

TOWN OF DAVIE
PLANNING & ZONING DIVISION
6591 ORANGE DRIVE, DAVIE, FLORIDA 33314-3399
PHONE: 954.797.1103, WWW.DAVIE-FL.GOV

**NOTICE OF MEETING
PLANNING & ZONING BOARD
FEBRUARY 12, 2020 - 6:30 PM**

Location: Council Chambers, 6591 Orange Drive, Davie, Florida 33314

***** AGENDA *****

1. ROLL CALL
2. APPROVAL OF MINUTES
 - 2.1. December 11, 2019 Meeting Minutes

Documents:

[DRAFT MINUTES 12-11-19.PDF](#)

- 2.2. January 8, 2020 Meeting Minutes

Documents:

[DRAFT MINUTES 01-08-20.PDF](#)

3. PUBLIC HEARING
 - Quasi-Judicial*
 - 3.1. Variance (V19-133) Gleason (Tabled From 1/8/20)
11345 Ernest Boulevard

Documents:

[V19-133 PLANNING REPORT.PDF](#)

4. OLD BUSINESS
5. NEW BUSINESS
6. COMMENTS AND/OR SUGGESTIONS
7. ADJOURNMENT

Members of the Town Council may be present

Pursuant to Florida Statute § 286.0105, if a person decides to appeal any decision made by this board, agency, committee, or council with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings. For such purpose he

or she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based.

Persons with disabilities requiring accommodations in order to participate should contact the Town Clerk at 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
PLANNING & ZONING DIVISION

PLANNING AND ZONING BOARD MEETING MINUTES
December 11, 2019

DRAFT

1. ROLL CALL

The meeting was called to order at 6:30 p.m. Board members present were Chair Donna Evans, Vice Chair Tom Jacob, Lisa Alvarez, Christopher Cory and David Oakes. Also present were Planning & Zoning Manager David Quigley, Deputy Planning & Zoning Manager David Abramson, Board Attorney Allan Weinthal, and Lorraine Robinson, Board Secretary.

2. APPROVAL OF MINUTES

2.1 November 13, 2019 Meeting Minutes

Motion made by Mr. Oakes, seconded by Ms. Alvarez, to approve the November 13, 2019 meeting minutes. In a voice vote, the motion passed 5-0.

3. PUBLIC HEARING

Quasi-Judicial

**3.1 Variance (V19-133) Gleason (Tabled from 11/13/19)
11345 Earnest Boulevard**

Applicant requested tabling to January 8, 2020

Motion made by Ms. Alvarez, seconded by Vice Chair Jacob, to table V19-133 to January 8, 2020 meeting.

In a roll call vote, the motion passed 5-0.

**3.2 Variance (V19-187) Williams
Generally located on the southwest corner of Southwest 54th Terrace and
Southwest 57th Street**

Ms. Kelli Williams appeared on behalf of the Applicant and agreed to waive quasi-judicial proceeding.

Mr. Abramson provided a brief staff report. The variance being requested would allow:

- A parcel size of 6,428sf lot (Town code normally requires a minimum 7,000sf).
- A parcel frontage of 70 ft. (Town code normally requires a minimum 75 ft.
- The construction of a single-family home on the subject parcel with similar size parcels in the residential community of Silverlakes.

Mr. Oakes asked when the applicant intended on building on the property. Ms. Williams understood that the variance would be in effect for two years. She hoped to build within that time frame for a home for their 20-year-old son. Mr. Oakes asked if an extension would be required if not built within that time frame. Mr. Abramson confirmed that one would be needed.

Chair Evans open and closed the public hearing as there was no one wishing to speak.

Motion made by Vice Chair Jacob, seconded by Mr. Oakes, to approve V19-187.

In a roll call vote, the motion passed 5-0.

4. PUBLIC HEARING

4.1 Land Development Code (ZB-TXT19-229 – Various Issues)

Mr. Quigley provided an overview of the proposed land development code amendment:

Item 2- Guest cottages- Code allows up to 400 sf. without major appliances. Many requests recently have been for larger units. The language needed to be cleaned up to avoid any confusion.

Item 3- Parking of certain commercial and non-commercial vehicles within residential districts. A provision is needed to prevent lots from being used as informal commercial storage yards. This amendment would prohibit storage of personal recreational trailers and vehicles which are not registered to the property owner or legal tenant.

Item 7- Development standards for Rural Lifestyle area districts. In recent years, the Town has received an increase in proposals to put large numbers and sizes of accessory structures. The building coverage standards are the most effective ways to deal with that and tables haven't been adjusted since the 80s or 90s. This doesn't address things like paved areas, patios and gazebos.

Mr. Oakes asked why it was done this way. Mr. Quigley responded that these 30,000-40,000 lots are being overbuilt. The purpose of the amendment addresses the actual building sizes. Vice Chair Jacob asked if the setback requirements would control this. Mr. Quigley said that it does to some extent but having these policies in place would protect the rural lifestyle. Mr. Oakes asked if two lots were merged would it increase the size of the structure. Mr. Quigley said that the percentage increase. He provided an example of the A-1 property; if you have (1) 35,000 sf. lot the building size allowed would be 8,750 maximum building coverage; if you have (2) lots this would increase to a 17,500 maximum.

Item 10- House Bill 1159 became effective on July 1, 2019 and provided that local government may not require a notice, application, approval, permit, fee, mitigation (including replacement trees) for the pruning, trimming, or removal of a tree on residential property if the property owner obtains documentation from an arborist certified by the International Society of Arboriculture or a Florida licensed landscape architect that the tree presents a danger to persons or property. If the Town has the right to ask for an arborist determination. The proposal adds "dangerous tree" exception to the list.

Item 11- identifies certain exceptions to the tree removal permit requirements. Currently, where a tree on private property or in a swale adjacent to private property is deemed to have damaged town property such as sidewalks and utility lines, the private landowner is held responsible for the cost of tree removal, tree replacement and the cost of repairs to the public facilities. As written, this section tends to act as a disincentive for landowners to report damage to Town property. Public Works has requested revisions to this section. The proposal requires reporting to the Town but provides additional ways in resolving conflicts.

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Item 12- Electric Vehicle Charging Stations – The Town assed new rule approximately 3 years ago for new developments to include charging stations; (1) for every 25 parking spaces. This change adds location requirements like handicap spaces in the Code.

Item 16- this is another statutory issue concerning House Bill 7103. This amends the statutory time limits on review and updates existing sections for clarity.

Item 17- Site plan applications automatically expire 18 months from date of approval unless construction permits are obtained in furtherance of the development. A one-time, one-year extension may be approved administratively. This proposal changes the period to 3 years, retaining the provision for a 1-year extension. Plat reviews at the County level can take up to 18 months, increasing the expiration date to 3 years is more realistic.

Mr. Oakes asked when site plans are approved administratively. Mr. Quigley responded that half the applications are approved administratively. He added that requests for extensions are reviewed against any Code changes and staff can approve without going to Council.

Item 19- the proposal deletes Sec. 12-436.2 related to the Griffin Corridor. This section is no longer necessary because prior code amendments have addressed these matters for all development in the Town.

Item 22- Inclusionary Housing- this is a technique to spur affordable housing units. The Town adopted an inclusionary housing ordinance approximately 10 years ago to include affordable housing as part of a project or have the development can make a payment in lieu to be used for affordable housing elsewhere. The State Legislature authorizes local governments to offer fee waivers, including impact fee waivers, as an incentive where previously a local government could not waive fees and thus could only use fees as an incentive by paying a developer's fees from another funding source.

Mr. Oakes asked about developers that received funding from incentives like the State Affordable Fund which is a bond program which allows them to receive low interest rate funds and tax breaks. Mr. Quigley said was a good point and he would research this. Mr. Oakes asked if there was a formula. Mr. Quigley said this would be project specific and negotiate accordingly.

Mr. Oakes complimented the work that went into producing this amendment.

Chair Evans open and closed the public hearing as there was no one wishing to speak.

Motion made by Mr. Oakes, seconded by Ms. Alvarez, to approve ZB-TXT19-229 Various Issues.

In a roll call vote, the motion passed 5-0.

4.2 Land Development Code (ZB-TXT19-262 – Certificate of Use)

Mr. Quigley provided an overview of the proposed land development code amendment for Certificate of Use. The proposed ordinance is intended to update and codify provisions concerning compliance with Zoning, Building and Fire Safety codes within the Land Development Code so that they are properly distinguished from the business tax procedures of Chapter 13. As proposed, the Town's regulations will be better aligned with State Statutes and more consistent with the best management practices established by other municipalities.

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Chair Evans open and closed the public hearing as there was no one wishing to speak.

Motion made by Mr. Oakes, seconded by Ms. Alvarez, to approve ZB-TXT19-262 Certificate of Use.

In a roll call vote, the motion passed 5-0.

4.3 Land Development Code (ZB-TXT19-263 – Business Tax Receipts)

Mr. Quigley provided an overview of the proposed land development code amendment for Business Tax Receipts (BTR). The proposal is revamping the current BTR Code to meet State Statute.

Mr. Oakes recommended on page 11 to include corporations and DBA's in the definition of Businesses on page 6.

Chair Evans open and closed the public hearing as there was no one wishing to speak.

Motion made by Mr. Oakes, seconded by Ms. Alvarez, to approve ZB-TXT19-263 Business Tax Receipts.

In a roll call vote, the motion passed 5-0.

5. OLD BUSINESS – none

6. NEW BUSINESS – none

7. COMMENTS AND/OR SUGGESTIONS – none

8. ADJOURNMENT

Hearing no further business, the meeting was adjourned at 7:08 p.m.

Date Approved: _____

Chair/Board Member



TOWN OF DAVIE
PLANNING & ZONING DIVISION

PLANNING AND ZONING BOARD MEETING MINUTES
JANUARY 8, 2020

DRAFT

1. ROLL CALL

The meeting was called to order at 6:30 p.m. Board members present were Chair Donna Evans, Vice Chair Tom Jacob, and David Oakes. Lisa Alvarez and Christopher Cory were absent. Also present were Planning & Zoning Manager David Quigley, Deputy Planning & Zoning Manager David Abramson, Planner II Matthew Coyle, Board Attorney Allan Weinthal, and Lorraine Robinson, Board Secretary.

2. PUBLIC HEARING

Quasi-Judicial

**2.1 Variance (V19-133) Gleason (Tabled from 12/11/19)
11345 Earnest Boulevard**

Chair Evans noted that the applicant requested a tabling to February 12, 2020

Motion made by Mr. Oakes, seconded by Mr. Jacob, to table V19-133 to February 12, 2020 meeting.

In a roll call vote, the motion passed 3-0 (with Ms. Alvarez and Mr. Cory absent).

**2.2 Variance (V19-207) Arbor Reserve
Generally located on the west side of Southwest 154th Avenue, south of
Southwest 36th Street**

Mr. Dennis Mele appeared on behalf of the Applicant and agreed to waive quasi-judicial proceeding.

Mr. Abramson provided a brief staff report. The variance being requested would allow:

- 75% of the single-family homes to have a front-loaded garage setback 7'-2" (model M) and 0 ft. (model N) from façade of the principal building (code normally allows a minimum of 50% of the homes to have a front-loaded garage setback at least 15 ft. from principal façade).
- An 8 ft. high and continuous wall on top of a 7 ft. high berm (Town code normally allows a maximum wall height of 3 ft., wall sections shall not exceed 10 ft. in lineal length and no wall shall be placed atop a berm)
- The property was previously approved for a similar development in 2015 but was never built.

Mr. Oakes asked if there was any question to the structural integrity of the wall on top of the berm. Mr. Abramson responded that no issue had been addressed by Engineering and the wall would be built to building code.

Mr. Mele provided a power point presentation. He showed the board where the wall would be placed and stated that it was needed for privacy screening as the property was next to I-75.

He said that years ago the Broward County School Board was interested in the site for a new school and eventually opted against it. Mr. Mele showed the previously approved site plan, stating the homes along I-75 have been eliminated. There are (4) models where the footprint and setbacks are the same; Models M and N require the setback variance. There's a total of 18 residential lots in which purchasers would select the model they want to build. Since there isn't a way to determine at this time which lots would have Models M and N, the variance is requested for all the lots. Mr. Mele added that they presented the plans with Riverstone and received their approval.

Mr. Oakes asked if the models with front loading garages would fit on all the lots. Mr. Mele responded that any of the models would fit on all 18 lots. He confirmed for Mr. Oakes that this would be a gated community.

Chair Evans opened and closed the public hearing as there was no one wishing to speak.

Motion made by Vice Chair Jacob, seconded by Mr. Oakes, to approve V19-207.

In a roll call vote, the motion passed 3-0 (with Ms. Alvarez and Mr. Cory absent).

3. PUBLIC HEARING

3.1 Land Development Code (ZB-TXT19-101 – School Concurrency) Townwide

Mr. Coyle stated that Broward County, School Board's Oversight Committee and Staff Working Group developed an amendment to the level of service standard to the 2008 Interlocal Agreement for Public School Planning. On December 6, 2017, Town Council approved setting the level of service standard to the higher of- 100% gross capacity (which includes portables) or 110% permanent titled "Third Amended and Restated Interlocal Agreement (TRILA)". This amendment would make the Town Land Development Code consistent with the TRILA.

Vice Chair Jacob asked if most cities have gone through this process. Mr. Coyle responded that most cities have enacted the 2017 portion with some beginning to begin this process. He added that all cities will participate.

Mr. Oakes asked how the number of students was calculated. Mr. Coyle stated the School Board has a formula. He added that any development coming to the Town has to work with the School Board and provide a letter from them.

Vice Chair Jacob asked if this was eliminating the use of portables. Mr. Coyle said for concurrency purposes, portables could be counted.

Mr. Oakes asked how this amendment would affect future development. Mr. Coyle stated the School Board would have to approve that there is adequate capacity. Mr. Weinthal stated that modifications to the plans would have to be made or provide a deed restriction.

Chair Evans open and closed the public hearing as there was no one wishing to speak.

Motion made by Mr. Oakes, seconded by Vice Chair Jacob, to approve ZB-TXT19-101 School Concurrency.

In a roll call vote, the motion passed 3-0 (with Ms. Alvarez and Mr. Cory absent).

3.2 Land Development Code (ZB-TXT19-102 – Public School Facilities Element) Townwide

Mr. Coyle provided an overview of the proposed land development code amendment for the “Third Amended and Restated Interlocal Agreement (TRILA)”. This amendment would make the Public Schools Facilities Element of the Comprehensive Plan consistent with the TRILA.

Motion made by Vice Chair Jacob, seconded by Mr. Oakes, to approve ZB-TXT19-102 Public School Facilities Element.

In a roll call vote, the motion passed 3-0 (with Ms. Alvarez and Mr. Cory absent).

3.3 Land Development Code (ZB-TXT19-265 – Transit Oriented Corridor District) Townwide

Mr. Coyle provided an overview of the proposed land development code amendment for the Transit Oriented Corridor District (TOC) which covers the area; I-595 to the north; State Road 7 to the east; Hard Rock to the south; and the Florida Turnpike to the west. The TOC policies contemplate significant redevelopment in the future including mixed use and multi-story buildings along State Road 7. The proposed amendment to the Land Development Code establishes the regulations for implementing the policies of the TOC Category. The proposed TOC regulations would not be applicable to specific parcels of land until such time as parcels are rezoned to a TOC zoning district. These regulations would limit future rezoning’s in the area. Any rezoning would require public notice and public hearing by both the Planning & Zoning Board and Town Council.

Vice Chair Jacob asked if any residential area would be affected. Mr. Coyle responded that long term would be for mixed-used development. He stated that the Regional Activity Center originally had a similar cap and it didn’t match the long-term vision for higher density.

Vice Chair Jacob asked if there was still a plan to install a bridge connecting Oakes Road to State Road 7. Mr. Quigley said there wasn’t an active plan since there is no funding at this time.

Vice Chair Jacob asked about the status of the talks of having a water retention area off Burris Road. Mr. Quigley said this was the TOC Stormwater Master Plan. The Town completed that in 2012 and part of the implementation of the transit-oriented corridor land use. Currently there is no actionable plan or budget to implement this conceptual plan to create a common stormwater drainage system for the TOC. This will eventually happen once development increases.

Mr. Oakes asked if the TOC was its own development district. Mr. Quigley confirmed it was. Mr. Oakes asked if this was part of the CRA district. Mr. Quigley said a portion of the TOC was within the CRA. Mr. Oakes asked if the CRA could fund road improvements. Mr. Quigley responded if it was within the CRA boundary.

Mr. Oakes asked if there was a cost estimate to redevelop the roads and infrastructure within the TOC. Mr. Quigley said the only cost estimates were for drainage. The TOC is challenging due to the Turnpike.

Mr. Oakes asked how the area that the truck stop is presently would be redeveloped. Mr. Quigley said the demand for industrial and storage yards is high but requests change over time.

Motion made by Vice Chair Jacob, seconded by Mr. Oakes, to approve ZB-TXT19-265

Transit Oriented Corridor District.

In a roll call vote, the motion passed 3-0 (with Ms. Alvarez and Mr. Cory absent).

**3.4 Land Development Code (ZB-TXT19-266 – Future Land Use Element – Transit Oriented Corridor)
Townwide**

Mr. Coyle stated the proposed land development code amendment would eliminate 32 units per acre cap in the Transit Oriented Corridor District (TOC). A similar “units per acre” provision was eliminated from the Regional Activity Center in 2010 because it was found to conflict with the overall design and redevelopment goals of the land use designation.

Motion made by Vice Chair Jacob, seconded by Mr. Oakes, to approve ZB-TXT19-266 Future Land Use Element – Transit Oriented Corridor.

In a roll call vote, the motion passed 3-0 (with Ms. Alvarez and Mr. Cory absent).

4. OLD BUSINESS – none

5. NEW BUSINESS – none

6. COMMENTS AND/OR SUGGESTIONS – none

7. ADJOURNMENT

Hearing no further business, the meeting was adjourned at 7:03 p.m.

Date Approved: _____

Chair/Board Member



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PLANNING REPORT

Project Type, Number and Name	
Variance 19-133 Gleason	

Application	
Petitioner/Representative	Alicia J. Lewis, Esq. / Greenspoon Marder, LLP
Owner	George Gleason
Project Planner	Sylvia Myint
Date of Report	11/01/19 02/03/20
Date of Public Participation	N/A
Date of Public Notification	10/30/19
Date of Board Review	11/13/19 02/12/20
Date of Town Council Review	12/04/19 03/04/20

Location/Site	
Folio/Identification Number	504013070050
Address (General Location)	11345 Earnest Boulevard
Nearest North/South Road	Hiatus Road
Nearest East/West Road	SW 14th Street
Size (Approx. Acres)	0.9
Existing Use	Single-family Detached Residence
Future Land Use	Residential 1 DU/AC
Zoning	Estate Dwelling (R-1) District
Council District	4
Redevelopment Area	N/A
Overlay District	Rural Lifestyle Regulations
Design Regulation	Anti-monotony
Flexibility Zone	100
Planning Area	2
Right-of-way Acquisition	N/A
Utilities Provider	Sunrise Utilities
Drainage District	Central Broward Water Control District (CBWCD)
Nearby Equestrian Trail	N/A
Nearby Recreational Trail	N/A
Nearby Park	N/A
Nearby Bus Route	N/A

Key Points
<ul style="list-style-type: none"> The proposed variance would allow a 1,440 ft. pre-fabricated detached garage to be placed 10 ft. from the side (west) property line (a 25 ft. side yard setback is normally required). 12 ft. The applicant has stated that the commercial truck shown on the attached Aerial View parked at the residence will not be stored in the proposed garage and will be stored at an off-site facility where this is permitted. While staff has not observed business activity on the property, the home address is listed as the business location of Black Dog Surplus Liquidations, LLC, on the Florida



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Division of Corporations webpage (see attached corporate filing).

- The applicant provided letters of no objection from adjacent property owners. There is no homeowner's association.
- The Development Review Committee (DRC) members have no objections to the requested variance.
- Staff has not received any correspondence objecting to the proposed variance.

History

1. Related Zoning Information: N/A
2. Previous Requests: N/A

Analysis

The following Staff analysis (*italic font*) based on the criteria established in the Town of Davie Code of Ordinances, Sec. 12-309(B)(1) for Variance applications.

- a. There are special circumstances or conditions applying to the land or building 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 any person having an interest in the property.
There are no special circumstances or conditions applying to the land to justify this variance.
- b. 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 variance is not necessary for reasonable use of the land. The land is already being used for a single-family home that includes a two-car garage.
- c. 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.
There is no evidence that granting the variance will be detrimental to the public safety and welfare of the neighborhood.

Recommendations

Staff finds the application complete and suitable for further review. If approved, staff recommends that a tree removal and relocation permit must be obtained from the Town prior to a building permit.

Attachments

1. Petitioner Documentation
2. Maps
3. Aerial Views
4. Letters of No Objection
5. Noticing Information

Gleason Setback Variance Narrative

Overview

George Gleason and Lisa Mauro (the “Owners”) are requesting this variance as it pertains to their single-family home and the construction of a new free-standing, pre-fabricated detached garage as an accessory structure to the home (the “Garage”). The home is located at 11345 Earnest Boulevard in the Town of Davie (the “Town”) and is identified by the Broward County Property Appraiser with folio number 504013070050 (the “Owners’ Home”, “Home”). An aerial photograph of the Owners’ Home is included as **Exhibit “A”**. The Owners purchased their Home in August of 2018, though the Home was built in 2002. The Home is 3,958 square feet, while the lot the Home is located on totals 39,150 square feet. The Home is located in an R-1 zoning district and has a Residential future land use designation.

The Owners hope to construct a detached garage as an accessory structure to their Home. The proposed Garage will be 1,440 square feet upon construction and will include metal siding finishes. With the inclusion of the garage, the total building area will total 5,398 square feet. The building area will then comprise around 14% of the total site area. Per Section 12-81 of the Town of Davie’s Code of Ordinances (the “Code”), which addresses residential districts and required side yards, a twenty-five (25) foot side yard setback is required. The Owners request a variance from Section 12-81 of the Code, pursuant to the variance criteria set forth in Section 12-309(B)(1) of the Code--of which Section 12-309 is located in Article X, Division 2 of the Code, which pertains to rezonings, text amendments, variances, and vacations or abandonments of rights-of-way--to allow the Garage to be built within ~~ten (10)~~ feet of the western property line. A site plan of the proposed Garage is included as **Exhibit “B”**. The Owners have obtained letters of support for the construction of their Garage from several of their neighbors, including their next door neighbor (see letters of support as **Exhibit “C”**).

twelve (12)



Justification Statement

- a) There are special circumstances or conditions applying to the land or building 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;*

There are special circumstances that apply to the Home for which this variance is sought and do not apply to the land or buildings in the same district and the strict application of the provisions of Section 12-81 would deprive the Owners of reasonable use of their Home. The Owners' Home consists of a circular driveway that extends past the structure of the Home itself. Because of the layout of the Home, in order for the Garage to be effective and functional, this variance is necessary. The driveway layout does not allow for easy maneuverability in order to access the Garage without this variance. The granting of this variance to allow for a ten foot side yard setback will allow the Owners to more successfully use the Garage.

Further, the hardship is not self-created by the Owners. The hardship was created by previous owners of the Home. The Owners purchased the Home with this layout and driveway- the Owners did not choose to fashion their Home in this manner. The Owners' request for the variance is an attempt to make their Home more amenable to their need for garage space, given the layout of their Home and the difficulty in accessing the sides of the house with a vehicle.

- b) 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 granting of the variance is necessary for the reasonable use of the Owners' Home and the variance as requested is the minimum variance that will accomplish this purpose. The Owners own a 39,150 square foot parcel with a side yard setback of twenty-five (25) feet. The Owners are proposing to construct the Garage for storage and for use for the Owners' personal vehicles. Due to the Code's requirement in Section 12-290(D) that prohibits garages from facing the street in R-1 zoning districts, the Owners can only effectively construct the garage on the west side of their Home.

The Owners have ample site area available to allow for the Garage. Pursuant to Section 12-81 of the Code, a twenty-five (25) foot side yard setback is required. The Owners are requesting a ~~ten~~

(10) foot side yard setback in order to construct the Garage. The Owners request relief from Section 12-81 as the minimum variance necessary to accomplish the construction of the Garage.

c) 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 variance will be in harmony with the general purpose and intent of the Town’s Land Development Code and will not be injurious to the neighborhood or otherwise detrimental to the public welfare. Pursuant to Section 12-24(I)(2) of the Code, the R-1 District is intended to provide “estate residential areas with most of the noncommercial agricultural uses permitted providing a transition from agricultural land to residential dwelling units.” The use of detached garages is an appropriate exemplification of that transition. Similar to the use of barns and sheds in agricultural districts for the storing of farm equipment and vehicles, the Owners intend to use their Garage as a place for storage of personal belongings and vehicles. This is especially true when considering the fact that four homeowners who reside on the same block as the Owners, within twenty-five feet of the Owners’ Home, have detached structures on their respective properties (as pictured in **Exhibit “D”**). It is then clear that the granting of this variance will not be injurious to the neighborhood nor detrimental to the public welfare but instead will make the Owners’ Home even more compatible with the residences nearby. In fact, eight adjacent property owners have provided letters of no objection in support of the Owners’ request (**Exhibit “C”**).

The Owners’ intent for the Garage is to use it for personal vehicles and storage, not for their commercial vehicle. As such, the Owners have provided a letter as attached as **Exhibit “E”**, certifying that the Owners will not use the Garage for the storing of their commercial vehicle. Thus, granting the variance will be in harmony with the general purpose and intent of this chapter and will not be injurious to the neighborhood nor detrimental to the public welfare.

Conclusion

The Owners meet the criteria set forth in 12-309(B)(1) of the Code for obtaining this variance. By not granting this variance, the Owners will not be able to reasonably use their Home, even though the layout of their Home and the hardships that resulted were created through no fault of their own. The Owners’ request for this setback variance will allow them to more effectively use the space their property affords and is the minimum variance necessary to accomplish their use of their property. Finally, the granting of the variance will not be injurious to the neighborhood or the public welfare- in fact, the granting of this variance will allow the Owners to use their Home in a similar manner to their neighbors who also have detached garages. Based on the above, we request that this setback variance be granted.

GENERAL NOTE

CONTRACTOR SHALL INSPECT THE EXISTING FOUNDATION AND FOUNDATION WORK BEFORE COMMENCING WORK. ALL WORK TO BE PERFORMED IN ACCORDANCE WITH THE CURRENT EDITION OF THE FLORIDA BUILDING CODE 2017 EDITION. GENERAL CONTRACTOR AND SUB CONTRACTORS SHALL OBTAIN NECESSARY LIABILITY INSURANCE AND WORKMAN COMPENSATION WITH A VALID CERTIFICATE. PLANS MUST BE CHECKED AND EVERY INSTRUCTION AND WORK ORDER MUST BE KEPT ON SITE. ALL APPLICABLE FIRE RATINGS AT EXISTING PARTITIONS AND WALL PENETRATIONS. ALL MATERIALS MUST BE NEW AND INSTALL AS INDICATED ON APPROVED WORKING DRAWING PLANS.

SCOPE OF WORK

NEW FREE STANDING FIRE FABRICATION DETACHED GARAGE AT WEST SIDE OF EXISTING RESIDENCE.
PLANS MUST COMPLY TO THE FLORIDA 2017 BUILDING CODE.

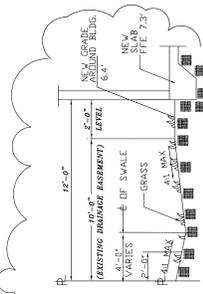
ZONING NOTE

THE NEW STRUCTURE WILL COMPLY WITH THE FLORIDA BUILDING CODE 2017 EDITION.
NO NEW AIR CONDITIONING
NO NEW PLUMBING

PROPOSED DETACHED GARAGE
11345 EARNEST BLVD.
DAVIE, 33325
FLORIDA.

SITE CALCULATION

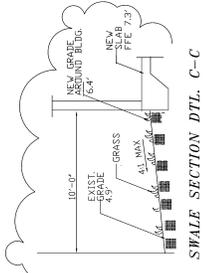
PAVED AREA -	9132.0
BLDG SQUARE FOOTAGE	391,650.0
HOUSE -	3052.0
DETACHED GARAGE -	1440.0
AUTO AREA -	1000.0
HOUSE AREA IS	37.11% OF SITE AREA



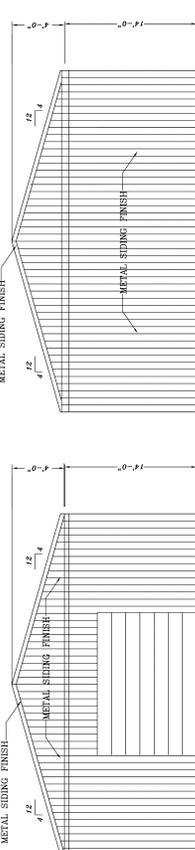
SWALE SECTION DTL. A-A
NOTE
MINI DESIRABLE LONGITUDE SLOPE FOR SLOPE IS 0.60 %.



SWALE SECTION DTL. B-B
NOTE
MINI DESIRABLE LONGITUDE SLOPE FOR SLOPE IS 0.60 %.



SWALE SECTION DTL. C-C
NOTE
MINI DESIRABLE LONGITUDE SLOPE FOR SLOPE IS 0.60 %.



FRONT ELEVATION
1/4"=1'-0"

BACK ELEVATION
1/4"=1'-0"

TYPICAL SIDE ELEVATION
1/4"=1'-0"

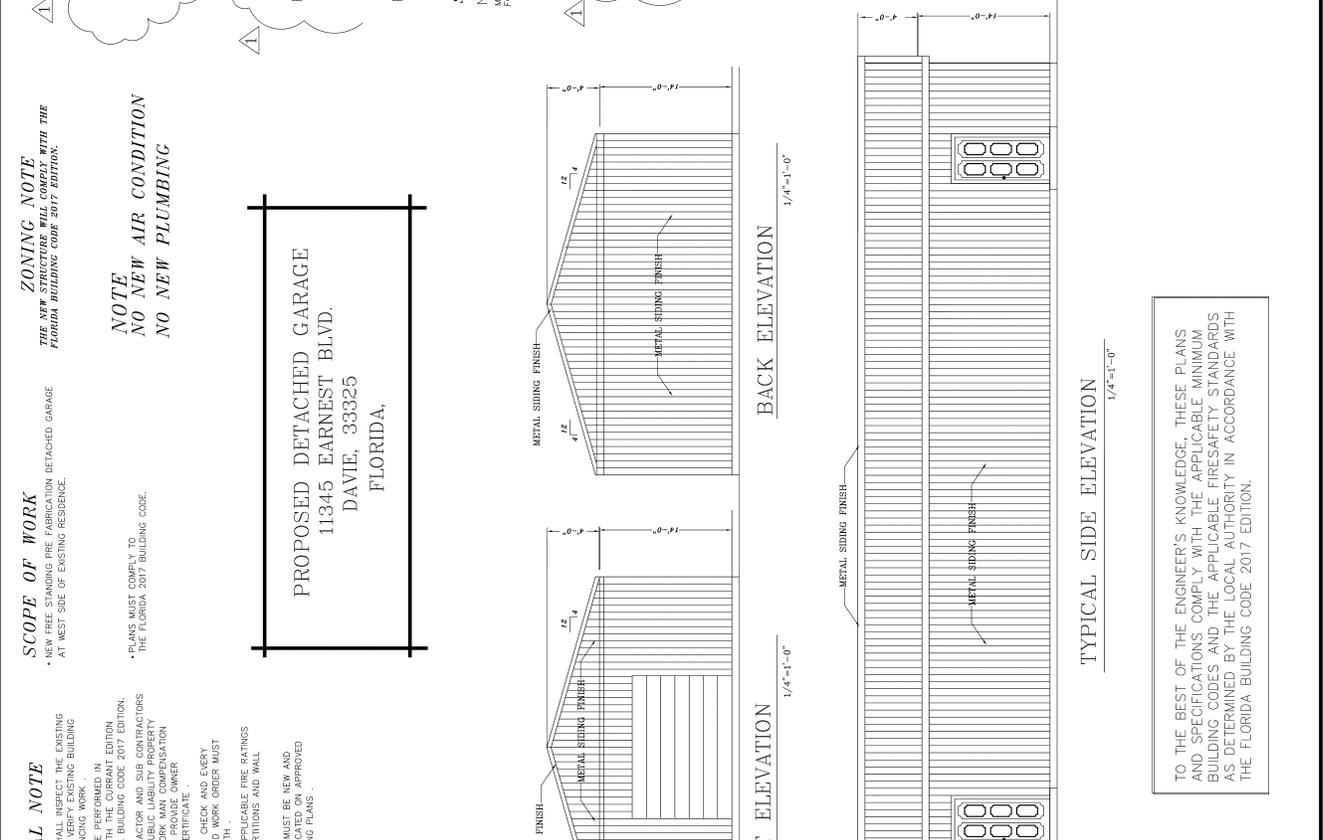
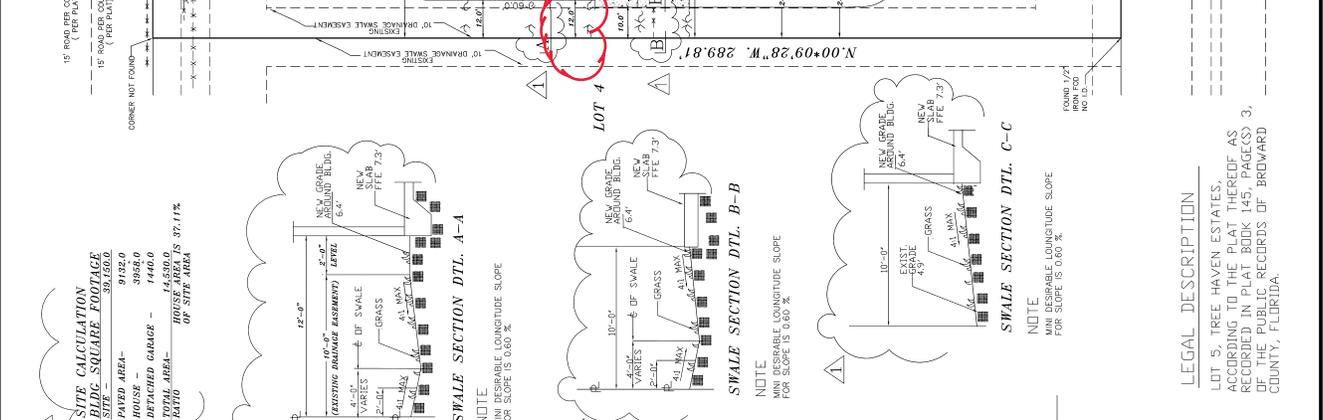
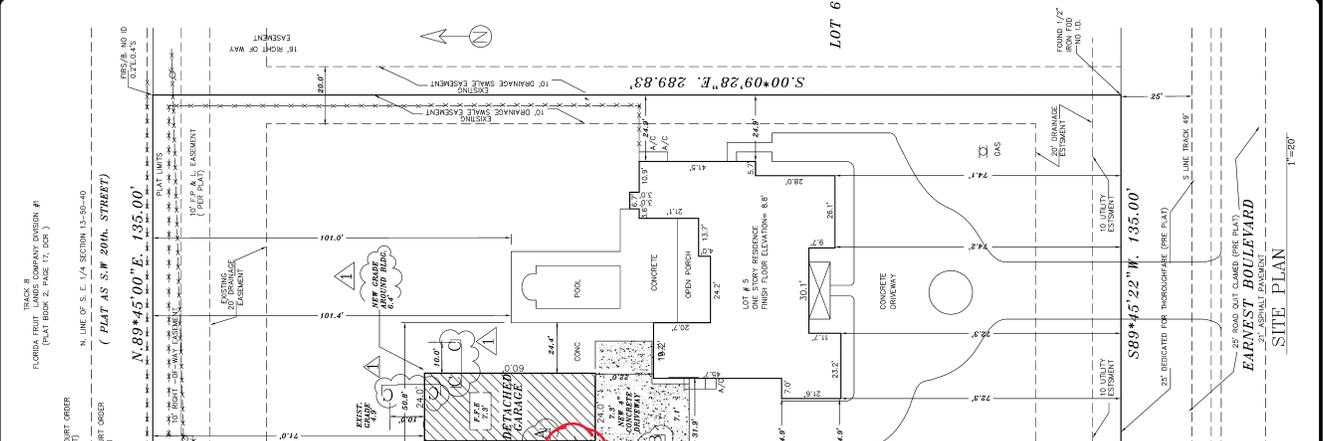
TO THE BEST OF THE ENGINEER'S KNOWLEDGE, THESE PLANS AND SPECIFICATIONS COMPLY WITH THE APPLICABLE MINIMUM BUILDING CODES AND THE APPLICABLE FIRE SAFETY STANDARDS AS DETERMINED BY THE LOCAL AUTHORITY IN ACCORDANCE WITH THE FLORIDA BUILDING CODE 2017 EDITION.

LEGAL DESCRIPTION
LOT 5, TREE HAVEN ESTATES, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 145, PAGE(S) 3, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

Edward P. Landers, P.E.
Tel: (305) 823-9338
Fax: (305) 823-9338

PROPOSED DETACHED GARAGE
11345 EARNEST BLVD.
DAVIE, FLORIDA, 33325

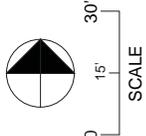
DATE: 11/11/2017
SCALE: AS SHOWN
SHEET NO.: 1 OF 4



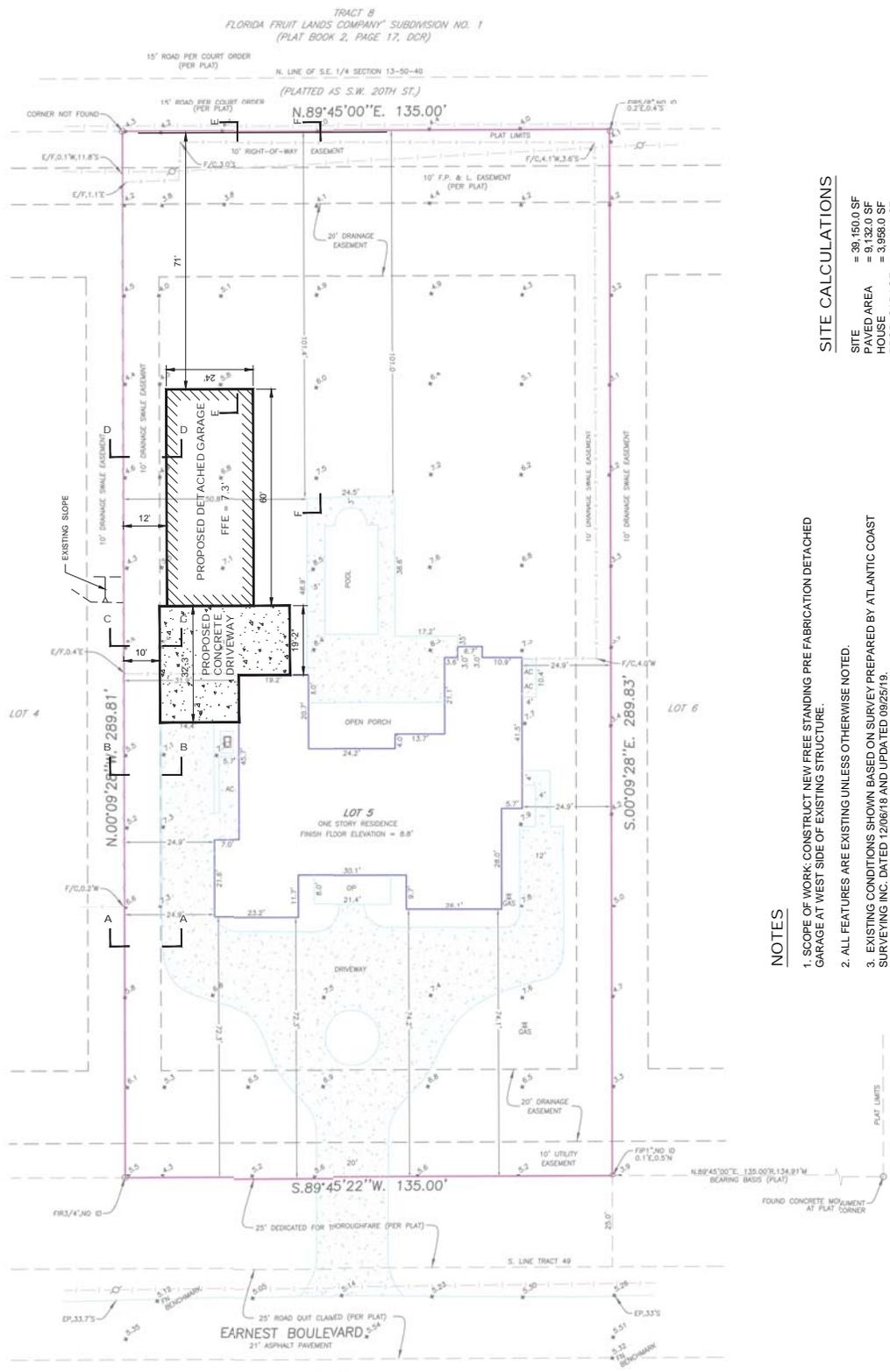
Edward P. Landers, P.E.
Tel: (305) 823-9338
Fax: (305) 823-9338

PROPOSED DETACHED GARAGE
11345 EARNEST BLVD.
DAVIE, FLORIDA, 33325

DATE: 11/11/2017
SCALE: AS SHOWN
SHEET NO.: 1 OF 4



THIS DRAWING HAS BEEN ELECTRONICALLY SIGNED AND SEALED
 DIGITAL SIGNATURE: JEFFREY P. THOMPSON, P.E. ON 1/27/2020 10:08:04 AM
 PRINTED COPIES OF THIS DOCUMENT ARE NOT CONSIDERED
 VALID UNLESS THEY BEARING THE SIGNATURE MUST BE VERIFIED
 AGAINST THE ORIGINAL COPY.
 JEFFREY P. THOMPSON, P.E.
 FL LICENSE NO. 69239



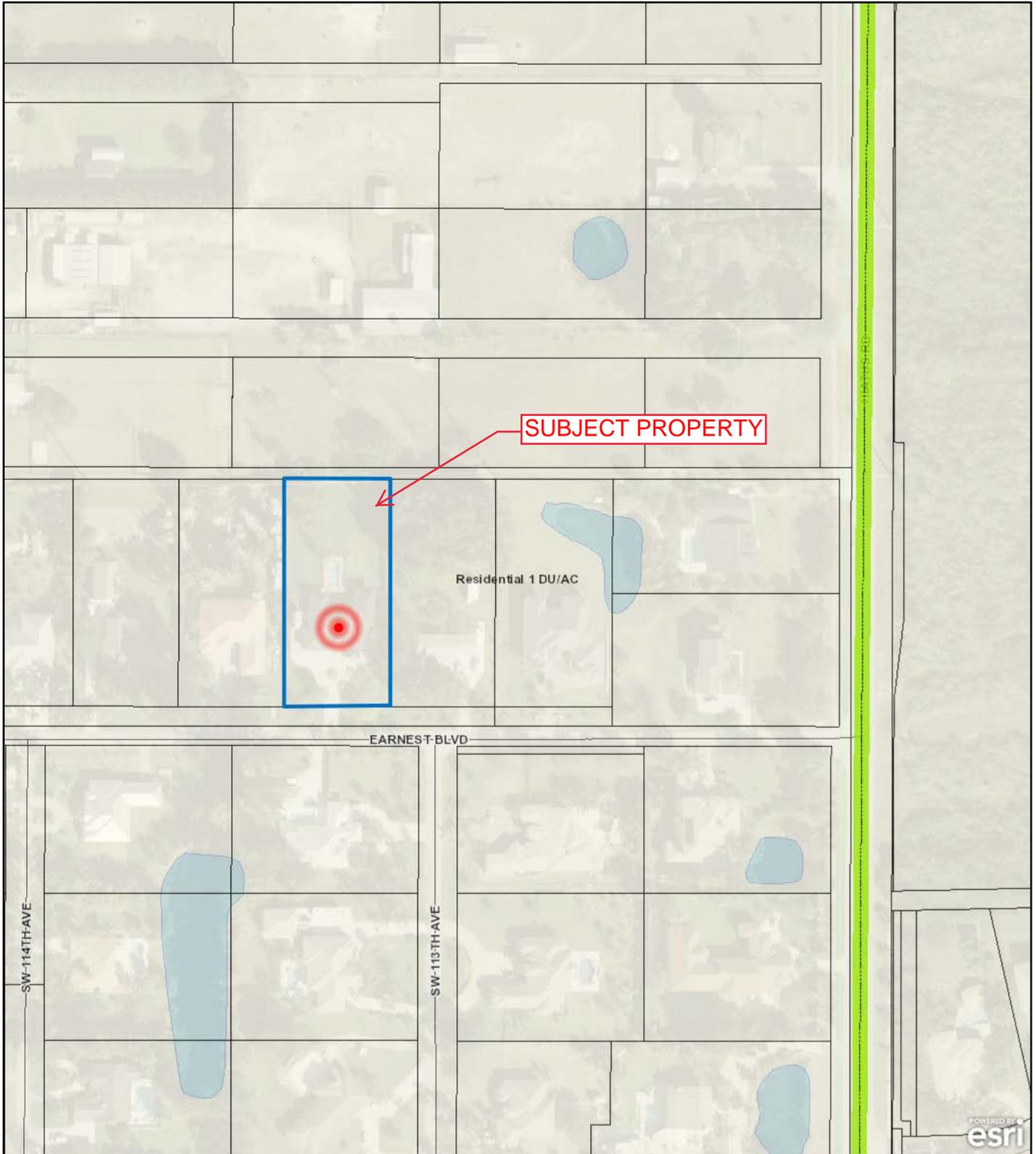
SITE CALCULATIONS

SITE	= 391,150.0 SF
PAVED AREA	= 91,132.0 SF
HOUSE	= 3,999.0 SF
PROP. GARAGE	= 11,400.0 SF
TOTAL AREA	= 14,530.0 SF
RATIO	= 37.11% IMPERVIOUS

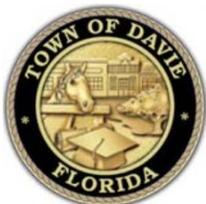
- NOTES**
- SCOPE OF WORK: CONSTRUCT NEW FREE STANDING PRE FABRICATION DETACHED GARAGE AT WEST SIDE OF EXISTING STRUCTURE.
 - ALL FEATURES ARE EXISTING UNLESS OTHERWISE NOTED.
 - EXISTING CONDITIONS SHOWN BASED ON SURVEY PREPARED BY ATLANTIC COAST SURVEYING INC. DATED 12/06/18 AND UPDATED 09/25/19.
 - ELEVATIONS ARE IN FT NAVD 88.
 - BUILDING WILL INCLUDE NO NEW AIR CONDITIONING OR PLUMBING. SEE BUILDING PLANS FOR BUILDING DETAILS IN COMPLIANCE WITH FLORIDA BUILDING CODE 2017 EDITION.

CONSULTANT/OWNER:	NO.	C-1
DATE:	TITLE:	GRADING AND DRAINAGE SITE PLAN
1/27/2020	PROJECT:	GLEASON RESIDENCE PROPOSED DETACHED GARAGE 11345 EARNEST BOULEVARD DAVIE, FLORIDA
FOR VARIANCE APPLICATION	OWNER:	GEORGE GLEASON 11345 EARNEST BOULEVARD DAVIE, FLORIDA
DESCRIPTION:	DRAWN BY:	MIAMI ENVIRONMENTAL & CIVIL ENGINEERING, LLC FLORIDA CERTIFICATE OF AUTHORIZATION NO. 31984 1880 SW 8th STREET, SUITE 204C MIAMI, FLORIDA 33135 (305) 591-9424

Future Land Use Map -- 11345 Earnest Blvd.



197 ft

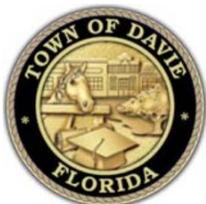


GIS MAP DISCLAIMER

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Powered by
VANTAGEPOINTS

Zoning Map -- 11345 Earnest Blvd.



GIS MAP DISCLAIMER

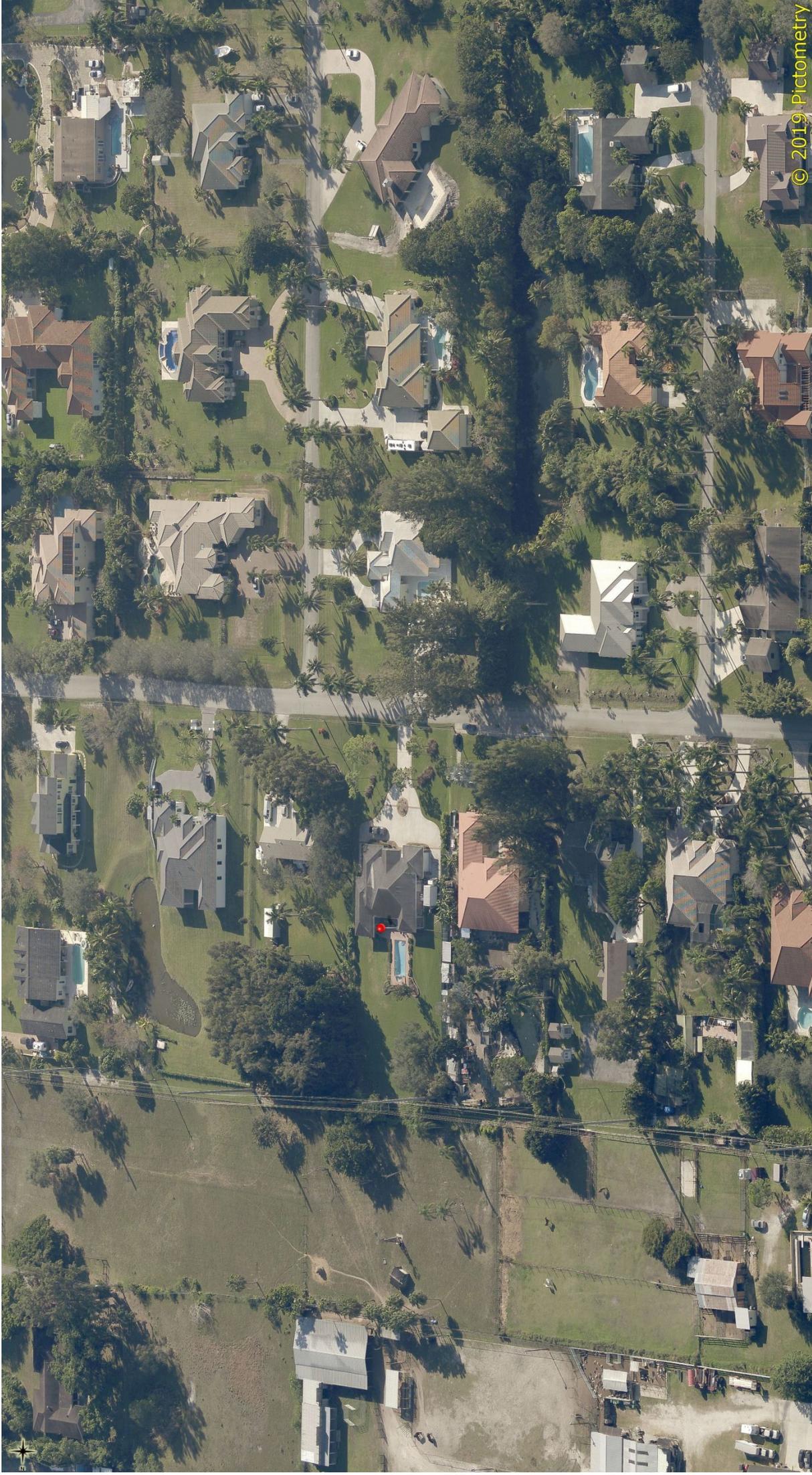
The information on this map is for graphical purposes only. It does not represent a legal survey and has not been prepared or is it suitable for legal, engineering, or surveying purposes. While every effort has been made to ensure that these data are accurate and reliable the Town of Davie cannot assume liability for any damages caused by any errors or omissions in the data

Powered by
VANTAGEPOINTS

Aerial Oblique 11345 Earnest Blvd. -- North



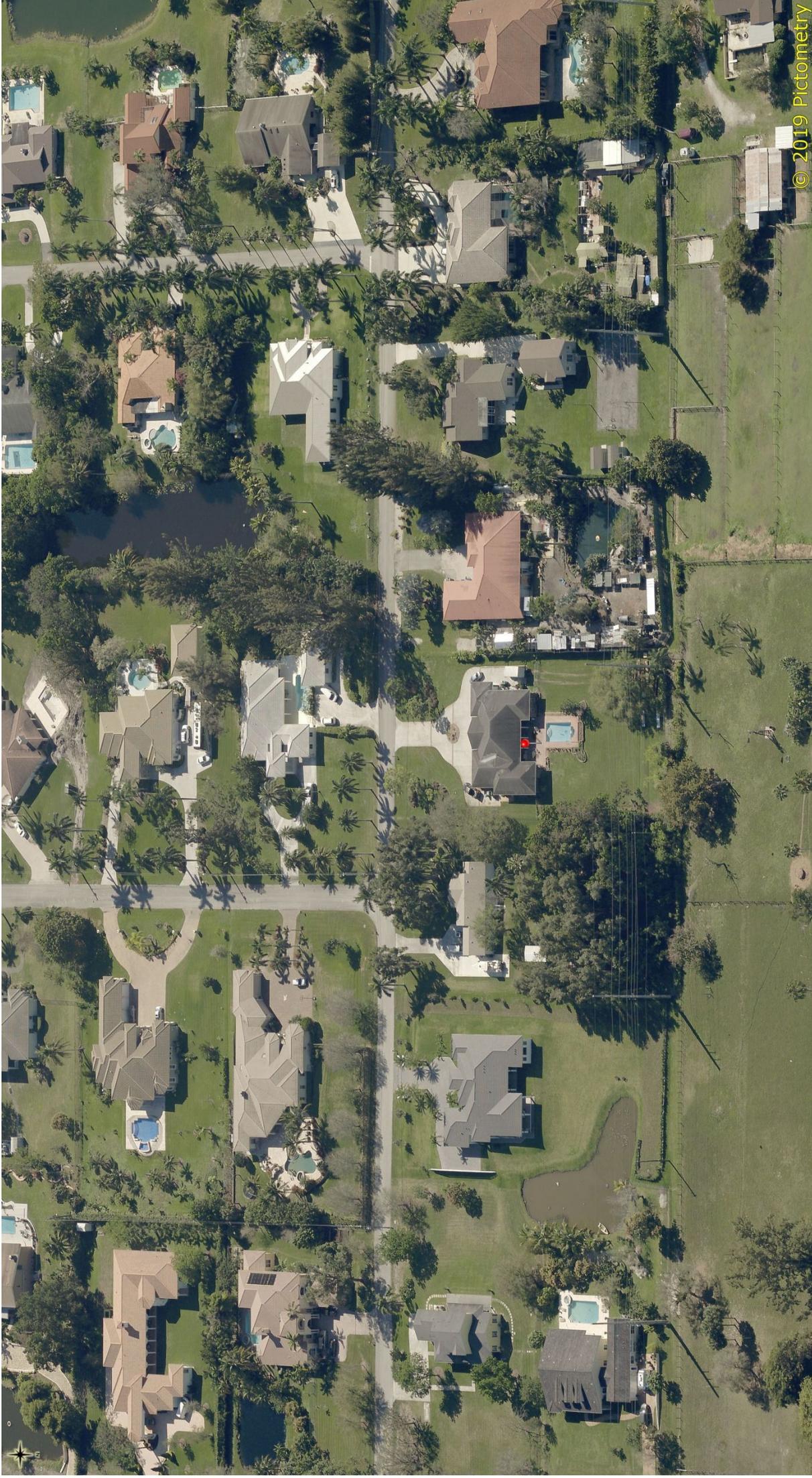
Aerial Oblique 11345 Earnest Blvd. -- East



© 2019 Pictometry

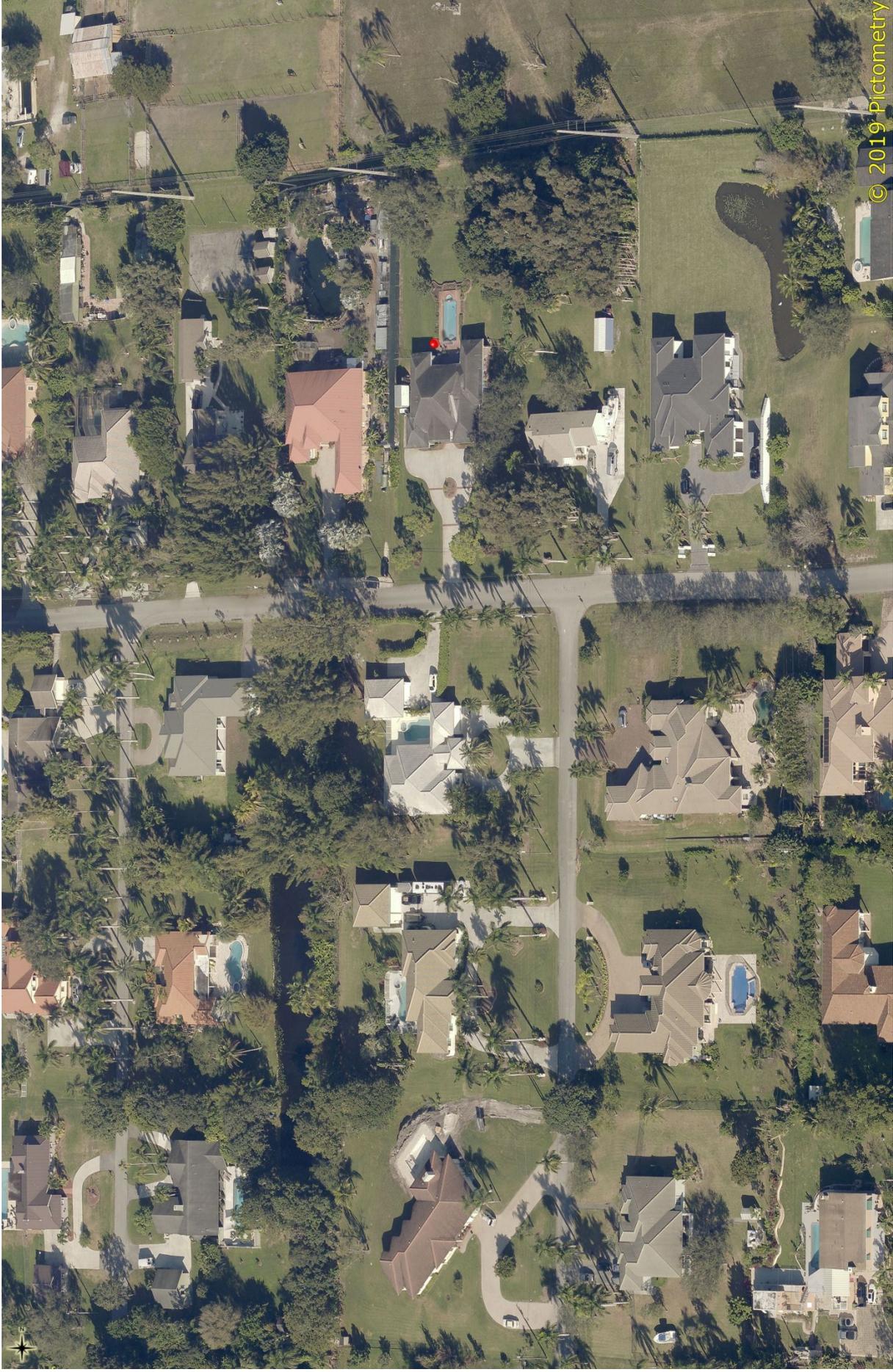
01/17/2019

Aerial Oblique 11345 Earnest Blvd. -- South



© 2019 Pictometry

Aerial Oblique 11345 Earnest Blvd. -- West





Aerial View



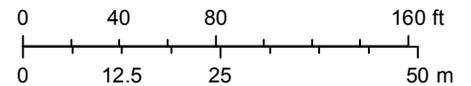
EARNEST BLVD

SW 113TH AVE

11/1/2019 3:13:58 PM

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George W. Gleason III
11345 Earnest Boulevard
Davie, FL 33325
954-260-0793
georgegleason70@yahoo.com

June 24, 2019

David Abramson
Deputy Planning and Zoning Manager
Town of Davie
Planning & Zoning Division
6591 Orange Drive
Davie, FL 33314-3399

Request was revised
to 12-feet

Re: Compliance with Section 12-33(G) of the Town of Davie Code of Ordinances

Mr. Abramson:

My wife, Lisa Mauro, and I own a single-family home located at 11345 Earnest Boulevard in the Town of Davie. As part of our variance application to allow our proposed detached garage to be built within ~~ten~~ feet of our property line, we are writing this letter to certify that we will comply with Section 12-33(G) of the Town of Davie Code of Ordinances, which pertains to use regulations as applied to commercial vehicle parking in residentially zoned neighborhoods. We will not park our commercial vehicle in our proposed detached garage. The garage will be used for self-storage and the parking of our personal vehicle.

Please feel free to contact me with any additional comments or questions.

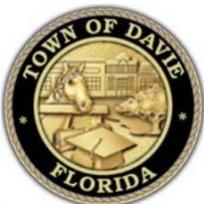
Thank you,


George Gleason

Map -- Letters of No Objection



197 ft



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To Whom it May Concern:

I, Michael Poggi have no objections with my neighbor at
11345 Earnest Blvd, installing a detached garage as proposed with ten-foot setbacks.

Address of Neighbor: 11365 Earnest Blvd. Davie, FL 33325

Signature: Michael Poggi Date: _____

Printed Name: MICHAEL POGGI

I, Thomas Simonson have no objections with my neighbor at
11345 Earnest Blvd, installing a detached garage as proposed with ten-foot setbacks.

Address of Neighbor: 11385 Earnest Blvd. Davie, FL 33325

Signature: Thomas Simonson Date: 3/28/2019

Printed Name: THOMAS SIMONSON

To Whom it May Concern:

I, Dennis Deveau have no objections with my neighbor at
11345 Earnest Blvd, installing a detached garage as proposed with ten-foot setbacks.

Address of Neighbor: 1950 SW 115th Ave Davie, FL 33325

Signature: [Handwritten Signature] Date: June 25

Printed Name: Dennis Deveau

I, ROMEO FARKAS have no objections with my neighbor at
11345 Earnest Blvd, installing a detached garage as proposed with ten-foot setbacks.

Address of Neighbor: 11415 Earnest Blvd. Davie, FL 33325

Signature: Romeo Farkas Date: 05-29-19

Printed Name: Romeo Farkas

To Whom it May Concern:

I, Marielys Garcia have no objections with my neighbor at
11345 Earnest Blvd, installing a detached garage as proposed with ten-foot setbacks.

Address of Neighbor: 11301 Earnest Blvd. Davie, FL 33325

Signature:  Date: 3/28

Printed Name: Marielys Garcia

I, Louis Gehring have no objections with my neighbor at
11345 Earnest Blvd, installing a detached garage as proposed with ten-foot setbacks.

Address of Neighbor: 11325 Earnest Blvd. Davie, FL 33325

Signature:  Date: 3/28/19

Printed Name: Louis Gehring

To Whom it May Concern:

I, JEFF ABBOTT have no objections with my neighbor at
11345 Earnest Blvd, installing a detached garage as proposed with ten-foot setbacks.

Address of Neighbor: 2130 SW 113th Ave Davie, FL 33325

Signature: [Handwritten Signature] Date: 3/29/19

Printed Name: JEFF ABBOTT

I, _____ have no objections with my neighbor at
11345 Earnest Blvd, installing a detached garage as proposed with ten-foot setbacks.

Address of Neighbor: 2131 SW 113th Ave Davie, FL 33325

Signature: [Handwritten Signature] Date: 3/30/19

Printed Name: MAURICE BERNARD

To Whom it May Concern:

I, Melanie Newson have no objections with my neighbor at
11345 Earnest Blvd, installing a detached garage as proposed with ten-foot setbacks.

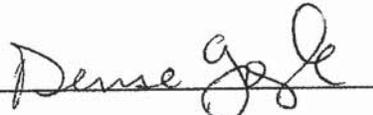
Address of Neighbor: 2140 SW 114th Ave Davie, FL 33325

Signature:  Date: 03/31/19

Printed Name: Melanie Newson

I, Denise Yoezle have no objections with my neighbor at
11345 Earnest Blvd, installing a detached garage as proposed with ten-foot setbacks.

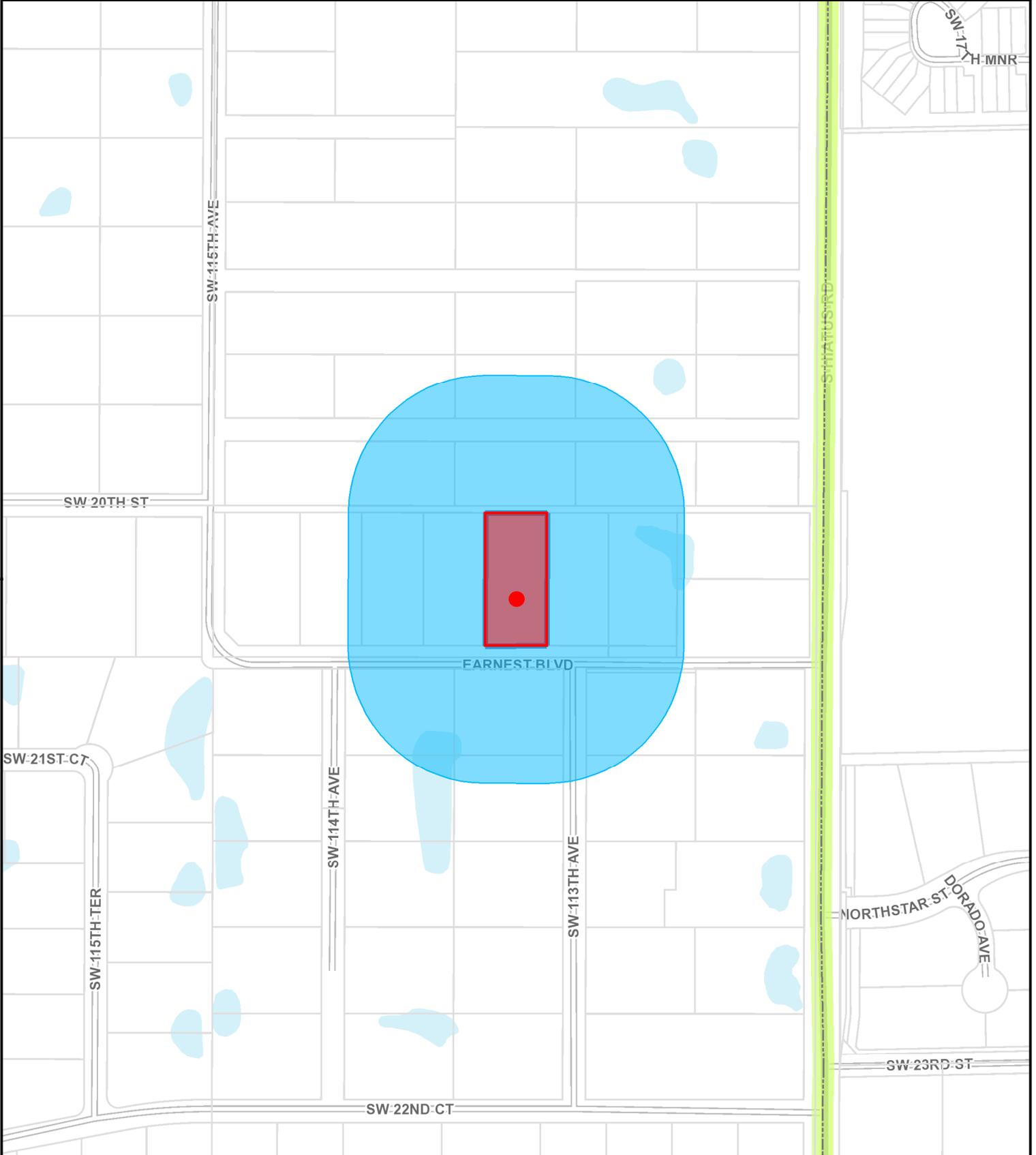
Address of Neighbor: 2131 SW 114th Ave Davie, FL 33325

Signature:  Date: 3/31/2019

Printed Name: Denise Yoezle

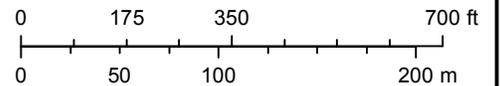


Mailout Map -- 300-ft. Around 11345 Earnest Blvd.



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10/21/2019 4:29:45 PM

V19-133 Gleason -- 300-ft. Notification Buffer by Owner and by Site

NAME 1	NAME 2	ADDRESS 1	ADDRESS 2	CITY	STATE	ZIP
ABBOTT,JEFFREY C & LINDA		2130 SW 113 AVE		DAVIE	FL	33325
BERNARD,MAURICE	M B REV LIV TR	2131 SW 113 AVE		DAVIE	FL	33325
BRIDGES,GEORGE M		1951 SW 112 AVE		DAVIE	FL	33325
CHAMPAGNE,PAULE LINDA & FRANTZ		2140 SW 113 AVE		DAVIE	FL	33325
DEVEAUGH,DENNIS &	DEVEAUGH,NANCY	1950 SW 115 AVE		DAVIE	FL	33325
DEVEAUGH,DENNIS K & NANCY R		1950 SW 115 AVE		DAVIE	FL	33325
DEVEAUGH,DENNIS K & NANCY R		1950 SW 115 AVE		DAVIE	FL	33325
FARKAS,ROMEO	FARKAS,DANIELA M	11415 EARNEST BLVD		DAVIE	FL	33325
GAGNE,JEAN-MARIE & PAULINE		2141 SW 113 AVE		DAVIE	FL	33325
GARCIA,MARIELYS		11301 EARNEST BOULEVARD		DAVIE	FL	33325
GEHRING,LOUIS F	LOUIS FREDRICK GEHRING TR	11325 EARNEST BLVD		DAVIE	FL	33325
GLEASON,GEORGE W III	MAURO,LISA	11345 EARNEST BLVD		DAVIE	FL	33325
LITTLE CRITTERS CORRAL INC		1950 SW 115 AVE		DAVIE	FL	33325
MANNING,RICHARD V & LAURIE H		2144 SW 114 AVE		DAVIE	FL	33325
NEWSON,SCOTT		2140 SW 114 AVE		DAVIE	FL	33314
POGGI,MICHAEL L H/E	POGGI,JANET	11365 EARNEST BLVD		DAVIE	FL	33325
PUMA,JOAN		1970 SW 115 AVE		DAVIE	FL	33325
SANTANA,JORGE E & LUCY		2001 SW 112 AVE		DAVIE	FL	33325
SIMONSON,THOMAS & PATRICIA		11385 EARNEST BLVD		DAVIE	FL	33325
SPAIN,JOHN J & Z MARGARET		2020 S HIATUS RD		DAVIE	FL	33325
TOWN OF DAVIE	SYLVIA MYINT	6591 ORANGE DR		DAVIE	FL	33314

**NOTICE OF PUBLIC HEARING FOR:
VARIANCE APPLICATION**

The Town of Davie proposes to conduct public hearings to consider the following resolution:

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, TAKING FINAL ACTION ON VARIANCE APPLICATION V19-133 GLEASON, PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

The Planning and Zoning Board and the Town Council of the Town of Davie will hold public hearings in the Council Chambers of the Davie Town Hall, 6591 Orange Drive, Davie, Florida on the dates hereinafter specified. The item will be discussed at 6:30 p.m. or as soon thereafter as practicable. Comments of any interested party relative to this matter may be submitted in writing and/or presented at the hearing.

PETITIONER/OWNER: Alicia J. Lewis, Esq., Greenspoon Marder, LLP / George Gleason

PROPERTY LOCATION: 11345 Earnest Boulevard
(Parcel Folio No. 5040-13-07-0050)

**DATE OF PLANNING &
ZONING BOARD HEARING:** November 13, 2019

**DATE OF TOWN
COUNCIL HEARING:** December 4, 2019

VARIANCE APPLICATION: The proposed variance would allow a side (west) setback reduction to ~~10~~ ft. (Town code requires 25 ft.) for a 1,440 s.f. pre-fabricated detached garage.

**SAID APPLICATIONS SHOULD
BE REFERRED AS:** Variance V19-133 Gleason

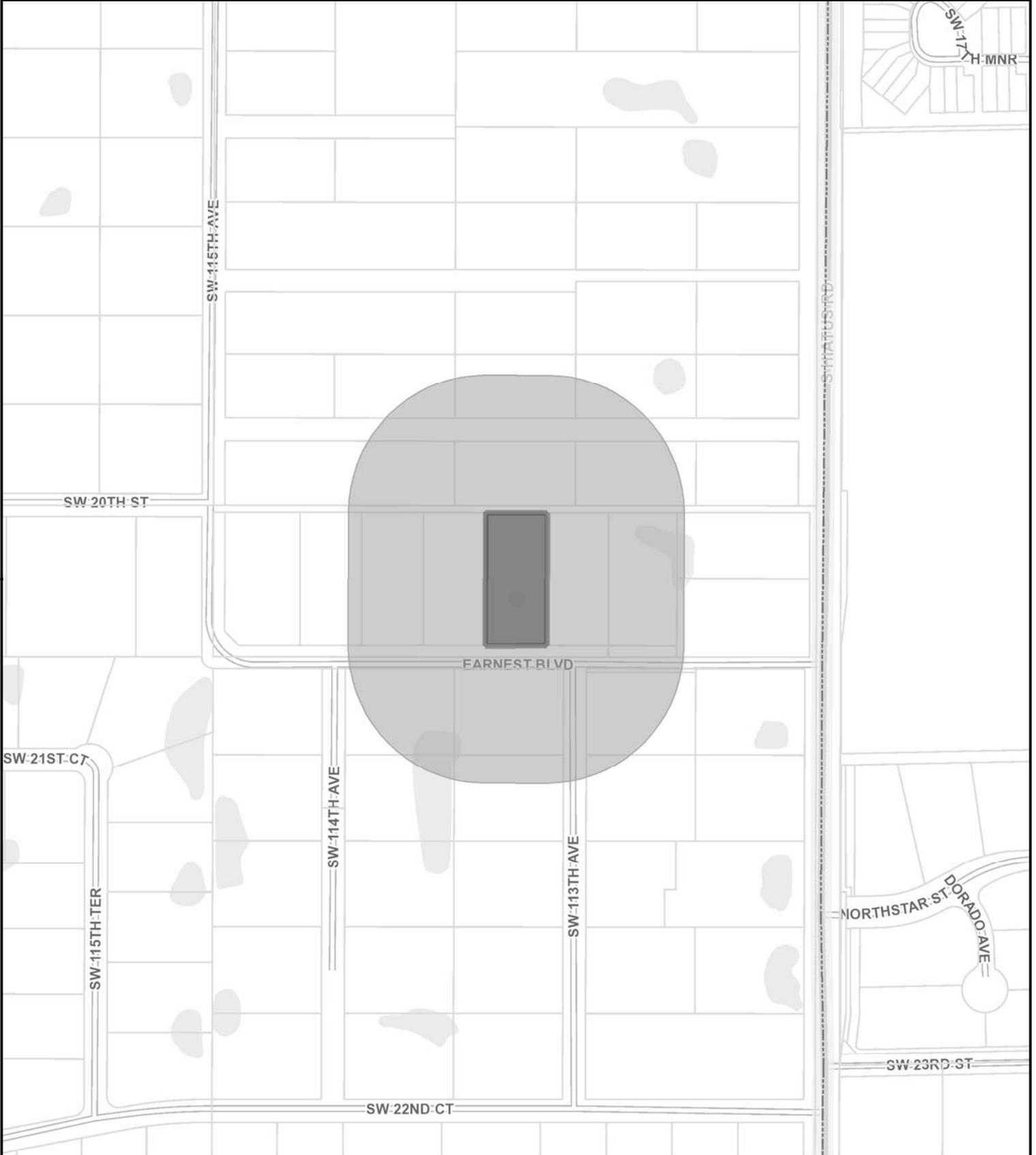
For further information, call the Planning and Zoning Division at (954) 797-1103. The proposed ordinance and application may be inspected at the Planning and Zoning Division, 6591 Orange Drive, between the hours of 8:30 a.m. to 5:00 p.m. Monday through Friday.

Any person wishing to appeal any decision made by this board or committee with respect to any matter considered at such meetings or hearings 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 include 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 797-1023 at least five business days prior to the meeting to request such accommodation. If you are hearing or speech impaired, please contact the Florida Relay Service by using the following numbers: 1-800-955-8770 (voice) or 1-800-955-8771 (TDD).



Mailout Map -- 300-ft. Around 11345 Earnest Blvd.



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10/21/2019 4:29:45 PM

