

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: 6/8/15

Petition No.: VA-068-15

(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: 441 NE 2 Street (4.557 ac portion of the parcel)

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

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

Folio Number(s): 504234170010-(Parent), 504234170011 (R/W), 504234160040 (R/W) Legal Description: Please see attached survey

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 for site plan approval for the project known as Dania Beach Megaport. 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: 4.557 ac Gross Acreage: 10.61 ac Prop. Square Footage: Please see attached site plan.

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: *Jan Lynn Patton*  
(Owner / Agent signature\*)

BEFORE ME THIS 5 DAY OF June, 2015

By:

TARA Lynn - PATTON  
(Print name of person acknowledging)

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

Notary *Beatrice Williams*  
(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.**

Variance Review Criteria-Dania Beach Megaport

Per Section 265-160 of the City of Dania Beach Code of Ordinances, no part of a driveway shall be located closer than eighty (80) feet from the intersection of collector or arterial streets, nor closer than forty-five (45) feet from the intersection of local streets. When a local street is an arterial or collector street, the minimum required separation shall be eighty (80) feet measured along the arterial or collector street line, and forty-five feet (45) feet along the local street line. This variance petition seeks to obtain relief from Section 265-160 which requires that driveways be located no closer than forty-five (45) feet from the intersection of local streets. Great attention has been made to develop the property 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 low-impact use. This is evidenced by the nature of the facility, the design, open spaces, and landscaping proposed for property. In order to align the proposed ingress/egress point with the existing intersection of NE 5<sup>th</sup> Avenue and NE 3<sup>rd</sup> Street, the driveway is located within the intersection. The position of the driveway in this location requires the request of a variance.

- (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.

The requested variance is in keeping with the purpose and regulations of the City of Dania Beach. The subject property will contain passive, clean, low-impact use which utilizes the natural resources within the area. The proposed driveway is being created in order to provide access to the subject property. In order to provide better traffic circulation into the property, the driveway is being located directly across from NE 3<sup>rd</sup> Street. This helps provide for greater visibility and removes the ability to place a hidden driveway along this street. Ultimately, this driveway provides for better identification and alignment of the local roadway network. The positioning of the driveway in this location helps to conform to the existing street pattern established by the local streets.

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

The use of a marina located within the Single Family 8000 (R-S 8000) zoning district requires a special exception use. A special exception use as defined by the City of Dania Beach's Code of Ordinance's as a use compatible with other land uses permitted within a zoning district. However, due to the unique characteristics and impacts on the surrounding neighborhood, the City Commission is given authority to review such uses to ensure the appropriate location, design, configuration and appropriateness of a proposed use. The use of the subject property as a marina is consistent with the surrounding land uses. The addition of a marina on the Property is in harmony with the general character of the neighborhood within which the subject property is located. The 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. In order to provide the subject parcel with access, the driveway is being designed in order to align with NE 3<sup>rd</sup> Street. The driveway in this location will prevent a hidden driveway along NE 5<sup>th</sup> Avenue which provides for greater visibility and identification. The driveway in this location is serves to conform to the existing roadway pattern and aligns with NE 3<sup>rd</sup> Street which prevents other points of access from being created.

- (3) That the requested variance is consistent with, an 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 granting of the variance is consistent with the intent of the City's Comprehensive Plan. The variance request will establish a better driveway design. Allowing the driveway to be positioned to align with NE 3<sup>rd</sup>

Street, an existing, local street helps the flow of traffic and provides for a better situated access point which prevents the construction of a hidden driveway. Positioning the driveway at the intersection allows for better visibility and continuity of the roadway network.

The proposed application is consistent with the City's Comprehensive Plan and exemplifies the following policies and objective:

**Policy 5.1: Encourage development to enhance the tax base of the community.**

**Policy 8.3: Safe and convenient on site traffic flow shall be provided in accordance with the Comprehensive Plan and the land development regulations.**

**Objective XXI: Coordinate transportation and land use planning activities of Broward County and Dania Beach to ensure that the regional roadway network levels of service standards established within the Broward County Comprehensive Plan are met. (B.C.O. #12.01.00)**

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

The granting of the variance will not create an unnecessary burden. The subject property is seeking approval to construct a marina. This use will serve as a passive, clean and low-impact use. After review of the proposed access points into the subject property, the petitioner concurred with the City to process a variance application in order to establish a better connectivity with the surrounding roadway network. The request to locate the driveway in this location is unique due to the proximity of the parcel adjacent to other residential areas. In order to provide for the least impact, the location of the driveway, to align with NE 3<sup>rd</sup> Street, prevents the creation of a hidden driveway and limit the amount of traffic requiring further access into NE 5<sup>th</sup> Avenue other than those residents living north of the driveway.

- (5) 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.

The outcome of this request will yield a brand new building, open spaces and extensive landscaping. The granting of the variance request is not contrary to the public interest. The request will be providing a very specific, low-impact use service to those owning large mega-yachts. The addition of a marina to his 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 property. This exemplifies sustainability and the desire for long term improvement to this part of the City of Dania Beach.



**DUNAY  
MISKEL  
BACKMAN** LLP

Gary S. Dunay  
Bonnie Miskel  
Scott Backman  
Dwayne L. Dickerson  
Hope W. Calhoun  
Christina Bilenki  
Heather Jo Allen



July 7, 2015

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

RE: Project Name: Dania Beach Mega Yacht (SP-43-15/SE-44-15/OT-45-15)  
Response to DRC Comments – June 25, 2015

Dear Ms. Lajoie,

Per the Development Review Committee (DRC) meeting held on June 25, 2015, this letter is in response to the comments received regarding the Dania Beach Mega Yacht submittal. Please find each of the comments listed below with the response in **bold**. We look forward to working with you on this project.

**Zoning Comments**

1. Incomplete information was provided. Further review and comment will be conducted by staff after additional information is provided by the applicant. See comments below.

**Response: Noted.**

2. Statement provided by Cathy Sweetapple, 13 PM peak hour trips will be generated therefore \$276.38 mitigation fee is required at the time of permitting.

**Response: Noted.**

3. SIGNS: Provide signage details.

**Response: No monument signage will be provided. The only signage that is contemplated for the facility will be on the proposed building. The proposed square footage of the wall sign will be provided within this submittal.**

4. The proximity to the airport will require FAA/BCAD review. Contact William Castillo, Airport Planner with the Broward County Aviation Department, located at 2200 SW 45 Street, Suite 101, Dania Beach, FL 33315 (954) 359-6100.

**Response: Contact with FAA/BCAD has been made. Upon receiving documentation, it will be forwarded to the City of Dania Beach.**

5. Must provide latest revised set of plans on disk prior to going to public hearing.

**Response: Noted.**

6. Cost Recovery: per Article 685, cost recovery funds may be utilized for various costs of the city's administrative and outside fee consultants for the processing and review of applications. Please provide \$5,000 cost recovery fee for outside legal counsel with next submittal. The cost recovery money can be returned if not utilized, or additional fees may be requested if additional fees are incurred.

**Response: Noted.**

7. Clarify lot area calculation. Sheet SP-1 shows property area = 228,584 SF or 5.247 acres. Application shows 4.557 acres. Revise accordingly.

**Response: The acreage has been corrected (on each application) to be consistent on the site plan and application(s). Attached are the corrected first pages of each application.**

8. Identify on Sheet SP-1 that the front of the property is east, and rear is west.

**Response: Front & Rear property lines are identified on Site Plan located on SP-1.**

9. Table on Sheet SP-1 shows 460/21' side setback. This measurement is not shown on drawing. Revise accordingly.

**Response: Side setbacks shown on Site Plan and Table located on SP-1 have been coordinated as requested.**

10. Per Section 265-160 separation requirements applicable to all driveways will require a variance. A variance request requires submittal of an application, an application fee of \$2,300 for each requested variance, and a written justification statement addressing the variance criteria identified in Sec. 625-40 of the City's LDR's.

**Response: A variance application was submitted at the time of the 2<sup>nd</sup> DRC submittal.**

11. Lighting shall be in accordance with Article 280. Provide light levels at property lines. Must not exceed .5 foot candle lights.

**Response: Photometric plan has been revised to accordingly.**

12. Must construct a sidewalk along NE 5 Avenue the length of the property. See City Engineer for details.

**Response: Sidewalk was shown originally; however at DRC, the City requested at DRC to re-locate sidewalk against East property line and has been revised to comply.**

13. Per Section 275110(D) a 10' landscape buffer is required. Identify setback from parking lot and south property line on site plan.

**Response: Landscape buffer has been identified and the setback has been labeled from the parking lot and southern property line.**

14. Vacation of ROW-(to be processed as an ordinance) Must provide the following:

- Per Section 655-20-provide evidence of notification to all utilities (public and private) that may have an interest in the area to be vacated.

**Response: Notification letters have been provided to all of the applicable utilities.**

- Per Section 655-20-Notarized signatures of property owners abutting affected portions of the ROW proposed for vacation, indicating support or objection for this application. Must receive notarized signature of the Church.

**Response: After discussion with the City, signatures of the adjacent property owners are not required. Instead, the City is requesting a letter from the Church providing consent to the vacation.**

- Per Section 655-30(D)-no platted street shall be vacated except by new plat submitted to and approved by the City Commission. Submit plat application.

**Response: In accordance with the City's Land Development Code, we will be requesting the City Commission to waive the platting requirement. A plat waiver application has been provided to the City and is slated to go before the City Commission on July 28, 2015.**

15. Per Section 215-130, 37% pervious area required (excluding basin). Provide calculation on Sheet SP-1. Amend note #2 in data box on Sheet SP-1 to include impervious area based on "upland". Revise calculations if necessary.

**Response: Calculations were clarified at DRC. No revisions are necessary.**

16. If the marina is not a separate property from the church the marina and office building will be considered accessory use and structures to the church, at which time Article 230 and Section 220-70 will have to be followed regarding size and height limitations. Provide sale contract for property or some other document showing sale pending.

**Response: Under separate cover, a letter will be provided that confirms the pending sale between the Edelman Development and the Archdiocese.**

#### **Urban Forester Comments**

1. Per Sec. 825-50, trees No. 41, 44, 54 and 60 are considered specimen trees: "*Specimen tree...any palm tree which has a minimum of 6 feet of clear wood and a DBH of 12 inches or greater*". For these trees, please provide the dollar value calculated in accordance with section 825-140 of the Dania Beach Code.

**Response: Specimen trees no. 41, 44, 54 and 60 are TO BE RELOCATED ON SITE. No dollar value calculation is necessary for these trees. (See Sheet L-4)**

2. Trees No. 41, 44, 54 and 60 are specimen palm trees in good condition proposed for removal. Specimen trees are subject to the preservation and relocation criteria. Applicant is responsible to provide justification of why retention or relocation is not feasible. If it is determined by the City that relocation is not feasible, then payment shall be made into the tree trust fund. If relocation is proposed, relocation notes shall be included in sheet L-3.

**Response: Specimen trees no. 41, 44, 54 and 60 are TO BE RELOCATED ON SITE. No mitigation is necessary for these trees. (See Sheet L-4)**

3. Per section 275-100 (D), terminal landscape peninsulas shall be 10 foot wide as long as the required length of the parking stall in that aisle (exclusive of curb dimensions); each peninsula shall have a minimum of two category 1 trees. Buttonwood and sabal palms are depicted for two terminal islands SE and NW corners of the Marina Office. These species are not category 1 trees.

**Response: All terminal landscape peninsulas are appropriately sized per Dania Beach Code. All terminal islands have (2) category I trees, including the two terminal islands on the SE and NW corners of the Marina Office. (See Sheet L-1)**

4. Per Sec. 275-110 (D), when any property zoned or used for commercial purposes directly abuts a residentially zoned or used property, a landscaped area at least 10' in depth shall be provided, containing a 6' masonry wall, 1 tree per every 40 linear feet or residential property, and one 1 shrub per every 3' of residential property.

**Response: A landscape area of at least 10' in depth is provided with a 6 foot masonry wall and a minimum of 1 tree per every 40 linear feet of the abutted residential property and one shrub per every 3 feet of the abutted residential property. (See Sheet L-3)**

5. A fire hydrant is depicted in one of the intermediate peninsulas, please ensure that no vegetation is planted within 36" of the hydrant or any other connections, and note it on Page L-1.

**Response: No vegetation is provided within 36" of the fire hydrant or any other connections. (See Sheet L-1)**

6. Tree Removal Mitigation Table, Sheet L-4, indicates a total canopy loss of 23,040 SF, mitigation of 9,900 SF and tree trust fund contribution for the remaining 13,143 SF. Be advised that per Sec. 825-100 (5), and additional 50% tree replacement shall be required for trees removed on all new or amended developments, which will increase the mitigation requirement to 34,560 SF. Please make the necessary corrections. In addition, mitigation for any trees that are in conflict with the sidewalk along NE 5<sup>th</sup> Ave., will have to be included in this mitigation calculations.

**Response: As per Sec. 825-100, an additional 50% tree replacement has been calculated into the mitigation requirements. The total mitigation required is 33,764 SF. The trees along the NE 5th Avenue sidewalk are not in conflict with the proposed design and will be preserved and protected during construction. (See Sheet L-1)**



### Engineering Department Comments

1. Please reconcile stormwater calculations with survey information. Total project area does not match.

**Response: Areas have been revised and reconciled.**

2. Please provide copy of the percolation results as used in your stormwater calculations; reconcile pre- and post- development areas; marina occupied by water under proposed development should be included.

**Response: Percolation tests have not performed at this time.**

3. Show section of proposed retention areas. Perimeter grade shall meet the 25-year storm event flood stage.

**Response: Sections have been added to retention areas and perimeter grade areas shall meet the 25 year flood stage.**

4. Please note that right of way vacation is pending. Proposed vacated property is termed as a landscape area by the architect whereas it's actually used as an impounding swale by the engineer. Please clarify intended use. Use of this stretch of property to address stormwater issue may pose unforeseen problem to the City, when the City, at some future time, will develop the remaining portion of the right of way for other infrastructure purposes.

**Response: It is the intent to utilize the area subject to abandonment for drainage purposes. It is our understanding that it is the City's intent to construct a sidewalk in this location at some point in the future. The use of the land for drainage purposes will not preclude the City's ability to utilize this area.**

5. May need to revisit proposed sewer system once pump out system is resolved. Building can connect directly by gravity to existing gravity system but not the pump out which require a forcemain system, this may require installation of a drop manhole to connect the gravity system.

**Response: Noted.**

6. Suggest use of a 6" striping instead of 4".

**Response: Striping has been modified to 6".**

7. Per Dania Code of Ordinances (Article 415-Sidewalks and Swales). Owner is responsible for sidewalks and swale improvements within the road right of way. Please show extent of offsite improvements in sufficient detail including but not limited to paving, grading and drainage along NE 5<sup>th</sup> Avenue. It seems that the proposed alignment is along edge of pavement; this requires curbing for safety reasons.

**Response: A sidewalk and curb have been added to NE 5<sup>th</sup> Street.**

8. Provide sections and details of at-grade driveways and at-grade parking areas.

**Response: Sections have been provided on the pavement and drainage plan.**

9. In compliance with Article 805 of the City Code of Ordinances, applicant shall provide a projection water demand, and sewage and solid waste generation in tabular format.

**Response:**

**Projection of Water, Sewer and Solid Waste Generation**

	Existing	Proposed
Potable Water	0	Marina Office=3,369 SF x .2 GPD= 674 GPD One Bedroom Apartment=300 GPD
Sanitary Sewer	0	Marina Office=3,369 SF x .2 GPD= 674 GPD One Bedroom Apartment=300 GPD
Solid Waste	0	Marina Office=3,369 SF x 1lb/100 SF/Day=34 LBS/Day One Bedroom Apartment=8.9 LBS/Day

10. Show estimate of pm peak trips based on the latest ITE Manual.

**Response: Please refer to the Traffic Analysis prepared by Cathy Sweetapple demonstrates thirteen (13) peak hour pm trips.**

11. Further comments may be offered based on future plan revisions.

**Response: Noted.**

12. Provide drawing file (dwg or dgn) disk of the approved site plan in Florida State Plane Coordinate (NAD 83). This should be addressed as part of the final submittal.

**Response: Noted.**

**Fire Department Comments**

1. A Pavement Marking Plan demonstrating all of the following:
  - a. Fire Lane locations and striping detail (demonstrated)
  - b. "NO PARKING" sign locations and sign details demonstrated-Note: Provide fire lane striping at the hammerhead turn around.

**Response: As discussed with the fire department, the above referenced items will be provided during the building permit review process.**

2. A set of Civil Plans indicating the following:
  - a. Dimensions of the three nearest adjacent hydrants to the project site - Note: provide closest hydrant located on NE 5 Ave and on NE 2 St
  - b. Proposed fire department connection locations – Note: plan shows proposed FDC is connected to the 8 inch water main. The FDC should not be connected to water main. The FDC should be connected to the dock stand pipe system and not the water main.
  - c. Provide locations of Post indicating Valves or Underground Flow Preventers on the plan.
  - d. Provide dock fire protection (fire department hose valve and hose cabinet).

**Response:**

- a. This has been discussed with the fire department and will be provided at the building permit process.
- b. FDC has been connected to a 6 inch water main running along NE 5<sup>th</sup> Street.
- c. This has been discussed with the fire department and will be provided at the building permit process.

3. A detail sheet accompanying the Civil Plans with the following details:
  - a. Roadway/Pavement Marker (RPM) Details for Fire Hydrant Locations (Blue Reflective Markers)
  - b. Post Indicating Valve Detail
  - c. Underground Gate Valve Detail (where applicable)
  - d. Backflow Preventer/Double Detector Check Valve (DDCV) Detail (where applicable)
  - e. Signage Detail for the Fire Department Connections (where applicable)
  - f. Address Detail – Note: provide location of address on building or at gate

**Response:**

- a. This has been discussed with the fire department and will be provided during the building permit process.
- b. Post indicating valve detail it is now shown on the plans.
- c. No gate valves have been proposed.
- d. Post indicating double detector check valve detail is now shown on the plans.
- e. This has been discussed with the fire department and this will be provided during the building permit review process.
- f. Detail with the address have been provided at the gate and on the building.

4. Fire Hydrant Flow Test

**Response: A fire flow test has not been performed to date.**

5. Fire Flow Demand Calculations Signed and Sealed by Licensed Engineer. Note: the calculations provided are for the Marina Office Building only. Provide calculations which includes the Marina Office and largest vessel at dock.

**Response: Three (3) sets of fire flow calculations have been included with this submittal.**

6. A completed Application for the Approval of the Fire Protection Water Supply Design

**Response: An application for the approval of Fire Protection Water Supply has been obtained and undergoing review by the civil engineer.**

7. Statement of verification from the design professional of record, on official company letterhead that the proposed water main sizing fire hydrant locations are in compliance with the Broward County Land Use Code and the Florida Fire Prevention Code. (This document shall bear the seal and signature of the engineer).

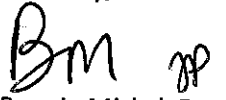
**Response: Three (3) copies of signed and sealed statement of verification has been included with this submittal.**

8. Provide a note on the plan that a Knox Key entry system will be provided allowing access to the entrance gate and the piers.

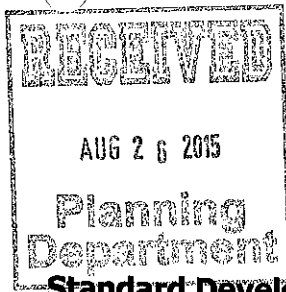
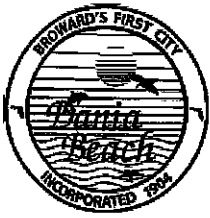
**Response: A Knox Key entry system will be provided to allow access.**

Upon review of this letter, please let me know if you have any further questions. Also, please feel free to contact Tara Patton at 561-337-0878 for any additional information. Thank you for your help.

Sincerely,

  
Bonnie Miskel, Esq.

cc: Ken Edelman  
Mike Edelman



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**Department of Community Development**  
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Location Address: 441 NE 2 Street (4.556 ac portion of the parcel)

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

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

Folio Number(s): 504234170010 Legal Description: Please see attached survey

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-cel

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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 for site plan approval for the project known as Dania Beach Megaport 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: 5.247 ac Gross Acreage: 10.61 ac Prop. Square Footage: Please see attached site plan

Existing Use: Vacant Proposed Use: Marina



**AVIATION DEPARTMENT - Fort Lauderdale/Hollywood International Airport**  
2200 SW 45<sup>th</sup> Street, Suite 101 • Dania Beach, Florida 33312 • 954-359-6100

August 26, 2015

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

**RE: Dania Beach Mega Port, 441 NE 2<sup>nd</sup> Street, Dania Beach FL  
Broward County Aviation Department (BCAD) Review**

Dear Mr. LaFerrier:

The Broward County Aviation Department (BCAD) has reviewed the proposed Dania Beach Mega Port located south 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 36 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.

Adherence to these conditions is required for BCAD approval of the proposed Dania Beach Mega Port development, and is based on the Site Plan, SP-1, dated April 7, 2015 (Revised June 29, 2015), and the Architectural Plans, Sheet A-2, dated May 18, 2015, prepared by Gutierrez & Lozano Architects. 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.

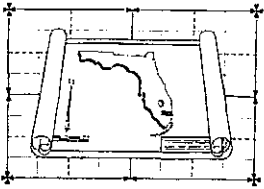
Please do not hesitate to contact me if you have questions or require additional information at 954.359.6258.

Sincerely,



Scarlet R. Hammons, AICP  
Principal Planner

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



## BROWARD COUNTY PLANNING COUNCIL

115 South Andrews Avenue, Room 307 • Fort Lauderdale, Florida 33301 • Phone: 954.357.6695

June 2, 2015

Tara-Lynn Patton, AICP-Land Planner  
c/o Bonnie Miskel, Esq.  
Dunay, Miskel and Backman, LLP  
14 Southeast 4 Street, Suite 36  
Boca Raton, Florida 33432

Dear Ms. Patton:

Re: Platting requirements for a parcel legally described as "Amended Plat of a Portion of Harbor Lawns No. 1," less the South 727 feet, according to the Plat thereof, as recorded in Plat Book 34, Page 5, of the Public Records of Broward County, Florida. This parcel is generally located on the northwest corner of Northeast 2 Street and Northeast 5 Avenue, in the City of Dania Beach.

This letter is in response to your correspondence regarding the Broward County Land Use Plan's platting requirements for a proposed non-residential development on the above referenced parcel.

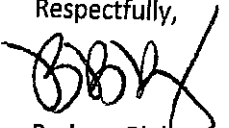
Planning Council staff has determined that replatting is not required by Section D.2, Chapter IV, of the Broward County Land Use Plan. Section D.2. would not require replatting of parcels included in plats approved by the Broward County Commission and recorded after June 4, 1953. Information from the Broward County Records, Taxes and Treasury Division indicates that the above referenced plat was recorded on March 30, 1954.

It is recommended that you contact Broward County's Development Management and Environmental Review Section at 954-357-6637, to inquire about whether additional County review, such as a plat note modification, may be required. Further, some jurisdictions may be more restrictive and require platting in more situations than the Broward County Land Use Plan. The City of Dania Beach's platting requirements should be investigated.

The contents of this letter are not a judgment as to whether this development proposal complies with the Broward County Trafficways Plan, permitted uses and densities, local zoning, the land development regulations of the municipality or the development review requirements of the Broward County Land Use Plan, including concurrency requirements.

If you have any additional questions regarding the Broward County Land Use Plan's platting requirements, please contact Matthue Goldstein, Associate Planner, at your convenience.

Respectfully,

  
Barbara Blake-Boy  
Executive Director

BBB:MEG

cc: Robert Baldwin, City Manager  
City of Dania Beach

Marc LaFerrier, AICP, Director, Community Development Department  
City of Dania Beach





**THREATENED AND ENDANGERED SPECIES SURVEY  
SUMMARY REPORT**

**ARCHDIOCESE OF MIAMI PARCEL  
TCG PROJECT NO. 14-0055**

**APRIL 2015**

**PREPARED FOR:**

**EDELMAN DEVELOPMENT CORPORATION  
2600 GLADES CIRCLE, SUITE 100  
WESTON, FL 33327**

## 1.0 INTRODUCTION

The subject site is approximately 10.8 acres in total size, and consists of an existing religious facility, associated parking lot, and an undeveloped, disturbed shoreline located at 441 NE 2nd Street, in the City of Dania Beach, Broward County, Florida. (Appendix A). The project site is bordered on the north side by the Dania Cutoff Canal.

The purpose of this report is to provide information on the identification of any endangered, threatened, or listed species of special concern observed on the property at the time of the inspection and/or the evidence of foraging or nesting of endangered, threatened, or listed species on the site.

## 2.0 DISCUSSION

Qualified biologists from The Chappell Group, Inc. (TCG) conducted an on-site visual investigation of the subject site for indications of endangered, threatened, or listed species on April 2, 2015. The investigation consisted of traversing the site to provide an overlapping field of review to determine if threatened or endangered species and/or threatened or endangered species habitat was located on the site.

Prior to the site investigation a boundary and topographic survey, soil maps and historical aerials were reviewed to become familiar with the location, vegetation and past use(s) of the subject site. A review of historical aerials revealed that the site has historically been occupied by the same religious facility for the past 20 years. Historical aerials reviewed included color satellite aerials between 1994 and 2015. An aerial exhibit is included as Appendix B, which depicts the location of any listed species or habitat found at the site during the inspection.

Due to the nature and use of the subject parcel, the majority of vegetation onsite is limited to groundcovers and canopy species common to commercial landscapes, such as St. Augustine grass (*Stenotaphrum secundatum*), live oak (*Quercus virginiana*), cabbage palm (*Sabal palmetto*), black olive (*Bucida buceras*) and royal palm (*Roystonea elata*). The northern and western extents of the property are not maintained, and include primarily nuisance exotic canopy species such as Australian pine (*Casuarina equisetifolia*) and Brazilian pepper (*Schinus terebinthifolius*).

In addition to the visual assessment, the Broward County Soil Survey was reviewed to determine the soil characteristics of the subject parcel. The survey revealed the subject parcel historically consisted entirely of Udorthents and Pennsuco silty clay loam. (Appendix C). These soils are common to partially developed areas and marine terraces in Eastern Broward County. However, due the physical properties of the soils, there are not considered conducive to use by

listed species such as burrowing owl (*Athene cunicularia*) and gopher tortoise (*Gopherus Polyphemus*). No evidence of use of the site by listed species was observed. Animal species observed onsite included white ibis (*Eudocimus albus*), tricolor heron (*Egretta tricolor*) and great white heron (*Ardea alba*), along with small reptiles such as green iguana (*Iguana iguana*) and brown anole (*Anolis sagrei*). No submerged or aquatic resources were observed in the surface waters onsite.

### 3.0 CONCLUSION

Based on the site investigation, the location of the parcel, and by the type of soils located on the property, it was determined that no listed, endangered, or threatened species or evidence of nesting or foraging of species existed on the property at the time of the inspection. The subject parcel is in an area surrounded by existing commercial development, and provides little habitat support for the potential use by listed species.



This report is and the information contained herein is based on the existing site conditions observed at the time of the survey inspection. The findings are based on reasonable scientific judgment. Should you have any questions or comments regarding the report or the information contained herein, please do not hesitate to contact the undersigned at your convenience.

Sincerely,

**THE CHAPPELL GROUP INC.**

A handwritten signature in black ink, appearing to be "P. Murphy", written over a horizontal line.

Patrick Murphy  
Senior Project Biologist

A handwritten signature in black ink, appearing to be "Tyler Chappell", written over a horizontal line.

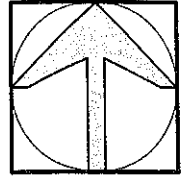
Tyler Chappell  
Vice President



**APPENDIX A**  
**LOCATION MAP**



NORTH



N.T.S



**LEGEND:**

 SITE

**THE Chappell GROUP** INC.

714 East McNab Road  
Pompano Beach, Florida 33060  
tel. 954.782.1906  
fax. 954.782.1108 [www.thechappellgroup.com](http://www.thechappellgroup.com)

- Environmental Consultants
- Marine & Wetland Permitting
- Mitigation Design & Monitoring
- T&E Species Surveys
- Phase I ESAs

**ARCHDIOCESE OF MIAMI PARCEL**

PREPARED FOR:  
**EDELMAN DEVELOPMENT, INC.**

FIGURE 1 - LOCATION MAP		
Date: 4/2/2015	Sheet:	of:
Proj No.: 14-0055	1	1

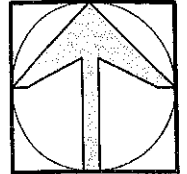
THIS DRAWING AND ALL APPURTENANT MATTER CONTAINS INFORMATION PROPRIETARY TO THE CHAPPELL GROUP, INC. AND IS LOANED SUBJECT TO RETURN UPON DEMAND AND MUST NOT BE REPRODUCED, COPIED, LOANED, REVEALED, NOR LISTED FOR ANY PURPOSE OTHER THAN THAT FOR WHICH IT IS SPECIFICALLY FURNISHED WITHOUT EXPRESSED WRITTEN CONSENT OF THE CHAPPELL GROUP, INC. © THE CHAPPELL GROUP, INC. 2015

**APPENDIX B**  
**SURVEY AERIAL EXHIBIT**



DANIA CUTOFF CANAL

NORTH



N.T.S

UNDEVELOPED AREA -  
NUISANCE EXOTIC  
VEGETATION

NE 5th Ave

Google

**LEGEND:**

 SUBJECT SITE

**THE Chappell GROUP**  
714 East McNab Road  
Pompano Beach, Florida 33060  
tel. 954.782.1906  
fax. 954.782.1108 [www.thechappellgroup.com](http://www.thechappellgroup.com)

- Environmental Consultants
- Marina & Wetland Permitting
- Mitigation Design & Monitoring
- T&E Species Surveys
- Phase I ESAs

ARCHDIOCESE OF MIAMI PARCEL

PREPARED FOR:  
EDELMAN DEVELOPMENT, INC.

SURVEY AERIAL EXHIBIT

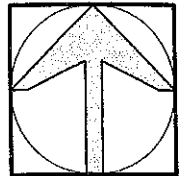
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Proj No.: 14-0055	1	1



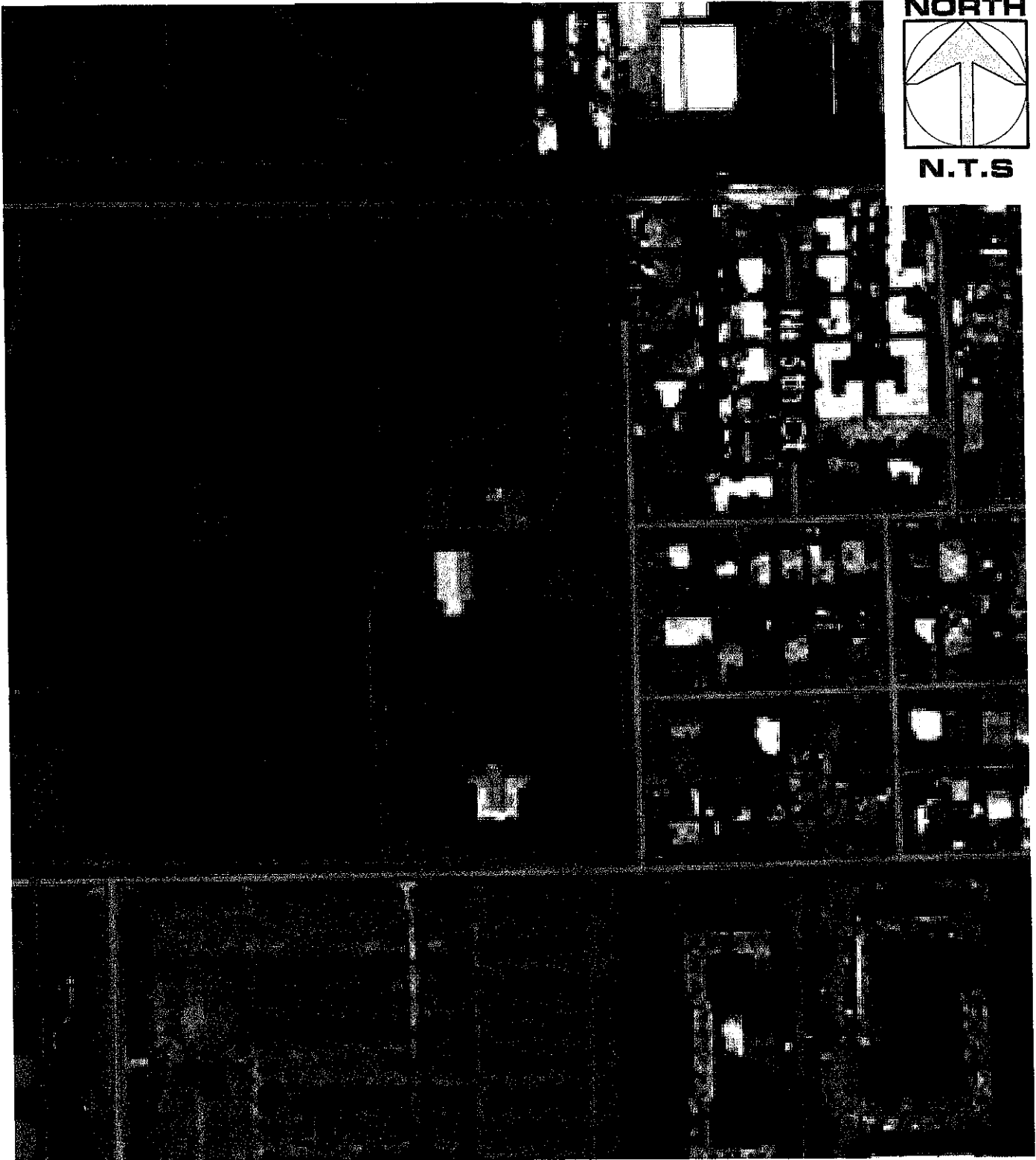
**APPENDIX C**  
**SOIL SURVEY**






NORTH



N.T.S



**LEGEND:**

-  SUBJECT SITE
-  PENNSUCO SILTY CLAY LOAM
-  UDORTHENTS, URBAN LAND COMPLEX

**THE Chappell GROUP**  
 714 East McNab Road  
 Pompano Beach, Florida 33063  
 tel. 954.782.1908  
 fax. 954.782.1108  
[www.thechappellgroup.com](http://www.thechappellgroup.com)

- Environmental Consultants
- Marina & Wetland Permitting
- Mitigation Design & Monitoring
- T&E Species Surveys
- Phase I ESAs

ARCHDIOCESE OF MIAMI PARCEL

PREPARED FOR:  
EDELMAN DEVELOPMENT, INC.

SOILS MAP

Date: 4/2/2015	Sheet:	of:
Proj No.: 14-0055	1	1

**APPENDIX D**  
**SITE PHOTOGRAPHS**





**1. Center of property, facing northeast.**



**2. Center of property, facing northwest.**



**3. North portion of property, facing north. Note coverage by Brazilian pepper.**



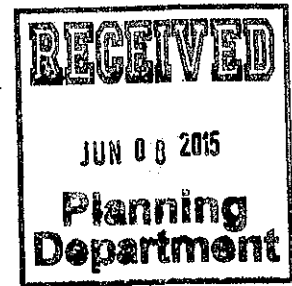
**4. Center of property, facing south towards church facilities.**



**5. Dania Cutoff Canal, facing west along the property shoreline.**



**6. Dania Cutoff Canal, facing east along the property shoreline.**



**Dania Beach Megaport  
 (SP-43-15/SE-44-15/OT-45-15)  
 Traffic Impact Statement – Trip Generation Analysis**

**Introduction**

Pursuant to **Section 605-30(K)** of the City of Dania Beach Code of Ordinances, this **Traffic Impact Statement** has been prepared on behalf of **Edelman Development Corporation** to establish the estimated peak hour trips for the uses proposed on the  $\pm 5.25$  acre site identified as **Dania Beach Megaport** which is bounded by theoretical NE 4 Court on the west, the Dania Cut off Canal on the north and NE 5 Avenue on the east in the City of Dania Beach, Broward County Florida. Pursuant to the results of the trip generation analysis provided below, the uses proposed **fall below** the 25 peak hour trip threshold and therefore do not require the preparation of a separate traffic impact study pursuant to **Section 605-30(K) of the City Code**.

**Existing and Proposed Site Uses**

The  $\pm 5.25$  acre site is currently vacant. The Applicant proposes to develop the site with a 40 Berth Marina along with a separate 3,971 square foot building that accommodates a Dockmaster’s office, a lounge area and a kitchen for the use by the Crew, a one bedroom apartment that may be used by the Dockmaster and a garage for the storage of golf carts or equipment. **Table 1** below outlines the uses proposed for the development plan.

**Table 1 - Uses Proposed**

Use	Scale
Marina	40 Berths
Marina Office	
Dockmaster’s Office	483 SF
Crew Facilities - Lounge and Kitchen	2,364 SF
Garage for Vehicles or Storage	522 SF
Subtotal - Marina Office	3,369 SF
One Bedroom Apartment	602 SF – 1 Apartment in the Marina Office Building
Total SF	3971 SF

**Site Access**

This  $\pm 5.25$  acre site is located generally north of Dania Beach Blvd abutting the Dania Cut-off Canal. The site is accessible using the signalized intersection of Dania Beach Blvd at Fronton Blvd, north to NE 2 Street, east to NE 5 Avenue with vehicular access to site parking provided by the site driveway that aligns with NE 3 Street.

**Trip Generation Analysis**

Trip generation calculations are provided in **Table 2** below using the rates and equations from *ITE Trip Generation, 9<sup>th</sup> Edition* for the uses proposed in the development plan which are represented by the ITE land use categories outlined below. The daily, AM peak hour and PM peak hour trips are generated for the Marina Use based upon the number of Berths, the Marina Office Building based upon the square footage of office and ancillary uses, and the One Bedroom Apartment based upon the per dwelling unit trip rate pursuant to ITE.

CATHY SWEETAPPLE & ASSOCIATES  
TRANSPORTATION AND MOBILITY PLANNING

The ITE land use categories outlined below have been used in the trip generation analysis.

- **ITE LUC 420 – Marina** - The daily, AM peak hour and PM peak hour trips are generated for the Marina Use based upon the number of Berths;
- **ITE LUC 710 – Office** - The daily, AM peak hour and PM peak hour trips are generated for the Marina Office Building based upon the square footage of office, service, storage and ancillary uses contained within the Marina Office building (excluding the one bedroom apartment); and
- **ITE LUC 220 – The daily, AM peak hour and PM peak hour trips** are generated for the apartment use based upon the one apartment proposed.

**Table 2 – Dania Beach Megaport – Trip Generation Analysis**

USES PROPOSED	UNITS	ITE LUC	ITE 9TH EDITION	DAILY TRIPS	% IN	TRIPS IN	% OUT	TRIPS OUT
Marina	40 Berths	420	T = 2.96 (X)	118	50%	59	50%	59
Dockmaster's Office, Lounge, Storage	3,369 SF	710	T = 11.03 (X)	37	50%	19	50%	18
Dockmaster's Quarters - 1 APT	1 APT DU	220	T = 6.65 (X)	7	50%	3	50%	4
<b>GROSS DRIVEWAY TRIPS</b>				<b>162</b>	<b>50%</b>	<b>81</b>	<b>50%</b>	<b>81</b>
USES PROPOSED	UNITS	ITE LUC	ITE 9TH EDITION	AM PEAK HOUR TRIPS	% IN	TRIPS IN	% OUT	TRIPS OUT
Marina	40 Berths	420	T = 0.08 (X)	3	33%	1	67%	2
Dockmaster's Office, Lounge, Storage	3,369 SF	710	T = 1.56 (X)	5	88%	5	12%	0
Dockmaster's Quarters - 1 APT	1 APT DU	220	T = 0.51 (X)	1	20%	0	80%	1
<b>GROSS DRIVEWAY TRIPS</b>				<b>9</b>	<b>67%</b>	<b>6</b>	<b>33%</b>	<b>3</b>
USES PROPOSED	UNITS	ITE LUC	ITE 9TH EDITION	PM PEAK HOUR TRIPS	% IN	TRIPS IN	% OUT	TRIPS OUT
Marina	40 Berths	420	T = 0.19 (X)	8	60%	5	40%	3
Dockmaster's Office, Lounge, Storage	3,369 SF	710	T = 1.49 (X)	5	17%	1	83%	4
Dockmaster's Quarters - 1 APT	1 APT DU	220	T = 0.62 (X)	1	65%	0	35%	1
<b>GROSS DRIVEWAY TRIPS</b>				<b>13</b>	<b>45%</b>	<b>6</b>	<b>55%</b>	<b>7</b>

**Table 3 – Trip Generation Summary**

Timeframe	Total Trips	Inbound Trips	Outbound Trips
<b>Daily</b>	162	81	81
<b>AM Peak Hour</b>	9	6	3
<b>PM Peak Hour</b>	13	6	7

**Conclusions**

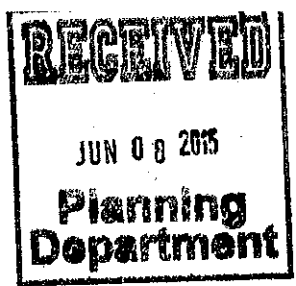
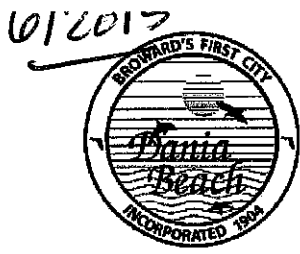
Pursuant to the results of the trip generation analysis provided herein and summarized in **Table 3** above, the uses proposed generate **9 gross AM peak hour trips** and **13 gross PM peak hour trips**, falling below the 25 gross peak hour trip threshold requiring a separate traffic impact study.

Cathy Sweetapple & Associates



Cathy S. Sweetapple, AICP  
Principal





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: 6/8/13  
Petition No.: SP-043-15

(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: 441 NE 2 Street (4.557 ac portion of the parcel)

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

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

Folio Number(s): 504234170010-(Parent), 504234170011 (R/W), 504234160040 (R/W) Legal Description: Please see attached survey

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 for site plan approval for the project known as Dania Beach Megaport. 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: 4.557 ac Gross Acreage: 10.61 ac Prop. Square Footage: Please see attached site plan.

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, 2015

By:

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

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

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



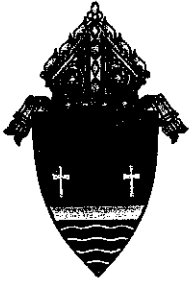
Personally known X or Produced Identification \_\_\_\_\_

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, SSJ  
Chief Operating Officer of the 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:

Witness Signature

Printed Name

Witness Signature

Printed Name

*Thomas Wenski*

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:

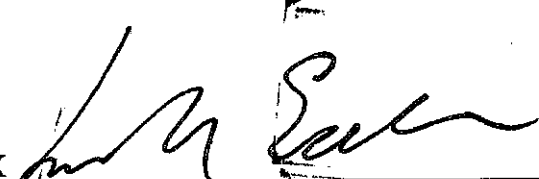


*Mayra Naulina Rosell*



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 VANDEGRIFT

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

