

STAFF REPORT  
Dania Oaks  
029-MP-15

A request to revise the note on the plat has been filed with the Planning and Development Management Division. This plat was approved by the County Commission on March 1, 2016, for 24 townhouse units and one (1) single family unit (Parcel A) and a park (Parcel B) on 2.3 acres. The property is located on the west side of Southwest 40 Avenue and south of Southwest 54 Court, in the City of Dania Beach.

As of this writing, the plat is not recorded; however, an extension to record the plat was issued on June 17, 2016, per the applicant's request and in accordance with Florida Statutes 252.363 (Zika Virus and Hurricane Matthew). Therefore, the expiration date to record this plat has been extended to October 21, 2019.

The applicant is requesting to revise the note on the plat to eliminate the parcel designations, add one (1) townhouse unit, for a total of 25 units, and eliminate the single family unit on Parcel A and park use on Parcel B. The proposed note language reads as follows:

This plat is restricted to 25 townhomes.

A companion item to revise the non-vehicular access line along the west side of Southwest 40 Avenue, to increase the size of a 30-foot opening to 60 feet and relocate it approximately 68.5 feet south of the north plat limit, is also scheduled for County Commission consideration on August 22, 2017.

This request was evaluated by the Reviewing Agencies.

The attached memorandum from the Broward County Planning Council indicates that the effective Land Use Plan designates the area covered by this plat for the uses permitted in the "Low (5) Residential" land use category, and that this request is in compliance with the permitted uses and densities of the effective Land Use Plan. Planning Council staff calculates that a maximum of 12 dwelling units are permitted per the effective Land Use Plan. Staff previously received written documentation that the City of Dania Beach allocated 14 "flexibility units" to this plat on September 8, 2015, through Ordinance No. 2015-019. Although the plat is not located within 500 feet of a Broward County or Regional Park, or an Environmentally Sensitive Land, as defined by the Broward County Comprehensive Plan, it is adjacent to the City of Hollywood municipal limits. Based on this, the 14 "flexibility units" were subject to Policy 2.10.1 of the Broward County Land Use Plan regarding compatibility. Written documentation was received from the City of Hollywood waiving a compatibility review.

The attached School Capacity Availability Determination (SCAD) issued by the Broward County School Board indicates that the 25 townhouse units proposed by this request will generate nine (9) students into the public school system. School Board staff has determined that this application satisfies public school concurrency on the basis that adequate school capacity is expected to be available to support the proposed development. Therefore, these dwelling units will be subject to school impact fees.

The Aviation Department has advised that this property is within 20,000 feet of Fort Lauderdale-Hollywood International Airport. Any proposed construction on this property or use of cranes or other high-lift equipment must be reviewed to determine if Federal Aviation Regulation Part 77, Florida Statutes, Chapter 333 and/or the Broward County Airport Zoning Ordinance apply. Based on the location of the proposed project, the FAA may need to review to determine whether the project is a potential hazard to aviation. To initiate the Federal Aviation Review, access the FAA Web Page at: <http://oeaaa.faa.gov/oeaaa/external/portal.jsp>. For additional information, contact the Broward County Aviation Department at 954-359-6170.

Review of available information including archival documents, maps, the Broward County Land Use Plan, and the Florida Master Site File (FMSF) by the County's consulting archaeologist indicates that the proposed development will have an adverse effect on previously recorded archaeological site FMSF 8BD100 (*Shady Oaks*), which is located within the plat boundaries. The recommendations of a 1991 site assessment include monitoring by a professional archaeologist for impacts from future development. In addition, the plat is located within designated archeological zone AZ-17 which may contain intact cultural deposits. The archaeologist notes that this property is located in the City of Dania Beach and outside the jurisdiction of Broward County Historic Preservation Ordinance 2014-32. The property owner/agent is advised to contact the City of Dania Beach's Community Development Division at 954-924-6805 to seek project review for compliance with the municipal historic preservation regulations. In the event any unmarked human burial remains are discovered, pursuant to Florida Statute Chapter 872.05, all activity that may disturb the unmarked burial shall cease immediately, and the district medical examiner shall be notified. Such activity shall not resume unless specifically authorized by the district medical examiner or State Archaeologist. The Broward County medical examiner can be notified at either 954-357-5200 or [med\\_exam\\_trauma@broward.org](mailto:med_exam_trauma@broward.org).

The Environmental Planning and Community Resilience Division has reviewed this request and at this time, this site is not included in the Protected Natural Lands Inventory and is not adjacent to a site in the inventory. This project is within the Broward County Water and Wastewater Services jurisdictional (service) area and a BCWWS Utility Connection Permit will be required before water/wastewater construction can begin. The configurations of water/wastewater facilities will likely change per subsequent detailed plan review associated with the BCWWS Utility Connection Permit. For additional information, visit the following web page: [www.broward.org/WaterServices/Pages/LandDevelopment.aspx](http://www.broward.org/WaterServices/Pages/LandDevelopment.aspx). The Environmental Review Report, coordinated by the Planning and Development Management Division, is attached.

The attached resolution (No. R-2017-031) indicates this request was approved by the Dania Beach City Commission on March 28, 2017.

This plat with the amended note satisfies the regional park concurrency requirement of Section 5-182(i) and the solid waste disposal concurrency requirement of Section 5-182(h) of the Land Development Code. In addition, this request represents a decrease of one (1) PM peak hour trip. The plat is located within the Southeast Transportation Concurrency Management District and meets the regional transportation concurrency

standards specified in Section 5-182(a)(5)a) of the Broward County Land Development Code.

As of this writing, the plat is unrecorded and no concurrency or impact fees have been paid. The proposed 25 townhouse units are subject to transportation concurrency fees, school and park impact fees and administrative fees for parks, which will be assessed and paid in accordance with the fee schedule specified in the Land Development Code during the review of construction plans submitted for County environmental review approval. Regional park impact and administrative fees are subject to an annual adjustment on October 1.

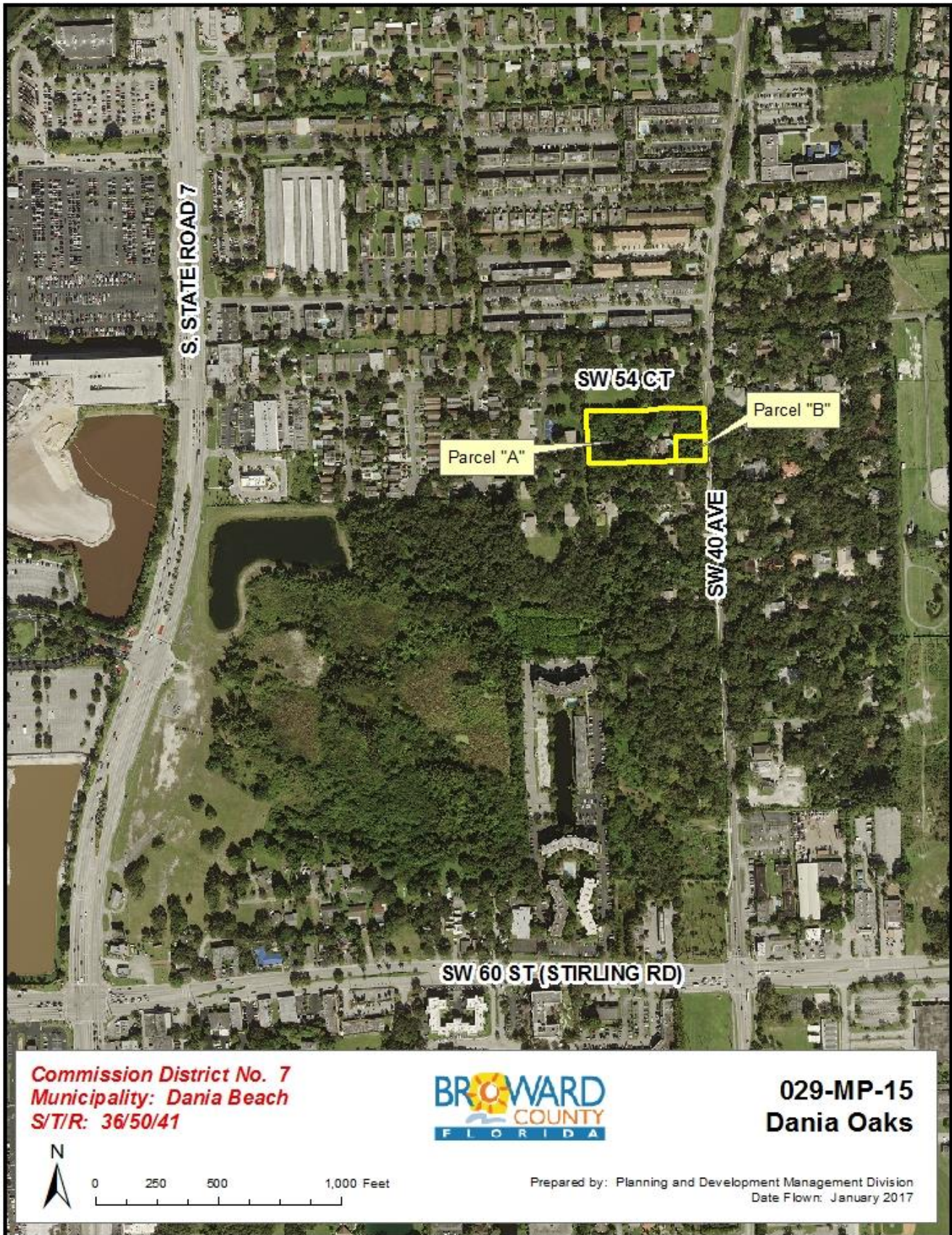
Staff recommends **APPROVAL** of this request, provided the applicant records the plat by October 21, 2019, in accordance with Sec 5-189 (f)(1) of the Land Development Code and in accordance with Florida Statutes 252.363.

In addition, staff recommends that the Board authorize the Mayor to sign an order approving this agenda item subject to staff findings, comments and recommendations.

Finally, the applicant is advised that, in accordance with Section 125.022, Florida Statutes, the issuance of a development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law.

SMC









TO: Josie P. Sesodia, AICP, Director  
Broward County Planning and Development Management Division

FROM: Barbara Blake Boy, Executive Director

RE: Delegation Request for Dania Oaks  
(029-MP-15) City of Dania Beach

DATE: June 14, 2017

Planning Council staff has reviewed the proposed revision to the restrictive note on the above referenced plat. The proposal is to change the restrictive note on the plat as follows:

FROM: This plat is restricted to 24 townhomes and 1 single-family dwelling unit on Parcel A and a park on Parcel B.

TO: This plat is restricted to 25 townhomes.

The Future Land Use Element of the City of Dania Beach Comprehensive Plan is the effective land use plan for the City of Dania Beach. That plan designates the area covered by this plat for the uses permitted in the "Low (5) Residential" land use category. This plat is generally located on the west side of Southwest 40 Avenue, between Southwest 54 Court and Stirling Road.

Planning Council staff calculations indicate that the maximum number of dwelling units permitted per the effective land use plan is 12. Planning Council staff previously received written documentation that the City allocated 14 "flexibility units" to this plat on September 8, 2015, through Ordinance Number 2015-019. Therefore, the proposed development of 25 dwelling units is in compliance with the permitted uses and densities of the effective land use plan.

Planning Council staff notes that the proposed development is contiguous to the City of Hollywood and is subject to Policy 2.10.1 of the Broward County Land Use Plan. In this regard, Planning Council staff previously received written documentation from the City of Hollywood that they did not request a compatibility review. We further note that the subject parcel is not located within 500 feet of a Broward County or regional park, or an Environmentally Sensitive Land, as defined by the Broward County Comprehensive Plan.

The contents of this memorandum are not a judgment as to whether this development proposal complies with the Broward County Trafficways Plan, local zoning, other land development regulations or the development review requirements of the Broward County Land Use Plan including its concurrency requirements.

**Dania Oaks**  
**June 14, 2017**  
**Page Two**

BBB:PMS

cc: Robert Baldwin, City Manager  
City of Dania Beach

Marc LaFerrier, AICP, Director, Community Development Department  
City of Dania Beach



The School Board of Broward County, Florida  
**PRELIMINARY SCHOOL CAPACITY AVAILABILITY DETERMINATION**

PLAT

SBBC-1617-2014

County Number: 029-MP-15 Municipality Number: DR-11-17

Dania Oaks Plat

June 1, 2017 4:11:46



Growth Management  
Facility Planning and Real Estate Department  
600 SE 3rd Avenue, 8th Floor  
Fort Lauderdale, Florida 33301  
Tel: (754) 321-2177 Fax: (754) 321-2179  
[www.browardschools.com](http://www.browardschools.com)

**PRELIMINARY SCHOOL CAPACITY AVAILABILITY DETERMINATION  
PLAT**

PROJECT INFORMATION	NUMBER & TYPE OF PROPOSED UNITS	OTHER PROPOSED USES	STUDENT IMPACT
<b>Date:</b> June 1, 2017 4:11:46	<b>Single-Family:</b>		Elementary: 4
<b>Name:</b> Dania Oaks Plat	<b>Townhouse:</b> 25		Middle: 2
<b>SBBC Project Number:</b> SBBC-1617-2014	<b>Garden Apartments:</b>		High: 3
<b>County Project Number:</b> 029-MP-15	<b>Mid-Rise:</b>		Total: 9
<b>Municipality Project Number:</b> DR-11-17	<b>High-Rise:</b>		
<b>Owner/Developer:</b> BCD Dania Oaks, LLC	<b>Mobile Home:</b>		
<b>Jurisdiction:</b> Dania Beach	<b>Total:</b> 25		

**SHORT RANGE - 5-YEAR IMPACT**

Currently Assigned Schools	Gross Capacity	LOS Capacity	Benchmark Enrollment	Over/Under LOS	Classroom Equivalent Needed to Meet LOS	% of Gross Capacity	Cumulative Reserved Seats
Stirling	767	767	629	-138	-7	82.0%	14
Attucks	1,227	1,227	640	-587	-26	52.2%	10
Hollywood Hills	2,691	2,691	1,921	-770	-30	71.4%	60

Currently Assigned Schools	Adjusted Benchmark	Over/Under LOS-Adj. Benchmark Enrollment	% Gross Cap. Adj. Benchmark	Projected Enrollment				
				17/18	18/19	19/20	20/21	21/22
Stirling	643	-124	83.8%	620	604	626	621	623
Attucks	650	-577	53%	651	655	661	667	673
Hollywood Hills	1,981	-710	73.6%	1,888	1,825	1,830	1,840	1,821

Students generated are based on the student generation rates contained in the currently adopted Broward County Land Development Code. Information contained herein is current as of the date of review. A traditional cohort survival methodology is used to project school-by-school District traditional school enrollment out over the next five years, and a proportional share of charter school enrollment is used to project future charter school enrollment by school level Districtwide. For more information: <http://www.broward.k12.fl.us/dsa/EnrollmentProj.shtml>. The annual benchmark enrollment is taken on the Monday following Labor Day and is used to apply individual charter school enrollment impacts against school facility review processes.



**CHARTER SCHOOL INFORMATION**

Charter Schools within 2-mile radius	2016-17 Contract Permanent Capacity	2016-17 Benchmark Enrollment	Over/(Under)	Projected Enrollment		
				17/18	18/19	19/20
New Life Charter Academy	550	98	-452	98	98	98

**PLANNED AND FUNDED CAPACITY ADDITIONS IN THE ADOPTED DISTRICT EDUCATIONAL FACILITIES PLAN**

School(s)	Description of Improvements
Stirling	There are no capacity additions scheduled in the ADEFP that will impact the FISH capacity of the school.
Attucks	There are no capacity additions scheduled in the ADEFP that will impact the FISH capacity of the school.
Hollywood Hills	There are no capacity additions scheduled in the ADEFP that will impact the FISH capacity of the school.

Students generated are based on the student generation rates contained in the currently adopted Broward County Land Development Code. Information contained herein is current as of the date of review. A traditional cohort survival methodology is used to project school-by-school District traditional school enrollment out over the next five years, and a proportional share of charter school enrollment is used to project future charter school enrollment by school level Districtwide. For more information: <http://www.broward.k12.fl.us/dsa/EnrollmentProj.shtml>. The benchmark enrollment count taken on the first Monday following Labor Day is used to apply individual charter school enrollment impacts against school facility review processes.

### Comments

This plat application indicates that 2 single family units are on the site, which does not generate any students. The application proposes the development of 25 (three or more bedroom) townhouse units, which will generate 9 students (4 elementary school, 2 middle school, and 3 high school students). The school Concurrency Service Areas (CSA) impacted by the project in the 2016/17 school year include Stirling Elementary, Attucks Middle, and Hollywood Hills High Schools.

Based on the Public School Concurrency Planning Document (PSCPD), each of the impacted schools is operating below the adopted Level of Service (LOS) of 100% gross capacity. Incorporating the cumulative students anticipated from this project and approved and vested developments anticipated to be built within the next three years (2016/17 - 2018/19), Stirling Elementary, Attucks Middle, and Hollywood Hills High Schools are projected to operate within the adopted LOS of 100% through the 2018/19 school year. It should be noted that the school capacity or Florida Inventory of School Houses (FISH) for the impacted schools reflects compliance with the class size constitutional amendment. To ensure maximum utilization of the impacted CSAs, the Board may utilize other options such as school boundary changes to accommodate students generated from developments in the County.

Additionally in the 2016/17 school year, the charter schools located within two miles of the project site and their associated data are depicted above. Students returning, attending or anticipated to attend charter schools are factored into the five-year student enrollment projections for District schools. Enrollment projections are adjusted for all elementary, middle and high schools impacted by a charter school until the charter school reaches full enrollment status.

Capital Improvements scheduled in the currently Adopted District Educational Facilities Plan (DEFP), Fiscal Years 2016/17 to 2020/21 regarding pertinent impacted schools are depicted above.

Therefore, this application is determined to satisfy public school concurrency on the basis that adequate school capacity is anticipated to be available to support the residential development as currently proposed by the applicant. This preliminary determination shall be valid until the end of the current school 2016/17 year or 180 days, whichever is greater, for a maximum of 25 (three or more bedroom) townhouse units, and conditioned upon final approval by the applicable governmental body. This determination will expire on November 27, 2017. This preliminary school concurrency determination shall be deemed to be void unless prior to the referenced expiration of the Preliminary School Capacity Availability Determination (SCAD), notification of final approval to the District has been provided and/or an extension of this Preliminary SCAD has been requested in writing and granted by the School District. Upon the District's receipt of sufficient evidence of final approval which shall specify at the minimum the number, type and bedroom mix for the approved residential units, the District will issue and provide a final SCAD letter for the approved units, which shall ratify and commence the vesting period for the approved residential project.

Please be advised that if a change is proposed to the development, which increases the number of students generated by the project, the additional students will not be considered vested for public school concurrency.

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SBBC-1617-2014 Meets Public School Concurrency Requirements

Yes  No

Reviewed By:

Date

6/1/17

Signature



Lisa Wight

Name

Planner

Title

**ENVIRONMENTAL REVIEW AND COMMENTS REPORT  
TO THE PLANNING AND DEVELOPMENT MANAGEMENT DIRECTOR**

**Application:** Request to amend the note to add one townhouse unit, remove the single family dwelling unit on Parcel A, and remove the park on Parcel B.  
**File Number:** 029-MP-15  
**Project Name:** Dania Oaks  
**Comments Due:** June 15, 2017  
**Development Type:** Residential (25 Townhouse Units)

The Planning and Development Management Division of the Broward County Environmental Protection and Growth Management Department (EPGMD) has coordinated with other Divisions in this Department along with the County Health Department to provide the following comments on the above referenced plat:

**Surface Water Management**

This plat is located in the City of Dania Beach and is under the jurisdiction of the Water and Environmental Licensing Section of the Broward County Environmental Engineering and Permitting Division. Surface water management plans for this plat must meet the criteria contained in Chapter 27 - Article V of the Broward County Code of Ordinances. A surface water management license from the Environmental Engineering and Licensing Section of the Broward County Planning and Environmental Regulation Division will be required prior to any construction.

**Potable Water Review**

This project is within the Broward County water service jurisdictional (service) area, District 3A. A BCWWS Utility Connection Permit will be required before water construction can begin. Visit the web page at [www.broward.org/WaterServices/Pages/LandDevelopment.aspx](http://www.broward.org/WaterServices/Pages/LandDevelopment.aspx) for additional information. The configurations of water facilities will likely change per subsequent detailed plan review associated with the BCWWS Utility Connection Permit.

This plat will be served by the City of Dania Beach's Water Treatment Plant which has a capacity of 5.000 MGD and a maximum daily flow of 2.600 MGD. Therefore, according to the Health Department, there is sufficient available water treatment plant capacity to serve the proposed uses at this point in time.

**Wastewater Review**

This property is located in a Broward County wastewater services jurisdictional (service) area, District 3A. A BCWWS Utility Connection Permit will be required before wastewater construction can begin. For additional information visit the web page at [www.broward.org/WaterServices/Pages/LandDevelopment.aspx](http://www.broward.org/WaterServices/Pages/LandDevelopment.aspx). The configurations of wastewater facilities will likely change per subsequent detailed plan review associated with the BCWWS Utility Connection Permit.

Wastewater Treatment Plant:	<b>Hollywood</b>
Flow Data:	<b>As of 04/17</b>
EPGMD Licensed Capacity	<b>55.5000 MGD</b>
12 Month Average Flow:	<b>34.5800 MGD</b>
Existing Flow Reserved by Building Permit:	<b>1.6800 MGD</b>
Total Committed Flow:	<b>36.2600 MGD</b>
Estimated Project Flow:	<b>0.0063 MGD</b>



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In accordance with Section 5-182(g) of the Broward County Land Development Code, to date the existing wastewater treatment and disposal facility has sufficient plant capacity to provide for the wastewater treatment and disposal needs of the development proposed by this application.

The applicant is advised that a Wastewater Collection/Transmission System License will be required prior to constructing, expanding, or altering either a gravity sanitary sewer, a sanitary force main, or a pump station. Wastewater receiving lift stations and force mains are critical components of the conveyance system. Accordingly, adequate capacity for this project will need to be demonstrated of the receiving off-site sanitary sewer conveyance system. The size and scope of flows for the proposed domestic wastewater generation from this plat will likely be substantial and variable; this may impose additional needs for advance planning, permitting, and construction for both onsite and offsite components of the conveyance system. Contact the Water and Environmental Licensing Section of the Environmental Engineering and Permitting Division at 954-519-1483.

#### **Natural Resources Preservation**

This plat is not located in a wellfield zone of influence as described in the Broward County Wellfield Protection Ordinance 84-60, as amended, and as incorporated into Broward County Code of Ordinances, Chapter 27, Article XIII.

See the attached Conceptual Dredge and Fill Review Report. The Water and Environmental Licensing Section of the Environmental Engineering and Permitting Division has not yet conducted a site inspection on this project; however, aerial photographs and light detection and ranging (LIDAR) data indicate that this property may contain County jurisdictional wetlands.

**The applicant must request a formal wetland determination from the Water and Environmental Licensing Section. If the site is determined to contain wetlands, an Environmental Resource License will be required prior to any dredging, filling, or other alteration of wetlands.** Contact the Water and Environmental Licensing Section at 954-519-1483.

The Water and Environmental Licensing Section of the Environmental Engineering and Permitting Division encourages all invasive exotic vegetation including Melaleuca, Brazilian-pepper, Australian pine and others as listed in the Exotic Pest Plant Council's List of Florida's Most Invasive Species to be removed during the development process, and a management plan may be necessary to control re-invasion of same. In addition, landscape material should not include any plants considered to be invasive of south Florida's native plant communities. The Exotic Pest Plant Council's List of Florida's Most Invasive Species is available from the Water and Environmental Licensing Section.

Review of aerial photographs indicates that the subject site contains tree canopy. Development of the site must comply with the Tree Preservation Regulations of the City of Dania Beach if trees are to be removed or relocated. The applicant is encouraged to minimize the number of trees to be removed by incorporating existing trees in the site plan. If trees cannot be incorporated into the site plan in their current location, the applicant is encouraged to relocate trees, especially those of specimen size and quality.

This site is not included in the Protected Natural Lands Inventory and is not adjacent to a site in the inventory. The Protected Natural Lands Inventory is a comprehensive database of public and private native vegetative communities that have been protected through acquisition or regulatory mechanisms and are managed for conservation purposes. The inventory, which

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provides information regarding the ownership and management of each of the Protected Natural Lands, may be accessed at the following website:

<http://bcgis.maps.arcgis.com/apps/OnePane/basicviewer/index.html?appid=85f453365417459f8ba45fa6e5dddb9c>

**Additional Comments Addressing Certain Environmental Protection Actions Needing to be Taken to Implement the Project**

1. An Environmental Resource License may be required for any activities regulated under Article XI of the Natural Resource Protection Code. Contact the Water and Environmental Licensing Section of the Environmental Engineering and Permitting Division at 954-519-1483 for specific license requirements.
2. A demolition notice of the existing single family home will be required from the Broward County Air Licensing and Compliance Section of the Environmental Engineering and Permitting Division.
3. Note that Environmental Protection and Growth Management Department records indicate that at least one underground fuel pipeline is located in the vicinity of this plat. Prior to conducting any subsurface work, the developer must contact Sunshine State On-Call at 1-800-432-4770 to properly mark the location of the pipeline(s) to ensure that work is not in the location of this fuel pipeline(s).

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Be advised that approval of a delegation request does not infer any approval to connect to any wastewater collection, treatment, or disposal system. Nor does it infer that sufficient capacity will exist at time of Building Permit approval. Connections to such systems are approved by the Environmental Engineering and Permitting Division as a prerequisite to, and just prior to, approval of Building Permits by the appropriate Building Department for any structures that are to be built on the platted site. These comments do not indicate a waiver or approval of any license or permit that is, or may be, required for any aspect of the project.

# Conceptual Dredge and Fill Review Report

June 13, 2017

**Plat Name:** Dania Oaks  
**Plat No:** 029-MP-15

## LOCATION

**Section:** 36    **Township:** 50 South    **Range:** 41 East

**Address:** SW 40<sup>th</sup> Ave, Dania Beach (Folio # 504136010360 & 504136010361)

## FINDINGS

**Wetland Characteristics present:** Yes \_\_\_\_\_ No \_\_\_\_\_ Maybe \_\_\_X\_\_\_

## COMMENTS

A site inspection has not been conducted on this project. Based on GIS LIDAR data, this site may contain wetlands. The applicant is advised to submit an application for a wetland determination to determine licensing requirements.

**The applicant shall be advised that an Environmental Resource License may be required prior to any dredging, filling, or other alteration of any wetlands or surface waters that are present on-site. Other activities such as lake or canal excavation are regulated under Article XI of the Natural Resource Protection Code and may also require an Environmental Resource License from this Department.**

The information included in this plat is not detailed enough to allow us to determine what types of impacts would result should development occur on this site. As such, the applicant is encouraged to contact the Aquatic and Wetland Resources Program at the earliest convenient time to identify what County license(s) may be required prior to undertaking any surface disturbing activities. Should wetland impacts be proposed, avoidance and minimization of impacts must be demonstrated prior to consideration of compensatory mitigation.

This report is for informational purposes only and does not constitute waiver or approval of any license or permit that is, or may be, required for any aspect of this project.

**RESOLUTION NO. 2017-031**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, APPROVING THE "DANIA OAKS PLAT" (DR-11-17) SUBMITTED BY BASELINE ENGINEERING AND LAND SURVEYING, INC., ON BEHALF OF BCD DANIA OAKS, LLC, FOR PROPERTY LOCATED AT 5461-5471 SW 40<sup>TH</sup> AVENUE, IN THE CITY OF DANIA BEACH, FLORIDA, AS LEGALLY DESCRIBED IN EXHIBIT "A", A COPY OF WHICH IS ATTACHED TO THIS RESOLUTION; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, pursuant to Chapter 28 of the Code of Ordinances of the City of Dania Beach (the "Code"), which chapter contains the City Land Development Code (the "LDC"), pursuant to Part 6, "Development Review Procedures and Requirements", Article 640 "Plats", it is stated that since June 4, 1953, no principal building may be constructed on any lot unless a plat including the lot has been approved by both the City Commission and County Commission, and recorded in the official records of Broward County; and

**WHEREAS**, Baseline Engineering and Land Surveying, Inc. on behalf of BCD Dania Oaks, LLC (the "Applicant"), is requesting plat approval (DR-11-17), for property legally described in attached Exhibit "A", which is made a part of and is incorporated into this Resolution by this reference; and

**WHEREAS**, the "Dania Oaks Plat" (DR-11-17), is restricted to 25 Townhome residential dwelling units; and

**WHEREAS**, on February 23, 2017, the City's Development Review Committee (the "DRC"), which includes representatives from the Broward Sheriff's Office, Broward Fire Department, Public Services Department, the City's landscape consultant and the Planning Division staff, reviewed the plat for compliance with all applicable regulations; and

**WHEREAS**, staff recommends approval of the plat for the residential townhome development; and

**WHEREAS**, the City Commission conducted a duly noticed public hearing in accordance with Article 640 of the LDC; and

**WHEREAS**, the City Commission finds that the approval of the proposed plat will protect the public health, safety and welfare of residents of the City, and furthers the purposes, goals, objectives and policies of the City's Comprehensive Plan;



**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA:**

**Section 1.** That the foregoing "WHEREAS" clauses are ratified and confirmed as being true and correct, and they are made a specific part of this Resolution.

**Section 2.** That the application for the "Dania Oaks Plat" (DR-11-17), a copy of which is attached as composite Exhibit "B", which is made a part of and incorporated into this Resolution by this reference, is approved.

**Section 3.** That the issuance of a development permit by a municipality does not in any way create any right on the part of an Applicant to obtain a permit from a state or federal agency, and does not create any liability on the part of the municipality for issuance of the permit if the Applicant fails to obtain requisite approvals or does not fulfill the obligations imposed by a state or federal agency, or undertakes actions that result in a violation of state or federal law.

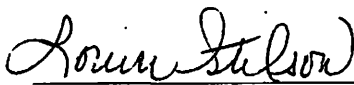
**Section 4.** That such application must be reviewed by the Broward County Aviation Department; the point of contact is William Castillo, Airport Planner located at 220 S.W. 45 Street, Suite 101, Dania Beach, Florida, 33312, (954) 359-6100.

**Section 5.** That all resolutions or parts of resolutions in conflict with this Resolution are repealed to the extent of such conflict.

**Section 6.** That this Resolution shall be in force and take effect immediately upon its passage and adoption.

**PASSED AND ADOPTED** March 28, 2017.

ATTEST:




LOUISE STILSON, CMC  
CITY CLERK





TAMARA JAMES  
MAYOR

APPROVED AS TO FORM AND CORRECTNESS:



THOMAS J. ANSBRO  
CITY ATTORNEY



Planning and Development Management Division  
Environmental Protection and Growth Management Department  
Board of County Commissioners, Broward County, Florida

**Application to Amend or Revise Level of Approved Development**

**INSTRUCTIONS**

This form is used to apply for amendments or revisions to the current level of development previously approved. For your application to be officially accepted for processing and scheduled for a County Commission meeting, you must complete this application in full. The owner/agent certification (on the reverse side of this form) must be signed and notarized with the appropriate required documentation attached. Please type this application or print legibly in **black ink**.

**PROJECT INFORMATION**

Plat Name Dania Oaks

Plat Number 029-MP-15 Plat Book - Page N/A (If recorded)

Owner/Applicant BCD Dania Oaks, LLC Phone 305-749-0900

Address 20900 NE 30th Avenue, #200 City Aventura State FL Zip Code 33180

Owner's E-mail Address jb@b2jgroup.com Fax # \_\_\_\_\_

Agent Greenspoon Marder, PA Phone 954-491-1120

Contact Person Dennis D. Mele, Esq., copy to Sarah Stewart

Address 200 E. Broward Blvd, Ste 1800 City Fort Lauderdale State FL Zip Code 33301

Agent's E-mail Address dennis.mele@gmlaw.com copy: sarah.stewart@gmlaw.com Fax # \_\_\_\_\_

**PROPOSED CHANGES**

Use this space below to provide the following information and clearly describe the proposed changes you are requesting. Be sure to include the current level of development. (Attach additional sheet if necessary.)

Current note for entire plat This Plat is restricted to 24 townhomes and 1 single family dwelling unit on Parcel A, and a park on Parcel B.

Proposed note for entire plat This Plat is restricted to 25 townhomes.

**PLEASE ANSWER THE FOLLOWING QUESTIONS**

Has flexibility been allocated or is flexibility proposed to be allocated under the County Land Use Plan?  
 Yes  No  Don't Know  
 If YES, consult Policy 13.01.10 of the Land Use Plan. A compatibility determination may be required.

Is any portion of this plat currently the subject of a Land Use Plan Amendment (LUPA)?  Yes  No  
 If YES, provide LUPA number: \_\_\_\_\_

Does the note represent a change in TRIPS?  Increase  Decrease  No Change  
 Does the note represent a major change in Land Use?  Yes  No

Will project be served by an approved potable water plant? If YES, state name and address.  Yes  No  
City of Dania Beach, 1201 Stirling Road

Will project be served by an approved sewage treatment plant? If YES, state name and address  Yes  No  
City of Hollywood Regional, 3441 Hollywood Boulevard

Are on-site wells for potable water currently in use or proposed?  Yes  No  
 If YES, see page 2 of this form for additional required documentation.

Are septic tanks current in use or proposed?  Yes  No  
 If YES, see page 2 of this form for additional required documentation.

Estimate or state the total number of on-site parking spaces to be provided SPACES \_\_\_\_\_

Number of seats for any proposed restaurant or public assembly facility, including places of worship SEATS \_\_\_\_\_

Number of students for a daycare center or school STUDENTS \_\_\_\_\_

Reasons for this request (Attach additional sheet if necessary.) \_\_\_\_\_

**FOR APPLICATIONS PROPOSING INDUSTRIAL USE(S) - SUPPLEMENTAL REQUIREMENT**

Proposed industrial plat notes which abut residential land use categories or are separated from a residential land use plan category by rights-of-way, easements, canals or lakes with a width of 100 feet or less must submit written documentation from the municipality stating how the City will address compatibility between the proposed industrial use(s) and the residential land use plan category. Industrial uses include manufacturing, assembly, processing, indoor and outside storage, warehouse, distribution, excavation and landfills. Residential land use plan categories include all residentially named categories plus Agricultural, Rural Ranches, Rural Estates, TOC, TOD, RAC and LAC. Please consult with Planning and Development Management staff if you have any questions.

**Please see reverse side for Required Documentation and Owner/Agent Certification**



**REQUIRED DOCUMENTATION:** Submit one (1) original of each document and electronic copy of each item listed below. Each document listed below must also be submitted electronically as a separate pdf on a CD, flash drive, etc.

- Recorded or approved plat.
- Letter of approval from the applicable municipality, dated within six (6) months of this application, specifically stating the precise note language. If the property is located within a Development of Regional Impact (DRI), the letter shall also indicate if the proposed note is consistent with the approved DRI Development Order.
- Current letter is required from the appropriate utility service area stating the location of the closest approved potable water line and/or sanitary sewer line and the exact distance to the property if on-site wells for potable water and/or septic tanks that are currently in use or proposed.
- Signed and sealed sketch and legal description for any new parcel or tract created by the application.
- A check for the application fees made payable to: Broward County Board of County Commissioners. Please consult the Development Permit Application Fee Schedule.

*School Concurrency Submission Requirements*

- RESIDENTIAL APPLICATIONS ONLY:** Provide a receipt from the School Board documenting that a Public School Impact Application (PSIA) and fee have been accepted by the School Board.

**REQUIRED DOCUMENTATION FOR EXISTING BUILDINGS**

Are there any existing structures on the plat and/or parcel that is currently being amended? Yes or No? If "Yes," you are required to submit documentation providing evidence of the use, size (gross sq. ft.), unit type, and bedroom number as well as complete the table below. Please be advised that gross non-residential square footage includes permanent canopies and overhangs for gas stations, drive thru facilities, and overhangs designed for outdoor tables at a restaurant. A building is defined by the definition in the Land Development Code.

LAND USE	Gross Building sq. ft. or Dwelling Units	Date Last Occupied	EXISTING STRUCTURE(S)		
			Remain the same?	Change Use?	Has been or will be demolished?
Residential Unit	1	vacant			X

The following are examples of documentation that may be used to confirm the existence of buildings on the plat and/or parcel:

- An "as built" survey prepared within six (6) months of this application showing the existing buildings.
- A copy of the latest approved site plan showing the existing buildings along with evidence from the municipality documenting that site plan is the latest approved site plan.
- If the existing structures are residential, evidence will be required of the bedroom mix and unit type. A letter from the city and or copies of permit records may be acceptable forms of evidence.
- Other evidence may be accepted if it clearly documents the use and gross square footage of the existing buildings.

**OWNER/AGENT CERTIFICATION**

State of FLORIDA  
County of BROWARD

This is to certify that I am the owner/agent of the property described in this application and that all information supplied herein are true and correct to the best of my knowledge. By signing this application, owner/agent specifically agrees to allow access to the described property at reasonable times by County personnel for the purpose of verification of information provided by owner/agent.

Signature of owner/agent \_\_\_\_\_  
Sworn and subscribed to before me this 07 day of 04  
by JOEL BAW  He/she is personally known to me  He/she is a duly known person  He/she is a duly known person

Has presented \_\_\_\_\_  
Signature of Notary Public \_\_\_\_\_  
Type or Print Name NICOLAS VIDRET



**FOR PLANNING AND DEVELOPMENT MANAGEMENT DIVISION USE ONLY**

Time \_\_\_\_\_ Application Date 5/22/17 Acceptance Date 6/1/16  
Comments Due 06/15/16 C.C. Mtg. Date 08/15/17 Fee \$ 1420

Plats  Survey  Site Plan  City Letter  Agreements  
Other Attachments (Describe) add DTH unit

Title of Request REVISE note - eliminate park on Parcel B

Distribute to:  Full Review  Planning Council  School Board  Land Use & Permitting

Health Department (on septic tanks and/or wells)  Zoning Code Services (unincorporated area only)  
 Planning & Redevelopment (unincorporated area only)  Other \_\_\_\_\_

Adjacent City Hollywood Received by SNC/KL

Revised 11/15 note: application to modify conditions of plat approval / revise NVAL also submitted

(SNC)



Environmental Protection and Growth Management Department  
**PLANNING AND DEVELOPMENT MANAGEMENT DIVISION**  
1 North University Drive, Suite 102-A • Plantation, Florida 33324 • 954-357-6666 • FAX 954-357-6521 • 954-519-1412

June 5, 2017

**Mr. Thomas Barnett, AICP, Director  
Development Services Department  
City of Hollywood  
2600 Hollywood Blvd  
Hollywood, FL 33022**

RE: Municipal notification of a delegation request to revise the "note" (approved level of development) and the NVAL (non-vehicular access line) on an approved but unrecorded plat adjacent to the municipal limits of Hollywood:

**Plat Name: DANIA OAKS  
Plat No.: 029-MP-15**

**Written comments must be received on or before June 15, 2017.**

Dear Mr. Barnett:

As per Broward County Commission Policy effective March 24, 1998, we are forwarding the attached copy of an application for a delegation request to all municipalities that are adjacent to the plat.

If your municipality desires to comment on this application, the comments must be in writing and electronically submitted to the Planning and Development Management Division on or before the above referenced date. Please send your comments via e-mail to our offices at [pdmdinfo@broward.org](mailto:pdmdinfo@broward.org).

Any written comments received will be forwarded to the applicant along with the comments from other agencies reviewing the application.

If you have any questions, please contact Sue Carrano at 954-357-6627 or [scarrano@broward.org](mailto:scarrano@broward.org).

Sincerely,

A handwritten signature in black ink, appearing to read "Thuy Turner", written in a cursive style.

Thuy (twee) Turner, AICP, Planning Section Manager  
Planning and Development Management Division





# DANIA OAKS

A REPLAT OF A PORTION OF TRACT 9, 'NEWMAN'S SURVEY OF SECTION 36, TOWNSHIP 50 SOUTH RANGE 41 EAST', AS RECORDED IN PLAT BOOK 2, PAGE 26, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA  
CITY OF DANIA BEACH, BROWARD COUNTY, FLORIDA.

THIS INSTRUMENT WAS PREPARED BY  
**BASELINE D ENGINEERING**  
LAND SURVEYING, INC.  
1100 N.W. 51 STREET  
BOCA RATON, FLORIDA 33432  
(561) 417-0700

**DEDICATION:**  
STATE OF FLORIDA      §5  
COUNTY OF BROWARD  
KNOW ALL MEN BY THESE PRESENTS THAT BCD DANIA OAKS, LLC, A FLORIDA LIMITED LIABILITY COMPANY, OWNER OF THE LANDS DESCRIBED AND SHOWN AS INCLUDED IN THIS PLAT, HAVE CAUSED SAID LANDS TO BE SUBDIVIDED AND REPLATTED AS SHOWN HEREON, SAID PLAT TO BE KNOWN AS 'DANIA OAKS'.

THE ACCESS EASEMENT AREA WITHIN PARCEL A, AS SHOWN HEREON, IS HEREBY DEDICATED FOR THE PERPETUAL USE BY ANY PERSON ON THE GENERAL PUBLIC FOR HORSES AND EGRESS TO THE PUBLIC PARK, AND FOR THE PURPOSE OF GENERAL PUBLIC VEHICULAR AND PEDESTRIAN USE AND ACCESS TO THE PUBLIC PARK, HO, BUILDING FENCE, LANDSCAPING OR OTHER IMPROVEMENTS, AND TO BE OPEN TO ALL PERSONS AT ALL TIMES. THE ACCESS EASEMENT SHALL RUN OVER OR ACROSS THE ACCESS EASEMENT, THE UNDERGROUND CONDUITS AND AGREES THAT THE ACCESS EASEMENT AND RESTRICTIONS HEREIN SET FORTH SHALL RUN WITH THE LAND AND BE BINDING ON THE OWNER(S) OF THE PROPERTY IN THIS PLAT, THEIR SUCCESSORS AND ASSIGNS, AND ALL PARTIES CLAIMING BY, THROUGH AND UNDER THEM.

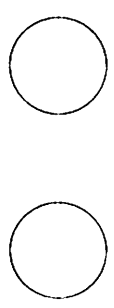
PARCEL B, AS SHOWN HEREON, IS DEDICATED TO BROWARD COUNTY FOR R.O.W. PURPOSES

IN WITNESS WHEREOF, WE HEREBY SET OUR HANDS AND AFFIX OUR CORPORATE SEAL THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_  
WITNESS: \_\_\_\_\_  
PRINT NAME: \_\_\_\_\_  
BY: \_\_\_\_\_  
BCD DANIA OAKS, LLC  
A FLORIDA LIMITED LIABILITY COMPANY

**ACKNOWLEDGEMENT:**  
STATE OF FLORIDA      §8.  
COUNTY OF BROWARD  
I HEREBY CERTIFY THAT ON THIS DAY PERSONALLY APPEARED BEFORE ME, AN OFFICER DULY AUTHORIZED TO ADMINISTER OATHS AND TAKE ACKNOWLEDGEMENTS, \_\_\_\_\_, WHO HAS EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED THE EXECUTION THEREOF TO BE HIS FREE ACT AND DEED AS SUCH OFFICER FOR THE PURPOSES THEREIN EXPRESSED AND WHO DID NOT TAKE AN OATH.  
WITNESS MY HAND AND OFFICIAL SEAL THIS \_\_\_\_ DAY OF \_\_\_\_\_ A.D. 20\_\_

**NOTARY PUBLIC**  
MY COMMISSION EXPIRES: \_\_\_\_\_  
TYPED, PRINTED OR STAMPED NAME  
OF NOTARY PUBLIC  
IN WITNESS WHEREOF, WE HEREBY SET OUR HANDS AND AFFIX OUR CORPORATE SEAL THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_  
WITNESS: \_\_\_\_\_  
PRINT NAME: \_\_\_\_\_  
BY: \_\_\_\_\_  
BCD DANIA OAKS, LLC  
A FLORIDA LIMITED LIABILITY COMPANY

**ACKNOWLEDGEMENT:**  
STATE OF FLORIDA      §8.  
COUNTY OF BROWARD )  
I HEREBY CERTIFY THAT ON THIS DAY PERSONALLY APPEARED BEFORE ME, AN OFFICER DULY AUTHORIZED TO ADMINISTER OATHS AND TAKE ACKNOWLEDGEMENTS, \_\_\_\_\_, WHO IS PERSONALLY KNOWN TO ME AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED THE EXECUTION THEREOF TO BE HIS FREE ACT AND DEED AS SUCH OFFICER FOR THE PURPOSES THEREIN EXPRESSED AND WHO DID NOT TAKE AN OATH.  
WITNESS MY HAND AND OFFICIAL SEAL THIS \_\_\_\_ DAY OF \_\_\_\_\_ A.D. 20\_\_



BCD DANIA OAKS, LLC.

