

RESOLUTION NO. R 2021-039

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING A DELEGATION REQUEST TO CHANGE THE RESTRICTIVE NOTE ON THE PLAT KNOWN AS "EMERALD ISLES PLAT"; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the boundary plat known as the "Emerald Isles Plat" was recorded in the public records of Broward County in Plat Book 137, Page 27;

WHEREAS, the owner desires to revise the restrictive note associated with said plat; and

WHEREAS, Broward County requires that the Town of Davie concur with this change prior to a review of the proposed revision by Broward County Commission.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF DAVIE THAT:

Section 1. Legislative Findings/Recitals. The above recitals are hereby adopted by the Town of Davie as its legislative findings relative to the subjects and matters set forth in this Resolution.

Section 2. The Town Council of the Town of Davie has no objection to amending the restrictive note shown on the "Emerald Isles Plat" through Delegation Application DG19-267 and being specifically described in the Exhibit "A", specifically limiting the use of the plat to "108 Garden Apartments and 28 Townhomes".

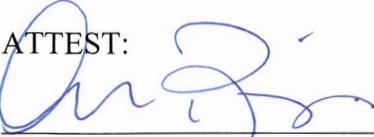
Section 3. Conflict. All resolutions or parts of resolutions in conflict with any of the provisions of this Resolution are hereby repealed.

Section 4. Severability. If any provision of this Resolution or the application thereof to any person or circumstance is held invalid, it is the intent of the Town Council that such invalidity shall not affect other provisions or applications of the Resolution which can be given effect without the invalid provision or application and, to this end, the provisions of this Resolution are declared severable.

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

PASSED AND ADOPTED THIS 3<sup>RD</sup> DAY OF FEBRUARY, 2021.

  
MAYOR/COUNCILMEMBER

ATTEST:  
  
TOWN CLERK

APPROVED THIS 3<sup>RD</sup> DAY OF FEBRUARY, 2021.

Approved as to Form and Legality:  
  
TOWN ATTORNEY



**Zona 3 Developers LLC**

13860 Alexandria Ct. Davie, FL 33325

Tel: 954-474-6974

Fax: 954-474-4330

Email: jealarch@comcast.net

10/17/19

Town of Davie  
6591 SW 45<sup>th</sup> St.  
Davie, FL 33314

Re: Jasmine Cove Townhomes  
Plat Note Amendment

We are proposing to change the current plat note for Emerald Isles  
Plat Note for Jasmine Lakes Community.

The current Plat Note is: This Plat Note is restricted to 144 Garden  
Apartments consisting of 112 - Two  
bedroom units and 32 - three bedroom  
units.

The new Plat Note is: This Plat is restricted to 108 Garden  
Apartments and ~~36~~<sup>28</sup> Townhomes.

28



Jeffrey Evans,  
Manager

**TOWN OF DAVIE  
TOWN COUNCIL AGENDA REPORT**

Item Number: 16.

**To:** Mayor and Councilmembers

**From:** David Quigley, AICP, Planning and Zoning Manager (954) 797-1103

**Prepared By:** David Abramson, Deputy Planning and Zoning Manager (954) 797-1048 - Planning Zoning

**Subject:** Resolution

**Affected District:** District 1

**Item Request:** Schedule for Council Meeting

**Title of Agenda Item:** **DELEGATION REQUEST - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING A DELEGATION REQUEST TO CHANGE THE RESTRICTIVE NOTE ON THE PLAT KNOWN AS "EMERALD ISLES PLAT"; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (DG19-267 Jasmine Cove, zoned RM-16) (tabled from January 20, 2021)**

**Executive Summary:** The Emerald Isles Plat currently has 36 available (unbuilt) apartments units. In order to the develop the final phase as Jasmine Cove, the Applicant is requesting to modify the plat note by converting the 36 available apartment units to 36 townhomes.

Because the proposed Jasmine Cove site plan application involves just 28 townhomes and does not appear to leave room for any further development, Staff is recommending that the plat be limited to 28 new Townhomes. Because all properties within the Regional Activity Center (RAC) share a common source of residential density, any units assigned to a plat which are not developable cannot be utilized by other properties within RAC.

**Key Points:**

- The subject property is located south of Griffin Rd. approximately 300 ft. east of Davie Rd.
- The boundary plat was approved in 1986 through Resolution R-86-191.
- The Applicant is requesting to convert the available 36 apartments to 36 townhomes on the plat note restriction. *Because the proposed Jasmine Cove site plan application involves just 28 townhomes and does not appear to leave room for any further development, Staff is recommending that the plat be limited to 28 new Townhomes. Because all properties within the Regional Activity Center (RAC) share a common source of residential density, any units assigned to a plat which are not developable cannot be utilized by other properties within RAC.*

**Previous Actions:** At the July 29, 2020 Town Council meeting, the item was tabled to August 19, 2020 per the Applicant's request.  
- At the August 19, 2020 Town Council meeting, the item was tabled to September 3, 2020 per the Applicant's request.  
- At the September 3, 2020 Town Council meeting, the item was tabled to October 7, 2020 per the Applicant's request.  
- At the October 7, 2020 Town Council meeting, the item was tabled to October 21, 2020 per the Applicant's request.  
- At the October 21, 2020 Town Council meeting, the item was tabled to November 4, 2020 per the Applicant's request.  
- At the November 4, 2020 Town Council meeting, the item was tabled to November 18, 2020 per the Applicant's request.  
- At the November 18, 2020 Town Council meeting, the item was tabled to December 2, 2020 per the Applicant's request.  
- At the December 2, 2020 Town Council meeting, the item was tabled to January 6, 2021 per the Applicant's request.  
- At the January 6, 2021 Town Council meeting, the item was tabled to January 20, 2021 per the Applicant's request.  
- At the January 20, 2021 Town Council meeting, the item was tabled to February 20, 2021 per the Applicant's request.

**Concurrences:** N/A

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**Fiscal Impact:**

Has request been budgeted? N/A

If yes expected cost:

Account name and number:

If no, amount needed:

Account name funds will be appropriated from

Additional Comments

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**Recommendation:** Other

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**Strategic Goals This Item Supports:**  
None

**ATTACHMENTS:**

|                          | File Name               | Description |
|--------------------------|-------------------------|-------------|
| <input type="checkbox"/> | DG19-267_Resolution.pdf | Resolution  |
| <input type="checkbox"/> | Exhibit_A.pdf           | Exhibit A   |
| <input type="checkbox"/> | Emerald_Isles_Plat.pdf  | Plat        |