



Town Council Agenda Report

SUBJECT: ORDINANCE

TITLE OF AGENDA ITEM:

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 FACILITIES DISTRICT, OF THE TOWN OF DAVIE CODE; AMENDING THE TOWN ZONING MAP TO COMPLY THEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

(ZB 9-1-99 - "Sheridan Hills Baptist Church") Robert Munson, Shirley Munson, Oron Lester, and Barbara Lester, owners - 2400 & 2420 Pine Island Road - Generally located at the southeast corner of Pine Island Road and Nova Drive.

REPORT IN BRIEF:

The applicant proposes rezoning of the 3.6 acre subject property to develop a church under the provisions of the Community Facilities zoning district. Town Council approved a prior request for rezoning to the CF District on the 7 acres abutting this site to the south, also petitioned by Sheridan Hills Baptist Church, on February 18, 1998. The petitioner states the intent of this request is to combine this site with the previously approved site to create a single development parcel providing for greater open space and a campus-like atmosphere.

Staff is concerned about the creation of an isolated residential zoning district. However, the affected property owners concur with the rezoning request, and staff otherwise finds the proposed rezoning is compatible with existing and adjacent planned uses, consistent with Comprehensive Plan, goals, objectives and policies relating to community facility siting. The petitioner has also offered a voluntary stipulation to restrict certain uses permitted within the CF zoning District for this property. This will match the existing recorded declaration of restrictions on the 7 acre property to the south. Given the voluntary stipulation, staff believes this request can be supported.

PREVIOUS ACTIONS:

The Town Council approved the rezoning at its October 20, 1999 meeting (4-0, Vice Mayor Bush absent).

CONCURRENCES:

The Planning and Zoning Board recommended approval (4-0, Mr. Pisula Absent) subject to the voluntary deed restriction.

Staff recommended approved of this item subject to execution of the voluntary deed restriction.

FISCAL IMPACT: Is appropriation required? No
Funding appropriated? No

RECOMMENDATION(S):

Motion to approve the ordinance.

ATTACHMENTS: Ordinance with back-up, Land Use Map, 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 FACILITIES DISTRICT, OF THE TOWN OF DAVIE CODE; 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 Facilities District,

WHEREAS, said notice was given and publication made as required by law on October 6, 1999, and a public hearing thereunder was held on October 20, 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 Facilities 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, CF, Community Facilities 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.

ATTEST:

MAYOR/COUNCILMEMBER

TOWN CLERK

APPROVED THIS _____ DAY OF _____, 1999.

EXHIBIT "A"

LEGAL DESCRIPTION:

NORTH 1/2 TRACT 8, LESS THE SOUTH 1016 FEET OF SECTION 21 TOWNSHIP 50 SOUTH, RANGE 41 EAST OF THE PLAT OF "JOHN W. NEWMAN'S SURVEY", AS RECORDED IN PLAT BOOK 2, PAGE 26 OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA. SAID LANDS LYING AND BEING IN BROWARD COUNTY, FLORIDA.

PROPERTY ADDRESS:

2400 SOUTH PINE ISLAND ROAD
DAVIE, FLORIDA

LEGAL DESCRIPTION:

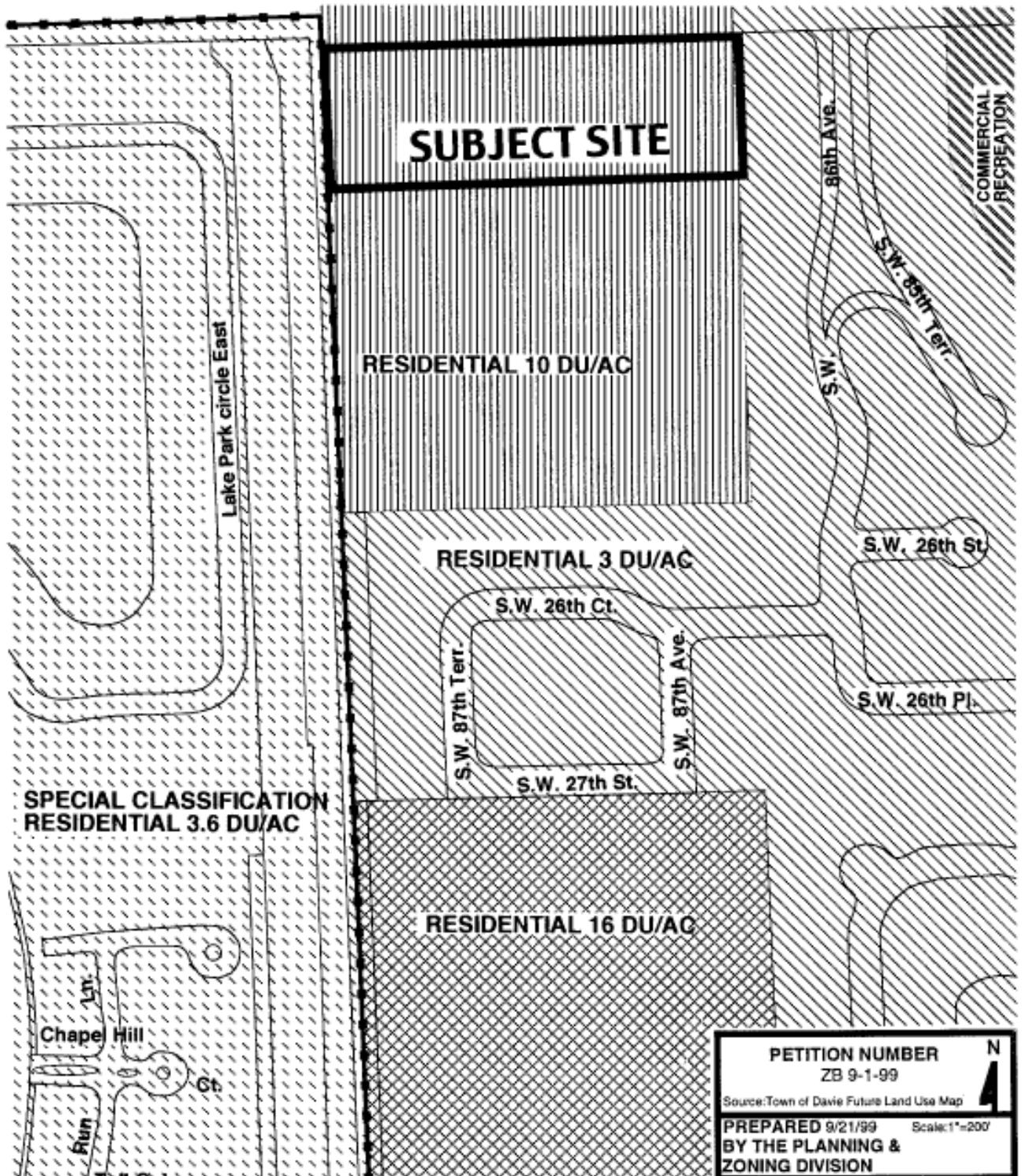
SOUTH 1/2 TRACT 8, LESS THE SOUTH 1016 FEET OF SECTION 21 TOWNSHIP 50 SOUTH, RANGE 41 EAST OF THE PLAT OF "JOHN W. NEWMAN'S SURVEY", AS RECORDED IN PLAT BOOK 2, PAGE 26 OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA. SAID LANDS LYING AND BEING IN BROWARD COUNTY, FLORIDA.

PROPERTY ADDRESS:

2420 SOUTH PINE ISLAND ROAD
DAVIE, FLORIDA

EXHIBIT “B”

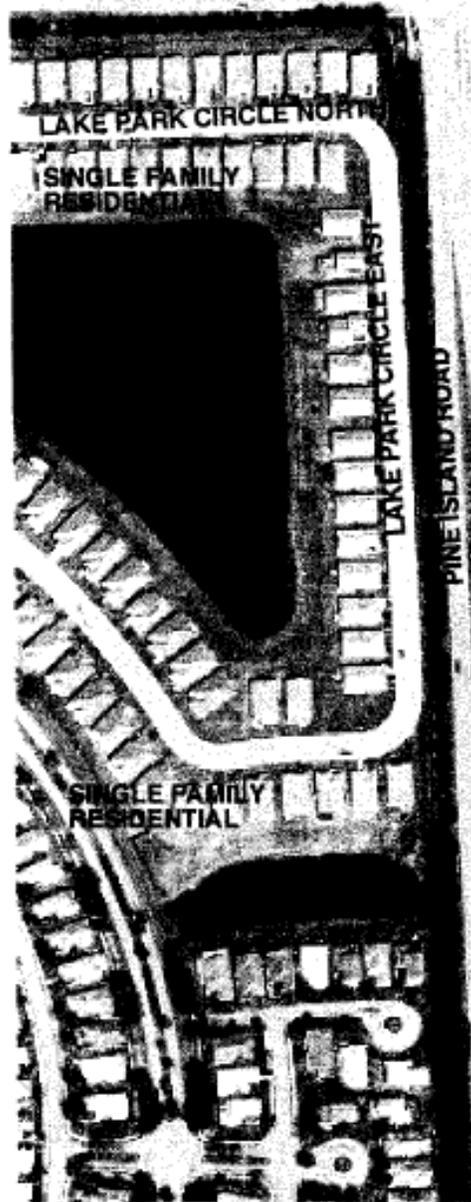
An original executed voluntary deed restriction will be provided prior to second reading of this ordinance.





MOBILE HOMES

NOVA DRIVE



LAKE PARK CIRCLE NORTH

SINGLE FAMILY RESIDENTIAL

LAKE PARK CIRCLE EAST

PINE ISLAND ROAD

SINGLE FAMILY RESIDENTIAL



SUBJECT SITE

SW 86 AVE

SW 26 CIRCLE

SW 87 AVE

SW 27 ST

SINGLE FAMILY RESIDENTIAL

SINGLE FAMILY RESIDENTIAL

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DATE FLOWN
JANUARY 1998
SCALE: nts
ZB 9-1-99