



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: _____

RECEIVED
 OCT 01 2015
 Planning
 Date Rec'd: _____
 Petition No.: SE 105-15

(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: 180 S.W. 18th Avenue, Dania Beach, Florida

Lot(s): _____ Block: _____ Subdivision: _____

Recorded Plat Name: Hilton Gardens at Stirling Road

Folio Number(s): 5042/33/52/0010 Legal Description: PB 171, Page 14- Parcel A

Applicant/Consultant/Legal Representative (circle one) Susan F. Delegal, Esq

Address of Applicant: 515 East Las Olas Blvd, 6th Fl, Fort Lauderdale, Fl 33301

Business Telephone: 954-764-7150 Home: _____ Fax: 954-764-7279

E-mail address: sdelegal@bclmr.com

Name of Property Owner: Coed-Stirling Road, LLC

Address of Property Owner: 4000 N. Federal Highway, Boca Raton, Fl 33431

Business Telephone: 561-361-2586 Home: _____ Fax: 561-361-3945

Explanation of Request: Request for Special Exception for hotel in C-2 Zoning District

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: 2.9269 Gross Acreage: _____ Prop. Square Footage: 118,797

Existing Use: Hotel Proposed Use: Hotel

Is property owned individually, by a corporation, association, or a joint venture? Florida limited liability company

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 Billing, Cochran, et al. (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 PALM BEACH
The foregoing instrument
was acknowledged

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

BEFORE ME THIS 20TH DAY OF MARCH, 2015

By:

NICK ECONOMOS, JR.

(Print name of person acknowledging)

(Joint owner signature if applicable)

Notary Debra A. Livingston
(Signature of Notary Public – State of Florida)



DEBRA A. LIVINGSTON
MY COMMISSION # EE 092162
EXPIRES: May 13, 2015
Bonded Thru Budget Notary Services

Personally known P 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 Danla 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

REQUEST FOR SPECIAL EXCEPTION FOR HILTON GARDEN INN

This is a request for a special exception to conform the existing hotel use of property located at 180 S.W. 18th Avenue, Dania Beach, Florida, with the current requirements of the City's zoning requirements. The hotel as it currently operates will undergo no change in use. The hotel is constructed within the C-2 zoning district. The City's land development code was amended by the City subsequent to construction to now permit hotels only as special exception uses in the C-2 zoning district.

The property is currently operating as a Hilton Garden Inn. It is the subject of the "Hilton Gardens at Stirling Road" plat recorded at Plat Book 171, at Page 14. Attached is an aerial map (**Appendix 1**) depicting the location of the property which lies north of Stirling Road and east of I-95. The property comprises one of several hotels located in a complex, including Hyatt House, Hyatt Place and Springhill Suites, located to the north of commercial uses along Stirling Road, which include a Burger King and Chipotle Mexican Grill. Pursuant to Ordinance No. 2008-031, the Hilton Garden Inn, along with the Springhill Suites and the Hyatt hotels, were included in the Frontier Hotel Overlay District permitting hotel uses within the district.

In 2000, by Resolution Nos. 2000-094 and 2000-095, the City approved site plan and variance requests to permit the construction of the Hilton Garden Inn which is a 156 unit hotel within the C-2 zoning district and which at the time allowed hotels as a permitted use. Among other things, the variance allowed an exception to the height regulations permitting a six story structure where a maximum of five stories was permitted. Also, a generalized variance from certain requirements relating to interior landscaping and landscape islands was granted for the vehicular use areas. Subsequently, by Resolution No. 2002-066, the City Commission extended and reactivated the approvals included in the above described resolutions.

Building permits were issued in March 2003 and construction was completed in February of 2004. The hotel has been successfully operated since that time.

The property owner has learned that subsequent to the approvals described above and the completion of the hotel, and sometime during 2004 and 2005, the zoning code of the City of Dania Beach was amended affecting the property in two significant ways: 1) hotels are now permitted in the C-2 zoning district only by special exception, subject to certain requirements; and 2) parking requirements have been amended to increase required off-street parking applicable to the property. Both of these changes to the zoning code result in the property being placed into *legal non-conforming use status*. It is the desire of the property owner to request and obtain approvals from the City that will restore the property as a *legal conforming use*.

The requests for special exception use of the property as a hotel and for a variance from the parking requirements are being processed as two separate companion applications.

The C-2 zoning district permits hotels as a special exception upon approval by the City Commission upon the applicant's demonstration of compliance with the criteria set forth in Section 630.50 of the City Code. The applicant's response to the criteria is contained in a separate attachment to the application (**Appendix 2**). In addition, the

provisions of Section 110-100 of the City's Code relating to hotels must be complied with in order to obtain approval of the requested special exception. These conditions are: (1) guestroom access shall be via interior corridors; (2) Individual wall or window mounted air conditioners (if used) shall not project beyond any exterior wall of the building; and (3) must have a minimum of one hundred (100) guest rooms. The Hilton Garden Inn complies with each of the three conditions.

Also, attached to the application is the site plan approved by the City Commission currently on file with the City of Dania Beach. Also attached is a landscape plan found in the property owner's records. (**Appendix 3**).

APPENDIX 1

LORI PARRISH
BROWARD COUNTY
PROPERTY APPRAISER



Map

Created on 9/22/2015 11:20:05 AM using ArcIMS 4.0.1. Source: Broward County Property Appraiser

APPENDIX 2

REQUEST FOR SPECIAL EXCEPTION FOR HOTEL USE IN C-2 ZONING DISTRICT
RESPONSE TO SPECIAL EXCEPTION CRITERIA
CITY CODE SECTION 630.50

(A) The planning and zoning board or city commission, as applicable, shall review the application to determine whether the special exception use complies with the following standards:

- (1) That the use is permitted as a special exception use as set forth in the use regulations of part 1 of this code.

Section 110-20 of the City Code permits a hotel as a special exception in the C-2, Community Business, zoning district, subject to the conditions set forth in Section 110-100. These conditions are: (1) guestroom access shall be via interior corridors; (2) Individual wall or window mounted air conditioners (if used) shall not project beyond any exterior wall of the building; and (3) must have a minimum of one hundred (100) guest rooms. The Hilton Garden Inn complies with each of the three conditions.

- (2) That the use will not cause a detrimental impact to the value of existing contiguous uses, uses in the general area, and to the zoning district where it is to be located.

The use will not cause a detrimental impact to the value of uses in the C-2 zoning district or in the surrounding area. First, the subject property is located in the Frontier Hotel Overlay District along with several other operating hotels as approved by City Ordinance No. 2008-031. The hotel use is specifically permitted under the provisions of the Overlay District. Also adjacent retail shopping uses to the south of the property along Stirling Road are included within the Overlay District. All of these uses complement one another and are permitted for the specific purpose of supporting tourism in the area.

- (3) That the use will be compatible with the existing uses on contiguous property, with uses in the general area and zoning district where the use is to be located and compatible with the general character of the area, considering population density, design, scale and orientation of structures to the area, property values and existing similar uses or zoning.

As stated above, the hotel use is specifically permitted in the Frontier Hotel Overlay District applicable to the properties at the location described in the Ordinance. The City Commission has found that these properties provide tourism support and serve community needs, including support for the nearby Fort Lauderdale – Hollywood International Airport.

- (4) That adequate landscaping and screening are provided to buffer adjacent uses from potential incompatibilities.

Attached hereto as Exhibit A are photographs depicting the existing landscaping on the property. We have included photographs showing the landscaping creating a buffer between the hotel property and the adjacent uses. Also attached to the Request as Appendix 3 is a landscape plan for the property.

- (5) That adequate parking and loading is provided, and ingress and egress is so designed as to cause minimum interference with traffic on abutting streets.

The site plan for the property attached as Appendix 3 to the Request establishes the parking and loading requirements of the City, as well as approved traffic circulation for the property. Accompanying this special exception request is a request for a variance from the off street parking requirements adopted by the City subsequent to the approval of the existing site plan for the hotel. The justification and support for the variance is fully described in the companion application for a variance from the newly adopted parking requirements.

- (6) That the use will not have a detrimental environmental impact upon contiguous properties and upon properties located in the general area or an environmental impact inconsistent with the health, safety and welfare of the community.

Please see the responses contained in items 1, 2, 3 and 4 above.

- (7) That the use will not have a detrimental effect on vehicular or pedestrian traffic, or parking conditions, and will not result in the generation or creation of traffic inconsistent with the health, safety and welfare of the community.

The site plan approved for the existing hotel attached as Appendix 3 reflects the vehicular and pedestrian traffic patterns approved by the City for the property. The hotel project was constructed in accordance with the site plan. In addition, attached to the companion application for a parking variance is a Parking Study prepared by Keith and Schnars, P.A. substantiating that the parking demand and accumulation is more than adequately supported by the current parking supply. This is true even though the existing parking supply is less than that required under the current requirements of the City code which were adopted subsequent to the approval of the site plan by the City Commission and the construction of the hotel.

- (8) That the use will not utilize turning movements in relation to its access to public roads or intersections, or its location in relation to other structures or proposed structures on or near the site that would be hazardous or a nuisance.

The site plan approved for the hotel included traffic circulation within, and access to, the property in accordance with requirements of the City code. As constructed and operating, there are no turning movements relating to

the hotel property that are hazardous or cause a nuisance to other structures or public roads or intersections.

- (9) That the use will not have a detrimental effect on the future development of contiguous properties or the general area, according to the comprehensive plan.

The existing use is consistent with and implements the future development of properties in the area in accordance with the comprehensive plan.

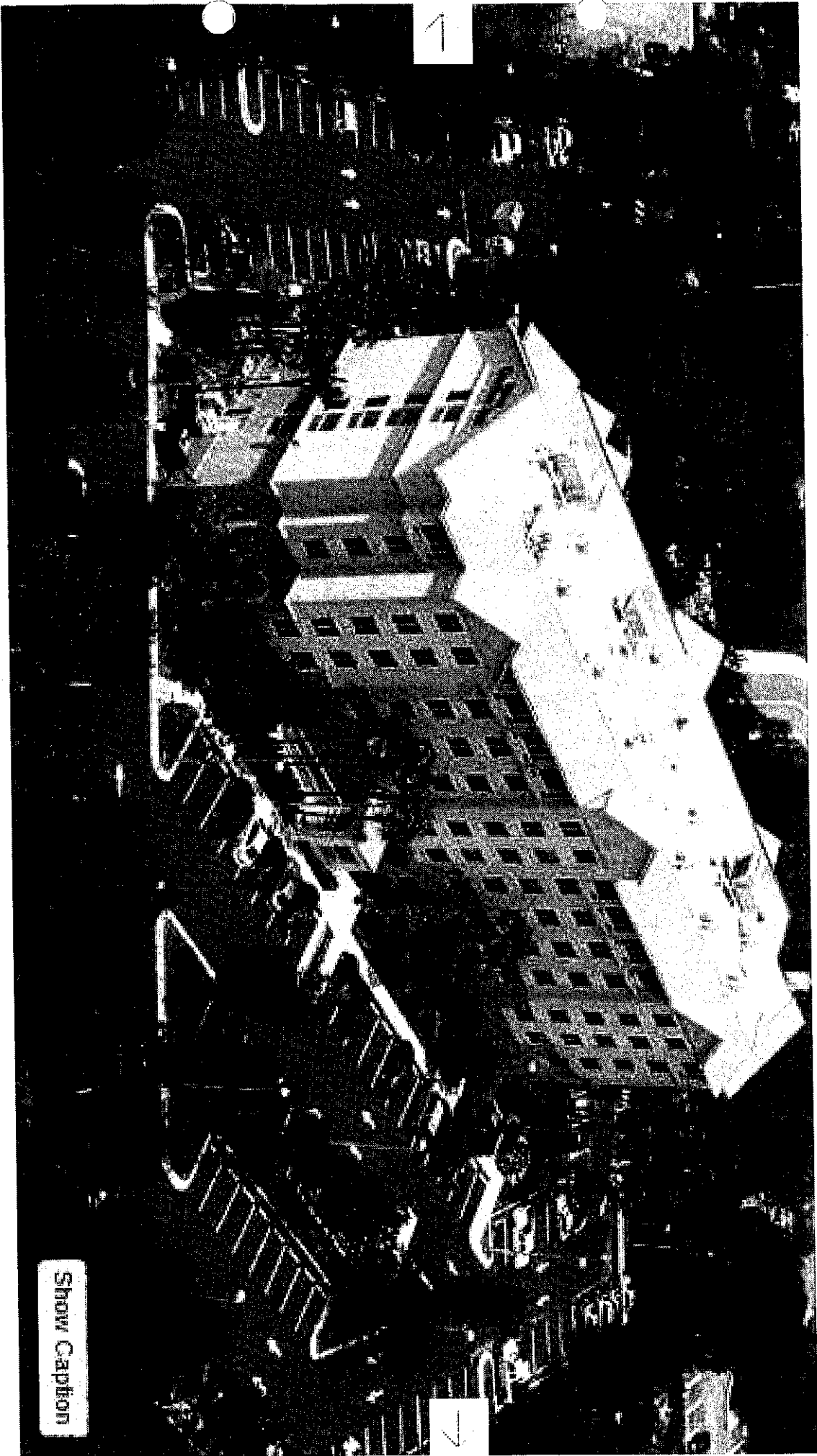
- (10) That the use will not result in the creation of incompatible noise, lights, vibrations, fumes, odors, dust or physical activities, taking into account existing uses, uses located on contiguous properties, uses in the general area and the zoning in the vicinity due to its nature, duration, direction or character.

The Hilton Garden Inn has been operating as a hotel serving the area since 2004. It is part of a complex of other hotels and retail businesses along Stirling Road and as such is compatible with other existing uses in the contiguous and general area.

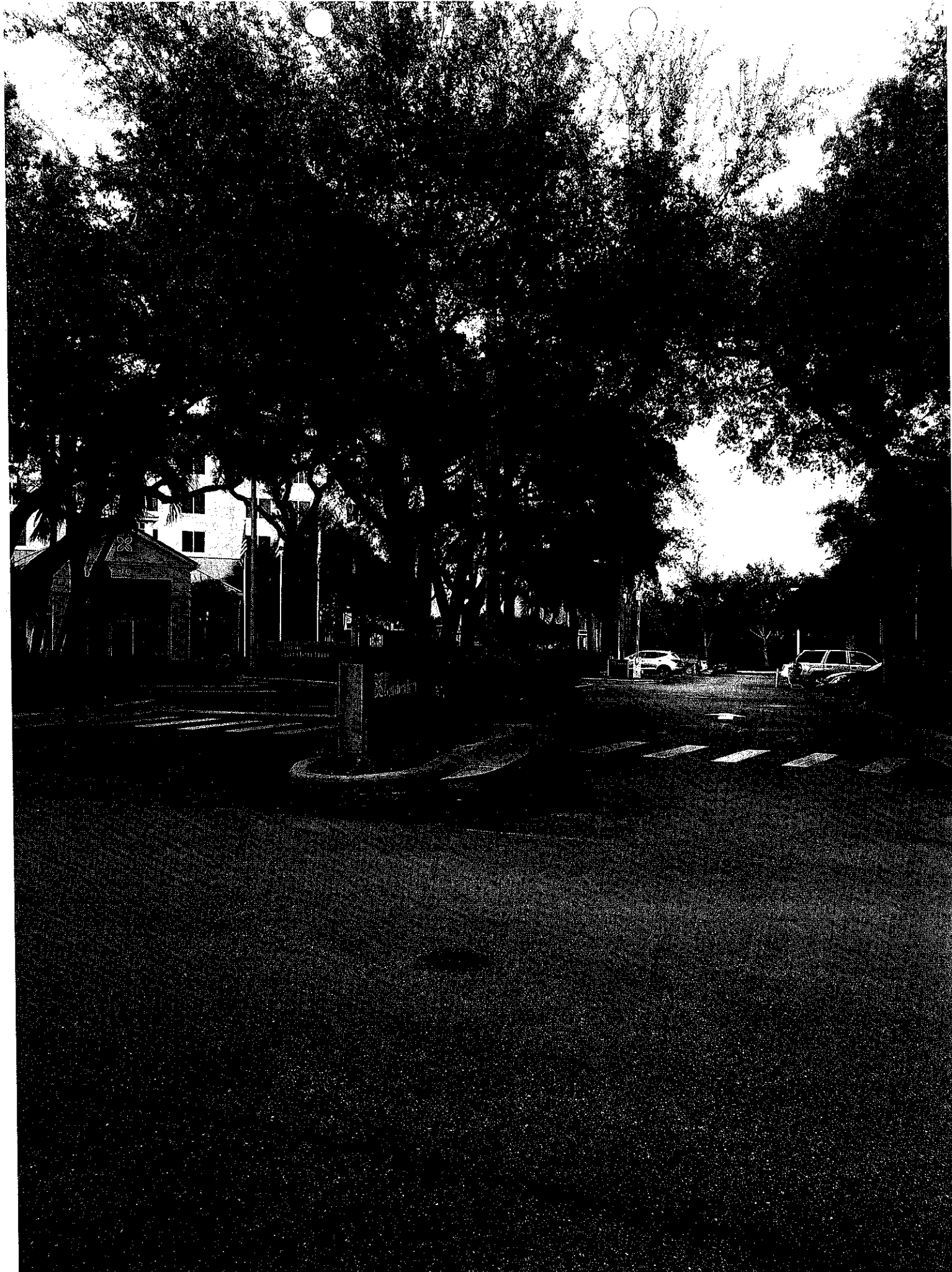
- (11) That the use will not overburden existing public services and facilities.

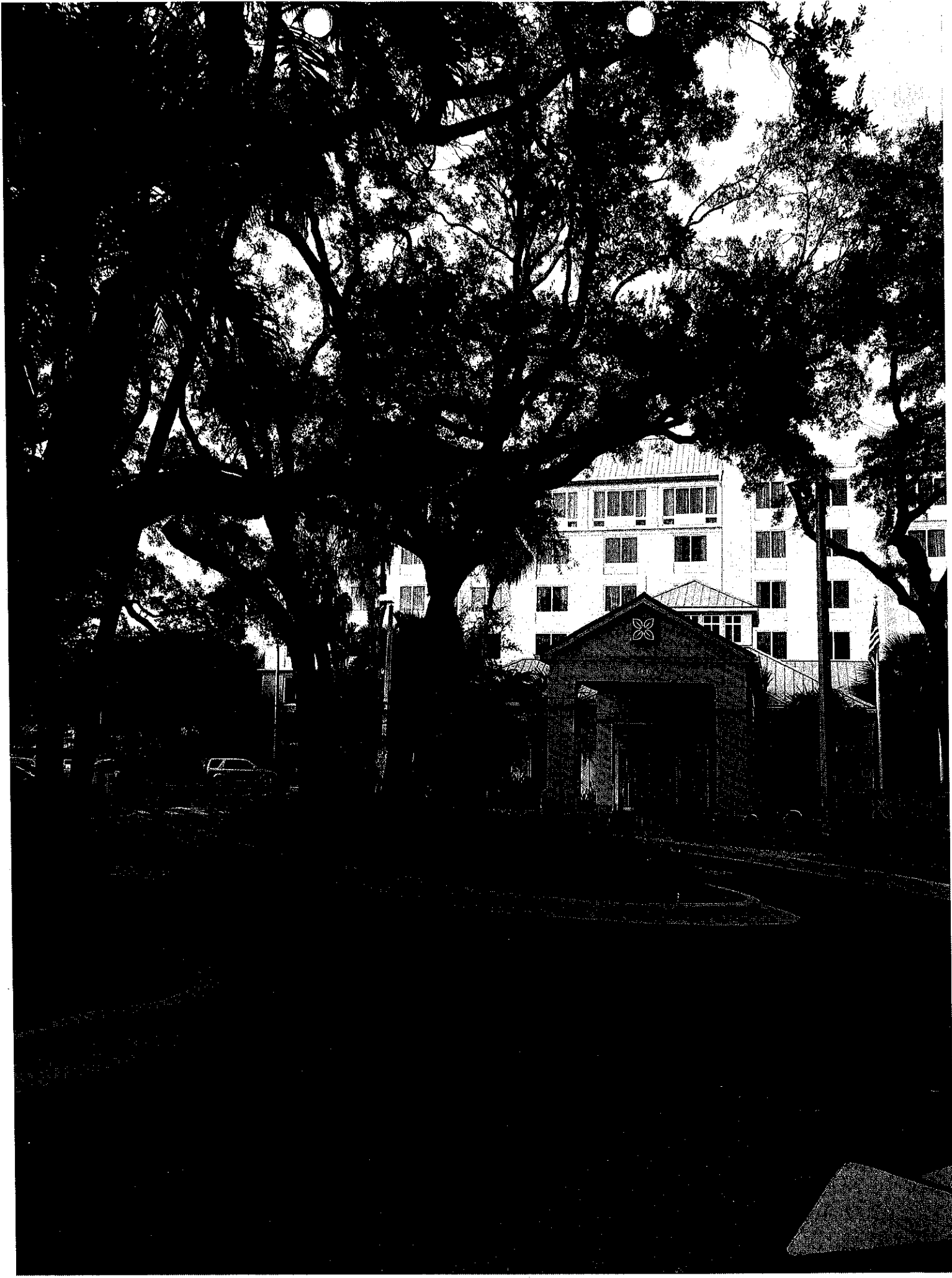
As part of the approval of the site plan and building permits for the hotel as it was developed and constructed, the demand for and impact upon existing public services and facilities was addressed.

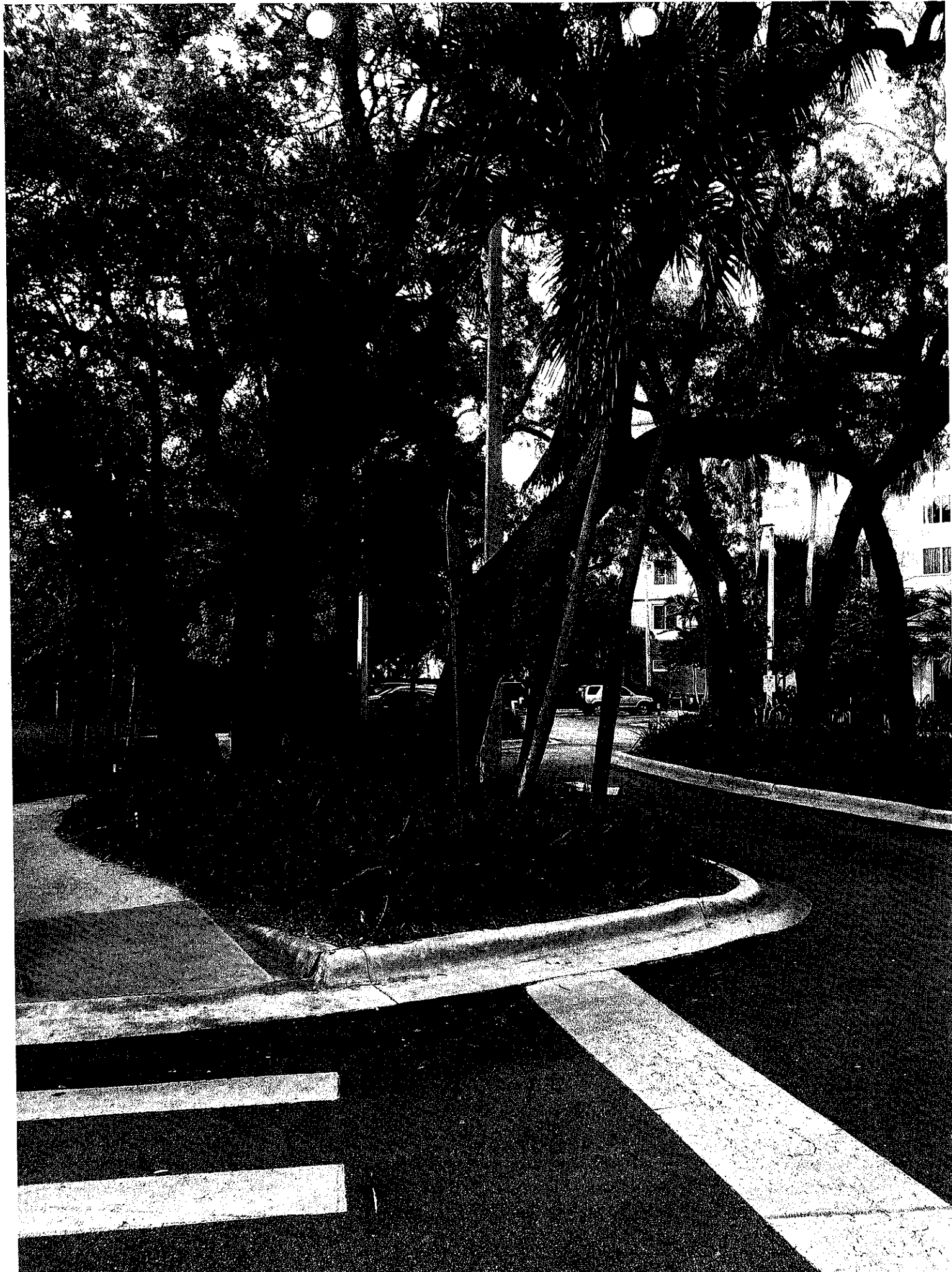
EXHIBIT A

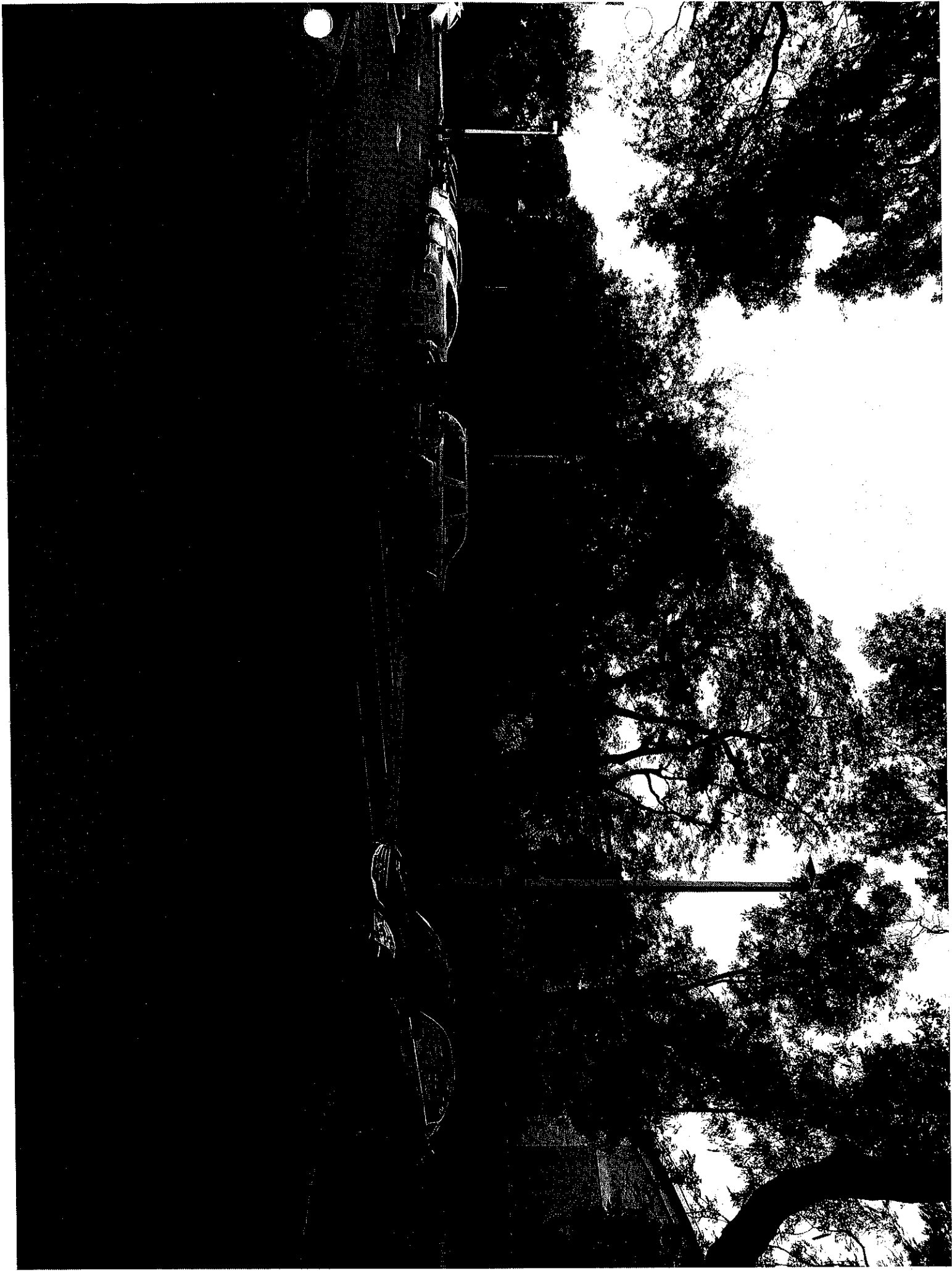


Show Caption

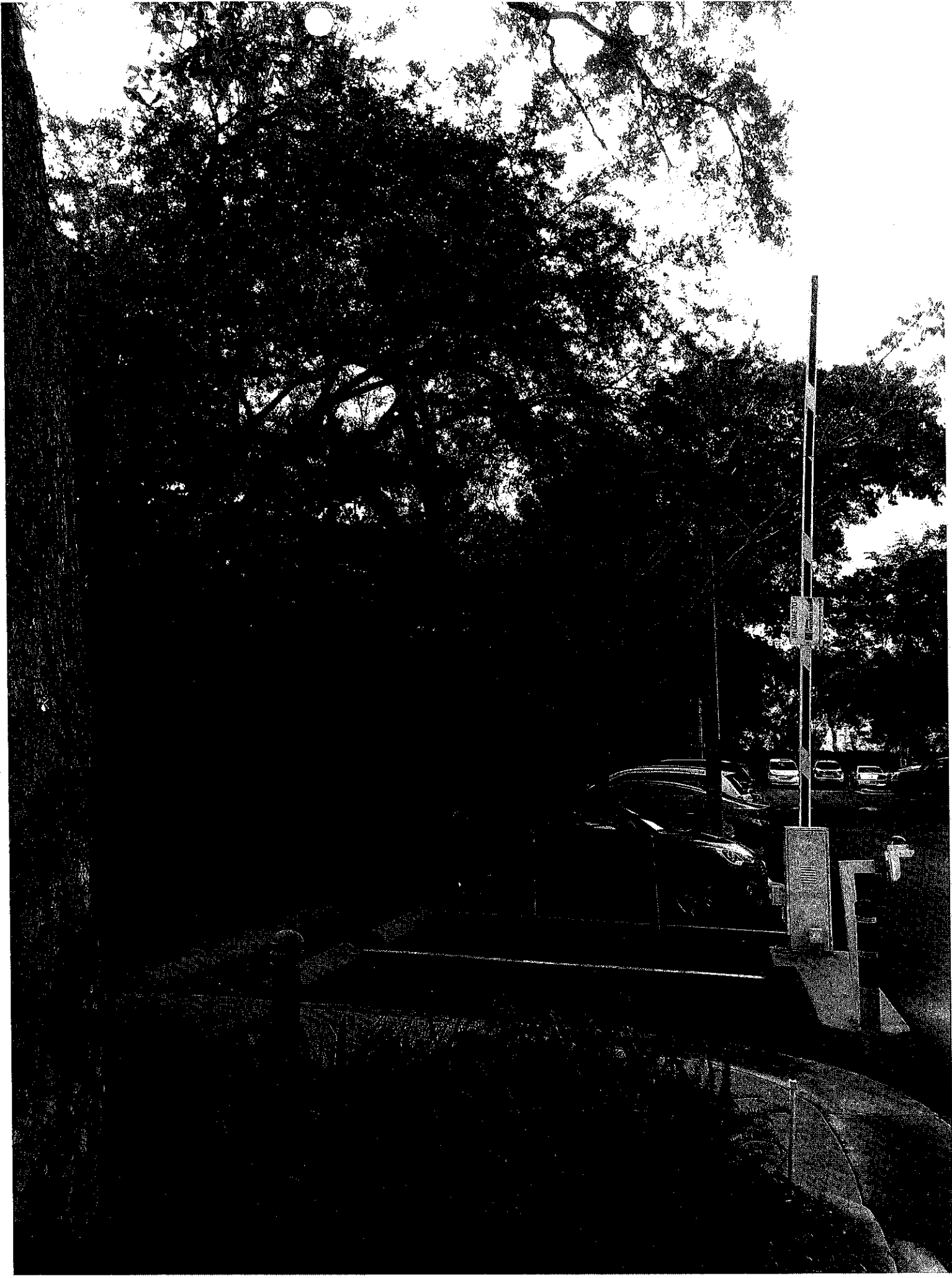


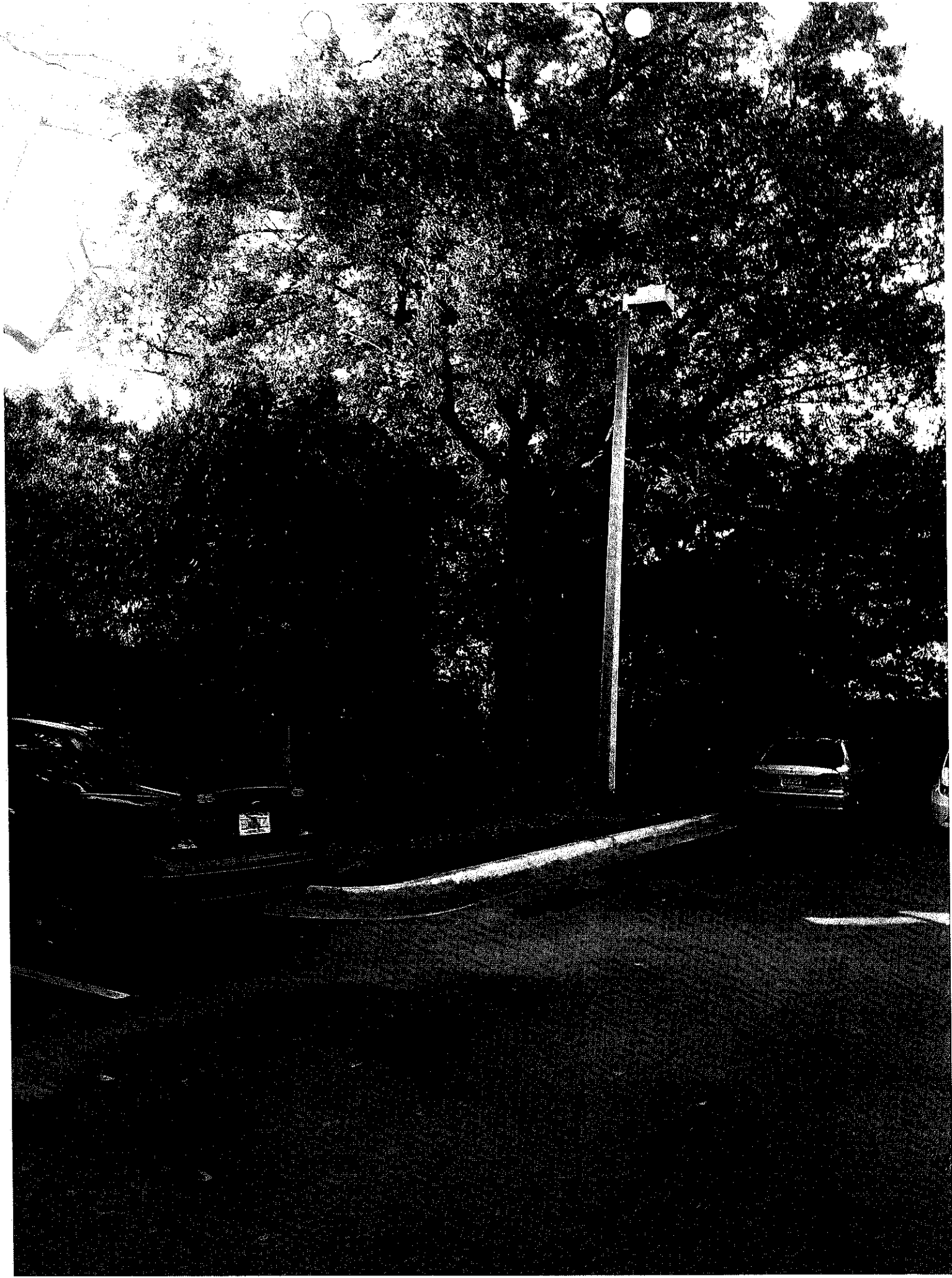








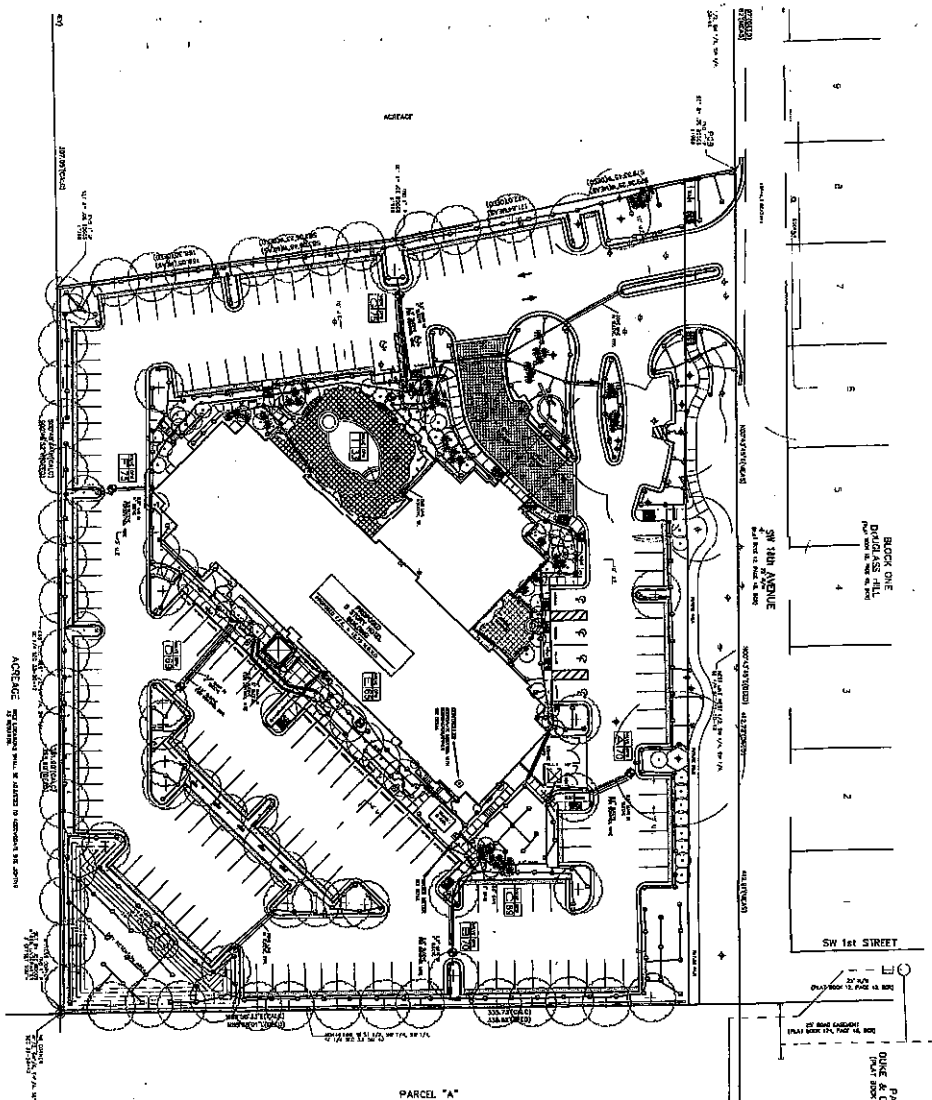




APPENDIX 3

LANDSCAPE IRRIGATION PLAN

1:20'



VALVE / ZONE SCHEDULE

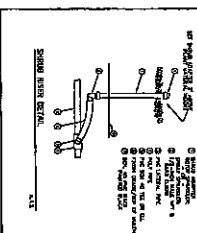
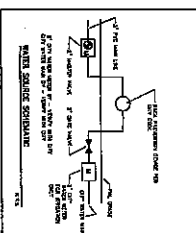
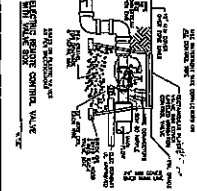
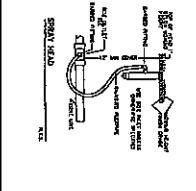
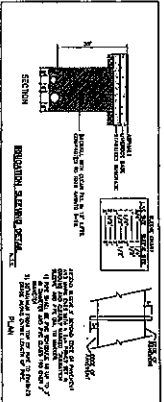
VALVE	ZONE	SPRINKLER
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ZONE LINE / ZONE SCHEDULE

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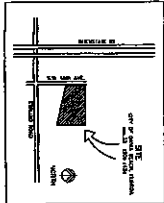
THE PORTION PLANS ARE INCOMPLETE WITHOUT THE SPECIFICATIONS

PARCEL "A"
SAN-MAR PLAT



REGULATION LIST

NO.	DESCRIPTION	DATE	BY
1	ISSUED FOR PERMITS	10/15/00	AW
2	REVISIONS		
3	1. CHANGE FROM 1/2" TO 3/4" FOR ALL VALVES	10/15/00	AW
4	2. CHANGE FROM 1/2" TO 3/4" FOR ALL VALVES	10/15/00	AW
5	3. CHANGE FROM 1/2" TO 3/4" FOR ALL VALVES	10/15/00	AW
6	4. CHANGE FROM 1/2" TO 3/4" FOR ALL VALVES	10/15/00	AW
7	5. CHANGE FROM 1/2" TO 3/4" FOR ALL VALVES	10/15/00	AW
8	6. CHANGE FROM 1/2" TO 3/4" FOR ALL VALVES	10/15/00	AW
9	7. CHANGE FROM 1/2" TO 3/4" FOR ALL VALVES	10/15/00	AW
10	8. CHANGE FROM 1/2" TO 3/4" FOR ALL VALVES	10/15/00	AW
11	9. CHANGE FROM 1/2" TO 3/4" FOR ALL VALVES	10/15/00	AW
12	10. CHANGE FROM 1/2" TO 3/4" FOR ALL VALVES	10/15/00	AW
13	11. CHANGE FROM 1/2" TO 3/4" FOR ALL VALVES	10/15/00	AW
14	12. CHANGE FROM 1/2" TO 3/4" FOR ALL VALVES	10/15/00	AW
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100	98. CHANGE FROM 1/2" TO 3/4" FOR ALL VALVES	10/15/00	AW



LABORING SHEET

NO.	IR-1
DATE	10/15/00
BY	AW
CHECKED	AW
DATE	10/15/00
SCALE	AS SHOWN

PROPOSED INSTALL PROJECT FOR
Hilton Garden Inn
City of Santa Beach
Marina, Santa Beach

CAULFIELD & WHEELER, INC.
CIVIL ENGINEERING - LAND PLANNING
ARCHITECTURE - PLANNING
1810 N. PALMETTO BLVD. SUITE 300
SANTA BEACH, FLORIDA 32909
TEL: (321) 448-2377
FAX: (321) 448-2378

ADRIANES ARCHITECTS
A.A.C. - 801333
1810 N. PALMETTO BLVD. SUITE 300
SANTA BEACH, FLORIDA 32909
TEL: (321) 448-2377
FAX: (321) 448-2378

PAYMENT DATE

10/02/2015

COLLECTION STATION

City Hall Window 2

RECEIVED FROM

COED-STIRLING RD LLC

DESCRIPTION

C/O HILTON =GARDENS INN 180 SW 18TH AVE DB

City of Dania Beach
100 W. Dania Beach Blvd.
Dania Beach, FL 33004

BATCH NO.
2016-01000009

RECEIPT NO.
2016-00000352

CASHIER
fincashier2

PAYMENT CODE	RECEIPT DESCRIPTION	TRANSACTION AMOUNT									
PSP	Appl Review - Standard P/Z ITEM # 5042-33-52-0010 CK. 109731 & 109732 LOCATION: 180 SW 18 AVE, DB VARIENCE & SPECIAL EXCEPTION APPLICANT: SUE DELEGAL, BILLING, COCHRAN, LYLES	\$2,300.00									
PSP	Appl Review - Standard P/Z ITEM # 5042-33-52-0010 CK. 109731 & 109732 LOCATION: 180 SW 18 AVE, DB VARIENCE & SPECIAL EXCEPTION APPLICANT: SUE DELEGAL, BILLING, COCHRAN, LYLES	\$4,300.00									
	<p>Payments:</p> <table border="1"> <thead> <tr> <th>Type</th> <th>Detail</th> <th>Amount</th> </tr> </thead> <tbody> <tr> <td>Check</td> <td>109732</td> <td>\$2,300.00</td> </tr> <tr> <td>Check</td> <td>109731</td> <td>\$4,300.00</td> </tr> </tbody> </table>	Type	Detail	Amount	Check	109732	\$2,300.00	Check	109731	\$4,300.00	
Type	Detail	Amount									
Check	109732	\$2,300.00									
Check	109731	\$4,300.00									
Total Amount:		\$6,600.00									

Customer Copy

THE BACK OF THIS DOCUMENT INCLUDES MICROPRINTED ENDORSEMENT LINES

DOCUMENT IS PRINTED ON CHEMICALLY REACTIVE PAPER - THE BACK OF THIS DOCUMENT INCLUDES A TAMPER EVIDENT CHEMICAL WASH WARNING BOX

COED-STIRLING ROAD LLC

1/4 Hilton Garden Inn
180 SW 18th Avenue
Dania Beach, FL 33004

*FOUR THOUSAND THREE HUNDRED AND XX / 100USDOLLARS

PAY
TO THE
ORDER
OF

CITY OF DANIA BEACH
100 W DANIA BEACH BLVD
DANIA BEACH, FL 33004

HSPCBANK USA

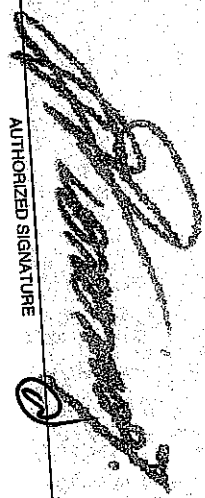
63-939
670

DATE
09/25/2015

AMOUNT
*****4,300.00*

109731

109731



AUTHORIZED SIGNATURE



⑈ 109731 ⑈ ⑆067009390⑆ 197043925⑈

ORIGINAL DOCUMENT HAS RED KEYHOLE ICON THAT DISAPPEARS WITH HEAT



**CITY OF DANIA BEACH
COMMUNITY DEVELOPMENT
Payment Receipt**

No: 000634

Date: 10/1/15

RECEIVED FROM:

Name: COED-STIRLING ROAD LLC

Address: C/O HILTON GARDENS INN

Address 2: 180 SW 18th Avenue

City/St/ZIP: DB

Service or Item	Amount
PSP - Standard Develop/Variance etc Application Fee	\$2300.00
PSP - Standard Develop/Variance etc Application Fee	\$4300.00

P/Z ITEM # 5042-33-52-0010 Cks. 109731 & 109732

LOCATION: 180 SW 18 Avenue, DB
Variance & Special Exception

APPLICANT: Sue Delegal, Billing, Cochran, Lyles

PREPARED BY: Donna Kirby

TOTAL DUE: \$6600.00