



Resilient Environment Department  
**URBAN PLANNING DIVISION**

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**DEVELOPMENT REVIEW REPORT FOR A NEW PLAT**

Plat Name:	Len Heather Estates	Number:	020-MP-21
Application Type:	New Plat	Legistar Number:	23-708
Applicant:	BLS Holdings Limited Partnership	Commission District:	5
Agent:	Pulice Land Surveyors, Inc.	Section/Twn./Range:	36/49/40
Location:	East side of Flamingo Road/Northwest 124 Avenue, between Northwest 8 Street and Northwest 9 Street	Platted Area:	4.7 Acres
Municipalities:	Plantation	Gross Area:	N/A
Previous Plat:	N/A	Replat:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
FS 125.022 Waiver	An extension waiver was granted until July 13, 2023.		
Recommendation:	<b>APPROVAL</b>		
Meeting Date:	June 13, 2023		

A location map of the plat is attached, see **Exhibit 2**.

The Application is attached, as **Exhibit 11**. The Urban Planning Division (UPD) distributed the application to agencies for review, as required by Sec. 5-181 of the Land Development Code.

Existing Use:	Vacant
Proposed Use:	4 Single-Family Units
Plan Designation:	Estate (1)
North: Single Family Residences	North: Estate (1)
South: Single Family Residences	South: Estate (1)
East: Single Family Residences	East: Estate (1)
West: Single Family Residences	West: Irregular (2.94) Residential within a Dashed-Line Area (City of Sunrise)

**1. Land Use**

Planning Council has reviewed this application and determined that the City of Plantation Comprehensive Plan is the effective land use plan. That plan designated the area covered by this uses permitted in the “Estate (1)” land use category. The proposed residential use is in compliance with the permitted uses and densities of the effective Land Use Plan. Planning Council Memorandum is attached, **Exhibit 3**.

**2. Adjacent City Letter**

The City of Sunrise was notified of this application and provided no response, **Exhibit 4**.

**3. Trafficways**

Trafficways approval is valid for 10 months. Approval was received on March 23, 2023.

**4. Access**

Highway Construction and Engineering Division, Traffic Engineering Division and Transit Division have reviewed the plat application and determined that the comments and recommendations are required with respect to the safe and adequate access standards of the Broward County Land Development Code, as shown in the attached memorandum, **Exhibit 5**. The recommendations for this plat may be modified if significant conflicts are identified by details included in the submitted construction plans.

**5. Concurrency – Transportation**

This plat is located in the Central Transportation Concurrency Management Area, which is subject to Transportation concurrency fees, as defined in Section 5-182.1(a)(1)a) of Land Development Code. The proposed plat generates 4 trips per PM peak hour.

	Existing Use Trips per PM Peak Hour	Proposed Use Trips per PM Peak Hour
Residential	0	4
Non-residential	0	0
Total		4

**6. Concurrency - Water and Wastewater Capacity**

This plat receives water and wastewater from the utilities listed below:

	Wastewater	Potable Water
Utility Provider:	Septic	City of Plantation
Plant name:	Septic	Plantation (PLA) (12/22)
Design Capacity:	Septic	17.50 MGD
Annual Average Flow:	Septic	12.99 MGD
Estimated Project Flow:	Septic	0.001 MGD

The applicant has a proposed an onsite sewage disposal system (septic tanks). Prior to any construction or building permit, the required Septic Tank and well Permits must issue by the Broward County Health Department. The Environmental Permitting Division has no objection to the proposed plat and notes that if sanitary sewer is deemed available at the time of construction, permitting the site must connect to an existing sanitary sewer. **Exhibit 8**. However, the City of Plantation has provided written confirmation that there are no plans for sanitary sewer installation to serve the property at this time, **Exhibit 6**.

This project, as submitted, will be limited to 2,510 gallons per day (GDP) and each lot (Lot 1-4) cannot exceed that total flow per day sewage flow in compliance with Chapter 64E-6 of the Florida Administrative Code (FAC) or Chapter 34, Article 11 ½ Water Tank and Septic Tank Ordinance. The septic tanks must be limited to domestic waste only.

**7. Concurrency – Regional Parks**

Broward County reviews all projects for Regional Park impacts (and only projects in the Broward Municipal Service Districts/unincorporated area for local park impacts).

	Land Dedication (Acres)
Regional	0.04
Local	N/A

**8. Concurrency - Public School**

Based on student generation rate adopted by the School Board and incorporated into the Land Development Code, the proposed 4 single-family residences will generate an additional 2 (1 elementary, and 1 high school) students. This plat will be subject to school impact fees which will be assessed in accordance with the fee schedule specified in the Land Development Code. See the attached School Capacity Availability Determination (SCAD) letter, **Exhibit 7**.

**9. Impact Fee Payment**

All impact fees (school impact, park impact, transportation concurrency and administrative fees) will be calculated by the Urban Planning Division, Development and Environmental Review Section; assessed based on construction plans submitted for environmental review approval and must be paid on date of building permit issuance.

**10. Environmental Review**

This plat has been reviewed by Environmental Permitting Division. See the attached environmental review report which provide recommendations to the developer regarding environmental permitting for the future development, **Exhibit 8**.

Natural Resources Division notes that this site is not included in the Protected Natural Lands Inventory and is not adjacent to a site in the Inventory.

**11. Additional Environmental Protection Actions**

Plat approval 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. Approval to connect to such systems is approved by the Environmental 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 waiver of approval of any other permit that may be required for other aspects of the project.

**12. Archaeological and Historical Resource Review**

This plat has been reviewed by the Broward County’s consulting archaeologist. The review of available information including archival documents, maps, the Broward County Land Use Plan, and the Florida Master Site File (FMSF) determined that the proposed project will not have an adverse effect on any known historical or archaeological resources or areas of archaeological or paleontological sensitivity. See the attached historic and archaeological comments, **Exhibit 9**.

**13. Aviation**

The Broward County Aviation Department (BCAD) has no objection to the proposed plat, however 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>. Please see the attached BCAD's Comments with regards to Potential Aircraft Overflight Notice **Exhibit 10**.

#### **14. Utilities**

Florida Power and Light (FPL) and AT&T have been advised of this plat application and provided no comments.

#### **15. Notice to Applicant**

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.

Specific questions regarding any of the above comments may be directed to each review agency contact person. A list of agency contacts is available on the Urban Planning Division's web page at: [www.broward.org/Planning/FormsPublications/Documents/ReviewAgencies.pdf](http://www.broward.org/Planning/FormsPublications/Documents/ReviewAgencies.pdf)

#### **FINDINGS**

Staff have reviewed the application and found that it meets the requirement of the Land Development Code and satisfies requirements for Concurrency:

1. This plat is located within the Central Transportation Concurrency Management District. This district meets the regional transportation concurrency standards as specified in Section 5-182.1(a)(1)a) of the Land Development Code.
2. This plat has been reviewed by the School Board and satisfies the public-school concurrency requirements of Section 5-182.9(a)(1) of the Land Development Code. See the attached School Capacity Availability Determination received from the School Board, see the attached SCAD letter, **Exhibit 7**.
3. This plat satisfies the drainage, water, wastewater and solid waste disposal concurrency requirement of Section 5-182.6 of the Broward County Land Development Code.
4. This plat satisfies the regional park concurrency requirement of Section 5-182.7 of the Broward County Land Development Code.

#### **RECOMMENDATIONS**

Based on the review and findings, staff recommends **APPROVAL** of this application, subject to the following conditions which shall assure compliance with the standards and requirements of the Land Development Code:

1. Conditions attached in Highway Construction and Engineering Memorandum, see **Exhibit 5**.
2. Place note on the face of the plat, preceding municipal official's signature, reading:  

Concurrency/impact fees for the construction, expansion, and/or conversion of a building within this plat shall be paid on the date of building permit issuance.
3. Any structure within this plat must comply with Section 2.1.f Development Review Requirements, of the Broward County Land Use Plan, regarding hazards to air navigation.

4. Place a note on this face of the plat reading:
  - a. This plat is restricted to four (4) single family residences.
  - b. This note is required by Chapter 5, Article IX, Broward County Code of Ordinances, and may be amended by approval of the Broward County Board of County Commissioners. The notation and any amendments thereto are solely indicating the approved development level for property located within the plat and do not operate as a restriction in favor of any property owner including an owner or owners of property within this plat who took title to the property with reference to this plat.
5. If this item is approved, authorize the Mayor to sign an order approving this agenda item subject to staff findings, comments, and recommendations.

[CLD]