



Resilient Environment Department  
**URBAN PLANNING DIVISION**

1 N. University Drive, Box 102A · Plantation, FL 33324 · T: 954-357-6634 · F: 954-357-6521 · Broward.org/Planning

Application Number \_\_\_\_\_

## Application to Change or Waive Requirements of the Broward County Land Development Code

### INSTRUCTIONS

This form is used to apply for changes or waivers to requirements of development permit applications processed under the Broward County Land Development Code. These include changes or waivers to the following:

#### ROADWAY RELATED

1. Non-Vehicular Access Lines
2. Roadway Improvements (such as turn lanes, bus bays traffic signals, etc.)
3. Right-of-Way Dedications
4. Sidewalks and Paved Access
5. Design Criteria

#### NON-ROADWAY RELATED

6. Design Criteria
7. Waste Water Disposal/Source of Potable Water
8. Fire Protection
9. Parks and/or School Dedications
10. Impact/Concurrency Fee(s)
11. Environmental Impact Report
12. Other Changes

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 documentation attached. Please type this application or print legibly in **black ink**.

### Project Information

Plat/Site Plan Name

Plat/Site Number

Plat Book - Page (if recorded)

Owner/Applicant/Petitioner Name

Address

City

State

Zip

Phone

Email

Agent for Owner/Applicant/Petitioner

Contact Person

Address

City

State

Zip

Phone

Email

Folio(s)

Location

\_\_\_\_\_ side of \_\_\_\_\_ at/between/and \_\_\_\_\_ and/of \_\_\_\_\_  
*north side/corner north street name street name / side/corner street name*

## Proposed Changes

Use this space below to provide the following information and clearly describe the proposed changes you are requesting. If you are requesting changes to a specific staff recommendation(s) listed in a Development Review Report, please specify the staff recommendation number(s). If you are requesting a waiver or variation of a provision of the Land Development Code, please cite the specific section(s).

Staff Recommendation No(s).

Land Development Code citation(s)

Have you contacted anyone in County Government regarding this request?

☐ Yes

☐ No

If yes, indicate name(s), department and date

Narrative explaining proposed changes in detail including the desired result and justification for the request (attach additional sheet if necessary):

## REQUIRED DOCUMENTATION

Submit one (1) original and copy of each document listed below.

1. Narrative clearly describing proposed changes. Be sure to include detailed information of opening location, size, etc.
2. Letter from the applicable municipality, dated within six (6) months of this application, stating the city's position on this request.
3. Agreement and Title Opinion for staff review (contact staff for more information).
4. A valid pre-application approval letter from the Florida Department of Transportation, if applicable.
5. Approved or recorded plat. (A survey and site plan may be accepted for single family and duplex applications. Please consult with Urban Planning Division staff.)
6. A check for the application fees (if applicable) made payable to: **Broward County Board of County Commissioners**. Please consult the Development Permit Application Fee Schedule.

For ROADWAY RELATED items (1 through 5) listed under INSTRUCTIONS on Page 1 of this form, the following additional documents are also required:

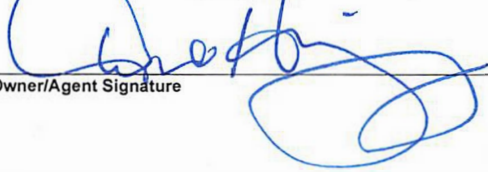
1. The proposed site plan (2 original) which shows, at a minimum, the on-site traffic circulation system, adjacent roadway details, and the location of all existing and proposed driveway(s). The site plan must provide relevant dimensions and must be drawn to scale.
2. Signed and sealed drawings (2 original) clearly illustrating the proposed change(s). The drawings must provide relevant dimensions and must be drawn to scale.
3. A valid Pre-Application approval letter from the Florida Department of Transportation is required for all roadway and/or access related applications which abut a Trafficway that is functionally classified as a State Road. This requirement includes the creation or amendment of vehicular access and/or any improvements requiring permits from the State.

For NON-ROADWAY RELATED items (6 through 12) listed under INSTRUCTIONS on Page 1 of this form, please consult with Urban Planning Division staff to determine any additional required documentation.

**All documents listed must also be submitted electronically as a separate pdf on a CD, flash drive, etc.**

### NOTARY PUBLIC: Owner/Agent Certification

This is to certify that I am the owner/agent of the property described in this application and that all information supplied herein is true and correct to the best of my knowledge. By signing this application, owner/agent specifically agrees to allow access to described property at reasonable times by County personnel for the purpose of verification of information provided by owner/agent.

  
Owner/Agent Signature

4-28-2025  
Date

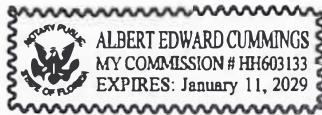
NOTARY PUBLIC

### STATE OF FLORIDA COUNTY OF BROWARD

The foregoing instrument was acknowledged before me by means of ☒ physical presence | ☐ online notarization, this 28 day of April, 2025, who ☐ is personally known to me | ☒ has produced Drivings License as identification.

Name of Notary Typed, Printed or Stamped

  
Signature of Notary Public – State of Florida



Notary Seal (or Title or Rank)

Serial Number (if applicable)

### For Office Use Only

Application Type/Title of Request

Application Date	Acceptance Date	Fee
Comments Due	Report Due	CC Meeting Date
Adjacent City or Cities		

☐ Plats ☐ Site Plans ☐ City Letter ☐ FDOT Letter

☐ Other:

Distribute To

☐ Engineering

☐ Traffic Engineering

☐ Mass Transit

☐ Other:

Comments

Received By

**DAVID HUIZENGA CONSULTING**1271 NW 78<sup>th</sup> Avenue  
Plantation, FL 33322

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Josie Sesodia, Planning Director  
Broward County Resilient Environment Department  
Urban Planning Division  
1 N. University Dr., #102A  
Plantation, FL 33324

RE: MVL Plat (048-UP-88) – Delegation Request to Amend Conditions of Plat Approval

Dear Ms. Sesodia:

With authorization from Banyan Bay Marine Center, LLC (“Property Owner”), David Huizenga Consulting hereby submits the enclosed Delegation Request to amend the conditions of Broward County plat approval.

The property is located on the northwest corner of Angler’s Avenue (Ravenswood Road) and SW 45<sup>th</sup> Street and is presently occupied by a marina. The current plat restriction note allows for 487 (wet/dry) marina berths and 20,700 square feet of ancillary commercial use.

As part of a companion Delegation Request, the developers are seeking approval to amend the plat restriction to allow for construction of 175,000 square feet of warehouse use.

During a pre-submittal conference the applicant was informed about several required offsite road improvements that were conditions of plat approval but were not included in a title search of the property.

The MVL Plat was approved before Land Development Code amendments requiring recordation of an improvement agreement putting prospective buyers on notice. As a result, the current developers were unaware of the Broward County construction requirements. The offsite road improvements include the following:

- A. Construction of a southbound right turn lane on Ravenswood Road (Angler’s Avenue) at S.W. 45<sup>th</sup> Street (150 feet of storage, 100 feet of transition). [Staff Recommendation Number 6]
- B. Installation of thermoplastic pavement markings and signs for the right turn lane. [Staff Recommendation Number 7]
- C. Construction of sidewalks along Ravenswood Road (Angler’s Avenue) and SW 45<sup>th</sup> Street adjacent to this plat. [Staff Recommendation Number 8]

This Delegation Request is seeking County Commission waiver (deletion) of these requirements and to authorize staff to process a release of the surety bond securing the improvements (90RNB216) based on the following considerations:

### **Items A & B**

**Part 1:** As required under City of Dania Beach site plan review, a Traffic Impact Analysis for this project was commissioned by the applicant (Exhibit H). The traffic analysis includes an evaluation of background vehicle trips on Angler's Avenue and project vehicles on Angler's Avenue turning right onto SW 45<sup>th</sup> Street. The analysis shows only minimal project trips entering from the north. Furthermore, the analysis states that the absence of an exclusive southbound right-turn lane on Angler's Avenue and SW 45<sup>th</sup> Street will not adversely affect traffic conditions [Land Development Code § 5-182.5(b)(10)]. The traffic analysis was submitted to the Traffic Engineering Division for their review on February 19, 2025.

**Part 2:** The estimated construction cost of a right turn lane will be extraordinarily high due to the proximity of the new bridge over the Dania Cut-off Canal. The Florida Department of Transportation reconstructed the bridge between 2016 and 2018 and installed additional embankment material and a retaining wall adjacent to the MVL Plat. In addition, the FDOT project included installation of drainage improvements and utility relocations. To construct a right turn lane, the existing retaining wall would have to be demolished and replaced. Additional embankment material would be required along the west side of Ravenswood Road (Angler's Avenue) and the existing drainage and utilities would have to be adjusted (See Exhibit G).

Staff from Craven Thompson & Associates estimate the construction of this right turn lane will exceed \$300,000 (Exhibits B, C, D, E, & F).

The construction cost of a typical right turn lane is \$30,000 to \$50,000.

The negligible benefit of this particular right turn lane (as demonstrated in the traffic analysis) compared to the high construction cost cannot be justified under the principle of rational nexus. This principle requires governmental conditions to be "roughly proportional" to the impacts of the proposed development. As a result, Staff Recommendation Number 6 should be deleted as a condition of Broward County plat approval.

### **Item C**

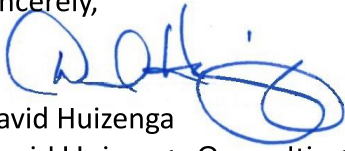
As can be seen in the Exhibit G, there is an existing sidewalk along Ravenswood Road (Angler's Avenue) adjacent to this plat. The sidewalk was constructed as part of Florida Department of Transportation bridge project. If the right turn lane is deleted as requested above, then sidewalk construction on Ravenswood Road (Angler's Avenue) can also be deleted.

This area was in the unincorporated area when the MVL Plat was approved in 1989 and SW 45<sup>th</sup> Street was under Broward County jurisdiction. However, this area was annexed into the City of Dania Beach and SW 45<sup>th</sup> Street is now under city jurisdiction. As a result, sidewalk construction on SW 45<sup>th</sup> Street as a Broward County plat approval condition can be deleted.

However, it should be noted that sidewalk construction on SW 45<sup>th</sup> Street will be constructed as part of the city's site planning and permitting process.

Thank you for your cooperation and assistance.

Sincerely,



David Huizenga  
David Huizenga Consulting