



# Town Council Agenda Report

**SUBJECT:** ORDINANCE

**TITLE OF AGENDA ITEM:**

ZB 5-3-99 - Miller Legg & Associates, Inc., petitioner / Jewish Federation of Broward County, Inc., owner

**REPORT IN BRIEF:**

The Jewish Federation of Broward County plans to expand the existing Jewish Community Center (JCC) to include an elementary school facility. The property adjacent to the existing JCC is currently zoned A-1, and does not provide for development of a school. Therefore, the petitioner seeks rezoning of the property to CF, in order to establish a zoning district consistent with a school use. The proposed school would be consistent with other uses in the area and would not have a negative impact on any residential neighborhoods.

**DISCUSSION:** (include background, project summary, significant impacts, citizen participation, workload impacts, purpose, project workscope, evaluation and selection process, and conclusion)

Background: The subject property is currently vacant and is zoned A-1. There is an existing structure associated with a nursery use on the property, which will be removed at the time of development.

Purpose of Request: To rezone a portion of land from A-1 to CF, in order to construct an elementary school facility.

Significant Impacts: The proposed rezoning is consistent with adjacent zoning and uses. There are no negative impacts.

Conclusion: The proposed development is consistent with the Town's Comprehensive Plan, and will provide relief to the public school system.

**CONCURRENCES:** (concerns and/or opinions of affected departments, Committees, Boards or Council)

The Planning and Zoning Board was concerned about the various uses which the CF zoning district provides for. They suggested the petitioner provide a voluntary deed restriction to limit the permitted uses within the CF zoning. The petitioner agreed.

**FISCAL IMPACT:**

N/A

**RECOMMENDATION(S):**

- July 14, 1999, The Planning and Zoning Board made a motion to **APPROVE** (4-1, John Pisula against).
- August 4, 1999, The Town Council voted to **APPROVE** (5-0).

**ATTACHMENTS:**

Ordinance with back-up, subject site map, and aerial.

ORDINANCE \_\_\_\_\_

AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, CHANGING THE CLASSIFICATION OF CERTAIN LANDS WITHIN THE TOWN OF DAVIE FROM A-1, AGRICULTURAL DISTRICT TO CF, COMMUNITY FACILITY 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 CF, Community Facility District; and,

WHEREAS, said notice was given and publication made as required by law on June 16, 1999, and a public hearing thereunder was held on August 18, 1999.

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 CF, Community Facility District:

a. The subject property is described in Exhibit "A", which is attached hereto and made a part hereof.

SECTION 2. That the owner has voluntarily executed a deed restriction on the property described in Section 1:

a. The deed restriction is described in Exhibit "B", which is attached hereto and made a part hereof.

SECTION 3. 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 CF, Community Facility District.

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 \_\_\_\_\_, 1999.

PASSED ON SECOND READING THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 1999.

\_\_\_\_\_  
MAYOR/COUNCILMEMBER

ATTEST:

\_\_\_\_\_  
TOWN CLERK

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 1999.

**EXHIBIT "A"**

LEGAL DESCRIPTION

OF EVERGLADES SUGAR AND LAND COMPANY SUBDIVISION OF SECTION  
36, TOWNSHIP 50 SOUTH, RANGE 41 EAST, ACCORDING TO THE PLAT THEREOF,  
AS RECORDED IN PLAT BOOK 9, AT PAGE 67, OF THE PUBLIC RECORDS OF DADE  
COUNTY, FLORIDA; LYING AND BEING IN THE TOWN OF DAVIE, BROWARD COUNTY,  
FLORIDA.

Exhibit "B"

ZIMMERMAN MANAGEMENT SERVICES, INC.



Received  
July 23 1999

July 22, 1999

TOWN OF DAVIE  
PLANNING & ZONING DEPARTMENT

VIA FAX

Town of Davie  
Development Services  
Planning and Zoning Division  
6591 SW 45<sup>th</sup> Street  
Davie, FL 33314

**ATTENTION: Mr. Jason Eppy, Planner II**

RE: Project - JCC Davie Campus  
Location - Stirling & Pine Island

Dear Mr. Eppy:

This letter shall serve as a "voluntary stipulation" that the owner of the above-referenced property intends to provide a declaration of restrictions (deed restriction) for the following uses should the proposed rezoning be approved.

1. Flood Control
2. Governmental Building/Municipal Public Service Uses
3. Telecommunications Towers
4. Watchman's Apartment
5. Cemetery or mausoleum

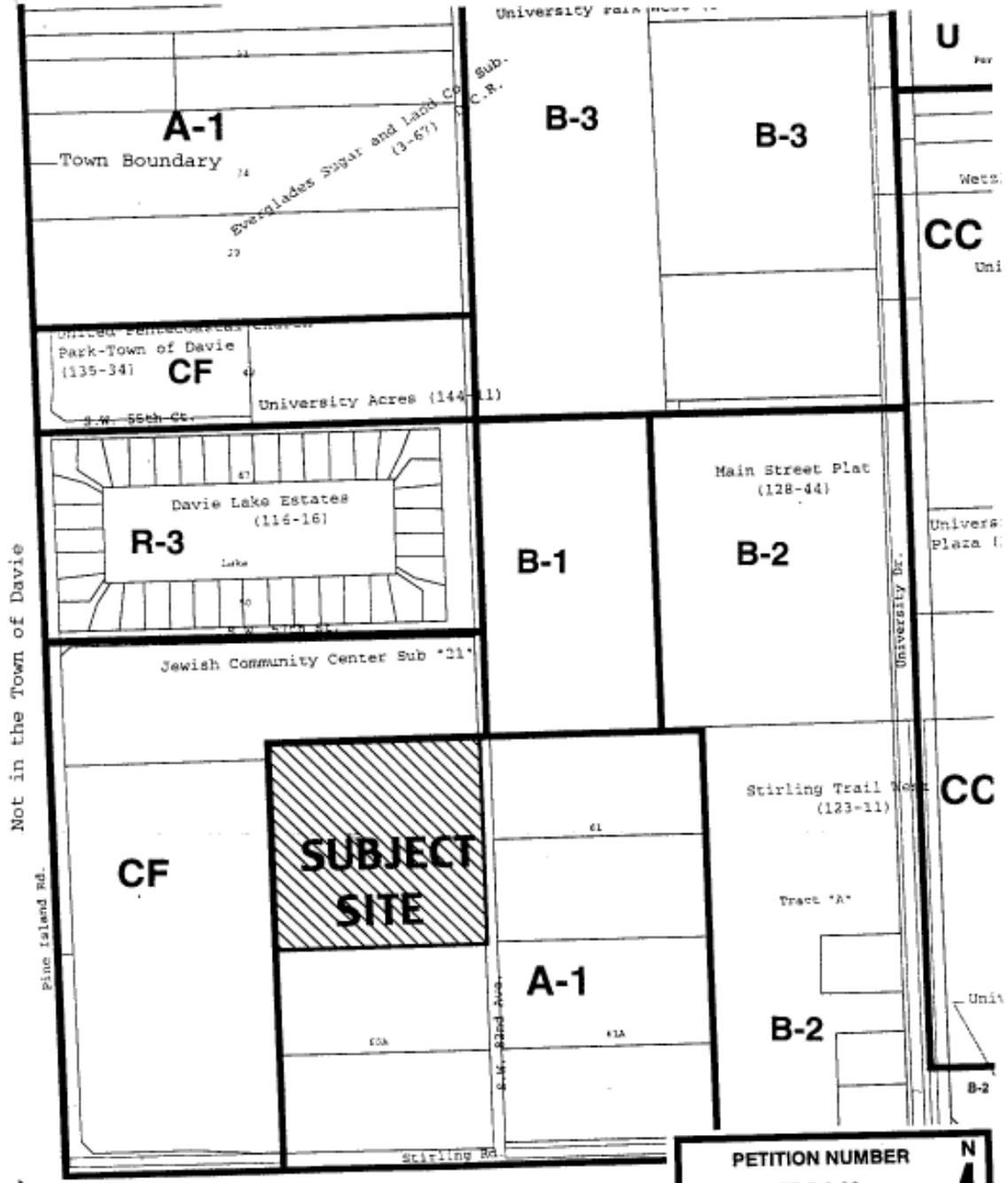
The Declaration of Restrictions shall run with the land.

Very truly yours,

  
HOWARD J. ZIMMERMAN

HJZ:tz

9000 Sheridan Street, Suite 100 • Pembroke Pines, FL 33024  
(954) 431 - 7111 - Phone • (954) 431 - 7690 - Fax • E-Mail zmsinc@msn.com

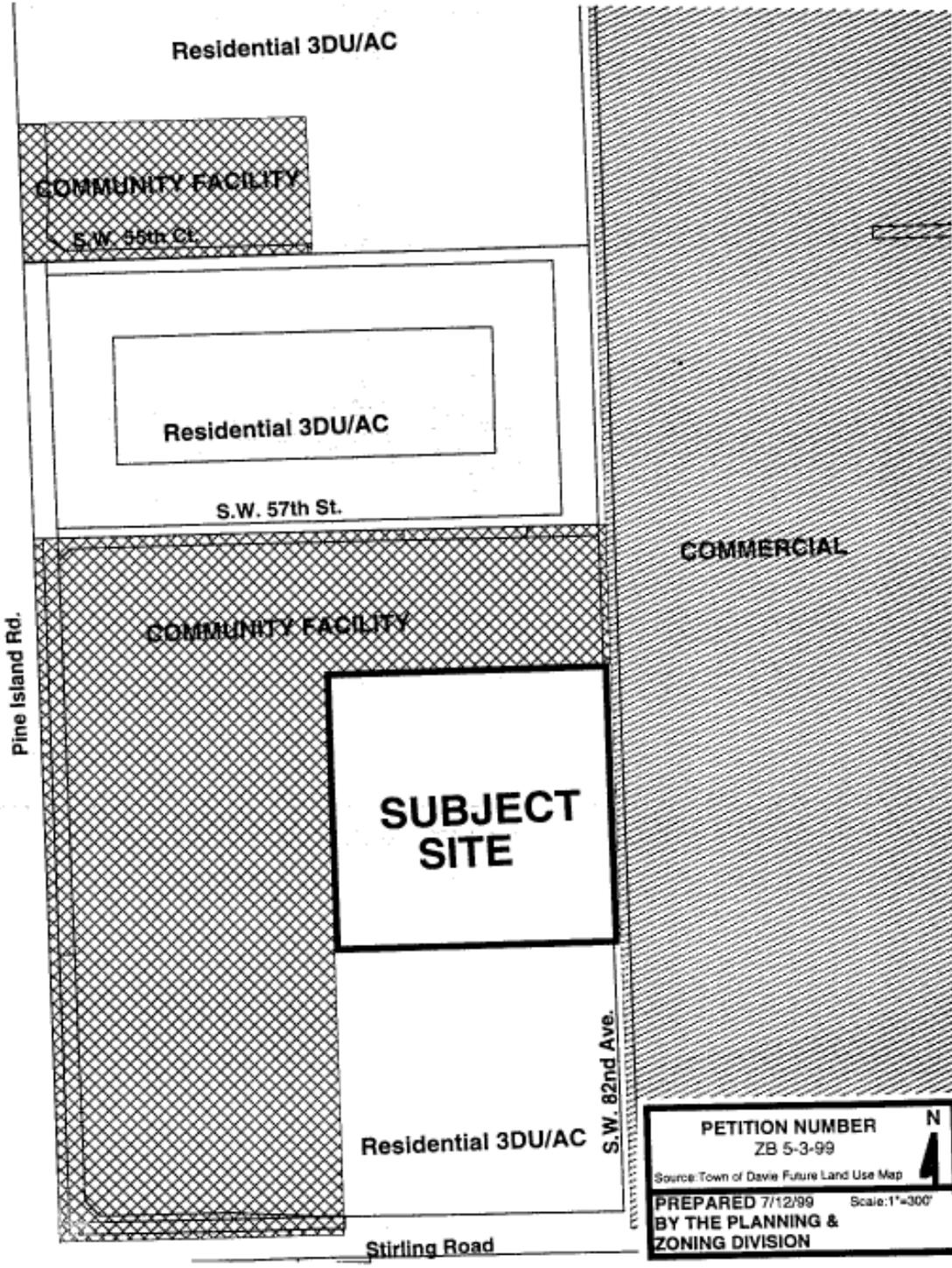


Not in the Town of Davie

**PETITION NUMBER**  
 ZB 5-3-99

**PREPARED 6/4/99** Scale: 1" = 400'  
**BY THE PLANNING & ZONING DIVISION**

N



**PETITION NUMBER**  
 ZB 5-3-99

Source: Town of Davie Future Land Use Map

**PREPARED 7/12/99**      Scale: 1"=300'  
**BY THE PLANNING & ZONING DIVISION**

