

TOWN OF DAVIE
PLANNING AND ZONING DIVISION
PLANNING REPORT

February 26, 1999

SUBJECT: Application V 12-5-98

APPLICANT: Dominick Scarfo, Architect

OWNER: Moses Family Trust

ADDRESS: 2550 Flamingo Road

LOCATION: East side of Flamingo Road approximately 320 feet north of SW 26 St.

REQUEST: **From:** Section 12-208(A)(3) which requires 1 space for each 200 square feet of gross floor area for child care centers resulting in 75 required parking spaces;
To: reduce the number of required parking spaces from 75 to 42.

EXHIBITSTOBEINCLUDED: Variance application, subject site map, planning report, and aerial.

ANALYSIS: The subject site is approximately 2.4 acres in area and is currently vacant. The site was rezoned from AG to CF in November, 1997 to permit a day care center, which is now undergoing site plan approval. The site is bound by vacant lands to the north and south, together with rural single family residential development to the east, all zoned AG. To the west is the Flamingo Road corridor.

Review of a variance request should include consideration of the criteria listed in Section 12-309 of the Land Development Code which is attached hereto, and made a part hereof.

The applicant is requesting a variance to reduce the number of required parking spaces on site for a proposed child care center by more than a third. The applicant proposes to provide 42 spaces on site, with 6 additional spaces for school vans, for a total of 48 spaces.

Staff does not find there are special circumstances which apply to the land for which the variance is sought, such that the strict application of the provisions of the Code would deprive the applicant of the ability to use his property. However, staff does find that the application of the Code provision from which the applicant seeks relief may result in an unnecessary hardship due to the absence of an appropriate relationship between the Code requirement and the intent of the requirement which is to provide adequate off-street parking. Research indicates the Town's parking requirement for child care centers is excessive. For example, the Town's requirement is double that of Broward County's which is one space per 400 gross square feet. The applicant's proposed parking ratio is one space per 357 square feet, which is greater than Broward County's requirement, and which staff believes to be reasonable. Staff will propose an amendment to reduce the child care facility parking ratio as part of a larger parking code rewrite effort.

RECOMMENDATION: The Planning and Zoning Division therefore recommends **APPROVAL** of the requested variance to reduce the number of required parking spaces from 75 to 42, with a finding that the request is consistent with the intent of the Code as it will be proposed for amendment, and seeks appropriate relief from Code provisions that will cause an unnecessary hardship on the property.

PLANNING AND ZONING BOARD RECOMMENDATION: Motion to recommend **APPROVAL** (4-0, Mr. Stahl absent, February 10, 1999).

EXISTING ZONING: CF
CODE SECTION:

PROPOSED ZONING: NA
CODE SECTION:

LAND USE DESIGNATION: RESIDENTIAL (10UAC)

FOLIO NUMBER 0013-01-024.6

TOWN OF DAVIE USE ONLY	
PETITION NO.	<u>V12-598</u>
FEE.	<u>930.00</u>
RECEIPT NO.	<u>7352</u>

TOWN OF DAVIE
VARIANCE APPLICATION

(NOTE: INFORMATION MUST BE TYPED AND NOTARIZED)
Make Checks payable to TOWN OF DAVIE

DATE FILED: Dec 29, 1998

PHONE: 954-752-6451

PETITIONER: Dominick Scarfo

MAILING ADDRESS: 1620 n.w. 111th avenue, Coral springs, FL 33071

RELATIONSHIP TO PROPERTY: Architect

OWNER: Moses Family Trust

MAILING ADDRESS: 3651 SW 116th Avenue, Davie, FL 33330

ADDRESS OF PROPERTY: 2550 Flamingo Road

LEGAL DESCRIPTION: (Certified Sealed Boundary Survey to include statement of amount of acreage involved MUST be submitted with application):

SEE ATTACHED

ACREAGE: 2.369 acres plus or minus

REQUEST: Modify parking requirements to conform to County requirements

REASON FOR REQUEST: (attach additional sheet as necessary)

Davie parking requirement is 1 car per 200 square feet. This takes up most of the site and is beyond parking needed for this type of facility. County allows 1 per 400 square feet.

* * * PETITIONER MUST BE PRESENT IN ORDER FOR ACTION TO BE TAKEN * * *

OFFICE USE ONLY

APPROVED AS TO FORM: CKM PUBLICATION DATE: 1/27/99
2/3/99
MEETING DATE: PLANNING AND ZONING BOARD: 2-10-99 TOWN COUNCIL: 3-3-99
NOTICES SENT: 10 REPLIES: FOR: _____ AGAINST: _____
UNDELIVERABLE: _____

Moses Family Trust, RAYMOND MOSES
OWNER'S NAME(S)

Dominick Scarfo
PETITIONER'S NAME

[Signature]
OWNER'S SIGNATURE (ALL OWNERS MUST SIGN)

[Signature]
PETITIONER'S SIGNATURE

3651 SW 116th Avenue Davie, FL33330
ADDRESS

1620 NW 111th Avenue, Coral Springs 33071
ADDRESS

CITY, STATE, ZIP

CITY, STATE, ZIP

954-476-6883
PHONE

954-752-6451
PHONE

The foregoing instrument was acknowledged before me
this 29 day of December, 1998, by
Raymond Moses who is personally
known to me or who has produced _____

The foregoing instrument was acknowledged before me
this 29 day of December 1998, by
Dominick Scarfo who is personally
known to me or who has produced FLDL

as identification and who did take an oath.
NOTARY PUBLIC:
Sign: [Signature]
Print: Kathleen Handler

as identification and who did take an oath.
NOTARY PUBLIC:
Sign: [Signature]
Print: Kathleen Handler

My Commission Expires:


My Commission Expires:


OFFICE USE ONLY
Planning and Zoning Board recommendation: 02/10/99 Approval GH

