



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

DATE: October 22, 2013

TO: Robert Baldwin, City Manager

VIA: Marc LaFerrier, AICP, Director *[Signature]*

FROM: Mariluz Maldonado, City Planner *[Signature]*

SUBJECT: **PL-30-13:** The applicant, James McLaughlin, P.E. on behalf of the property owner Carol Potvin, is requesting to plat the property located on the southwest corner of S.W. 30th Avenue and the Dania Cut-Off Canal (Second Reading).

REQUEST

PLAT

To approve a perimeter plat for the property.

PROPERTY INFORMATION

EXISTING ZONING: Single Family 6000 Residential District (RS-6000)

LAND USE DESIGNATION: Low (5) Residential

The subject property is located on the southwest corner of S.W. 30th Avenue and the Dania Cut Off Canal. The property is currently vacant land and the owner is proposing four (4) residential units and five (5) boat slips (the boat mooring area exists) on the Dania Cut Off Canal, which the recorded plat will be restricted to.

Access to the plat will be through an opening at the south end on S.W. 45th Street. The interior street will be private. No access will be allowed from S.W. 30th Avenue (Port Boulevard).

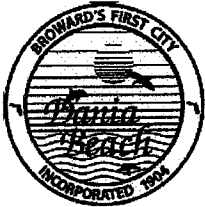
The plat was reviewed by the Planning and Zoning Board back in August 21, 2013 and was forwarded with a recommendation of approval.

CITY COMMISSION PREVIOUS ACTION

On October 8, 2013, the City Commission recommended approval on First Reading.

STAFF RECOMMENDATION

Approve.



City of Dania Beach, Florida
Department of Community Development
Planning and Zoning Division

(954) 924-6805 x3648
(954) 924-2667 fax
RECEIVED
JUN 13 2013
Planning
Department

Standard Development Application

- Administrative Variance
- Land Use Amendment
- Plat
- Rezoning
- Site Plan
- Special Exception
- Variance
- Other: _____

Date Rec'd _____

Petition No.: PL-30-13

(SEE APPLICATION TYPE SCHEDULE ON PAGES 3 & 4)

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: 4401 S.W. 30TH AVENUE

Lot(s): TRACT 10 Block: 3 Subdivision: SECTION 29-50-42
W 1/2, E 2 1/2 ACRES, LESS RIGHT-OF-WAY

Recorded Plat Name: PLAT OF SECTIONS 28 TO 32, T. 50 S., R. 42 E.
(SEE ATTACHED)

Folio Number(s): 5042 29 01 0991 Legal Description: PORTION OF SECTION 29-50-42

Applicant: Consultant Legal Representative (circle one) MCLAUGHLIN ENG. CO. / JAMES MCLAUGHLIN

Address of Applicant: 400 N.E. 3RD AVENUE, FORT LAUDERDALE, FL 33301

Business Telephone: 954-763-7611 Home: _____ Fax: 954-763-7615

E-mail address: MECO400@AOL.COM

Name of Property Owner: MR. CAROL POTVIN

Address of Property Owner: 408 RUE PRINCIPAL STREET, ST. FELIX D'OTIS QC, CA GOV IMO

Business Telephone: 954-316-7623 Home: _____ Fax: _____

Explanation of Request: PLAT TO ALLOW FOR THE CONSTRUCT 4 SINGLE FAMILY RES. & 5 BOAT SLIPS
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: 1.3616 Gross Acreage: 1.3616 Prop. Square Footage: 4 SINGLE FAMILY RES.

Existing Use: VACANT Proposed Use: 4 RESIDENCES & 5 BOAT SLIPS

Is property owned individually, by a corporation, association, or a joint venture? INDIVIDUAL - CAROL POTVIN, A MARRIED MAN

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 MCLAUGHLIN ENGINEERING CO. (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.

STATE OF FLORIDA CANADA
COUNTY OF BROWARD PROVINCE OF
The foregoing instrument QUEBEC
was acknowledged

By: 
(Owner / Agent signature*)

BEFORE ME THIS 05 DAY OF JUNE, 20 13

By:

CAROL POTVIN
(Print name of person acknowledging)

(Joint owner signature if applicable)

Notary Reynolds Sanderson White
(Signature of Notary Public - State of _____)

PROVINCE OF QUEBEC, CANADA

Personally known or Produced Identification _____

Type of identification produced: _____ or Drivers License P3152 280 45403

***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.**

EXHIBIT "A"
"Potvin Plat"

LEGAL DESCRIPTION

The West one-half (W 1/2) of the East two and one-half (2 1/2) acres of that portion of Tract 10, Block 3, Section 29, Township 50 South, Range 42 East, South of the right-of-way of the Dania Cut-Off Canal and North of a line running 14 feet North of and parallel to the South boundary line of said Tract 10, as per PLAT OF SECTIONS 28, 29, 31 AND 32, T 50S., R. 42E., recorded in Plat Book 2, Page 32, of the public records of Dade County, Florida; said land situate, lying and being in Broward County, Florida, more fully described as follows:

Beginning at the Southeast corner of SCHOONER RIDGE, according to the plat thereof, as recorded in Plat Book 172, Page 160, of the public records of Broward County, Florida; thence North 01°39'33" West, on the East line of said SCHOONER RIDGE, a distance of 613.20 feet; thence North 88°33'22" East, on the Easterly extension of the North line of said SCHOONER RIDGE, being the South right of way line of the Dania Cut-Off Canal, a distance of 96.72 feet; thence South 01°39'33" East, on the West right of way line of S.W. 30th Avenue, a distance of 613.20 feet; thence South 88°33'22" West, on the North right-of-way line of S.W. 45th Street, a distance of 96.72 feet to the Point of Beginning.

Said lands situate, lying and being in the City of Dania Beach, Broward County, Florida and containing 59,311 square feet or 1.3616 acres more or less.

POTVIN PLAT
A PROPOSED PLAT IN SECTION 29-50-42
DANIA BEACH, FLORIDA

August 1, 2013

Prepared By: James McLaughlin
McLaughlin Engineering Company
400 N.E. 3rd Avenue
Fort Lauderdale, FL 33301
PH: (954) 763-7611

The proposed POTVIN PLAT is generally located on S.W. 30th Avenue (Port Boulevard) at the Southwest corner of its intersection with the Dania Cut Off Canal, just North of Griffin Road and is more particularly described as follows:

The West one-half (W 1/2) of the East two and one-half (2 1/2) acres of that portion of Tract 10, Block 3, Section 29, Township 50 South, Range 42 East, South of the right-of-way of the Dania Cut-Off Canal and North of a line running 14 feet North of and parallel to the South boundary line of said Tract 10, as per PLAT OF SECTIONS 28, 29, 31 AND 32, T 50S., R. 42E., recorded in Plat Book 2, Page 32, of the public records of Dade County, Florida; said land situate, lying and being in Broward County, Florida, more fully described as follows:

Beginning at the Southeast corner of SCHOONER RIDGE, according to the plat thereof, as recorded in Plat Book 172, Page 160, of the public records of Broward County, Florida; thence North 01°39'33" West, on the East line of said SCHOONER RIDGE, a distance of 613.20 feet; thence North 88°33'22" East, on the Easterly extension of the North line of said SCHOONER RIDGE, being the South right of way line of the Dania Cut-Off Canal, a distance of 96.72 feet; thence South 01°39'33" East, on the West right of way line of S.W. 30th Avenue, a distance of 613.20 feet; thence South 88°33'22" West, on the North right-of-way line of S.W. 45th Street, a distance of 96.72 feet to the Point of Beginning.

Said lands situate, lying and being in the City of Dania Beach, Broward County, Florida and containing 59,311 square feet or 1.3616 acres more or less.

The property is currently vacant land and the owner is proposing four (4) Residential Units and five (5) Boat Slips (the boat mooring area is existing) on the Dania Cut Off Canal, which the recorded plat will be restricted to.

Access to the plat will be through an Access Opening at the West end of the proposed plat on S.W. S.W. 45th Street. The interior street will be private. No access will be allowed from S.W. 30th Avenue (Port Boulevard).

Potvin Plat
Plat No. 023-MP-13

This property is within 20,000 feet of Fort Lauderdale-Hollywood International Airport. Any proposed construction 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 Web Page at:

<https://oaaaa.faa.gov/oaaaa/external/portal.jsp>

POTENTIAL AIRCRAFT OVERFLIGHT AND NOISE IMPACT NOTICE

This serves as notice of potential aircraft overflight and noise impacts on this property due to its close proximity to the Fort Lauderdale/Hollywood International Airport, which is being disclosed to all prospective purchasers considering the use of this property for residential purposes. This property is subject to the overflight and associated noise of arriving and departing aircraft during the course of normal airport operations. Individuals sensitive to such events should satisfy themselves before purchasing this property that such exposure to aircraft overflights and the noise associated therewith will not adversely affect their enjoyment of the property.

This also serves as notice to prospective purchasers of parcels within the property that, pursuant to Broward County Ordinance 2006-37 and consistent with the Federal Aviation Administration's "Change in FAA's Noise Mitigation Policy," effective October 1, 1998, the County will only provide noise mitigation for existing "incompatible development" and not for new incompatible development. The determination of "compatible" and "incompatible development" will be based on the County's most current Federal Aviation Administration ("FAA") approved Noise Exposure Map and the Airport's most current noise compatibility program which has been reviewed and approved by the FAA for the Airport.

Further information regarding the current and potential impacts of airport operations on the subject property may be obtained from the Broward County Aviation Department, Airport Development Planning Division.

**NOTICE OF PUBLIC HEARINGS
CITY OF DANIA BEACH, FLORIDA**

A Public Hearing will be conducted by the City of Dania Beach City Commission meeting on the following date:

DATE: Tuesday, October 22, 2013

TIME: 7:00 p.m. or as soon thereafter as the same may be heard

PLACE: City Commission Chambers

Dania Beach Administrative Center

100 West Dania Beach Blvd

Dania Beach, FL 33004

1)PL-30-13: The applicant, James McLaughlin, P.E. on behalf of the property owner Carol Potvin, is requesting to plat the property located on the southwest corner of S.W. 30th Avenue and the Dania Cut-Off Canal. (Second Reading)

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, APPROVING THE REQUEST MADE BY JAMES MCLAUGHLIN, P.E., ON BEHALF OF THE PROPERTY OWNER, CAROL POTVIN FOR THE "POTVIN PLAT", FOR PROPERTY LOCATED ON THE SOUTHWEST CORNER OF SW 30TH AVENUE AND THE DANIA BEACH CUT-OFF CANAL IN THE CITY OF DANIA BEACH; ACCEPTING THE DEDICATION FOR PUBLIC USE OF ALL STREETS, HIGHWAYS, ALLEYS AND EASEMENTS AS SHOWN ON SUCH PLAT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

Legally described as: The West one-half (W 1/2) of the East two and one-half (2 1/2) acres of that portion of Tract 10, Block 3, Section 29, Township 50 South, Range 42 East, South of the right-of-way of the Dania Cut-Off Canal and North of a line running 14 feet North of and parallel to the South boundary line of said Tract 10, as per PLAT OF SECTIONS 28, 29, 31 AND 32, T 50S, R 42E, recorded in Plat Book 2, Page 32, of the public records of Dade County, Florida; said land situate, lying and being in Broward County, Florida, more fully described as follows:

Beginning at the Southeast corner of SCHOONER RIDGE, according to the plat thereof, as recorded in Plat Book 172, Page 160, of the public records of Broward County, Florida; thence North 0139'33" West, on the East line of said SCHOONER RIDGE, a distance of 613.20 feet; thence North 8833'22" East, on the Easterly extension of the North line of said SCHOONER RIDGE, being the South right of way line of the Dania Cut-Off Canal, a distance of 96.72 feet; thence South 0139'33" East, on the West right of way line of S.W. 30th Avenue, a distance of 613.20 feet; thence South 8833'22" West, on the North right-of-way line of S.W. 45th Street, a distance of 96.72 feet to the Point of Beginning.

Said lands situate, lying and being in the City of Dania Beach, Broward County, Florida and containing 59,311 square feet or 1.3616 acres more or less.

Copies of the proposed requests are available for viewing in the Community Development Department, 100 West Dania Beach Boulevard, Dania Beach, Florida, and may be inspected by the public during normal business hours. For more information please call the Planning Division at (954) 924-6805 x3643.

In accordance with the Americans With Disabilities Act, persons needing assistance to participate in any of these proceedings should contact the City Clerk's office, 100 W. Dania Beach Blvd, Dania Beach, FL 33004, (954) 924-6800 x3623, at least 48 hours prior to the meeting.

Please be advised that if a person decides to appeal any decision made by Local Planning Agency, the Planning and Zoning Board or the City Commission with respect to any matter considered at this hearing, such person will need a verbatim record of the proceedings and for this purpose such person may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. The city does not provide or prepare such record pursuant to f.s. 286.0105.

Community Development Department

Planning Division

October 11, 2013

SUN SENTINEL PROOF

Customer: CITY OF DANIA (PARENT) Contact: DONNA KIRBY Phone: 9549218700
Ad Number: 14179279
Insert Dates: 10/11/2013

Section: SE Class: 720, 11/20 PUBLIC HEARING NOTES Size: 2 X 34.00

Printed By: CH46 Date: 10/08/2013

Price: 302.80

Signature of Approval: _____ Date: _____