DAVIE FL 33325-4935

ZB 2-1-06
RAETHER,JOHN F & JANET E
14550 SW 21ST ST
DAVIE FL 33325-4925

ZB 2-1-06
ROMAN,BARBARA A LE
14700 SW 21 ST
DAVIE FL 33325-4929

ZB 2-1-06
SCHARF,WILLIAM L & LINDA M
14551 SW 21ST ST
DAVIE FL 33325-4926

ZB 2-1-06
STANTON,LARRY G & SANDRA E
2030 SW 151ST TER
DAVIE FL 33326-2001

ZB 2-1-06
STOTLER,JAY C & MARY E
14820 SW 21ST ST
DAVIE FL 33326-2004

ZB 2-1-06
MOWATT,PAUL L &
FRANCIS,JACQUELINE E
14520 SW 21 ST
DAVIE FL 33325-4925

ZB 2-1-06
NAUGHTON,KEVIN
14910 SW 21 ST
DAVIE FL 33326-2012

ZB 2-1-06
PENN,RAYMOND & MAYUMI
14600 SW 21 ST
DAVIE FL 33325-4927

ZB 2-1-06
PIACENTINO,CHRIS
14800 SW 21 ST
DAVIE FL 33326-2004

ZB 2-1-06
POWELL,CARL T
5830 MIAMI LAKES DR
MIAMI LAKE FL 33014

ZB 2-1-06
RANGEL,JOSE ALFONSO
2000 SW 151 TER
DAVIE FL 33326-2001

ZB 2-1-06
SALAZAR,LAZARO A & CELINA G
14521 SW 21ST ST
DAVIE FL 33325-4926

ZB 2-1-06
SCHWARTZ,BRIAN I
14940 SW 21 ST
DAVIE FL 33326-2012

ZB 2-1-06
STEWART,CLEON &
NNAMDIE-STEWART,NNYENE
676 STANTON DR
WESTON FL 33326

ZB 2-1-06
SUSKEY,JAY A & KAROL
14880 SW 21ST ST
DAVIE FL 33326-2004

ZB 2-1-06
MUNSON,TIMOTHY & BRENDA
14591 SW 23 ST
DAVIE FL 33325

ZB 2-1-06
NEGRIN,ARMANDO &
NEGRIN,IVONNE
14820 SW 20 ST
DAVIE FL 33326

ZB 2-1-06
PENNELL,SHEILA GUARDIAN
PENNELL,CHANTEL
14720 SW 20TH ST
DAVIE FL 33325-4937

ZB 2-1-06
PILKINGTON,ROBERT & MARCIA
14700 SW 24TH ST
DAVIE FL 33325-4917

ZB 2-1-06
PRUETT,SHEREE D
14600 SW 20TH ST
DAVIE FL 33325-4935

ZB 2-1-06
RODEN,RODNEY S & ELLEN J
14750 SW 20TH ST
DAVIE FL 33325-4937

ZB 2-1-06
SANCHEZ,JOSE R
SANCHEZ,MALVIS
14601 SW 23 ST
DAVIE FL 33325-4956

ZB 2-1-06
SMITH,DAVID J & ELIZABETH P
2080 SW 151ST TER
DAVIE FL 33326-2001

ZB 2-1-06
STILES CORP
300 SE 2 ST
FT LAUDERDALE FL 33301

ZB 2-1-06
SWARTZ,THOMAS W & MICHELLE L
15100 SW 26TH ST
DAVIE FL 33326-2002

ZB 2-1-06
TABARES,MARTHA G
14795 SW 24 ST
DAVIE FL 33314-4918

ZB 2-1-06
TAYLOR,LINDA M
14990 SW 20 ST
DAVIE FL 33326-2020

ZB 2-1-06
THORUP,KAI &
RABENSBURG FAMILY TR
14711 SW 21 ST
DAVIE FL 33325-4930

ZB 2-1-06
TREICHEL,JOEL E
14720 SW 24TH ST
DAVIE FL 33325-4917

ZB 2-1-06
TROWBRIDGE,CHARLES R
14691 SW 21ST ST
DAVIE FL 33325-4928

ZB 2-1-06
TROWBRIDGE-CRUMP,MARY C
CRUMP,DARRYL W
14690 SW 20 ST
DAVIE FL 33325-4935

ZB 2-1-06
VICKERS,ELSIE E
14790 SW 21 ST
DAVIE FL 33325-4929

ZB 2-1-06
WELDEN,CHARLES B & GLENDA L
15000 SW 21ST ST
DAVIE FL 33326-2006

ZB 2-1-06
ZANE,DONALD RICHARD & SHARON
14840 SW 21ST ST
DAVIE FL 33326-2004

ZB 2-1-06
Current Occupant
2175 SW 148 AVE
Davie, FL 33325

ZB 2-1-06
Current Occupant
2000 SW 151 TER
Davie, FL 33326

ZB 2-1-06
Current Occupant
2001 SW 151 TER
Davie, FL 33326

ZB 2-1-06
Current Occupant
2030 SW 151 TER
Davie, FL 33326

ZB 2-1-06
Current Occupant
2080 SW 151 TER
Davie, FL 33326

ZB 2-1-06
Current Occupant
2081 SW 151 TER
Davie, FL 33326

ZB 2-1-06
Current Occupant
2400 SW 154 AVE
Davie, FL 33326

ZB 2-1-06
Current Occupant
14690 SW 20 ST
Davie, FL 33325

ZB 2-1-06
Current Occupant
14700 SW 20 ST
Davie, FL 33325

ZB 2-1-06
Current Occupant
14720 SW 20 ST
Davie, FL 33325

ZB 2-1-06
Current Occupant
14750 SW 20 ST
Davie, FL 33325

ZB 2-1-06
Current Occupant
14810 SW 20 ST
Davie, FL 33326

ZB 2-1-06
Current Occupant
14820 SW 20 ST
Davie, FL 33326

ZB 2-1-06
Current Occupant
14830 SW 20 ST
Davie, FL 33326

ZB 2-1-06
Current Occupant
14900 SW 20 ST
Davie, FL 33326

ZB 2-1-06
Current Occupant
14950 SW 20 ST
Davie, FL 33326

ZB 2-1-06
Current Occupant
14970 SW 20 ST
Davie, FL 33326

ZB 2-1-06
Current Occupant
14990 SW 20 ST
Davie, FL 33326

ZB 2-1-06
Current Occupant
15000 SW 20 ST
Davie, FL 33326

ZB 2-1-06
Current Occupant
15090 SW 20 ST
Davie, FL 33326

ZB 2-1-06
Current Occupant
14550 SW 21 ST
Davie, FL 33325

ZB 2-1-06
Current Occupant
14551 SW 21 ST
Davie, FL 33325

ZB 2-1-06
Current Occupant
14600 SW 21 ST
Davie, FL 33325

ZB 2-1-06
Current Occupant
14601 SW 21 ST
Davie, FL 33325

ZB 2-1-06
Current Occupant
14620 SW 21 ST
Davie, FL 33325

ZB 2-1-06
Current Occupant
14631 SW 21 ST
Davie, FL 33325

ZB 2-1-06
Current Occupant
14640 SW 21 ST
Davie, FL 33325

ZB 2-1-06
Current Occupant
14691 SW 21 ST
Davie, FL 33325

ZB 2-1-06
Current Occupant
14700 SW 21 ST
Davie, FL 33325

ZB 2-1-06
Current Occupant
14701 SW 21 ST
Davie, FL 33325

ZB 2-1-06
Current Occupant
14710 SW 21 ST
Davie, FL 33325

ZB 2-1-06
Current Occupant
14711 SW 21 ST
Davie, FL 33325

ZB 2-1-06
Current Occupant
14721 SW 21 ST
Davie, FL 33325

ZB 2-1-06
Current Occupant
14790 SW 21 ST
Davie, FL 33325

ZB 2-1-06
Current Occupant
14800 SW 21 ST
Davie, FL 33326

ZB 2-1-06
Current Occupant
14820 SW 21 ST
Davie, FL 33326

ZB 2-1-06
Current Occupant
14840 SW 21 ST
Davie, FL 33326

ZB 2-1-06
Current Occupant
14880 SW 21 ST
Davie, FL 33326

ZB 2-1-06
Current Occupant
14910 SW 21 ST
Davie, FL 33326

ZB 2-1-06
Current Occupant
14920 SW 21 ST
Davie, FL 33326

ZB 2-1-06
Current Occupant
14940 SW 21 ST
Davie, FL 33326

ZB 2-1-06
Current Occupant
15000 SW 21 ST
Davie, FL 33326

ZB 2-1-06
Current Occupant
15020 SW 21 ST
Davie, FL 33326

ZB 2-1-06
Current Occupant
15080 SW 21 ST
Davie, FL 33326

ZB 2-1-06
Current Occupant
14601 SW 23 CT
Davie, FL 33325

ZB 2-1-06
Current Occupant
14651 SW 23 CT
Davie, FL 33325

ZB 2-1-06
Current Occupant
14661 SW 23 CT
Davie, FL 33325

ZB 2-1-06
Current Occupant
14791 SW 23 CT
Davie, FL 33325

ZB 2-1-06
Current Occupant
14591 SW 23 ST
Davie, FL 33325

ZB 2-1-06
Current Occupant
14601 SW 23 ST
Davie, FL 33325

ZB 2-1-06
Current Occupant
14621 SW 23 ST
Davie, FL 33325

ZB 2-1-06
Current Occupant
14691 SW 23 ST
Davie, FL 33325

ZB 2-1-06
Current Occupant
14701 SW 23 ST
Davie, FL 33325

ZB 2-1-06
Current Occupant
14730 SW 23 ST
Davie, FL 33325

ZB 2-1-06
Current Occupant
14750 SW 23 ST
Davie, FL 33325

ZB 2-1-06
Current Occupant
14751 SW 23 ST
Davie, FL 33325

ZB 2-1-06
Current Occupant
14791 SW 23 ST
Davie, FL 33325

ZB 2-1-06
Current Occupant
15150 SW 24 PL
Davie, FL 33326

ZB 2-1-06
Current Occupant
15200 SW 24 PL
Davie, FL 33326

ZB 2-1-06
Current Occupant
14621 SW 24 ST
Davie, FL 33325

ZB 2-1-06
Current Occupant
14641 SW 24 ST
Davie, FL 33325

ZB 2-1-06
Current Occupant
14661 SW 24 ST
Davie, FL 33325

ZB 2-1-06
Current Occupant
14700 SW 24 ST
Davie, FL 33325

ZB 2-1-06
Current Occupant
14720 SW 24 ST
Davie, FL 33325

ZB 2-1-06
Current Occupant
14721 SW 24 ST
Davie, FL 33325

ZB 2-1-06
Current Occupant
14740 SW 24 ST
Davie, FL 33325

ZB 2-1-06
Current Occupant
14790 SW 24 ST
Davie, FL 33325

ZB 2-1-06
Current Occupant
14795 SW 24 ST
Davie, FL 33325

ZB 2-1-06
Current Occupant
14981 SW 26 ST
Davie, FL 33326

ZB 2-1-06
Current Occupant
15091 SW 26 ST
Davie, FL 33326

ZB 2-1-06
Current Occupant
15100 SW 26 ST
Davie, FL 33326

ZB 2-1-06
Current Occupant
15100 SW 26 ST
Davie, FL 33326

ZB 2-1-06
Current Occupant
15125 SW 26 ST
Davie, FL 33326

ZB 2-1-06
Current Occupant
15200 SW 20 ST
Davie, FL 33326

ZB 2-1-06
Current Occupant
15102 SW 25 ST
Davie, FL 33326

ZB 2-1-06
Current Occupant
14900 SW 23 ST
Davie, FL 33326

ZB 2-1-06
Current Occupant
14651 SW 23 ST
Davie, FL 33325

ZB 2-1-06
Current Occupant
14701 SW 24 ST
Davie, FL 33325

ZB 2-1-06
Current Occupant
15141 SW 25 ST
Davie, FL 33326

Exhibit 5 ***(Public Participation Notice)***

MEETING NOTICE

July 20, 2007

Property Owner

Re: Citizen Participation Plan for Living Waters Estates Site Plan
Project Number: ZB 2-1-06 and MSP 5-1-07

Dear Neighbor

This letter is to invite you to a citizen participation meeting relating to a proposed site plan for 10 single-family home units each unit being located on one acre of land generally located at between SW 21st Street and SW 22nd Street immediately west of SW 148th Ave. A re-zoning application changing the zoning of the parcel from A-1 to R-1 is processing concurrently with this request and has already been evaluated by Staff. Access to the homes will be from SW 148th Ave. and then a private road. A copy of the proposed site plan and a location map of the project are enclosed.

Under a Town of Davie ordinance, the Petitioner is required to hold two (2) citizen participation meetings and send notice to all property owners within 1,000 feet of the subject site prior to the Town initiating their review of the application. We have scheduled the following meetings:

First Citizen Participation Meeting
Date: August 7, 2007
Time: 5:30 p.m.
Location: Pioneer Room, Davie Town Hall Complex, 6591 Orange Drive, Davie

Second Citizen Participation Meeting:
Date: August 14, 2007
Time: 5:30 p.m.
Location: Pioneer Room, Davie Town Hall Complex, 6591 Orange Drive, Davie

If you wish to submit written comments, please send them to:
Rod A. Feiner, Esq.
Coker & Feiner
1404 S. Andrews Ave.
Ft. Lauderdale, FL 33316
Telephone: (954) 761-3636

Also, please be advised that there will be additional opportunities for public input at the Town of Davie Public Hearings.

Sincerely,

ROD A. FEINER
For the Firm
Attachments: Location Map, Site Plan

Exhibit 6 ***(Public Participation Sign-in Sheets)***

PUBLIC PARTICIPATION MEETING SIGN IN SHEET
AUGUST 14, 2007

Name	Address
Jay LaCroix	15100 SW 26th St, Davie, FL 33326

Exhibit 7 ***(Public Participation Report)***

Law Offices
COKER & FEINER
1404 South Andrews Avenue
Fort Lauderdale, FL 33316-1840

Telephone: (954) 761-3636
Facsimile: (954) 761-1818

Richard G. Coker, Jr., P.A.
Rod A. Feiner

August 15, 2007

Town of Davie
Development Services Department
Planning & Zoning Division
6591 Orange Drive
Davie, FL 33314
Attn: Ms. Lise Bazinet

Re: Citizen Participation Report for Living Waters Estates

Dear Ms. Bazinet:

Please be advised that as required by the Town of Davie, Land Development Code, Chapter 12, Division 7, we, the attorney for the Petitioner and the Petitioner, advertised, notified and invited all property owners surrounding the subject property within 1,000 feet of the subject site to attend two (2) Public Participation Meetings, located at 6591 Orange Drive, Davie, Davie Town Hall Complex, Pioneer Meeting Room, held on August 7 and August 14, 2007, with each meeting starting at 5:30 p.m. The above scheduled meetings were held and one member of the public attended the meeting on August 14, 2007. A sign in sheet is attached. The following is a summary of the key issues brought up by the Town of Davie property owners.

The Owner, Jon LaCroix, wanted to know about the delay in the construction of the road on SW 148th Ave. He is the property owner to the south of the subject site and wants to use SW 148th Ave. for access once he develops his property. He was previously under the impression that the prior property owner was developing the road. He also wanted to ensure that SW 23rd Street would dead end at the property boundary, which is currently the case. After reviewing the site plan and plat, Mr. LaCroix expressed support for the project.

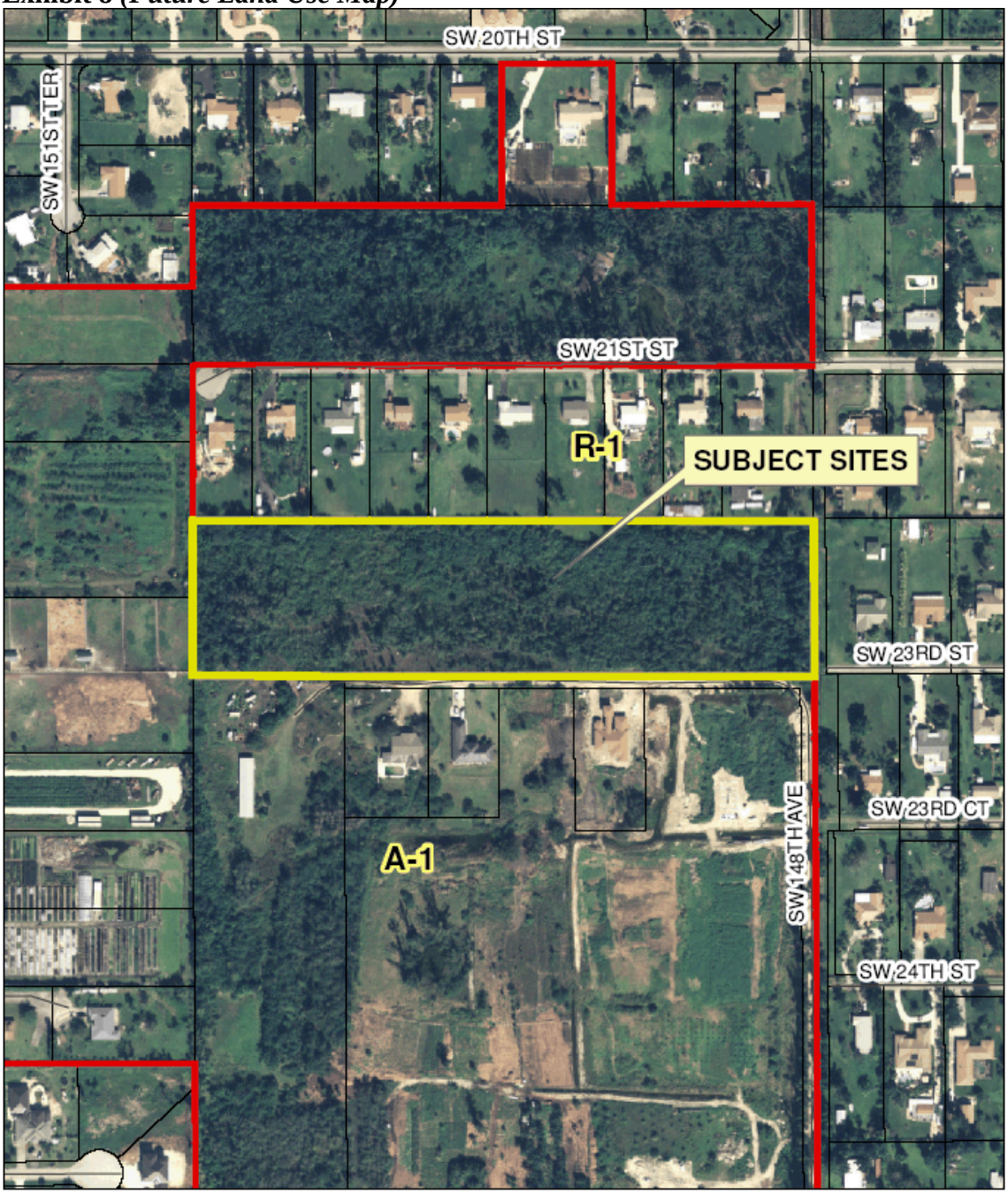
We, the Petitioner and the attorney for the Petitioner, hope that the above information fulfilled the requirements of the Public Participation Ordinance concerning this application for re-zoning process.

Very truly yours,

ROD A. FEINER
For the Firm

RAF:tms
c: Living Waters Estates, Pulice Land Surveyors, HSQ Engineers

Exhibit 8 ***(Future Land Use Map)***



Date Flown:
12/2006

N

0 150 300 600 Feet

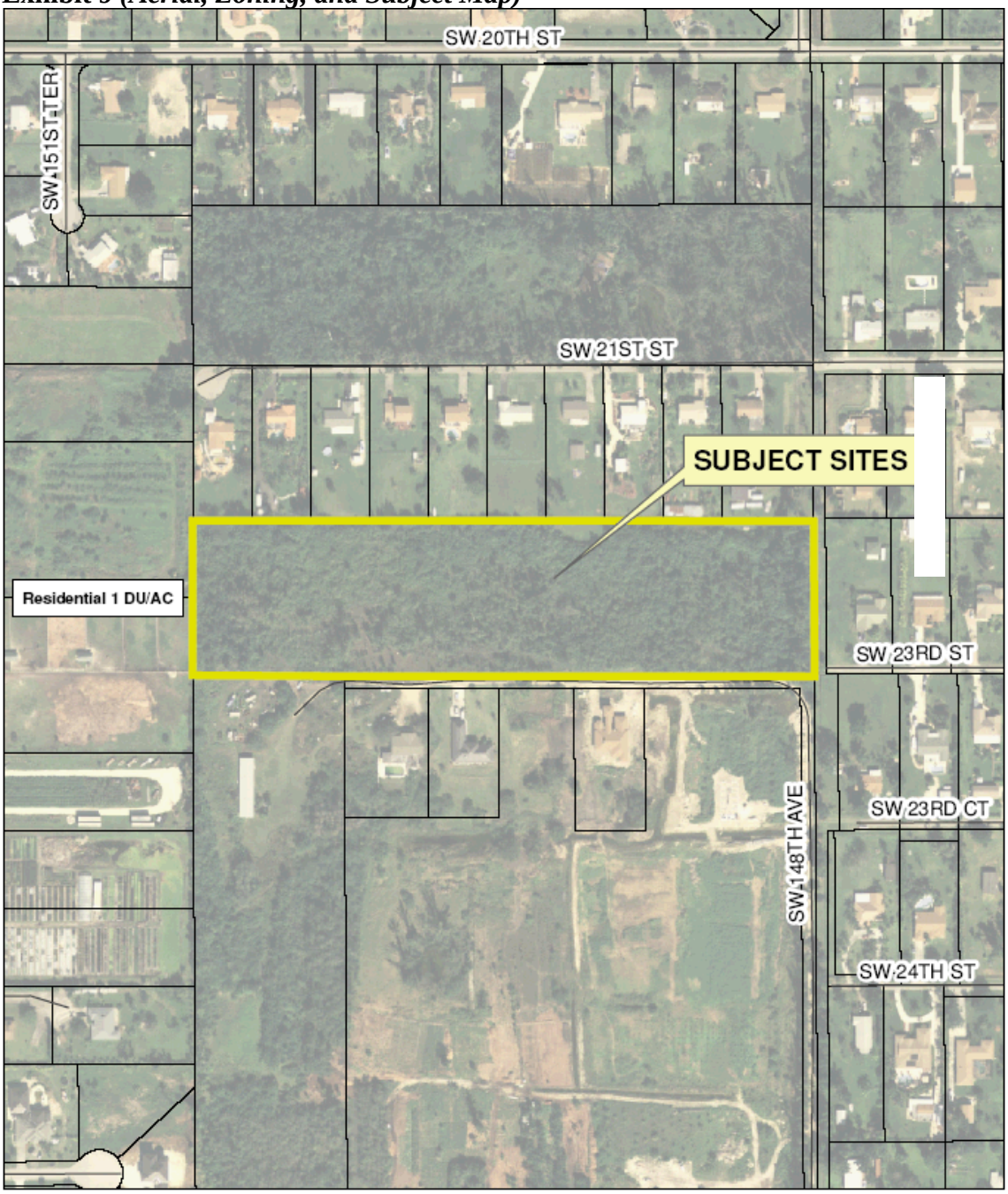
Prepared by the Town of Davie GIS Division

Master Site Plan
MSP 5-1-07

Zoning and Aerial Map

Prepared by: ID
Date Prepared: 7/13/07

Exhibit 9 ***(Aerial, Zoning, and Subject Map)***



Date Flown:
12/2006

N

0 150 300 600 Feet

Prepared by the Town of Davie GIS Division

Plat
P 5-1-07
Future Land Use Map

Prepared by: ID
Date Prepared: 7/13/07