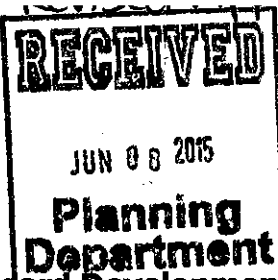


6/2015



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: Abandonment of Right-of-Way (SEE APPLICATION TYPE SCHEDULE ON PAGES 3 & 4)

Date Rec'd: 6/8/15

Petition No.: ~~015-045-15~~  
VC

**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: NE 4<sup>th</sup> Court from NE 2 Street north to the Dania Cutoff Canal

Lot(s): \_\_\_\_\_ Block: \_\_\_\_\_ Subdivision: Harbor Lawns No. 1

Recorded Plat Name: Portion of Amended Plat of a Portion of Harbor Lawns No. 1 PB 34 Page 5 & Portion of Amended Plat of Harbor Lawns No. 1 PB 14 Page 46

Folio Number(s): 504234170011 (R/W), 504234160040 (R/W), 504234160030 (R/W) Legal Description: Please see attached legal description.

Applicant/Consultant/Legal Representative (circle one) Bonnie Miskel, Esq.-Dunay, Miskel & Backman, LLP

Address of Applicant: 14 S.E. 4<sup>th</sup> Street Boca Raton, FL 33432

Business Telephone: 561-405-3300 Direct: 561-405-3321 (Tara Patton) 561-337-0878-cell

E-mail address: bmiskel@dmbblaw.com or pattontnt@earthlink.net

Name of Property Owner: Archdiocese of Miami Church of the Resurrection c/o Suzanne Dockerty, Esq.  
The Most Reverend Thomas G. Wenski

Address of Property Owner: 441 NE 2 Street Dania Beach, FL 33004 or 9401 Biscayne Blvd. Miami Shores, FL 33138

Business Phone of S. Dockerty: 305-443-9162

Email of S. Dockerty: sad@jpfitzlaw.com

Address of S. Dockerty: 110 Merrick Way, Suite 3B Coral Gables, FL 33134

**Explanation of Request:** A request to abandon/vacate N.E. 4<sup>th</sup> Court from NE 2<sup>nd</sup> Street north to the Dania Beach Cutoff Canal. 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: 29,625 SF+/- Gross Acreage: 29,625 SF+/- Prop. Square Footage: N/A

Existing Use: Vacant Proposed Use: Marina

Is property owned individually, by a corporation, association, or a joint venture? The property is owned by the Archdiocese of Miami Church of the Resurrection. The contract purchaser is Edelman Development Corporation.

**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 Bonnie Miskel, Esq. et al. (Please see attached letter(s) on behalf of the Owner and Applicant providing the requested authorizations, (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

STATE OF FLORIDA  
COUNTY OF BROWARD  
The foregoing instrument  
was acknowledged

By: Bonnie Miskel  
(Owner / Agent signature\*)

BEFORE ME THIS 9<sup>th</sup> DAY OF April, 20 15

By:

Bonnie Miskel, Esq.  
(Print name of person acknowledging)

\_\_\_\_\_  
(Joint owner signature if applicable)

Notary Tara-Lynn Patton  
(Signature of Notary Public - State of \_\_\_\_\_)



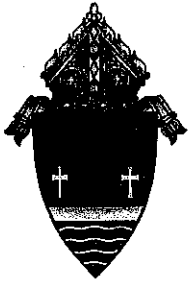
Personally known  or Produced Identification \_\_\_\_\_

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.**



ARCHDIOCESE OF MIAMI  
*Building and Property Office*

April 7, 2015

Mr. Ken Edelman  
Edelman Development Corporation  
2600 Glades Circle, Suite 100  
Weston, FL 33327

RE: Letter of Authorization – Owner

Mr. Edelman:

The Archbishop of the Archdiocese of Miami is the owner of the 4.556 acre +/- property located between N.E. 4<sup>th</sup> Court and N.E. 5<sup>th</sup> Street, north of N.E. 2<sup>nd</sup> Street and immediately south of the Dania Cutoff Canal within the City of Dania Beach, Florida (hereinafter referred to as the Subject Property). This letter is to provide consent to Edelman Development Corporation (or assigns) to serve as the Applicant on our behalf to submit the necessary applications, all required material and documents, and attend all meetings and public hearings pertaining to the request(s) to develop the Subject Property. Furthermore, as owner of the Subject Property, we hereby give consent to the following to serve as agents for the Subject Property:

Dunay, Miskel and Backman, LLP  
Schwebke, Shiskin & Associates, Inc  
The Chappell Group  
Gutierrez & Lozano Architects  
Ross Engineering, Inc.  
Christopher Cawley Landscape Architecture, LLC

to submit and process any and all development applications to the City of Dania Beach, and all other applicable agencies, involved in the approval, permitting and development of the subject property, and appear at any meetings or public hearings necessary for the approval, permitting and development of the subject property located within the City of Dania Beach, Florida.

Sincerely,

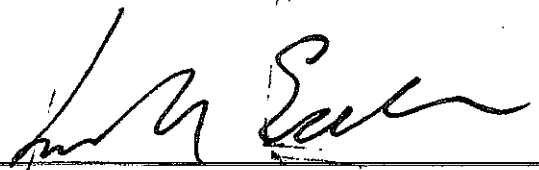
Sister Elizabeth Worley, SSI  
Chief Operating Officer of the Archdiocese of Miami





Statement of Interest in Property and Authorization to File Petitions

EDELMAN DEVELOPMENT CORPORATION hereby certifies that it is the Contract Purchaser of the subject property located between on N.E. 4<sup>th</sup> Court (to the west), N.E. 5<sup>th</sup> Avenue (to the east), N.E. 2<sup>nd</sup> Street (to the south) and abutting the Dania Beach Cutoff Canal and authorizes DUNAY, MISKEL & BACKMAN LLP, as agent, SCHWEBKE SHISKIN & ASSOCIATES, INC., as agent, THE CHAPPELL GROUP, INC, as agent and GUTIERREZ & LOZANO ARCHITECTS as Christopher Cawley Landscape Architecture, LLC as agent and Ross engineering, LLC as agent to submit and process any and all development applications to the City of Dania Beach, and all other applicable agencies, involved in the approval, permitting and development of the subject property, and appear at any meetings or public hearings necessary for the approval, permitting and development of the subject property located within the City of Dania Beach, Florida.

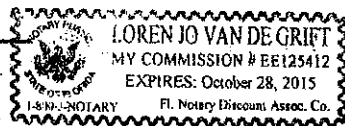
X   
by Kenneth Edelman as President of  
Edelman Development Corp.

2600 Glades Circle Suite 100  
Weston, Florida 33327  
954-384-6880

The foregoing instrument was acknowledged before me this 7<sup>th</sup> day of April, 2015 by Kenneth Edelman whom is personally known to me or has produced 7th as identification and did/did not take an oath.

  
(Signature of Notary) Loren Jo Van de Grift

My Commission Expires: \_\_\_\_\_





# SKETCH TO ACCOMPANY LEGAL DESCRIPTION

30'

SEE SHEET 1

MATCH LINE

N.E. 2ND PLACE

20

25'

N



35'

30'

440'

EAST LINE  
BLOCKS 1, 2, 3 & 4  
AMENDED PLAT OF  
HARBOR LAWNS NO. 1  
(P.B. 14 - PG. 46)

NE 5th Avenue (P.B. 34 - PG. 5)

ROYAL PALM VISTA  
(P.B. 41 - Pg. 12)

EAST LINE OF WEST 181'  
BLOCKS 1, 2, 3 & 4  
AMENDED PLAT OF HARBOR LAWNS NO. 1  
(P.B. 14 - PG. 46)

PARCEL "A"  
DANIA JAI-ALAI PLAT  
(P.B. 177 - Pg. 170)  
(O.R.B. 3757 - PG. 285)  
(O.R.B. 101 - PG. 349)

WEST LINE OF EAST 440'  
BLOCKS 1, 2, 3 & 4  
AMENDED PLAT OF HARBOR  
LAWNS NO. 1  
(P.B. 14 - PG. 46)

Amended Plat of a  
Portion of Harbor Lawns No. 1  
(PB 34 - Pg 5)

NE 4th Court (P.B. 34 - PG. 5)

25'

25'

30'

25'

30'

30'

25'

NE 2nd Street  
(PB 34-Pg 5)

25'

55'



1 INCH = 100 FEET

PARCEL "A"  
DANIA JAI-ALAI PLAT  
(P.B. 177 - Pg. 170)

*Schwabke-Shiskin & Associates, Inc.*  
LAND SURVEYORS • ENGINEERS • LAND PLANNERS

(LB-87)

3240 CORPORATE WAY, MIRAMAR, FLORIDA 33025 DADE:(305) 652-7010 BROWARD:(954) 435-7010 FAX:(305) 652-8284

THIS IS NOT A "LAND SURVEY."

ORDER NO.: 204005

PREPARED UNDER MY SUPERVISION:

DATE: 05/28/15

SHEET 2 OF 3 SHEET(S)

F.B.: N/A

MARK STEVEN JOHNSON, PRINCIPAL  
FLORIDA PROF. LAND SURVEYOR NO. 4775



**LEGAL DESCRIPTION TO ACCOMPANY SKETCH**

All of North East Fourth Court, as dedicated by the Amended Plat of a Portion of Harbor Lawns, No. 1, according to the plat thereof, as recorded in Plat Book 34, at Page 5, of the Public Records of Broward County, Florida.

*Schwelbke-Shiskin & Associates, Inc.*

(LB-87)

LAND SURVEYORS • ENGINEERS • LAND PLANNERS

3240 CORPORATE WAY, MIRAMAR, FLORIDA 33025 DADE:(305) 652-7010 BROWARD:(954) 435-7010 FAX:(305) 652-8284

THIS IS NOT A "LAND SURVEY."

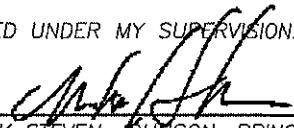
ORDER NO.: 204005

PREPARED UNDER MY SUPERVISION:

DATE: 05/28/15

SHEET 3 OF 3 SHEET(S)

F.B.: N/A

  
MARK STEVEN JOHNSON, PRINCIPAL  
FLORIDA PROF. LAND SURVEYOR NO. 4775





## GRANT OF EASEMENT AGREEMENT

THIS DEDICATION AND EASEMENT AGREEMENT ("Agreement") is made and entered this \_\_\_\_ day of \_\_\_\_\_, 2014, by and between [\_\_\_\_\_] ("Owner"), and THE CITY OF DANIA BEACH, FLORIDA ("City").

### RECITALS

A. Owner is the owner of that certain real property located in Broward County, Florida, more particularly described on Exhibit A, attached hereto and made a part hereof ("Property").

B. Owner desires to grant an easement over a portion of the Property (as hereinafter defined), subject to the terms and provisions of this Agreement.

C. The City is willing to accept the grant of easement pursuant to this Agreement.

NOW, THEREFORE, in consideration of the mutual covenants contained herein, TEN DOLLARS (\$10) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties, each intending to be legally bound, do hereby agree as follows:

1. Recitals. The foregoing Recitals are true and are incorporated in this Agreement by this reference.

2. Easement Parcel. Owner hereby grants to the City an easement over that portion of the Property, more particularly described on Exhibit B, attached hereto referred to as the "Easement Parcel".

3. Use of Easement Parcel.

4. Reservation of Easements. Owner hereby reserves perpetual easement(s) on and over the Easement Parcel for the purposes of landscaping, irrigation, utilities such as water and sewer lines, meter boxes, drainage, fiber optic, cable TV, internet and phone lines and such other uses as necessary for the Property which uses shall not be inconsistent with the City's use of the Easement Parcel.

5. Notice. All notices which are required or permitted hereunder must be in writing and shall be deemed to have been given, delivered or made, as the case may be, (a) when delivered by personal delivery or (b) three (3) business days after having been deposited in the United States Mail, certified or registered mail, return receipt requested, with sufficient postage affixed and prepaid, or (c) one (1) business day after having been deposited with an expedited, overnight courier services (such as, by way of example but not limited to, Federal Express) provided same was deposited at a time when it would normally be delivered on the next business day, otherwise on the second business day after having been so deposited or (d) when received

via telecopy (fax) or e-mail, provided that it is received not later than 2:00 p.m. (local time at the location of the recipient on a business day, otherwise on the next business day thereafter); in each case addressed to the party to whom notice is intended to be given at the address set forth below:

If to Owner:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

If to the City:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

6. Venue. This Agreement shall be construed in accordance with the laws of the State of Florida, and any proceeding arising between the parties in any manner pertaining to this Agreement shall, to the extent permitted by law, be held in Broward County, Florida.

7. Covenants Running with the Land. The agreements contained herein shall be covenants running with the Property and the Easement Parcel and shall inure to the benefit of and be binding upon the parties hereto and their respective successors and assigns.

8. Amendment. This Agreement may only be amended, terminated or otherwise modified by written instrument signed by the owner of the Property, successors and assigns and the City.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the day and year first above written.

Witnesses:

OWNER

[ ]

\_\_\_\_\_  
Printed Name: \_\_\_\_\_

By: \_\_\_\_\_

Printed Name:

Title:

\_\_\_\_\_  
Printed Name: \_\_\_\_\_

STATE OF FLORIDA

COUNTY OF \_\_\_\_\_

The foregoing instrument was acknowledged before me by \_\_\_\_\_,  
as \_\_\_\_\_ of \_\_\_\_\_, a  
\_\_\_\_\_ and that he acknowledged to me, that he/she executed the  
foregoing instrument on behalf of the company, freely and voluntarily under authority duly  
vested in him by said company. He is personally known to me or has produced  
\_\_\_\_\_ as identification.

WITNESS my hand and official seal in the County and State last aforesaid this \_\_\_\_\_  
day of \_\_\_\_\_, 2015.

My Commission Expires:

\_\_\_\_\_  
Notary Public

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

CITY

CITY OF DANIA BEACH, FLORIDA

Printed Name: \_\_\_\_\_

By: \_\_\_\_\_, Mayor

Printed Name: \_\_\_\_\_

By: \_\_\_\_\_, City Manager

Attest:

\_\_\_\_\_  
CITY CLERK

Approved by:

\_\_\_\_\_  
CITY ATTORNEY

STATE OF FLORIDA

COUNTY OF \_\_\_\_\_

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2015, by \_\_\_\_\_, as Mayor, \_\_\_\_\_ as City Manager, and \_\_\_\_\_, as City Clerk, of the CITY OF DANIA BEACH, FLORIDA, a municipal corporation, on behalf of the municipal corporation, who are personally known to me.

My Commission Expires:

\_\_\_\_\_  
Notary Public

( ) ( )

**EXHIBIT A**

**PROPERTY**

**EXHIBIT B**  
**DEDICATED EASEMENT**

**Lajoie, Corinne**

---

**From:** Tara Patton <pattontnt@earthlink.net>  
**Sent:** Monday, June 22, 2015 1:55 PM  
**To:** Lajoie, Corinne  
**Subject:** Fw: Letter Request

FYI-no gas in the vicinity of the abandonment.

-----Forwarded Message-----  
From: "Rivera, David"  
Sent: Jun 22, 2015 1:22 PM  
To: "pattontnt@earthlink.net"  
Subject: Letter Request

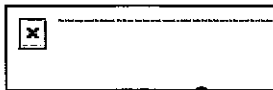
Good afternoon,

I was forwarded your request for a letter. Based on the information provided to us we do not have gas in that area.

Should you have any questions please don't hesitate to contact me.

Regards,

David Rivera  
Senior Engineering Technician



*Teco Peoples Gas*  
5101 NW 21<sup>st</sup> Ave Ste 460  
Fort Lauderdale, FL 33309  
O. 954.453.0794  
F. 954.453.0804

**CONFIDENTIALITY NOTICE**

*This email is intended only for the individual(s) to whom it is addressed and may contain confidential information. If you have received this email by mistake, please notify the sender immediately, delete this email from your system and do not copy or disclose it to anyone else. Although we take precautions to protect against viruses, we advise you to take your own precautions to protect against viruses as we accept no liability for any which remain.*



Otis T. Keeve  
Utility Coordinator  
Broward Engineering

AT&T Florida  
8601 West Sunrise Boulevard  
Plantation, FL 33322

T: 954.723.2540  
F: 954.476.7841  
Otis.keeve@att.com



June 25, 2015

Tara-Lynn Patton, AICP  
Land Planner  
Planning and Entitlements, LLC  
10805 Gleneagles Road  
Boynton Beach, FL 33436

RE: Abandonment of a portion (25 FT) of N.E. 4th Court

Dear Tara,

This letter shall serve as notice that AT&T Florida has no objection to the above mentioned abandonment. The owner/developer shall be responsible for providing any necessary easements in order to allow AT&T to provide service to the proposed property.

Sincerely,



Otis Keeve  
Mgr OPS Planning/Design  
Utility Coordinator





June 19, 2015

Mr. Tyler Grant  
Florida Power and Light

RE: Abandonment-N.E. 4<sup>th</sup> Court

Via Electronic Mail

Dear Mr. Grant,

I am writing to request a letter of no objection regarding the proposed abandonment of a portion of N.E. 4<sup>th</sup> Court located within the City of Dania Beach. The proposed, but unconstructed N.E. 4<sup>th</sup> Court consists of 80 foot right-of-way and is located north of Dania Beach Boulevard, south of the Dania Beach Cutoff Canal and in between N.E. 3<sup>rd</sup> and N.E. 5<sup>th</sup> Avenues. Attached to this letter is an aerial map and legal description showing the location of the proposed abandonment. Please note the abandonment will consist of the vacation of the easternmost 25 feet of right-of-way. Again, the subject property proposed for abandonment is unconstructed. It is the intent of the property owner, located east of N.E. 4<sup>th</sup> Court, to submit an application requesting the vacation of the right-of-way in order to develop the property.

The City of Dania Beach requires that I notify your office in order to ensure that there are no existing utilities in the proposed right-of-way. If you require any additional information, please do not hesitate to call or contact me at 561-337-0878. Also, attached to this letter is a draft for your use. Thank you for your time and consideration.

Sincerely,  
*Tara-Lynn Patton*  
Tara-Lynn Patton, AICP  
Land Planner

Office 561-736-6642  
Fax 561-736-6642  
Mobile 561-337-0878  
**Planning and Entitlements, LLC**  
10805 Gleneagles Road  
Boynton Beach, FL 33436  
E-mail [pattontnt@earthlink.net](mailto:pattontnt@earthlink.net)

Attachments

*Letterhead*

Tara-Lynn Patton, AICP  
Land Planner  
Planning and Entitlements, LLC  
10805 Gleneagles Road  
Boynton Beach, FL 33436

RE: Abandonment of N.E. 4<sup>th</sup> Court

Dear Tara,

Based on the review, FPL has no objection to the vacation of right-of-way. Additional easements to provide service to the proposed parcel may be required and will need to be provided by the owner at the time of construction.

FPL will require a complete set of plans prior to construction. This would include site, civil, landscape and electrical plans, as the FPL engineering, design and construction process encompasses approximately a three-four month schedule, it is imperative that the complete set of plans be provided well in advance of construction.

Sincerely,



June 10, 2015

Mr. Max Chamorro  
TECO Energy

RE: Abandonment-N.E. 4<sup>th</sup> Court

Via Electronic Mail

Dear Mr. Chamorro,

I am writing to request a letter of no objection regarding the proposed abandonment of a portion of N.E. 4<sup>th</sup> Court located within the City of Dania Beach. The proposed, but unconstructed N.E. 4<sup>th</sup> Court consists of 80 foot right-of-way and is located north of Dania Beach Boulevard, south of the Dania Beach Cutoff Canal and in between N.E. 3<sup>rd</sup> and N.E. 5<sup>th</sup> Avenues. Attached to this letter is an aerial map and legal description showing the location of the proposed abandonment. Please note the abandonment will consist of the vacation of 25 feet of the easternmost portion of right-of-way. Again, the subject property proposed for abandonment is unconstructed. It is the intent of the property owner, located east of N.E. 4<sup>th</sup> Court, to submit an application requesting the vacation of the right-of-way in order to develop the property.

The City of Dania Beach requires that I notify your office in order to ensure that there are no existing utilities in the proposed right-of-way. If you require any additional information, please do not hesitate to call or contact me at 561-337-0878. Also, attached to this letter is a draft for your use. Thank you for your time and consideration.

Sincerely,  
*Tara-Lynn Patton*  
Tara-Lynn Patton, AICP  
Land Planner

Office 561-736-6642  
Fax 561-736-6642  
Mobile 561-337-0878  
Planning and Entitlements, LLC  
10805 Gleneagles Road  
Boynton Beach, FL 33436  
E-mail [pattontnt@earthlink.net](mailto:pattontnt@earthlink.net)

Attachments

*Letterhead*

Tara-Lynn Patton, AICP  
Land Planner  
Planning and Entitlements, LLC  
10805 Gleneagles Road  
Boynton Beach, FL 33436

RE: Abandonment of N.E. 4<sup>th</sup> Court

Dear Tara,

Based on the review, TECO has no objection to the vacation of right-of-way. Additional easements to provide service to the proposed parcel may be required and will need to be provided by the owner at the time of construction, if applicable.

Sincerely,



June 10, 2015

Mr. Leonard Maxwell Newbold  
Comcast Communications  
9950 NW 6 Ct  
Pembroke Pines, FL 33024

RE: Abandonment-N.E. 4<sup>th</sup> Court

Via Electronic Mail

Dear Mr. Newbold,

I am writing to request a letter of no objection regarding the proposed abandonment of a portion of N.E. 4<sup>th</sup> Court located within the City of Dania Beach. The proposed, but unconstructed N.E. 4<sup>th</sup> Court consists of 80 foot right-of-way and is located north of Dania Beach Boulevard, south of the Dania Beach Cutoff Canal and in between N.E. 3<sup>rd</sup> and N.E. 5<sup>th</sup> Avenues. Attached to this letter is an aerial map and legal description showing the location of the proposed abandonment. Please note the abandonment will consist of the vacation of 25 feet of the easternmost portion of right-of-way. Again, the subject property proposed for abandonment is unconstructed. It is the intent of the property owner, located east of N.E. 4<sup>th</sup> Court, to submit an application requesting the vacation of the right-of-way in order to develop the property.

The City of Dania Beach requires that I notify your office in order to ensure that there are no existing utilities in the proposed right-of-way. If you require any additional information, please do not hesitate to call or contact me at 561-337-0878. Also, attached to this letter is a draft for your use. Thank you for your time and consideration.

Sincerely,  
*Tara-Lynn Patton*  
Tara-Lynn Patton, AICP  
Land Planner

Office 561-736-6642  
Fax 561-736-6642  
Mobile 561-337-0878  
**Planning and Entitlements, LLC**  
10805 Gleneagles Road  
Boynton Beach, FL 33436  
E-mail [pattontnt@earthlink.net](mailto:pattontnt@earthlink.net)

Attachments

*Letterhead*

Tara-Lynn Patton, AICP  
Land Planner  
Planning and Entitlements, LLC  
10805 Gleneagles Road  
Boynton Beach, FL 33436

RE: Abandonment of N.E. 4<sup>th</sup> Court

Dear Tara,

Based on the review, Comcast has no objection to the vacation of right-of-way. Additional easements to provide service to the proposed parcel may be required and will need to be provided by the owner at the time of construction.

Comcast will require a complete set of plans prior to construction. This would include site, civil, landscape and electrical plans, as the Comcast engineering, design and construction process encompasses approximately a three-four month schedule, it is imperative that the complete set of plans be provided well in advance of construction.

Sincerely,



March 25, 2015

*Resubmit April 30, 2015*

Mr. Otis Keeve, AT&T Utility Coordinator (Broward County)  
AT&T  
8601 West Sunrise Boulevard  
Plantation, FL 33322

RE: Abandonment- Portion of N.E. 4<sup>th</sup> Court

Dear Mr. Keeve,

I am writing to request a letter of no objection regarding the proposed abandonment of a portion of N.E. 4<sup>th</sup> Court located within the City of Dania Beach. The proposed, but unconstructed N.E. 4<sup>th</sup> Court consists of 80 foot right-of-way and is located north of Dania Beach Boulevard, south of the Dania Beach Cutoff Canal and in between N.E. 3<sup>rd</sup> and N.E. 5<sup>th</sup> Avenues. Attached to this letter is an aerial map and legal description showing the location of the proposed abandonment. Please note the abandonment will consist of the vacation of 25 feet of right-of-way (outlined in blue on the legal description). Again, the subject property proposed for abandonment is unconstructed. It is the intent of the property owner, located east of N.E. 4<sup>th</sup> Court, to submit an application requesting the vacation of the right-of-way in order to develop the property.

The City of Dania Beach requires that I notify your office in order to ensure that there are no existing utilities in the proposed right-of-way. If you require any additional information, please do not hesitate to call or contact me at 561-337-0878. Also, attached to this letter is a draft for your use. Thank you for your time and consideration.

Sincerely,

*Tara-Lynn Patton*

Tara-Lynn Patton, AICP  
Land Planner

Office 561-736-6642

Fax 561-736-6642

Mobile 561-337-0878

**Planning and Entitlements, LLC**

10805 Gleneagles Road

Boynton Beach, FL 33436

E-mail [pattontnt@earthlink.net](mailto:pattontnt@earthlink.net)

Attachments

*Letterhead*

Tara-Lynn Patton, AICP  
Land Planner  
Planning and Entitlements, LLC  
10805 Gleneagles Road  
Boynton Beach, FL 33436

RE: Abandonment of a portion (25 FT) of N.E. 4<sup>th</sup> Court

Dear Tara,

This letter shall serve as notice that AT&T Florida has no objection to the above mentioned abandonment. The owner/developer shall be responsible for providing any necessary easements in order to allow AT&T to provide service to the proposed property.

Sincerely,





March 25, 2015

*Resent April 30, 2015*

Ms. Shovonti Archer, Associate Engineer  
Florida Power and Light  
330 SW 12<sup>th</sup> Avenue  
Pompano Beach, FL 33069

RE: Abandonment-N.E. 4<sup>th</sup> Court

Dear Ms. Archer,

I am writing to request a letter of no objection regarding the proposed abandonment of a portion of N.E. 4<sup>th</sup> Court located within the City of Dania Beach. The proposed, but unconstructed N.E. 4<sup>th</sup> Court consists of 80 foot right-of-way and is located north of Dania Beach Boulevard, south of the Dania Beach Cutoff Canal and in between N.E. 3<sup>rd</sup> and N.E. 5<sup>th</sup> Avenues. Attached to this letter is an aerial map and legal description showing the location of the proposed abandonment. Please note the abandonment will consist of the vacation of 25 feet of right-of-way (outlined in blue on the legal description). Again, the subject property proposed for abandonment is unconstructed. It is the intent of the property owner, located east of N.E. 4<sup>th</sup> Court, to submit an application requesting the vacation of the right-of-way in order to develop the property.

The City of Dania Beach requires that I notify your office in order to ensure that there are no existing utilities in the proposed right-of-way. If you require any additional information, please do not hesitate to call or contact me at 561-337-0878. Also, attached to this letter is a draft for your use. Thank you for your time and consideration.

Sincerely,

*Tara-Lynn Patton*

Tara-Lynn Patton, AICP  
Land Planner

Office 561-736-6642

Fax 561-736-6642

Mobile 561-337-0878

**Planning and Entitlements, LLC**

10805 Gleneagles Road

Boynton Beach, FL 33436

E-mail [pattontnt@earthlink.net](mailto:pattontnt@earthlink.net)

Attachments

*Letterhead*

Tara-Lynn Patton, AICP  
Land Planner  
Planning and Entitlements, LLC  
10805 Gleneagles Road  
Boynton Beach, FL 33436

RE: Abandonment of N.E. 4<sup>th</sup> Court

Dear Tara,

Based on the review, FPL has no objection to the vacation of right-of-way. Additional easements to provide service to the proposed parcel may be required and will need to be provided by the owner at the time of construction.

FPL will require a complete set of plans prior to construction. This would include site, civil, landscape and electrical plans, as the FPL engineering, design and construction process encompasses approximately a three-four month schedule, it is imperative that the complete set of plans be provided well in advance of construction.

Sincerely,



July 1, 2015

Lt. Anthony DeMarco  
Broward County Sheriff's Office  
100 West Dania Beach Boulevard  
Dania Beach, FL 33004

RE: Abandonment-N.E. 4<sup>th</sup> Court

Via Electronic Mail

Dear Lt. DeMarco,

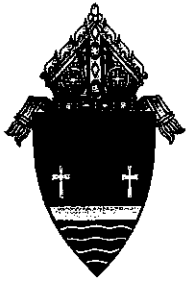
I am writing to request a letter of no objection regarding the proposed abandonment of a portion of N.E. 4<sup>th</sup> Court located within the City of Dania Beach. The proposed, but unconstructed N.E. 4<sup>th</sup> Court consists of 80 foot right-of-way and is located north of Dania Beach Boulevard, south of the Dania Beach Cutoff Canal and in between N.E. 3<sup>rd</sup> and N.E. 5<sup>th</sup> Avenues. Attached to this letter is an aerial map showing the location of the proposed abandonment. Please note the abandonment will consist of the vacation of 25 feet of right-of-way. Again, the subject property proposed for abandonment is unconstructed. It is the intent of the property owner, located east of N.E. 4<sup>th</sup> Court, to vacate of the right-of-way in order to develop the property.

The City of Dania Beach requires that I notify your office and obtain a letter of no objection. If you require any additional information, please do not hesitate to call or contact me at 561-337-0878. Also, attached to this letter is a draft for your use. Thank you for your time and consideration.

Sincerely,  
*Tara-Lynn Patton*  
Tara-Lynn Patton, AICP  
Land Planner

Office 561-736-6642  
Fax 561-736-6642  
Mobile 561-337-0878  
**Planning and Entitlements, LLC**  
10805 Gleneagles Road  
Boynton Beach, FL 33436  
E-mail [pattontnt@earthlink.net](mailto:pattontnt@earthlink.net)

Attachments



ARCHDIOCESE OF MIAMI  
*Building and Property Office*

July 13, 2015

Ms. Corinne Lajoie, AICP - Principal Planner  
City of Dania Beach  
Community Development  
100 West Dania Beach Boulevard  
Dania Beach, FL 33004

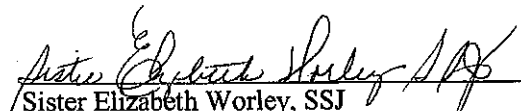
Via Electronic Mail

RE: Letter of Consent – Abandonment of a portion of N.E. 4<sup>th</sup> Court

Dear Ms. Lajoie,

Please accept this letter of consent and no objection regarding the proposed abandonment of 25 feet (FT) of N.E. 4<sup>th</sup> Court, an unconstructed right-of-way, located within the City of Dania Beach. We understand that Edelman Development Corporation, with Bonnie Miskel, Esquire, acting as the agent for this application, is requesting the proposed abandonment.

Sincerely yours in Christ,

  
Sister Elizabeth Worley, SSJ  
Chancellor for Administration & COO  
Archdiocese of Miami

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS:

That the most Reverend Thomas Wenski, as Archbishop of the Archdiocese of Miami, his successors in office, a corporation sole, has made, constituted and appointed, and by these presents does hereby make, constitute and appoint Sister Elizabeth A. Worley, C.O.O., his true and lawful attorney for him and in his name, place, and stead.

Giving and granting unto Sister Elizabeth A. Worley, C.O.O., his said attorney full power and authority to do and perform all and every act and thing whatsoever requisite and necessary to be done in and about the premises as fully, to all intents and purposes, as he might or could do if personally present, with full power of substitution and revocation, hereby ratifying and confirming all that Sister Elizabeth A. Worley, C.O.O., his said attorney or his substitute shall lawfully do or cause to be done by virtue hereof.

In Witness Whereof, I have hereunto set my hand and seal this 20 day of February, A.D., 2015.

Signed, sealed and delivered in the presence of:

Witness: [Signature]

Witness Signature  
Yamileth Rivera  
Printed Name

[Signature]  
Witness Signature

Solange Hernandez  
Printed Name

[Signature]

The Most Reverend Thomas Wenski  
As Archbishop of the Archdiocese of  
Miami his successors in office, a  
corporation sole

STATE OF FLORIDA     )  
                                  )     SS:  
COUNTY OF DADE     )

I hereby certify that on this day, before me, an officer duly authorized to administer oaths and take acknowledgements, personally appeared The Most Reverend Thomas Wenski, as Archbishop of the Archdiocese of Miami, his successors in office, a corporation sole, known to me to be the person described in and who executed the forgoing instrument, who acknowledged before me that he executed the forgoing instrument, who acknowledged before me that he executed the same, and an oath was not taken.  Said person is personally known to me  Said person provided the following type of identification: \_\_\_\_\_.

Witness my hand and official seal in the County and State last aforesaid this 20 day of February, A.D., 2015.

My Commission Expires:



[Signature]

## Lajoie, Corinne

---

**From:** Navarro, Ronnie  
**Sent:** Thursday, July 09, 2015 11:19 AM  
**To:** Lajoie, Corinne  
**Cc:** LaFerrier, Marc; [jwhite@wsh-law.com](mailto:jwhite@wsh-law.com)  
**Subject:** RE: Dania Mega Yacht easement agreement

I agree, if there are water and sewer pipes, easement should be **exclusive**.

---

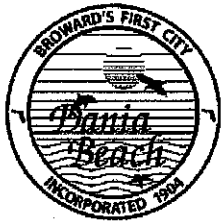
**From:** Lajoie, Corinne  
**Sent:** Thursday, July 09, 2015 11:03 AM  
**To:** LaFerrier, Marc; [jwhite@wsh-law.com](mailto:jwhite@wsh-law.com); Navarro, Ronnie  
**Subject:** Dania Mega Yacht easement agreement

Not sure who has seen the proposed easement agreement so I am sharing with all. I have some concerns that are highlighted in the attached. I am trying to get a word document from the applicant.

Please review and comment ASAP as the vacation request is scheduled for next week's P&Z meeting.

Thank you.

Corinne Lajoie, AICP, LEED GA  
Principal Planner  
City of Dania Beach, FL



**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: Plat Waiver (SEE APPLICATION TYPE SCHEDULE ON PAGES 3 & 4)

Date Rec'd: \_\_\_\_\_

Petition No.: 07-072-15

**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: NE 4<sup>th</sup> Court from NE 2 Street north to the Dania Cutoff Canal  
 Lot(s): \_\_\_\_\_ Block: \_\_\_\_\_ Subdivision: Harbor Lawns No. 1

Recorded Plat Name: Portion of Amended Plat of a Portion of Harbor Lawns No. 1 PB 34 Page 5 & Portion of Amended Plat of Harbor Lawns No. 1 PB 14 Page 46

Folio Number(s): 504234170011 (R/W), 504234160040 (R/W), 504234160030 (R/W) Legal Description: Please see attached legal description.

Applicant/Consultant/Legal Representative (**circle one**) Bonnie Miskel, Esq.-Dunay, Miskel & Backman, LLP

Address of Applicant: 14 S.E. 4<sup>th</sup> Street Boca Raton, FL 33432

Business Telephone: 561-405-3300 Direct: 561-405-3321 (Tara Patton) 561-337-0878-cell

E-mail address: bmiskel@dmbblaw.com or pattontnt@earthlink.net

Name of Property Owner: Archdiocese of Miami Church of the Resurrection c/o Suzanne Dockerty, Esq.  
The Most Reverend Thomas G. Wenski

Address of Property Owner: 441 NE 2 Street Dania Beach, FL 33004 or 9401 Biscayne Blvd. Miami Shores, FL 33138

Business Phone of S. Dockerty: 305-443-9162 Email of S. Dockerty: sad@jpfitzlaw.com Address of S. Dockerty: 110 Merrick Way, Suite 3B Coral Gables, FL 33134

**Explanation of Request:** A request to waive platting requirement for the Amended Plat for a Portion of Harbor Lawns No. 1 For Plats please provide proposed Plat Name for Variances please attach Criteria Statement as per Section 625.40 of the Land Development Code.

Prop. Net Acreage: 204,764 +/- Gross Acreage: 228,584 SF +/- Prop. Square Footage: N/A

Existing Use: Vacant Proposed Use: Marina

Is property owned individually, by a corporation, association, or a joint venture? The property is owned by the Archdiocese of Miami Church of the Resurrection. The contract purchaser is Edelman Development Corporation.

**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 Bonnie Miskel, Esq. et al. (Please see attached letter(s) on behalf of the Owner and Applicant providing the requested authorizations. (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

STATE OF FLORIDA  
COUNTY OF BROWARD  
The foregoing instrument  
was acknowledged

By: Bonnie Miskel  
(Owner / Agent signature\*)

BEFORE ME THIS 19th DAY OF June, 2015

By: Bonnie Miskel  
(Print name of person acknowledging) (Joint owner signature if applicable)

Notary Tara-Lynn Patton  
(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.**



## **Plat Waiver Justification-Dania Beach Mega Yacht**

This request is seeking the approval of a plat waiver for the project known as the "Dania Beach Mega Yacht". The Dania Beach Mega Yacht property is located between N.E. 4<sup>th</sup> Court and N.E. 5<sup>th</sup> Avenue, north of N.E. 2<sup>nd</sup> Street and south of the Dania Beach Cutoff Canal within the City of Dania Beach. The subject property consists of approximately 4.557 +/- acres, exclusive of the area requested for abandonment, provided under a separate application that is being processed concurrent with this request.

In accordance with the Dania Beach Land Development Code (LDC):

*No platted street, alley or other property dedicated to the public use shall be vacated or abandoned except by a new plat submitted to and approved by the city commission, showing the condition of the area after such vacation and abandonment; however, if it is determined by the city commission that the submission and approval of such new plat would cause an undue hardship to the property owner requesting such a vacation or abandonment, the submission and approval of such new plat may be waived by the city commission.*

Additionally, Section 655-30(D) of the Dania Beach Land Development Code (LDC) states:

*In order for the city commission to approve the vacation, it must waive the platting requirement of the city charter. The request for waiver may be processed concurrently with the petition for vacation.*

The subject property is a platted piece of property known as the Amended Plat of a Portion of Harbor Lawns Plat No. 1 recorded in Plat Book 34, Page 5 of the Public Records of Broward County. In accordance with the Broward County Land Use Plan, Section D.2., Chapter IV, replatting is not required if the original plat was reviewed and approved subsequent to June 4, 1953. This plat was reviewed and recorded on March 30, 1954. A letter from the Broward County Planning Council concurring with this interpretation is attached to this justification statement.

Great attention has been made to develop the Dania Beach Mega Yacht in a manner consistent with the neighborhood and character of the City of Dania Beach. Careful thought has been placed on the massing, size and positioning of the proposed structure so that it is compatible with the surrounding properties and the City's vision for this area. The proposed use of the property as a marina is a passive use. This is evidenced by the nature of the facility, the design, open spaces, and landscaping proposed for property. Replatting of the property does not change the site conditions nor provide the City with any measurable benefits. The intent of a plat is to provide the necessary dedications and boundary for a piece of property and the existing plat provides this information.

The use of the subject property as a marina is consistent with the surrounding land uses. The addition of a marina on the subject property is in harmony with the general character of the neighborhood. The subject property is currently vacant, but perfectly suited to be utilized as a marina due to its proximity to the water. The Dania Cutoff Canal is home to several other marinas and this particular area is well positioned to accommodate large vessels that can be driven into dock by the captain of the vessel opposed to having another boat tow the large vessels into dock which minimizes the number of boats passing through this portion of the canal.

The granting of the plat waiver will not create an unnecessary burden and the replatting of the subject property does not further enhance the property. The approvals being sought by the City Commission provide the necessary conditions and restrictions upon the property in order to construct a marina. This use generates very little traffic and is a clean and low-impact use. The outcome of this request will yield a brand new building, open spaces and extensive landscaping. The granting of the plat waiver request is not contrary to the public interest. The use of the property is very specific and much more detail is required to be provided to the City of Dania Beach for site plan review than would be required under the City or County platting process. In summary, the City is able to get a greater level of detail utilizing the site plan review procedure versus the platting through both the City and County. The addition of a marina to this area will provide tax revenue as no sales or property tax is being generated as part of the current use. This action creates an atmosphere of renewal and will inspire other properties to engage in redevelopment in this area. The redevelopment of this property, in this location, demonstrates to other property owners, and the public, that there is a desire to improve and upgrade the subject property. This exemplifies sustainability and the desire for long term improvement to this part of the City of Dania Beach.