



**CITY OF DANIA BEACH
COMMUNITY DEVELOPMENT DEPARTMENT
STAFF REPORT**

DATE: May 26, 2015
TO: Robert Baldwin, City Manager
VIA: Marc LaFerrier, AICP, Director
FROM: Corinne Lajoie, AICP, LEED G.A., Principal Planner
Mariluz Maldonado, City Planner

SUBJECT: **SP-077-14/VA-078-14/VA-89-14/VA-90-14/VA-41-15:** The applicant, Scott Backman, Esq., of the law firm of Dunay, Miskel, Backman & Blattner, LLP., representing the property owner, Griffin Road, LLC is requesting site plan and variances approval for the construction of a commercial building with three bays including a Family Dollar store to be located at the NW corner of Griffin Road and SW 29th Terrace.

VARIANCES

1. To provide 0 feet of required landscape area between the north building elevation and the parking area; the code requires eight (8) feet per Code Section 510-30 (N).
2. To provide a five (5) foot landscape buffer and relocate the wall at the property line; the code requires a ten (10) foot landscape buffer and a wall setback five (5) feet from the property line per Code Section 275-110.
3. To provide a minimum terminal island width range between seven (7) to eight (8) feet and install category 2 trees; the code requires ten (10) feet and category 1 trees to be installed per Code Section 275-100 (D).
4. To provide zero (0) percent transparency on the secondary building elevation; the code requires fifteen (15) percent per Code Section 510-30 (H).

SITE PLAN

To allow the construction of a commercial building with three commercial bays with a total of 9,943 square feet. One of the bays will contain a Family Dollar store.

PROPERTY INFORMATION:

ZONING: Commercial (C-2)
LAND USE: Low Medium (10) Residential
OVERLAY DISTRICT: Principal Arterial

BACKGROUND

This property was rezoned from Two Family Residential District (RD-8000) to Community Business District (C-2) back in January 13th of this year via Ordinance No. 2015-003. The rezoning of the property was completed to accommodate the proposed commercial development. Also, at the same time the property was platted via Ordinance No. 2015-004.

VARIANCES

1. EXTERIOR BUILDING LANDSCAPE

The Land Development Code (LDC) Section 510-30(N) requires a landscape area of eight (8) feet between the building elevations and any parking areas where there is an adjoining residential use. In this case the applicant is requesting to waive this requirement for the north elevation, where the loading area is proposed. The intent of these requirements is to add additional green areas for both beautification and drainage purposes. Moreover, the intent is to provide a green barrier between the building and the vehicles. The applicant has indicated in their justification statement that a perimeter buffer with wall and required trees will help beautify the site while providing adequate separation of the uses.

2. LANDSCAPE BUFFER AND WALL

LDC, Section 275-110 requires a ten (10) foot landscape buffer and a wall setback five (5) feet from every residential use or zoned area. The applicant is providing five (5) feet along the west property line. As indicated in the applicant's justification statement, although the zoning districts on the west side are residential, the properties contain a place of worship and a convenience store. As such, the proposed five (5) foot landscape buffer and wall at the property line shall provide sufficient buffering of the uses as intended by the code.

3. TERMINAL ISLAND WIDTHS

The Land Development Code (LDC) Section 275-100 (D) requires ten (10) foot wide landscape terminal islands and two category 1 trees to be planted. The applicant is proposing to comply with the required two trees; however, due to the limited space in the reduced islands, the trees provided will be of category 2 instead. As indicated by the applicant within the justification criteria, the terminal islands were reduced to provide a range between seven (7) to eight (8) feet due to the narrowness of the site. If the applicant complies with the terminal island requirements, parking will be lost. The applicant is complying with the basic intent of the code which is to provide open space areas and landscaping to reduce heat island effect and provide appropriate shade.

4. SECONDARY BUILDING ELEVATION TRANSPARENCY

The Land Development Code (LDC) Section 510-30 (H) requires that secondary building elevations provide a minimum of fifteen (15) percent transparency. This requirement is to maintain active uses along any street frontage and create some sort continuity for the building elevations. The applicant is requesting a variance to waive this requirement since the adjacent property to the east is residential and in effort to help mitigate any potential lighting spillage impacts and infringement into the residential properties, no fenestration is provided.

VARIANCE CRITERIA

Section 625 of the Land Development Code states, the City Commission or Planning and Zoning Board, if applicable, shall hold its public hearing and, after consideration of the staff recommendation and public input, if any, may deny, approve or approve with conditions the application for variance, based upon its determination that the request meets the criteria identified in Section 505-180, which are identified below.

- (1) "That the requested variance maintains the basic intent and purpose of the subject regulations, particularly as it affects the stability and appearance of the city."
- (2) "That the requested variance is otherwise compatible with the surrounding land uses and would not be detrimental to the community."

(3) "That the requested variance is consistent with, and in furtherance of, the goals, objectives and policies of the adopted Comprehensive Plan, as amended from time to time, and all other similar plans adopted by the city."

(4) "That the plight of the petitioner is due to unique circumstances of the property or petitioner which would render conformity with the strict requirements of the subject regulations unnecessarily burdensome."

(5) "That the variance requested is the minimum variance that is necessary to afford relief to the petitioner, while preserving the character, health, safety and welfare of the community."

SITE PLAN

The applicant is requesting site plan approval for the construction of a commercial building with three bays and 9,943 square feet. One of the bays will contain a Family Dollar store. The site will provide the required 34 parking spaces, loading space and bicycle parking as required per code. The proposed building will face Griffin Road and will be one story, approximately 26 feet to the top of the architectural parapet. The required pervious area and number of trees will be provided. The site will provide two access points, one along Griffin Road and another one along SW 29th Terrace. With the exception of the monument setback shown on the plans, all other signage requirements are being met.

DEVELOPMENT REVIEW COMMITTEE (DRC)

The site plan was reviewed by the BSO Fire, Public Services, the City's landscape consultant and the Planning Division and the following comments and conditions are outstanding:

1. The Applicant must obtain approvals from Broward County Aviation Department ("BCAD") and Florida Aviation Administration ("FAA") as applicable in order to develop the plan.
2. Impact fees will be required for the project at the time of Building Permits.
3. The monument sign shall comply with the required five (5) foot setback per Code Section 505.40 (K).

The applicant met with the City Attorney to propose a different architectural design that incorporates stone and flowering trellises. The attached elevations reflect the most recent design.

CITY COMMISSION PREVIOUS ACTION

On May 12, 2015, the City Commission voted unanimously to continue this item time and date certain to the meeting on May 26th to allow the applicant sufficient time to work with the City Attorney on landscaping and architectural changes.

RECOMMENDATION

SITE PLAN/VARIANCES

The site plan and variances application meets all applicable regulations, as presented by the applicant's justification statement. The Development Review Committee (DRC) provided comments and all comments are addressed except for the conditions outstanding and discussed above as part of the site plan. Approve the attached Resolution.

RESOLUTION NO. 2015-_____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, APPROVING THE SITE PLAN (SP-077-14) AND VARIANCES (VA-078-14, VA-89-14, VA-90-14 AND VA-41-15) SUBMITTED BY SCOTT BACKMAN, ESQ., OF THE LAW FIRM OF DUNAY, MISKEL, BACKMAN AND BLATTNER, LLP., REPRESENTING THE PROPERTY OWNER, GRIFFIN ROAD FD, LLC FOR PROPERTY LOCATED ON THE NORTHWEST CORNER OF GRIFFIN ROAD AND SW 29TH TERRACE IN THE CITY OF DANIA BEACH, FLORIDA, LEGALLY DESCRIBED IN EXHIBIT "A"; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Code of Ordinances, Chapter 28 "Land Development Code ("LDC or the "Code") Part 6 "Development Review Procedures and Requirements," Article 635 "Site Plans," Section 635-20(A), provides that site plan approval is required as a condition to the issuance of a building permit; and

WHEREAS, Scott Backman, Esq., of the law firm of Dunay, Miskel, Backman & Blattner, LLP., representing the property owner, Griffin Road FD, LLC (the "Applicant"), is requesting site plan approval and variances for the proposed construction of retail bays to accommodate three future tenants including a Family Dollar store, to be located on the northwest corner of Griffin Road and SW 29th Terrace in the City of Dania Beach, Florida, as legally described in Exhibit "A"; and

WHEREAS, a variance (VA-078-14) from Code Section 510-30 (N) to waive the required landscape area of eight (8) feet between the north building elevation and the parking area is sought; and

WHEREAS, a variance (VA-89-14) is being requested from Code Section 275-110 which requires a ten (10) foot landscape buffer and a wall to be set back five (5) feet from the property line, to allow instead a five (5') landscape buffer and to allow the wall to be located at the property line; and

WHEREAS, a variance (VA-90-14) is being requested from Code Section 275-100 (D) which requires terminal islands to have a minimum width of ten (10) feet, to allow a minimum range between seven (7) to eight (8) feet; and

WHEREAS, a variance (VA-41-15) from Code Section 510-30 (H) is sought to waive the required fifteen (15) percent transparency on the secondary building elevation; and

WHEREAS, the City's Development Review Committee ("DRC"), which is composed of City staff, reviewed the Site Plan for compliance with all applicable regulations and the following comments and conditions are outstanding:

PLANNING COMMENTS:

1. The Applicant must obtain approvals from Broward County Aviation Department ("BCAD") and Florida Aviation Administration "(FAA)" as applicable in order to develop the plan.
2. Impact fees will be required to be paid for the project at the time of issuance of Building Permits.
3. The monument sign shall comply with the required five (5) foot setback per Code Section 505.40 (K); and

WHEREAS, the City Commission conducted a duly noticed public hearing in accordance with Article 610 of the LDC; and

WHEREAS, the City Commission finds that the approval of the proposed Site Plan (SP-077-14) and granting of the variance will protect the public health, safety, and welfare of the residents of the City, and furthers the purpose, goals, objectives and policies of the City Comprehensive Plan;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA:

Section 1. Recitals. The foregoing "WHEREAS" clauses are ratified and confirmed as being true and correct and they are made a specific part of this Resolution.

Section 2. Approval of Site Plan (SP-077-14). Pursuant to Chapter 28 "Land Development Regulations," Part 6 "Development Review Procedures and Requirements," Article 635 "Site Plans," the following Site Plan (SP-110-14), attached as Exhibit "B," which is made a part of and incorporated into this Resolution by this reference, is approved.

Section 3. Approval of Variance Requests. Pursuant to Chapter 28 "Land Development Regulations," Part 6 "Development Review Procedures And Requirements," Article 625 "Variances," Section 625-40 "Variance Review Criteria," the following Variance Requests are approved:

VA-078-14- a variance from Section 510-30 (N) of the Land Development Code authorizing a waiver of the required eight (8) feet between the north building elevation and the parking area;

VA-89-14- a variance from Section 275.110 of the Land Development Code to permit a five (5) foot landscape buffer and a wall to be installed on the property line;

VA-90-14 - a variance from Section 275-100 (D) of the Land Development Code to permit to permit the terminal island minimum width to range between seven (7) and eight (8) feet; and

VA-41-15- a variance from Section 51030 (H) of the Land Development Code authorizing a waiver of the required fifteen (15) percent transparency of the secondary building elevation; and

Section 4. Conditions. The approvals granted by this Resolution are subject to the Applicant's compliance with the above-referenced conditions.

Section 5. That issuance of a development permit by a municipality does not in any way create any right on the part of an applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the municipality 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.

Section 6. Expiration of Site Plan. Pursuant to Section 635.100 "Expiration of Site Plans" of the Land Development Code, the Site Plan (SP-110-14) approval shall automatically expire and become null and void unless the Applicant files a complete building permit application with construction drawings for the improvements shown on the Site Plan, within eighteen (18) months from the date of this Resolution.

Section 7. Conflicts. That all resolutions or parts of resolutions in conflict with this Resolution are repealed to the extent of such conflict.

Section 8. Effective Date. That this Resolution shall be in force and take effect immediately upon its passage and adoption.

PASSED AND ADOPTED on _____, 2015.

ATTEST:

LOUISE STILSON, CMC
CITY CLERK

MARCO A. SALVINO, SR
MAYOR

APPROVED AS TO FORM AND CORRECTNESS:

THOMAS J. ANSBRO
CITY ATTORNEY

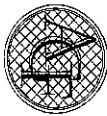
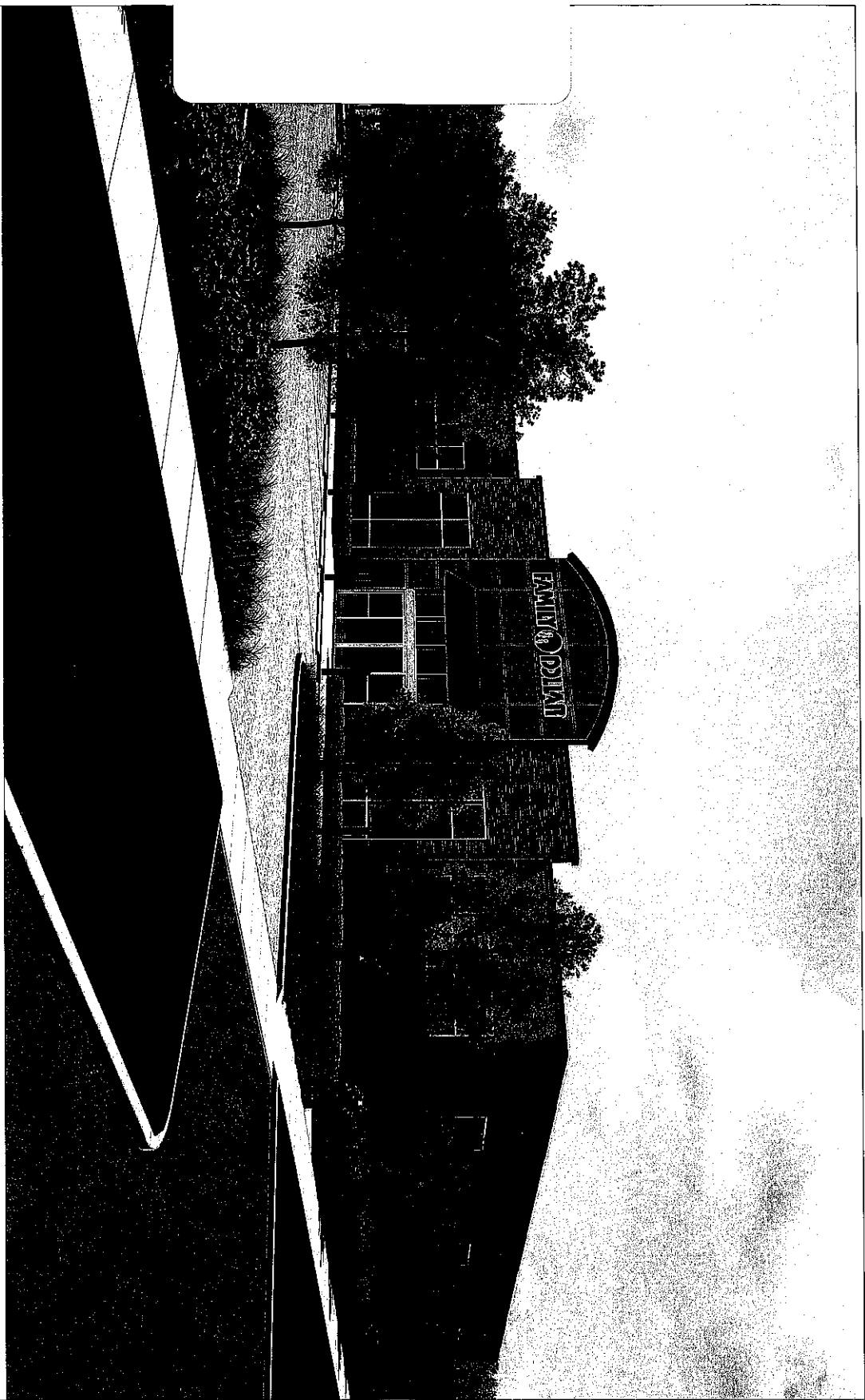
EXHIBIT A

LEGAL DESCRIPTION

LEGAL DESCRIPTION

ALL OF THE WEST HALF (W 1/2) OF TRACT 14, EXCEPT THE NORTH 932.7 FEET OF SAID WEST HALF (W 1/2) OF SAID TRACT 14, BLOCK 3, SECTION 29, TOWNSHIP 50 SOUTH, RANGE 42 EAST, LESS AND EXCEPT THAT PART THEREOF DESCRIBED AS PARCEL NO. 23-W, IN ORDER OF TAKING RECORDED IN OFFICIAL RECORDS BOOK 10262, PAGE 612, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

SAID LANDS SITUATE, LYING AND BEING IN THE CITY OF DANIA BEACH, BROWARD COUNTY, FLORIDA.



FANULL & ASSOCIATES, LLC
 ARCHITECTURAL, INTERIOR & EXTERIOR DESIGN

AA0000723

ARTURO G. FANULL, RA
 RESIDENT

105 MADISON AVENUE SUITE 7

CONNET QUAKES FLORENCE, SC 29505

PH: 803 724 8813

FAX: 803 724 8818

afanul@familydillan.com

ARTIST LITERATURE ONLY

ARTURO G. FANULL, RA
 ARCHITECT

FAMILY DILLAN
 COMMUNITY COMMITTEE
 DANIA BEACH DESIGN REVIEW COMMITTEE
 PROPOSED SITE
 2901 GRIFFIN ROAD
 DANIA BEACH, FLORIDA

COVER SHEET

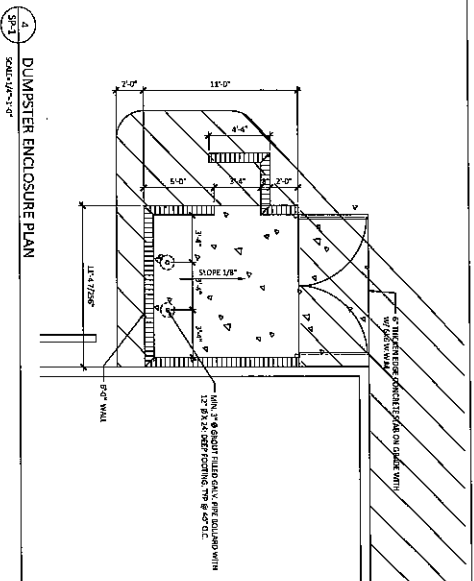
REVISION	NO.
FIELD REVISED PER DRG COMMENTS	
03-26-15 REVISED	
04-13-15 REVISED	

DATE: 5/23/14
 SCALE: AS SHOWN
 DRAWN: JCF
 CHECKED: JCF
 APR NO: 131283
 PERMIT NO:

OWNERSHIP

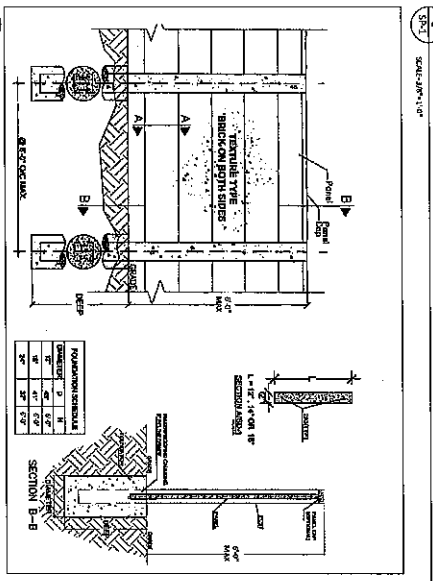
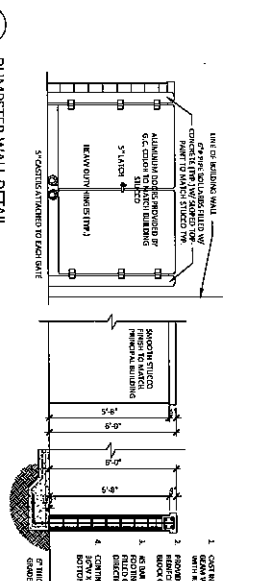
THE ARCHITECT HAS BEEN ADVISED BY THE OWNER THAT THE ARCHITECT'S SERVICES ARE LIMITED TO THE DESIGN OF THE BUILDING AND THE ARCHITECT IS NOT RESPONSIBLE FOR THE DESIGN OF THE INTERIOR OR EXTERIOR FINISHES, OR FOR THE DESIGN OF THE MECHANICAL, ELECTRICAL, PLUMBING, OR OTHER SPECIALTIES. THE ARCHITECT'S DESIGN SHALL BE SUBJECT TO THE APPROVAL OF THE LOCAL BUILDING DEPARTMENT AND THE LOCAL HEALTH DEPARTMENT. THE ARCHITECT'S DESIGN SHALL BE SUBJECT TO THE APPROVAL OF THE LOCAL BUILDING DEPARTMENT AND THE LOCAL HEALTH DEPARTMENT.

CS



ZONING DATA - DANIA BEACH - PROPOSED C-2 CURRENTLY RS-6000

ITEM	DESCRIPTION	REQUIREMENT	PROPOSED	COMMENTS
1	MAXIMUM BUILDING HEIGHT	35 FT	35 FT	
2	MINIMUM SETBACK	5 FT	5 FT	
3	MINIMUM FRONT YARD SETBACK	10 FT	10 FT	
4	MINIMUM SIDE YARD SETBACK	5 FT	5 FT	
5	MINIMUM REAR YARD SETBACK	5 FT	5 FT	
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48	MINIMUM FRONT YARD SETBACK	10 FT	10 FT	
49	MINIMUM SIDE YARD SETBACK	5 FT	5 FT	
50	MINIMUM REAR YARD SETBACK	5 FT	5 FT	



VARIANCE REQUESTS

ZONING: CHURCH RS-6000

1. Variance from Section 227.01(2) of the Code to allow the proposed building height to exceed the maximum height of 35 feet by 1 foot.

2. Variance from Section 227.01(3) of the Code to allow the proposed building to be set back from the front property line by less than the required 10 feet.

3. Variance from Section 227.01(4) of the Code to allow the proposed building to be set back from the side property line by less than the required 5 feet.

4. Variance from Section 227.01(5) of the Code to allow the proposed building to be set back from the rear property line by less than the required 5 feet.

5. Variance from Section 227.01(6) of the Code to allow the proposed building to be set back from the front property line by less than the required 10 feet.

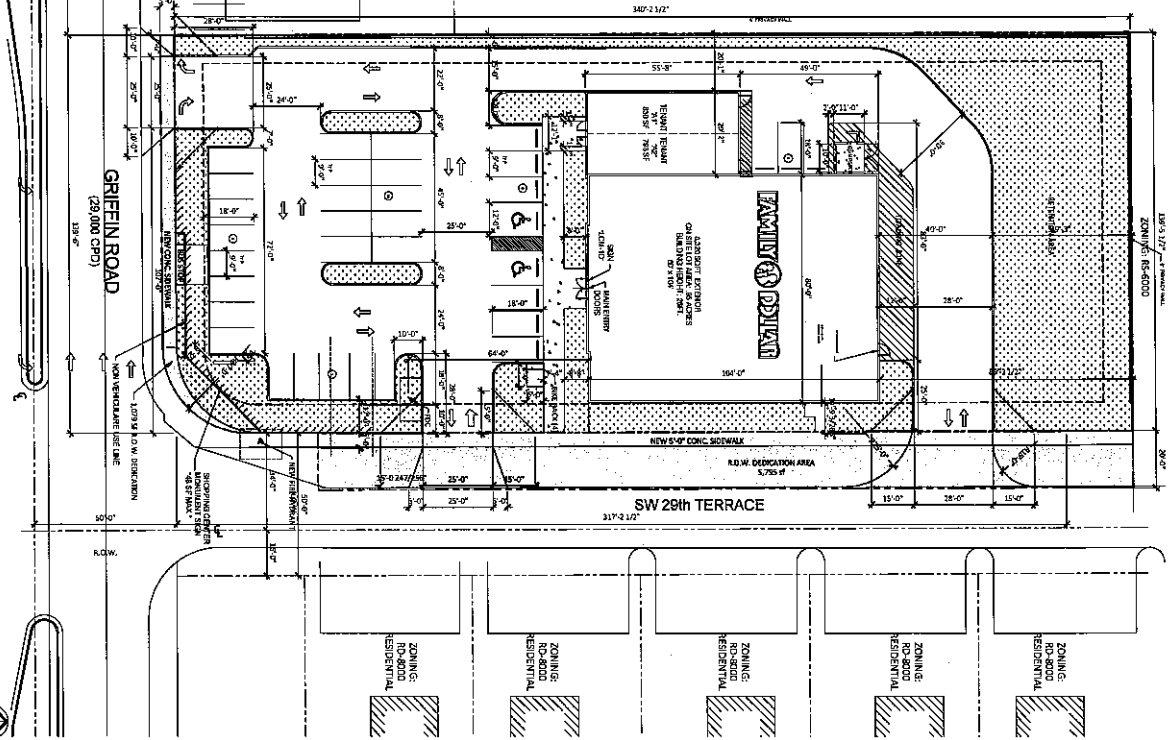
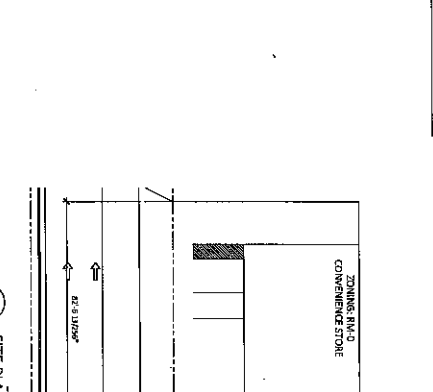
6. Variance from Section 227.01(7) of the Code to allow the proposed building to be set back from the side property line by less than the required 5 feet.

7. Variance from Section 227.01(8) of the Code to allow the proposed building to be set back from the rear property line by less than the required 5 feet.

8. Variance from Section 227.01(9) of the Code to allow the proposed building to be set back from the front property line by less than the required 10 feet.

9. Variance from Section 227.01(10) of the Code to allow the proposed building to be set back from the side property line by less than the required 5 feet.

10. Variance from Section 227.01(11) of the Code to allow the proposed building to be set back from the rear property line by less than the required 5 feet.



FAMILY DILIAN

DESIGN COMMITTEE

DANIA BEACH DESIGN REVIEW COMMITTEE PROPOSED SITE

2901 GRIFFIN ROAD DANIA BEACH, FLORIDA

DATE: 6/24/2014

REVISION NO.

NO.	DESCRIPTION	DATE
1	INITIAL REVIEW PER DBC COMMENTS	06/19/14
2	06/19/14 REVISION	06/19/14

OWNER: DANIA BEACH DESIGN REVIEW COMMITTEE

DESIGNER: ARTURO G. FANULLI, P.A.

DATE: 6/24/2014

SCALE: 1/8" = 1'-0"

PROJECT: DANIA BEACH DESIGN REVIEW COMMITTEE PROPOSED SITE

DATE: 6/24/2014

FANULLI & ASSOCIATES, LLC

ARTURO G. FANULLI, P.A.

1651 JACOBA AVENUE SUITE 7

CORAL GABLES, FLORIDA 33134

PH: 305-726-8813

FAX: 305-596-8868

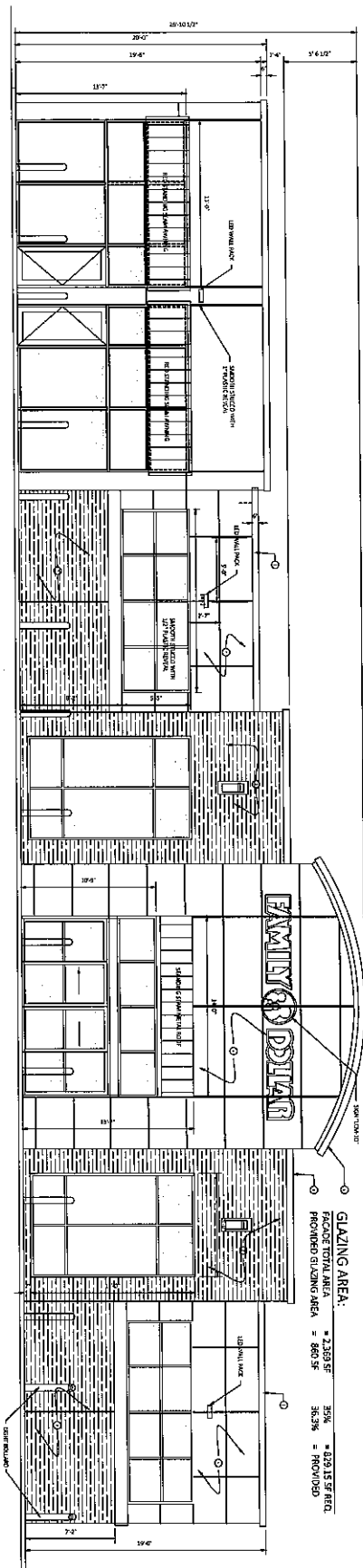
arturo@fanulliassociates.com

www.fanulliassociates.com

ATTENTION: USE THROUGH DESIGN

SP.1

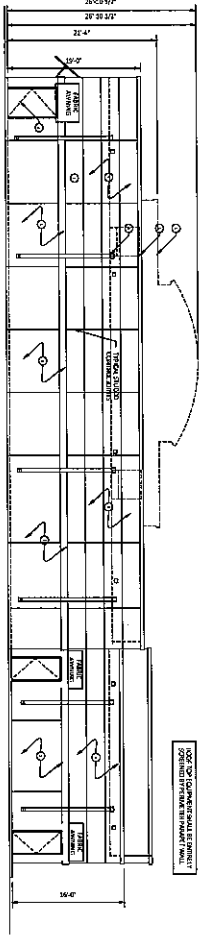
3.5 SOUTH ELEVATIONS - PRIMARY ENTRANCE - FRONT ELEVATION



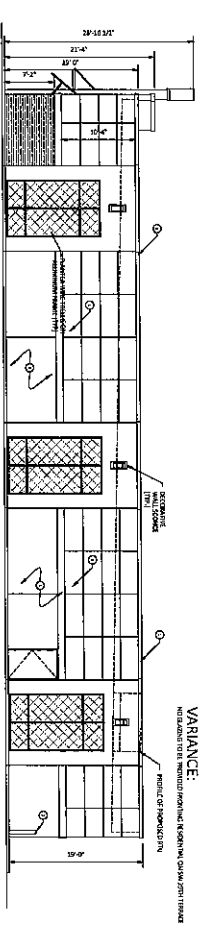
GLAZING AREA:
 FACED TOTAL AREA = 2,369 SF
 PROVIDED GLAZING AREA = 860 SF
 50% = 1,184.5 SF ARI
 36.3% = PROVIDED

NO.	MAINTENANCE	FINISH	COLOR	MANUFACTURER
1	SPANDREL GLASS	PAINT	SW 6122 CHARLACK	SHIMBANI WALLPAPER
2	SPANDREL GLASS	PAINT	SW 6122 CHARLACK	SHIMBANI WALLPAPER
3	SPANDREL GLASS	PAINT	SW 6122 CHARLACK	SHIMBANI WALLPAPER
4	SPANDREL GLASS	PAINT	SW 6122 CHARLACK	SHIMBANI WALLPAPER
5	SPANDREL GLASS	PAINT	SW 6122 CHARLACK	SHIMBANI WALLPAPER
6	SPANDREL GLASS	PAINT	SW 6122 CHARLACK	SHIMBANI WALLPAPER
7	SPANDREL GLASS	PAINT	SW 6122 CHARLACK	SHIMBANI WALLPAPER

3.6 NORTH ELEVATION - REAR ELEVATION

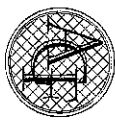
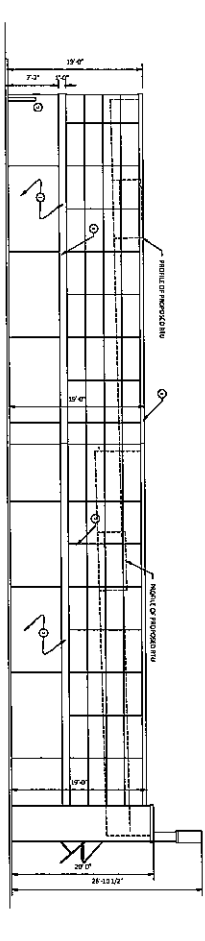


3.7 EAST ELEVATION - SW 29TH TERRACE



VARIANCE:
 MISPLACED THE WINDOW FROM THE WINDOW FRAME

3.8 WEST ELEVATION



FANULLI & ASSOCIATES, LLC
 ARCHITECTURAL, ENGINEERING & INTERIOR DESIGN
 14500 225th Street
 ARTURO G. FANULLI, P.A.
 PRESIDENT
 1850 N. WILSON AVENUE SUITE 7
 CORAL GABLES, FLORIDA 33134
 PH: 305 726-6313
 FAX: 305 596-2866
 aaron@fanulli.com
 "A COMMITMENT TO ARCHITECTURAL EXCELLENCE"

ARTURO G. FANULLI, ARCHITECT
 STATE OF FLORIDA LICENSE NUMBER 14500

FAMILY DDLIAN
 DEVELOPMENT COMMITTEE
 DANIA BEACH
 DESIGN REVIEW
 COMMITTEE
 PROPOSED SITE
 2901 GRIFFIN ROAD
 DANIA BEACH, FLORIDA

REVISION	NO.
171614 APPROVED PER DRC COMMENTS	
06/28/13 REVISED	
04/18/13 REVISED	

DATE: 6/26/2014
 SCALE: AS SHOWN
 DESIGNER: AJF
 CHECKER: AJF
 DATE: 12/10/13
 PERMIT NO. 131203
OWNERSHIP
 2901 GRIFFIN ROAD
 DANIA BEACH, FLORIDA 33134
 PROJECT NO. 131203
 PROJECT NAME: DANIA BEACH DESIGN REVIEW COMMITTEE PROPOSED SITE
 PROJECT ADDRESS: 2901 GRIFFIN ROAD, DANIA BEACH, FLORIDA 33134
 PROJECT CONTACT: DANIA BEACH DESIGN REVIEW COMMITTEE
 PROJECT PHONE: 305-726-6313
 PROJECT FAX: 305-596-2866
 PROJECT EMAIL: aaron@fanulli.com
 PROJECT WEBSITE: www.familyddl.com

SP-2



City of Dania Beach, Florida
Department of Community Development
Planning and Zoning Division
(954) 924-6805 X3643
(954) 922-2687 Fax

Standard Development Application

- Administrative Variance
- Land Use Amendment
- Plat
- Rezoning
- Site Plan
- Special Exception
- Variance
- Other: _____

Date Rec'd: _____

Petition No.: _____

(SEE APPLICATION TYPE SCHEDULE ON PAGES 3 & 4)

THIS APPLICATION WILL NOT BE ACCEPTED UNTIL IT IS COMPLETE AND SUBMITTED WITH ALL NECESSARY DOCUMENTS. Refer to the application type at the top of this form and "Required Documentation" checklist to determine the supplemental documents required with each application. For after the fact applications, the responsible contractor of record shall be present at the board hearing. Their failure to attend may impact upon the disposition of your application. As always, the applicant or their authorized legal agent must be present at all meetings. All projects must also obtain a building permit from the City Building Division. For more information please reference the **Dania Beach Land Development Code Part 6, Development Review Procedures and Requirements.**

Location Address: SW 29 Terrace (NW Corner of Griffin Road & SW 29th Terrace)

Lot(s): 14 Block: 3 Subdivision: Plat of Sections 28, 29, 31 and 32 (Plat Book 2, Page 32 of the Dade County Public Records)

Recorded Plat Name: Plat of Sections 28, 29, 31 and 32 (Plat Book 2, Page 32 of the Dade County Public Records)

Folio Number(s): 5042 2901 1160 Legal Description: Please see attached legal.

Applicant/Consultant/Legal Representative (circle one) Scott Backman, Esq. & Christina Bilenki, Esq. Dunay, Miskel, Backman & Blattner, LLP

Address of Applicant: 14 SE 4th Street, Suite 36, Boca Raton, FL 33432

Business Telephone: 561-405-3325 Home: _____ Fax: 561-409-2341

E-mail address: sbackman@dmbblaw.com

Name of Property Owner: Griffin Road FD LLC

Address of Property Owner: 14011 SW 20 St. Miami FL 33175

Business Telephone: 305-345-7475 Home: _____ Fax: _____

Explanation of Request: Please see attached narrative and justification.
 For **Plats** please provide proposed **Plat Name** for **Variations** please attach **Criteria Statement** as per **Section 625.40 of the Land Development Code.**

Prop. Net Acreage: 0.9571 Gross Acreage: 1.0867 Prop. Square Footage: +/-9,970

Existing Use: Vacant Land Proposed Use: Commercial

Is property owned individually, by a corporation, association, or a joint venture? Trust

AUTHORIZED REPRESENTATIVE

I/we are fully aware of the request being made to the City of Dania Beach. If I/We are unable to be present, I/we hereby authorize _____ (individual/firm) to represent me/us in all matters related to this application. I/we hereby acknowledge that the applicable fee was established to offset administrative costs and is not refundable.

I/we are fully aware that all approvals automatically expire within 12 months of City of Dania Beach Planning and Zoning Board or City Commission approval, or pursuant to the expiration timeframe listed in Part 6 of the Dania Beach Land Development Code.

STATE OF FLORIDA
COUNTY OF BROWARD
The foregoing instrument
was acknowledged

By: [Signature]
(Owner / Agent signature*)

BEFORE ME THIS 2nd DAY OF July, 2014

By:
Kathleen J. Brignola
(Print name of person acknowledging)

(Joint owner signature if applicable)

Notary Kathleen J. Brignola
(Signature of Notary Public - State of Florida)



Personally known or Produced Identification _____

Type of identification produced: _____ or Drivers License _____

***If joint ownership, both parties must sign. If partnership, corporation or association, an authorized officer must sign on behalf of the group. A notarized letter of authorization from the owner of record must accompany the application if an authorized agent signs for the owner(s).**

NO APPLICATION WILL BE AUTOMATICALLY SCHEDULED FOR A MEETING.

ALL APPLICATIONS MUST BE DETERMINED COMPLETE BY STAFF BEFORE PROCESSING OCCURS.

**City of Dania Beach
APPLICATION TYPE AND FEE SCHEDULE**

INCOMPLETE SUBMITTALS ARE NOT ACCEPTABLE FOR REVIEW AND PROCESSING.

The following fees shall apply to all applications for land use plan amendments, rezoning, special exception use, variances, site plans and other zoning related applications. These fees are used to defray staff cost in the evaluation of the proposal made and provide for the required notices and public advertisements according to Florida State Statute and the Dania Beach Land Development Code. Should any applicant have more than one type of request to the City, the applications involved should be submitted at the same time. The present City policy is to have concurrent reviews being processed before the final review and actions by the Planning and Zoning Board and/or City Commission. It is the obligation of all applicants to review the appropriate City Codes and design standards related to their proposal before making any application to the City. The standard review process for all development applications are two (2) review cycles. **Any additional review or public notice required by staff or professional consultants due to the incorrect interpretation of the Land Development Code will be charged to the applicant as per "Section 685-10 Cost Recovery for Development Review" of the Dania Beach Land Development Code.**

APPLICATION TYPE	FEE
LAND USE	
Assignment of Flex Units or Acreage	Filing fee = \$4,000.00 plus \$5.00 per flex, reserve or LAC/RAC unit or hotel room or \$100 per acre or portion of such area <i>Includes Staff processing, 2 review cycles, advertising and notice costs</i>
Change of Land Use	Filing fee = \$7,000.00, plus \$500.00 per acre or portion of area <i>Includes Staff processing, 2 review cycles, advertising and notice costs</i>
ZONING	
Change of Zoning (Rezoning)	Less than 2 acres - \$2,500.00 Greater than 2 acres - \$6,000.00 <i>Includes Staff processing, 2 review cycles, advertising and notice costs</i>
Zoning Code Text Change	Changing the list of Permitted Uses - \$6,000.00 General Text - \$2,000.00 <i>Includes Staff processing, 2 review cycles, advertising and notice costs</i>
PLAT	(Perimeter) Filing fee = \$2550.00 plus \$50.00 per acre or portion of such area (Subdivision) Filing fee = \$2550.00 plus \$100 per acre or portion of such area <i>Includes Staff processing, 2 review cycles, advertising and notice costs</i>
Delegation Request	\$1,500.00 <i>Includes Staff processing, 2 review cycles, advertising and notice costs</i>
SITE PLAN	
Residential, Hotel, Condo-Hotel, Time-Share, Motel	Filing fee = \$1,000.00 PLUS \$10.00 per unit Plus retainer for staff/consultant review, administrative and notice cost \$5,000.00 Minimum fee = \$6,100.00 <i>Includes Staff processing, 2 review cycles, advertising and notice costs</i>
All other uses	Filing fee = \$1,000.00 PLUS the following: \$5.00 : 100 s.f. for 1 st 10,000 s.f., \$2.00 : 100 s.f. in excess of 10,000 s.f. Plus retainer for staff/consultant review, administrative and notice cost \$4,000.00 Minimum fee = \$5,500.00 <i>Includes Staff processing, 2 review cycles, advertising and notice costs</i>
Site Plan Revisions	\$2,500.00 - <i>Includes staff processing and up to 2 review cycles.</i> <i>Additional variances associated with any revision to a site plan are charged according to the associated variance type.</i>
Extension of Approval(s) (Site plan, variance, special exception requests)	\$1,250.00 – Single Extension (PLUS) an additional \$ 250.00 for each associated approval

**City of Dania Beach
APPLICATION TYPE AND FEE SCHEDULE**

INCOMPLETE SUBMITTALS ARE NOT ACCEPTABLE FOR REVIEW AND PROCESSING.

The following fees shall apply to all applications for land use plan amendments, rezoning, special exception use, variances, site plans and other zoning related applications. These fees are used to defray staff cost in the evaluation of the proposal made and provide for the required notices and public advertisements according to Florida State Statute and the Dania Beach Land Development Code. Should any applicant have more than one type of request to the City, the applications involved should be submitted at the same time. The present City policy is to have concurrent reviews being processed before the final review and actions by the Planning and Zoning Board and/or City Commission. It is the obligation of all applicants to review the appropriate City Codes and design standards related to their proposal before making any application to the City. The standard review process for all development applications are two (2) review cycles. **Any additional review or public notice required by staff or professional consultants due to the incorrect interpretation of the Land Development Code will be charged to the applicant as per "Section 685-10 Cost Recovery for Development Review" of the Dania Beach Land Development Code.**

SPECIAL EXCEPTION	
SPECIAL EXCEPTION (Excluding cell towers)	Filing fee = \$3,700.00 plus \$200.00 per acre or portion of such area <i>Includes Staff processing, 2 review cycles, advertising and notice costs</i>
<i>SPECIAL EXCEPTION (Cellular Towers)</i>	Filing fee = \$4,000 <i>Includes Staff processing, 2 review cycles, advertising and notice costs</i>
Additional Resubmittal (In addition to the standard (2) review cycles)	Any additional review or public notice required by staff or professional consultants due to the negligence of the applicant will be charged to the applicant as per Article 685-10 Cost recovery for Development Review of the Dania Beach Land Development Code.
VARIANCES, APPEALS & WAIVERS	
Administrative, Single Family	\$ 300.00
Administrative, all other	\$ 500.00
Single Family/Community Facility	\$ 490.00
Duplex	\$1,050.00
Triplex	\$1,150.00
Multifamily, Hotel, Condo-Hotel (per variance)	\$2,300.00
Nonres. (per variance)	\$2,000.00
Wall Sign	\$ 700.00
Monument Sign	\$1,200.00
Pole Sign (As permitted)	\$2,400.00
Appeal (single family & comm fac)	\$ 650.00
Appeal (all other uses)	\$1,925.00
Dumpster Appeal to Com. Dev. Dir.	\$ 200.00
Dumpster Appeal to City Com.	\$ 500.00
Alcoholic Beverage Variance	\$1,250.00
Mobility	\$1,400.00
Trafficway Walver	\$4,000.00
Vacation - Road/Easement	\$3,500.00
Alcohol Extended Hours License Application	\$2,250.00
Alcoholic Beverage Walver	\$1,000.00
Zoning Review: State Liquor License	\$ 50.00
Outdoor Seating/Dinning	\$ 100.00
Assisted Living Facility	\$ 65.00
CRA Grant Application	\$ 800.00 <i>(up to this amount based on scope of work)</i>
UNSPECIFIED	\$ 500.00 PLUS any outside costs incurred by the city as per "Section 685-10"

Revised - 8-23-11 As per City Commission Approval Resolution #2011-080

AGENT OF RECORD LETTER

TO THE CITY OF DANIA BEACH, BROWARD COUNTY, SOUTH FLORIDA WATER MANAGEMENT DISTRICT, FDEP, FDOT AND/OR OTHER GOVERNMENTAL AGENCIES.

For the property identified as Parcel ID number 5042-29-01-1160, the undersigned, **SAMUEL EDWARD GUMBEL** and **LAURA MARIE GUMBEL, TRUSTEES OF THE GUMBEL REVOCABLE FAMILY TRUST DATED JUNE 18, 1998**, and **SARA DIANE FAVARATO** and **ROBERT C. FAVARATO, TRUSTEES OF THE ROBERT C. FAVARATO AND SARAH DIANE FAVARATO LIVING TRUST DATED DECEMBER 17, 2012** hereby designate and appoint Daniel Abreu, Member of Abreu Development LLC, as m y/our Agent of Record for the purposes of representing me/us during the Development Review Process and/or permitting/hearing processes, including without limitation site plan review, construction plan review, utility and drainage plan review and signage. My/our Agent of Record is hereby vested with authority to make any representations, agreements, or promises that are necessary or desirable in conjunction with the review process. My Agent of Record is also authorized to accept or reject any conditions imposed by any reviewing board or entity.

Date: 5/19, 2014

Samuel Edward Gumbel, as Trustee, Laura Marie Gumbel, as Trustee, Sarah Diane Favarato as Trustee and Robert C. Favarato as Trustee

SARAH DIANE FAVARATO
APPLICANTS/OWNERS (PRINT)

Sarah Diane Favarato
APPLICANT/OWNER'S SIGNATURE

ROBERT C. FAVARATO
APPLICANTS/OWNERS (PRINT)

Robert C. Favarato
APPLICANTS/OWNERS SIGNATURE

SAMUEL EDWARD GUMBEL
APPLICANTS/OWNERS (PRINT)

Samuel Edward Gumbel
APPLICANTS/OWNERS (SIGNATURE)

LAURA MARIE GUMBEL
APPLICANTS/OWNERS (PRINT)

Laura Marie Gumbel
APPLICANTS/OWNERS (SIGNATURE)

DANIEL ABREU, MANAGING MEMBER OF ABREU DEVELOPMENT LLC

APPLICANT'S REPRESENTATIVE (PRINT)

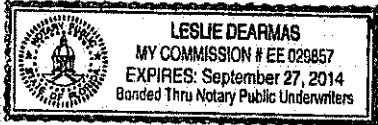
APPLICANT'S REPRESENTATIVE'S SIGNATURE

Abreu Development, LLC
14011 SW 20 Street
Miami FL 33175
305-345-7475 Telephone

STATE OF Florida

COUNTY OF Broward

The foregoing instrument was acknowledged before me this 21 day of May, 2014, by SAMUEL EDWARD GUMBEL. He is personally known to me or has produced _____ as identification.

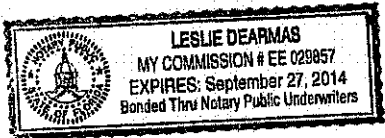


[Signature]
Notary Public - Signature
Print Name: Leslie DeArmas
My Commission Expires: 9/27/14

STATE OF Florida

COUNTY OF Broward

The foregoing instrument was acknowledged before me this 21 day of May, 2014, by LAURA MARIE GUMBEL. She is personally known to me or has produced _____ as identification.

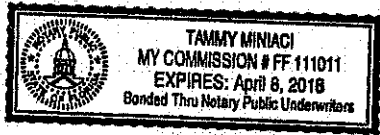


[Signature]
Notary Public - Signature
Print Name: Leslie DeArmas
My Commission Expires: 9/27/14

STATE OF Florida

COUNTY OF Marion

The foregoing instrument was acknowledged before me this 19th day of May, 2014, by **ROBERT C. FAVARATO**. He is personally known to me or has produced FL Driver License as identification.

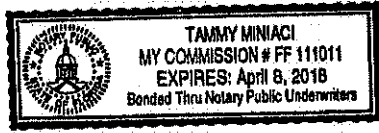


Tammy Miniaci
Notary Public - Signature
Print Name: Tammy Miniaci
My Commission Expires: _____

STATE OF Florida

COUNTY OF Marion

The foregoing instrument was acknowledged before me this 19th day of May, 2014, by **SARAH DIANE FAVARATO**. She is personally known to me or has produced FL Driver License as identification.



Tammy Miniaci
Notary Public - Signature
Print Name: Tammy Miniaci
My Commission Expires: _____

Statement of Interest in Property and Authorization to File Petitions

ABREU DEVELOPMENT, LLC hereby certifies that it is the Contract Purchaser of the subject property located on the northwest corner of Griffin Road and SW 29th Avenue in the City of Dania Beach, and as authorized by owner per the attached document, authorizes DUNAY, MISKEL, BACKMAN AND BLATTNER, LLP, as agent, ZAMORA & ASSOCIATES, INC, as agent, and PULICE LAND SURVEYORS, INC, as agent, to submit and process any and all development applications to the City of Dania Beach, Broward County, State of Florida, and all other agencies involved in the approval, permitting and development of the proposed commercial development, and appear at any meetings or public hearings necessary for the approval, permitting and development of the proposed commercial development located within the City of Dania Beach.

Daniel Abreu
Print Name

Daniel Abreu
Signature

14011 S.W. 20 Street
Address

Miami FL 33175
City/State/Zip

305-345-7475
Phone

State of FLORIDA

County of DADE

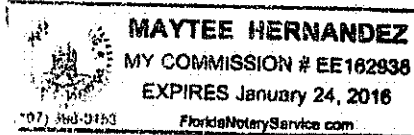
The foregoing instrument was acknowledged before me this 22 day of May, 2014, by Daniel Abreu, an individual, who is personally known to me or who has produced as identification and who did take an oath.

NOTARY PUBLIC:

Sign: Maytee Hernandez

Print: Maytee Hernandez

My Commission Expires:



ORDINANCE NO. 2015-003

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, APPROVING THE REQUEST MADE BY SCOTT BACKMAN, ESQUIRE, AGENT FOR THE PROPERTY OWNERS SAMUEL EDWARD GUMBEL AND LAURA MARIE GUMBEL, TRUSTEES OF THE GUMBEL REVOCABLE FAMILY TRUST DATED JUNE 18,1998, AND SARA DIANE FAVARATO AND ROBERT C. FAVARATO, TRUSTEES OF THE ROBERT C. FAVARATO AND SARAH DIANE FAVARATO LIVING TRUST DATED DECEMBER 17, 2012, TO REZONE PROPERTY LOCATED ON SW 29 TERRACE (NW CORNER OF GRIFFIN ROAD AND SW 29 TERRACE) IN THE CITY OF DANIA BEACH, FLORIDA, AND LEGALLY DESCRIBED IN EXHIBIT "A", A COPY OF WHICH IS ATTACHED TO THIS ORDINANCE; CHANGING THE CURRENT ZONING CLASSIFICATION OF THE PROPERTY FROM TWO-FAMILY RESIDENTIAL DISTRICT (RD-8000) TO COMMERCIAL BUSINESS DISTRICT (C-2), SUBJECT TO CERTAIN RESTRICTIONS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to Chapter 28, the "Land Development Code," Part 6, "Development Review Procedures And Requirements," Article 645, "Rezoning" of the City Code of Ordinances (the "City Code"), Scott Backman, Esquire, agent for the property owners Samuel Edward Gumbel and Laura Marie Gumbel, Trustees of the Gumbel Revocable Family Trust dated June 18,1998, and Sara Diane Favarato and Robert C. Favarato, Trustees of the Robert C. Favarato and Sarah Diane Favarato Living Trust dated December 17, 2012 (the "Applicant") has applied to the City of Dania Beach (the "City"), for approval of a rezoning, for property legally described in Exhibit "A" (Application RZ-69-14); and

WHEREAS, the City Planning and Zoning Advisory Board, sitting as the Local Planning Agency, held a duly advertised public hearing on June 18, 2014 and determined that the proposed rezoning is consistent with the goals and objectives of the City of Dania Beach Comprehensive Plan (the "Comprehensive Plan"), and therefore, recommended approval of the proposed rezoning; and

WHEREAS, the City Commission conducted two (2) duly noticed public hearings in accordance with law; and

WHEREAS, the City Commission finds that the approval of the proposed rezoning will protect the public health, safety, and welfare of the residents of the City, and furthers the purpose, goals, objectives and policies of the Comprehensive Plan;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA:

Section 1. The foregoing “**WHEREAS**” clauses are ratified and confirmed as being true and correct and they are made a specific part of this Ordinance.

Section 2. Pursuant to Chapter 28, the “Land Development Code,” Part 6, “Development Review Procedures And Requirements,” Article 645, “Rezoning” of the City Code of Ordinances, the rezoning from the Two-Family Residential District (RD-8000) zoning classifications to the Commercial Business District (C-2) zoning classification, for the Property generally located on SW 29 Terrace (NW corner of Griffin Road and SW 29 Terrace in Dania Beach, Florida), as legally described in Exhibit “A,” is approved.

Section 3. Issuance of a development permit by a municipality does not in any way create any right on the part of an applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the municipality 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.

Section 4. All ordinances or parts of ordinances, resolutions or parts of resolutions in conflict with this Ordinance are repealed to the extent of such conflict.

Section 5. If any clause, section, sentence or phrase of this Ordinance is for any reason held unconstitutional or invalid by a competent jurisdiction, the holding shall not affect the validity of the remaining portions of this Ordinance.

Section 6. This Ordinance shall become effective immediately upon its passage and adoption.

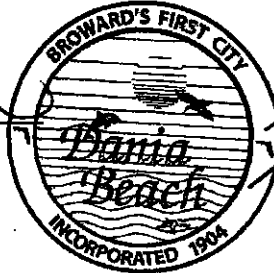
PASSED on first reading on December 9, 2014.

PASSED AND ADOPTED on second reading on January 13, 2015.

ATTEST:

Louise Stilson

LOUISE STILSON, CMC
CITY CLERK



[Signature]
MARCO A. SALVINO, SR.
MAYOR

APPROVED AS TO FORM AND CORRECTNESS:

[Signature]
THOMAS J. ANSERO
CITY ATTORNEY

EXHIBIT "A"

LEGAL DESCRIPTION

ALL OF THE WEST HALF (W 1/2) OF TRACT 14, EXCEPT THE NORTH 932.7 FEET OF SAID WEST HALF (W 1/2) OF SAID TRACT 14, BLOCK 3, SECTION 29, TOWNSHIP 50 SOUTH, RANGE 42 EAST. LESS AND EXCEPT THAT PART THEREOF DESCRIBED AS PARCEL NO. 23-W, IN ORDER OF TAKING RECORDED IN OFFICIAL RECORDS BOOK 1026, PAGE 612, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

SAID LANDS SITUATE, LYING AND BEING IN THE CITY OF DANIA BEACH, BROWARD COUNTY, FLORIDA AND CONTAINING 53,712 SQUARE FEET (1.2331 ACRES).

ORDINANCE NO. 2015-004

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, APPROVING THE REQUEST MADE BY PULICE LAND SURVEYORS, INC., ON BEHALF OF THE PROPERTY OWNERS, SAMUEL EDWARD GUMBEL AND LAURA MARIE GUMBEL, TRUSTEES OF THE GUMBEL REVOCABLE FAMILY TRUST DATED JUNE 18, 1998, AND SARAH DIANE FAVARATO AND ROBERT C. FAVARATO, TRUSTEES OF THE ROBERT C. FAVARATO AND SARAH DIANE FAVARATO LIVING TRUST DATED DECEMBER 17, 2012, TO CREATE A PLAT (PL-68-14) TO BE KNOWN AS THE "GRIFFIN ROAD FD" PLAT, FOR PROPERTY LOCATED AT 2901 GRIFFIN ROAD IN THE CITY OF DANIA BEACH; ACCEPTING THE DEDICATION FOR PUBLIC USE OF ALL STREETS, HIGHWAYS, ALLEYS AND EASEMENTS AS SHOWN ON SUCH PLAT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA:

Section 1. That the "Griffin Road FD" plat (PL-68-14), for property located at 2901 Griffin Road in the City of Dania Beach, and legally described in Exhibit "A", a copy of which is made a part of and incorporated into this Ordinance by this reference, is accepted and approved. The City of Dania Beach consents and agrees that such plat may be recorded in the Public Records of Broward County, Florida, upon further approval of all agencies of Broward County, Florida, having jurisdiction in the matter.

Section 2. That the dedication for public use of all streets, highways, alleys and easements as shown on the "Griffin Road FD" plat, is accepted and approved by the City of Dania Beach.

Section 3. That on August 20, 2014, the Planning and Zoning Board, acting as the Local Planning Agency, reviewed the application for the perimeter plat and forwarded a recommendation of approval to the City Commission.

Section 4. That if any section, clause, sentence or phrase of this Ordinance is for any reason held invalid or unconstitutional by a court of competent jurisdiction, the holding shall not affect the validity of the remaining portions of this Ordinance.

Section 5. That all ordinances or parts of ordinances and all resolutions or parts of resolutions in conflict with the provisions of this Ordinance are repealed.

Section 6. That this Ordinance shall take effect immediately at the time of its passage and adoption.

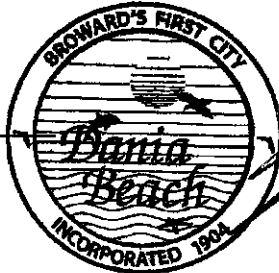
PASSED on first reading on December 9, 2014.

PASSED AND ADOPTED on second reading on January 13, 2015.

ATTEST:

Louise Stilson

LOUISE STILSON, CMC
CITY CLERK



Marco A. Salvino, Sr.

MARCO A. SALVINO, SR.
MAYOR

APPROVED AS TO FORM AND CORRECTNESS:

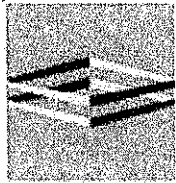
Thomas J. Ansbro

THOMAS J. ANSBRO
CITY ATTORNEY

EXHIBIT "A"
Griffin Road FD

LEGAL DESCRIPTION

ALL OF THE WEST HALF (W 1/2) OF TRACT 14, EXCEPT THE NORTH 932.7 FEET OF SAID WEST HALF (W 1/2) OF SAID TRACT 14, BLOCK 3, SECTION 29, TOWNSHIP 50 SOUTH, RANGE 42 EAST. LESS AND EXCEPT THAT PART THEREOF DESCRIBED AS PARCEL NO. 23-W, IN ORDER OF TAKING RECORDED IN OFFICIAL RECORDS BOOK 1026, PAGE 612, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.



**DUNAY
MISKEL
BACKMAN
BLATTNER LLP**

Gary S. Dunay
Bonnie Miskel
Scott Backman
David K. Blattner
Dwayne L. Dickerson
Christina Bilenki

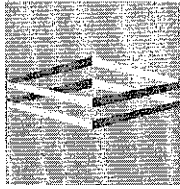
**Family Dollar
Northwest Corner of Griffin Road and SW 29th Terrace
Site Plan Narrative and Justification**

Abreu Development, LLC ("Petitioner") is the contract purchaser of the +/- 1 acre property generally located on the northwest corner of Griffin Road and SW 29th Terrace ("Property") in the City of Dania Beach ("City"). The Property is designated Residential Low Medium (10 dwelling units per acre) on the City's Future Land Use Map and is zoned RD-8000. The Property is currently vacant. Petitioner proposes to develop the Property with a +/- 9,970 square foot commercial development, consisting of a +/- 8,320 square foot space which will be utilized by a large national retailer, Family Dollar, and two smaller +/-825 square foot tenant spaces ("Project"). In order to develop the Project, Petitioner is also seeking to rezone the Property to the C-2, Community Business zoning district ("Rezoning") through an allocation of commercial flex acreage ("Flex Allocation").

The Project is consistent with the comprehensive plan, as the Project proposes the development of a retail use that will serve nearby residential communities. The Project is also compatible with development on adjacent properties and along the Griffin Road corridor. The adjacent properties to the north and east are developed with single family residential units. The Project will add a neighborhood business that will serve these adjacent communities. Substantial landscape buffers along the northern and eastern borders of the Property are also proposed in order to minimize any potential impacts to adjacent residential uses. The properties immediately to the west are zoned for residential uses, but developed with a church and convenience store. Immediately south of the Property and west of SW 30th Avenue, along the Griffin Road corridor, properties are zoned C-2, Community Business, which is consistent with the Project.

The Project is also consistent with the City's Westside Master Plan identifying the Griffin Road corridor between State Road 7 to the west and Anglers Avenue to the east as a high priority area for redevelopment. The Property lies along this corridor. The Westside Master Plan acknowledges that businesses on the corridor are already distressed due to the suffering economy and further decline along this corridor may lead to the appearance of blight due to closed or abandoned businesses and buildings. This plan further acknowledges Griffin Road as a gateway to the City as well as from the residential neighborhoods to the north and south, and that its appearance and economic sustainability are vital to the stability of these neighborhoods. As such, redevelopment in this area is crucial. The Project is consistent with the Westside Master Plan as it proposes to bring in a new commercial development with a large national retailer that will decrease any appearance of blight from another vacant lot along the corridor. It will further enhance the stability of surrounding neighborhoods and help spark further redevelopment in this area. This is also consistent with the Westside Master Plan as it recommends that the Griffin Road corridor encourages neighborhood serving businesses and identifies the promotion of economic development as a goal and the arrival of Family Dollar, a large national retailer, will likely serve

as a catalyst for similar commercial development within the C-2 zoning district along Griffin Road. Further, the Project will expand the economic base of the City by adding to the commercial sector of its economy, creating both temporary jobs during the construction phase and long term jobs with the added employers that will come to the City as a result of this Project.



**DUNAY
MISKEL
BACKMAN
BLATTNER^{LLP}**

Gary S. Dunay
Bonnie Miskel
Scott Backman
David K. Blattner
Dwayne L. Dickerson

Christina Bilenki

**Family Dollar
Northwest Corner of Griffin Road and SW 29th Terrace
Variance Justification and Criteria Statement**

Abreu Development, LLC ("Petitioner") is the contract purchaser of the +/- 1.0826 acre property generally located on the northwest corner of Griffin Road and SW 29th Terrace ("Property") in the City of Dania Beach ("City"). The Property is designated Residential Low Medium (10 dwelling units per acre) on the City's Future Land Use Map and is zoned RD-8000. The Property is currently vacant. Petitioner proposes to develop the Property with a +/- 9,970 square foot commercial development, consisting of a +/- 8,320 square foot space which will be utilized by a large national retailer, Family Dollar, and two smaller +/-825 square foot tenant spaces ("Project"). In order to develop the Project, the Property was rezoned to the C-2, Community Business zoning district ("Rezoning") through an allocation of commercial flex acreage ("Flex Allocation").

The adjacent properties to the north and east are developed with single family residential units. The Project will add a neighborhood business that will serve these adjacent communities. Substantial landscape buffers along the northern and eastern borders of the Property are also proposed in order to minimize any potential impacts to adjacent residential uses. Immediately south of the Property and west of SW 30th Avenue, along the Griffin Road corridor, properties are zoned C-2, Community Business, which is consistent with the Project. Lastly, the properties immediately to the west are zoned for residential uses, but developed with a church and convenience store.

At this time, Petitioner is requesting several variances from the City's Land Development Code ("Code") in order to develop the Property. Specifically, Petitioner is requesting variances as follows:

Variance from Section 275-110 of the Code to allow a five (5) foot landscape buffer in lieu of a ten (10) foot landscape buffer and a fence zero (0) feet from the property line where five (5) feet is required adjacent to residentially zoned district

Variance from Section 275-100(D) of the Code to allow one (1) seven (7) foot terminal landscape island adjacent to the Griffin Road access and two (2) eight (8) foot terminal landscape islands internal to the Property in lieu of ten (10) foot terminal landscape islands required

Variance from Section 510-30(H) of the Code to allow zero (0) percent transparency of the secondary elevation of a corner site in lieu of fifteen (15) percent

Variance from Section 510-30(N) to provide a zero (0) foot landscape area in rear of building and parking area in lieu of eight (8) feet

In support of the variances, Petitioner will demonstrate the following: (1) the variance maintains the basic intent and purpose of the subject regulations, particularly as it affects the stability and appearance of the City; (2) the variance is otherwise compatible with the surrounding land uses and would not be detrimental to the community; (3) the variance is consistent with, and in furtherance of, the goals, objectives and policies of the adopted Comprehensive Plan, as amended from time to time, and all other similar plans adopted by the City; (4) the plight of the Petitioner is due to unique circumstances of the Property or Petitioner which would render conformity with the strict requirements of the subject regulations unnecessarily burdensome; and (5) the variance requested is the minimum variance that is necessary to afford relief to Petitioner, while preserving the character, health, safety and welfare of the community.

Variance from Section 275-110 of the Code to allow a five (5) foot landscape buffer in lieu of a ten (10) foot landscape buffer and a fence zero (0) feet from the property line where five (5) feet is required adjacent to residentially zoned district

(1) The variance maintains the basic intent and purpose of the subject regulations, particularly as it affects the stability and appearance of the City.

The variance maintains the basic intent and purpose of the subject regulations, particularly as it affects the stability and appearance of the City. Section 275-110 of the Code requires a perimeter landscape buffer of ten (10) feet in depth when any property zoned or used for commercial purposes directly abuts a residentially zoned property and a six foot masonry wall five feet from the residentially zoned district. The Property abuts residentially zoned property to the west, specifically a small parcel of land zoned RM-0 that has been developed with a convenience store and a parcel zoned RS-6000 that is currently developed with a church. Importantly, these adjacent parcels are not developed with residential uses. Although the Project proposes substantial landscape buffers that exceed Code requirements adjacent to properties developed with residential uses, a five (5) foot landscape buffer and masonry wall along the property line is proposed along portions of the west property line where the property abuts non-residential uses. According to the City's Westside Master Plan, this area to the west of the Property is intended for commercial uses in the future. The intent of Section 275-110 is to protect adjacent residential uses from commercial development by providing an adequate landscape buffer. The Property itself is a fairly narrow lot that does not provide much flexibility for development. Considering adjacent residential uses and the intent of the Code, the Project has been carefully designed to provide a landscape buffer that exceeds Code requirements in areas that abut residential development and provide residents additional protection, rather than shift the buildings to include the additional landscaping on the west side of the Property that is adjacent to non-residential uses. As such, where the Property directly abuts residential development, the Project proposes landscape buffers of twelve (12) to fifteen (15) feet to the east, plus the additional area dedicated for right-of-way that will provide an additional buffer at this time and an over forty-nine (49) foot buffer to the north. Although the adjacent properties to the west are zoned residential, they are not developed with residential uses. Rather, these properties are developed

with a convenience store and church. Where not abutting residential uses, the general Code requirement for perimeter landscape buffers for vehicular use areas is a minimum of five (5) feet in depth located between the abutting property and the vehicular use area for commercial developments and does not require a masonry wall. Thus, the Property would require a five (5) foot buffer along the west property line if the adjacent properties did not have an underlying residential zoning designation. The Project proposes a minimum five (5) foot buffer, which increases to ten (10) feet towards the north end in order to provide additional screening from residential uses. Further, a six (6) foot privacy wall is proposed along the western property line in order to provide additional screening from the adjacent uses. This privacy wall is proposed along the property line, rather than five (5) feet from the property line as required by Code when commercial development abuts a residentially zoned district. Petitioner is proposing twenty one (21) Spanish Stopper trees along the western property line, where only about five (5) trees would otherwise be planted in this region due to the location of the wall. As such, this reduction is necessary in order to create a more visually appealing development when traveling along Griffin Road. The additional trees with further provide better screening from the adjacent property. This variance request for the reduction in the size of the landscape buffer along the west side of the Property, coupled with a six (6) foot fence along the property line, allows for increased buffers adjacent to residential development along the east side and a more attractive development. As such, the variance maintains the basic intent and purpose of the subject regulations, particularly as it affects the stability and appearance of the City.

(2) The variance is otherwise compatible with the surrounding land uses and would not be detrimental to the community.

The variance is otherwise compatible with the surrounding land uses and would not be detrimental to the community. As discussed above, where the Property directly abuts residential development to the east, the Project proposes increased landscape buffers of twelve (12) to fifteen (15) feet in all locations in addition to the right-of-way dedication that will serve as an additional buffer at this time. Further, to the north, the Project proposes over a forty-nine (49) foot buffer that will include additional landscaping to enhance the appearance of the Project from the north. Although the adjacent properties to the west are zoned residential, they are not developed with residential uses. Where commercial properties are not adjacent to residentially zoned property, the general Code requirement for perimeter landscape buffers for vehicular use areas is a minimum of five (5) feet in depth located between the abutting property and the vehicular use area for commercial developments. Thus, the Property would require a five (5) foot buffer along the west property line and would not require a masonry wall if the adjacent properties did not have an underlying residential zoning designation. The Project proposes a minimum five (5) foot buffer, which increases to ten (10) feet towards the north end in order to provide additional screening from residential uses. Further, as detailed above, a six (6) foot privacy wall is proposed along the western property line in order to provide additional screening from the adjacent uses. Petitioner is also proposing twenty one (21) Spanish Stopper trees along the western property line, where only about five (5) trees would otherwise be planted in this region due to the location of the wall. This reduced fence setback allows for a more visually appealing development when traveling along Griffin Road through the addition of substantial landscaping along the western property line. As such, the variance is compatible with adjacent land uses.

The City's Westside Master Plan further identifies the Griffin Road corridor as a priority for redevelopment, noting these neighborhoods suffer from a lack of neighborhood businesses. The Project is consistent with the Westside Master Plan as it recommends encouraging neighborhood servicing businesses and the promotion of economic development. This Plan also acknowledges that businesses on the corridor are already distressed due to the suffering economy and further decline along this corridor may lead to the appearance of blight due to closed or abandoned businesses and buildings. The plan also identifies Griffin Road as a gateway to the City, as well as from the residential neighborhoods to the north and south and that its appearance and economic sustainability are vital to the stability of these neighborhoods. As the City intends the Griffin Road corridor be redeveloped with new commercial development and businesses that serve adjacent residential communities, the variance is not detrimental to the community.

(3) The variance is consistent with, and in furtherance of, the goals, objectives and policies of the adopted Comprehensive Plan, as amended from time to time, and all other similar plans adopted by the City.

The variance is consistent with, and in furtherance of, the goals, objectives and policies of the adopted Comprehensive Plan and all other similar plans adopted by the City. Specifically, the Project complies with the objectives and policies of the comprehensive plan as follows:

Policy 1.2 – The Project provides commercialized activities to serve the residents of the community as it provides for retail uses intended to serve residents of adjacent communities and those traveling along the Griffin Road corridor.

Policy 5.1 – The Project encourages development to enhance the tax base of the community. Not only will the Project increase the tax base as the property value will increase because of this development, but the Project will also promote further commercial development along the Griffin Road corridor and attract other national retailers to the City.

Policy 5.6 – The Project proposes a zoning district with an intensity of commercial development compatible with adjacent and surrounding commercial and residential land uses. The Project further provides substantial buffers adjacent to residential uses in order to protect and properly screen them from the commercial development.

Policy 9.2 – The Project is compatible with adjacent commercial and residential land uses as it is located along the Griffin Road corridor and is intended to serve the needs of the community. Significant landscape buffers are proposed adjacent to residential neighborhoods to minimize any potential impacts to residential uses. The variance is requested on the west side where the adjacent uses are non-residential uses. An additional six (6) foot privacy wall is also proposed to provide adequate screening to adjacent properties. Petitioner proposes to reduce the setback for this wall from the west property line in order to allow for substantial landscaping to screen the adjacent uses.

Further, the variance is consistent with all applicable redevelopment plans, corridor plans, neighborhood plans, and master plans approved by the City Commission considering that the City plans for redevelopment of Griffin Road as a commercial corridor. Specifically, the City's Westside Master Plan identifies redevelopment of the Griffin Road corridor between State Road 7 to the west and Anglers

Avenue to the east. The Property lies along this corridor. The City's Westside Master Plan acknowledges that businesses on the corridor are already distressed due to the suffering economy and further decline along this corridor may lead to the appearance of blight due to closed or abandoned businesses and buildings. This plan further acknowledges Griffin Road as a gateway to the City as well as from the residential neighborhoods to the north and south and that its appearance and economic sustainability are vital to the stability of these neighborhoods. The Project is consistent with the Westside Master Plan as it proposes to bring in a new commercial development with a large national retailer that will decrease any appearance of blight from another vacant lot lying along this corridor. It will further enhance the stability of surrounding neighborhoods and help spark further redevelopment in this area. The Westside Master Plan identifies the Griffin Road corridor as a priority for redevelopment, noting these neighborhoods suffer from a lack of neighborhood businesses. The Project is consistent with the Westside Master Plan as it recommends encouraging neighborhood servicing businesses and the promotion of economic development. The Westside Master Plan further states that due to the south runway expansion, it may be more logical to convert the land use in the area where the Property is located to a more compatible commercial use because of the additional noise pollution that may impact residential communities. As such, commercial development is more appropriate for properties on this corridor. As the City intends to develop this portion of Griffin Road as a commercial corridor, the variance is consistent with, and in furtherance of, the goals, objectives and policies of the adopted Comprehensive Plan and all other similar plans adopted by the City.

(4) The plight of Petitioner is due to unique circumstances of the Property or Petitioner which would render conformity with the strict requirements of the subject regulations unnecessarily burdensome.

The plight of Petitioner is due to unique circumstances of the Property or Petitioner which would render conformity with the strict requirements of the subject regulations unnecessarily burdensome. The Property itself is a fairly narrow lot that does not provide much flexibility for development. However, the Project has been carefully designed to provide a landscape buffer that exceeds Code requirements in area that abut residential development and provide residents additional protection rather than shift the buildings to include the additional green space on the west side of the Property that is adjacent to non-residential uses. Further, by allowing the wall along the property line, rather than five (5) feet from the property line, Petitioner is able to add twenty one (21) Spanish Stoppers spaced fifteen (15) feet apart along the entire western buffer which will create a more attractive development. Importantly, although the properties to the immediate west are zoned residential, they are developed with commercial uses. These commercial uses do not require the same level of protection as the adjacent residential uses. By strictly adhering to Code requirements, the buffers adjacent to residential properties would be reduced to the minimum required by the Code and not as much protection would be afforded to these properties. As the Property is narrow and the Project provides additional buffers on the east and north sides of the Property in order to protect the existing residential development, the plight of Petitioner is due to unique circumstances of the Property or Petitioner which would render conformity with the strict requirements of the subject regulations unnecessarily burdensome.

(5) The variance requested is the minimum variance that is necessary to afford relief to Petitioner, while preserving the character, health, safety and welfare of the community.

The variance requested is the minimum variance that is necessary to afford relief to Petitioner, while preserving the character, health, safety and welfare of the community. As discussed above, the variance relates to the west side of the Property that abuts non-residential uses. Although Section 275-110 applies as the adjacent properties have a residential zoning designation, the general Code requirement for perimeter landscape buffers for vehicular use areas is otherwise a minimum of five (5) feet in depth located between the abutting property and the vehicular use area for commercial developments. The Project adheres to this minimum five (5) foot perimeter buffer adjacent to non-residential uses and an additional privacy wall is also proposed along the property line in lieu of five (5) feet from the Property line, in order to allow for continuous, attractive landscaping along the western side of the Property through the inclusion of twenty one (21) Spanish Stoppers. The Project further proposes landscape buffers that exceed the ten (10) foot Code requirements in all areas adjacent to residential development, sufficiently protecting the residential uses from commercial development. As the Project provides sufficient buffers adjacent to residential uses and provides a minimum five (5) foot buffer along certain areas on the west side of Property, the variance requested is the minimum variance that is necessary to afford relief to Petitioner while preserving the character, health, safety and welfare of the community.

Variance from Section 275-100(D) of the Code to allow one (1) seven (7) foot terminal landscape island adjacent to the Griffin Road access and two (2) eight (8) foot terminal landscape islands internal to the Property in lieu of ten (10) foot terminal landscape islands required

(1) The variance maintains the basic intent and purpose of the subject regulations, particularly as it affects the stability and appearance of the City.

The variance maintains the basic intent and purposes of the subject regulations, particularly as it affects the stability and appearance of the City. Section 275-100(D) requires ten (10) foot wide terminal landscape peninsulas as long as the length of the parking stall in that aisle. Each peninsula shall have a minimum of two (2) category 1 trees. Because of the long and narrow nature of the Property, it would not be possible to expand these terminal parking peninsulas without losing parking spaces in front of the building. Petitioner could utilize a portion of the landscape area to the north for the additional parking, but would create a safety concern for patrons parking behind the building where natural surveillance is limited. Further, by doing so, the large landscape area to the north, intended to create a substantial buffer between the Project and existing residential development would decrease. As such, Petitioner has elected to request a variance from Section 274-100(D) in order to allow seven (7) foot wide terminal peninsulas, which allows Petitioner to provide enhanced landscape and buffer areas adjacent to existing homes. Specifically, only one (1) seven foot wide terminal peninsula is proposed, which is adjacent to the access off Griffin Road. Two (2) additional eight (8) foot wide terminal landscape islands are proposed interior to the Property. The variance maintains the basic intent of this provision as it still provides substantial terminal landscape peninsulas in the vehicular use areas. Petitioner meets all other landscape requirements for vehicular use areas. Further, at staff's request, Petitioner is proposing the use of three category two trees in terminal peninsula to ensure the trees can grow as necessary. Three (3) additional

category 1 live oaks have been added to the north end of the Property to further enhance the landscape area adjacent to the existing residential development. As such, the variance maintains the basic intent and purposes of the subject regulations.

(2) The variance is otherwise compatible with the surrounding land uses and would not be detrimental to the community.

The variance is otherwise compatible with the surrounding land uses and would not be detrimental to the community. As discussed above, where the Property directly abuts residential development to the north and east, the Project proposes increased landscape buffers to enhance the appearance of the Project and to provide adequate screening. Although the adjacent properties to the west are zoned residential, they are not developed with residential uses. This variance request is for a two (2) foot deviation in the size of the interior terminal landscape peninsulas in the vehicular use areas and only affect two locations and a three (3) foot deviation adjacent to the driveway on Griffin Road. In each of the two (2) interior locations, three (3) category two trees are proposed in order to ensure landscaping is compatible with the request, while still creating an attractive quality Project to those traveling along the Griffin Road corridor. Further, one (1) Pigeonplum tree is proposed on each side of the access off Griffin Road to provide for uniformity and consistency with the Pigeonplum proposed along the Griffin Road perimeter buffer. As such, the variance is compatible with adjacent land uses.

The City's Westside Master Plan further identifies the Griffin Road corridor as a priority for redevelopment, noting these neighborhoods suffer from a lack of neighborhood businesses. The Project is consistent with the Westside Master Plan as it recommends encouraging neighborhood servicing businesses and the promotion of economic development. This Plan also acknowledges that businesses on the corridor are already distressed due to the suffering economy and further decline along this corridor may lead to the appearance of blight due to closed or abandoned businesses and buildings. The plan also identifies Griffin Road as a gateway to the City, as well as from the residential neighborhoods to the north and south and that its appearance and economic sustainability are vital to the stability of these neighborhoods. As the City intends the Griffin Road corridor be redeveloped with new commercial development and businesses that serve adjacent residential communities, the variance is not detrimental to the community.

(3) The variance is consistent with, and in furtherance of, the goals, objectives and policies of the adopted Comprehensive Plan, as amended from time to time, and all other similar plans adopted by the City.

The variance is consistent with, and in furtherance of, the goals, objectives and policies of the adopted Comprehensive Plan and all other similar plans adopted by the City. Specifically, the Project complies with the objectives and policies of the comprehensive plan as follows:

Policy 1.2 – The Project provides commercialized activities to serve the residents of the community as it provides for retail uses intended to serve residents of adjacent communities and those traveling along the Griffin Road corridor.

Policy 5.1 – The Project encourages development to enhance the tax base of the community. Not only will the Project increase the tax base as the property value will increase because of this development, but the Project will also promote further commercial development along the Griffin Road corridor and attract other national retailers to the City.

Policy 5.6 – The Project proposes a zoning district with an intensity of commercial development compatible with adjacent and surrounding commercial and residential land uses. The Project further provides substantial buffers with enhanced landscaping adjacent to residential uses in order to protect and properly screen them from the commercial development.

Policy 9.2 – The Project is compatible with adjacent commercial and residential land uses as it is located along the Griffin Road corridor and is intended to serve the needs of the community. Significant landscape buffers are proposed adjacent to residential neighborhoods to minimize any potential impacts to residential uses. Additional category 1 trees are being proposed along the northern boundary of the Property to enhance the appearance of the Project to adjacent residential areas.

Further, the variance is consistent with all applicable redevelopment plans, corridor plans, neighborhood plans, and master plans approved by the City Commission considering that the City plans for redevelopment of Griffin Road as a commercial corridor. Specifically, the City's Westside Master Plan identifies redevelopment of the Griffin Road corridor between State Road 7 to the west and Anglers Avenue to the east. The Property lies along this corridor. The City's Westside Master Plan acknowledges that businesses on the corridor are already distressed due to the suffering economy and further decline along this corridor may lead to the appearance of blight due to closed or abandoned businesses and buildings. This plan further acknowledges Griffin Road as a gateway to the City as well as from the residential neighborhoods to the north and south and that its appearance and economic sustainability are vital to the stability of these neighborhoods. The Project is consistent with the Westside Master Plan as it proposes to bring in a new commercial development with a large national retailer that will decrease any appearance of blight from another vacant lot lying along this corridor. It will further enhance the stability of surrounding neighborhoods and help spark further redevelopment in this area. The Westside Master Plan identifies the Griffin Road corridor as a priority for redevelopment, noting these neighborhoods suffer from a lack of neighborhood businesses. The Project is consistent with the Westside Master Plan as it recommends encouraging neighborhood servicing businesses and the promotion of economic development. The Westside Master Plan further states that due to the south runway expansion, it may be more logical to convert the land use in the area where the Property is located to a more compatible commercial use because of the additional noise pollution that may impact residential communities. As such, commercial development is more appropriate for properties on this corridor. As the City intends to develop this portion of Griffin Road as a commercial corridor, the variance is consistent with, and in furtherance of, the goals, objectives and policies of the adopted Comprehensive Plan and all other similar plans adopted by the City.

(4) The plight of the Petitioner is due to unique circumstances of the Property or Petitioner which would render conformity with the strict requirements of the subject regulations unnecessarily burdensome.

The plight of Petitioner is due to unique circumstances of the Property or Petitioner which would render conformity with the strict requirements of the subject regulations unnecessarily burdensome. The Property itself is a fairly narrow lot that does not provide much flexibility for development. As noted above, only one (1) seven foot wide terminal peninsula is proposed, which is adjacent to the access off Griffin Road. Two (2) additional eight (8) foot wide terminal landscape islands are proposed interior to the Property. However, the Project has been carefully designed to provide a landscape buffer that exceeds Code requirements in area that abut residential development and provide residents additional protection rather than shift the buildings to include the additional landscaping on the west side of the Property that is adjacent to non-residential uses. Importantly, enhanced landscaping, including the use of three (3) additional live oak trees have been proposed adjacent to the residential areas to the north to enhance the appearance of the Project. By strictly adhering to Code requirements, the buffers adjacent to residential properties would be reduced to the minimum required by the Code in order to include the additional parking that would need to be removed from in front of the building in order to accommodate the ten (10) foot terminal landscape peninsulas and not as much protection would be afforded to these properties. As the Property is narrow and the Project provides additional buffers and enhanced landscaping on the east and north sides of the Property in order to protect the existing residential development, the plight of Petitioner is due to unique circumstances of the Property or Petitioner which would render conformity with the strict requirements of the subject regulations unnecessarily burdensome.

(5) The variance requested is the minimum variance that is necessary to afford relief to Petitioner, while preserving the character, health, safety and welfare of the community.

The variance requested is the minimum variance that is necessary to afford relief to Petitioner, while preserving the character, health, safety and welfare of the community. As discussed above, the variance relates to two (2) terminal landscape peninsulas in the south parking areas and the terminal island adjacent to the driveway on Griffin Road. Although Section 275-100(D) requires ten (10) foot terminal islands, the Property is extremely narrow and cannot accommodate the additional four (4) feet for the interior terminal landscape islands and three (3) foot for the terminal island adjacent to Griffin Road, without losing parking spaces that would have to be added to the rear of the Project. The Project instead, includes enhanced landscaping and additional vegetation adjacent to these existing residential areas, sufficiently protecting the residential uses from commercial development. As the Project provides sufficient buffers adjacent to residential uses and provides minimum seven (7) foot terminal landscape peninsulas, the variance requested is the minimum variance that is necessary to afford relief to Petitioner while preserving the character, health, safety and welfare of the community.

Variance from Section 510-30(H) of the Code to allow zero (0) percent transparency of the secondary elevation of a corner site in lieu of fifteen (15) percent

(1) The variance maintains the basic intent and purpose of the subject regulations, particularly as it affects the stability and appearance of the City.

The variance maintains the basic intent and purposes of the subject regulations, particularly as it affects the stability and appearance of the City. Section 510-30(H) requires that glass windows and doors make up at least fifteen (15) percent of a secondary elevation. The intent of this provision is to "discourage generic suburban development types that bear little relation to the historic development pattern on Dania Beach". The principal arterial commercial design standards are designed to promote development where the physical, visual and spatial characteristics are established and reinforced through the consistent use of compatible urban design elements. The Project has been designed to provide glass windows and doors making up 38.8% of the total façade on the front elevation (where 35% is required) and meets the intent of the Code along the Griffin Road corridor. Further, Petitioner is mindful of the existing residential uses to the east of the Property, immediately across SW 29th Terrace and prefers to create a more aesthetically pleasing façade, rather than have these adjacent residences looking into the lights and display items from inside the retail uses of the Project. As such, Petitioner is instead proposing to incorporate planter wire trellises on aluminum frames in three (3) areas along the SW 29th Terrace frontage in order to adhere to the intent of this provision of the Code and protect adjacent residential uses. The planter trellises will create a visual element to the façade that will be harmonious with the overall development pattern of the Griffin Road corridor and it is an added design characteristic that will add to the visual appearance of the Project to ensure a quality development that is not generic. As such, the variance maintains the basic intent and purposes of the subject regulations.

(2) The variance is otherwise compatible with the surrounding land uses and would not be detrimental to the community.

The variance is otherwise compatible with the surrounding land uses and would not be detrimental to the community. As discussed above, the Project exceeds the transparency requirements on the south elevation fronting Griffin Road. The variance request is for the east elevation which is primarily viewed by the existing residential development immediately adjacent to the Property. Petitioner understands the underlying intent of this provision to create an attractive and interesting development along the Griffin Road corridor. As this is a corner property, the Project is required additional glass along the eastern frontage. However, adhering to this requirement would cause a visual nuisance to the adjacent residential community that would have a direct view into the retail spaces. Rather, the Project proposes the use of landscaped trellises that would create a more attractive visual appearance and create architectural elements that are more compatible with the residential uses. As such, the variance is compatible with the surrounding land uses.

The City's Westside Master Plan further identifies the Griffin Road corridor as a priority for redevelopment, noting these neighborhoods suffer from a lack of neighborhood businesses. The Project is consistent with the Westside Master Plan as it recommends encouraging neighborhood servicing businesses and the promotion of economic development. This Plan also acknowledges that businesses on the corridor are already distressed due to the suffering economy and further decline along this corridor may lead to the appearance of blight due to closed or abandoned businesses and buildings. The plan also identifies Griffin Road as a gateway to the City, as well as from the residential neighborhoods to the north and south and that its appearance and economic sustainability are vital to the stability of these neighborhoods. As the City intends the Griffin Road corridor be redeveloped with new commercial

development and businesses that serve adjacent residential communities, The variance is not detrimental to the community.

(3) The variance is consistent with, and in furtherance of, the goals, objectives and policies of the adopted Comprehensive Plan, as amended from time to time, and all other similar plans adopted by the City.

The variance is consistent with, and in furtherance of, the goals, objectives and policies of the adopted Comprehensive Plan and all other similar plans adopted by the City. Specifically, the Project complies with the objectives and policies of the comprehensive plan as follows:

Policy 1.2 – The Project provides commercialized activities to serve the residents of the community as it provides for retail uses intended to serve residents of adjacent communities and those traveling along the Griffin Road corridor.

Policy 5.1 – The Project encourages development to enhance the tax base of the community. Not only will the Project increase the tax base as the property value will increase because of this development, but the Project will also promote further commercial development along the Griffin Road corridor and attract other national retailers to the City.

Policy 5.6 – The Project proposes a zoning district with an intensity of commercial development compatible with adjacent and surrounding commercial and residential land uses. The Project further provides substantial buffers with enhanced landscaping adjacent to residential uses in order to protect and properly screen them from the commercial development.

Policy 9.2 – The Project is compatible with adjacent commercial and residential land uses as it is located along the Griffin Road corridor and is intended to serve the needs of the community. Significant landscape buffers are proposed adjacent to residential neighborhoods to minimize any potential impacts to residential uses. Additional landscape trellises are proposed along the eastern facade of the Project to enhance the appearance of the Project to adjacent residential areas.

Further, the variance is consistent with all applicable redevelopment plans, corridor plans, neighborhood plans, and master plans approved by the City Commission considering that the City plans for redevelopment of Griffin Road as a commercial corridor. Specifically, the City's Westside Master Plan identifies redevelopment of the Griffin Road corridor between State Road 7 to the west and Anglers Avenue to the east. The Property lies along this corridor. The City's Westside Master Plan acknowledges that businesses on the corridor are already distressed due to the suffering economy and further decline along this corridor may lead to the appearance of blight due to closed or abandoned businesses and buildings. This plan further acknowledges Griffin Road as a gateway to the City as well as from the residential neighborhoods to the north and south and that its appearance and economic sustainability are vital to the stability of these neighborhoods. The Project is consistent with the Westside Master Plan as it proposes to bring in a new commercial development with a large national retailer that will decrease any appearance of blight from another vacant lot lying along this corridor. It will further enhance the stability of surrounding neighborhoods and help spark further redevelopment in this area. The Westside Master Plan identifies the Griffin Road corridor as a priority for redevelopment, noting these neighborhoods suffer from a lack of neighborhood businesses. The Project is consistent with the Westside Master Plan

as it recommends encouraging neighborhood servicing businesses and the promotion of economic development. The Westside Master Plan further states that due to the south runway expansion, it may be more logical to convert the land use in the area where the Property is located to a more compatible commercial use because of the additional noise pollution that may impact residential communities. As such, commercial development is more appropriate for properties on this corridor. As the City intends to develop this portion of Griffin Road as a commercial corridor, the variance is consistent with, and in furtherance of, the goals, objectives and policies of the adopted Comprehensive Plan and all other similar plans adopted by the City.

(4) The plight of the Petitioner is due to unique circumstances of the Property or Petitioner which would render conformity with the strict requirements of the subject regulations unnecessarily burdensome.

The plight of Petitioner is due to unique circumstances of the Property or Petitioner which would render conformity with the strict requirements of the subject regulations unnecessarily burdensome. The Project incorporates 38.8% glass windows and doors on the front elevation facing Griffin Road. However, the Property abuts existing residential uses to the east and incorporating glass windows and doors into the eastern façade create a visual nuisance for the adjacent residents as this would provide a view of the merchandise and in store elements throughout the day and while in-store lights are turned on at night. This is not ideal and is unattractive for existing neighbors. Rather, Petitioner proposes to incorporate landscaped trellises in place of glass in order to incorporate a unique visual element that offers relief from the building mass and is more compatible with the adjacent communities. As such, the plight of Petitioner is due to unique circumstances which would render conformity with the strict requirement of the subject regulations unnecessarily burdensome.

(5) The variance requested is the minimum variance that is necessary to afford relief to Petitioner, while preserving the character, health, safety and welfare of the community.

The variance requested is the minimum variance that is necessary to afford relief to Petitioner, while preserving the character, health, safety and welfare of the community. As discussed above, the underlying intent of this variance request is to protect existing residences from in-store lighting during evening hours and direct views of in-store merchandise. Rather than incorporating additional glass along the eastern façade which could be a nuisance for existing neighbors, Petitioner proposes landscaped trellises to provide visual relief from the building façade and create an attractive quality development. Three (3) landscaped trellises are proposed along the eastern frontage in order to create visual interest and add an interesting landscape feature to the façade. As such, the variance still adheres to the intent of the Code. Although no glass is proposed for the eastern elevation, this variance requested is the minimum variance that is necessary to preserve the character, health, safety and welfare of the community.

Variance from Section 510-30(N) to provide a zero (0) foot landscape area in rear of building and parking area in lieu of eight (8) feet

(1) The variance maintains the basic intent and purpose of the subject regulations, particularly as it affects the stability and appearance of the City.

The variance maintains the basic intent and purposes of the subject regulations, particularly as it affects the stability and appearance of the City. Section 510-30(N) requires a minimum distance of eight (8) feet between the rear of any building and the parking area where there is an adjoining residential use. The Project meets the eight (8) foot requirement in the front of the building which will be seen by pedestrians and vehicles travelling along Griffin Road. As the property to the north is developed with residential, this provision is being applied to the Project at the rear of the building adjacent to the proposed loading zone and a parking space. The intent of this provision is to “discourage generic suburban development types that bear little relation to the historic development pattern on Dania Beach” and promote design which is architecturally compatible with the surrounding area and the design goals of the City of Dania Beach.

Petitioner recognizes the importance of landscape elements to enhance the appearance of the Project and create a visual element that is harmonious to adjacent residential uses. Because of size constraints on the Property, the additional eight feet landscape strip is required along the northern border of the Property in order to create an adequate buffer for residential uses and meet drainage requirements for the site. The Project proposes a 49’3” wide landscape area adjacent to the residential uses to the north which is necessary for drainage and will create an aesthetically pleasing landscape area adjacent to residential uses. Numerous Live Oak and Spanish Stopper trees will be planted in this area to buffer the Project from residential uses. In addition, Red Tip Cocoplum is being proposed to enhance the appearance of the landscape area adjacent to residential uses to the north. The additional eight (8) foot landscape area that would otherwise have a minimal visual impact as vehicles will often be parked adjacent to these strips, serves a greater purpose adjacent to the residential area to the north, by permitting additional drainage on site and adding to the almost fifty (5) foot landscape area to the north that will provide better buffering to the residential uses. As such, the variance maintains the basic intent and purposes of the subject regulations.

(2) The variance is otherwise compatible with the surrounding land uses and would not be detrimental to the community.

The variance is otherwise compatible with the surrounding land uses and would not be detrimental to the community. As discussed above, the Project meets this landscape requirement in the front of the building and exceeds the landscape area adjacent to residential uses to the north by providing an almost fifty (50) foot wide landscape area that will enhance the appearance of the Project and create an attractive buffer. The variance request is only for the landscape strip in the rear of the building adjacent to the parking and loading areas as the additional eight feet are required for the landscape area to the north in order to meet drainage requirements for the site. Petitioner recognizes the importance of landscape elements to enhance the appearance of the Project and has created a landscape buffer that is harmonious to adjacent residential uses. As such, the Project can provide additional Category 1 and Category 2 trees in the rear and provide landscaping that will create a more attractive visual buffer from the residential uses to the north.

The City's Westside Master Plan further identifies the Griffin Road corridor as a priority for redevelopment, noting these neighborhoods suffer from a lack of neighborhood businesses. The Project is consistent with the Westside Master Plan as it recommends encouraging neighborhood servicing businesses and the promotion of economic development. This Plan also acknowledges that businesses on the corridor are already distressed due to the suffering economy and further decline along this corridor may lead to the appearance of blight due to closed or abandoned businesses and buildings. The plan also identifies Griffin Road as a gateway to the City, as well as from the residential neighborhoods to the north and south and that its appearance and economic sustainability are vital to the stability of these neighborhoods. As the City intends the Griffin Road corridor be redeveloped with new commercial development and businesses that serve adjacent residential communities, The variance is not detrimental to the community.

(3) The variance is consistent with, and in furtherance of, the goals, objectives and policies of the adopted Comprehensive Plan, as amended from time to time, and all other similar plans adopted by the City.

The variance is consistent with, and in furtherance of, the goals, objectives and policies of the adopted Comprehensive Plan and all other similar plans adopted by the City. Specifically, the Project complies with the objectives and policies of the comprehensive plan as follows:

Policy 1.2 – The Project provides commercialized activities to serve the residents of the community as it provides for retail uses intended to serve residents of adjacent communities and those traveling along the Griffin Road corridor.

Policy 5.1 – The Project encourages development to enhance the tax base of the community. Not only will the Project increase the tax base as the property value will increase because of this development, but the Project will also promote further commercial development along the Griffin Road corridor and attract other national retailers to the City.

Policy 5.6 – The Project proposes a zoning district with an intensity of commercial development compatible with adjacent and surrounding commercial and residential land uses. The Project further provides substantial buffers with enhanced landscaping adjacent to residential uses in order to protect and properly screen them from the commercial development.

Policy 9.2 – The Project is compatible with adjacent commercial and residential land uses as it is located along the Griffin Road corridor and is intended to serve the needs of the community. Significant landscape buffers are proposed adjacent to residential neighborhoods to minimize any potential impacts to residential uses. Additional landscape trellises are proposed along the eastern facade of the Project to enhance the appearance of the Project to adjacent residential areas.

Further, the variance is consistent with all applicable redevelopment plans, corridor plans, neighborhood plans, and master plans approved by the City Commission considering that the City plans for redevelopment of Griffin Road as a commercial corridor. Specifically, the City's Westside Master Plan identifies redevelopment of the Griffin Road corridor between State Road 7 to the west and Anglers Avenue to the east. The Property lies along this corridor. The City's Westside Master Plan acknowledges that businesses on the corridor are already distressed due to the suffering economy and further decline

along this corridor may lead to the appearance of blight due to closed or abandoned businesses and buildings. This plan further acknowledges Griffin Road as a gateway to the City as well as from the residential neighborhoods to the north and south and that its appearance and economic sustainability are vital to the stability of these neighborhoods. The Project is consistent with the Westside Master Plan as it proposes to bring in a new commercial development with a large national retailer that will decrease any appearance of blight from another vacant lot lying along this corridor. It will further enhance the stability of surrounding neighborhoods and help spark further redevelopment in this area. The Westside Master Plan identifies the Griffin Road corridor as a priority for redevelopment, noting these neighborhoods suffer from a lack of neighborhood businesses. The Project is consistent with the Westside Master Plan as it recommends encouraging neighborhood servicing businesses and the promotion of economic development. The Westside Master Plan further states that due to the south runway expansion, it may be more logical to convert the land use in the area where the Property is located to a more compatible commercial use because of the additional noise pollution that may impact residential communities. As such, commercial development is more appropriate for properties on this corridor. As the City intends to develop this portion of Griffin Road as a commercial corridor, the variance is consistent with, and in furtherance of, the goals, objectives and policies of the adopted Comprehensive Plan and all other similar plans adopted by the City.

(4) The plight of the Petitioner is due to unique circumstances of the Property or Petitioner which would render conformity with the strict requirements of the subject regulations unnecessarily burdensome.

The plight of Petitioner is due to unique circumstances of the Property or Petitioner which would render conformity with the strict requirements of the subject regulations unnecessarily burdensome. The Property is a small and narrow lot that creates many constraints for development. In order to develop the Project, certain drainage requirements must be met to ensure any drainage can be adequately contained on site. The additional eight feet of landscape area is required at the north end of the Property in order to meet required onsite drainage. This almost fifty (50) foot landscape area to the north will also enhance the visual appearance of the Project and create an attractive buffer to adjacent residential uses. As site constraints requires the additional eight (8) feet of landscape area to be utilized elsewhere on site, the plight of Petitioner is due to unique circumstances which would render conformity with the strict requirement of the subject regulations unnecessarily burdensome.

(5) The variance requested is the minimum variance that is necessary to afford relief to Petitioner, while preserving the character, health, safety and welfare of the community.

The variance requested is the minimum variance that is necessary to afford relief to Petitioner, while preserving the character, health, safety and welfare of the community. As discussed above, the eight (8) feet of landscape area is required along the northern boundary of the site in order to provide for adequate on-site drainage. Rather than providing the eight feet adjacent to the loading zone where the landscaping will have little impact, the roughly fifty (50) foot landscape buffer along the north will better buffer the Project from adjacent residential uses and create a more attractive appearance. As such, the variance still adheres to the intent of the Code. Although no glass is proposed for the eastern elevation, this variance

requested is the minimum variance that is necessary to preserve the character, health, safety and welfare of the community.

This Instrument Prepared By:
Jeffrey L. Sauey, P.A.
Jeffrey L. Sauey, Esquire
1721 Southeast 16th Avenue
Suite 101
Ocala, Florida 34471

RECORD AND RETURN TO

Grantee's Name and Social Security No.:

Robert C. Favarato, Trustee
13899 NE 38th Avenue
Anthony, Florida 32617
SS No.:

Sarah Diane Favarato, Trustee
13899 NE 38th Avenue
Anthony, Florida 32617
SS No.:

Property Appraiser's Parcel
Identification No.: 5042-29-01-1160

THIS IS NOT AN OFFICIAL COPY
SPECIAL WARRANTY DEED

THIS INDENTURE, executed this 13th day of May, 2013,

between ROBERT C. FAVARATO, hereinafter referred to as "Grantor", and ROBERT C. FAVARATO and SARAH DIANE FAVARATO, as TRUSTEES under the ROBERT C. FAVARATO AND SARAH DIANE FAVARATO LIVING TRUST, Dated the 17th day of December, 2012, with power and authority, either to protect, conserve and to sell, or to lease, or to encumber, or otherwise to manage and dispose of the real property described herein, hereinafter referred to as "Grantee", whose address is 13899 NE 38th Avenue, Anthony, Florida 32617.

W I T N E S S E T H:

The Grantor, as a gift and without consideration, does hereby grant and convey unto the Grantee, its successors and assigns forever, a One-Half (1/2) undivided interest in the following described parcel of land, situate, lying and being in the County of Broward, State of Florida, to wit:

SEE ATTACHED EXHIBIT "A"

This deed prepared pursuant to information provided by the Grantor herein with no survey or examination of title.

TO HAVE AND TO HOLD the same to the Grantees, its successors and assigns forever.

The Grantor hereby certifies the above described lands do not constitute the homestead of Grantor as defined by Article 10, Section 4 of the Florida Constitution; nor do the above described lands constitute the homestead of any member of Grantor's family dependent upon him for support; nor are said lands adjacent to or contiguous to lands upon which Grantor claims or maintains as his homestead. The domicile address of Grantor is 13899 NE 38th Avenue, Anthony, Florida 32617.

THIS IS NOT AN OFFICIAL COPY

AND SAID GRANTOR does hereby specially warrant the title to said lands and will defend the same against the lawful claims of any person whomsoever claiming by, through or under the said Grantor.

IN WITNESS WHEREOF, the undersigned has executed this instrument as of the day and year first above written.

Signed, sealed and delivered in the presence of:

Jeffrey Sauey
Name: JEFFREY SAUEY
(Please type or print)
Leticia L. Godette
Name: LETICIA L. GODETTE
(Please type or print)

Robert C. Favarato
Name: ROBERT C. FAVARATO
13899 NE 38th Avenue
Anthony, Florida 32617

STATE OF FLORIDA)
COUNTY OF MARION)

I HEREBY CERTIFY that the foregoing instrument was acknowledged before me this 13th day of MAY 2013, by ROBERT C. FAVARATO who is personally known to me or who did produce a driver's license as identification.

NOTARY PUBLIC
Leticia L. Godette
Sign: _____

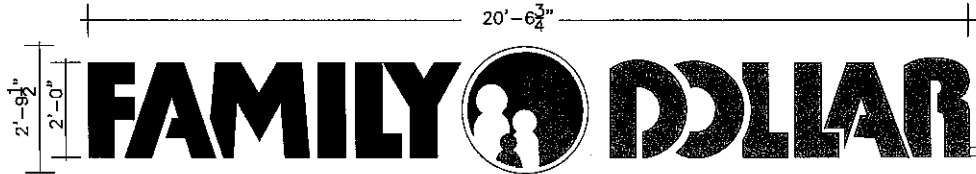


EXHIBIT "A"

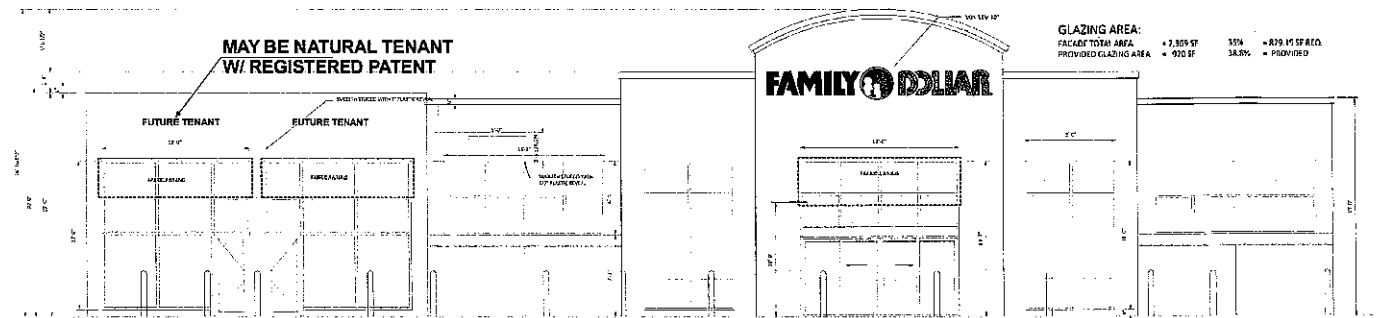
The South 384.65 feet of the West half (W ½) of tract Fourteen (14), Block Three (3), of Section 29, Township 50 South, Range 42 East, according to Plat thereof, recorded in Plat Book 2, Page 32, of the Public records of Dade County, Florida; said land situate, lying and being in Broward County, Florida. LESS and EXCEPT that part thereof described as Parcel No.: 23-W in Order of Taking recorded in Official records Book 10262, Page 612, of the Public records of Broward County, Florida.

Being the same property described as: All of the West half (w ½) of Tract 14, Except the North 932.7 feet of said West half (½) of said tract Fourteen (14), Block Three (3), Section 29, Township 50 South, Range 42 East. LESS AND EXCEPT that part thereof described as Parcel No. 23-W, in Order of Taking recorded in Official records Book 10262, Page 612, of the Public records of Broward County, Florida.

THIS IS NOT AN
OFFICIAL COPY



TOTAL ALLOWED 75 SF
TOTAL PROPOSED 51.25 SF



SOUTH ELEVATIONS - PRIMARY ENTRANCE - FRONT ELEVATION

GENERAL SPECIFICATIONS:

- Materials: Extruded aluminum
- Face: 177 SG polycarbonate vacuum formed
- Face Decoration: 2nd surface
- Access: Remove face
- Area Squared: 56.38 Sq. Ft.
- Area Actual: 28.22 Sq. Ft.
- Weight (Est.):
 - TBE (crated)
 - TBE (uncrated)
- Wind Load: 120psf

ELECTRICAL

- Illumination:
 - (140) LED Modules
- Ballast/Power Supply:
 - (2) 60 Watt power Supplies
- Line Load:
 - 2.11 Amps @ 120 VAC
 - (1) 20 Amp circuit, 60 Hz UL 48 & NEC

COLORS:

- Exterior: BASE, CABINET & RETAINERS - Ptd. AKSO NOBEL (GRIP GUARD PLUS) "Sign20134"
- Raceway: NA
- Face Graphics Color Specifications:
 - "FAMILY" - AKSO NOBEL (GRIP FLEX) "Sign 10399" WHITE, "SIGN 0208 RED"
 - "DOLLAR" - AKSO NOBEL (GRIP FLEX) "Sign 10399" White, "SIGN 0209" ORANGE
 - ®SYMBOL - AKSO NOBEL (GRIP FLEX) "Sign 10399" White

FOREVER
Signs
SIGN MANUFACTURING
2400 WEST 3 CT
HIALEAH, FL
305.885.3411

2901 GRIFFIN ROAD
DANIA BEACH, FLORIDA

SALES REP.
ROBIN PEREZ

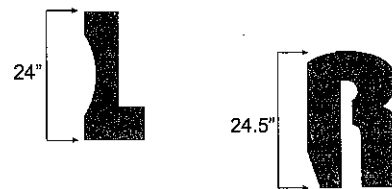
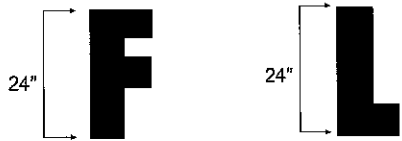
SCALE : 1/100

DRAWING BY :
YOANIS LEON

DATE : 01 / 15 / 15

FOREVER

SHEET :



FOREVER
Signs
SIGN MANUFACTURING
 2400 WEST 3 CT
 HIALEAH, FL
 305.885.3411

2901 GRIFFIN ROAD
 DANIA BEACH, FLORIDA

SALES REP.
 ROBIN PEREZ

SCALE : 1/100

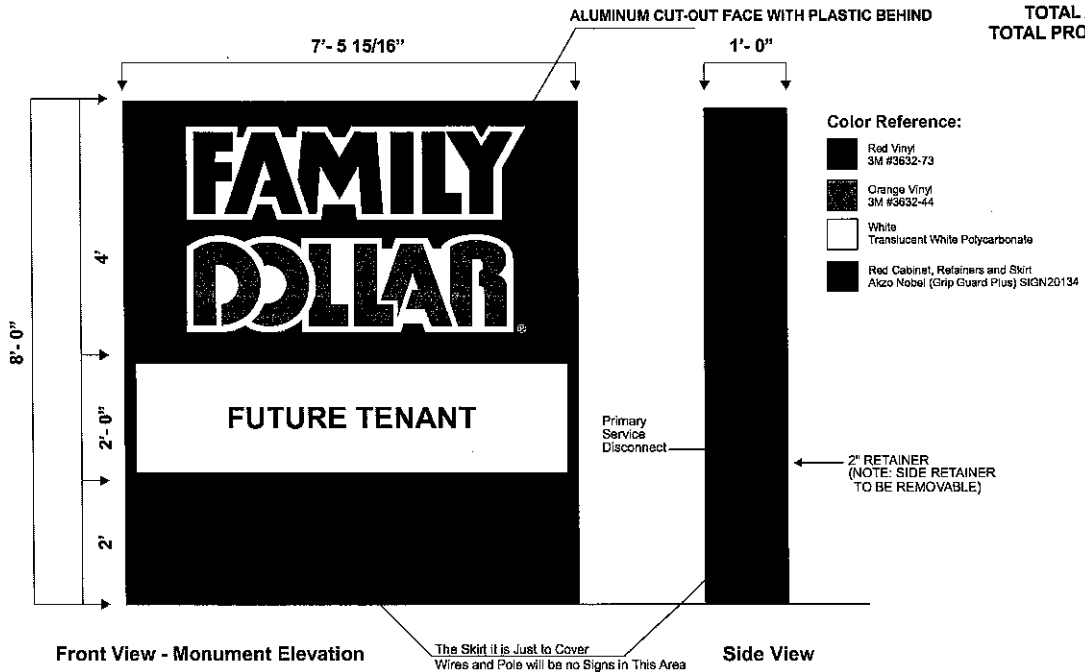
DRAWING BY :
 YOANIS LEON

DATE : 01 / 15 / 15

FOREVER

SHEET :

MONUMENT SIGN



TOTAL ALLOWED 48 SF
TOTAL PROPOSED 45.75 SF

FOREVER
Signs
SIGN MANUFACTURING
2400 WEST 3 CT
HIALEAH, FL
305.885.3411

2901 GRIFFIN ROAD
DANIA BEACH, FLORIDA

SALES REP.
ROBIN PEREZ

SCALE : 1/100

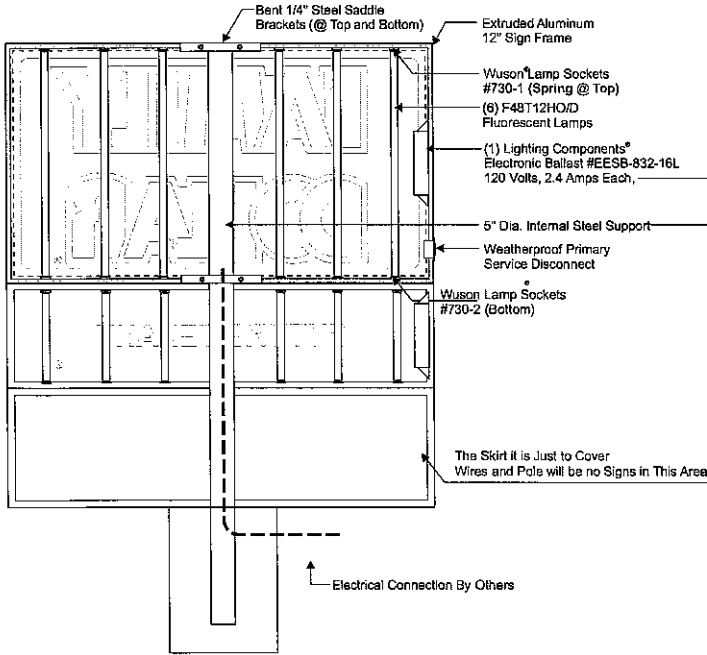
DRAWING BY :
YOANIS LEON

DATE : 01 / 15 / 15

FOREVER

SHEET :

Notes: All Interior Metal Components to be Painted White



Front View - Construction Detail
Scale: 1/2" = 1'-0"

NOTE:
TIME CLOCK OR
PHOTO CELL REQ'D.

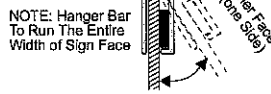
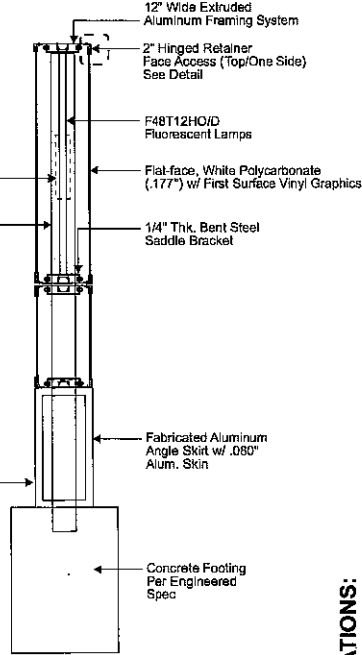


PART	ALLOY	TEMPER	THICKNESS
CABINET	6063	T5	.125
RETAINER	6063	T5	.094

OR EQUAL

Extrusion Profile
Scale: N.T.S.

Side View



Hinged Retainer Detail
Scale: N.T.S.

GENERAL SPECIFICATIONS:

CUT-OUT FACES 4'-1 1/4" x 7'-4" (12" deep) double-face, illuminated sign cabinet manufactured from 12" deep aluminum cabinet extrusion & 2" aluminum retainer extrusion [standard Allen Ind. extrusions].

Illumination: (6) F48T12HO/D Fluorescent lamps powered by electronic ballasts as required. Disconnect switch will be located at lower end side of cabinet. UL approved

Sign Face: (2) flat, .177" thick white polycarbonate faces with first surface applied vinyl graphics. (1) one side of face anchored into 2" retainer system and hinged for servicing.

Installation: Sign to be installed on new steel tube support with match plate assembly and embedded in concrete foundation as per engineer data.

NOTE All components are U.L. Listed with U.L. Label.

FOREVER
Signs
SIGN MANUFACTURING
2400 WEST 3 CT
HIALEAH, FL
305.885.3411

2901 GRIFFIN ROAD
DANIA BEACH, FLORIDA

SALES REP.
ROBIN PEREZ

SCALE : 1/100

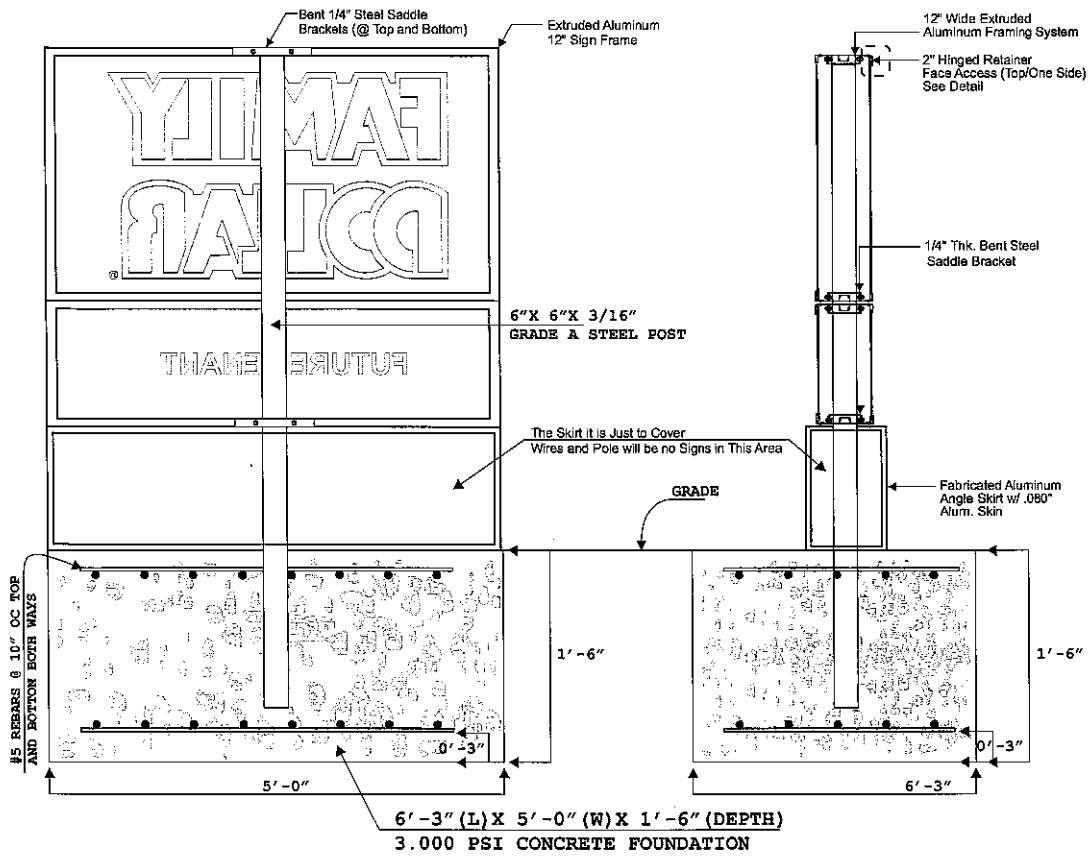
DRAWING BY :
YOANIS LEON

DATE : 01 / 15 / 15

FOREVER

SHEET :

**THIS DESIGN COMPLIES WITH
2010 FBC AND ASCE 7-10
WIND SPEED =175 MPH
EXPOSURE=C**



**SOIL STATEMENT:
BASE ON A VISUAL OBSERVATION, THE SOIL ON SITE
CONSISTS OF SAND AND ROCK WITH A PRESUMPTIVE
BEARING CAPACITY OF 2,000 PSF. THE MAXIMUM
BEARING CAPACITY REQUIRED FOR THIS PROJECT IS
760 PSF. IF OTHER CONDITIONS EXIST, THE CONTRACTOR
SHALL NOTIFY THIS ENGINEER FOR INSTRUCTIONS.
A LETTER WILL BE PROVIDED UPON EXCAVATION TO VERIFY
THE SOIL CONDITIONS**



2400 WEST 3 CT
HIALEAH, FL
305.885.3411

2901 GRIFFIN ROAD
DANIA BEACH, FLORIDA

SALES REP.
ROBIN PEREZ

SCALE : 1/100

DRAWING BY :
YOANIS LEON

DATE : 01 / 15 / 15

FOREVER

SHEET :

RECONNAISSANCE LEVEL FIELD ASSESSMENT

2901 Griffin Road Property

*Broward County
City of Dania Beach, Florida*

Section 29, Township 50 South, Range 42 East

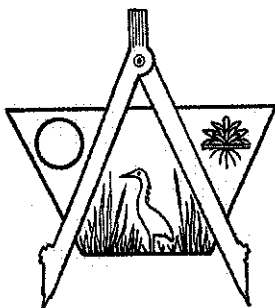
PREPARED FOR:

Abreu Development, LLC

July 29, 2014

BY:

Phillip R. Jimrusti & Associates, Inc.



As Nature Intended

**ECOLOGICAL ENGINEERS
ENVIRONMENTAL CONSULTANTS**
4085 S.W. Honey Terrace • Palm City, Florida 34990

Phone: 954-370-8870 • Fax: 772-781-3790

Table of Contents

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- 2.0 Vegetation
- 3.0 FLUCCS Description
- 4.0 Soils
- 5.0 Wildlife
- 6.0 Conclusion
- 7.0 References

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1.0 INTRODUCTION

A *Reconnaissance Level Field Assessment* was conducted on this approximately 1.23-acre tract of land located on the northwest corner of Griffin Road and SW 29th Terrace, Section 29, Township 50 South, Range 42 East, Broward County, Dania Beach, Florida (Figure 1). The parcel was surveyed for compliance with the South Florida Water Management District Basis of Review, Broward County Ordinance No. 93-49, section 27, and the City of Dania Beach "Tree Preservation" Ordinance (Chapter 26, Article 2) and "Wildlife Protection" Ordinance (Chapter 29, Article 4). The site was investigated to identify native vegetative communities, determine the viability of indigent habitats, and note the presence or absence of threatened or endangered species as listed by the U.S. Fish and Wildlife Service, Florida Game and Fresh Water Commission (FGFWFC), and the Florida Department of Agriculture.

The site is bordered on north by residential development, on the south by a paved multi-laned road, on the east by a paved road followed by residential development, and on the west by a church (Figure 2). The immediate area surrounding the property, with the exception of isolated wooded areas, has been developed for commercial or residential purposes.

2.0 VEGETATION

The presence of various community types were assessed during this inspection, dominant plant species in each vegetative stratum (tree, shrub, and herbaceous), and evaluations were conducted as to the suitability of each community type to support listed or regulated plant species. The relative occurrence of dominant species was estimated visually. Parameters evaluated included density and distribution, and notation of presence and extent of disturbance to the habitat. The site can best be described as having been partially cleared in the past and is currently mowed. The vegetation on the majority of the property includes St. Augustine grass (*Stenotaphrum secundatum*), bahia grass (*Paspalum notatum*), star rush (*Dichromena colorata*), and wedelia (*Wedelia trilobata*). Canopy and understory vegetation remains in the northwest corner of the property and consists of Brazilian pepper (*Schinus terebinthifolius*), schefflera (*Schefflera actinophylla*), a royal poinciana (*Delonix regia*), snake plant (*Sansevieria hyacinthoides*), wild coffee (*Psychotria nervosa*), air potato (*Dioscorea bulbifera*), and syngonium (*Syngonium podophyllum*).

3.0 FLUCCS DESCRIPTION

The site contains two types of land use communities, which are shown in Figure 2 of the *Florida Land Use, Cover, Forms Classification System* (FLUCCS) map: Brazilian Pepper (FLUCCS – 422, 0.14 acres.) and Disturbed Lands (FLUCCS – 740, 1.09 acres). The Brazilian Pepper category describes areas that are usually disturbed and have a high concentration of the invasive, exotic Brazilian pepper (*Schinus terebinthifolius*). The Disturbed Lands category describes areas which have been changed due primarily to human activities other than mining, and in this case describes an area that appears to have been partially cleared, possibly filled, and is currently mowed.

4.0 SOILS

Site soils were assessed for hydric characteristics by examining a soil core to a depth of at least 18 inches and were characterized by determining soil horization, texture, color, moisture content, and depth to saturation and/or standing water. The presence or absence of particulate organic matter, organic matter staining, concretions, mottling, and gleying also were noted. Soil hue, value and chroma were determined with the Munsell Soil Color Charts. The US Department of Agriculture, Natural Resources Conservation Service Soil Survey of Broward County indicates that the substrate of the property consists of Basinger fine sand, 0 to 2 percent slopes (4) (Figure 3). The Basinger series consists of very deep, very poorly and poorly drained, rapidly permeable soil found in low flats, sloughs, depressions and poorly defined drainageways.

5.0 WILDLIFE

In accordance with the "Wildlife Protection" Ordinance (Chapter 29, Article 4), conditions on the site were assessed by walking a series of pedestrian transects across the property and thoroughly examining the parcel for indicators of animal habitation (Figure 4). The methodology utilized was to look for signs such as scat, hair, burrows, tree scrapings and dens. Based on previous studies of animal populations within these communities, the following is a list of probable animal species that could inhabit the site but were not observed during the site visit:

5.0 WILDLIFE (continued)

Table 1: State and Federally Listed Species that could occur on the subject property.			Protected Species	
Common Name	Scientific Name	State	Federal	
Reptiles				
Green anole	<i>Anolis carolinensis</i>	n/a	n/a	
Brown anole	<i>Anolis sagrei</i>	n/a	n/a	
Six-lined racerunner	<i>Cnemidophorus sexlineatus</i>	n/a	n/a	
Birds				
Ground dove	<i>Columba passerina</i>	n/a	n/a	
Mocking bird	<i>Mimus polyglottos</i>	n/a	n/a	
Mourning doves	<i>Zenaida macroura</i>	n/a	n/a	
Mammals				
Nine banded armadillo	<i>Dasypus novemcinctus</i>	n/a	n/a	
Gray squirrel	<i>Sciurus carolinensis</i>	n/a	n/a	
Opossum	<i>Didelphis virginiana</i>	n/a	n/a	
Raccoon	<i>Procyon lotor</i>	n/a	n/a	
Amphibian				
Oak toad	<i>Bufo quercicus</i>	n/a	n/a	

E = Endangered
T = Threatened

SSC = Species of Special Concern
n/a = Not Listed

Several small burrows were observed in the northwest corner of the property. Although no wildlife was observed, it is thought that these burrows could potentially be inhabited by a land crab species.

6.0 CONCLUSION

The findings and conclusions documented in this report have been prepared for specific application to this project, and have been developed in a manner consistent with that level of care and skill normally exercised by members of the environmental science profession currently practicing under similar conditions in the area, and in accordance with the terms and conditions set forth in our agreement. The conclusions presented in this report are professional opinions based on interpretation of information currently available.

6.0 CONCLUSION (continued)

This site is located in a highly developed commercial and residential area. No standing water is present on the property. No rare, threatened, endangered or species of special concern as listed by the Florida Department of Agriculture, the Florida Game and Fresh Water Commission (FGFWFC), and the U.S. Fish and Wildlife Service (USFWS) were observed on the property. Although one obligate wetland plant species, star rush (Dichromena colorata), was observed on the property, no other wetland indicators were present at the time of the site visit. The habitat value is rapidly diminishing due to the infestation of exotic and invasive vegetation and the deterioration caused by development in the surrounding area. No portions of the property appear to be environmentally sensitive.

7.0 REFERENCES

Broward County Property Appraiser's Network, www.bcpa.net

Florida Association of Environmental Soil Scientists. 2007. Hydric Soils of Florida Handbook, Fourth Edition.

Florida Department of Environmental Protection. (Gilbert *et al.* 1995) The Florida Wetlands Delineation Manual.

Florida Fish and Wildlife Conservation Commission. 2004. Florida's Endangered Species. Threatened Species and Species of Special Concern, Official Lists. Tallahassee, Florida.

Natural Resources Conservation Service Soil Survey Map (<http://websoilsurvey.nrcs.usda.gov/app/>)

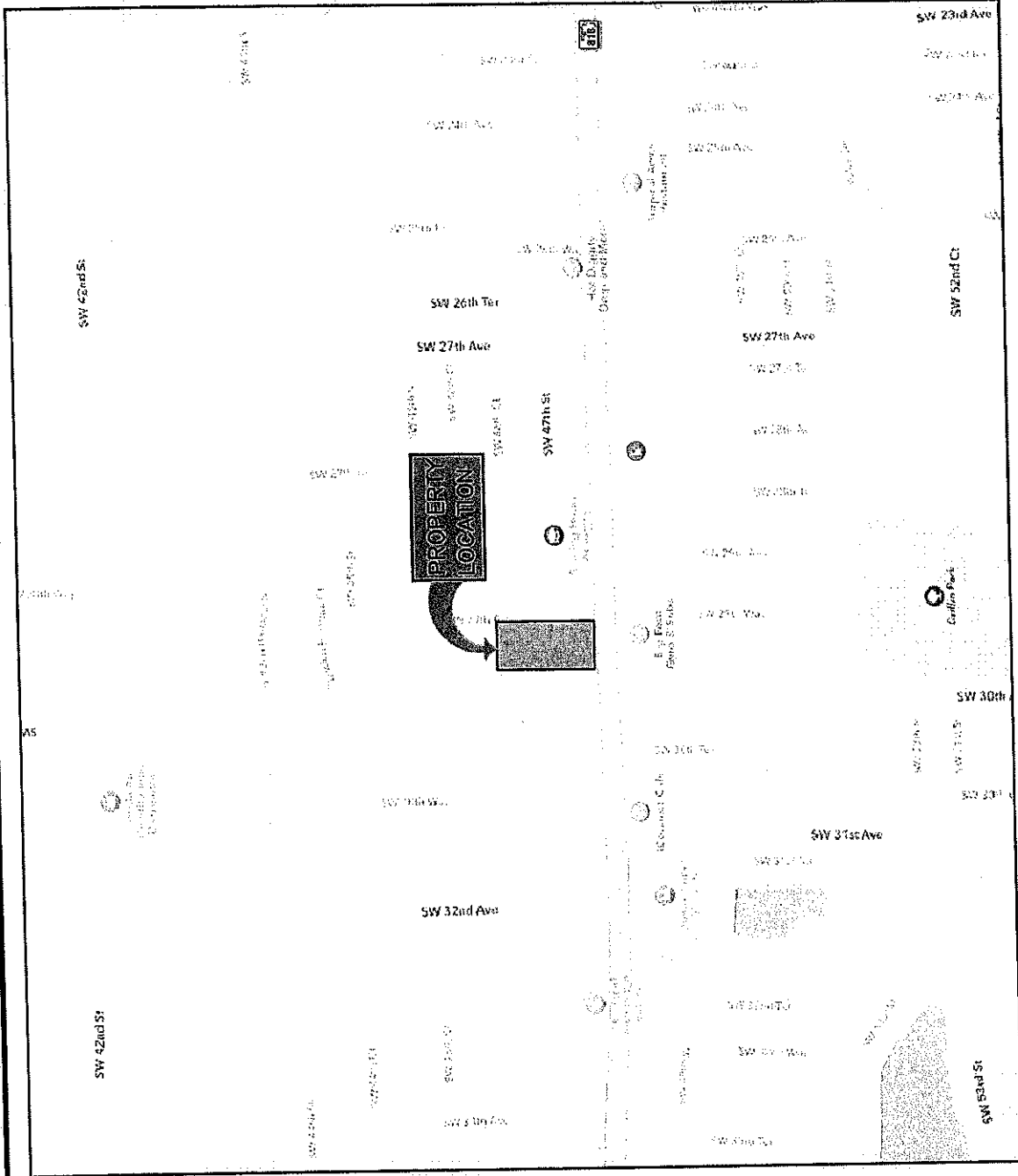
The Audubon Society, Field Guide to North American Mammals, 1989.

United States Department of Agriculture Handbook 18-Soil Survey Manual. 2000. Munsell Soil Color Charts

United States Department of Agriculture, Natural Resources Conservation Service, in cooperation with the National Technical Committee on Hydric Soils. Field Indicators of Hydric Soils in the United States, A Guide for Identifying and Delineating Hydric Soils, Version 6.0, 2006.

United States Department of Agriculture Soil Conservation Service. 1974. Soil Survey of Broward County, Florida.

United States Fish and Wildlife Service. 2004. [Updated list of federally listed endangered and threatened species]. Washington D.C.



PROJECT NO.	100-97
COMP. NAME	LOCATION MAP
FILE NAME	2901 GRIFFIN RD
DATE	07-29-14
FIGURE	1

PHILIP R. JIMRUSTI & ASSOCIATES, INC.
 ECOLOGICAL ENGINEERS
 ENVIRONMENTAL CONSULTANTS
 4086 SW HONEY TERRACE
 PALM CITY, FLORIDA 34980
 (854) 370-8870

35 MATRONS LICENSED

LOCATION MAP
 FOR:
ABREU DEVELOPMENT, LLC
 DANIA BEACH, FLORIDA
 BROWARD CO., S29 - T50 - R42





NORTH
SCALE 1" = 110'

LEGEND

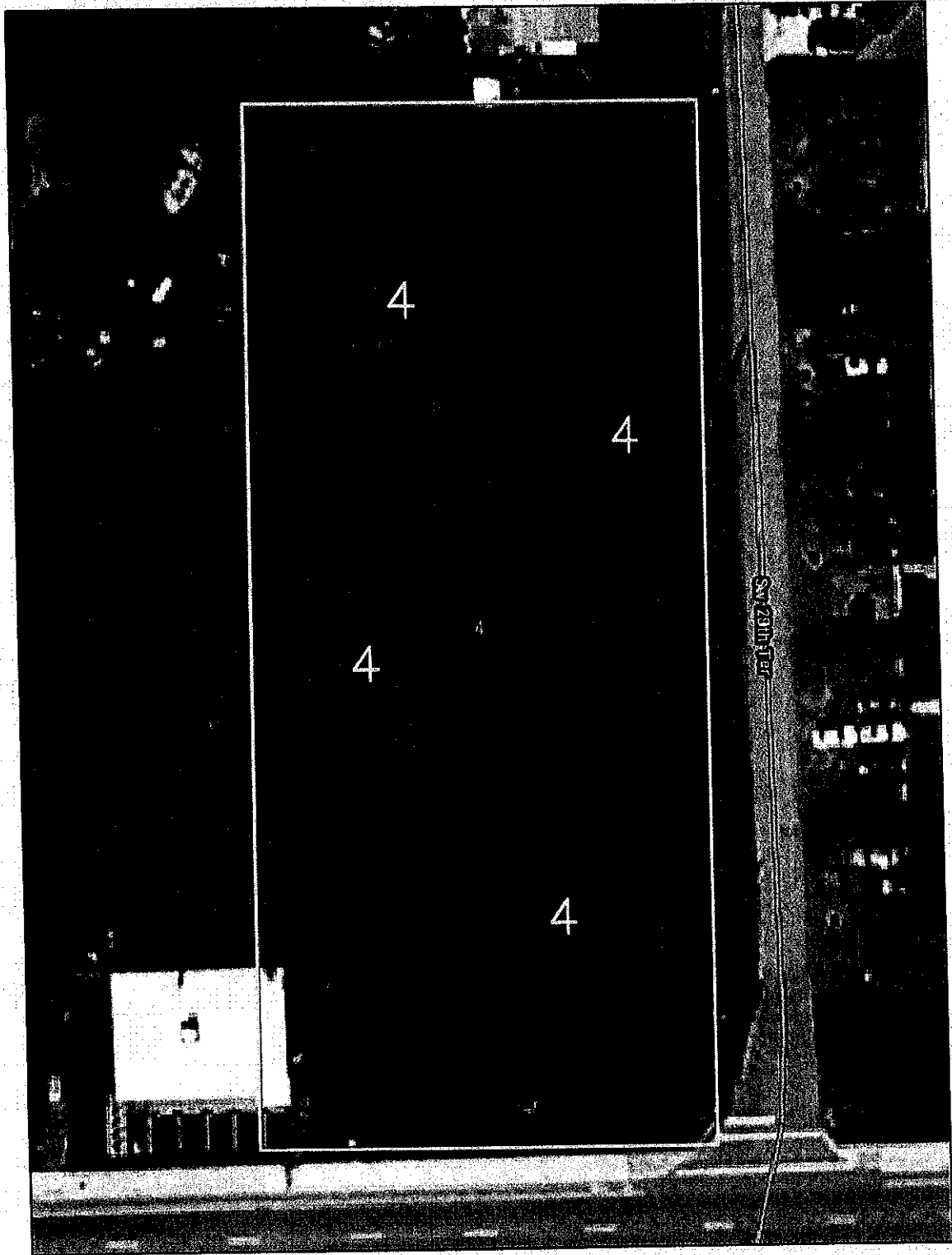
NUMBER	DESCRIPTION	AREA
422	BRAZILIAN PEPPER	0.14 AC.
740	DISTURBED LANDS	1.09 AC.
	TOTAL AREA	1.23 AC.

ACREAGES HAVE NOT BEEN SURVEYED AND
ARE BASED ON AERIAL INTERPRETATION.

FLUCCS MAP
2901 GRIFFIN ROAD PROPERTY
FOR:
ABREU DEVELOPMENT, LLC
DANIA BEACH, FLORIDA
BROWARD CO., S29 - T50 - R42

**PHILLIP R. JIMRUSTI
& ASSOCIATES, INC.**
ECOLOGICAL ENGINEERS
ENVIRONMENTAL CONSULTANTS
4085 SW HONEY TERRACE
PALM CITY, FLORIDA 34990
(854) 370-8670

PROJECT No.	100-97
COMP. NAME	FLUCCS
FILE NAME	2901 GRIFFIN RD
DATE	07-29-14
FIGURE	2



LEGEND

NUMBER
4

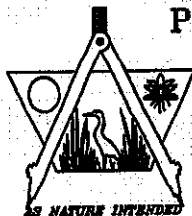
DESCRIPTION
BASINGER FINE SAND, 0 TO 2 PERCENT SLOPES

NORTH



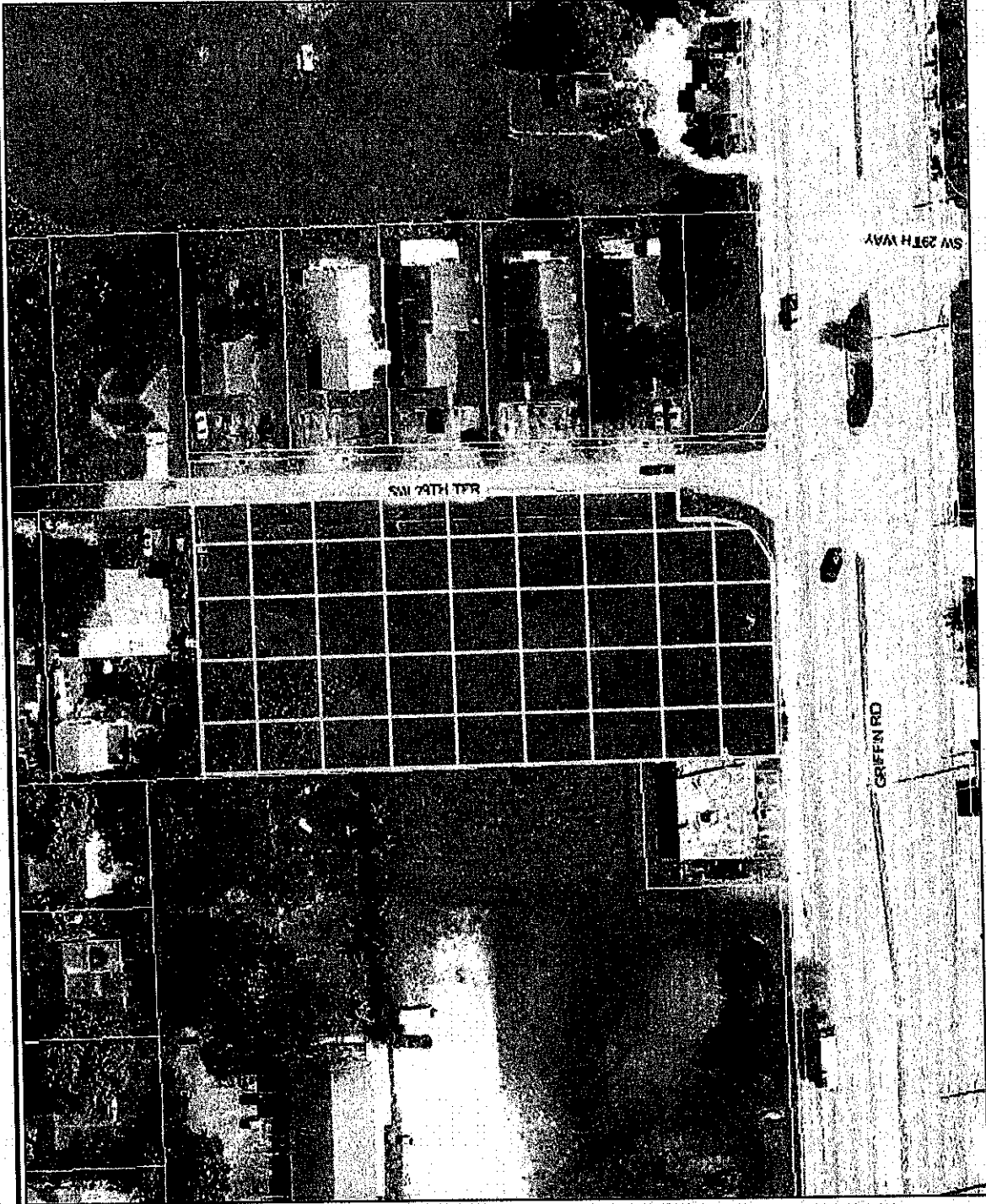
SOILS MAP

2901 GRIFFIN ROAD PROPERTY
FOR:
ABREU DEVELOPERS, LLC.
DANIA BEACH, FLORIDA
BROWARD CO., S29 - T50 - R42



PHILLIP R. JIMRUSTI
& ASSOCIATES, INC.
ECOLOGICAL ENGINEERS
ENVIRONMENTAL CONSULTANTS
4085 SW HONEY TERRACE
PALM CITY, FLORIDA 34990
(954) 370-8870

PROJECT No.
100-97
COMP. NAME
SOILS MAP
FILE NAME
2901 GRIFFIN RD
DATE
07-29-14
FIGURE 3



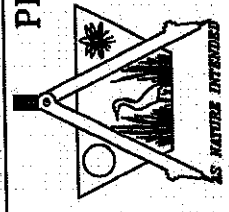
— WALKED
TRANSECTS



NORTH
SCALE 1" = 93'

WILDLIFE SURVEY
FOR:
2901 GRIFFIN ROAD PROPERTY
ABREU DEVELOPMENT, LLC
DANIA BEACH, FLORIDA
BROWARD CO., S29 - T50 - R42

PHILLIP R. JIMRUSTI
& ASSOCIATES, INC.
ECOLOGICAL ENGINEERS
ENVIRONMENTAL CONSULTANTS
4085 SW HONEY TERRACE
PALM CITY, FLORIDA 34990
(954) 370-8870



PROJECT NO.
100-97
COMP. NAME
WILDLIFE
FILE NAME
2901 GRIFFIN RD
DATE
07-29-14
FIGURE 4



McMAHON ASSOCIATES, INC.
5500 Village Blvd | Suite 103 | West Palm Beach, FL 33407
p 561-840-8650 | f 561-840-8590
www.mcmtrans.com

September 10, 2014

VIA E-MAIL/US-MAIL

Mr. Daniel Abreu
Candela Developers
14011 SW 20th Street
Miami, FL 33175

**RE: Dania Beach Family Dollar Traffic Statement
McMahon Project No. L14603.01**

Dear Mr. Abreu:

McMahon Associates, Inc. (McMahon) has completed a traffic statement regarding the proposed development of a parcel of land located on the northwest corner of Griffin Road at SW 29th Terrace, in Dania Beach. The site is currently vacant. The proposed development, with an anticipated buildout year of 2015, will include a 9,943 square foot shopping center.

Trip Generation Analysis

Using trip generation information obtained from the Institute of Transportation Engineers (ITE), *Trip Generation Manual*, 9th Edition, trip generation estimates were developed for the proposed land use. The trip generation analysis, summarized in **Table 1**, indicates that the proposed development is anticipated to result in 280 daily trips, seven (7) AM peak hour trips and 24 PM peak hour trips. Excerpts from ITE are attached in **Appendix A**.

Conclusion

Based on the analysis contained herein, the proposed development is expected to result in minimal impact to the surrounding roadway network.

PRINCIPALS
Joseph W. McMahon, P.E.
Joseph J. DeSantis, P.E., PTOE
John S. DePalma
William T. Steffens
Casey A. Moore, P.E.
Gary R. McNaughton, P.E., PTOE

ASSOCIATES
John J. Mitchell, P.E.
Christopher J. Williams, P.E.
R. Trent Ebersole, P.E.
Matthew M. Kozsuch, P.E.

TABLE 1
TRIP GENERATION ANALYSIS
DANIA BEACH FAMILY DOLLAR TRAFFIC STATEMENT

LAND USE	ITE CODE	INTENSITY	TRIP GENERATION RATE ⁽¹⁾	TOTAL TRIPS		PASS-BY ⁽¹⁾		NEW TRIPS		
				IN	OUT	IN	OUT	IN	OUT	TOTAL
PROPOSED USES										
General Commercial	820	9,943 SF	T = 42.70 (X)	213	212	145	34%	140	140	280

LAND USE	ITE CODE	INTENSITY	TRIP GENERATION RATE ⁽¹⁾	TOTAL TRIPS		PASS-BY ⁽¹⁾		NEW TRIPS		
				IN	OUT	IN	OUT	IN	OUT	TOTAL
PROPOSED USES										
General Commercial	820	9,943 SF	T = 0.96 (X)	6	4	3	34%	5	2	7

LAND USE	ITE CODE	INTENSITY	TRIP GENERATION RATE ⁽¹⁾	TOTAL TRIPS		PASS-BY ⁽¹⁾		NEW TRIPS		
				IN	OUT	IN	OUT	IN	OUT	TOTAL
PROPOSED USES										
General Commercial	820	9,943 SF	T = 3.71 (X)	18	19	13	34%	12	12	24



(1) Source: Institute of Transportation Engineers, Trip Generation Manual, 9th Edition.

Mr. Daniel Abreu
September 10, 2014
Page 3

Should you have any questions or comments regarding these findings, please do not hesitate to call me.

Sincerely,
Natalia Thais Lercari
No. 68205
STATE OF FLORIDA
Natalia Thais Lercari, P.E.
Professional Engineer
License No. 68205
BOARD OF PROFESSIONAL ENGINEERS

State of Florida, Board of Professional Engineers
Certificate of Authorization No. 4908

NTL/hsv
Enclosure

APPENDIX A

TRIP GENERATION INFORMATION

Shopping Center (820)

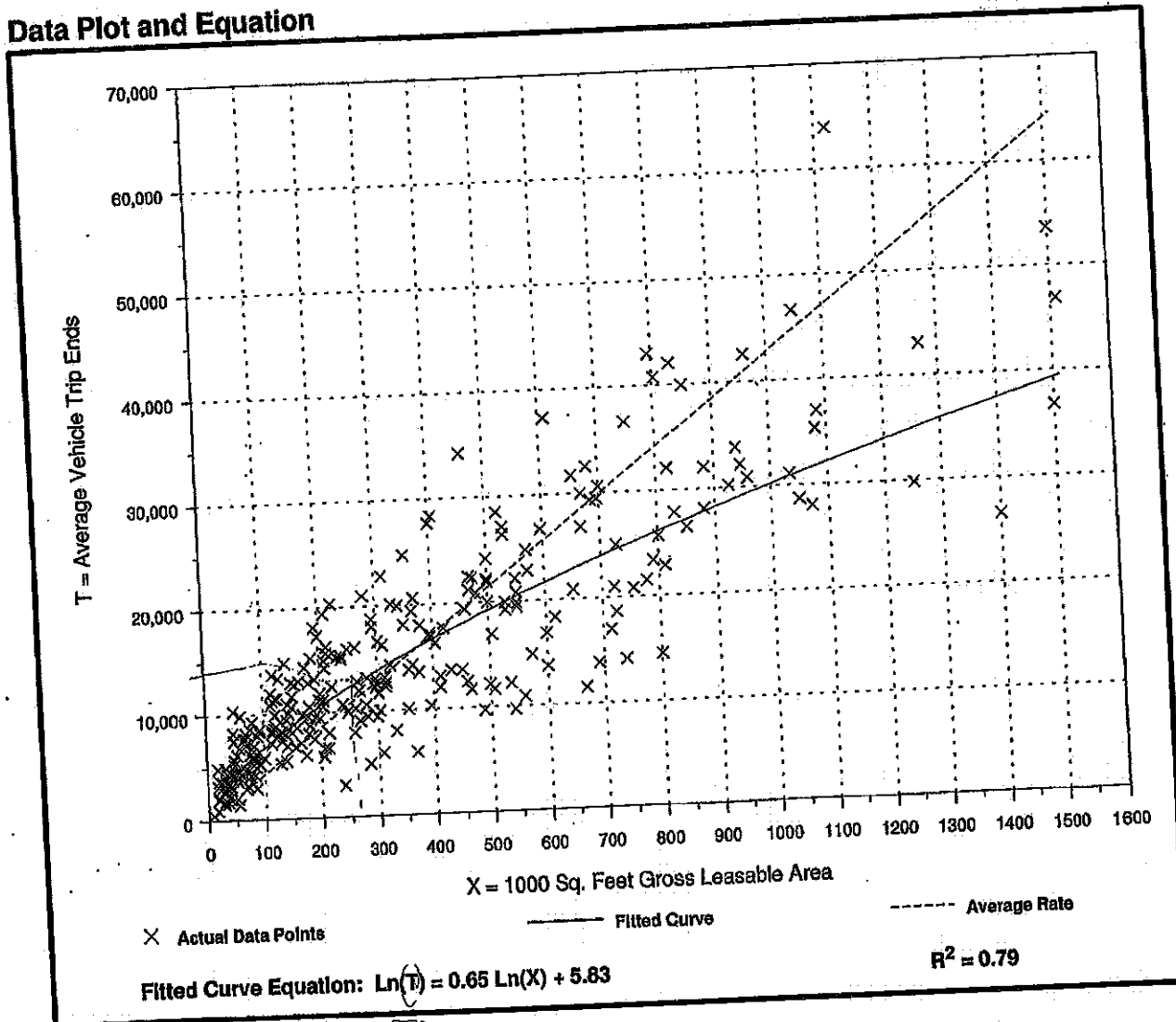
Average Vehicle Trip Ends vs: 1000 Sq. Feet Gross Leasable Area
On a: **Weekday**

Number of Studies: 302
Average 1000 Sq. Feet GLA: 331
Directional Distribution: 50% entering, 50% exiting

Trip Generation per 1000 Sq. Feet Gross Leasable Area

Average Rate	Range of Rates	Standard Deviation
42.70	12.50 - 270.89	21.25

Data Plot and Equation



Shopping Center (820)

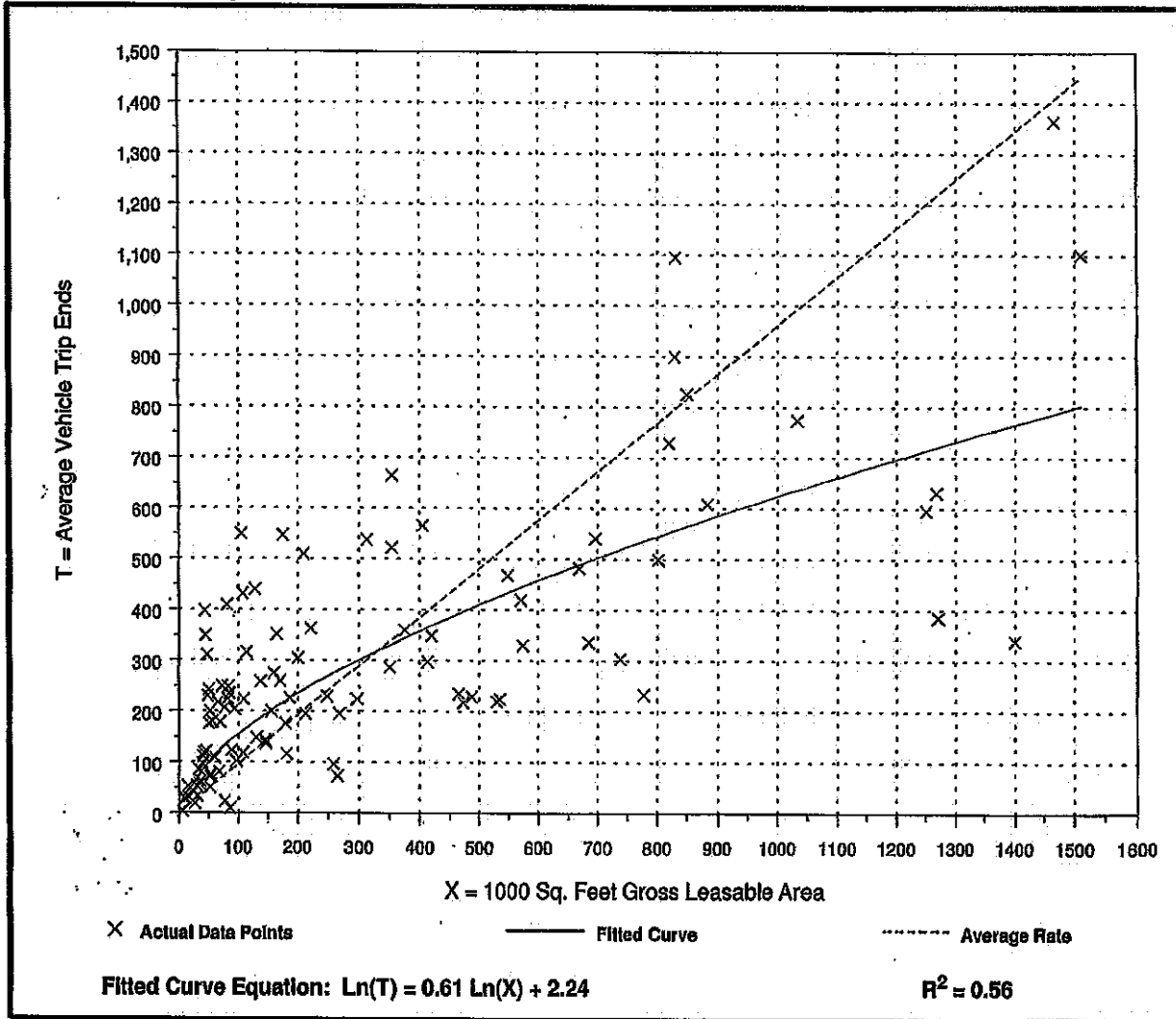
Average Vehicle Trip Ends vs: 1000 Sq. Feet Gross Leasable Area
On a: Weekday,
Peak Hour of Adjacent Street Traffic,
One Hour Between 7 and 9 a.m.

Number of Studies: 104
 Average 1000 Sq. Feet GLA: 310
 Directional Distribution: 62% entering, 38% exiting

Trip Generation per 1000 Sq. Feet Gross Leasable Area

Average Rate	Range of Rates	Standard Deviation
0.96	0.10 - 9.05	1.31

Data Plot and Equation



Shopping Center (820)

Average Vehicle Trip Ends vs: 1000 Sq. Feet Gross Leasable Area
On a: Weekday,
Peak Hour of Adjacent Street Traffic,
One Hour Between 4 and 6 p.m.

Number of Studies: 426
 Average 1000 Sq. Feet GLA: 376
 Directional Distribution: 48% entering, 52% exiting

Trip Generation per 1000 Sq. Feet Gross Leasable Area

Average Rate	Range of Rates	Standard Deviation
3.71	0.68 - 29.27	2.74

Data Plot and Equation

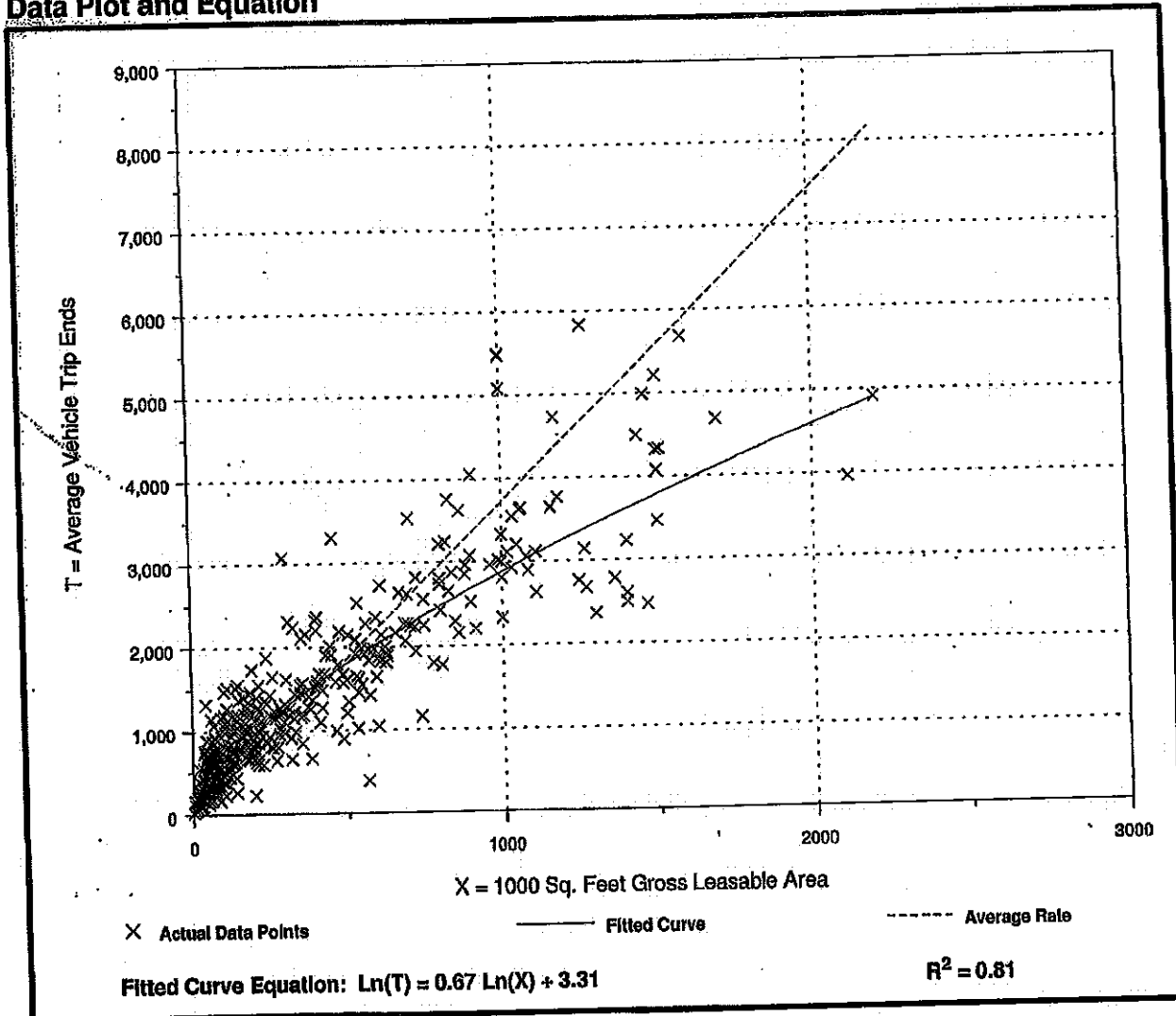


Table 5.6 (Cont'd)
Pass-By Trips and Diverted Linked Trips
Weekday, p.m. Peak Period

Land Use 820—Shopping Center

SIZE (1,000 SQ. FT. GLA)	LOCATION	WEEKDAY SURVEY DATE	NO. OF INTERVIEWS	TIME PERIOD	PRIMARY TRIP (%)	NON-PASS- BY TRIP (%)	DIVERTED LINKED TRIP (%)	PASS-BY TRIP (%)	ADJ. STREET PEAK HOUR VOLUME	AVERAGE 24-HOUR TRAFFIC	SOURCE
237	W. Windsor Twp, NJ	Winter 1988/89	n/a	4:00-6:00 p.m.	—	52	—	48	n/a	46,000	Booz Allen & Hamilton
242	Willow Grove, PA	Winter 1988/89	n/a	4:00-6:00 p.m.	—	63	—	37	n/a	26,000	McMahon Associates
297	Whitehall, PA	Winter 1988/89	n/a	4:00-6:00 p.m.	—	67	—	33	n/a	26,000	Orth-Rodgers & Assoc. Inc.
360	Broward Cnty., FL	Winter 1988/89	n/a	4:00-6:00 p.m.	—	56	—	44	n/a	73,000	McMahon Associates
370	Pittsburgh, PA	Winter 1988/89	n/a	4:00-6:00 p.m.	—	81	—	19	n/a	33,000	Wilbur Smith
150	Portland, OR	n/a	519	4:00-6:00 p.m.	6	—	26	68	n/a	25,000	Kittleson and Associates
150	Portland, OR	n/a	655	4:00-6:00 p.m.	7	—	28	65	n/a	30,000	Kittleson and Associates
760	Calgary, Alberta	Oct-Dec 1987	15,436	4:00-6:00 p.m.	39	—	41	20	n/a	n/a	City of Calgary DOT
178	Bordertown, NJ	Apr. 1989	154	2:00-6:00 p.m.	—	65	—	35	n/a	37,980	Raymond Keyes Assoc.
144	Manalapan, NJ	Jul. 1990	176	3:30-6:15 p.m.	44	—	24	32	n/a	69,347	Raymond Keyes Assoc.
549	Natick, MA	Feb. 1989	n/a	4:45-5:45 p.m.	26	—	41	33	n/a	48,782	Raymond Keyes Assoc.

Average Pass-By Trip Percentage: 34



AVIATION DEPARTMENT - Fort Lauderdale-Hollywood International Airport
2200 S.W. 45 Street, Suite 101 • Dania Beach, Florida 33312 • 954-359-6100

July 29 2014

Marc LaFerrier, AICP
Planning Director
City of Dania Beach
100 West Dania Beach Blvd
Dania Beach, FL 33004

**RE: Family Dollar, 2901 Griffin Road, Dania Beach FL
Broward County Aviation Department (BCAD) Review**

Dear Mr. LaFerrier:

The Broward County Aviation Department (BCAD) has reviewed the proposed Family Dollar development located west of Fort Lauderdale-Hollywood International Airport (FLL). Since the proposed project is within 20,000 feet of FLL, its development and operation is subject to Federal Aviation Regulation (FAR) Part 77, Florida Statutes Chapter 333 and/or the Broward County Airport Zoning Ordinance. These standards seek to ensure that any proposed construction, use of high lift equipment, such as cranes, or other potential hazards will not negatively impact the safe and efficient use of the airport and surrounding airspace. Taking into consideration the proximity of this project to FLL, BCAD is providing the following comments regarding the proposed development:

- Based on the location of the proposed project, FAR Part 77, Subpart B and Section 5-182(n)(2) of the Broward County Land Development Code, require the applicant to obtain a "Determination of No Hazard to Air Navigation" from the Federal Aviation Administration (FAA). The receipt of a favorable determination is required for all critical building points and temporary construction cranes and must be received prior to any construction activity. If you have not already done so, please use the following web address to initiate the Federal Review (FAA 7460-1) process: <https://oeaaa.faa.gov/oeaaa/external/portal.jsp>.
- Following the receipt of a favorable FAA determination, the applicant may also need to obtain "airspace obstruction permits" from the Florida Department of Transportation (FDOT). This documentation is necessary to determine if the project will adversely affect public health or safety. If required, these permits must be obtained prior to the commencement of any construction. The following web address can be used to acquire additional information pertaining to the FAA and FDOT airspace obstruction review and permitting process: <http://www.dot.state.fl.us/aviation/obstructions.shtm>.
- No building, structure or vegetation on the site may exceed twenty eight (28) feet above ground level as shown on the architectural elevations and site plan, unless submitted to BCAD for additional review.

- The proposed development must not generate light, glare, smoke or other emissions that could be disorienting to pilots operating in the vicinity of the airfield.
- The proposed development must not attract wildlife that would be a potential safety hazard to aircraft operations.

We request that the above conditions be included in any development approval issued by the City of Dania Beach.

This review is based on the Site Plan, Sheet SP-1, dated June 25, 2014 and the Architectural Elevation Plans, SP-2, dated June 25, 2014, prepared by Fanjul and Associates, LLC. If the proposed plans are revised substantially from those submitted for this review, BCAD requests that the revised development plans be submitted for an additional review.

This review also serves to advise to the applicant of potential aircraft over-flight and noise impacts on this property due to its proximity to the Airport. Further information regarding the current and potential impacts of airport operations on the subject property may be obtained from the Broward County Aviation Department, Airport Development Planning Division. The applicant should note that the project is not eligible for federal funding to mitigate aircraft noise.

Please do not hesitate to contact me if you have questions or require additional information at 954.359.6258.

Sincerely,



Scarlet R. Hammons, AICP
Principal Planner

cc: Michael P. Pacitto, P.G., Director Planning and Environmental



Mail Processing Center
Federal Aviation Administration
Southwest Regional Office
Obstruction Evaluation Group
2601 Meacham Boulevard
Fort Worth, TX 76193

Aeronautical Study No.
2014-ASO-8574-OE

Issued Date: 09/24/2014

Christina Bilenki
Dunay, Miskel, Backman and Blattner, LLP
14 S.E. 4th Street
Suite 36
Boca Raton, FL 33432

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Building Family Dollar Dania Beach
Location: Dania Beach, FL
Latitude: 26-03-47.95N NAD 83
Longitude: 80-10-52.71W
Heights: 9 feet site elevation (SE)
30 feet above ground level (AGL)
39 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part 1)
 Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

Based on this evaluation, marking and lighting are not necessary for aviation safety. However, if marking/lighting are accomplished on a voluntary basis, we recommend it be installed and maintained in accordance with FAA Advisory circular 70/7460-1 K Change 2.

This determination expires on 03/24/2016 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.
- (c) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is based, in part, on the foregoing description which includes specific coordinates , heights, frequency(ies) and power . Any changes in coordinates , heights, and frequencies or use of greater power will void this determination. Any future construction or alteration , including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Airmen (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

If we can be of further assistance, please contact our office at (404) 305-7081. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2014-ASO-8574-OE.

Signature Control No: 225286140-230192911
Michael Blaich
Specialist

(DNE)