

Lajoie, Corinne

From: Berger, Martin <MABERGER@broward.org>
Sent: Friday, October 09, 2015 1:57 PM
To: 'Christina Bilenki'; LaFerrier, Marc; Lajoie, Corinne
Cc: Scott Backman; Dwayne Dickerson
Subject: RE: Florida Park Plat (014-MP-14)

Just to clarify, the plat may be rescheduled for County Commission consideration on November 10, provided all the review agencies have submitted revised comments and we can prepare the agenda item by our deadline. November 10 may be the earliest it can be heard, but there is no guarantee.



MARTIN BERGER, PLANNING SECTION MANAGER
Environmental Protection and Growth Management Department
PLANNING AND DEVELOPMENT MANAGEMENT DIVISION
1 North University Dr., Suite 102A | Plantation, Florida 33324
954.357.6623

Broward.org/Regulation | ePermits



From: Christina Bilenki [<mailto:cbilenki@dmbblaw.com>]
Sent: Friday, October 09, 2015 1:52 PM
To: Berger, Martin; LaFerrier, Marc; Lajoie, Corinne
Cc: Scott Backman; Dwayne Dickerson
Subject: Florida Park Plat (014-MP-14)

Marty, Marc & Corinne,

Pursuant our various discussions, we will be taking the following steps to amend the restrictive note on the Florida Park Plat:

1. The plat will be deferred from the October 13th County Commission meeting.
2. We will be submitting a project update sheet to provide for 230 multifamily units.
3. Per discussions with Marty, the plat will be scheduled for approval at 230 units at the November 10th County Commission meeting.
4. Per discussions with Marc & Corinne, the City will consider the site plan and plat note amendment for 293 units at the November 10th City Commission meeting.
5. Subsequent to approval by the City, we will submit a delegation request to the County to amend the plat note to allow 293 units.

Please review and confirm this is an acceptable. Please also do not hesitate to contact Scott or I should you have any questions.

Thank you,

Christina Bilenki, Esq.
Dunay, Miskel, & Backman, LLP



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

Standard Development Application

RECEIVED
 OCT 01 2015

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

Date Recd: _____
 BY: _____

Petition No.: PL-095-14 MOD

(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: 560 East Dania Beach Boulevard (Folio ID #504235000340)

Lot(s): NA Block: NA Subdivision: NA

Recorded Plat Name: (Florida Park Plat - Not yet recorded)

Folio Number(s): 504235000340 Legal Description: Please see attached.

(Applicant) Consultant/Legal Representative (**circle one**) Florida Park Residences, LLC

Address of Applicant: 1680 Michigan Avenue, Suite 700, Miami Beach, FL 33139

Business Telephone: 305-777-2233 ext. 1 Home: _____ Fax: 561-409-2341

E-mail address: ilya@mfddevelopment.com

Name of Property Owner: Lawrence O. Turner, Jr. and Roberta Backus Turner, Co-Trustees of the Lawrence O. Turner Jr. Revocable Intervivos Trust Agreement, and Mary Ann Turner Roach

Address of Property Owner: 2349 NE 30 CT, Lighthouse Point, FL 33064

Business Telephone: 954-782-7528 Home: _____ Fax: _____

Explanation of Request: Please see attached narrative.
 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: 4.1341 Gross Acreage: _____ Prop. Square Footage: _____

Existing Use: Vacant Land Proposed Use: 293 multifamily units

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

AUTHORIZED REPRESENTATIVE

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

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

STATE OF FLORIDA
COUNTY OF BROWARD
The foregoing instrument
was acknowledged

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

BEFORE ME THIS 1st DAY OF October, 2015

By:
Ilya Massarsky
(Print name of person acknowledging)

(Joint owner signature if applicable)

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

JONNATHAN J. MUÑOZ
NOTARY PUBLIC
STATE OF FLORIDA
Comm# EE214792
Expires 7/8/2016

Personally known _____ or Produced Identification FLDL

Type of identification produced: FLDL or Drivers License _____

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

**NO APPLICATION WILL BE AUTOMATICALLY SCHEDULED FOR A MEETING.
ALL APPLICATIONS MUST BE DETERMINED COMPLETE BY STAFF
BEFORE PROCESSING OCCURS.**

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

INCOMPLETE SUBMITTALS ARE NOT ACCEPTABLE FOR REVIEW AND PROCESSING.

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

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

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

INCOMPLETE SUBMITTALS ARE NOT ACCEPTABLE FOR REVIEW AND PROCESSING.

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

| | |
|--|---|
| SPECIAL EXCEPTION | 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 (Excluding cell towers) | Filing fee = \$4,000 <i>Includes Staff processing, 2 review cycles, advertising and notice costs</i> |
| SPECIAL EXCEPTION (Cellular Towers) | 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. |
| Additional Resubmittal (In addition to the standard (2) review cycles) | |
| 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



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

Florida Park Residences
Plat Note Amendment Narrative

Florida Park Residences, LLC ("Petitioner") is the contract purchaser for the +/-4.0985 net acre property generally located on the southeast corner of East Dania Beach Boulevard and Ponce de Leon Avenue ("Property") in the City of Dania Beach ("City"). The Property has an underlying land use designation of Regional Activity Center ("RAC") on the City's Future Land Use Map and is zoned Gateway-Mixed Use ("GTWY-MY"). The Property is currently vacant. Petitioner seeks to develop the Property with a fourteen (14) story condominium consisting of two hundred ninety three (293) dwelling units ("Project"). The Project will be highly amenitized to ensure an upscale living environment for future residents. Such amenities include a business center, fitness center, and a resort-style pool and courtyard area with substantial green space for the enjoyment of residents. Further, the Project will be a green building that incorporates a green wall along the parking garage and other sustainable building practices.

Petitioner is in the process of platting the Property. The plat will be known as the Florida Park Plat (PL-075-14) and it is currently under review by Broward County. On December 9, 2014, the City approved Ordinance No. 2014-081 for the Florida Park Plat. The restrictive note on the plat approved by the City at that time was for two hundred thirty (230) high rise units. In order to develop the Project, Petitioner is requesting to amend the restrictive note on the Plat as follows:

From

This plat is restricted to 230 high rise dwelling units.

To:

This plat is restricted to 293 high rise dwelling units.

Petitioner respectfully requests that the City approve this delegation request application to amend the note on the face of the Plat as described above. Please contact Scott Backman, Esq. or Christina Bilenki, Esq. at (561)405-3300 should you have any questions or need additional information to process this request.

LEGAL DESCRIPTION

ALL THAT PART OF THE EAST HALF (E 1/2) OF THE NORTHWEST QUARTER (NW 1/4) OF THE SOUTHWEST QUARTER (SW 1/4) OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 35, TOWNSHIP 50 SOUTH, RANGE 42 EAST, LYING SOUTH OF SOUTH RIGHT-OF-WAY LINE OF STATE ROAD AIA, (ALSO KNOWN AS EAST DANIA BEACH BOULEVARD) LESS THE EAST 110 FEET OF THE NORTH 250 FEET OF THE SAID PARCEL LYING SOUTH OF SAID RIGHT-OF-WAY.

Statement of Interest in Property and Authorization to File Petitions

Lawrence O. Turner, Jr. and Roberta Backus Turner, Co-Trustees of the Lawrence O. Turner Jr. Revocable Intervivos Trust Agreement, and Mary Ann Turner Roach hereby certifies that it is the Owner of the subject property located on the south side of East Dania Beach Boulevard approximately 300 feet east of SE 5th Ave between 500 and 700 East Dania Beach Boulevard and authorizes FLORIDA PARK RESIDENCES, LLC, as agent, DUNAY, MISKEL, BACKMAN AND BLATTNER, LLP, as agent, THOMAS ENGINEERING GROUP, LLC, as agent, PULICE LAND SURVEYORS, INC, as agent, and THE CHAPPELL GROUP, INC, as agent, to submit and process any and all development applications to the City of Dania Beach, Broward County, State of Florida, the U.S. Army Corps of Engineers and all other agencies involved in the approval, permitting and development of the proposed residential development, and appear at any meetings or public hearings necessary for the approval, permitting and development of the proposed residential development located within the City of Dania Beach.

Lawrence O. Turner, Jr. Roberta Backus Turner
Print Name

[Signature] [Signature]
Signature

2349 NE 30 CT 2349 NE 30 CT
Address

Lighthouse Point, FL Lighthouse Point, FL 33064
City/State/Zip 33064

954-782-7528 954-782-7528
Phone

State of Florida
County of Broward

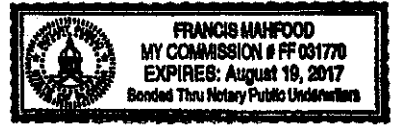
The foregoing instrument was acknowledged before me this _____ day of May, 2014, by Lawrence O. Turner, Jr. and Roberta Backus Turner individuals, who ~~are~~ personally known to me or who has produced _____ as identification and who did take an oath.

NOTARY PUBLIC:

Sign: [Signature]

Print: FRANCIS MAHFOOD

My Commission Expires:



Statement of Interest in Property and Authorization to File Petitions

Lawrence O. Turner, Jr. and Roberta Backus Turner, Co-Trustees of the Lawrence O. Turner Jr. Revocable Intervivos Trust Agreement, and Mary Ann Turner Roach hereby certifies that it is the Owner of the subject property located on the south side of East Dania Beach Boulevard approximately 300 feet east of SE 5th Ave between 500 and 700 East Dania Beach Boulevard and authorizes FLORIDA PARK RESIDENCES, LLC, as agent, DUNAY, MISKEL, BACKMAN AND BLATTNER, LLP, as agent, THOMAS ENGINEERING GROUP, LLC, as agent, PULICE LAND SURVEYORS, INC, as agent, and THE CHAPPELL GROUP, INC, as agent, to submit and process any and all development applications to the City of Dania Beach, Broward County, State of Florida, the U.S. Army Corps of Engineers and all other agencies involved in the approval, permitting and development of the proposed residential development, and appear at any meetings or public hearings necessary for the approval, permitting and development of the proposed residential development located within the City of Dania Beach.

Mary Ann Turner Roach
Print Name

Mary Ann Turner Roach
Signature

2219 Webb road
Address

Simpsonville Ky. 40067
City/State/Zip

502-722-5731
Phone

State of Kentucky

County of Shelby

The foregoing instrument was acknowledged before me this 29 day of May, 2014, by Mary Ann Turner Roach, an individual, who is personally known to me or who has produced Kentucky Drivers License as identification and who did take an oath.

NOTARY PUBLIC:

Sign: James E. Wright

Print: James E. Wright

My Commission Expires:

JAMES EDWARD WRIGHT
NOTARY PUBLIC ID 430501
STATE AT LARGE, KENTUCKY
My Commission Expires October 21, 2014

FLORIDA PARK RESIDENCES, LLC hereby certifies that it is the Contract Purchaser of the subject property located on the south side of East Dania Beach Boulevard approximately 300 feet east of SE 5th Ave between 500 and 700 East Dania Beach Boulevard and authorizes DUNAY, MISKEL, BACKMAN AND BLATTNER, LLP, as agent, THOMAS ENGINEERING GROUP, LLC, as agent, PULICE LAND SURVEYORS, INC, as agent, and THE CHAPPELL GROUP, INC, as agent, to submit and process any and all development applications to the City of Dania Beach, Broward County, State of Florida, the U.S. Army Corps of Engineers and all other agencies involved in the approval, permitting and development of the proposed residential development, and appear at any meetings or public hearings necessary for the approval, permitting and development of the proposed residential development located within the City of Dania Beach.

Ilya MASSARSKY
Print Name

Ilya Massarsky
Signature

16001 Collins Ave #2107
Address

Sunny Isles, FL 33160
City/State/Zip

305-924-6040
Phone

State of FL

County of Dade

The foregoing instrument was acknowledged before me this 20th day of May, 2014, by Ilya MASSARSKY, an individual, who is personally known to me or who has produced FL06 W362400764610 as identification and who did take an oath.

NOTARY PUBLIC:

Sign: [Signature]

Print: Luisa F. Lopez

My Commission Expires:



Luisa Fernanda Lopez
NOTARY PUBLIC
STATE OF FLORIDA
Comm# FF029203
Expires 6/19/2017

WARRANTY DEED

THIS INDENTURE, Made this 7 day of June, 2002.

BETWEEN Lawrence O. Turner, Jr. a/k/a Lawrence L. Turner, Jr., a married man, joined by his spouse, Roberta Backus Turner, County of Broward, and State of Florida, party of the first part, and Lawrence O. Turner, Jr. and Roberta Backus Turner, as Co-Trustees of Lawrence O. Turner, Jr. Revocable Intervivos Trust u/t/d June 7, 2002, whose mailing address is: 2349 N.E. 30th Court, Lighthouse Point, FL County of Broward and State of Florida, party of the second part, **WITNESSETH**, that the said party of the first part, for and in consideration of the sum of Ten and No/100 (\$10.00) Dollars, and other good and valuable considerations to be in hand paid, the receipt whereof is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell, convey and confirm unto the said parties of the second part and their heirs and assigns forever, all that certain parcel of land lying and being in the County of Broward and State of Florida, more particularly described as follows:

A one-half (½) undivided interest as tenant in common with no rights of survivorship as to:

All that part of the East half (E ½) of the Northwest Quarter (NW ¼) of the Southwest Quarter (SW ¼) of the Southwest Quarter (SW ¼) of Section 35, Township 50 South, Range 42 East, lying South of South right-of-way line of State Road 11A, (also known as East Dania Beach Boulevard), less the East 110 feet of the North 250 feet of the said parcel lying South of said right-of-way, said lands situate, lying and being in Broward County, Florida.

SUBJECT TO: Conditions, restrictions, reservations, limitations and easements of record, if any, applicable zoning ordinances, taxes for the year 2002 and subsequent years.

This reference to said conditions, restrictions, reservations, limitations and easements of record, if any, is not intended to reimpose same.

Folio No. 10235-00-03400

Together with all tenements, hereditaments and appurtenances, with every privilege, right, title, interest and estate, dower and right of dower, reversion, remainder and easement thereto

belonging or in anywise appertaining: **To Have and to Hold** the same in fee simple forever.

And the said party of the first part does covenant with the said party of the second part that it is lawfully seized of the said premises, that it is are free from all encumbrances and that it has good right and lawful authority to sell the same; and the said party of the first part does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever.

In Witness Whereof, the said parties of the first part have hereunto set their hands and seals the day and year above written.

Signed, sealed and delivered in our presence as to all

THIS IS NOT AN OFFICIAL COPY
Witness Lawrence O. Turner, Jr. (I.S.)
(Please Print Name) Lawrence O. Turner, Jr.
Witness Roberta Backus Turner (I.S.)
(Please Print Name) Roberta Backus Turner, his spouse

STATE OF FLORIDA)
) :ss
COUNTY OF MIAMI-DADE)

The foregoing instrument was acknowledged before me this 7 day of June, 2002 by Lawrence O. Turner, Jr., joined by his spouse, Roberta Backus Turner, who are personally known to me.

My Commission Expires:

Howard E. Kurzweil
Notary Public, State of Florida
at Large

Typed or Printed Name of Notary Public

THIS INSTRUMENT WAS PREPARED BY:

Howard E. Kurzweil, Esquire
Howard E. Kurzweil, P.A.
Douglas Centre
2600 Douglas Road, Suite 501
Coral Gables, FL 33134
(305) 442-7085

