



**CITY OF DANIA BEACH
COMMUNITY DEVELOPMENT DEPARTMENT
STAFF REPORT**

DATE: September 25, 2012

TO: Robert Baldwin, City Manager

VIA: Marc LaFerrier, AICP, Director

FROM: Corinne Lajoie, AICP, LEED Green Associate, Principal Planner *Cl Lajoie*

SUBJECT: **PL-34-12:** The applicant, Craven Thompson & Associates, Inc., is requesting a plat note amendment for the property located at 801-901 NE 3 Street.

PLAT NOTE AMENDMENT

To allow an increase in boat storage (wet & dry) and community center and adding general industrial and office use.

PROPERTY INFORMATION:

ZONING: Commercial (C-4) & Open Space (OS)
FUTURE LAND USE: Commercial & Parks and Recreation

The subject property is located in the Harbour Towne Marina, which is located on the south side of the Dania Canal. This property is owned by the city. The amendment is necessary to update the plat to reflect the uses and activities already occurring on the property.

PLAT NOTE AMENDMENT

The applicant is requesting to change the note on the plat, limiting the use of the property from the existing language that reads:

Parcel "A" is restricted to a 186 boat-slip marina, 5 boat-launch ramps, and an 8,000 sq. ft. community center.

Parcel "B" is restricted to commercial use only (restaurant). The restaurant building will be constructed entirely with Parcel "B".

To the proposed language that reads:

This plat is restricted to a marina with 45,359 sq. ft. of boat storage for 232 dry boat slips, 97 wet boat slips, a 9,200 sq. ft. community center, 28,256 sq. ft. of general industrial use (existing), 5,000 sq. ft. of general industrial use (proposed), and 17,085 sq. ft. of office use (existing).

The uses occurring on the site today are legal non-conforming uses based on the following time line established by city council:

- February 11, 1981: Development of Regional Impact (DRI) Approved (Houston Park Marina) (Reso. 383)
- 1983: Annual DRI Assessment states that land use description is OS/Parks and Recreation
- January 17, 1984: Plat recorded for OS area – Harbour Towne Marina (PB 118, Page 34). Uses indicated on plat include marina slips, community center, boat ramps and restaurant.
- May 28, 1985: City Commission approval of DRI Development Order Modification, providing for “Boat Support Shops” on the subject parcel (Reso. 13-85) (*attached*)
- November 23, 1987: Site plan, includes a two-story “Boat Support Facility” within the OS Area on the 1984 plat (subject building is indicated as “Building 7”)
- January 24, 1989: Building Plans for “Boat Support Shops” (“Building 7”) approved by Building Official
- March 1, 1989: Broward County Land Use Plan adopted, subject property is designated Residential/Open Space
- April 11, 1989: City Comprehensive Plan adopted
- June 22, 1989: Letter from Building Official to Harbour Towne, confirming compliance with Code (*attached*)
- August 3, 1989: Structural Final Inspection for the Boat Support Facility building states that “C.O. for Shell Building anticipated by August 7, 1989” (*attached*)
- 1990-1992. Time period of issuance of certificates of occupancy for build out of bays in Boat Support Shops building (Building 7)

Therefore, staff is recommending approval of the plat note amendment because the non-conforming uses on the property predate the Broward County land use plan.

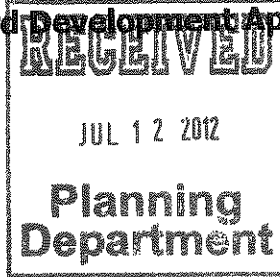
STAFF RECOMMENDATION

Approve.



City of Dania Beach, Florida
Department of Community Development
Planning and Zoning Division
(954) 924-6805 X3643
(954) 922-2687 Fax

Standard Development Application



- Administrative Variance
- Land Use Amendment
- Plat
- Rezoning
- Site Plan
- Special Exception
- Variance
- Other: PLAT NOTE AMENDMENT/Delegation Request (SEE APPLICATION TYPE SCHEDULE ON PAGES 3 & 4)

Date Rec'd: 7/12/12
Petition No.: PL-34-12

THIS APPLICATION WILL NOT BE ACCEPTED UNTIL IT IS COMPLETE AND SUBMITTED WITH ALL NECESSARY DOCUMENTS. Refer to the application type at the top of this form and "Required Documentation" checklist to determine the supplemental documents required with each application. For after the fact applications, the responsible contractor of record shall be present at the board hearing. Their failure to attend may impact upon the disposition of your application. As always, the applicant or their authorized legal agent must be present at all meetings. All projects must also obtain a building permit from the City Building Division. For more information please reference the **Dania Beach Land Development Code Part 6, Development Review Procedures and Requirements.**

Location Address: 801/901 NE 3 ST, Dania Beach, FL 33004

Lot(s): _____ Block: _____ Subdivision: _____

Recorded Plat Name: HARBOUR TOWNE MARINA

Folio Number(s): 5042 3516 0020, 5042 35 16 0010 Legal Description: Parcels A&B, PB 118-34

Applicant/Consultant/Legal Representative (circle one) Craven Thompson & Associates, Inc.

Address of Applicant: 3563 NW 53 ST, Fort Lauderdale, FL 33309

Business Telephone: 954-739-6400 Home: _____ Fax: 954-739-6409

E-mail address: Catherine A. Donn: cdonn@craventhompson.com

Name of Property Owner: City of Dania Beach

Address of Property Owner: 100 W Dania Beach Blvd, Dania Beach, FL 33004

Business Telephone: 954-926-0300 Home: _____ Fax: _____

Explanation of Request: To bring the plat note in conformance with the approved site plan.
For Plats please provide proposed Plat Name for Variances please attach Criteria Statement as per Section 625.40 of the Land Development Code.

Prop. Net Acreage: 21.2162 Gross Acreage: 23.399 Prop. Square Footage: 924,179 SF

Existing Use: Marina, Community Center Proposed Use: Marina, Community Center, Gen. Industrial, Office

Is property owned individually, by a corporation, association, or a joint venture? Property owned by City & leased by Harbour Towne Marina LLC fka Harbour Towne Associate

APPOINTMENT OF AN AUTHORIZED REPRESENTATIVE

I/we are fully aware of the request being made to the City of Dania Beach. If I/we are unable to be present, I/we hereby authorize Craven Thompson & Associates, Inc. (individual/firm) to represent me/us in all matters related to this application. I/we hereby acknowledge that the applicable fee was established to offset administrative costs and is not refundable.

I/we are fully aware that all approvals automatically expire within 12 months of City of Dania Beach Planning and Zoning Board or City Commission approval, or pursuant to the expiration timeframe listed in Part 6 of the Dania Beach Land Development Code.

[Signature]
(Owner / Agent signature*)

(Joint owner signature if applicable)

NOTARY REQUIRED:

STATE OF FLORIDA
Broward County
The foregoing instrument
was acknowledged:

BEFORE ME THIS 1st DAY OF July, 2012 by:

John P. Laiss, Regional Manager
(Print the owner(s) or agent name signing acknowledgment)

Who is/are Personally known to me or Produced Identification _____
Type of identification produced: _____ or Drivers License _____

Notary Signature: [Signature]

Printed name of notary: Michelle Tourville Van Lenten



***If joint ownership, both parties must sign. If partnership, corporation or association, an authorized officer must sign on behalf of the group. A notarized letter of authorization from the owner of record must accompany the application if an authorized agent signs for the owner(s).**

NO APPLICATION WILL BE AUTOMATICALLY SCHEDULED FOR A MEETING.

**ALL APPLICATIONS MUST BE DETERMINED COMPLETE BY STAFF
BEFORE PROCESSING OCCURS.**

Is property owned individually, by a corporation, association, or a joint venture? Owned by City of Dania Beach

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STATE OF FLORIDA
COUNTY OF BROWARD
The foregoing instrument
was acknowledged

By: Col Donnelly
(Owner / Agent signature*)
Asst. City Manager

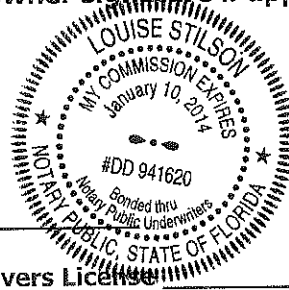
BEFORE ME THIS 28 DAY OF AUGUST, 20 12

By:

COLIN DONNELLY, ASST. CITY MANAGER
(Print name of person acknowledging)

(Joint owner signature if applicable)

Notary Louise Stilson
(Signature of Notary Public – State of FLORIDA)



Personally known or Produced Identification _____
Type of identification produced: _____ or Drivers License _____

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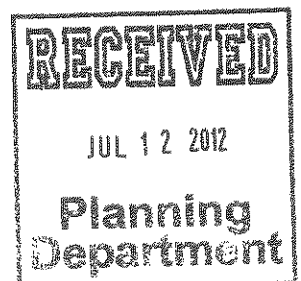
EXISTING PLAT NOTE for HARBOUR TOWNE MARINA (PB 118-34):

PARCEL 'A' IS RESTRICTED TO A 186 BOAT-SLIP MARINA, 5 BOAT-LAUNCH RAMPS, AND AN 8,000 SQ.FT. COMMUNITY CENTER.

PARCEL 'B' IS RESTRICTED TO COMMERCIAL USE ONLY (RESTAURANT). THE RESTAURANT BLDG. WILL BE CONSTRUCTED ENTIRELY WITHIN PARCEL 'B'.

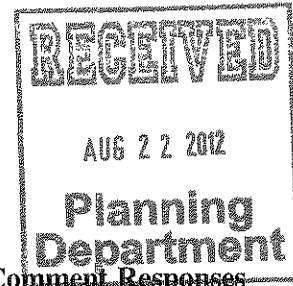
PROPOSED PLAT NOTE:

THIS PLAT IS RESTRICTED TO A MARINA WITH 45,359 SQ.FT. OF BOAT STORAGE FOR 232 DRY BOAT SLIPS, 97 WET BOAT SLIPS, A 9,200 SQ.FT. COMMUNITY CENTER, 28,256 SQ.FT. OF GENERAL INDUSTRIAL USE (EXISTING), 5,000 SQ.FT. OF GENERAL INDUSTRIAL USE (PROPOSED), AND 17,085 SQ. FT. OF OFFICE USE (EXISTING).



August 22, 2012

Ms. Corinne Lajoie, Principal Planner
City of Dania Beach
100 W. Dania Beach Blvd.
Dania Beach, FL 33004



RE: **HARBOUR TOWNE MARINA
PLAT NOTE AMENDMENT-2nd Review-Comment Responses
CT&A PROJECT NO. 05-0138**

Dear Corinne:

1. Parcel B has C-4 zoning and Commercial Land Use designation.
2. Parcel A has Open Space zoning and Park and Recreation Land Use Designation.

Response: Zonings and Land Uses duly noted for Parcels A & B.

CRAVEN THOMPSON



& ASSOCIATES INC.

Engineers
Planners
Surveyors
Landscape Architects

- ~~3. The proposed uses identified on the plat do not conform to the Open Space zoning and Park and Recreation land use designation. Clarify how the uses are permitted on the property. A rezoning and land use amendment may be necessary.~~

4. Plat note must be consistent with DRI (comment added 8-7-12).
Response: Per the attached document recorded in OR 45234-1597, BCR, attached, all mitigation for the DRI was completed, and the DRI development order was rescinded, therefore consistency of the plat note with the DRI is now a moot point.

5. To summarize, the uses occurring on the site today are legal non-conforming uses based on the following time line:

1981 - the Harbor Towne DRI was established
1985 - DRI was amended
1987 - Site plan was approved
1989 - March Broward County land use plan was adopted.

Therefore, I can approve the plat note amendment application because the non-conforming uses on the property predate the Broward County land use plan.

Response: We concur with this summary and would like to request that this item be scheduled for the September 19th P&Z Board hearing.

Please free to call me at (954) 739-6400, ext. 379 if you have any questions.

Sincerely,

CRAVEN THOMPSON & ASSOCIATES, INC.

A handwritten signature in black ink that reads "Catherine A. Donn". The signature is written in a cursive, flowing style.

CATHERINE A. DONN
Planner

3563 N.W. 53rd Street
Fort Lauderdale, FL 33309-6311
(954)739-6400
Fax (954) 739-6409

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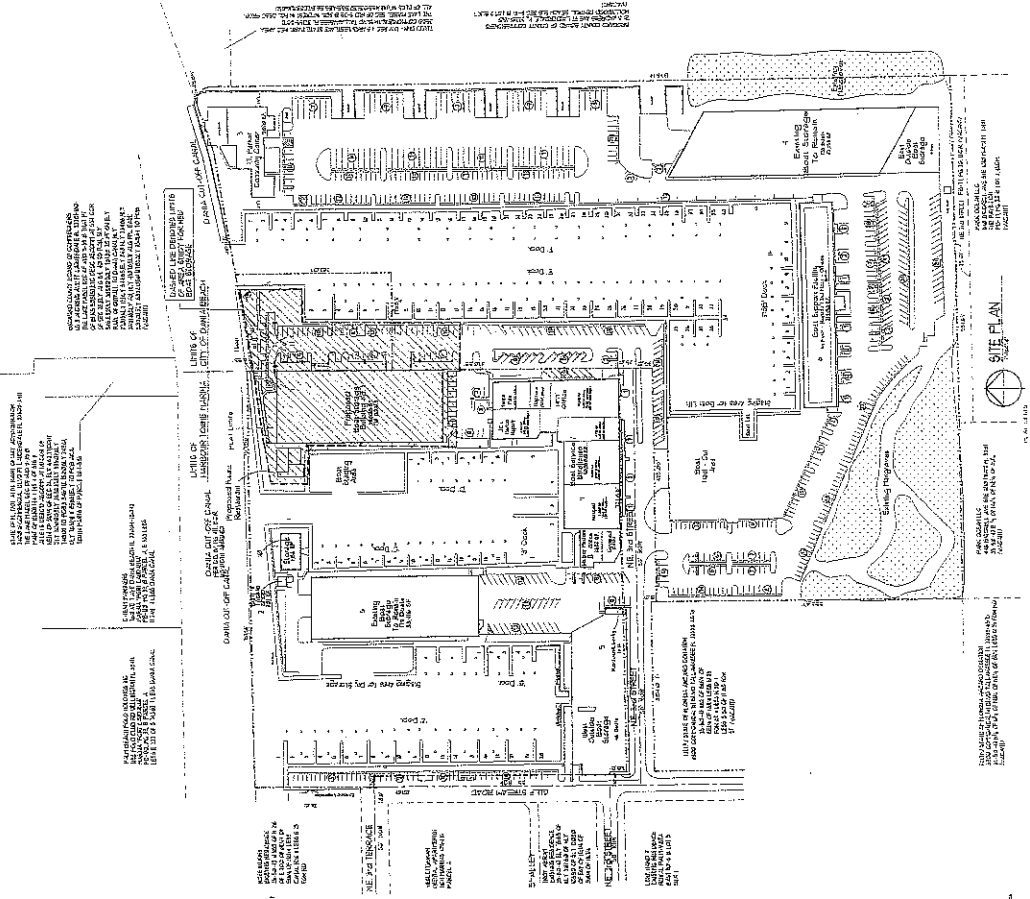
REVISIONS

RECEIVED
AUG 22 2012
Planning Department

PROPOSED BOAT STORAGE BUILDING
WILSON TOWN MARINA
HARBOR TOWN MARINA
DRAFT BEACH FRONT 13000

7/27/2012
GARY H. BIERER
300 N. 10th Street
Wilmington, NC 28401
919.341.1111
www.garyhbieler.com

PROJECT NO.
SHEET NO. 1
DATE
SCALE
SHEET



EXISTING DATA CALCULATIONS

1. SITE DATA

2. PARKING REQUIRED

3. TOTAL PARKING REQUIRED

4. TOTAL PARKING PROVIDED

5. TOTAL PARKING DEFICIT

6. TOTAL PARKING SURPLUS

7. TOTAL PARKING DEFICIT

8. TOTAL PARKING SURPLUS

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10. TOTAL PARKING SURPLUS

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Notes: parking tandem spaces to House per the attached sheet section

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