

Leigh Robinson Kerr
& Associates, Inc.
Member, American Institute of Certified Planners

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Urban Planning Division

May 31, 2022

Josie P. Sesodia, AICP, Director
Resilient Environment Department
Broward County Urban Planning Division
1 North University Drive, Box 102
Plantation, FL 33324

Re: 4211 SP LLC – Revised Rezoning Request (PDD/Flex Unit Allocation)

Dear Jo,

Per your recent conversation with Dennis D. Mele, Esq., please find our revised rezoning application proposing the Planned Development District (PDD) district and allocation of ten (10) flex units for the above referenced property. In concert with this revised application, we will be withdrawing our previously filed Land Use Plan Amendment (LUPA) application for the same property.

Please find attached support documents and a Master Development Plan in accordance with Sec. 39-336(b) of the PDD zoning district.

If you require additional information or have any questions, please do not hesitate to contact me.

Sincerely,



Leigh R, Kerr, AICP
President

Attachments

cc: Dennis D. Mele, Esq.
Daniel Spear

• Planning • Zoning • Land Use • Expert Testimony •
808 East Las Olas Boulevard, Suite 104, Fort Lauderdale, Florida 33301
Phone (954) 467-6308 Fax (954) 467-6309
lkerr808@bellsouth.net • www.LeighRobinsonKerr.com

Established 1985

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 Urban Planning Division

LEIGH ROBINSON KERR
 & ASSOCIATES, INC
 MEMBER, AMERICAN INSTITUTE OF
 CERTIFIED PLANNERS

TRANSMITTAL FORM

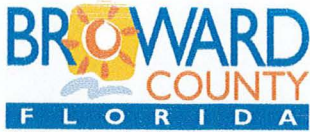
To: Heather Cuniff

Date: May 31, 2022

Subject: 4211 - Revised Rezoning Application to PDD

From: Leigh R. Kerr, AICP

Review & Comment		For Your Use		As Requested		x
Mail		Fedex	X	Hand		Courier
Qty	Description					
The below are attached new or revised items:						
1	Cover Letter (New)					
1	Revised Rezoning Application w/ Flex request (Revised)					
1	Rezoning Fee - \$875.00 (New)					
1	Response to Criteria Sec 39-30(a)(1) (Revised)					
1	Master Development Plan (New)					
1	Disc of Submittal (Contains Revised Items)					
The below items were previously provided and are on file:						
1	Proof of Ownership					
1	Location Map					
1	Water provider response (email)/Broward County Water/Wastewater Letter					
20	Surveys (S&S)					
Remarks:						



Environmental Protection and Growth Management Department

PLANNING AND DEVELOPMENT MANAGEMENT DIVISION

1 N. University Drive, Box 102 • Plantation, Florida 33324 • 954-357-6634 • FAX 954-357-6521
PDMInfo@broward.org • Broward.org/Planning

**Rezoning
Application Instructions and Checklist**

Please read the following instructions carefully prior to filing your application.

The Process

1. Any rezoning request will be scheduled for a hearing before the Broward County Zoning Local Planning Agency (LPA) who will make a recommendation for approval or denial to the Board of County Commissioners.
2. Following the hearing by the LPA, a final hearing will be scheduled before the Board of County Commissioners, who may either accept or reject the recommendation of the LPA.

Before submitting this application, you should review it with the following sections:

Zoning Section

One N. University Dr., Ste 102-A • Plantation, FL 33324
954-357-9785/6618

Planning Section

115 S. Andrews Av., Rm. 329K • Fort Lauderdale, FL 33301
954-357-6634

Complete and submit your application with the following:

- Two current sealed boundary surveys (if the property is undeveloped) or two as-built surveys (if the property is developed) plus 18 copies of the survey (boundary or as-built) of the petitioned property indicating the gross and net acreage, legal description, all rights-of-way and easements of record.
- Proof of property ownership (warranty deed).
- Fee of **\$750** for each zoning district requested, except "Planned Development District" (PDD) and "Planned Employment Center" (PEC) for which the fee is **\$800** plus **\$15** per acre. **Please make checks payable to Broward County Board of Commissioners.** Checks must be drawn on a bank within Florida.
- A letter or document from the water and sewer provider indicating there is capacity available for any increased needs due to future development.
- A written explanation of how this application meets the criteria for [Section 39-30\(a\)\(1\)](#).

Petitioners, petitioner's agents, the owner of the subject property and all property owners within 500 feet (1,000 feet in rural or agricultural areas) of the petition area will be notified of all public hearings (at least 10 days prior to LPA and County Commission hearings). The petitioner or authorized agent is required to attend the hearings.



All information and case files concerning rezoning matters are of public record and available for inspection at our offices upon request.



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Application for Rezoning

Property Owner Information			
Last Name 4211 SP LLC	First Name	Middle Initial	Suffix
Address 3921 SW 47 Ave #1013	City Fort Lauderdale	State FL	Zip 33314
Phone (954) 581-9000	Mobile Phone	FAX	Email partners@thespeargroup.com
Authorized Agent Information			
Last Name Kerr	First Name Leigh	Middle Initial	Suffix
Company Name Leigh Robinson Kerr & Associates, Inc	Title or Position		
Address 808 E. Las Olas Blvd #104	City Fort Lauderdale	State FL	Zip 33301
Phone (954) 467-6308	Mobile Phone	FAX	Email Lkerr808@bellsouth.net
Petitioner Information <i>(if different from owner)</i>			
Last Name	First Name	Middle Initial	Suffix
Company Name	Title or Position		
Address	City	State	Zip
Phone	Mobile Phone	FAX	Email
Legal Description and Folio Number <i>(or indicate per attached survey)</i>			
Please see attached legal/survey. Folio: 474232010150			

Proposed Zoning District(s)	Existing Zoning District(s)	Future Land Use Designation
1. PDD Acreage 5.1 gross	1. A-1 Acreage 5.1 gross	1. Exist: Estate Acreage 5.1 gross
2. Acreage _____	2. Acreage _____	2. Acreage _____

Proposed Use of Property Single- family (15 DUs)	Existing Use of Property Single- family (1 DU)
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Residential/Commercial Flexibility

- 5% Residential to Commercial
 20% Industrial to Commercial
 20% Commercial to Residential
 Employment Center to Commercial
 Residential Flexibility Units
 Reserve Units

Number of Units: 15 total

If plat is in process, please indicate number: _____ -UP- _____
 If site plan is in process, please indicate number: _____ -SP- _____

Location and acreage of any contiguous property owned or controlled by the petitioner or owner of this property

Owner Certification

This is to certify that I am the owner of the property described on the attached survey and I have authorized the filing of this request. I understand that I or my representative must attend the hearing to present the case.

Owner's Signature

Print Name

[Handwritten Signature]

DAVID A. SPEAR

NOTARY PUBLIC

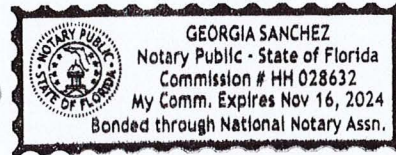
STATE OF FLORIDA
COUNTY OF BROWARD

The foregoing instrument was acknowledged before me, the undersigned Notary Public, by means of physical presence or

online notification, this 26th day of MAY, 2022, by DAVID SPEAR

who is: Personally Known to me, or Produced Identification Type of identification produced _____

(NOTARY SEAL)



[Handwritten Signature]
Signature of Notary Public-State of Florida

GEORGIA SANCHEZ
Name of Notary Typed, Printed or Stamped



[Department of State](#) / [Division of Corporations](#) / [Search Records](#) / [Search by Entity Name](#) /

Detail by Entity Name

Florida Limited Liability Company
4211 SP, LLC

Filing Information

Document Number	L21000450037
FEI/EIN Number	87-3589000
Date Filed	10/15/2021
Effective Date	10/12/2021
State	FL
Status	ACTIVE

Principal Address

3921 S.W. 47TH AVENUE
SUITE 1013
FT. LAUDERDALE, FL 33314

Mailing Address

3921 S.W. 47TH AVENUE
SUITE 1013
FT. LAUDERDALE, FL 33314

Registered Agent Name & Address

WILLIAM J. SEGAL, P.A.
20801 BISCAYNE BLVD.
#304
AVENTURA, FL 33180

Authorized Person(s) Detail

Name & Address

Title MGR

SPEAR, DANIEL
3921 S.W. 47TH AVENUE, SUITE 1013
FT. LAUDERDALE, FL 33314

Title MGR

SPEAR, JEFFREY
3921 S.W. 47TH AVENUE, SUITE 1013
FT. LAUDERDALE, FL 33314

Title MGR

SPEAR, DAVID
3921 S.W. 47TH AVENUE, SUITE 1013
FT. LAUDERDALE, FL 33314

Annual Reports

Report Year	Filed Date
2022	04/26/2022

Document Images

04/26/2022 -- ANNUAL REPORT	View image in PDF format
10/15/2021 -- Florida Limited Liability	View image in PDF format

4211 PDD
Applicant Response to Rezoning Criteria

Sec. 39-30. County Commission public hearings.

(a) *Rezoning requests and development of regional impact.* The Board of County Commissioners shall hold a quasi-judicial public hearing (or, if required by State law, two public hearings) on any rezoning or development of regional impact. Such hearings shall conform to procedures in Chapter 1, Article XVII, Quasi-Judicial Proceedings, of the Broward County Code of Ordinances.

(1) *Basis for consideration of request for rezoning.* The Board of County Commissioners shall consider the following:

- a. Whether there exists an error or ambiguity which must be corrected;

Response: No error or ambiguity exists.

- b. Whether there exists changed or changing conditions which make approval of the request appropriate;

Response: The subject site is approximately 5.1 gross acres and is situated on the north side of N.W. 74th Street approximately 600 feet west of N.W. 39th Avenue. The site is located in Unincorporated Broward County, also known as the Broward Municipal Services District (BMSD). The subject site is currently a single-family home site. The applicant requests to amend the zoning for the subject site from A-1 (Estate Agricultural) to PDD Residential with a request for 10 flexibility units for a total project of 15 single family homes.

The proposed project will help meet the need for additional housing, particularly single-family homes, in Broward County. A subdivision plat for 15 units will be filed in the near future to be consistent with the proposed rezoning to PDD.

The applicant proposes to develop the subject property with fifteen (15) single-family homes that will be compatible with the surrounding uses, including to the east existing single-family residential; west and north Grade 1-12 North Broward Preparatory School and City of Coconut Park land to the south.

- c. The testimony of any applicants, their agents or representatives;

Response: Applicant, agent and representatives are available.

- d. The recommendation of staff;

Response: Understood.

- e. The sworn and unsworn testimony of the public;

Response: Understood.

- f. Whether the request is consistent with the goals, objectives, policies, and intent of the Broward County Comprehensive Plan;

Response: The proposed rezoning to PDD is consistent with the GOPs of the Broward County Comprehensive Plan. The proposed project is consistent with the below GOPs of the Comprehensive Plan:

Broward County Land Use Plan

POLICY 2.20.11 Broward County shall promote and encourage and shall implement to the maximum extent feasible for those (re)development projects and lands owned by the County or within unincorporated areas, the direction of (re)development towards existing communities to capitalize on the availability and economies of existing infrastructure, the need for select neighborhood and commercial revitalization and the public need to maximize its tax base of property.

BMSD Comprehensive Plan

POLICY BMSD 1.1.7 Future land uses shall be compatible with adjacent land uses and shall protect existing single-family neighborhoods from incompatible development.

POLICY BMSD 5.1.3 Broward County will regulate development in Hillsboro Pines and Hillsboro Ranches through the administration of the Comprehensive Plan, Land Development Code, and Zoning Code.

POLICY BMSD 5.1.5 Broward County shall continue to work with the Hillsboro Pines and Hillsboro Ranches neighborhoods to seek public input on plans, projects, programs, and activities through the following: 1. Outreach activities related to the development of plans, projects, and programs, including organizing workshops 2. Staff participation at community meetings and improved communication with the community liaison 3. Providing notice of public hearings related to proposed zoning code/map, future land use

policies/map, and Land Development Code amendments 4. Distributing information about BMSD programs and services.

- g. Whether the request is consistent with the densities, intensities, and general uses set forth in the Broward County Comprehensive Plan and the Land Use Element Map;

Response: The proposed rezoning to PDD is consistent with the densities, intensities, and general uses set forth in the Broward County Comprehensive Plan and the Land Use Element Map.

- h. Whether the request will protect, conserve, or preserve environmentally critical areas and natural resources;

Response: The site does not contain or impact environmentally critical areas or natural resources. Tree mitigation will be addressed during the development process.

- i. Whether the request will place an undue burden on existing infrastructure and whether capacity exists for any projected increase that may be generated;

Response: The proposed request will not place an undue burden on existing infrastructure. The companion land use plan amendment application requires an analysis of the impact of the proposed use on public facilities and services, and correspondence from service providers verifying the accuracy of the analysis. The site will be required to meet drainage requirements per Broward County and SFWMD.

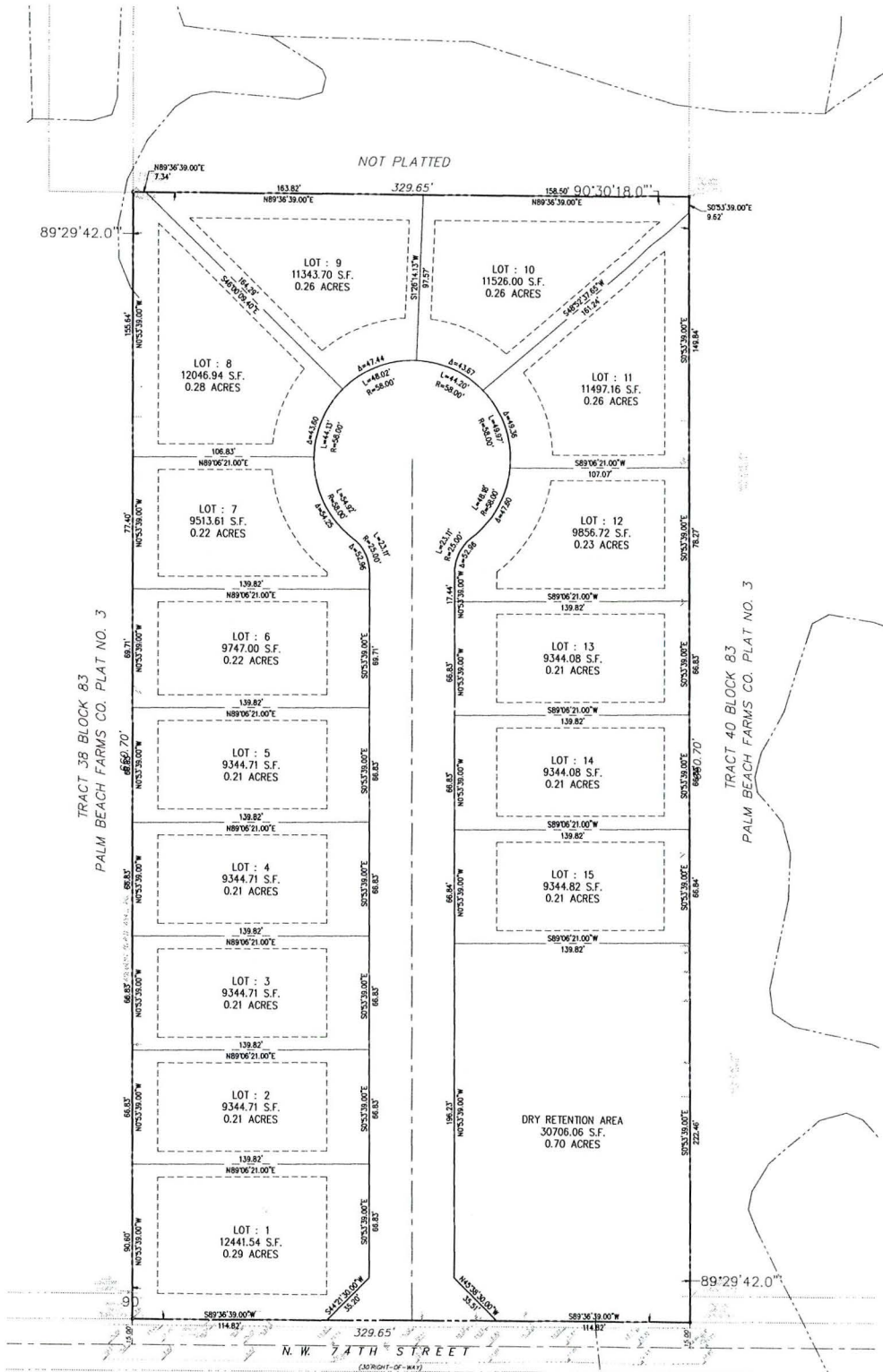
- j. Whether the permitted uses in a requested rezoning are compatible with existing and proposed uses in the general vicinity; except, however, nonconforming uses of neighboring lands, structures, or buildings shall not be considered as support for approval of any request; and

Response: The proposed single-family residential project is compatible with existing uses both adjacent to the site and in the general vicinity. To the east is single-family, to the north and west is North Broward Preparatory School (Grade 1-12), to the south is Oak Trails Park in the City of Coconut Creek. The site will be developed in accordance with the County's Land Development Regulations, which ensure compatibility through appropriate setbacks and buffers between uses.

- k. Whether, for oceanfront properties, the following goals would be supported:
1. The need to protect and restore beaches, particularly dunes and vegetation, through techniques such as conservation, easements, re-vegetation, elevated walkways, and clustering of development;
 2. The need to ensure the protection and enhancement of sea turtle nesting;
 3. The extent to which the regulations regarding construction seaward of the coastal construction line would affect a property owner's ability to develop the uses in a requested zoning district; and
 4. The location of marinas, boat ramps, and other water-dependent uses in a manner which protects manatees in those areas which they frequent.

Response: Not applicable. The site is not ocean-front.

4211
MASTER DEVELOPMENT PLAN



1. PREPARED BY: [unreadable] ENGINEERING, INC. 1000 S.W. 10TH AVENUE, SUITE 100, WEST PALM BEACH, FL 33411