

STAFF REPORT  
Our Lady Queen of Heaven Cemetery  
014-MP-91

A request to modify conditions of plat approval has been filed with the Planning and Development Management Division. This plat was approved by the County Commission on November 5, 1991 for 99.8 acres of cemetery use (44.2 acres Parcel A and 55.6 acres on Parcel B.) The property is located north of Cypress Creek Road and west of the Florida Turnpike, in the City of North Lauderdale. The plat was recorded on September 24, 1992 (P.B. 152, P.G. 21).

This plat was approved with a requirement to secure and construct a bus pullout bay on State Road 7, adjacent to the plat, as stated in Exhibit "B" of the Agreement between Broward County and The Archdiocese of Miami for Phasing the Installation of Required Road Improvements Relating to this plat (INSTRUMENT # 92410321). The applicant is requesting to eliminate this plat requirement, since two existing bus pullout bay have been constructed in that area.

The attached correspondence from the City of North Lauderdale indicates no objection to this request.

Staff from the Highway Construction and Engineering Division and the Transit Division have reviewed this request and recommends **APPROVAL**, subject to compliance with the standards and requirements of Chapter 5, Article IX, of the Broward County Code of Ordinances. This is in addition to conditions contained in the attached memorandum from these Divisions. Approval of this request also authorizes Highway Construction and Engineering Division staff to release the Agreement and security.

The Florida Department of Transportation (FDOT) has reviewed this request and advises the applicant to attend a pre-application review with FDOT to determine if access modifications are required for direct access to State Road 7, adjacent to the plat. To initiate the review process, contact Djemcy Limage, FDOT Access Management, at 954-777-4363 or [Djemcy.Limage@dot.state.fl.us](mailto:Djemcy.Limage@dot.state.fl.us).

In addition, this approval is subject to the Board authorizing 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.

KDL



Public Works Department

**HIGHWAY CONSTRUCTION AND ENGINEERING DIVISION**

1 N. University Drive, Box B300, Plantation, Florida 33324-2038 • 954-577-4555 • FAX 954-357-5715

**M E M O R A N D U M**

DATE: September 18, 2017

TO: Josie Sesodia, Director  
Planning and Development Management Division

FROM: David (D.G.) McGuire, Project Manager  
Plat Section, Highway Construction and Engineering Division

Noemi Hew, Planner  
Transportation Department, Service Development

SUBJECT: Delegation Request: Modify Conditions of Plat Approval  
OUR LADY QUEEN OF HEAVEN CEMETERY (014-MP-91)

The Highway Construction and Engineering Division and the Transit Division have reviewed the application for modifications to the conditions of plat approval for the subject plat. In part, the application is a request to eliminate the Busbay requirement along State Road 7 adjacent to the plat. Staff review included the information that may have been contained in the application, the property survey, the site plan (or conceptual access plan), the recorded plat, and the Development Review Report approved by the County Commission. Our review also included changes to the adjacent roadways and changes on the adjoining properties.

Those certain roadway improvements as defined in Schedule "B" of the Security/Lien Agreement for Required Improvements (O.R.B. Book 19901, P.G. 0484, B.C.R.) for the subject parcel, have not been constructed and are no longer required as demonstrated to the Broward County Highway Construction and Engineering, the Broward County Transit Division, and the Florida Department of Transportation. Approval of this delegation request shall include authorization for Highway Construction and Engineering Division staff to process a release of the previous Agreement and security.

Staff recommends APPROVAL of the proposed deletion of the condition with the following requirement:

1. The developer shall formally and in writing request the release of the Security/Lien Agreement for Required Improvements (O.R.B. Book 19901, P.G. 0484, B.C.R.) within 18 months of approval of this Delegation Request. Failure to complete this process within the 18 month time frame shall render the approval of this Delegation Request null and void.

DGM









701 Southwest 71<sup>st</sup> Avenue, North Lauderdale, Florida 33068-2395  
954-722-0900 • Fax 954-720-2151 • www.nlauderdale.org

**MAYOR**  
Jack Brady

**COMMISSIONER**  
Samson Borgelin

**COMMISSIONER**  
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**CITY ATTORNEY**  
Samuel S. Goren

**VICE MAYOR**  
Lorenzo Wood

**COMMISSIONER**  
Jerry Graziose

**CITY MANAGER**  
Ambreen Bhatti

**CITY CLERK**  
Patricia Vancheri

July 24, 2017

Environmental Protection and Growth Management Department  
Planning and Development Management Division  
115 S. Andrews Ave.  
Ft. Lauderdale, FL 33301

**Re: OUR LADY QUEEN OF HEAVEN CEMETERY PLAT ( PB 152 PG 21)**

Mrs. Jo Sesodia,  
Planning and Development Management Division Director:

Please be advised that the City of North Lauderdale has no objection to the proposed amendment to the conditions of the above referenced plat to eliminate the requirement to install a bus pull out bay along their property.

This approval is subject to the satisfaction of all applicable traffic concurrency requirements. Also, any Owner, Developer, or Successor of this parcel will be required to meet all applicable requirements of the City of North Lauderdale Zoning and Land Development Code.

The City's Development Review Committee, Planning & Zoning Board, and City Commission will reserve future comments and restrictions following recommendations made regarding this plat modification.

If you should have any further questions or comments, please feel free to contact me at (954) 597-4737.

Sincerely,

Tammy L. Reed-Holguin, AICP  
Community Development Director



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

e-COMMENTS for  
**Delegation Request: Modify Conditions of Plat Approval**



TO: Review Agencies  
PLAT NAME: Our Lady Queen of Heaven Cemetery PLAT NO.: 014-MP-91  
COMMENT DUE DATE: **September 1, 2017**

Please find an application for the above plat which was submitted to you for verification of the *Standards of the Broward County Land Development Code*, as amended.

To comply with the review requirements mandated by the Code, your written comments must be submitted electronically to this office by the date indicated above. If your comments are not received by the above date, we will understand that to mean you have no objection to the plat as submitted.

**Please note that all agency comments should now be e-mailed to the Planning and Development Management Division at: [pdminfo@broward.org](mailto:pdminfo@broward.org).** For additional information, please contact Karina da Luz at 954-357-6617 (or [kdaluz@broward.org](mailto:kdaluz@broward.org)). Your cooperation is greatly appreciated!

- NO OBJECTION TO THE PLAT AS SUBMITTED.
- THIS PLAT IS SUBJECT TO THE COMMENTS NOTED BELOW.
- THIS PLAT IS SUBJECT TO THE ATTACHED COMMENTS.

*In the space provided below, please type/print your name, agency and phone number:*

COMMENTS: Djemcy Limage  
**Print Name**  
FDOT-Access Management  
**Agency**  
954-777-4363  
**Phone Number**

Access to State Road that are providing access to this site plat need to be evaluated due to proposed note amendment; a pre-application approval letter would benefit applicant's future development plans for this plat. (Site has direct access to SR 7).

**Jorge Torres**

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**From:** Marwood, Daniel [Dan.Marwood@dot.state.fl.us]  
**Sent:** Monday, June 19, 2017 4:39 PM  
**To:** dmcguire@broward.org  
**Cc:** Jorge Torres  
**Subject:** No Objection to Platted Bus Bay Release  
**Attachments:** remove Plat Requirement to install a bus bay on SR 7 adjacent to Our Lad... (83.4 KB); Request for Bus Bay Reservation Release (11.8 KB)

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Good afternoon DG,

Thank you for taking the time to speak with me regarding the elimination of the plat requirement to install a bus pullout bay on SR-7 adjacent to the Our Lady Queen of Heaven Cemetery. Per our conversation, Jorge Torres from Milian, Swain, and Associates has requested from FDOT a letter of "No Objection" regarding the release of this requirement.

I have consulted with FDOT's Office of Modal Development and we have no objection to the release of the plat requirement.

Please let me know if you need anything else.

Thank you,

Dan Marwood  
Property Management Administrator  
Florida Department of Transportation  
3400 West Commercial Boulevard  
Fort Lauderdale, FL 33309  
Phone: (954)-777-4238  
Fax (954) 777-4261  
[Dan.Marwood@dot.state.fl.us](mailto:Dan.Marwood@dot.state.fl.us)



Board of County Commissioners, Broward County, Florida  
Environmental Protection and Growth Management Department  
Planning and Development Management Division  
**Application to Change or Waive Requirements  
of the Broward County Land Development Code**



**INSTRUCTIONS**

This form is used to apply for changes or waivers to requirements of development permit applications processed under the Broward County Land Development Code. These include changes or waivers to the following:

**ROADWAY RELATED**

1. Non-Vehicular Access Lines
2. Roadway Improvements (such as turn lanes, busbays traffic signals, etc.)
3. Right-of-Way Dedications
4. Sidewalks and Paved Access
5. Design Criteria

**NON-ROADWAY RELATED**

6. Design Criteria
7. Waste Water Disposal/Source of Potable Water
8. Fire Protection
9. Parks and/or School Dedications
10. Impact/Concurrency Fee(s)
11. Environmental Impact Report
12. Other Changes

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 documentation attached. Please type this application or print legibly in **black ink**.

**PROJECT INFORMATION**

Plat/Site Plan Name Our Lady of Queen of Heaven Cemetery Plat

Plat/Site Plan Number 152 Plat Book - Page 21 (If recorded)

Owner/Applicant Archdiocese of Miami Phone 305-592-0521

Address 11411 NW 25 Street City Miami State FL Zip Code 33172

Owner's E-mail Address \_\_\_\_\_ Fax # 954-484-5416

Agent Catholic Cemeteries of the Archdiocese of Miami, Inc. Phone 954-484-1515

Contact Person Joseph M. Catania, President / CEO

Address 4790 N State Road 7 City Lauderdale Lakes State FL Zip Code 33319

Agent's E-mail Address icatania@chsfla.com Fax # 954-484-5416

**PROPOSED CHANGES**

Use this space below to provide the following information and clearly describe the proposed changes you are requesting. If you are requesting changes to a specific staff recommendation(s) listed in a Development Review Report, please specify the staff recommendation number(s). If you are requesting a waiver or variation of a provision of the Land Development Code, please cite the specific section(s).

Staff Recommendation No(s) N/A

Land Development Code citation(s) \_\_\_\_\_

Have you contacted anyone in County Government regarding this request?  Yes  No

If yes, indicate name(s), department and date \_\_\_\_\_

Narrative explaining proposed changes in detail including the desired result and justification for the request (attach additional sheet if necessary):

The Archdiocese of Miami and Our Lady Queen of Heaven Cemetery is requesting a Delegation Request to release/remove/amend the plat requirement (i.e. to install a bus pullout bay on SR 7) since two bus pullout bay have been constructed on that area. A Non-Objection letter from FDOT-4 have been obtain for the Delegation Request.

Please see the reverse side of this form 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.

All requests listed on this application must include the following documents:

- **Letter from the applicable municipality**, dated within six (6) months of this application, stating the city's position on this request.
- **Approved or recorded plat** (a survey and site plan may be accepted for single family and duplex applications. Please consult with Planning and Development Management Division staff).
- **A check for the application fees** (if applicable) made payable to: Broward County Board of County Commissioners. Please consult the Development Permit Application Fee Schedule.

For **ROADWAY RELATED** items (1 through 5) listed under **INSTRUCTIONS** on Page 1 of this form, the following additional documents are also required:

- **The proposed site plan (2 original)** which shows, at a minimum, the on-site traffic circulation system, adjacent roadway details, and the location of all existing and proposed driveway(s). The site plan must provide relevant dimensions and must be drawn to scale.
- **Signed and sealed drawings (2 original)** clearly illustrating the proposed change(s). The drawings must provide relevant dimensions and must be drawn to scale.
- **A valid Pre-Application approval letter from the Florida Department of Transportation is required for all roadway and/or access related applications which abut a Trafficway that is functionally classified as a State Road.** This requirement includes the creation or amendment of vehicular access and/or any improvements requiring permits from the State.

For **NON-ROADWAY RELATED** items (6 through 12) listed under **INSTRUCTIONS** on Page 1 of this form, please consult with Planning and Development Management staff to determine any additional required documentation.

**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 [Signature]

Sworn and subscribed to before me this 10th day of July, 2017

by JOSEPH M. CATANIA  He/she is personally known to me or

Has presented \_\_\_\_\_ as identification.

Signature of Notary Public [Signature]

Type or Print Name LAUREN M FASSLER



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

Time \_\_\_\_\_ Application Date 07-28-17 Acceptance Date 08-07-17

Comments Due 09-01-17 C.C. Mtg. Date 09-26-17 Fee \$ 1730

Report Due \_\_\_\_\_ Adjacent City none

Plats  Site Plans/Drawings  City Letter  FDOT Letter

Other (Describe) agreement INT# 92410321

Title of Request modify conditions of plat

Distribute to:  Engineering  Traffic Engineering  Mass Transit

Other \_\_\_\_\_  Other \_\_\_\_\_

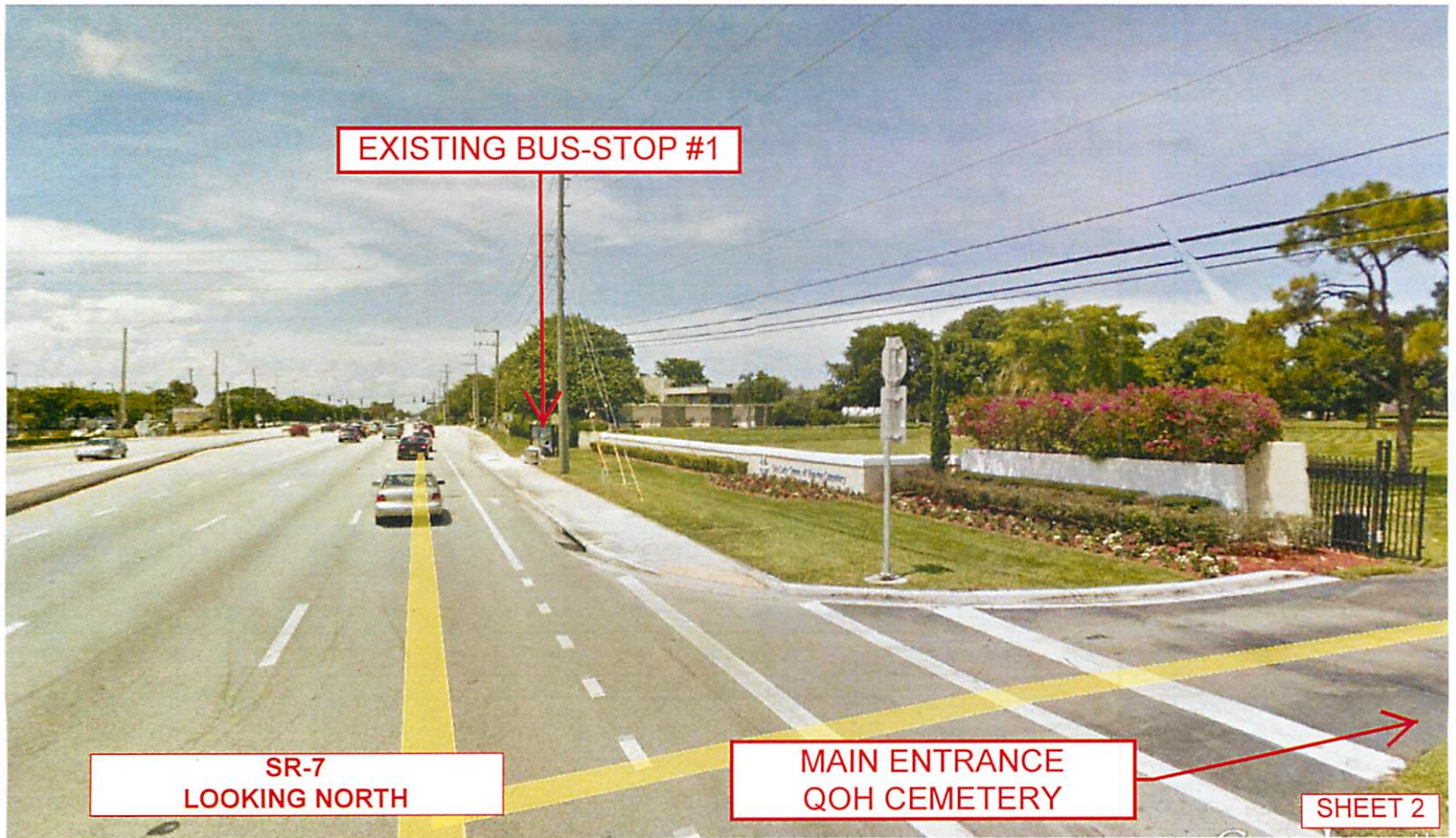
Comments \_\_\_\_\_

Received by [Signature]









EXISTING BUS-STOP #1

SR-7  
LOOKING NORTH

MAIN ENTRANCE  
QOH CEMETERY

SHEET 2



