



Resilient Environment Department  
**URBAN PLANNING DIVISION**

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**DEVELOPMENT REVIEW REPORT FOR A PLAT NOTE AMENDMENT**

Project Description			
Plat Name:	BTHC Plat	Number:	065-MP-90
Application Type:	Note Amendment	Legistar Number:	23-2385
Applicant:	Z & B Investment Group, LLC	Commission District:	2
Agent:	Jim McLaughlin, McLaughlin Engineering Company	Section/Twn./Range:	31/47/43
Location:	East side of Northwest 1 <sup>st</sup> Terrace, between Northwest 3 <sup>rd</sup> Court and Northwest 5 <sup>th</sup> Street	Platted Area:	0.3 Acre
Municipality:	City of Deerfield Beach	Gross Area:	N/A
Previous Plat:	N/A	Replat:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Meeting Date:	March 21, 2024		

A location map of the plat is attached as **(Exhibit 2)**.

The Application is attached as **(Exhibit 8)**. The Urban Planning Division (UPD) distributed the application to agencies for review, as required by Sec. 5-181 of the Land Development Code.

Platting History and Development Rights			
Plat Board Approval:	August 23, 1994	Plat Book and Page Number:	157-18
Date Recorded:	November 16, 1994	Current Instrument Number:	94552144
Plat Note Restriction			
Current Plat Note:	This plat is restricted to 14,328 square feet of church use.		
Proposed Note:	This plat is restricted to a duplex.		

**1. Land Use**

Planning Council has reviewed this application and determined that the Future Land Use Element of the City of Deerfield Beach Comprehensive Plan is the effective land use plan. The plan designates the area covered by this plat for the uses permitted in the “Residential Medium (15 du/ac)” land use category (**Exhibit 3**).

**2. Affordable Housing**

The applicant proposes fewer than 100 additional residential units. Therefore, the development shown on this plat is not subject to Policy 2.16.2 of the Broward County Land Use Plan.

**3. Access**

Staff from the Highway Construction and Engineering Division, Traffic Engineering Division and Transit Division have reviewed this application and have no objection to this note amendment.

**4. Municipal Review**

The City of Deerfield Beach has submitted the Resolution No. 2023-155 dated September 13, 2023, supporting the application (**Exhibit 4**).

**5. Concurrency – Transportation**

This plat is located within the Northeast District, which is subject to transportation concurrency fees, as defined in Section 5-182.1(a)(1)a) of the Land Development Code. The proposed note amendment will not change the generated trips per P.M. peak hour.

	Existing Use Trips per PM Peak Hour	Proposed Use Trips per PM Peak Hour
Residential	0	1
Non-Residential	1	0
Difference	No Change in Trips per PM Peak Hour	

This plat was recorded with a note requiring development to occur before five (5) years from date of plat approval. This note is no longer required by the Land Development Code.

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

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

	Potable Water	Wastewater
Utility Provider:	City of Deerfield Beach	Broward County
Plant name:	Deerfield Beach (09/22)	Broward County North Regional (BCN) (09/22)
Design Capacity:	23.6000 MGD	95.0000 MGD
Annual Average Flow:	14.1790 MGD	74.0000 MGD
Estimated Project Flow:	0.0007 MGD	0.0007 MGD

Sufficient capacity exists at this time to serve the proposed development; however, approval of this plat note does not guarantee reservation of future capacity. Plat approval does not infer any approval to connect to any wastewater collection, treatment, or disposal system.

**7. Concurrency – Regional Parks**

Broward County’s Parks and Recreation Division reviews all projects for Regional Park impacts and have reviewed this application. This plat with the amended note will require park impact fees for the two residential units to satisfy the regional park concurrency requirement of Broward County’s Land Development Code.

### **8. Concurrency - Public School**

Based on student generation rate adopted by the School Board and incorporated into the Land Development Code, this plat will not generate an increase of students. In accordance with Section 5-182.9(a)(1) of the Land Development Code, this plat satisfies public school concurrency on the basis that adequate school capacity is expected to be available to support the proposed development. The development proposed by this plat will be subject to school impact fees. The School Board staff provided a School Capacity Availability Determination (SCAD) letter, which is attached as **(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**

The plat note amendment application has been reviewed by Environmental Permitting Division. The attached document provides recommendations to the developer regarding environmental permitting for the future development **(Exhibit 5)**.

### **11. Archaeological and Historic 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 6)**.

### **12. Aviation**

The Broward County Aviation Department (BCAD) has no objections to this note amendment. However, the applicant is advised that any proposed construction on this property with a height exceeding (200) feet or use of cranes or other high-lift equipment must be reviewed to determine if the following apply: Federal Aviation Regulation Part 77; Florida Statutes Chapter 333; and/or the Broward County Code of Ordinance's Chapter 5 (Building Regulations and Land Use). To initiate the Federal Aviation Review, access the FAA Web Page at: <http://oeaaa.faa.gov>.

### **13. Utilities**

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

### **14. 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 has reviewed the application and found that it meets the requirements of the Land Development Code and satisfies requirements for Concurrency:

1. This plat is located within the Northeast District. This district meets the regional transportation concurrency standards specified in the Land Development Code.
2. 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.
3. 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.
4. This plat satisfied the regional parks and recreation 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. Records a document acceptable to the County Attorney's Office to amend the note on the face of the plat prior to **March 21, 2025**.
2. Delete the plat note that references expiration of the Findings of Adequacy.
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.

In addition, staff recommends that the Board authorize the Mayor to sign an order approving this agenda item subject to staff findings, comments and recommendations.

JA