

Dania Jai Alai Vacations and NVAL Amendment

August 5, 2015

Dania Entertainment Center, LLC, (DEC) in accordance with the developer agreement with the City proposes to vacate the following rights of way and easements that were dedicated by the DANIA JAI ALAI PLAT (Plat Book 177, Pages 170-174):

- A) RELOCATED NE 2nd STREET north of existing NE 2nd STREET
- B) TRAFFIC CONTROL DEVICE EASEMENT (TCDE) & CORNER CHORD at NE/SE 5th AVENUE
- C) ADA LANDING PAD & BUS SHELTER EASEMENT on DANIA BEACH BOULEVARD

In accordance with the review criteria specified in Section 655-40(A) the proposed vacations and or relocations (1) will not adversely affect access to neighboring properties, and (2) the platted right of way and easements are not needed for any public purpose as explained below:

- A) The Relocated NE 2nd Street was never constructed to replace the existing NE 2nd Street. Under terms of the developer agreement, DEC is rededicating the vacated but still existing NE 2nd Street. Traffic has continued to use existing NE 2nd Street without interruption. The rededication will keep this direct route open and not require a circuitous route that the "Relocated NE 2nd Street" would have generated. DEC will retain aerial easement rights for any future crossings.
- B) Subsequent to plat recordation, the Florida Department of Transportation District 4 (FDOT) required that the full opening shown at the southeast corner of the recorded plat be completely closed. This opening was generally aligned, but offset with the intersection of 5th Avenue. FDOT closed the opening due to their placement of a new mast arm signal that would likely conflict with safe ingress/egress movement at this access location and intersection. Since the mast arm was installed prior to the recordation of the plat within its own separately recorded easement, and now that the access opening is prohibited, there is no need for the TCDE or outbound corner chord.
- C) Due to site plan and construction conflicts, the location of the platted bus shelter easement is proposed to shift approximately 13 feet to the west. The new location will include dedication of right of way or easement for the landing pad and the shelter in the same proportions and dimensions as previously dedicated. The platted right of way and easement for the facilities are being vacated as a housekeeping measure for clear title.

- D) DEC received approval from FDOT to amend the Non Vehicular Access Line (NVAL) to reduce the NVAL along the main Dania Beach Boulevard opening from 100 feet to 75 feet in depth due to conflicts with the existing building and proposed façade improvements. When the plat was recorded, the BOYD GAMING plan was to tear down the existing fronton, which would have left sufficient room for a 100 foot deep NVAL.

Both the vacations and the NVAL amendment will be required to receive Broward County Commission approval after the City Commission action.

EXHIBIT "B"
DESCRIPTION
OLD NON-VEHICULAR ACCESS LINE
DANIA JAI-ALAI PLAT, P.B. 177, PGS. 170-174, B.C.R.
CITY OF DANIA BEACH, BROWARD COUNTY, FLORIDA

A Non-Vehicular Access Line being a portion of Parcel "A" of the DANIA JAI-ALAI PLAT as recorded in Plat Book 177, Pages 170 thru 174 of the Public Records of Broward County, Florida, said Non-Vehicular Access Line being more particularly described as follows:

BEGIN at the Southeast corner of said Parcel "A";

THENCE S 87° 45' 08" W on a Non-Vehicular Access Line and on the South line of said Parcel "A", a distance of 80.00 feet;

THENCE N 78° 44' 36" W on said Non Vehicular Access Line and on said South line of Parcel "A", a distance of 51.22 feet;

THENCE S 87° 48' 20" W on said Non-Vehicular Access Line and on said South line of Parcel "A", a distance of 192.37 feet;

THENCE N 01° 23' 44" W on said Non-Vehicular Access Line, a distance of 100.00 feet to a POINT OF TERMINATION of said Non-Vehicular Access Line;

THENCE S 87°45'20"W, 80.00 feet to the POINT OF BEGINNING of a Non-Vehicular Access Line;

THENCE S 01° 23' 44" E on said Non-Vehicular Access Line, a distance of 112.21 feet to a point on the said South line of Parcel "A";

THENCE S 87° 45' 08" W continuing on said Non-Vehicular Access Line and on said South line of Parcel "A", a distance of 302.97 feet to a POINT OF TERMINATION of said Non-Vehicular Access Line;

THENCE continue S 87° 45' 08" W on said South line of Parcel "A", a distance of 50.00 feet to the POINT OF BEGINNING of said Non-Vehicular Access Line;

THENCE continue South 87° 45' 08" W on said Non-Vehicular Access Line and on said South line of Parcel "A", a distance of 23.64 feet;

THENCE N 78° 44' 57" W on said Non-Vehicular Access Line and on said South line of Parcel "A", a distance of 51.41 feet;

THENCE S 87°45'08" W on said Non-Vehicular Access Line and on said South line of Parcel "A", a distance of 100.00 feet;

Prepared By:
CALVIN, GIORDANO AND ASSOCIATES, INC.
1800 Eller Drive, Suite 600
Fort Lauderdale, Florida 33316
July 31, 2015

P:\Projects\2013\135680 Dania Entertainment Center\Survey\SKETCH\NVAL-RW-DED-2015\EXHIBIT B NVAL Dania Jai Alai-2015.docx

THENCE N 46°52'26" W on said Non-Vehicular Access Line and on said South line of Parcel "A", a distance of 49.82 feet to a point on the West line of said Parcel A;

THENCE N 01°30'00" W on said Non-Vehicular Access Line and on said West line of Parcel A, a distance of 264.54 feet to a POINT OF TERMINATION of said Non-Vehicular Access Line.

TOGETHER WITH THE FOLLOWING NON-VEHICULAR ACCESS LINE:

BEGIN at the said Southeast corner of Parcel "A";

THENCE N 01° 16' 09" W on said Non-Vehicular Access Line and on the East line of said Parcel "A", a distance of 300.00 feet to a POINT OF TERMINATION of said Non-Vehicular Access Line.

Said Non-Vehicular Access Line lies within the City of Dania Beach, Broward County, Florida.

NOTES:

1. Not valid without the signature and original embossed seal of a Florida licensed Professional Surveyor and Mapper.
2. Lands described hereon were not abstracted, by the surveyor, for ownership, easements, rights-of-way or other instruments that may appear in the Public Records of Broward County, Florida.
3. Bearings shown hereon are based on DANIA JAI-ALAI PLAT, as recorded in Plat Book 177, Pages 170 through 174, Broward County Records with the East line of Parcel "A" having a bearing of N 01°16'09" W.
4. The description contained herein and shown on the attached sketch does not represent a field Boundary Survey.

CALVIN, GIORDANO AND ASSOCIATES, INC.



Date: 8/5/2015

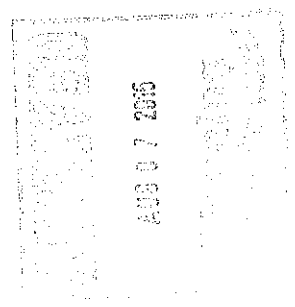
Steven M. Watts
Professional Surveyor and Mapper
Florida Registration Number LS 4588

Prepared By:
CALVIN, GIORDANO AND ASSOCIATES, INC.
1800 Eller Drive, Suite 600
Fort Lauderdale, Florida 33316
July 31, 2015

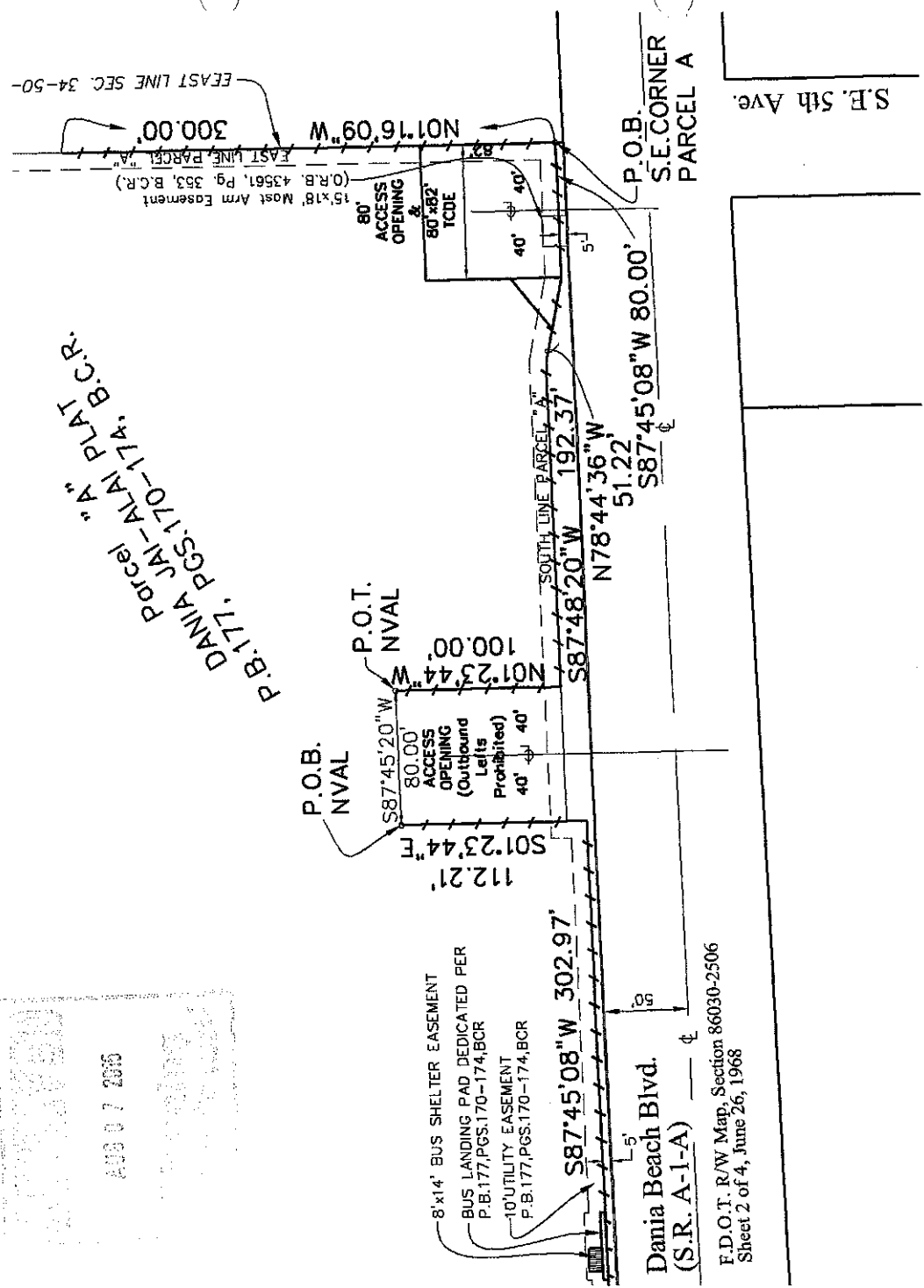
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SKETCH AND LEGAL DESCRIPTION

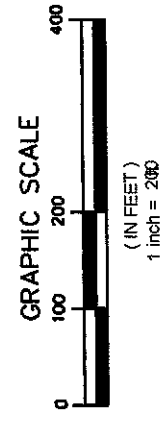
EXHIBIT "B" OLD NON-VEHICULAR ACCESS LINE
 DANIA JAI-ALAI PLAT, P.B. 177, PGS 170-174, B.C.R.
 CITY OF DANIA BEACH, BROWARD COUNTY, FLORIDA



- LEGEND:**
- AVE. Avenue
 - BLVD Boulevard
 - C Centerline
 - CONC Concrete
 - D Deed
 - DB Deed Book
 - POT Point of Termination
 - TCDE Traffic Control Device Easement
 - D.C.R. Miami-Dade County Records
 - B.C.R. Broward County Records
 - L.B. Licensed Business
 - O.R.B. Official Records Book
 - P.O.B. Point of Beginning
 - P.O.C. Point of Commencement
 - P.B. Plat Book
 - PG. Page
 - R/W Right-of-Way
 - SQ.FT. Square Feet
 - SEC. Section
 - U.E. Utility Easement
 - NVAL Non-Vehicular Access Line



SEE SHEET 4



G.A. Engineers Surveyors Planners
 1000 Siller Drive, Suite 600
 Fort Lauderdale, Florida 33316
 Phone: 954.921.7761 Fax 954.921.6877

SKETCH AND LEGAL DESCRIPTION
 OLD NON-VEHICULAR ACCESS LINE - DANIA JAI-ALAI PLAT
 CITY OF DANIA BEACH, BROWARD COUNTY, FLORIDA

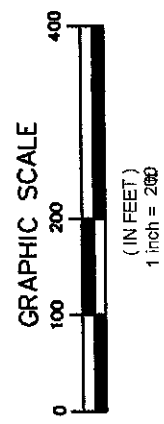
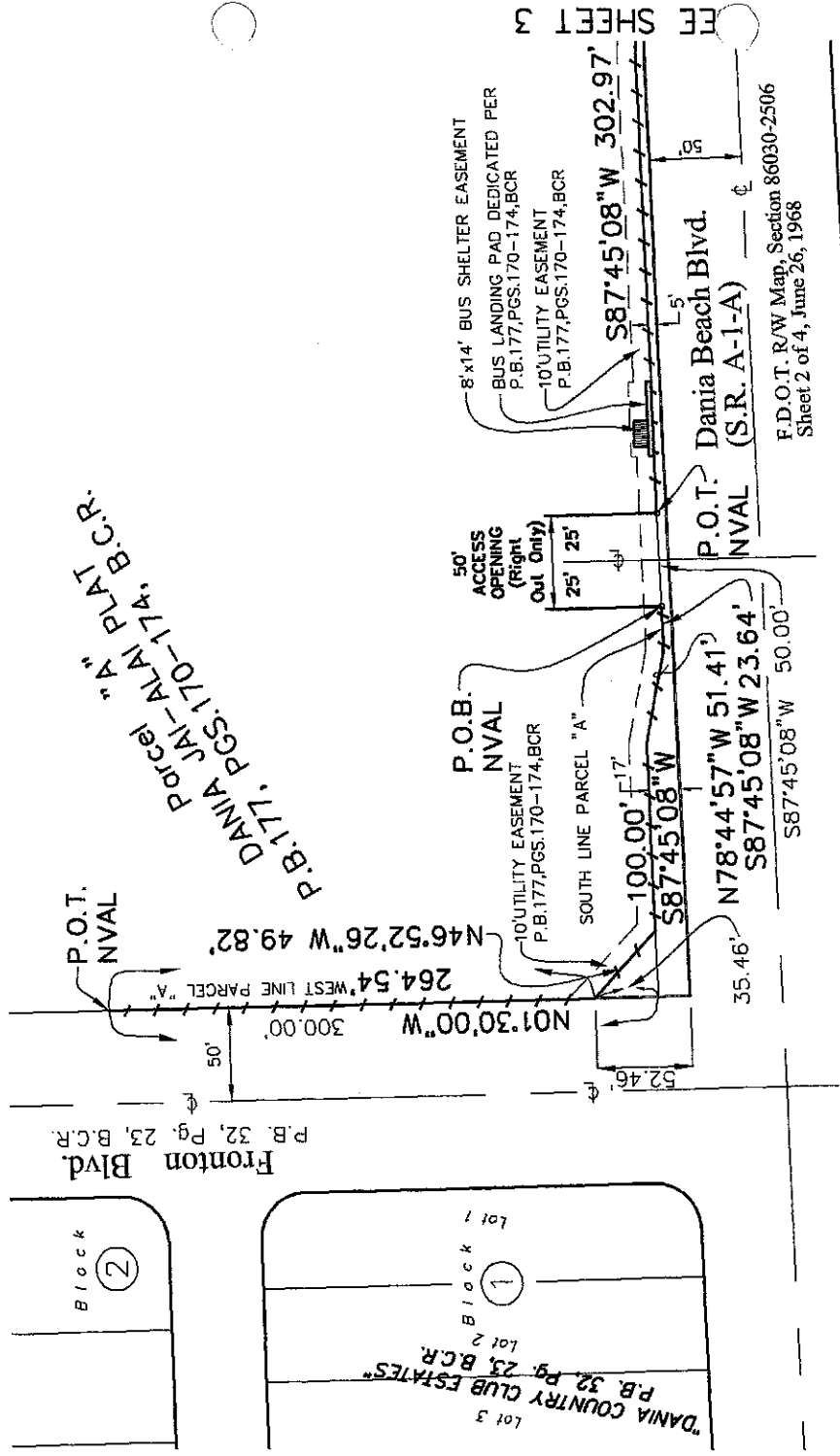
1"=100'	13-5680
07-30-15	

SKETCH AND LEGAL DESCRIPTION

EXHIBIT "B" OLD NON-VEHICULAR ACCESS LINE
DANIA JAI-ALAI PLAT, P.B. 177, PGS. 170-174, B.C.R.
CITY OF DANIA BEACH, BROWARD COUNTY, FLORIDA

LEGEND:

- AVE Avenue
- BLVD Boulevard
- C Centerline
- CONC Concrete
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- R/W Right-of-Way
- SQ.FT. Square Feet
- SEC Section
- U.E. Utility Easement
- NVAL Non-Vehicular Access Line



Cahita, Giordano & Associates, Inc.
Engineers Surveyors Planners
 1800 Eller Drive, Suite 600
 Fort Lauderdale, Florida 33316
 Phone: 954.921.7781 Fax 954.921.8807

SKETCH AND LEGAL DESCRIPTION
OLF NON-VEHICULAR ACCESS LINE - DANIA JAI-ALAI PLAT
CITY OF DANIA BEACH, BROWARD COUNTY, FLORIDA

1" = 100'	13-5680	4
07-30-15		of 4

F.D.O.T. R/W Map, Section 86030-2506
 Sheet 2 of 4, June 26, 1968

SEE SHEET 3



Florida Department of Transportation

RICK SCOTT
GOVERNOR

3400 West Commercial Boulevard
Fort Lauderdale, FL 33309

ANANTH PRASAD, P.E.
SECRETARY

November 22, 2013

**THIS PRE-APPLICATION LETTER IS VALID UNTIL NOVEMBER 22, 2014
THIS LETTER IS NOT A PERMIT APPROVAL**

Mr. Hoyt Holden
Calvin, Giordano & Associates, Inc.
1800 Eller Drive, Suite 600
Fort Lauderdale, Florida 33316

Dear Mr. Holden:

RE: **December 22, 2011** Pre-application Meeting for Category E Driveway
Broward County, Urban, In the City of Dania Beach
State Road: A1A, State Section: 86030, Milepost: 7.121, Access Class: 5, Posted Speed: 40 mph, SIS: N
Reference Project: N/A, Location: Aligns with Southeast 5th Avenue and Fronton Blvd
Site Acreage: 25, Proposed Land Use: Commercial & Casino, Lodging and Marina
Maximum Square Footage: 325,000 Commercial, 500 Hotel Rooms, 60 Marina Slips
Plat Name: Dania Jai-Alai Plat, Plat No. : 026-MP-07, Plat Book: 177, Page: 170-174
Applicant: Dania Entertainment Center, LLC- Contract Purchaser, Property Owner: The Aragon Group, Inc.
Proposed Project Name & Address: Dania Jai Alai Casino, 301 East Dania Beach Boulevard, Dania Beach, FL 33004

Your Request: Driveway #1: Maintain existing full Access driveway at Fronton Blvd.
Driveway #2: A right-out only driveway 250 feet east of Fronton Blvd.
Driveway #3: Maintain existing left-in, right-in, right-out driveway, located 650 feet east of Fronton Blvd.

WE APPROVE YOUR REQUEST. Please see the conditions and comments below.

This ruling is based on your presentation of the facts, plat, and traffic study and site plan.

Conditions: A minimum driveway length of 300 feet, as measured from the ultimate right-of-way line to the first conflict point, shall be provided for Driveway #1 and 75 feet for Driveway #3.

- A right turn lane is required for Driveway #3 and must include bicycle lane width.
- The future queue length for Fronton Blvd left turn lane and any adjacent affected left turn lanes must be determined by a traffic study approved by the District Traffic Access Manager.
- Driveway #3 shall have only one inbound lane within FDOT right-of-way.
- Drainage mitigation is required for any impacts within FDOT right-of-way (i.e. increased runoff or reduction of existing storage).
- A Storm Water Pollution Prevention Plan must be submitted with the application if there will be more than one acre of "disturbed area" (as defined by the Florida Department of Environmental Protection (FDEP))
- If right-of-way dedication is required to implement the proposed improvements, the applicant shall donate the right-of-way to the Department.
- All driveways not approved in this letter must be fully removed and the area restored.

Comments: The driveway on the east side of the property, located approximately 270 feet east of Driveway #3 shall be closed.

Please note that the dimensions between driveways are measured from the near edge of pavement to near edge of pavement and dimensions between median openings are measured from centerline to centerline unless otherwise indicated.

The purpose of this Pre-Application letter is to document the conceptual review of the approximate location of driveway(s) to the State Highway system and to note any required improvements. This letter shall be submitted with any further reviews. If conceptually approved, the applicant may submit engineering plans to the Department for permitting. The Department's personnel shall review these plans for compliance with this letter as well as current Department standards and/or specifications. Final design must consider the existing roadway profile and any impacts to the existing drainage system. **Please note that this letter does not guarantee permit approval.** The permit may be denied based on the review of the submitted engineering plans. Be aware that any approved median openings may be modified (or closed) in the future, at the sole discretion of the Department.

For right-of-way dedication requirements go to: <http://www.dot.state.fl.us/statemaintenanceoffice/District4PermitInformation.shtm>
Scroll down to Additional Information and Examples and choose Right-of-way Donations/Dedications.

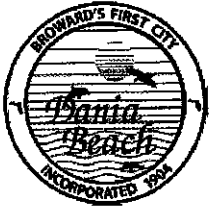
Please contact Christine Nabong Bacomo at the District Permits Office with any questions at telephone number 954-777-4377, fax number 954-677-7893 or e-mail: christine.bacomo@dot.state.fl.us. Thank you.

Sincerely,

Geysa Y. Sosa, P.E.
District Traffic Access Manager

CNB/nyh

cc: Christine Bacomo/ Stan Williams SW
File: s:\Permits\Pre-app Letters\Broward\ Dania Entertainment Center, LLC - SR A1A revision.doc



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

APR 07 2015
 Planning Department

Standard Development Application

- Administrative Variance
- Land Use Amendment
- Plat
- Rezoning
- Site Plan
- Special Exception
- Variance
- Other: Vacations, NVAL Amendment along DBB (SEE APPLICATION TYPE SCHEDULE ON PAGES 3 & 4)

Date Rec'd: _____

Petition No.: 14-088-15
 OR

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: 301 East Dania Beach Boulevard

Lot(s): _____ Block: A, B, C Subdivision: Dania Jai Alai Plat (Plat Book 177, PGS 170-174)

Recorded Plat Name: Dania Jai Alai Plat

Folio Number(s): 504234610010-504234610040 Legal Description: See Attached descriptions

Applicant/Consultant/Legal Representative (circle one) Calvin, Giordano & Associates, Inc.

Address of Applicant: 1800 Eller Drive, Suite 600 Fort Lauderdale, FL 33316

Business Telephone: 954-921-7781 Home: _____ Fax: 954-921-8807

E-mail address: hholden@cgasolutions.com

Name of Property Owner: Dani Entertainment Center, LLC

Address of Property Owner: 301 East Dania Beach Boulevard, Dania Beach, FL 33004

Business Telephone: _____ Home: _____ Fax: _____

Explanation of Request: Vacation of platted right of way and TCDE, cleanup NVAL (75' throat) to match FDOT
 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: 47.706 Gross Acreage: 49.781 Prop. Square Footage: N/A

Existing Use: Paramutuel, Casino complex Proposed Use: No change

Is property owned individually, by a corporation, association, or a joint venture? Limited Liability 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 Calvin, Giordano & Associates, Inc. (individual/firm) to represent me/us in all matters related to this application. I/we hereby acknowledge that the applicable fee was established to offset administrative costs and is not refundable.

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

STATE OF FLORIDA
COUNTY OF BROWARD
The foregoing instrument
was acknowledged

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

BEFORE ME THIS 2nd DAY OF SEPT., 2015

By:

(Print name of person acknowledging)

(Joint owner signature if applicable)

Notary [Signature]
(Signature of Notary Public - State of Florida)



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.

Is property owned individually, by a corporation, association, or a joint venture? Limited Liability Corporation

AUTHORIZED REPRESENTATIVE

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

STATE OF FLORIDA
COUNTY OF BROWARD
The foregoing instrument
was acknowledged

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

BEFORE ME THIS 10th DAY OF JUNE, 2015

By:

Clinton E. Morris Jr
(Print name of person acknowledging)

(Joint owner signature if applicable)

Notary [Signature]
(Signature of Notary Public – State of Florida)



CLINTON E. MORRIS, JR.
MY COMMISSION # FF 152657
EXPIRES: September 15, 2018
Banded Thru Budget Notary Services

Personally known or Produced Identification _____

Type of identification produced: _____ or Drivers License _____

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

NO APPLICATION WILL BE AUTOMATICALLY SCHEDULED FOR A MEETING.

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

City of Dania Beach
APPLICATION TYPE AND FEE SCHEDULE

INCOMPLETE SUBMITTALS ARE NOT ACCEPTABLE FOR REVIEW AND PROCESSING.

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

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

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

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

Revised – 8-23-11 As per City Commission Approval Resolution #2011-090