

STAFF REPORT
Gargoyle Plat
011-UP-88

A request to amend the note on the plat has been filed with the Planning and Development Management Division. This plat was approved by the Broward County Board of County Commissioners (“Board”) on September 6, 1988, for 1,499 square feet of commercial use. The property is located on 1.8 acres on the northwest corner of West Sample Road and North Military Trail, in the City of Deerfield Beach. The plat was recorded on October 31, 1988 (Plat Book 136, Page 40).

The applicant is requesting to revise the note on the face of the plat to eliminate the commercial use and restrict the plat to a service station/convenience store with sixteen (16) fueling positions. The proposed note language reads as follows:

This plat is restricted to a service station/convenience store with sixteen (16) fueling positions.

This request was evaluated by the Reviewing Agencies.

Land Use

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 “Commercial” land use category. Planning Council staff state the proposed convenience store and service station uses are in compliance with the permitted uses of the effective land use plan.

Concurrency Review

This plat with the amended note satisfies the solid waste disposal concurrency requirement of Section 5-182(h) of the Land Development Code. In addition, this request represents an increase of 145 PM peak hour trips. The plat is located within the Northeast Transportation Concurrency Management Area and meets the regional transportation concurrency standards specified in Section 5-182(a)(5)a) of the Broward County Land Development Code.

Impact Fees

Road fees have been satisfied for 1,499 square feet of commercial use (existing convenience store) and the additional PM peak hour trips generated by this request shall be subject to transportation concurrency fees, 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. If the demolition permit of existing structures is issued more than eighteen (18) months prior to the date of development and environmental review of constructions plan, transportation concurrency fees will be assessed and paid in accordance with the current fee schedule which may be amended every October 1.

Reviewing Agency Comments

The attached Resolution No. 2018/113 from the City of Deerfield Beach indicates no objection to this request.

The attached letter request of no objection was submitted to the adjacent municipality, the City of Pompano Beach.

This application has been reviewed by Highway Construction and Engineering Division staff who has no objections to this request.

The attached pre-application letter from the Florida Department of Transportation (FDOT) indicates approval of the proposed modifications on the site subject to the conditions and comments contained therein. The applicant is advised to contact Djemcy Limage, FDOT Access Management, at 954-777-4363 or djemcy.Limage@dot.state.fl.us.

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. The Environmental Review Report, coordinated by the Planning and Development Management Division, is attached.

The Aviation Department has advised that this property is within 20,000-feet of Fort Lauderdale Executive Airport. Any proposed construction, use of cranes or other high-lift equipment must be reviewed to determine if Federal Aviation Regulation Part 77, Florida Statutes, Chapter 333 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 by the County's consulting archaeologist indicates that the proposed development is not likely to impact any significant historical or archaeological resources, and the consulting archaeologist has no objections to this application. The consulting archaeologist also notes that this plat is located within the City of Deerfield Beach, within the archaeological jurisdiction of Broward County Historic Preservation Ordinance 2014-32. If any archaeological materials are discovered during the course of development, the property owner must notify Rick Ferrer, Historic Preservation Officer, at 954-357-9731 or referrer@broward.org, and the project may proceed in accordance with Ordinance 2014-32, Section 5-536.5(g).

Additionally, historical resources located within the City of Deerfield Beach are outside jurisdiction of the Broward County Historic Preservation Ordinance 2014-32. The property owner/agent is advised to contact the City of Deerfield Beach Planning and

Development Services Director, to seek project review for compliance with municipal historic preservation regulations, at 954-480-4200.

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 of State Archaeologist. The Broward County medical examiner can be notified at either 954-357-5200 or med_exam_trauma@broward.org.

Staff recommends **APPROVAL** of this request, provided the applicant:

- 1) Records a document acceptable to the County Attorney's Office to amend the note on the face of the plat prior to **December 4, 2019**.

The amended note must also include language stating the following:

- A) Any structure within this plat must comply with Section 2B.1.f., Development Review requirements of the Broward County Land Use Plan regarding hazards to air navigation.
- B) If a building permit for a principal building (excluding dry models, sales and construction offices) first inspection approval are not issued by **December 4, 2023**, then the County's finding of adequacy shall expire and no additional building permits shall be issued until such time as Broward County shall make a subsequent finding that the application satisfies the adequacy requirements set forth within the Broward County Land Development Code. The owner of the property or the agent of the owner shall be responsible for providing evidence to Broward County from the appropriate governmental entity, documenting compliance with this requirement within the above referenced time frame; and/or
- C) If construction of project water lines, sewer lines, drainage, and the rock base for internal roads have not been substantially completed by **December 4, 2023**, then the County's finding of adequacy shall expire and no additional building permits shall be issued until such time as Broward County shall make a subsequent finding that the application satisfies the adequacy requirements set forth within the Broward County Land Development Code. The owner of the property or the agent of the owner shall be responsible for providing evidence to Broward County from the appropriate governmental entity, documenting compliance with this requirement within the above referenced time frame.

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.

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

Continued

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.

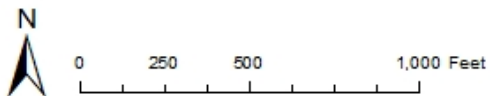
KDL



Commission District No. 4
Municipality: Deerfield Beach
S/T/R: 15/48/42




011-MP-88
Gargoyle Plat



Prepared by: Planning and Development Management Division
Date Flown: January 2018



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

FROM: Barbara Blake Boy, Executive Director 

RE: Delegation Request for Gargoyle Plat (011-UP-88)
City of Deerfield Beach

DATE: September 25, 2018

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 1,499 square feet of commercial use.

TO: This plat is restricted to a convenience store and service station with sixteen (16) fueling positions.

The Future Land Use Element of the City of Deerfield Beach Comprehensive Plan is the effective land use plan for the City of Deerfield Beach. That plan designates this plat for the uses permitted in the "Commercial" land use category. This plat is generally located on the northwest corner of Military Trail and Sample Road.

The proposed convenience store and service station uses are in compliance with the permitted uses of the effective land use 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.

BBB:KJW

cc: Burgess Hanson, City Manager
City of Deerfield Beach

Eric M. Power, AICP, Director, Planning & Development Services
City of Deerfield Beach

RESOLUTION NO. 2018/113

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, APPROVING THE PLAT APPLICATION SUBMITTED BY 7-ELEVEN, INC., TO AMEND THE RESTRICTIVE PLAT NOTE ON THE 1.42 ACRE PARCEL LOCATED AT 901 W. SAMPLE ROAD, WITHIN THE B-3c INTENSE COMMERCIAL BUSINESS ZONING DISTRICT, TO PERMIT A CONVENIENCE STORE AND SERVICE STATION WITH SIXTEEN FUELING LOCATIONS (APPLICATION NO. 17-P-211); PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE

WHEREAS, Application No. 17-P-211 (the "Plat Application") has been submitted to the City by 7-Eleven, Inc. (the "Applicant") to amend the restrictive plat note on the approximately 1.42 acre parcel located at 901 W. Sample Road, within the B-3c Intense Commercial Business Zoning District, to permit a convenience store and service station on the area of the plat designated "Tract A" (the "Development"); and

WHEREAS, the site for the Development is approximately 1.42 acres described as GARGOYLE PLAT 136-40 B TRACT "A", as more particularly described in the file and located at 901 West Sample Road, Deerfield Beach, Florida (the "Property"); and

WHEREAS, the existing plat note on the Property restricts the plat as follows:

"This plat is restricted to 1,499 square feet of commercial use. Restaurants are not permitted without the approval of the Board of County Commissioners who shall review and address these uses for increased impacts. This note is required by Chapter 5, Article IX, Broward County Code of Ordinances and may be amended by an agreement with Broward County; and

WHEREAS, a plat note amendment was approved by the City Commission on October 16, 2012 (Resolution #2012/194) to allow twelve fueling positions at the Property; however, Broward County confirmed that the plat restriction was never recorded; and

WHEREAS, the Plat Application submitted by the Applicant for the Development would restrict the plat to a convenience store and service station with sixteen (16) fueling positions; and

WHEREAS, a separate site plan application (Application 14-B3c-20 Rev. 1) is being processed with the Plat Application that seeks to redevelop the existing gas station with eight (8) fuel pumps (16 fueling positions) and a 3,109 square foot convenience store; and

WHEREAS, the Plat Application for the Development was reviewed by pertinent City staff; and

WHEREAS, the City Commission has considered the evidence and testimony presented by the Applicant and other interested parties and the recommendations of the various City of Deerfield Beach review agencies and staff; and

WHEREAS, the City Commission has determined that the Plat Application meets all departmental and Land Development Code requirements and finds it in the best interest of the City to approve the Plat Application.

Resolution 2018/113

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, AS FOLLOWS:

Section 1. The above referenced "Whereas" clauses are true and correct and made a part hereof.

Section 2. The Plat Application is hereby approved, subject to the conditions set forth in the Plat Application and the Development Review Comments, as amended and dated August 6, 2018, which conditions are hereby incorporated herein by this reference.

Section 3. All resolutions or parts of resolutions in conflict herewith, be and the same, are hereby repealed to the extent of such conflict.

Section 4. Should any section or provision of this Resolution or any portion thereof, any paragraph, sentence or word be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder hereof as a whole or part thereof other than the part declared to be invalid.

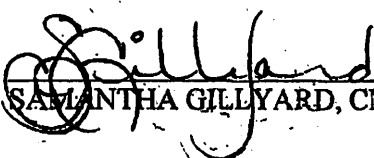
Section 5. This Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED THIS 29TH DAY OF AUGUST, 2018.



BILL GANZ, MAYOR

ATTEST:



SAMANTHA GILLYARD, CMC, CITY CLERK



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

September 19, 2018

Robin Bird, Director
Department Services
100 W Atlantic Blvd
Pompano Beach, FL 33060

RE: Municipal notification of a delegation request to amend the "note" (approved level of development) on a recorded plat adjacent to the municipal limits of Pompano Beach:

Plat name: Gargoyle Plat
Plat No. 011-UP-88

Written comments must be received on or before **October 2, 2018**

As per Broward County Commission Policy effective March 24, 1998, we are forwarding a 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 pdminfo@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 Karina da Luz at 954-357-6617.

Sincerely,

KARINA DA LUZ
Digitally signed by
KARINA DA LUZ
Date: 2018.09.19
13:01:59 -04'00'

Karina da Luz, Senior Planner
Planning and Development Management Division



Florida Department of Transportation

RICK SCOTT
GOVERNOR

3400 West Commercial Blvd.
Fort Lauderdale, FL 33309

MICHAEL DEW
SECRETARY

May 17, 2018

THIS PRE-APPLICATION LETTER IS EXTENDED UNTIL – **May 17, 2019**
THIS LETTER IS NOT A PERMIT APPROVAL

Martin Grinbank
Keith & Associates, Inc.
301 E. Atlantic Blvd.
Pompano Beach, FL 33060

Dear Martin Grinbank:

RE: **May 17, 2018** - Pre-application Extension for **Category D Driveway**, Date of Pre-application Meeting: **May 18, 2017**
Broward County - City of Deerfield Beach, Urban; SR 834; Sec. # 86028; MP: 7.090
Access Class - 03; Posted Speed - 35 mph; SIS - Influence Area; Ref. Project: FM 432786.1, FM 435374.1
Request: Use existing right-in/right-out driveway along SR 834/W Sample Road adjacent to western property line.

SITE SPECIFIC INFORMATION
Project Name & Address: **7-Eleven - 901 W Sample Road, Pompano Beach, FL 33064**
Applicant/Property Owner: **7-Eleven, Inc.** Parcel Size: **1.42 Acres**
Max. Sq.ft./Proposed LU: **16 FP Gas Station/ 3,00 SF Convenience Store**

WE APPROVE YOUR REQUEST

This decision is based on your presentation of the facts, site plan and survey - please see the **conditions** and **comments** below. You may choose to review this concept further with the District Access Management Review Committee (AMRC).

Conditions:

- **A minimum driveway length of 25 feet, as measured from the ultimate right-of-way line to the first conflict point shall be provided. If a guard gate is installed a minimum driveway length of 100 feet is required.**

Comments:

- Drainage mitigation is required for any impacts within FDOT right-of-way (i.e. increased runoff or reduction of existing storage). A Storm Water Pollution Prevention Plan must be submitted with the application for more than one acre of "disturbed area" as defined by the Florida Department of Environmental Protection (FDEP).
- The applicant shall donate the right-of-way to the Department if right-of-way dedication is required to implement the improvements.
- All driveways not approved in this letter must be fully removed and the area restored.
- Dimensions between driveways are measured from the near edge of pavement to near edge of pavement and for median openings are measured from centerline to centerline unless otherwise indicated.

The purpose of this Pre-Application letter is to document the conceptual review of the approximate location of driveway(s) to the State Highway system and to note required improvements, if any. This letter shall be submitted with any further reviews and for permitting. The Department's personnel shall review permit plans for compliance with this letter as well as current Department standards and/or specifications. Final design must consider the existing roadway profile and any impacts to the existing drainage system. **Note, this letter does not guarantee permit approval.** The permit may be denied based on the review of the submitted engineering plans. Be aware that any approved median openings may be modified (or closed) in the future, at the sole discretion of the Department. For right-of-way dedication requirements go to: <https://gis.dot.state.fl.us/OneStopPermitting>; click on Statewide Permit News; Scroll down to District 4; Scroll down to Additional Information and Examples and choose Right-of-way Donations/Dedications.

Please contact Geysa Sosa, P.E. at the District Permits Office with any questions regarding permits – Tel. # 954-777-4377, or e-mail: geysa.sosa@dot.state.fl.us.

cc: Roger Lemieux

File: S:\Transportation Operations\Traffic Operations\Access Management\1. Pre-Apps and Variance\2017-05-18\2. 86028 MP 7.100_SR 834_7-Eleven\86028 MP 7.100_SR 834_7-Eleven_Extension.docx

Sincerely,

Jonathan M. Overton, P.E.
Assistant District Traffic Operations Engineer

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

Application: Delegation Request (To amend the note to eliminate 1,499 square feet of commercial use and add a service station with 16 fueling positions and ancillary convenience store)
File Number: 011-UP-88
Project Name: Gargoyle Plat
Comments Due: October 2, 2018
Development Type: Service Station (16 Fueling Positions)

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 Deerfield Beach and is in a dependent water control district under the jurisdiction of the Water and Environmental Licensing Section of the Environmental Engineering and Permitting Division. Surface water management plans must meet the criteria contained in Chapter 27 - Article V of the Broward County Code of Ordinances and the criteria of the Water Control District No. 2. A surface water management license from the Water and Environmental Licensing Section will be required prior to any construction.

Potable Water Review

This plat will be served by the City of Deerfield Beach's Water Treatment Plant which has a capacity of 23.600 MGD, a maximum daily flow of 12.300 MGD, and the estimated project's flow is 0.0002 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 project is within the Broward County water service jurisdictional (service) area. 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 for additional information. The configurations of water facilities will likely change per subsequent detailed plan review associated with the BCWWS Utility Connection Permit.

Wastewater Treatment Plant:	B. C. North Regional
Flow Data:	As of 03/18
EPGMD Licensed Capacity	95.0000 MGD
12 Month Average Flow:	70.8800 MGD
Existing Flow Reserved by Building Permit:	2.6920 MGD
Total Committed Flow:	73.5720 MGD
Estimated Project Flow:	0.0002 MGD

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

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to be demonstrated of the receiving off-site sanitary sewer 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.

Review of available information by staff of the Water and Environmental Licensing Section of the Broward County Environmental Engineering and Permitting Division indicates that, at this time, there are no wetlands within the boundaries of the plat. Therefore, a Conceptual Dredge and Fill Review Report is not required. Based upon the present conditions within the site, filling of the land area will not require an Environmental Resource License. Other activities, e.g., lake or canal excavation, regulated under Article XI of the Natural Resource Protection Code may require a license. The applicant is encouraged to contact the Water and Environmental Licensing Section at 954-519-1483 at the earliest time to determine if, and what type of, license may be required prior to undertaking surface disturbing activities.

Applicant has been informed that the proposed development contains or abuts water bodies or will be creating same. Excavation or filling of any surface waters, or the construction or repair of in-water structures such as seawalls and docks, are regulated under Article XI of the Natural Resource Protection Code and may require an Environmental Resource License.

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 Deerfield 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 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>

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011-UP-88 GARGOYLE

Additional Comments Addressing Certain Environmental Protection Actions Needed 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. Any discharges to ground or surface waters, excluding stormwater, will require review and approval by the Water and Environmental Licensing Section of the Environmental Engineering and Permitting Division prior to discharge. Any vehicle washing facility not connected to a sanitary sewer system must recycle 100% of its wash water and no discharge to the drainage system will be permitted.
3. A demolition notice of the existing use may be required from the Broward County Air Licensing and Compliance Section of the Environmental Engineering and Permitting Division.
4. A Storage Tank License may be required if there will be fuel storage associated with either an emergency generator system or a service station. Contact the Environmental and Consumer Protection Division at 954-519-1260 for specific license requirements.
5. The subject plat is in the vicinity of a known contaminated site and the following should be noted: For any site that overlies or contains potential or actual sources of pollution to ground or groundwater, the Environmental Engineering and Permitting Division's approval of an application for a building permit or approval to construct or alter shall not be granted until the Environmental Assessment and Remediation Section of the Environmental Engineering and Permitting Division is satisfied that the construction or alteration will not interfere with the cleanup of the contaminants on site [Section 27-66(h) Broward County Code of Ordinances]. It should also be noted that the Environmental Assessment and Remediation must approve any dewatering activities at this site.

Be advised that approval of a plat note amendment 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.



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 Gargoyle Plat

Plat Number 011 - UP - 88 Plat Book - Page 136-40 (If recorded)

Owner/Applicant 7-Eleven, Inc. Phone _____

Address 3200 Hackberry Road City Irving State TX Zip Code 75063

Owner's E-mail Address _____ Fax # _____

Agent Keith and Associates Phone 954-788-3400

Contact Person Shane Laakso, AICP

Address 301 E. Atlantic Boulevard City Pompano Beach State FL Zip Code 33060

Agent's E-mail Address slaakso@keithteam.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 See attached.

Proposed note for entire plat See attached.

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
Deerfield Beach Utilities, 150 NE 2nd Avenue, Deerfield Beach FL 33441

Will project be served by an approved sewage treatment plant? If YES, state name and address Yes No
Deerfield Beach Utilities, 150 NE 2nd Avenue, Deerfield Beach FL 33441

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 22

Number of seats for any proposed restaurant or public assembly facility, including places of worship SEATS N/A

Number of students for a daycare center or school STUDENTS N/A

Reasons for this request (Attach additional sheet if necessary.) Redevelopment of existing gas station

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?
Gas Station	12 Fueling Posit	Current	No	No	Yes (will be)
Car Wash (Demo, no redevelopment)	630 sft	Current	No	Yes	Yes (will be)

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

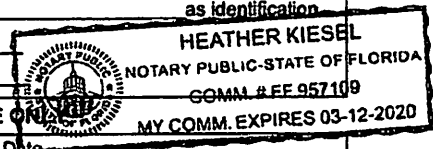
State of Fl
County of Lee

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: Grant Dittel

Sworn and subscribed to before me this 7 day of Sept, 2018
by Grant Dittel He/she is personally known to me or
 Has presented _____ as identification

Signature of Notary Public: Heather Kiesel
Type or Print Name: Heather Kiesel



FOR PLANNING AND DEVELOPMENT MANAGEMENT DIVISION USE ONLY

Time 10:47 AM Application Date 09/18/2018 Acceptance Date _____
Comments Due _____ C.C. Mtg. Date _____ Fee \$ 2,090

Plats Survey Site Plan City Letter Agreements

Other Attachments (Describe): FDOT letter and permit, City Resolution No. 2018/113

Title of Request: note amendment

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 Joppano Beach Received by Russ



September 18, 2018

Broward County Planning and Development Management Division
Environmental Protection and Growth Management Department
Board of County Commissioners, Broward County, Florida
1 N University Dr.
Plantation, FL 33324

RE: Amendment for to Level of Approved Development - Gargoyle Plat – Project Narrative

The Applicant proposes to amend the Level of Approved Development on the Gargoyle Plat (Book 136 /P40). The existing plat note limits development to 1,499 square feet of commercial use and it prohibits restaurants. The proposed plat note language would allow a Convenience Store and Service Station with 16 fueling positions. The property is currently developed with a Convenience Store and Service Station with 12 fueling positions. The subject property is located in the City of Deerfield Beach.

Local Government Approval

The City of Deerfield Beach City Commission approved the proposed plat note amendment via Resolution 2018/113 at a meeting held on August 29, 2018. This resolution is attached to the application package.

FDOT Approval

The Applicant received a pre-application approval letter from FDOT on May 17, 2017 with an expiration on May 18, 2018. FDOT extended the pre-application letter to May 17, 2019. The Applicant also received permit approval from FDOT. Both the Pre-Application letter and permit approval documents are included in the submittal package.

Submittal Documents

The Applicant has included the following documents with this submittal as required by the Application Form and Broward County Code of Ordinances:

- Signed Application
- Recorded plat
- Letter of Approval from the municipality (in the form of a signed resolution from the City Commission)
- Check for application fees
- FDOT Pre-Application letter
- FDOT Permit

This submittal package also includes:

- Project narrative (*this document*)
- Property Survey
- Email from Broward County with plat note language

Sincerely,

Shane Laakso, AICP

Current Plat Note

6) THIS PLAT IS RESTRICTED TO 1,499 SQUARE FEET OF COMMERCIAL USE. RESTAURANTS ARE NOT PERMITTED WITHOUT THE APPROVAL OF THE BOARD OF COUNTY COMMISSIONERS WHO SHALL REVIEW AND ADDRESS THESE USES FOR INCREASED IMPACTS. THIS NOTE IS REQUIRED BY CHAPTER 5, ARTICLE IX, BROWARD COUNTY CODE OF ORDINANCES, AND MAY BE AMENDED BY AGREEMENT WITH BROWARD COUNTY.

Proposed Plat Note

6) THIS PLAT IS RESTRICTED TO A CONVENIENCE STORE AND SERVICE STATION WITH SIXTEEN (16) FUELING POSITIONS.